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
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

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**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.

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**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.

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>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>CC</td>
<td>Constitution of the State of California</td>
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<td>CCR</td>
<td>California Code of Regulations</td>
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### Dates of Adoption and Amendment

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<td>April 11, 2001</td>
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<td>July 9, 2003</td>
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SBE Agenda for May 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
- Karen Valdes
- Trish Williams
- Olivia Sison, Student Member

Secretary & Executive Officer
- Hon. Tom Torlakson

Executive Director
- Karen Stapf Walters

<table>
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<th>Schedule of Meeting</th>
<th>Location</th>
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<tr>
<td><strong>Wednesday, May 10, 2017</strong></td>
<td><strong>California Department of Education</strong></td>
</tr>
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</table>
| 8:30 a.m. Pacific Time ± | 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>
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<tr>
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<tr>
<td><strong>Thursday, May 11, 2017</strong></td>
<td><strong>California Department of Education</strong></td>
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</table>
| 8:30 a.m. Pacific Time ± | 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
Devon Torrey-Love v. State of California, Department of Education, State Board of Education, Tom Torlakson, Department of Public Health, Dr. Karen Smith, Director of the Department of Public Health, Placer County Superior Court, Case No. CV-0039311
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, L2007060728, 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
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, May 10, 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 items 1 and 3 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: Developing an Integrated Local, State, and Federal Accountability and Continuous Improvement System: Approval of the Application Process for Alternative Schools; Update on the California School Dashboard, the English Learner Progress Indicator, and Continued Developmental Work of Evaluation Rubrics.

Type of Action: Action, Information

Item 02 (DOC)

Subject: California Assessment of Student Performance and Progress: Approve the Proposed Contract Amendment with Educational Testing Service for the California Assessment of Student Performance and Progress Contract.

Type of Action: Action, Information

- Item 02 Attachment 2 (PDF; 3MB)
- Item 02 Attachment 3 (PDF)
- Item 02 Attachment 4 (PDF)

Item 03 (DOC; 1MB)


Type of Action: Action, Information

Item 04 (DOC; 2MB)
Subject: California High School Proficiency Examination: Approve the Finding of Emergency and Proposed Emergency Regulations for Amendments to the California Code of Regulations, Title 5, Sections 11520, 11524, 11525, and 11526.

Type of Action: Action, Information

- Item 04 Attachment 4 (PDF; 1MB)
- Accessible Alternative Version (AAV) of Item 04 Attachment 4

Item 05 (DOC; 2MB)

Subject: California Assessment of Student Performance and Progress: Readoption of the Finding of Emergency and Proposed Emergency Regulations for Amendments to the California Code of Regulations, Title 5, Sections 851 through 856.

Type of Action: Action, Information

- Item 05 Attachment 4 (PDF; 1MB)
- Accessible Alternative Version (AAV) of Item 05 Attachment 4

Item 06 (DOC)

Subject: Amendment and a Revision of California State Board of Education Waiver Policy: Independent Study: Average Daily Attendance-to-Teacher Ratio.

Type of Action: Action, Information

Item 07 (DOC)

Subject: Approval of 2016–17 Consolidated Applications.

Type of Action: Action, Information

Item 08 (DOC; 2MB)


Type of Action: Action, Information

- Item 08 Attachment 6 (PDF)
- Accessible Alternative Version (AAV) of Item 08 Attachment 6

Item 09 (DOC; 2MB)

Subject: Follow-Up Adoptions – Approve Commencement of the Rulemaking Process for Amendments to the
Type of Action: Action, Information

- Item 09 Attachment 4 (PDF)
- Accessible Alternative Version (AAV) of Item 09 Attachment 4

Item 10 (DOC)

Subject: Request for Approval of Fresno County Charter Special Education Local Plan Area.

Type of Action: Action, Information

Item 11 (DOC)

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

Type of Action: Action, Information

Item 12 (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 13 (DOC)

Subject: Local Control Funding Formula: Recommendation of the California Collaborative for Educational Excellence Fiscal Agent.

Type of Action: Action, Information

Item 14 (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 15 (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

ADJOURNMENT OF DAY’S SESSION

CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD AGENDA
Public Session Day 2

Thursday, May 11, 2017

Thursday, May 11, 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

AGENDA ITEMS DAY 2

PLEASE NOTE: Individual speakers will be limited to one minute each for public comment for all items Thursday.

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.

Community Day Schools (CDS) (Colocate Facilities)

Item W-01 (DOC)

Subject: Request by Downey Unified School District for a waiver of portions of California Education Code Section 48661(a) to permit collocation of a Community Day School on the Columbus (Continuation) High School Campus.
Waiver Number: 31-1-2017

(Recommended for APPROVAL WITH CONDITIONS)

Equity Length of Time

Item W-02 (DOC)

Subject: Request by 16 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:

- Alpaugh Unified School District 9-1-2017
- Capistrano Unified School District 28-2-2017
- Galt Joint Union Elementary School District 23-2-2017
- Hueneme Elementary School District 25-1-2017
- Jurupa Unified School District 5-2-2017
- Kenwood School District 30-1-2017
- Lafayette Elementary School District 12-2-2017
- Lake Tahoe Unified School District 1-2-2017
- Maple Elementary School District 43-12-2016
- Morongo Unified School District 10-1-2017
- Orinda Union Elementary School District 21-2-2017
- Placentia-Yorba Linda Unified School District 24-1-2017
- Poway Unified School District 22-2-2017
- Rio School District 26-1-2017
- San Jacinto Unified School District 23-1-2017
- Santee School District 5-1-2017

(Recommended for APPROVAL WITH CONDITIONS)

Instructional Time Requirement Audit Penalty (Below 1982-83 Base Minimum Minutes)

Item W-03 (DOC)

Subject: Request by Durham Unified School District under the authority of the California *Education Code* Section 46206(a), to waive *Education Code* Section 46201(a), the audit penalty for offering less instructional time in the 2014–15 school year for students in grades nine through twelve (shortfall of 1,960 minutes) at district schools.

Waiver Number: 26-2-2017

(Recommended for APPROVAL WITH CONDITIONS)

Instructional Time Requirement Audit Penalty (Below 1982-83 Base Minimum Minutes)

Item W-04 (DOC)

Subject: Request by Maple Creek Elementary School District under the authority of the California *Education Code* Section 46206(a), to waive *Education Code* Section 46201(a), the audit penalty for offering less instructional time in
the 2015–16 school year for students in grades four through eight (shortfall of 600 minutes) at district schools.

**Waiver Number:** 2-2-2017

(Recommended for APPROVAL WITH CONDITIONS)

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**Instructional Time Requirement Audit Penalty (Below 1982-83 Base Minimum Minutes)**

**Item W-05** (DOC)

**Subject:** Request by Montecito Union Elementary School District under the authority of the California *Education Code* Section 46206(a), to waive *Education Code* Section 46201(a), the audit penalty for offering less instructional time in the 2015–16 school year for students in grade one (shortfall of 45 minutes) at district schools.

**Waiver Number:** 16-1-2017

(Recommended for APPROVAL WITH CONDITIONS)

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**Sale or Lease of Surplus Property**

**Item W-06** (DOC)

**Subject:** Request by two school districts to waive California *Education Code* sections specific to statutory provisions for the sale or lease of surplus property.

**Waiver Numbers:**

- Dos Palos Oro Loma Unified School District 14-2-2017
- Union Elementary School District 16-2-2017

(Recommended for APPROVAL WITH CONDITIONS)

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**School Construction Bonds (Bond Indebtedness Limit)**

**Item W-07** (DOC)

**Subject:** Request by Sanger Unified School District to waive California *Education Code* sections 15106 and 15270(a) to allow the district to exceed its bond indebtedness limits. Total bond indebtedness may not exceed 2.5 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 Number:** 35-2-2017

(Recommended for APPROVAL WITH CONDITIONS)

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**School Construction Bonds (Citizens Oversight Comittee - Term Limits)**

**Item W-08** (DOC)
Subject: Request by Saddleback Valley Unified School District to waive California Education Code Section 15282(a), relating to term limits for members of a Citizens’ Oversight Committee for all construction bonds in the district.

Waiver Number: 32-1-2017

(Recommended for APPROVAL)

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School District Reorganization (Elimination of Election Requirement)

Item W-09 (DOC)

Subject: Request by two local educational agencies 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 Numbers:

- Castaic Union School District 31-3-2017
- Eureka City Schools 3-2-2017

(Recommended for APPROVAL)

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School District Reorganization (Lapsation of a Small District)

Item W-10 (DOC)

Subject: Request by Union Joint Elementary School District to waive portions of California Education Code sections 35780, 35782, and 35783 regarding district lapsation.

Waiver Number: 24-2-2017

(Recommended for APPROVAL)

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Schoolsite Council Statute (Number and Composition of Members)

Item W-11 (DOC)

Subject: Request by six 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:

- Alview-Dairyland Union Elementary School District 12-1-2017
- Big Pine Unified School District 15-1-2017
- Carpinteria Unified School District 1-3-2017
- Carpinteria Unified School District 2-3-2017
- Carpinteria Unified School District 3-1-2017
- Hornbrook Elementary School District 20-2-2017
- Junction Elementary School District 25-2-2017
Special Education Program (Child Specific/ NPA or NPS Certification)

Item W-12 (DOC)

Subject: Request by Victor Valley Union High School District to waive California Education Code Section 56366.1(a), the requirement for state certification to allow an uncertified out-of-state nonpublic school, Judge Rotenberg Center located in Canton, Massachusetts, to provide services to a California student with disabilities.

Waiver Number: 40-12-2016

(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Extended School Year)

Item W-13 (DOC)

Subject: Request by the Bassett Unified School District to waive California Code of Regulations, Title 5, Section 3043(d), which requires a minimum of 20 school days for an extended school year (summer school) for students with disabilities.

Waiver Number: 4-3-2017

(Recommended for APPROVAL WITH CONDITIONS)

Special Education Program (Extended School Year)

Item W-14 (DOC)

Subject: Request by eight local education agencies to waive California Code of Regulations, Title 5, Section 3043(d), which requires a minimum of 20 school days of attendance for an extended school year (summer school) for individuals with exceptional needs.

Waiver Numbers:

- Chico Unified School District 11-1-2017
- Fremont Union High School District 22-1-2017
- Hanford Elementary School District 32-2-2017
- Kings County Office of Education 14-1-2017
- National Elementary School District 11-2-2017
- Ocean Unified School District 15-2-2017
- Shasta County Office of Education 27-1-2017
- Tehama County Office of Education 20-1-2017

(Recommended for APPROVAL WITH CONDITIONS)

State Meal Mandate (Summer School Session)
Item W-15 (DOC)

Subject: Request by three school districts under the authority of California Education Code Section 49548 to waive Education Code Section 49550, the State Meal Mandate during the Summer School Session.

Waiver Numbers:

- Eastern Sierra Unified School District 27-2-2017
- Lassen Union High School District 34-2-2017
- Mark West Union Elementary School District 29-2-2017

(Recommended for APPROVAL)

State Meal Mandate (Summer School Session)

Item W-16 (DOC)

Subject: Request by San Marino Unified School District under the authority of California Education Code Section 49548 to waive Education Code Section 49550, the State Meal Mandate during the Summer School Session for San Marino High School.

Waiver Number: 30-2-2017

(Recommended for DENIAL)

State Testing Apportionment Report (CAASPP)

Item W-17 (DOC)

Subject: Request by three local educational agencies to waive the State Testing Apportionment Information Report deadline as stipulated in the California Code of Regulations, Title 5, Section 11517.5(b)(1)(A), regarding the California English Language Development Test; or Title 5, Section 862(b)(2)(A), regarding the California Assessment of Student Performance and Progress System.

Waiver Numbers:

- Corona-Norco Unified 19-2-2017
- Dixie Elementary School District 11-11-2016
- Oak Valley Union Elementary 29-1-2017

(Recommended for APPROVAL)

CHARTER SCHOOL PROGRAM (Geographic Limitations - Non-classroom Based)

Item W-18 (DOC)

Subject: Request by twenty local educational agencies to waive portions of Education Code Sections 47605 and 47605.1 for twenty-seven charter schools which concern Nonclassroom-Based Charter School Resource Center Location.
Waiver Numbers:

- Blochman Union Elementary School District 1-12-2016
- Blochman Union Elementary School District 2-12-2016
- Borrego Springs Unified School District 30-12-2016
- Borrego Springs Unified School District 34-12-2016
- Camptonville Elementary School District 7-12-2016
- Dehesa Elementary School District 27-12-2016
- Dehesa Elementary School District 33-12-2016
- Gorman Joint School District 1-1-2017
- Helendale Elementary School District 28-12-2016
- Helendale Elementary School District 31-12-2016
- Jamul-Dulzura Union Elementary School District 42-12-2016
- Julian Union Elementary School District 12-12-2016
- Kit Carson Union Elementary School District 21-1-2017
- Mattole Unified School District 16-12-2016
- Mountain Empire Unified School District 18-12-2016
- Mountain Empire Unified School District 20-12-2016
- Mountain Empire Unified School District 21-12-2016
- Oro Grande Elementary School District 17-12-2016
- Raisin City Elementary School District 13-1-2017
- Ravendale-Termo Elementary School District 23-12-2016
- Robla Elementary School District 4-2-2017
- Stone Corral Elementary School District 33-1-2017
- Waterford Unified School District 9-12-2016
- Westside Elementary School District 8-2-2017
- Whitmore Union Elementary School District 38-12-2016
- Whitmore Union Elementary School District 37-12-2016

(Recommended for APPROVAL WITH CONDITIONS)

- Item W-18 Attachment 2 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 3 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 4 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 5 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 6 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 7 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 8 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 9 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 10 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 11 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 12 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 13 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 14 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 15 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 16 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 17 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 18 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 19 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 20 (PDF; Posted 03-May-2017)
- Item W-18 Attachment 21 (PDF; Posted 03-May-2017)
CHARTER SCHOOL PROGRAM (Geographic Limitations - Non-classroom Based)

Item W-19 (DOC)

Subject: Requests by Julian Union Elementary School District to waive portions of Education Code Sections 47605 and 47605.1 for two charter schools which concern Nonclassroom-Based Charter School Resource Center Location.

Waiver Numbers:

- Julian Union Elementary School District 13-12-2016
- Julian Union Elementary School District 25-12-2016

(Recommended for APPROVAL WITH CONDITIONS)
Waiver Item W-20 was withdrawn by the Los Angeles County Office of Education

CHARTER SCHOOL PROGRAM (Geographic Limitations—Non-classroom Based)

Item W-20

Subject: Request by the Los Angeles County Office of Education to waive portions of Education Code Sections 47605 and 47605.1 for Odyssey Charter, pertaining to geographic limits on classroom-based charter schools.

Waiver Number: Los Angeles County Office of Education 41-12-2016

(Recommended for DENIAL)

[Note: the preceding information about Item W-20 contains strikethroughs which indicate the item has been withdrawn.]

CHARTER SCHOOL PROGRAM (Geographic Limitations - Non-classroom Based)

Item W-21 (DOC)

Subject: Requests by Dehesa Elementary School District to waive portions of Education Code Sections 47605 and 47605.1 for two charter schools which concern Nonclassroom-Based Charter School Resource Center Location.

Waiver Numbers:

- Dehesa Elementary School District 32-12-2016
- Dehesa Elementary School District 7-2-2017

(Recommended for APPROVAL WITH CONDITIONS)

- Item W-21 Attachment 2 (PDF)
- Item W-21 Attachment 3 (PDF)
- Item W-21 Attachment 4 (PDF; Posted 03-May-2017)
- Item W-21 Attachment 5 (PDF)

END OF WAIVERS

PUBLIC HEARING

The following Public Hearings will commence no earlier than 9:00 a.m. on Thursday, May 11, 2017. The Public Hearings listed below will be held as close to 9:00 a.m. as the business of the State Board permits.

Item 16 (DOC)

Subject: Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Grossmont Secondary School, which was denied by the Grossmont Union High School District and the San Diego County Board of Education.
**Item 17** (DOC)

**Subject:** Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Celerity Dyad Charter School, which was denied by the Los Angeles Unified School District and not considered by the Los Angeles County Board of Education.

**Type of Action:** Hearing, Action, Information

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**Item 18** (DOC)

**Subject:** Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Celerity Troika Charter School, which was denied by the Los Angeles Unified School District and not considered by the Los Angeles County Board of Education.

**Type of Action:** Hearing, Action, Information

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The following Public Hearings will commence no earlier than 11:00 a.m. on Thursday, May 11, 2017. The Public Hearings listed below will be held as close to 11:00 a.m. as the business of the State Board permits.

**Item 19** (DOC)

**Subject:** Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Oxford Preparatory Academy Chino Valley, which was denied by the Chino Valley Unified School District and not considered by the San Bernardino County Board of Education.

**Type of Action:** Hearing, Action, Information

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**Item 20** (DOC)

**Subject:** New West Charter: Hold a Public Hearing to Consider a Petition to Renew the Charter Currently Authorized by the State Board of Education.

**Type of Action:** Hearing, Action, Information

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**Item 21** (DOC)

**Subject:** Paramount Collegiate Academy: Consider a material revision of the Charter to reduce total projected enrollment from the original proposed enrollment plan of 800 pupils to 140 pupils, in grade six through grade twelve by 2019–20.

**Type of Action:** Hearing, Action, Information

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END OF PUBLIC HEARING

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 May 5, 2017, the Friday prior to the meeting. If you do not meet the deadline, please provide 25 copies to distribute at the meeting.
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

ITEM 01
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

SUBJECT

SUMMARY OF THE ISSUE(S)

This is a standing item for the State Board of Education (SBE) to receive updates on the continued development and implementation of California’s new accountability system. Based on the priority areas in the Local Control Funding Formula (LCFF), the new local, state, and federal accountability system uses a concise set of state and local indicators to demonstrate the progress of county offices of education, districts, and charter schools toward meeting the needs of their students.

The LCFF required the SBE to develop an accountability tool, known as the evaluation rubrics, to assist local educational agencies (LEAs) to identify strengths, weaknesses, and areas in need of improvement across all LCFF priority areas. The SBE adopted the remaining components of the evaluation rubrics at its January 2017 meeting. The California School Dashboard (Dashboard) launched in March 2017 and includes performance data based on the evaluation rubrics. The Dashboard is a new Web site for parents/guardians, educators, and the public to see how LEAs are meeting the needs of California’s diverse student population. The Spring 2017 Dashboard is a field test prior to the full implementation of the Dashboard for LEAs in 2017–18.

For the past 15 SBE meetings (since March 2015), the SBE has worked on the development and implementation of this new integrated local, state, and federal accountability system. This item includes an update on the development and implementation of the new accountability system, including the Dashboard, a request for SBE action on the application process for alternative schools, and an update on the English Learner Progress Indicator.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE approve the development of an application process to require alternative schools of choice and charter schools [i.e., those schools not explicitly defined as alternative schools in...
California Education Code (EC) Section 52052(g)] to re-certify, every three years, that at least 70 percent of their enrollment is comprised of high-risk students (as defined in the SBE-approved eligibility criteria) in order to continue participating as an alternative school in the accountability system.

**BRIEF HISTORY OF KEY ISSUES**

California *Education Code* (EC) Section 52064.5 identifies three statutory purposes for the LCFF evaluation rubrics: (1) to support LEAs in identifying strengths, weaknesses, and areas for improvement; (2) to assist in determining whether LEAs are eligible for technical assistance; (3) and to assist the State Superintendent of Public Instruction in determining whether LEAs are eligible for more intensive state support/intervention.

With the adoption of the final component of the evaluation rubrics in January 2017, the SBE is transitioning to an annual review cycle for indicators included in the evaluation rubrics. This process includes a review of the CDE work plan for the evaluation rubrics that will occur at each March SBE meeting and consideration of any changes at each September SBE meeting.

In March 2017, the Dashboard field test began and provided users with a series of easy-to-use reports to shows how LEAs and schools perform on the state and local indicators adopted by the SBE. In April 2017, two additional features became operational in the Dashboard: (1) functionality for the completion of the self-reflection tools for the local indicators and (2) detailed reports. In anticipation of these new features, the CDE and WestEd hosted two orientation Webinars for Dashboard Coordinators to become familiar with the local indicator self-assessment components of the Dashboard.

The SBE and CDE continue to seek feedback from stakeholders, educators, and the public on the implementation of the Dashboard and future development needs as described in Attachment 4 of this item. In addition to regular meetings with stakeholders, the CDE coordinates workgroups on specific topics to solicit programmatic and technical feedback. This item provides information on recommendations that the English Learner Progress Indicator Workgroup made to the CDE.

In a related Item 3, the SBE will begin the process for determining the methodology for identifying schools for support as required under the Every Student Succeeds Act. At the July 2017 meeting, the CDE will present an item to the SBE related to the emerging state system of support for LEAs and schools, building on an SBE August 2016 information memorandum ([http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item02.doc](http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item02.doc)).

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

In April 2017, the SBE received the following information memoranda:
• Relationship Between the State Board of Education's Adoption of the Local Control Funding Formula Evaluation Rubrics and Title I School Accountability Requirements under the Every Student Succeeds Act (http://www.cde.ca.gov/be/pn/im/documents/memo-exec-essa-apr17item02.doc)

• Update on the English Learner Progress Indicator Work Group (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr17item01.doc)

In March 2017, the SBE heard 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, work plan for state indicator development, and an update on the local indicators, specifically the work by the School Conditions and Climate Work Group.

Note: This item also includes a summary and link to all SBE Information Memoranda and Agenda Items since 2015 related to the new accountability system. See the section titled “Summary of Previous State Board of Education Discussion and Action.” (http://www.cde.ca.gov/be/ag/ag/yr17/documents/mar17item02.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: Update on the California School Dashboard (2 Pages)

Attachment 2: Application Process for Alternative Schools (5 Pages)

Attachment 3: Update on the English Learner Progress Indicator (4 Pages)

Attachment 4: Draft Timeline for the Integrated, Local, State, and Federal Accountability and Continuous Improvement System, Including Outreach with Stakeholders (7 Pages)

Attachment 5: California Education Code Sections 52064.5, 47607, 47607.3, 52071, 52071.5, 52072, 52072.5, 52060, 52066, 52064, and 52052 (16 Pages)
Update on the California School Dashboard

The California School Dashboard (Dashboard) (https://www.caschooldashboard.org/) launched publicly on March 15, 2017, following a five-week local educational agency (LEA) preview. The Dashboard provides parents, educators, and the public with information they can use to evaluate schools and school districts in an easy-to-understand report card format. It also provides a look at overall and student group performance on a concise set of measures, allowing schools and LEAs to identify strengths, weaknesses, and areas in need of improvement.

The Dashboard is a work in progress, and this first release is a field test of the system prior to the full implementation in fall 2017. Leading up to the launch in mid-March, staff held a series of Webinars to familiarize LEAs with the Dashboard. These Webinars ranged from a general orientation of the Web site, to more specialized in-depth training on the state and local indicators. The Webinars are available on the California Department of Education (CDE) California Accountability Model and School Dashboard Web page at http://www.cde.ca.gov/dashboard. Select the tab titled “Resources” to access the in-depth Webinars. Additionally, by selecting the tab titled “Communications Toolkit”, users can find a variety of support materials, such as videos, an orientation Webisode, and easy to read reference guides translated into multiple languages.

During the first week of the Dashboard release, the site had nearly 69,000 unique visitors. Since the LEA preview began in early February 2017, the CDE Accountability supporting page (see link above) has also been trending as one of the top ten most popular pages to visit on the CDE Web site.

During this field test of the Dashboard, the CDE and SBE are proactively seeking feedback on the features of the system. Specifically, staff have hosted structured input sessions on the system design and requested feedback on the system when presenting to educators, administrators, and the public on the Dashboard. In addition, users can provide feedback by e-mail at LCFF@cde.ca.gov. A feedback log is being maintained to allow for easy tracking of suggested edits and functionality to consider for future releases. Based on the feedback received since the public launch, we anticipate that the fall 2017 release will include a mobile friendly version of the Dashboard, the ability to print the reports in PDF, and a more user-friendly search function.

In addition, the CDE and SBE staff recently met with members of the Local Control Funding Formula Equity Coalition and agreed to collaborate further to support the stakeholder engagement process for the Every Student Succeeds Act State Plan. This collaboration will leverage the Dashboard to further empower local communities to build strong capacity for school improvement and closing of achievement and opportunity gaps.
Local Indicators

The LEA preview of the Self-Reflection Tools for Local Indicators began on April 12, 2017. The public launch of this functionality and the detailed reports occurred on April 28, 2017. While there is no deadline for uploading information to the local indicators section of the Dashboard during the field test, LEAs are strongly encouraged to utilize this functionality prior to the full implementation of the Dashboard in 2017–18. The field test period is an opportunity for LEAs to explore the functionality of the Self-Reflection Tools for Local Indicators and discover what works best for the LEA.

LEAs who upload and finalize the information for the local indicators during the field test (i.e. narrative, survey responses, etc.) will show an overall performance category of Met on the Equity Report for each completed local indicator, and will see their complete responses displayed in the Detailed Reports.

To support LEAs in becoming familiar with this new functionality, the CDE, in partnership with WestEd, hosted two Webinars with over 350 participants on April 10 and 11, 2017. These Webinars were limited to LEA Dashboard Coordinators (assigned by an LEA Superintendent/Charter School Administrator), who are responsible for completing the Self-Reflection Tools for Local Indicators in the Dashboard. Future Webinars are in development to support the public release of the local indicators and Detailed Report functionality in early May.

For more information regarding the Self-Reflection Tools for Local Indicators, see the California Accountability Model and School Dashboard Web page at http://www.cde.ca.gov/dashboard. Select the tab titled “Resources” to access the Local Indicator materials.
Application Process for Alternative Schools

The State Board of Education (SBE) adopted the evaluation rubrics, including the performance standards for all local performance indicators and state indicators, at their September 2016 and January 2017 meetings. At that time, concerns were raised by SBE members and stakeholders that the adopted measures did not fairly evaluate the success or progress of alternative schools that serve high-risk students (i.e., a four-year cohort rate does not provide actionable information for schools that are serving credit deficient students, because these students are not on track to graduate in four-years when they enroll in an alternative school). The SBE directed the California Department of Education (CDE) to develop indicators for alternative schools that evaluate the success and progress of alternative schools based on the Local Control Funding Formula (LCFF) state priorities and align with the Every Student Succeeds Act (ESSA) accountability requirements.

As a result of the directive to develop alternate, but robust, accountability measures for alternative schools, the Spring 2017 California School Dashboard (Dashboard) does not include data for alternative schools that meet the Alternative Schools Accountability Model (ASAM) criteria.

The CDE, in collaboration with the Gardner Center at Stanford University (through a grant from the Stuart Foundation), is coordinating a Statewide Advisory Task Force to focus on alternative education accountability. The Statewide Advisory Task Force will hold its first meeting in May 2017 to consider appropriate indicators for alternative schools to recommend for inclusion by the SBE in the Fall 2018 California School Dashboard.

In preparation for the Fall 2017 Dashboard release, the CDE recommends that the SBE approve the development of an application process to require alternative schools of choice and charter schools [i.e., those schools not explicitly defined as alternative schools in California Education Code (EC) Section 52052(g)] to re-certify, every three years, that at least 70 percent of their enrollment is comprised of high-risk students (as defined in the approved eligibility criteria) in order to continue participating as an alternative school in the accountability system.

The CDE will obtain feedback from the Statewide Advisory Taskforce on Alternative Education Accountability and other stakeholder groups on proposed revisions to the eligibility criteria. Based on the feedback, the CDE will provide a recommendation on revisions to the eligibility criteria for action at the July 2017 SBE meeting.

Background

Under the prior state accountability system, the Academic Performance Index (API), EC Section 52052(g) required the State Superintendent of Public Instruction (SSPI), with the approval of the SBE, to develop an alternative accountability system for schools...
under the jurisdiction of county offices of education (e.g., special education schools); community day schools; nonpublic, nonsectarian schools pursuant to EC Section 56366, and schools that serve high-risk students, including continuation high schools and opportunity schools.

In July 2000, the SSPI recommended, and the SBE approved the framework for ASAM and the eligibility criteria for alternative schools of choice and charter schools to participate in the ASAM program. In March 2001, the SSPI recommended, and the SBE adopted, the indicators for the ASAM program. The first ASAM reports were determined based on data from the 2001–02 school year. In June 2003, the SBE revised the eligibility criteria to make them more rigorous and required that 70 percent of students enrolled in the school (rather than a majority) be comprised of the following high-risk groups:

- Expelled (EC Section 48925[b]) including situations in which enforcement of the expulsion order was suspended (EC Section 48917)
- Suspended (EC Section 48925[d]) more than 10 days in a school year
- Wards of the Court (WIC Section 601 or 602) or dependents of the court (WIC Section 300 or 654)
- Pregnant and/or Parenting
- Recovered Dropouts
- Habitually Truant (EC Section 48262) or Habitually Insubordinate and Disorderly whose attendance at the school is directed by a school attendance review board or probation officer (EC Section 48263)
- Retained More Than Once in kindergarten through grade eight

In 2009–10, the state Budget Act eliminated funding for the ASAM program, and the ASAM reporting cycle ended with the 2008–09 school year. Because ASAM schools were still exempt from receiving a statewide Academic Performance Index (API) rank or similar schools rank, the CDE continued to designate schools as ASAM if they met the established criteria. The ASAM application is available on the CDE ASAM Web page (http://www.cde.ca.gov/ta/ac/am/forms.asp) and is currently based on the 2003 SBE criteria.

With the repeal of EC Section 52056(a), which required the CDE to produce statewide ranks and similar schools ranks, and suspension of the API reports, the number of schools applying for ASAM status decreased significantly.

Since the current Dashboard does not include reports for alternative schools, the number of schools applying for ASAM status has increased in 2017, which is the
primary reason that the CDE is seeking SBE approval of a re-application process. The table below provides the number and type of alternative schools excluded from the Spring 2017 Dashboard release relative to the entire universe of schools in the Dashboard.

### Number of Schools by School Type and Grade Span Identified as Alternative Schools for the Spring 2017 Dashboard Release

<table>
<thead>
<tr>
<th>Eligibility Criteria</th>
<th>Elementary</th>
<th>Intermediate</th>
<th>K–12</th>
<th>High School</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Defined Alternative Schools</td>
<td>101 (9.3%)</td>
<td>55 (5.0%)</td>
<td>109 (10%)</td>
<td>825 (75.7%)</td>
<td>1,090</td>
</tr>
<tr>
<td>EC Section 520529(g)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Education Schools (county and district schools)</td>
<td>28 (20.6%)</td>
<td>1 (1.5%)</td>
<td>76 (55.9%)</td>
<td>31 (22.8%)</td>
<td>136</td>
</tr>
<tr>
<td>Schools of Choice (Meeting the Current SBE Criteria)*</td>
<td>0</td>
<td>0</td>
<td>12 (33.3%)</td>
<td>24 (66.6%)</td>
<td>36</td>
</tr>
<tr>
<td>Charter Schools (Meeting the Current SBE Criteria)*</td>
<td>1 (1.4%)</td>
<td>0</td>
<td>21 (30.4%)</td>
<td>47 (68.1%)</td>
<td>69</td>
</tr>
<tr>
<td>Total Alternative Schools</td>
<td>130 (9.8%)</td>
<td>56 (4.2%)</td>
<td>218 (16.4%)</td>
<td>927 (69.7%)</td>
<td>1,331</td>
</tr>
<tr>
<td>Total Non-Alternative Schools</td>
<td>5,902 (65.8%)</td>
<td>1,358 (15.1%)</td>
<td>317 (3.5%)</td>
<td>1,388 (15.5%)</td>
<td>8,965</td>
</tr>
</tbody>
</table>

*These alternative schools were not explicitly identified in EC Section 520529(g) but met the SBE-adopted eligibility criteria of having at least 70 percent of the school’s total enrollment comprised of high-risk groups.

### Application Process for Alternative Schools

The CDE recommends that the following school types explicitly identified in EC Section 52052(g) be automatically included as alternative schools in the accountability system and have performance reported using the alternative indicators, when developed.

- Continuation
- County or District Community Day
- Opportunity
- County Community
- Juvenile Court
- California Education Authority, Division of Juvenile Justice
- Nonpublic, nonsectarian schools
- County Run Special Education Schools

5/4/2017 9:45 AM
The CDE also recommends that alternative schools not explicitly identified in EC Section 52052(g) be required to reapply and demonstrate that they continue to meet the SBE adopted alternative school eligibility criteria for consideration as an alternative school for the Fall 2017 Dashboard. The CDE does not recommend removing or altering any of the criteria that the SBE approved in 2003. Accordingly, alternative schools of choice and charter schools that demonstrate that at least 70 percent of the school’s total enrollment is comprised of the following high-risk groups would qualify as alternative schools:

- Expelled (EC Section 48925[b]) including situations in which enforcement of the expulsion order was suspended (EC Section 48917)
- Suspended (EC Section 48925[d]) more than 10 days in a school year
- Wards of the Court (WIC Section 601 or 602) or dependents of the court (WIC Section 300 or 654)
- Pregnant and/or Parenting
- Recovered Dropouts
- Habitually Truant (EC Section 48262) or Habitually Insubordinate and Disorderly whose attendance at the school is directed by a school attendance review board or probation officer (EC Section 48263)
- Retained More Than Once in kindergarten through grade eight

Future Considerations for Expanding the Eligibility Criteria

Updating the Eligibility Criteria for Alternative Schools with High-Risk Students

Based on feedback from stakeholders, certain types of alternative schools of choice and charter schools serving high-risk students are not included in the current alternative schools definition because their students do not meet the eligibility criteria adopted by the SBE in 2003. At the July 2017 SBE meeting, the CDE will recommend that the SBE consider additional high-risk student groups to ensure these schools are included in the new eligibility criteria.

Over the upcoming months, the CDE will obtain feedback from stakeholder groups and the Alternative Schools Task Force on additional eligibility criteria and definitions that may be recommended for SBE action at the July 2017 meeting. The high-risk student groups include the following:

1. Students who are recovered dropout students, based on EC Section 52052.3(b):
Students who: (1) are designated as dropouts pursuant to the exit and withdraw codes in the CALPADS, or (2) left school and were not enrolled in a school for a period of 180 days.

2. Students who are credit deficient (i.e., students who are one year or more behind in the credits required to graduate on-time, per grade level, from the enrolling school’s credit requirements).

3. Students with a gap in enrollment (i.e., students who have not been in any school during the 90 days prior to enrollment in the current school).

4. Students with high level transiency (i.e., students who have been enrolled in more than two schools during the past academic year or more than a total of four secondary schools since entering high school).

**Alternative School Type**

The CDE also plans to seek input on adding the following alternative school type to the eligibility criteria. (Note: The CDE will propose that these schools be automatically included in the new alternative indicators, and not be required to submit an application.)

1. Special education schools under the jurisdiction of districts (i.e., schools that only provide services to students with disabilities) as defined by the school ownership code.

The addition of new eligibility criteria will allow schools serving high-risk students to be held accountable by indicators that fairly evaluate the success and/or progress of their students. Revising the application process to require schools to re-apply for alternative schools status will ensure that only those schools that serve a large percentage of high-risk students are held accountable to the alternative indicators.
Update on the English Learner Progress Indicator

The English Learner Progress Indicator (ELPI) Work Group was formed in 2016 to advise the California Department of Education (CDE) on the programmatic feasibility of incorporating long-term English learner (LTEL) data in California’s new accountability system. The ELPI Work Group was comprised of 10 members from throughout California who had both English learner (EL) program and data expertise and represented county offices of education, school districts, the California Comprehensive Center (CC), classroom teachers, and institutes of higher education. The ELPI Work Group provided recommendations on other EL issues that emerged as the new accountability system was in development as described in the April 2017 SBE information memorandum (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr17item01.doc). All ELPI Work Group recommendations were presented to the Technical Design Group (TDG) to review the technical validity and reliability of the recommendations.

At the September 2017 State Board of Education (SBE) meeting, the SBE will consider any changes to the Local Control Funding Formula evaluation rubrics. In order to allow for these changes to be made in concert with the other state indicators, the CDE recommends that the State Board of Education review the ELPI Work Group recommendations as information only at the May 2017 SBE meeting and take action, as appropriate, at their September 2017 meeting.

Data Simulations

The first ELPI Work Group meeting was conducted via Webinar on October 5, 2016. At this meeting, ELPI Work Group members were provided an overview of the new California Accountability Model, with a focus on the state indicators, and detailed information about the role of the EL student group in each indicator. The ELPI Work Group provided feedback on the definition of LTEL and the use of this new data in future data simulations. The ELPI Work Group met again in December 2016, and January and March 2017, to develop a recommendation for the State Board of Education (SBE) in May 2017.

At the January 2017 ELPI Work Group meeting, CDE staff presented multiple data simulations that incorporated LTEls into the ELPI. The ELPI Work Group unanimously agreed that incorporating LTEls into the ELPI as designed was not feasible. A detailed explanation of the data simulations discussed at the January ELPI Work Group meeting is provided in the April 2017 information memorandum to the SBE (http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr17item01.doc).

The TDG subsequently met and concurred with the ELPI Work Group’s decision to not incorporate the LTEL into the ELPI. As a result, the CDE and the ELPI Work Group decided to pursue an alternative that provided extra credit for LTEls who advanced at least one level on the annual California English Language Development Test (CELDT).
In March 2017, CDE staff presented the ELPI Work Group with two options for providing schools an opportunity to earn credit in the ELPI when advancing LTELs’ performance on the CELDT. The first option added a half count (i.e., an additional 50 percent weight) to the ELPI status numerator for every LTEL student who increased one CELDT level. The formula for the first option is as follows:

\[
\text{Annual CELDT Test Takers Who Increased at least 1 CELDT Level } \text{Plus} \\
\text{Annual CELDT Test Takers Who Maintained Early Advanced/ Advanced English Proficient on } \text{CELDT} \text{ Plus} \\
\text{ELs Who Were Reclassified in the Prior Year Plus} \\
\text{LTLE CELDT Test Takers Who Increased at Least 1 CELDT Level Multiplied by 0.5} \\
\text{Divided by} \\
\text{Total Number of Annual CELDT Test Takers in the Current Year plus} \\
\text{ELs Who Were Reclassified in the Prior Year}
\]

Using the data released in the Spring 2017 California School Dashboard, Table 1 provides the results of adding an additional half weight to all LTEL students who increased at least one performance level on the CELDT.

Table 1: Adding Half Weight to LTEL Students

<table>
<thead>
<tr>
<th>Schools with an ELPI Color</th>
<th>Schools with LTEL Students</th>
<th>Schools with at least one LTEL Student Who Increased a Performance Level</th>
<th>Schools with an Improved Status Adding Half Weight</th>
<th>Schools with a Change in Color Adding Half Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>6,437</td>
<td>4,902</td>
<td>853</td>
<td>40</td>
<td>32</td>
</tr>
</tbody>
</table>

The second option added a full count (i.e., an additional 100 percent weight) to the ELPI status numerator for every LTEL student who increased at least one CELDT level. The formula for the second option is as follows:

\[
\text{Annual CELDT Test Takers Who Increased at least 1 CELDT Level } \text{Plus} \\
\text{Annual CELDT Test Takers Who Maintained Early Advanced/ Advanced English Proficient on } \text{CELDT} \text{ Plus} \\
\text{ELs Who Were Reclassified in the Prior Year Plus} \\
\text{LTLE CELDT Test Takers Who Increased at Least 1 CELDT Level} \\
\text{Divided by} \\
\text{Total Number of Annual CELDT Test Takers in the Current Year plus} \\
\text{ELs Who Were Reclassified in the Prior Year}
\]
Table 2 provides the results of adding an additional full weight to all LTEL students who increased at least one performance level on the CELDT.

Table 2: Adding Full Weight to LTEL Students

<table>
<thead>
<tr>
<th>Schools with an ELPI Color</th>
<th>Schools with LTEL Students</th>
<th>Schools with at least one LTEL Student Who Increased a Performance Level</th>
<th>Schools with an Improved Status Adding Full Weight</th>
<th>Schools with a Change in Color Adding Full Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>6,437</td>
<td>4,902</td>
<td>853</td>
<td>89</td>
<td>63</td>
</tr>
</tbody>
</table>

Overall, adding half weight increases the overall performance level for 32 schools and adding full weight increases the overall performance level for 63 schools. These 63 schools were located in 46 different local educational agencies (LEAs). The weighting impact a limited number of schools; however, the change in performance levels is important for these schools and would act as an incentive for them to pay additional attention to improving learning outcomes for their LTEL students. The ELPI Work Group recommended adding a full count to the ELPI status numerator for every LTEL student who increased at least one CELDT level on a year over year basis.

In April 2017, CDE staff debriefed the TDG on the ongoing work of the ELPI Work Group and asked for their input on the ELPI Work Group’s recommendation (i.e., adding extra weight to LTELs’ CELDT performance to the ELPI). While the majority of the TDG members agreed that this was a positive way to provide incentives for improving LTEL performance, some members raised a concern that double counting of LTEL students in the equation is unnecessary. In addition, the TDG agreed that there are no significant technical issues or concerns with the ELPI Work Group’s recommendation and their recommendation is more of a policy decision than a technical one.

In April 2017, CDE staff also presented to the California Practitioners Advisory Group (CPAG). The CPAG requested that CDE staff take a closer look at the 63 schools that would receive an improved performance level based on the new formula to see if the schools are concentrated in selected districts or if they represented specific types of schools. CDE staff investigated where these schools are located and confirmed the CPAG’s assumption that they are primarily located in larger schools in higher populated, urban school districts with a significant number of EL and LTEL students. While this finding does not alter the CDE’s overall recommendation, it does mean that the current recommendation as proposed would positively impact schools with large numbers of LTEL students and have little or no impact on schools with small LTEL populations.

Recommendation

As stated in the introductory to this attachment, the CDE will provide a recommendation around potential changes to the ELPI based on the ELPI Work Group for consideration at the SBE September 2017 meeting.
Future Considerations

Moving forward, the CDE will continue to work with the SBE and stakeholders to adjust the incorporation of LTEI students into the ELPI should the definition of reclassified fluent English proficient change. In addition, the CDE will work with the TDG and stakeholders on the transition plan for the ELPI as California moves from using the CELDT to the English Language Proficiency Assessments for California (ELPAC).
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 development of the California School Dashboard (Dashboard). This initial phase or field test of the Dashboard will gather feedback for changes to the Dashboard based on user experiences and stakeholder feedback. Staff will continue to analyze feedback to make recommendations for system improvements at the SBE September 2017 meeting. Below is a summary of the stakeholder input opportunities provided since the SBE March 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/) met on April 13, 2017, and provided feedback on options for the methodology to Identify not less than the lowest-performing five percent of all schools receiving Title I, Part A funds in the state for comprehensive support and improvement; the Local Control and Accountability Plan Addendum to meet local educational agency planning requirements of the Every Student Succeeds Act; and the work of the English Learner Progress Indicator (ELPI) Workgroup pertaining to a proposal to include Long term English Learners (LTELS) in the ELPI formula. Detailed information regarding these items are available on the California Department of Education (CDE) CPAG Web page at http://www.cde.ca.gov/be/cc/cp/cpag2017agendaapr13.asp.

- **School Conditions and Climate Work Group (CCWG)**: The CDE convened the CCWG to explore options for the further development of school conditions and climate measures in California’s accountability and continuous improvement system. The role of the CCWG is advisory to the State Superintendent of Public Instruction and the 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. The CCWG has met monthly from January through April 2017, to continue developing and refining recommendations to the CDE. Stakeholder engagement sessions were also held in January and March of 2017.

- **English Learner Progress Indicator Work Group (ELPI)**: The English Learner Progress Work Group held their final meeting on March 29, 2017, and CDE staff presented them with two options for providing schools an opportunity to earn credit in the ELPI when advancing LTELS’ performance on the California English Language Development Test (CELDT). The first option added a half count to the ELPI status numerator for every LTE L student who increased one CELDT level. The second option added a full count to the ELPI status numerator for every LTE L student who increased at least one CELDT level.
Overall, adding half weight increases the overall performance level for 32 schools and adding full weight increases the overall performance level for 63 schools. These 63 schools were located in 46 different LEAs. The weighting impacts a limited number of schools; however, the change in performance levels is important for these schools and would act as an incentive for them to pay additional attention to improving learning outcomes for their LTEL students. The ELPI Work Group recommended adding a full count to the ELPI status numerator for every LTEL student who increased at least one CELDT level on a year over year basis. Attachment 3 includes detailed information about the ELPI Work Group.

- **College/Career Indicator Work Group (CCI):** The SBE approved the CCI as a state indicator to address standards for Priority 7 (Access to a Board Course of Study) and Priority 8 (Outcomes in a Board Course of Study) at their July 2016 meeting. The CCI contains both college and career measures which recognizes that students pursue various options to prepare for postsecondary and allows for fair comparisons across all LEAs and schools.

The CDE convened a CCI Work Group to address concerns expressed by the SBE that the CCI career measures were not as robust as the college measures. The CCI Work Group met for the first time via Webinar on April 19, 2017, and had an in-depth conversation regarding possible revisions to the CCI. Based on feedback from the first meeting, the CCI Work Group would like to explore: (a) inclusion of career data currently available in the California Longitudinal Pupil Achievement Data System (CALPADS) that is not currently included in the CCI, (b) possible career data for future CALPADS collections, and (c) new calculation methodologies that would incorporate all students’ high school cumulative achievement in the CCI results. The CCI Work Group is scheduled to meet in May and July 2017 and is comprised of the following members:

**College/Career Indicator Work Group Members**

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Local Education Agency/Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bonnie Munguia</td>
<td>Director of Curriculum and Instruction</td>
<td>Brawley Union High School District</td>
</tr>
<tr>
<td>Brian Rowse</td>
<td>Director, Educational Technology Services</td>
<td>Santa Barbara Unified School District</td>
</tr>
<tr>
<td>Chun-Wu Li</td>
<td>Administrator</td>
<td>Riverside County Office of Education</td>
</tr>
<tr>
<td>David Stern</td>
<td>Emeritus Professor of Education</td>
<td>University of California, Berkeley</td>
</tr>
<tr>
<td>Diane Grotjohn</td>
<td>Co-Founder/Consultant</td>
<td>Coalition of Alternative Education Accountability</td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
<td>LEA/Organization</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td>Dustin Sperling</td>
<td>Director</td>
<td>Central Region Ag Education Pathways Grant</td>
</tr>
<tr>
<td>Eric Crane</td>
<td>Senior Research Associate</td>
<td>WestEd</td>
</tr>
<tr>
<td>Gina Boster</td>
<td>Director, Career Technical Education, Educational Services</td>
<td>Corona-Norco Unified School District</td>
</tr>
<tr>
<td>Jeff Hittenberg</td>
<td>Assistant Superintendent</td>
<td>Orange County Office of Education</td>
</tr>
<tr>
<td>Jeremy Smith</td>
<td>Deputy Legislative Director</td>
<td>State Building and Construction Trades Council of California</td>
</tr>
<tr>
<td>Kathy Ruble</td>
<td>Director, Career Technical Education</td>
<td>Manteca Unified School District</td>
</tr>
<tr>
<td>Matt Roberts</td>
<td>Dean of Field Operations, Workforce and Economic Development Division</td>
<td>California Community Colleges Chancellor's Office</td>
</tr>
<tr>
<td>Michal Kurlaender</td>
<td>Professor, Chair of the Graduate Group in Education, and Chancellor’s Fellow</td>
<td>University of California, Davis</td>
</tr>
<tr>
<td>Mike Patterson</td>
<td>Teacher</td>
<td>California Teachers Association</td>
</tr>
<tr>
<td>Rebecca Bettencourt</td>
<td>Operations Training Manager</td>
<td>E. &amp; J. Gallo Winery</td>
</tr>
<tr>
<td>Soung Bae</td>
<td>Senior Research and Policy Analyst</td>
<td>Stanford Center for Opportunity Policy in Education</td>
</tr>
<tr>
<td>Stephanie Houston</td>
<td>Superintendent</td>
<td>Colton-Redlands-Yucaipa Regional Occupational Program</td>
</tr>
<tr>
<td>Susan Steward</td>
<td>Director</td>
<td>Butte County Office of Education</td>
</tr>
<tr>
<td>Wendell Callahan</td>
<td>Professor of Practice</td>
<td>University of San Diego, School of Leadership and Education Science</td>
</tr>
</tbody>
</table>

- **Statements of Model Practices**: the CDE has continued work to improve the Statements of Model Practices (Statements). An online survey was conducted from February 2 to February 24, 2017. This survey included 12 draft Statements, in which stakeholders could provide targeted feedback. On April 14, 2017, the CDE held another stakeholder engagement session at the Sacramento County Office of Education to review the latest iteration of the Statements.
Table 1. Timeline for Ongoing Developmental Activities for State and Local Indicators

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Work Completed March 2017</th>
<th>April 2017–November 2017</th>
<th>December 2017–March 2018</th>
<th>April–November 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Academic) English Language Arts and Mathematics</td>
<td>• Completed English Language Arts and Mathematics Academic Indicators and reported in the Spring 2017 Dashboard.</td>
<td>• Calculate updated status and change based on 2017 Smarter Balanced assessment results for the Fall 2017 Dashboard release.</td>
<td>• CDE staff and testing vendor, along with assistance from the TDG, will explore growth model methodologies that meet the SBE determined criteria.</td>
<td>• If growth model development moves forward, CDE staff and testing vendor, along with assistance from the TDG, will complete simulations of growth models and provide updates at the May and July 2018 SBE meetings.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• CDE staff, with assistance from the Technical Design Group (TDG), will bring recommendations on the incorporation of the California Alternate Assessment (CAA) scores in the Academic Indicator to the July 2017 SBE meeting.</td>
<td>• CDE will provide options for recommended growth models at the March 2018 SBE meeting. The CDE will provide a recommendation on whether staff should move forward with the development of a growth model at the March 2018 meeting.</td>
<td>• CDE request approval of a growth model for inclusion in the Fall 2018 Dashboard release at the September 2018 SBE meeting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>English Learner Progress</td>
<td>• Completed English Learner Progress Indicator (ELPI) and reported in the Spring 2017 Dashboard.</td>
<td>• Bring ELPI Work Group recommendations on the incorporation of the long-term EL data in the ELPI to the SBE (May 2017).</td>
<td>• The ELPI will be included in the March 2018 SBE item as one of the indicators updated for the fall 2018 Dashboard release.</td>
<td>• ELPAC summative assessment fully operational (spring 2018).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Implement any ELPI Work Group recommendations approved by the SBE at September 2017 meeting for the 2017 Fall Dashboard release.</td>
<td></td>
<td>• CDE brings final recommendations for revisions to the ELPI at the September 2018 SBE meeting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• ELPAC&lt;sup&gt;2&lt;/sup&gt; summative field test administration (Spring 2017).</td>
<td></td>
<td>• Release revised ELPI using ELPAC data (e.g., report Status only for ELPI) in the Fall 2018 Dashboard).</td>
</tr>
</tbody>
</table>

<sup>1</sup> Dates and proposed development activities are subject to change.
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Work Completed March 2017</th>
<th>April 2017–November 2017</th>
<th>December 2017–March 2018</th>
<th>April–November 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>English Learner Progress (cont.)</td>
<td></td>
<td>• Use current 2017 CELDT(^3) scores for Fall 2017 Dashboard. • ELPAC Initial Assessment field test administration (fall 2017).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Graduation Rates</td>
<td>• Completed four-year cohort Graduation Rate Indicator and reported in the Spring 2017 Dashboard.</td>
<td>• Use Class of 2016 cohort graduation rates, along with prior year rates, for status and change for the Fall 2017 Dashboard. • CDE staff, with assistance from TDG, will bring recommendations on the incorporation of the five-year graduation rates at the September 2017 SBE meeting. • Implement four and five-year cohort graduation rates into the Graduation Rate Indicator for Fall 2017 Dashboard release.</td>
<td>• CDE develops four-year cohort reports in CALPADS that will allow LEAs to certify graduation data in August of each year.</td>
<td>• Anticipate use of current four-year cohort graduation rate (i.e., Class of 2018), including five-year cohort graduation rates, for Fall 2018 Dashboard.</td>
</tr>
<tr>
<td>Chronic Absenteeism</td>
<td>• N/A</td>
<td>• CDE collects first year of chronic absenteeism data • SBE determines how to incorporate chronic absenteeism data (i.e., for information only or status data) in the Fall 2017 Dashboard.</td>
<td>• The Chronic Absenteeism Indicator is included in the March SBE item as one of the indicators updated for the Fall 2018 Dashboard release.</td>
<td>• CDE collects second year of chronic absenteeism data. • Possible release of first status and change for chronic absenteeism indicator using two years of data for fall 2018 Dashboard.</td>
</tr>
</tbody>
</table>

\(^2\) English Language Proficiency Assessments for California (ELPAC)  
\(^3\) CELDT: California English Language Development Test
<table>
<thead>
<tr>
<th>Indicator</th>
<th>Work Completed March 2017</th>
<th>April 2017–November 2017</th>
<th>December 2017–March 2018</th>
<th>April–November 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspension Rate</td>
<td>• Completed Suspension Rate Indicator and reported in the Spring 2017 Dashboard.</td>
<td>• Calculate updated status and change based on 2017 suspension rates for the Fall 2017 Dashboard.</td>
<td>• N/A</td>
<td>• N/A</td>
</tr>
</tbody>
</table>
| College/Career         | • Completed the reporting of the percent of students who were "Prepared," "Approaching Prepared," and "Not Prepared" in the Spring 2017 Dashboard. | • CCI Work Group provides short-term and long-term recommendations at the September 2017 SBE meeting.  
• Use current available college/career measures to determine status for the Fall 2017 Dashboard. | • CCI work group continues exploration of new measures.                                    
• CDE staff explore revising CALPADS data elements and/or collecting new data elements.  
• The CCI is included in the March 2018 SBE item as one of the indicators updated for the Fall 2018 Dashboard release. | • Anticipate use of current four-year cohort graduation rate (i.e., Class of 2018) and the use of the following new CCI measures:  
  o State Seal of Biliteracy  
  o Golden State Seal of Merit Diploma |
| CAASPP Grade Eleven    | • Reported grade 11 Distance from Met results in the Spring 2017 Dashboard.                | • Review reporting format for grade 11 results and make adjustments, as appropriate (e.g., detailed report or other options). | • N/A                                                                                   | • N/A                                                                                   |
| High School Readiness  | • N/A                                                                                     | • N/A                                                                                    | CDE begins work on a potential high school readiness indicator.                          | CDE updates the SBE on the status of the HS Readiness Indicator at the May and July 2018 SBE meetings.  
  The High School (HS) Readiness Indicator is included in the March 2018 SBE item as an indicator that may be considered for inclusion in the Fall 2018 Dashboard.  
  The SBE considers the inclusion of the HS Readiness Indicator in the fall 2018 Dashboard at the September 2018 SBE meeting. |
<table>
<thead>
<tr>
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<tr>
<td>Alternative Accountability</td>
<td>• All alternative schools excluded from the Dashboard released in Spring 2017 as they will be held accountable under a separate state indicators for alternative schools.</td>
<td>• CDE convenes an Alternative Accountability Task Force with the first meeting to be held in May 2017.</td>
<td>• The CDE provides the SBE an update on the progress of the Alternative Accountability Task Force at the January 2018 SBE meeting. • The Alternative Indicators are included in the March 2018 SBE item as indicators updated for the Fall 2018 Dashboard release.</td>
<td>• The CDE provides SBE an update on the progress of the Alternative Accountability Task Force at May and July 2018 meetings. • The CDE requests approval of the alternative indicators for inclusion in the Fall 2018 Dashboard at the September 2018 SBE meeting.</td>
</tr>
<tr>
<td>School Climate (Local Indicator)</td>
<td>• CDE convened the School Conditions and Climate Work Group (CCWG) on a consistent and continuous basis to develop and refine recommendations to the CDE regarding LCCF Priority 6 School Climate and the broader context of school conditions. • Stakeholder engagement sessions were held in October 2016, November 2016, January 2017, and March 2017.</td>
<td>• The CDE anticipates presenting preliminary recommendations/options in a June information memorandum. • Final recommendations will be presented at the September 2017 SBE meeting. • Recommendations may include Transition plan, framework for validity and reliability of School Climate and Conditions tools, vetted tools, and a potential pilot based on the CCWG recommendations.</td>
<td>• N/A</td>
<td>• N/A</td>
</tr>
</tbody>
</table>
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 52066 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 school site, 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.
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

ITEM 02
California Assessment of Student Performance and Progress:
Approve the Proposed Contract Amendment with Educational
Testing Service 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 California Department of Finance (DOF).

Representatives from the CDE, the SBE, and the DOF began negotiations with Educational Testing Service (ETS) on March 15, 2017, which culminated in a proposed contract amendment (CN150012 Amendment 4), including a proposed Scope of Work (SOW) and the budget (Attachments 2 and 3).

Some of the key enhancements to the proposed SOW include:

- ETS will deliver the interim assessment data on a daily basis to Smarter Balanced to provide item-level student response information in the interim assessment reporting system.

- ETS will revise the data file format and delivery process to capture the scores for each of the four writing extended response (WER) dimensions and report the extended response dimension scores (performance task rubric scores) in the online reporting system.
• ETS will develop a CAASPP Science Academy that will provide professional development and support activities for educators to build capacity for the implementation of the California Next Generation Science Standards (CA NGSS), and understanding of how the new science assessment item types can inform teaching and learning.

• ETS will conduct simulations for three growth models under consideration for California’s accountability system.

RECOMMENDATION

The CDE recommends that the SBE approve the proposed CAASPP contract amendment (CN150012 Amendment 4), and authorize SBE Executive Director to approve technical edits as needed (Attachments 2–4). (Note that Exhibits B through E of the original contract remain unchanged).

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 CA NGSS; the California Alternate Assessment (CAA) for Science based on the Core Content Connectors for the CA NGSS; and the California Spanish Assessment (CSA) aligned with the Common Core State Standards in Español (the successor to the Standards-based Tests in Spanish).

Following SBE approval to negotiate amendments to the CAASPP contract at its March 2017 meeting, the CDE, SBE, and DOF staff entered into contract negotiations with ETS. Activities included a full documentation of all task 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. Negotiated amendments to the contract also address contract language which ensures adherence to the Smarter Balanced contract specifications, such as the administration of an embedded performance task field test.

The negotiation process included representatives from ETS, the CDE, SBE, and the DOF staff during March 15–17, 2017. A thorough review of tasks and contractual language was conducted to ensure that the three successor assessments will be fully supported throughout all activities required to complete their development.
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In March 2017, the SBE approved the CAASPP contract negotiation with ETS, the CDE, SBE, and the DOF staff (http://www.cde.ca.gov/be/ag/ag/yr17/documents/mar17item06.doc).

In September 2016, the SBE approved the Proposed High-Level Test Design for the California Spanish Assessment and revised the 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/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 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, SBE, and the DOF staff (http://www.cde.ca.gov/be/ag/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 $87,727,000 in funding for multiple CAASPP System contract costs; this appropriation is sufficient to cover all costs of the proposed amendment. There is currently $86,212,302 in contract obligations for the CAASPP System contracts which includes $75,759,080 in funding for the currently approved ETS CAASPP 2017–18 contract activities and $1,514,698 in available funds to negotiate amendments to the ETS CAASPP contract. If approved, the new adjusted costs for fiscal year 2017-18 would be $77,273,778. 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)

Attachment 1: CAASPP Contract Amendment Concordance (39 Pages)

Proposed California Assessment of Student Performance and Progress Contract CN150012 Amendment 4:

Attachment 2: Exhibit A: Proposed Scope of Work (217 Pages)

Attachment 3: Proposed Budget (6 Pages)

Attachment 4: Narrative for the Budget Summary (6 Pages)
CAASPP Contract Amendment Concordance

The concordance table outlines the amendments to CDE Agreement #CN150012 for the California Assessment of Student Performance and Progress (CAASPP) contract. This document is intended to facilitate the review of the proposed contract amendments. The page numbers included throughout refer to the page numbers of the proposed amendment scope of work (SOW).

Appendices A and B have not been amended and will not be included in the executed contract amendment. They are included in Exhibit A Scope of Work for your ease of reference.

The proposed contract amendments are grouped into the following categories:

- Proposed Contract Amendments with No Costs
- Proposed Contract Amendments with No-Cost Swaps
- Proposed Contract Amendments with Additional Costs

Proposed Contract Amendments with No Costs

1. Change to Assessment Names

   **Page Reference(s):** Task 1, page 6; global change

   **Current SOW:** The original SOW referred to the new CAASPP assessments as the California Alternate Assessments, the California Next Generation Science Standards (i.e., CA NGSS and CA NGSS Alternate), and the primary language assessments.

   **Proposed Contract Amendment:** Use the formal names of the new CAASPP assessments throughout the SOW:

   - California Alternate Assessments for English-Language Arts and Mathematics (CAA for ELA and mathematics)—formerly known as CAA
   - California Science Tests (CAST)—formerly known as CA NGSS
   - California Alternate Assessments for Science (CAA for Science)—formerly known as CA NGSS Alternate
   - California Spanish Assessments (CSA)—formerly known as the primary language assessments in Spanish

   **Reason:** Removes ambiguity.

   **Impact to Budget:** No cost.
2. Change to Subcontractor: Remove Center for Assessment

   Page Reference(s): Task 1, page 7.

   **Current SOW:** Subcontractors included the American Institutes for Research (AIR), Measurement Incorporated (MI), Accenture, Center for Assessment, Red Dog Records (RDR), and In-touch Insight Systems (In-Touch).

   **Proposed Contract Amendment:** Remove Center for Assessment as a subcontractor in Task 1.

   **Reason:** Corrects a clerical error. The Center for Assessment was removed as a subcontractor as part of the original contract negotiations in 2015. However, the reference to the Center for Assessment was not removed in the executed contract.

   **Impact to Budget:** No cost.

3. Remove References to UCLA

   **Page Reference(s):** Global change.

   **Current SOW:** The SOW refers to the University of California at Los Angeles (UCLA) as the authorizing fiscal agent of the Smarter Balanced Assessment Consortium.

   **Proposed Contract Amendment:** Remove references to UCLA throughout SOW.

   **Reason:** Smarter Balanced has changed fiscal agents.

   **Impact to Budget:** No cost.

4. Task 1.3.B – Annual Meetings


   **Current SOW:** Task 1.3.B states that ETS will annually host a three-day meeting in Sacramento that gathers key ETS CAASPP team members to meet with the CDE program managers.

   **Proposed Contract Amendment:** Change “three-day” to “multi-day.”

   **Reason:** Provides flexibility to the CDE to add separate annual planning meetings for the new CAASPP assessments in order to meet test development needs. For example, the CDE and ETS may agree to hold earlier planning meetings for the CAAs, CAST, and the CSA from the overall annual planning meeting to confirm test development and review plans.

   **Impact to Budget:** No cost.
5. **Task 1.9 – Clarification to Materials Review Process**

   **Page Reference(s):** Task 1.9, page 16.

   **Current SOW:** Task 1.9 describes requirements for the review and approval of deliverables identified in the SOW.

   **Proposed Contract Amendment:** Add description of processes for Review Items in Task 1.9.

   **Reason:** Clarifies requirements for the CDE review and approval of an item that is not identified in the SOW as a deliverable.

   **Impact to Budget:** No cost.

6. **Task 2.1 – Reference to Current CAASPP Test Regulations**

   **Page Reference(s):** Task 2.1, page 18.

   **Current SOW:** The date and *California Code of Regulations* included in the SOW referenced the previous version.

   **Proposed Contract Amendment:** Add the current references to the date and *California Code of Regulations* section.

   **Reason:** Clarifies the SOW to be consistent with current regulations.

   **Impact to Budget:** No cost.

7. **Task 2.3 Data Driven Improvements – Clarify Focus Groups**

   **Page Reference(s):** Task 2.3, pages 19-20.

   **Current SOW:** The SOW describes the overall numbers of focus groups and their general purposes.

   **Proposed Contract Amendment:** Introduce informal focus group discussions as part of feedback collection. Define the number of formal data-driven improvement focus groups per administration and their purposes. Describe that third-party moderators approved by the CDE will conduct the formal in-person focus groups. Define the deliverable to be submitted to the CDE for each set of focus groups.

   **Reason:** Clarifies the process.

   **Impact to Budget:** No cost.
8. **Task 2.4 Technical Assistance Center – Clarify Tiered Help Desk Support**

   **Page Reference(s):** Task 2.4, pages 21 and 22.

   **Current SOW:** The SOW describes the tiered help desk support to be provided by ETS.

   **Proposed Contract Amendment:** Add text to specify that the tiered help desk support is specifically to address CAASPP-related requests.

   **Reason:** Clarifies responsibilities as the CDE adds new non-CAASPP testing programs to the online assessment delivery system supported by other CDE contractors.

   **Impact to Budget:** No cost.

9. **Task 2.6 – Revise Requirements for Obtaining Feedback on the CAASPP Web Portal**

   **Page Reference(s):** Task 2.6, page 24.

   **Current SOW:** The SOW requires ETS to conduct annual focus groups to obtain feedback about the CAASPP Web portal (caaspp.org).

   **Proposed Contract Amendment:** Revise Task 2.6 Internet Resource Site to require that ETS obtain feedback through a CDE-approved process such as an online feedback form.

   **Reason:** Provides an opportunity for the CDE and ETS to act on feedback from LEAs in a timely manner. Since the annual focus groups were conducted at the end of the test administration cycle, the process did not allow for timely improvements to the CAASPP Web portal, particularly at the beginning of the next school year.

   **Impact to Budget:** No cost.

10. **Task 2.7 - Clarify Training Opportunities Related to Recorded Training, Videos, and Narrated PowerPoint Presentations**

    **Page Reference(s):**
    Task 2.7, pages 24-25.
    Task 2.7, Table 2, pages 31-38.

    **Current SOW:** The SOW describes live Webcasts and provides a general description of training videos.

    **Proposed Contract Amendment:** Revise the SOW to provide a description of and requirements for recorded training. Define the numbers and durations of the short training videos. Update the training table to be consistent with current plans.

    **Reason:** The clarifications provide flexibility to the CDE and ETS to plan the production and broadcasting of training events.

    **Impact to Budget:** No cost.
11. **Tasks 2.8 – Report the Smarter Balanced Interim Assessment (IA) Student Responses to Authorized Users**

Page Reference(s): Task 2.7, Table 2, page 38, row 48.

**Current SOW:** The SOW does not include requirements to provide training about the Smarter Balanced student responses viewer for the Interim Assessments to authorized users.

**Proposed Contract Amendment:** Add a training event to provide information and training to authorized users on how to access and understand the IA response viewer.

**Reason:** Smarter Balanced recently developed functionality in the ORS to display the IA student responses. The CDE would like to utilize this new functionality to provide information requested by educators and as part of the state’s overall goal to improve classroom instruction.

**Impact to Budget:** No cost.

12. **Tasks 2.7, 2.8, 7.3.A.1, and 8.1.A.2 – Clarify the Training Opportunities for the Smarter Balanced Digital Library and Interim Assessments**

Page Reference(s):
- Task 2.7, Table 2, page 31, row 3.
- Task 2.7, Table 2, page 33, row 18.
- Task 2.8, page 25.
- Task 7.3.A.1, page 120.

**Current SOW:** The SOW requires that ETS deliver eight (8) workshops on the Interim Assessment Hand Scoring process and eight (8) Digital Library/Interim Assessment clinics. ETS must also record one of the live workshops and make the recording available on caaspp.org.

**Proposed Contract Amendment:** Add two (2) additional training sessions for each event for a total of ten (10) Interim Assessment Hand Scoring Workshops and ten (10) Digital Library/Interim Assessment Clinics. Add text to indicate that ETS, with the CDE approval, will develop other materials in lieu of the recording.

**Reason:** Provides additional professional development opportunities to educators at the two most popular training locations. Provides flexibility to the CDE to deliver the training information in the mode that best supports local training.

**Impact to Budget:** No cost.
13. **Tasks 2.8.B and 7.3.A.1 – Clarify the Availability of the Smarter Balanced Single Sign-on**

**Page Reference(s):**
- Task 7.3.A.1, page 120.

**Current SOW:** The SOW requires ETS to work with Smarter Balanced to implement a seamless user credentialing system.

**Proposed Contract Amendment:** Revise the text to indicate that the coordinated work will occur when Smarter Balanced implements a federated process for user authorization.

**Reason:** Clarifies that ETS will take action when Smarter Balanced implements the federated single sign-on process.

**Impact to Budget:** No cost.

14. **Task 3 – Clarification to Figure 1. CAASPP Assessment Technology Platform**

**Page Reference(s):** Task 3, page 39.

**Current SOW:** Figure 1 provides a diagram of the technology platform used for the CAASPP assessments, Smarter Balanced Interim Assessments, and Smarter Balanced Digital Library. Neither the Figure nor SOW describe where the practice and training tests are included in the platform.

**Proposed Contract Amendment:** Add a paragraph after Figure 1 that describes how the practice and training tests are included in the technology platform.

**Reason:** Reduces ambiguity.

**Impact to Budget:** No cost.

15. **Task 3 – Number of LEAs that Participate in the CAASPP Assessment Delivery System**

**Page Reference(s):** Task 3, page 39.

**Current SOW:** The SOW states that the delivery system will, at minimum, deliver the assessments to more than 3.2 million students in over 1,700 LEAs.

**Proposed Contract Amendment:** Revise over 1,700 LEAs to approximately 1,900 LEAs.

**Reason:** Improves accuracy.

**Impact to Budget:** No cost.
16. **Task 3.1 – Revise Requirements for School Technology Readiness**

**Page reference(s):** Task 3.1, page 40.

**Current SOW:** The SOW requires that ETS annually conduct a survey of local educational agencies (LEAs) and schools on their technology capabilities and readiness to administer computer-based tests.

**Proposed Contract Amendment:** Revise the survey to become a special request form for Smarter Balanced paper-pencil tests beginning with the 2015–16 administration.

**Reason:** The technology readiness survey is no longer needed since about 99.9 percent of schools in California administer the CAASPP assessments online. The special request form provides schools with a method to request and justify the use of paper-pencil tests to the CDE.

**Impact to Budget:** No cost.

17. **Task 3.2.B – Clarify the Process for Managing System Requirements**

**Page reference(s):** Task 3.2.B, page 44.

**Current SOW:** The SOW requires ETS to submit a systems requirement document in August of each year of the contract.

**Proposed Contract Amendment:** Revise the SOW to require ETS to submit complete documentation for each phase of the systems release. The documents will include business requirements, functional requirements, requirements traceability matrix (RTM), and user acceptance testing (UAT) plans. The documents also will include the “as built” final requirements.

**Reason:** Clarifies the process and provides additional documentation of the technology services provided by ETS.

**Impact to Budget:** No cost.

18. **Task 3.2.B.3 and Appendix C – Clarify Data Security and Systems Requirements SEC-03.04 and SEC-03.14**

**Page reference(s):**
- Task 3.2.B.3, pages 48-49.
- Appendix C, page 200, SEC-03.04.

**Current SOW:** The SOW requires adherence specifically to the Federal Information Processing Standard Publication 140-2 (FIPS PUB 140-2) issued by the National Institute of Standards and Technology (NIST).

**Proposed Contract Amendment:** Revise the requirements to allow for adherence to the FIPS PUB 140-2 requirement or equivalent or better. Provide a process by which the CDE Information Security Office (ISO) will review compensating controls and alternatives prior to their use for CAASPP.

**Reason:** Clarifies the requirements and process as approved by the CDE ISO. Removes redundant requirements.
**Impact to Budget:** No cost.

**19. Clarify Restriction Access by User Role**

**Page reference(s):**
- Task 3.2.B.3, Page 49.
- Task 4.1, page 59.

**Current SOW:** The SOW requires ETS to provide access to systems based on user role but does not indicate restriction access for users who have multiple roles with one or more schools or LEAs.

**Proposed Contract Amendment:** Revise the text to include the requirement to restrict access that is outside the responsibility of the assigned user role when the user has numerous, different roles.

**Reason:** Clarifies the SOW.

**Impact to Budget:** No cost.

**20. Task 3.2.B.4 – Clarify Timeframe for Submitting Documents for Review by the IV&V Consultant and IPOC**

**Page reference(s):** Task 3.2.B.4, Page 49.

**Current SOW:** The SOW requires that ETS submit the system development documents for review by the IV&V consultant and IPOC and does not specify a timeframe.

**Proposed Contract Amendment:** Revise the text to indicate that the system development documents be submitted for review through June 2016 or when determined by the California Office of Technology (CalTech).

**Reason:** The requirement has been satisfied. CalTech closed out the IT implementation oversight project prior to June 2016.

**Impact to Budget:** No cost.

**21. Task 3.2.B.5 and Appendix C – Clarify the System Acceptance and Sign-off Process**

**Page reference(s):**
- Task 3.2.B.5, page 52.
- Appendix C, page 205, PER-09.05.

**Current SOW:** The SOW describes the user acceptance environment and requires ETS to obtain final approval of the system release, but the SOW does not describe how that approval is obtained.

**Proposed Contract Amendment:** Revise the text to refer to the testing environment as the UAT environment and to describe the meeting that must take place with the CDE to obtain approval of the release.

**Reason:** Clarifies the SOW to be consistent with current processes.

**Impact to Budget:** No cost.
22. **Task 3 – Clarify Components of the Minimum System Requirements in Appendix C**

**Page reference(s):**
Appendix C, page 198, ARC-01.04
Appendix C, page 202, SDP-04.01 and SDP-04.02.
Appendix C, page 203, UEP-06.02.
Appendix C, page 205, PER-09.02.
Appendix C, page 205, PER-09.04.
Appendix C, page 205, PER-09.09.
Appendix C, page 206, DRC-10.00.

**Current SOW:** Appendix C includes the minimum system requirements to deliver and support the CAASPP Assessment Delivery System.

**Proposed Contract Amendment:** Revise the above referenced requirements with current processes.

**Reason:** Clarifies the SOW to be consistent with current processes.

**Impact to Budget:** No cost.

23. **Task 4.1 – Clarify Committee Meeting Security Procedures**

**Page reference(s):** Task 4.1, page 58.

**Current SOW:** The SOW describes the test security procedures for in-person meetings that use paper materials.

**Proposed Contract Amendment:** Add text to describe the test security procedures for meetings that use electronic devices.

**Reason:** Provides clarity of the test security expectations.

**Impact to Budget:** No cost.

24. **Task 4.1 – Clarify the Test Security during the Production of the Paper-Pencil Tests**

**Page reference(s):** Task 4.1, page 59.

**Current SOW:** The SOW describes the test security requirements during the production of the paper-pencil tests without clarifying printing vendors’ relationship to ETS.

**Proposed Contract Amendment:** Add clarification that test security requirements apply to the materials produced by vendors under contract by ETS.

**Reason:** Provides clarity. Because some Smarter Balanced special versions (e.g., braille graphic packages, audio files, etc.) are produced by Smarter Balanced, test security requirements for those materials are outside of the scope of this contract.

**Impact to Budget:** No cost.
25. **Task 4.2 – Clarify Test Administration Monitoring**

   **Page reference(s):** Task 4.2, pages 61-62.

   **Current SOW:** The SOW describes the number of audits which site visits will be conducted for both computer-based and paper-pencil test administrations.

   **Proposed Contract Amendment:** Clarify the numbers for the 2015–16 administration, and add text regarding the number of audits for the 2016–17 administration. Clarify the process for notifying LEAs when they are selected for a site visit audit.

   **Reason:** Reflects the reduced need of monitoring paper-pencil test materials handling after testing.

   **Impact to Budget:** No cost.

26. **Task 4.3 – Add Interim Assessments to Security Breach Investigations**

   **Page reference(s):** Task 4.3, page 62.

   **Current SOW:** The SOW provides for security breach investigations as requested by the CDE but does not specifically include investigations involving security breaches with the interim assessments.

   **Proposed Contract Amendment:** Add text to include users with the Interim Assessment Administrator Only roles as part of the investigation interview process.

   **Reason:** Clarifies the process.

   **Impact to Budget:** No cost.

27. **Task 5 – Clarify Reference to the California Code of Regulations**

   **Page reference(s):** Task 5, page 64.

   **Current SOW:** The SOW refers to the Smarter Balanced policies and to the California Code of Regulations.

   **Proposed Contract Amendment:** Indicate that the Smarter Balanced policies are for the Smarter Balanced assessments only. Indicate that the available accessibilities referenced in the California Code of Regulations will be adopted by the SBE.

   **Reason:** Clarifies the process.

   **Impact to Budget:** No cost.
28. **Task 5.1.A – Describe the Activities to Identify the Appropriate Accessibilities for the non-Smarter Balanced Assessments.**

**Page reference(s):** Task 5.1.A, pages 64-65.

**Current SOW:** The SOW refers to the Smarter Balanced accessibilities as the model to use for the non-Smarter Balanced assessments.

**Proposed Contract Amendment:** Include text to describe the activities to work with nationally recognized experts, the CDE, ETS researchers, and other stakeholders to identify the most appropriate accessibilities to include for each of the non-Smarter Balanced assessments.

**Reason:** Clarifies the process.

**Impact to Budget:** No cost.

29. **Task 5.1.A.1 – Clarify the Print-On-Demand Feature**

**Page reference(s):** Task 5.1.A.1, page 65.

**Current SOW:** The SOW describes the Print-On-Demand feature but does not indicate where this feature is available.

**Proposed Contract Amendment:** Revise the text to indicate that the Print-On-Demand feature is available in the Test Delivery System (TDS).

**Reason:** Clarifies the process.

**Impact to Budget:** No cost.

30. **Task 5.1.A.3 – Clarify the Available Translations for the Non-Smarter Balanced CAASPP Assessments**


**Current SOW:** The SOW indicates that ETS will provide translations for the non-Smarter Balanced CAASPP Assessments but does not specify how many languages will be translated, what parts of the test will be translated, or the process by which the languages to be translated will be determined.

**Proposed Contract Amendment:** Revise the text to indicate that ETS will provide translations of test directions in twelve (12) languages and will work with the CDE to determine the languages for CAST. Revise the text to indicate that ETS will provide translation glossaries for CAST that students will access through the TDS. Revise the text to indicate that ETS will review the need for new glossaries such as illustration glossaries and provide recommendations to the CDE on the new glossaries. Add a description of Spanish stacked translations for CAST to differentiate it from the translation glossaries or translated test directions.

**Reason:** Provides clarity.

**Impact to Budget:** No cost.
31. **Task 5.1.B.1 – Clarify the Availability of the Smarter Balanced Summative Assessment Online Braille Fixed Form**

Page reference(s): Task 5.1.B.1, pages 67-69.

**Current SOW:** The SOW describes the Print-On-Demand and refreshable braille options available for the Smarter Balanced Online Summative Assessments that use the computer-adaptive test (CAT) version. The SOW does not describe the online braille fixed form for the Smarter Balanced Online Summative Assessments.

**Proposed Contract Amendment:** Revise the SOW to include a description of the online braille fixed form available beginning with the 2016–17 administration.

**Reason:** Provides clarity of the current processes.

**Impact to Budget:** No cost.

32. **Task 5.2 – Change Task Name to “Unlisted Resources”**

Page reference(s): Task 5.2, pages 69-70.

**Current SOW:** Task 5.2 is labeled as “Individualized Aids.”

**Proposed Contract Amendment:** Change the task name and subsequent references to “Unlisted Resources.”

**Reason:** Removes ambiguity.

**Impact to Budget:** No cost.

33. **Appendix D—Clarify Updates to Accessibilities for CAASPP**

Page reference(s): Appendix D, page 209.

**Current SOW:** The SOW describes how ETS will support embedded tools, designated supports, and accommodations appropriate for each CAASPP assessment.

**Proposed Contract Amendment:** Add text that the SBE will decide on the accessibilities available for each new CAASPP assessment. Include link to the latest version of approved accessibilities.

**Reason:** Provides clarity and more information regarding accessibilities.

**Impact to Budget:** No cost.
34. Task 6.1 – Clarify the Test Development Activities for CAA ELA and Mathematics

Page reference(s): Task 6.1, pages 74-76.

Current SOW: The SOW provides a high-level description of the activities to develop CAA for ELA and mathematics.

Proposed Contract Amendment: Revise the text to provide additional details on the requirements and expectations for CAA for ELA and mathematics:

- Include the target number of items to be developed to meet the CDE-approved embedded field test plan.
- Describe the post-equating requirements that are necessary to produce valid and reliable scores during the first two years of operational administration.
- Describe the approved test design. Clarify that the items received from the National Center and State Collaborative (NCSC) will be incorporated into the CAA ELA and mathematics item bank and included as part of the embedded field test for operational use.
- Describe the process to develop and implement the Survey of Student Characteristics as part of test administration.
- Clarify that ETS will develop achievement level descriptions and conduct standard setting meetings for CAA for ELA and mathematics.
- Clarify when the practice and training tests for CAA for ELA and mathematics will be released and updated.
- Clarify when the released test questions for CAA for ELA and mathematics will occur based on the approved three-year operational rollout plan.
- Add text regarding the design process for and purpose of the new California Spanish Assessment (CSA).

Reason: Incorporates the details from the approved three-year operational rollout plan.

Impact to Budget: No cost.

35. Task 6.4 – Clarify the Training Tests and Practice Tests

Page reference(s): Task 6.4, pages 92-93.

Current SOW: SOW briefly describes practice and training tests for the summative assessments administered in this contract.

Proposed Contract Amendment: Provide more information regarding training tests and a timeline for the release of practice and training tests.

Reason: Further details the practice and training tests.

Impact to Budget: No cost.
36. **Task 6.5 – Clarify the Sample Questions (excluding Smarter Balanced assessments)**

**Page reference(s):** Task 6.5, pages 93-95.

**Current SOW:** The SOW states that ETS will work to release and make available to stakeholders a subset of the CDE-owned operational test items.

**Proposed Contract Amendment:** Detail the three-year operational rollout plan for CAA for ELA and mathematics. Include feasibility study for determining the end-user application to be used for the Sample Questions rollout.

**Reason:** Provides clarity. The earliest opportunity for RTQs for CAST, CAA for Science, and the CSA will be outside the terms of this contract.

**Impact to Budget:** No cost.

37. **Task 6.6 – Clarify the Content Alignment Review Activities**

**Page reference(s):** Task 6.6, page 96.

**Current SOW:** The SOW indicates that ETS will conduct the alignment studies of the new tests to the content standards.

**Proposed Contract Amendment:** Clarify that item reviewers confirm the item’s alignment to the content standards as part of the test development process. Revise text to indicate that ETS will work with the CDE if the CDE commissions an alignment study through another contractor.

**Reason:** Reduces ambiguity.

**Impact to Budget:** No cost.

38. **Task 6.7.B – Include the Use of the AIR Item Tracking System as Part of the Item Banking Systems**


**Current SOW:** Task 6.7.B does not include the use of the AIR Item Tracking System (AIR ITS) as part of the item bank systems used for CAASPP.

**Proposed Contract Amendment:** Include the use of the AIR ITS as part of the test development process.

**Reason:** The AIR ITS facilitates the item development and review process for the new CAASPP assessments.

**Impact to Budget:** No cost.
39. Task 7– Update Distribution Plans and Estimated Test Taker Volumes

**Page reference(s):**
Task 7, Table 13, page 102.
Task 7, Table 14, page 103.

**Current SOW:** Tables 13 and 14 reflected the original distribution plan and test taker grades, school years, and volumes.

**Proposed Contract Amendment:** Revise Table 13 with the assessment phase (e.g., pilot test, field test). Update Table 14 with the CAST, CAA for Science, and CSA test taker grades, school years, and estimated test taker volumes.

**Reason:** Provides consistency with current plans.

**Impact to Budget:** No cost.

40. Task 7.1.A - Clarify the Descriptions and Timelines for the Manuals


**Current SOW:** The SOW describes the manuals that ETS is required to provide to LEAs. The SOW describes the format (e.g., electronic, paper, etc.) and contents for each manual.

**Proposed Contract Amendment:** Revise the SOW to:

- Include a timeline to be agreed upon by the CDE and ETS for the release of the manuals;
- Specify that the manuals will be produced as electronic files beginning with the 2016–17 administration and will be released in segments as outlined in the approved timeline;
- Specify the assessments that will be included in the Test Administration Manual (TAM);
- Provide flexibility for producing a separate TAM for the CAA for Science if necessary;
- Clarify that ETS will produce Directions for Administration for the CAAs and STS;
- Revise titles and purposes of manuals; and
- Clarify the timeline by which ETS will release the Post-Test Guide annually.
Reason: Removes ambiguity and provides the manuals needed by LEAs based on their feedback at focus groups and through surveys.

Impact to Budget: No cost.

41. **Task 7.2.A.1 – Clarify test booklets and Pre-ID labels printed by ETS.**

Page reference(s): Task 7.2.A.1, pages 108-112.

Current SOW: The SOW refers to test booklets as printed materials and does not differentiate between test booklets printed by ETS or by Smarter Balanced (e.g., Braille materials). The SOW does not clarify for which administrations the Pre-ID labels are available.

Proposed Contract Amendment: Revise the text to clarify the requirements apply to different formats of the test booklets (e.g., printed, PDFs, etc.). Specify that the test booklet barcoding is specific to the test booklets printed by ETS. Include the test administration years in which the Pre-ID labels will be available.

Reason: Provides clarity of the current processes.

Impact to Budget: No cost.

42. **Task 7.3 – Clarify Process for Obtaining CDE Approval on Enhancements to the AIR TDS**


Current SOW: The SOW describes the AIR-proprietary TDS and lists the existing features, but it does not describe the process by which new enhancements are presented to the CDE for approval.

Proposed Contract Amendment: Include a description of the process to present new TDS enhancements, such as a new embedded calculator, to the CDE for review and approval.

Reason: Provides clarity of the current processes.

Impact to Budget: No cost.

43. **Task 7.3 – Clarify the List of Supported Web Browsers, Operating Systems**


Current SOW: The SOW lists Web browsers and operating systems that were available and in use at the time of the contract award.

Proposed Contract Amendment: Include information within the text and in Table 18 that the latest list of supported Web browsers and operating systems are available on caaspp.org.

Reason: Updates the list of supported Web browsers and operating systems.

Impact to Budget: No cost.
44. **Task 7.3 – Simplify Table 19 to refer to all CAASPP computer-based assessments.**

   **Page reference(s):** Task 7.3, Table 19, page 119

   **Current SOW:** The SOW lists the different CAASPP assessments and their phase.

   **Proposed Contract Amendment:** Delete the list of assessments and refer to all CAASPP computer-based assessments.

   **Reason:** Simplifies the requirement text.

   **Impact to Budget:** No cost.

45. **Task 7.3.A.1 – Clarify the Interim Assessment Data Provided to the Smarter Balanced Data Warehouse**

   **Page reference(s):** Task 7.3.A.1, page 121.

   **Current SOW:** The SOW requires ETS to transfer information to the Smarter Balanced Data Warehouse but does not describe what is included in the information.

   **Proposed Contract Amendment:** Revise the text to indicate that ETS will transfer student demographic information and interim assessment test results.

   **Reason:** Removes ambiguity.

   **Impact to Budget:** No cost.

46. **Task 7.3.A.2, Revise Appeals Listed**

   **Page reference(s):** Task 7.3.A.2, Table 20, page 122.

   **Current SOW:** Table 20 lists the types of appeals and conditions that were valid at the time of the contract award in 2015.

   **Proposed Contract Amendment:** Revise the labels in Table 20 and add clarification text to indicate that the information applied to the 2015–16 administration and that ETS will review the information annually with the CDE.

   **Reason:** Clarifies the process.

   **Impact to Budget:** No cost.

47. **Task 8.1.A.2, Table 21 – Clarify the CAASPP Assessments that will be Hand Scored**

   **Page reference(s):** Task 8.1.A.2, Table 21, page 127.

   **Current SOW:** Table 21 lists the CAASPP assessments that have constructed response items to be hand-scored, including the CSA.

   **Proposed Contract Amendment:** Clarify the labels to indicate that the table lists the summative assessments with constructed response items to be hand-scored. Add text indicating that the CR items for the interim assessments are hand scored locally at the LEA.

   **Reason:** Removes ambiguity.
Impact to Budget: No cost.

48. Task 8.1.A.1 – Clarify the CAASPP Assessments that Require Rangefinding


Current SOW: The SOW indicates that rangefinding will take place after the pilot test and field test of CAST and the CSA.

Proposed Contract Amendment: Add text to clarify that rangefinding will be conducted for any CR items that require rubric scoring. Revise the CSA rangefinding requirements to indicate that CSA rangefinding will take place after the field test.

Reason: Removes ambiguity about what items will need rangefinding. Reflects the CSA activities consistent with the SBE-approved high-level test design.

Impact to Budget: No cost.

49. Task 8.1.A.1 – Revise the Operational Scoring Workshops


Current SOW: The SOW requires ETS to conduct the operational scoring workshops on the weekends and as in-person workshops in March, April, and May.

Proposed Contract Amendment: Remove the requirement to hold the workshops on the weekends and to begin the workshops as early as February. Add text to allow for other CDE-approved modes of delivery.

Reason: Based on educator feedback, the original plan to hold the workshops on the weekends and in March, April, and May created scheduling conflicts with the California educators, resulting in low workshop participation rates. The revised requirements provide flexibility for the CDE to hold the workshops during a time and in a mode that will accommodate educator participation.

Impact to Budget: No cost.

50. Task 8.1.A.1 – Add the Use of an Automated Crisis Paper Identification and Alert Flag


Current SOW: The SOW requires ETS to identify and flag student responses that reflect a possible dangerous situation for the student. The process requires human raters to identify the student response during the scoring process.

Proposed Contract Amendment: Add the requirement to investigate the use of an automated crisis paper identification and alert flag as part of TDS. The automated process would occur when the student submits their responses.

Reason: An automated process would speed up the identification of student crisis papers by 2–3 weeks. Currently, raters read student responses for hand scoring within 2–3 weeks after the student submits their test in TDS.

Impact to Budget: No cost.
51. Task 8.1.B – Change Teacher Scoring System to the Interim Assessment Hand Scoring System (IAHSS)


**Current SOW:** The SOW refers to the Smarter Balanced open-source teacher hand scoring system by its former name.

**Proposed Contract Amendment:** Change refers to “Interim Assessment Hand Scoring System (IAHSS).”

**Reason:** Reflects the current name of the system being used by California educators.

**Impact to Budget:** No cost.

52. Task 8.1.C – Clarify that ETS Provides SSIDs to the CDE to Resolve


**Current SOW:** The SOW does not specify how to resolve issues with SSIDs.

**Proposed Contract Amendment:** Add the requirement that ETS will provide the CDE with the list of SSIDs that have issues processing in TOMS.

**Reason:** Removes ambiguity.

**Impact to Budget:** No cost.

53. Task 9 – Clarify the Online Reporting Systems Used by CAASPP Assessments under Task 9

Page reference(s): Task 9, page 145.

**Current SOW:** The SOW requires the use of an online reporting system to report test results.

**Proposed Contract Amendment:** Add a description of the AIR Online Reporting System (ORS) and indicate that ETS will use ORS to report test results for the CAASPP summative assessments including Smarter Balanced Online Summative Assessments and CAA for ELA and mathematics. Add a description of the Smarter Balanced open-source online reporting system to report student test results for the Smarter Balanced Interim Assessments.

**Reason:** Removes ambiguity.

**Impact to Budget:** No cost.
54. Task 9 – Provide a High-Level Timeline for Reporting Test Results by Assessment

Page reference(s): Task 9, Table 22, page 145.

Current SOW: The SOW does not include a high-level timeline for reporting.

Proposed Contract Amendment: Add table presenting a high-level timeline for reporting test results by assessment.

Reason: Removes ambiguity.

Impact to Budget: No cost.

55. Task 9.1, Table 23 – Clarify the Descriptions and Timing of the Reports for LEAs


Current SOW: Task 9.1 and Table 23 describe the types of reports provided to LEAs, the content of the reports, when the reports will be delivered, and who at the LEA will have access to those reports.

Proposed Contract Amendment: Revise the table to:

- Clarify that ETS will provide test results to LEAs for the Smarter Balanced Online Summative Assessments, CAA for ELA and mathematics, CST/CMA/CAPA Sciences for 2015–16, and STS RLA for 2015–16 and 2016–17;
- Correct the name to ORS for all online reports;
- Clarify that ETS will refresh the aggregate calculations nightly, including the target reports, after the CDE approved the release of test results to ORS;
- Clarify that ETS will generate a student's Student Score Reports (SSRs) within four (4) weeks after the student has completed all components of the assessment and post the SSR electronically in TOMS;
- Clarify that ETS will ship the paper SSRs to an LEA once the LEA’s test administration reaches 90 percent of student test results scored for that testing window. Also clarify that ETS will ship the balance of the reports after the end of the statewide testing window.
- Clarify that ETS will provide the downloadable LEA Student Data File to LEAs on a schedule to be approved by the CDE; and
- Clarify that the ETS Data Manager will be provided to users in a timeline approved by the CDE.

Reason: Removes ambiguity and reflects the current processes.

Impact to Budget: No cost.
56. **Task 9.1 – Change the Name of the Student Score Report**

   **Page reference(s):** Task 9.1, page 148.

   **Current SOW:** The SOW refers to the student reports as the “Individual Student Reports.”

   **Proposed Contract Amendment:** Change the name to “Student Score Reports (SSR)” throughout.

   **Reason:** Reflects the SBE-approved name of the report.

   **Impact to Budget:** No cost.

57. **Task 9.1 – Clarify the Requirements for Providing the Spanish Version of the SSRs**

   **Page reference(s):** Task 9.1, page 148.

   **Current SOW:** The SOW requires ETS to deliver one English version and one Spanish version of the SSR to the LEA if the LEA opts to receive the Spanish-version SSRs.

   **Proposed Contract Amendment:** Clarify that ETS will provide the Spanish-version SSR electronically and post it to TOMS. Clarify that the LEA will receive the Spanish-version SSR for delivery to the parent/guardian and that the LEA will receive the English-version SSRs for delivery to schools.

   **Reason:** Removes ambiguity.

   **Impact to Budget:** No cost.

58. **Task 9.1 – Clarify the Requirements for Providing the Understanding the CAASPP SSR Guides**

   **Page reference(s):** Task 9.1, page 148.

   **Current SOW:** The SOW requires ETS to provide an English version of the *Understanding the CAASPP SSR* guide but does not specify which grades or grade groupings are described in the guides.

   **Proposed Contract Amendment:** Clarify that ETS will develop the guide to apply to grades of similar content and messaging. Clarify that ETS will provide an English version and a Spanish version.

   **Reason:** Removes ambiguity and reflects the current approved processes.

   **Impact to Budget:** No cost.
59. **Task 9.1 – Clarify the Process to Deliver the Interim Assessment Results to Smarter Balanced**

Page reference(s): Task 9.1, pages 148-149.

**Current SOW:** The SOW requires ETS to deliver data files to Smarter Balanced annually.

**Proposed Contract Amendment:** Move original text from the SSR Paper Format section to the Electronic Results section. Clarify that ETS will deliver the interim assessment data during business days to Smarter Balanced. Describe the interim assessment data that ETS delivers to Smarter Balanced.

**Reason:** Removes ambiguity and reflects the current approved processes.

**Impact to Budget:** No cost.

60. **Task 9.1 – Clarify User Access to ORS**

Page reference(s): Task 9.1, pages 149.

**Current SOW:** The SOW indicates that the CDE staff can view statewide test results. The SOW indicates that only school administrators can access the test results. The SOW indicates that ORS is available 24 hours per day, seven days per week.

**Proposed Contract Amendment:** Add text to indicate the CDE contract monitor must approve access to the statewide test results prior to the public release by the State Superintendent of Public Instruction. Revise the text to indicate that all authorized users can view test results in ORS. Clarify that ORS will not be available during planned system downtimes approved by the CDE.

**Reason:** Removes ambiguity and reflects the current approved processes.

**Impact to Budget:** No cost.

61. **Task 9.1 – Include Piloting the Delivery of Electronic SSRs to LEAs (Paperless Reporting)**

Page reference(s): Task 9.1, page 149.

**Current SOW:** The SOW does not include pilot testing paperless reporting options.

**Proposed Contract Amendment:** Add requirements for pilot testing paperless reporting options with interested LEAs.

**Reason:** Adds flexibility to explore a paperless reporting option as requested by LEAs.

**Impact to Budget:** No cost.
62. **Task 9.1 – Clarify the Data Reported to ORS**  

**Page reference(s):** Task 9.1, page 148-150.  

**Current SOW:** The SOW indicates that the CDE staff can view statewide test results. The SOW indicates that only school administrators can access the test results. The SOW indicates that ORS is available 24-hours per day, seven days per week.  

**Proposed Contract Amendment:** Revise the text to indicate that the static reports in ORS includes average scale score, percentage in each achievement level, percent at each claim achievement category, and performance on each assessment target.  

**Reason:** Clarifies what is reported (e.g., “average scale score” instead of “scale score distribution”).  

**Impact to Budget:** No cost.  

63. **Task 9.1 – Clarify the Process to Configure ORS**  

**Page reference(s):** Task 9.1, page 149-150.  

**Current SOW:** The SOW indicates that the CDE will have an opportunity to outline the access rules and functionality but does not describe the process by which this is completed.  

**Proposed Contract Amendment:** Add text to describe that ETS will provide a configuration document that includes the features and functionality that can be turned off or on for CAASPP.  

**Reason:** Removes ambiguity.  

**Impact to Budget:** No cost.  

64. **Task 9.1 – Modify the Requirement for Printing the POSTNET barcode on the SSRs**  

**Page reference(s):** Task 9.1, page 150.  

**Current SOW:** The SOW requires ETS to print the POSTNET barcode on the SSRs for LEAs that request the option to print parent/guardian addresses on the SSRs.  

**Proposed Contract Amendment:** Add text to indicate that ETS will provide the POSTNET barcode for the 2015–16 administration.  

**Reason:** Removes the POSTNET barcode requirement. The U.S. Postal Service no longer uses the POSTNET barcode. Implementing the newer Intelligent Mail (IM) barcode requires additional information from LEAs that they have not previously provided to either CALPADS or ETS. ETS will continue to print the parent/guardian address on SSRs for LEAs that select that option.  

**Impact to Budget:** No cost. The option to print the parent/guardian addresses is an ancillary service paid by the LEA to ETS.
65. Task 9.1 – Clarify the Packaging of the SSRs

Page reference(s): Task 9.1, pages 151.

Current SOW: The SOW requires ETS to place the packing lists in the SSR packages. The SOW also requires ETS to ship SSRs in boxes. The SOW describes LEA shipments to include one white box as Box 1 for the LEA.

Proposed Contract Amendment: Add text to describe that ETS will provide the packing lists as electronic files available in TOMS when the SSRs have shipped. Add text to allow shipping of SSRs in envelopes if possible. Revise the description of the boxes to indicate that the LEA copies of the SSRs will be shipped in white boxes and all school copies will be shipped in brown boxes.

Reason: Reflects the current processes, which were requested by LEAs.

Impact to Budget: No cost.

66. Task 9.1 – Clarify the SSR Correction Process

Page reference(s): Task 9.1, page 152.

Current SOW: The SOW requires ETS to support any changes to SSRs due to changes in data without regard of the cause of the data change.

Proposed Contract Amendment: Provide examples of possible data changes that would affect the SSRs. Include a requirement for ETS and the CDE to develop the business rules for SSR corrections. Include text to describe the process for re-reporting if the LEA caused the data change. Revise the text to include Smarter Balanced in the decision-making process for corrections that involve the Smarter Balanced assessments.

Reason: Clarifies and reflects the current process.

Impact to Budget: No cost.

67. Task 9.1 – Clarify the Process for Correcting Demographic and Special Testing Conditions Data


Current SOW: The SOW does not refer to CALPADS as the source for LEAs to update their student demographic data.

Proposed Contract Amendment: Revise the text to refer to CALPADS. Add text to describe the deadline by which LEAs must update CALPADS in order to have the data reflected in ORS.

Reason: Removes ambiguity.

Impact to Budget: No cost.
68. **Task 9.2, Table 24 – Clarify that the CAAs, CAST, and the CSA Will Not Be Offered As Paper-Pencil Tests**

*Page reference(s): Task 9.2, page 154.*

**Current SOW:** Table 24 describes the tests reported on the two Web sites developed by ETS and hosted by the CDE. The Web site that reports results for the paper-pencil tests lists CST/CMA/CAPA Sciences and STS RLA, as well as the new CAASPP assessments that have paper-pencil versions.

**Proposed Contract Amendment:** Remove the statement that new CAASPP assessments with paper-pencil versions will be reported. Add a note indicating that the CAAs, CAST, and the CSA will not be offered as paper-pencil tests as indicated in the SBE-approved high-level test designs.

**Reason:** Removes the requirement.

**Impact to Budget:** No cost.

69. **Task 9.2 – Clarify the Suppression Rule Used in Web Reporting**


**Current SOW:** The SOW provides an explanation of the requirement to suppress results with 10 or fewer students but does not provide additional details.

**Proposed Contract Amendment:** Add text to indicate that the suppression rule includes students with valid test scores. Add text to clarify that the suppression rule applies to the subgroup level (e.g., gender, ethnicity, etc.).

**Reason:** Maintains the security of personally identifiable information (PII).

**Impact to Budget:** No cost.

70. **Task 9.2. – Revise the Delivery Date for the Public Web Reporting Data**


**Current SOW:** The SOW requires ETS to deliver test results received through July 1 annually.

**Proposed Contract Amendment:** Revise the deadline to indicate that the CDE and ETS will agree on a specific date by which responses are submitted in order to be included in the state’s public release of statewide test results.

**Reason:** Provides flexibility to the CDE for reporting test results as LEAs become accustomed to testing students throughout the testing window.

**Impact to Budget:** No cost.
71. **Task 9.2 – Remove the Requirement for Providing Static Versions of the Public Web Reporting Site**


   **Current SOW:** The SOW requires ETS to provide the CDE with static versions of the public Web reporting site.

   **Proposed Contract Amendment:** Remove the requirement.

   **Reason:** The requirement is not needed. ETS designed and tested the Web reporting site to perform within specifications in excess of peak demand.

   **Impact to Budget:** No cost.

72. **Task 9.2 – Change the References to “Proficiency” Level**


   **Current SOW:** The SOW refers to “proficiency” level.

   **Proposed Contract Amendment:** Replace with “achievement” level.

   **Reason:** Reflects the label as approved by SBE.

   **Impact to Budget:** No cost.

73. **Task 9.2 – Remove References to Cluster Scores for Aggregate Summary Data**


   **Current SOW:** The SOW refers to “cluster” scores.

   **Proposed Contract Amendment:** Remove references to cluster scores.

   **Reason:** Reflects change as approved by SBE.

   **Impact to Budget:** No cost.

74. **Task 9.2 – Clarify that Subgroup Categories are Reviewed Annually**

   Page reference(s): Task 9.2, page 156.

   **Current SOW:** The SOW requires ETS to incorporate changes to the subgroup reporting categories but does not specify how often the changes are made.

   **Proposed Contract Amendment:** Add “annually.”

   **Reason:** Reflects the current processes.

   **Impact to Budget:** No cost.
75. Task 9.3 – Remove the Requirement to Provide a Compressed Data Layout


Current SOW: The SOW requires ETS to provide the state-level student data file in three formats, including a compressed layout with demographic information only.

Proposed Contract Amendment: Remove the requirement to provide a compressed layout with demographic information only.

Reason: The requirement is not needed. The demographic data exists in the full student data file. ETS and the CDE revised the data layouts and data transfer process that allowed for access to the demographic data in the full student data file.

Impact to Budget: No cost.

76. Task 9.5 - Clarify the Timeline for Delivering the Annual Technical Reports

Page reference(s): Task 9.3, Table 25, page 159.

Current SOW: The SOW required ETS to deliver all draft technical reports by November 1.

Proposed Contract Amendment: Add text to clarify that ETS will deliver the technical reports annually. Add text to indicate that the CDE and ETS may agree to a different timeline depending on the availability of data for analysis.

Reason: Reflects the current processes. Provides the CDE with flexibility to plan the technical report review and approval process.

Impact to Budget: No cost.

77. Task 9.6 – Expand the Types of Studies to be considered for Special Projects

Page reference(s): Task 9.6, page 161-162.

Current SOW: The SOW includes a specific list of special study topics.

Proposed Contract Amendment: Add text to indicate that the special studies are not limited to the list in the SOW.

Reason: Provides the CDE with flexibility to include topics for special studies.

Impact to Budget: No cost.
Proposed Contract Amendments with No-Cost Swaps

78. Change to Subcontractor: Add WestEd

**Current SOW**: Subcontractors included the American Institutes for Research (AIR), Measurement Incorporated (MI), Accenture, and Center for Assessment, Red Dog Records (RDR), and In-touch Insight Systems (In-Touch).

**Proposed Contract Amendment**: Add WestEd as a subcontractor in Task 1. Reassign training activities from ETS to WestEd, which will be documented through the annual LEA communications and training plan.

**Reason**: WestEd provides expertise in training educators to use assessment information to support classroom improvements.

**Impact to Budget**: No-cost swap. ETS will reallocate the existing budget in Task 2 to the WestEd subcontract.

<table>
<thead>
<tr>
<th>Task</th>
<th>Current SOW</th>
<th>Proposed Contract Amendment SOW</th>
<th>Proposed Budget Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task 1. Comprehensive Plan</td>
<td>Does not include WestEd as a subcontractor.</td>
<td>Task 1, page 7—Add WestEd as a subcontractor.</td>
<td>$0</td>
</tr>
<tr>
<td>Task 2. Program Support Services</td>
<td>ETS has sole responsibility for producing the following workshops: 2017 Post-test Workshops 2017 Digital Library and Interim Assessment Clinics 2017 Interim Assessment Scoring Workshops 2017 Summer Scoring Workshops 2018 Post-Test Workshops</td>
<td>WestEd will have primary responsibility to produce the following workshops: 2017 Digital Library and Interim Assessment Clinics 2017 Interim Assessment Scoring Workshops 2017 Summer Scoring Workshops ETS and WestEd will have joint responsibility to produce the following workshops: 2017 Post-test Workshops 2018 Post-Test Workshops (Note: The change will be documented through the annual LEA communications and training plan.)</td>
<td>Reduction of ETS workshop activities = -$345,383 Addition of WestEd subcontract for workshop activities = $345,383</td>
</tr>
<tr>
<td>Task 3. Technology Services</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 4. Test Security</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 5.</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
</tbody>
</table>
79. **Eliminate the 2016–17 Administration of CST/CMA/CAPA Science and Revise the CAST and CAA Science Activities Based on the SBE-Approved Test Designs**

**Current SOW:** The SOW requires the administration of the California Standards Tests (CST) for Science, California Modified Assessments (CMA) for Science, and the California Alternate Performance Assessments (CAPA) for Science in the 2016–17 administration. The SOW also requires ETS to conduct pilot tests of the new California Science Tests (CAST) and the California Alternate Assessments for Science (CAA for Science) with sample populations in the 2016–17 administration and field testing with sample populations for both assessments in the 2017–18 administration.

**Proposed Contract Amendment:** Eliminate the CST/CMA/CAPA Science assessments for the 2016–17 administration. Revise the CAST activities to include census pilot testing in the 2016–17 administration and census field testing in the 2017–18 administration. Revise the CAA for Science activities to include two years of census pilot testing, in the 2016–17 administration and the 2017–18 administration. Revise other CAST and CAA for Science test development activities to be consistent with their approved high-level test designs.

**Reason:** Revises the SOW to be consistent with the SBE-approved action in May 2016 to avoid double-testing students with the science assessments and with the SBE-approved high-level test design.

**Impact to Budget:** No-cost swap.

<table>
<thead>
<tr>
<th>Task</th>
<th>Current SOW</th>
<th>Proposed Contract Amendment SOW</th>
<th>Proposed Budget Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task 1. Comprehensive Plan</td>
<td>Not applicable</td>
<td>Task 1, page 6—Add text to indicate that CST/CMA/CAPA are suspended effective with this amendment.</td>
<td>$0</td>
</tr>
<tr>
<td>Task 2.</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task</td>
<td>Current SOW</td>
<td>Proposed Contract Amendment SOW</td>
<td>Proposed Budget Impact</td>
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</tr>
<tr>
<td>Task 3. Technology Services</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 4. Test Security</td>
<td>Task 4.2 requires test security site visit audits that address the mix of CBT and PPT, which includes post-test audits to observe how LEAs handle the paper-pencil materials for return to the contractor.</td>
<td>Task 4.2, page 61—Add text to define the number of pre-test and during-testing site visit audits and reduce the number of post-test site visit audits to accommodate the reduction of paper-pencil tests with the elimination of the CST/CMA/CAPA Science assessments.</td>
<td>$0</td>
</tr>
<tr>
<td>Task 5. Accessibility and Accommodations</td>
<td>Task 5.1.B includes requirements for providing the special versions of the paper-pencil tests.</td>
<td>Task 5.1, pages 67-69—Revise text to indicate that the CST/CMA/CAPA Science special versions are available in the 2015–16 administration and that the STS special versions are available in the 2015–16 and 2016–17.</td>
<td>$0 (See Task 7)</td>
</tr>
<tr>
<td>Task 6. Assessment Development</td>
<td>Provides general descriptions of the activities to develop CAST and CAA for Science. Includes a timeline for CAA for Science with pilot testing in 2016–17 and field testing in 2017–18. Includes pilot and field testing using sample student populations for both CAST and CAA for Science.</td>
<td>Task 6, throughout task—Revise CAST to include: the target number of items being developed; census pilot testing in 2016–17; census field testing in 2017–18; and the development of achievement level descriptors. Task 6, throughout task — Revise CAA for Science to include: the target number of items being developed; census pilot testing in 2016–17; census pilot testing in 2017–18; and the development of achievement level descriptors.</td>
<td>Increase CAST and CAA for Science test development = $4,667,527</td>
</tr>
<tr>
<td>Task</td>
<td>Current SOW</td>
<td>Proposed Contract Amendment SOW</td>
<td>Proposed Budget Impact</td>
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<tr>
<td>Task 7. Test Administration</td>
<td>Includes the production, delivery, and administration of the CST/CMA/CAPA Science assessments for the 2016–17 administration.</td>
<td>Task 7, Tables 13 and 14 on pages 102-103 and pages 107-116 —Specify that the production, delivery, and administration of the CST/CMA/CAPA Science assessments occur in the 2015–16 administration.</td>
<td>Eliminate the 2016-17 CST/CMA/CAPA activities in Task 7 = -$4,136,592</td>
</tr>
<tr>
<td>Task 8. Scoring and Analysis</td>
<td>Includes the retrieval, processing, scanning, scoring, and analysis of the CST/CMA/CAPA Science assessments for the 2016–17 administration.</td>
<td>Task 8, page 125—Specify that the retrieval, processing, scanning, scoring, and analysis of the CST/CMA/CAPA Science assessments occur in the 2016–17 administration.</td>
<td>Eliminate the 2016-17 CST/CMA/CAPA activities in Task 8 = -$207,865</td>
</tr>
<tr>
<td>Task 9. Reporting</td>
<td>Includes the reporting to LEAs and the CDE of the CST/CMA/CAPA Science assessments for the 2016–17 administration.</td>
<td>Task 9, Table 22 on page 145, Table 23 on page 146, Table 24 on page 154, and pages 150, 153, 155, and 159—Specify that reporting to LEAs and the CDE of the CST/CMA/CAPA Science assessments occurs in the 2016–17 administration.</td>
<td>Eliminate the 2016-17 CST/CMA/CAPA activities in Task 9 = -$323,070</td>
</tr>
</tbody>
</table>

**Net Change:** $0

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### 80. Revise the CSA Test Development Activities

**Current SOW:** The SOW requires ETS to conduct pilot and field tests of the new California Spanish Assessments (CSA) in the 2016–17 and 2017–18 administrations, respectively. The SOW also requires ETS to conduct standard setting of the CSA after the 2017–18 field test.

**Proposed Contract Amendment:** Revise the CSA timeline to require a pilot test in fall 2017 and to include a cognitive lab study. Revise the standard setting activities to remove the standard setting meeting and include the development of both the general and content-specific achievement level descriptors (ALDs).

**Reason:** Revises the SOW to be consistent with the high-level test design adopted by the SBE in July 2016.

**Impact to Budget:** No-cost swap.
<table>
<thead>
<tr>
<th>Task</th>
<th>Current SOW</th>
<th>Proposed Contract Amendment SOW</th>
<th>Proposed Budget Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task 3. Technology Services</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 4. Test Security</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 5. Accessibility and Accommodations</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 6. Assessment Development</td>
<td>Provides general descriptions of the activities to develop CSA. Includes a timeline for CSA with pilot testing in 2016–17. Includes standard setting to occur after the 2017–18 field test.</td>
<td>Task 6, pages 76, 79-80, 85-86, and 88-90—Revise CSA to: include the target number of items being developed include pilot testing in fall 2017 eliminate the standard setting meeting add cognitive labs in 2017–18 add the development of general and content achievement level descriptors add training test</td>
<td>-$125,581  $95,821  $29,760</td>
</tr>
<tr>
<td>Task 7. Test Administration</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 8. Scoring and Analysis</td>
<td>Table 21 indicates that ETS will score CSA constructed-response items that require hand-scoring</td>
<td>Table 21, page 127—Add footnote indicating that CSA will not include human scoring, but ETS will develop CR items, scoring rubrics, and training materials for future use.</td>
<td>$0</td>
</tr>
<tr>
<td>Task 9. Reporting</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
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<td></td>
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<td>Net Change:</td>
<td>$0</td>
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</tbody>
</table>
Proposed Contract Amendments with Additional Costs

81. Smarter Balanced Embedded Performance Task Field Test

**Current SOW:** Includes support of embedded field-testing of five to eight additional items. ETS assumed that there would be no change required to the scoring processes in order to support this embedded field-testing.

**Proposed Contract Amendment:** Support the new process to administer the Smarter Balanced embedded Performance Task Field Test beginning with the 2016–17 administration.

**Reason:** In summer 2016, Smarter Balanced released the design plan for administering an embedded performance task (PT) field test (FT) during the 2016–17 administration. The field-test design requires the use of a field-test blueprint that is different from the operational test blueprint. Students selected to take the embedded PT FT will receive a longer computer adaptive testing (CAT) section, which will include items to fulfill the operational test blueprint and allow for reporting of claim scores. The PT section for these students will include field-test questions with few or no operational items that would contribute to the students’ test results. While the CAASPP test delivery system (TDS) will score the machine-scorable items, Smarter Balanced will be responsible for scoring the constructed-response (CR) items. Smarter Balanced has requested frequent delivery of field-test data to monitor for crisis papers.

**Impact to Budget:** Adds $544,605 to FY2017–18.

<table>
<thead>
<tr>
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<th>Current SOW</th>
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<th>Proposed Budget Impact</th>
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</thead>
<tbody>
<tr>
<td>Task 1. Comprehensive Plan</td>
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<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 2. Program Support Services</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 3. Technology Services</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 4. Test Security</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 5. Accessibility and Accommodations</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 6. Assessment Development</td>
<td>Includes support of embedded field testing of five to eight items.</td>
<td>Task 6, page 86-87: Include a description of the new Smarter Balanced embedded performance task field test design and of support beginning with the 2016–17 administration.</td>
<td>$0</td>
</tr>
<tr>
<td>Note: Since the field test is embedded within the processing and scoring costs are included in Task 8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Task 7.</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
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<tr>
<td>Task</td>
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<td>Proposed Contract Amendment SOW</td>
<td>Proposed Budget Impact</td>
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<tr>
<td>Test Administration</td>
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</tr>
<tr>
<td>Task 8. Scoring and Analysis</td>
<td>Not applicable</td>
<td>No change to text. See Task 9.</td>
<td>$488,035</td>
</tr>
<tr>
<td>Task 9. Reporting</td>
<td>Includes the development and submission of a technical report based on the original Smarter Balanced embedded field test design.</td>
<td>Task 9.5, page 159—Revise the text to clarify that ETS will deliver the technical reports annually. Add text to indicate that the CDE and ETS may agree to a different timeline depending on the availability of data for analysis.</td>
<td>$56,570</td>
</tr>
</tbody>
</table>

Net Change: $544,605

82. Report the Writing Extended Response (WER) Dimension Scores in the Online Reporting System (ORS)

**Current SOW:** The WER dimension scores are not reported.

**Proposed Contract Amendment:** ETS will:

- Revise the data file format and delivery process to capture the scores for each of the four WER dimensions.
- Report the student-level WER dimension scores in ORS.
- Update the appropriate manuals with instructions for using the WER dimensions reports and provide training to LEAs about the new report.

**Reason:** The scores for each dimension provide additional information to educators about how their students performed on the WER items.

**Impact to Budget:** Adds $142,724 to FY2017–18.

<table>
<thead>
<tr>
<th>Task</th>
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<th>Proposed Budget Impact</th>
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</thead>
<tbody>
<tr>
<td>Task 1. Comprehensive Plan</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 2. Program Support Services</td>
<td>Not applicable</td>
<td>Table 2, page 38, row 49 —add a new Webcast or recorded training about the WER scores.</td>
<td>$0</td>
</tr>
<tr>
<td>Note: ETS costs to produce the training are included in Task 9.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Task 3. Technology Services</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 4. Test Security</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 5. Accessibility and</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
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</table>
### Task

<table>
<thead>
<tr>
<th>Task</th>
<th>Current SOW</th>
<th>Proposed Contract Amendment SOW</th>
<th>Proposed Budget Impact</th>
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</thead>
<tbody>
<tr>
<td>Accommodations</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Task 6. Assessment Development</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 7. Test Administration</td>
<td>Not applicable</td>
<td>No change to SOW language. The SOW requires ETS to develop the Post-Test Guide as a single point of reference for all reporting-related information. ETS will make the change in the specifications for the guide.</td>
<td>$0</td>
</tr>
<tr>
<td>Task 8. Scoring and Analysis</td>
<td>Not applicable</td>
<td>No change to SOW language. The SOW requires ETS to coordinate all scoring. ETS will make the changes to the data flow specifications and the data processing procedures.</td>
<td>$0</td>
</tr>
<tr>
<td>Task 9. Reporting</td>
<td>Not applicable</td>
<td>Task 9.1, page 148—add the reporting of WER dimension scores via ORS.</td>
<td>$142,724</td>
</tr>
</tbody>
</table>

Net Change: $142,724

### 83. Support the Smarter Balanced Open-Source Components for the 2017–18 STS Administration

**Current SOW:** The SOW includes administration of STS for the 2015–16 and 2016–17 administrations.

**Proposed Contract Amendment:** Add the 2017–18 STS administration to the SOW. For the 2017–18 administration, ETS will work with Smarter Balanced to administer STS utilizing as many of the Smarter Balanced open-source components as feasible and approved by the CDE. ETS will identify STS test takers; prepare score reports using test results as received from Smarter Balanced; report test results to LEAs through ORS, the Student Data File via TOMS, and the Student Score Reports (paper and electronic); report aggregate test results and research files via the CAASPP public Web reporting site; and provide help desk support and LEA training.

**Reason:** *California Education Code* requires the administration of the STS until the CSA is operational. Based on the SBE-approved high-level test design for the CSA, the CSA will become operational in the 2018–19 administration, leaving a gap year for administering a primary language assessment.

**Impact to Budget:** Adds $325,298 to FY2017–18.
<table>
<thead>
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<th>Current SOW</th>
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</thead>
<tbody>
<tr>
<td>Task 1. Comprehensive Plan</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
<tr>
<td>Task 2. Program Support Services</td>
<td>Not applicable</td>
<td>No change</td>
<td>$0</td>
</tr>
</tbody>
</table>
| Task 3. Technology Services | Not applicable| Introduction paragraph, page 39— Add a description of the systems to be used for the 2017–18 STS online administration.  
Task 3.2, page 41—Add a description of the systems to be used for the 2017–18 STS online administration.  
Task 3.2.B.1, page 45—Add a reference to the use of the Smarter Balanced open-source test delivery system.  
Appendix C, page 198— Add text to indicate the system requirements that fall under Smarter Balanced for their open-source test delivery system. | $0                     |
| Task 4. Test Security      | Not applicable| No change                                                                                      | $0                     |
| Task 5. Accessibility and Accommodations | Not applicable | Page 69, Scoring of Braille and Large Print Test Materials— Describe the process for handling the student responses for students who must use the printed braille and large print STS tests for the 2017–18 administration. | $0                     |
| Task 6. Assessment Development | Not applicable | No change                                                                                      | $0                     |
| Task 7. Test Administration | Not applicable| Table 13, page 102—Add STS online administration for 2017–18.  
Table 14, page 103—Add 2017–18 to “School Year(s)” column. Add estimated test | $0                     |
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<th>Current SOW</th>
<th>Proposed Contract Amendment SOW</th>
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<tr>
<td>Task 8. Scoring and Analysis</td>
<td>Not applicable</td>
<td>Task 8.1, page 138— Describe the process for handling the 2017–18 STS test taker data with the demographic data from CALPADS. Task 8.2.B, page 142— Remove specific references to test administration years for STS. Clarify that the 2017–18 STS administration will be online.</td>
<td>$209,127</td>
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<td>Task 9. Reporting</td>
<td>Not applicable</td>
<td>Page 145— Add table 22 that summarizes the timeline for reporting test results by assessment and include STS reporting for the 2017–18 administration.</td>
<td>$116,171</td>
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**Net Change:** $325,298

### 84. Additional Special Studies Including Additional Growth Model Analyses and Cognitive Labs for CAA for Science

**Current SOW:** Task 9.6 includes specific analyses and special studies.

**Proposed Contract Amendment:** Revise Task 9.6 to add flexibility to the studies that can be considered and to include:

- simulations for three growth models that California is considering for its academic accountability system
- cognitive lab or similar qualitative study for CAA for Science
- other studies, such as validity studies for CAST and CSA, as approved by the CDE that help inform item and test design plans

**Reason:** The growth model analysis supports the CDE’s activities to continue developing the state’s academic accountability system. The cognitive lab or similar qualitative study for CAA for Science, as well as possible validity studies for CAST and CSA, provides additional information to support the test development process.

**Impact to Budget:** Adds $26,903 to FY2017–18.
### Task Summary

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<td>Task 2. Program Support Services</td>
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<td>Task 9. Reporting</td>
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<td>Task 9.6, page 161-162—</td>
<td>$26,903</td>
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<td></td>
<td>Revise the text to add flexibility to the studies that can be considered and to include specific studies for the growth model, cognitive labs/qualitative studies for CAA for Science, and other validity studies.</td>
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<td><strong>Net Change:</strong></td>
<td></td>
<td><strong>$26,903</strong></td>
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### 85. CAASPP Science Academy

**Current SOW:** Not applicable.

**Proposed Contract Amendment:** In collaboration with the CDE, ETS and WestEd will build the CAASPP Science Academy: a one-day professional learning workshop that will focus on three-dimensional learning and on understanding the standards themselves, what they look like in instruction, how they are operationalized through assessment items, and how new science assessment item types can inform teaching and learning. ETS and WestEd plan to facilitate three (3) in-person Science Academies in northern, central, and southern California.

**Reason:** The California Next Generation Science Standards (CA NGSS) present alternative ways to consider how students learn and how teachers teach. However, implementing these standards has proven challenging to both practitioners and policy makers. The CAASPP Science Academy will integrate successful models of professional learning with materials that California and ETS are developing as part of the assessment process to create a
blended approach to this problem and assist teachers with a participation in both the practice and the spirit of NGSS.

**Impact to Budget:** Adds $475,168 to FY2017–18.

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<td>Task 2. Program Support Services</td>
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<td>Task 2, page 26-30—Add a new Task 2.9 CAASPP Science Academy. Task 2.9 will include the requirements, deliverables, and high-level timeline to deliver the CAASPP Science Academy professional development training.</td>
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Net Change:  $475,168
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TASK 1: Comprehensive Plan & Schedule of Deliverables

Task 1 describes the activities, assumptions, and requirements to manage and administer the California Assessment of Student Performance and Progress (CAASPP) System for the 2015–16, 2016–17, and 2017–18 school years. Educational Testing Service (ETS) is the prime contractor and is responsible for the overall management and administration of the services provided to the state under this contract and will work closely with the California Department of Education (CDE) to ensure the success of the CAASPP administrations in the next three years.

The original SOW referred to the new CAASPP assessments as the California Alternate Assessments, the California Next Generation Science Standards (CA NGSS and CA NGSS Alternate), and the primary language assessments. Beginning with this amendment, the SOW refers to the active CAASPP assessments and tools as the following:

- Smarter Balanced Digital Library
- Smarter Balanced Interim Assessments
- Smarter Balanced Summative Assessments
- California Alternate Assessments for English-Language Arts and Mathematics (CAA for ELA and mathematics)—formerly known as CAA
- California Science Tests (CAST)—formerly known as CA NGSS
- California Alternate Assessments for Science (CAA for Science)—formerly known as CA NGSS Alternate
- California Spanish Assessments (CSA)—formerly known as the primary language assessments in Spanish
- Standards-based Tests in Spanish for reading language arts (STS RLA)

Beginning with this amendment, the CDE suspended the administration of the existing science tests based on the previous state science standards—the California Standards Tests (CSTs) for Science, the California Modified Assessments (CMA) for Science, and the California Alternate Performance Assessment (CAPA) for Science. ETS will reallocate the resources for the CST, CMA, and CAPA for sciences to the approved test development, census pilot test, and census field tests of CAST and CAA for Science.

While ETS further details individual roles and responsibilities within the Scope of Work (SOW), the following text provides a high level summary of responsibilities for ETS and its partners:

- **ETS** will manage the administration, scoring, and reporting activities and have overall responsibility for the constructed-response human scoring and artificial intelligence (AI) scoring. In addition, ETS will manage the logistics and coordination of all management meetings, along with the development of all relevant materials. ETS will also provide Help Desk services and psychometric support. ETS will provide item development for all state-specific assessments: CAST, CAA for ELA and mathematics, CAA for Science, and CSA. ETS will host and provide support for the Test Operations Management System (TOMS).
• **American Institutes for Research (AIR)** will provide hosting and support for its test delivery system and online reporting system, a component of the overall CAASPP Assessment Delivery System. These are the same systems used in the successful spring 2014 Field Test and in the current spring 2015 operational administration.

• **Measurement Incorporated (MI)** will assist ETS in the constructed-response scoring for various grades for all Smarter Balanced-related assessments, including human and AI scoring. These are the same capabilities and systems used in the Smarter Balanced Field Test activities and in the current spring 2015 operational administration.

• **Accenture** will publish the printed manuals and paper-pencil assessments, provide fulfillment services, and manage the test materials.

• **WestEd** will provide training to local educational agencies (LEAs) and educators about CAASPP with the goal of supporting classroom improvements using the assessment information. WestEd activities will include but are not limited to: developing and facilitating training workshops, materials, and videos.

• **Red Dog Records (RDR)** will serve as the program’s multimedia experts and provide video (live and animated) production, Web broadcast, and audio-visual support services.

• **In-Touch Insight Systems (In-Touch)** will continue its role to provide test security site visit audits to CAASPP for this contract.

For simplicity, ETS and its partners will be referred to as ETS in this SOW except where references to specific proprietary systems or methodologies are noted.

### 1.1. Work Plan, Narrative Schedule, and Timeline

As part of project initiation, ETS will draft a work plan and a supporting project schedule for the delivery of the CAASPP System. During the initial start-up meeting with the CDE and State Board of Education (SBE) staff, ETS will review and finalize these draft documents. Each subsequent contract year, ETS will revise the work plan and scheduled documents, focusing on fine-tuning the plans for each coming contract year.

The work plan will include key tasks with dependencies, deliverables with corresponding durations, assigned resources, and responsible staff members. The comprehensive schedule, and accompanying Gantt chart, will clearly identify milestone tasks, resource names, and actual start and finish dates. The most current, approved versions of these documents will reside on a shared, password-protected virtual workspace accessible by both the CDE and ETS. The schedule will also be made available to the CDE in Microsoft Project (MPP) format upon request. For the purposes of initial planning, the sample program schedule is included as Appendix A.

ETS will use a three-step process to develop the work plan for the CAASPP System:

1. First, ETS will use Council of Chief State School Officers (CCSSO) **operational best practices** to detail the plans.
2. Second, ETS will develop a program summary—referred to as the **SOW**—based on the agreed-upon requirements that outlines the work that ETS will perform and how it will be performed.

3. Finally, ETS will use **process documents** to guide day-to-day activities.

The timeline referenced in Appendix A is a sample to be used for the initial planning discussions. All schedules will be reviewed and approved by the CDE prior to implementation. It is to be a working document that is updated on an ongoing basis throughout the life of the contract.

Regular reviews of the schedule will be conducted during internal weekly meetings and client status meetings. The purpose of these reviews is to discuss recent progress of scheduled tasks, upcoming tasks, and the likelihood of remaining on schedule with key upcoming critical milestones.

The schedule will include detailed information on resource and work associated with the CAASPP Assessment Delivery System to comply with State Information Technology (IT) Management Guidelines.

### 1.2. Orientation Meeting

Within two weeks of the effective date of the contract, ETS will arrange, attend, and facilitate an orientation meeting with the CDE and SBE staff. ETS will coordinate the agenda with the CDE. ETS staff will include project management, assessment, psychometric, scoring, and technology leads. The purpose of the orientation meeting is to plan for the execution of the full contract, with particular emphasis on the first year. ETS will also focus on the required work and services needed to fulfill the full scope of the CAASPP System activities from planning through reporting. The meeting participants will review the proposed work plan and implementation schedule, obtaining specific information, data, criteria, and/or instructions necessary to finalize that plan. ETS project managers will use their expertise to plan and facilitate this meeting, which will include such tasks as setting an agenda to cover each SOW task as well as producing minutes.

The orientation meeting will be held in downtown Sacramento over two (2) consecutive business days. ETS will invite a representative from the Smarter Balanced Assessment Consortium leadership to the orientation meeting to verify that the 2015 administration functioned according to Smarter Balanced’s needs and to discuss any changes needed for 2016.

After the orientation meeting, ETS will submit the meeting minutes via e-mail to the appropriate CDE members as identified by the CDE CAASPP lead administrator for their review and approval. These minutes will address all tasks, with particular emphasis on questions or issues needing resolution, contract implementation timelines, and agreed-upon decisions. ETS also will submit the work plan and schedule that incorporates any changes agreed upon during the orientation meeting no later than ten (10) **business** days following the orientation meeting.

### 1.3. Management Meetings

ETS will schedule and facilitate management meetings with the CDE. ETS will be responsible for the meeting costs, including travel expenses, for its staff. ETS will continue to scope each meeting, develop agendas, and produce appropriate materials. All management meetings will take place in Sacramento, unless otherwise directed by the CDE.
ETS will submit minutes of all meetings via e-mail to the appropriate CDE staff. These minutes will address all tasks, with particular emphasis on questions or issues regarding contract fulfillment, coordination, and SOW modifications or enhancements. ETS will post these meeting minutes to the Web-based, password-controlled enterprise system.

1.3.A. Weekly Meetings

ETS will hold weekly management meetings with the CDE to update and assure that the CDE is informed of all decisions. The weekly management meeting may include managers of:

- California Technical Assistance Center (CalTAC)
- Statistical Analysis
- Information Technology
- Operations
- Test Development
- Appropriate Subcontractor Coordinators

ETS will involve the CDE contract monitor and CDE State program manager in all meetings that involve the CAASPP Assessment Delivery System. All weekly meetings will be in person at CDE offices with other key staff joining by conference call as appropriate. The CDE reserves the right to require any contractor or subcontractor to attend the meetings in person instead of via telephone- or video-conference when the CDE deems it warranted.

ETS will issue a weekly agenda in consultation with the CDE. The agenda will cover the current SOW in progress. At the beginning of each month, ETS will circulate a calendar for the month based on the project plan agreed upon at the weekly meetings.

During the weekly management meetings, ETS and the CDE may decide to hold separate weekly meetings for specific topics.

For all meetings, including face-to-face and video- or audio-conferences, ETS will facilitate the meeting, record minutes of the meeting, and track completion of assignments. The minutes will be distributed to the CDE and the entire team within two (2) business days of the management meetings.

1.3.B. Annual Meetings

ETS will annually host a multi-day meeting in Sacramento which gathers key ETS CAASPP team members to meet with CDE program managers. The annual planning meeting to discuss the overall test administration activities will take place during a 2-day period approved by the CDE. Additional planning meeting days to discuss specific areas of the contract—for example, separate planning meetings for CAAs, CAST, and CSA—may be hosted by ETS with CDE approval. Staff members from the SBE and from the Department of Finance (DOF) will be invited to attend the planning meeting. Those who cannot attend in person may attend via video and audio conference. The purpose of the meeting is to plan the upcoming year, including detailing any changes to the SOW and timeline. ETS will provide a draft timeline in MPP format for all to review. The outcome of this planning meeting will be an update to the draft timeline and any changes to the SOW requested by the SBE testing liaisons and SBE staff, the CDE CAASPP Program managers, and the DOF. The minutes and updated project documents will
be distributed to the CDE and the entire team within ten (10) business days of the annual planning meetings.

1.3.C. State Board of Education (SBE) Meetings

Every time the SBE conducts public meetings, ETS program managers and relevant ETS officers will attend as required by the CDE. When the SBE is discussing issues that may require ETS’s expertise, such as test development or statistics, the appropriate specialists or subcontractors will also attend the meetings and be available to answer questions or provide background as requested. At the CDE’s and SBE’s direction, ETS will continue to offer special presentations to the SBE, based on ETS’s expertise and experience.

1.3.D. Technical Advisory Group (TAG) Meetings

The ETS Executive Director or designee will coordinate with the CDE CAASPP program manager and psychometrics manager on the development of the TAG agenda topics. During the meeting, ETS will facilitate discussion about topics related to ETS activities by bringing the appropriate staff into the discussion and by providing the materials needed by the CDE, TAG members, and the independent evaluator. Additional staff will be available via teleconference as needed. ETS is responsible only for ETS staff travel and material preparation, as required.

For each meeting, ETS will work with the CDE to determine what data and information should be presented, and ETS will provide clear agenda topics and supporting materials to the CDE at least five (5) business days before the meeting. Within five (5) business days of the meeting, ETS will provide proposed studies or analysis plans to the CDE for review and approval.

1.4. Coordination, Continuous Improvement, and Independent Evaluation

In addition to the expertise of staff proposed as core members of the ETS team, ETS will provide the CDE with additional support as needed from a group of senior ETS advisors, all of whom were former state assessment directors.

1.4.A. Coordination with the Smarter Balanced Assessment Consortium and CDE/SBE Entities and Staff

ETS will coordinate activities to administer the CAASPP assessments with related efforts led by the CDE/SBE, including the CDE Senior Assessment Fellows, and, at the direction of the CDE, involving the CDE communications contractor, the Smarter Balanced Consortium, the K–12 High Speed Network (K12HSN), and the California Longitudinal Pupil Achievement Data System (CALPADS). Coordination efforts will include the independent project oversight consultant (IPOC) and the independent verification and validation (IV&V) consultant, if available and at the direction of the CDE.

ETS will manage the overall coordination activities with the Smarter Balanced Assessment Consortium and with CDE/SBE entities and staff. ETS will assign a project manager to take the lead in developing the coordination plan, handling the logistics of the monthly coordination meetings, and establishing and maintaining the secure coordination Web site.

ETS also will develop a communication plan for each annual administration that will contribute to and coordinate with the efforts by the CDE-led team. Specific activities may include, but are not limited to:
• Operating http://www.caaspp.org/, the Web site for local educational agencies (LEAs) and their staff that presents information about the administration activities for annual administrations;

• Producing Webcasts and online videos about CAASPP geared toward school and LEA staff, test administrators, technology coordinators, and student data coordinators;

• Developing a list of frequently asked questions (FAQs) about the annual administration processes and procedures; and

• Coordinating and staffing communication opportunities at statewide and regional association conferences such as the CDE North/South Assessment and Accountability Meetings, the annual conference for the California Educational Research Association, or Regional Assessment Network meetings.

All content of the communications under the communications plan with LEAs and the public regarding annual CAASPP administrations will be approved by the CDE and the SBE liaison and staff, where the CDE deems appropriate, before being disseminated.

1.4.B. Development of Plan for Continuous Improvement

ETS will work with the CDE to create a three-year plan supporting continuous improvement of the CAASPP System. In addition to opportunities for improvement identified in the three-year plan, ETS will propose, based on its experience, opportunities for program improvements that emerge over the course of the contract. ETS will submit the plan to the CDE in an agreed-upon timeline and refine it to reflect feedback from the CDE, SBE staff, the SBE testing liaisons, and the CDE’s external evaluator.

1.4.C. Coordination with the Independent Evaluator

The law establishing the CAASPP assessment program called for an independent evaluation of the impact of this requirement and of the quality of the CAASPP assessments. ETS will provide support to the CDE in response to requests from the independent evaluator.

Attend Meetings

ETS will participate in meetings convened by the CDE and the independent evaluator for the purposes of identifying and providing the information necessary for the evaluation. The ETS Executive Director and Director of Operations will have access to other ETS and subcontractor staff that may participate in the meetings. ETS assumes that meetings related to the independent evaluation will be held at the CDE offices or by telephone.

Provide Materials and Data

ETS will provide all necessary materials and data to the independent evaluator. In recognition of the independent evaluator’s need to gather data to further his or her analysis of the CAASPP System, ETS will:

• design test materials (e.g., online surveys, online tests, paper answer documents, and paper test booklets) to include questions that gather these data

• coordinate with the independent evaluator and the CDE to identify desired changes to these questions prior to the annual review of test materials, detailed later in this SOW
• deliver the questionnaire response data to the independent evaluator and to the CDE on a schedule developed with the evaluator

• continue to provide the evaluator with student demographic information and student item responses, in addition to questionnaire data

ETS will work with the independent evaluator and the CDE to comply with data sharing requests per the independent evaluator’s preference. For example, the independent evaluator may request that ETS send demographic data via CD-ROM and post item responses to a secure file transfer protocol site. At a minimum, ETS will:

• submit a Final Item Analysis and equating file to the independent evaluator following each administration

• submit updated student data files for each administration after annual processing has been run

For each material requested, ETS will work with the independent contractor and the CDE to develop a plan and timeline for submission. ETS assumes that requests will be provided in writing to the ETS Executive Director and Director of Operations and that ETS will have ten (10) business days, at minimum, to respond to the request.

1.4.D. Responding to Concerns

ETS assumes that the independent evaluator will submit the first report to the CDE on October 31, 2015, and that an electronic copy of the report will be provided to ETS at the same time. ETS will provide a written response, within four (4) weeks of receipt of the report, to any concerns that may be included in the independent evaluator report. The response will include a process and timeline for resolving each concern reported by the independent evaluator. ETS assumes that any subsequent responses to evaluator comments will be provided in electronic copy to ETS and that ETS will provide written responses within four (4) weeks of receipt of each subsequent request.

1.5. Transition of Contracts

As contractor for the previous CAASPP contract, ETS will ensure the continued operations of CAASPP. ETS will also continue maintaining the comprehensive archive of data and materials from previous CAASPP and Standardized Testing and Reporting (STAR) administrations.

At the end of the contract, ETS will work closely with the CDE to develop and implement a plan and schedule for transition to another vendor. ETS will deliver all required materials, including, but not limited to, reports and electronic data files, applications and supporting documents, and other materials developed for the CAASPP System, including test blueprints, item and test specifications, test packages for online tests, and paper-pencil test forms for any assessments under development, on a schedule to be determined by the CDE, by December 31 of the year following the last test administration. One ETS project management team member will serve as a transition manager to assist the new contractor until the end of the calendar year in which the last administration is completed.
1.6. Records and Minutes

At all meetings, including, but not limited to, management meetings and program committee meetings, ETS will take minutes, record information, and document any assignments or tasks for follow up. These notes will be formatted in a format required by the CDE. ETS will keep secure electronic copies of all the records throughout the life of the CAASPP System unless otherwise directed by the CDE.

Each set of minutes will include listings of all those present and their contact information. ETS will review the contact information of attendees to determine if it has changed and update the CDE, if appropriate. At the Orientation Meeting, ETS will propose a format for the meeting minutes for CDE approval.

ETS will distribute minutes from weekly meetings and other conference calls to the CDE for approval within two (2) business days. For all other meetings, ETS will distribute minutes to the CDE for the CDE’s approval within five (5) business days of the meeting. When approved, all relevant CAASPP team members will receive copies.

ETS will keep secure electronic copies of all the contract documents for five years after the final payment of the contract period.

1.7. Accomplishments and Monthly Progress Reports

ETS will communicate all accomplishments to demonstrate the CDE expenditures on the CAASPP System by means of a monthly accomplishments report submitted as part of the invoice. The accomplishments report is to be presented as a detailed narrative attached to each invoice from ETS to the CDE. The accomplishments report is to be sorted by test and test administration and provide a breakdown of the costs invoiced per task or subtask in the SOW. The summary shall also include a history of invoices previously submitted to date.

ETS will submit this report to the CDE by the fifteenth of the following month. A hardcopy original will be delivered to the CDE. The CDE will share accomplishments reports with SBE staff. In the event that this report will be delayed beyond the fifteenth of the following month, ETS will notify the CDE of the expected date of delivery by the seventh of that month.

In addition, ETS will submit to the CDE by the fifteenth of the following month, a monthly progress report that will provide the CDE-required details including the identification of issues, risks, and their resolutions; changes to the program documentation; and flags of the items that are directly related to the CAASPP Assessment Delivery System.

Early Identification of Potential Issues

ETS will develop a risk management plan for the CAASPP System with review and approval by the CDE. The plan will also identify what actions ETS can take to offset those risks, along with contingency plans if preventive actions cannot be implemented. The ETS Executive Director, along with staff from the ETS Corporate Project Management Office, in collaboration with the CDE will undertake this process immediately upon award of contract using the following steps.¹

• **Risk Identification.** ETS will assemble stakeholders to identify possible project risks. ETS will base this identification on prior assessment reports, potential areas of security breach, areas of the project that are not yet well-defined, and areas of known potential for problems. ETS will document possible risks to the defined work plan and include this documentation in a risk register.

• **Risk Analysis.** Once potential risks are identified, ETS will analyze them for their probability, quantitative impact, and qualitative impact. ETS will then translate these into numerical values to accurately determine the outcome of these risks on the cost, time, and resource factors of the project.

• **Identify Risk Triggers.** ETS will identify triggers, or warning signs, for risks within their assigned areas of the CAASPP System that might affect the processes for deliverables in the work plan and document the triggers associated with each potential risk.

• **Risk Resolution.** Risks are unknown events that are inherently neutral, but which are categorized as either positive or negative. Each functional area within ETS will identify and document preventive actions for potential negative project risks, or threats, as well as enhancement actions for the positive risks or opportunities.

• **Risk Resolution Action Plan.** Based on the collective ideas of the departments, the ETS Executive Director will decide on a plan of action to bring about risk resolution. ETS will rate risks by urgency, based on potential impact to the CAASPP System’s cost, timeline, and deliverables. In many cases where risks have lesser probability or impact, ETS will be able to simply monitor risks without a defined action.

• **Responsibility and Accountability.** ETS will assign responsibility to various teams and team members for carrying out the risk resolution plans for the CAASPP System. Ultimately, the ETS Executive Director will be solely accountable to the CDE for the plans and actions related to the risks of the CAASPP System.

As the project progresses, ETS will monitor the CAASPP System’s initial risk management plan, which will include identifying new risks and dismissing current risks as no longer relevant.

### 1.8. Document Format and Style

ETS will verify that communications and reports sent to the CDE comply with the format and style as specified. ETS will maintain and implement the CDE format and style requirements.

ETS will comply with the most current version of the CDE Style Manual and the CDE Correspondence Guide, and the CDE Web requirements. In addition to the guidelines outlined in the CDE Style Manual, reports for special studies and research will comply with the CDE requirements in Appendix B: Reporting Expectations for Special Studies and Research Projects.
1.9. CDE Notification and Approval Schedule

Issue Escalation Procedure

ETS will make it a priority to keep the CDE informed on all important issues regarding the CAASPP System. ETS will prepare an escalation strategy for notifying the CDE of any issues that may arise during the program. This includes a plan for promptly communicating to the CDE Contract Monitor via telephone, with a follow-up in writing, of any problem that has the potential to impact the quality, timeliness, or other aspect of the project. This follow-up will include the proposed solution and a solution timeline. In addition, subsequent reports to the CDE will contain the issue, the determined solution, and current status within the solution timeline. ETS will work with the CDE to appropriately communicate critical information to the field.

With the CAASPP System, ETS developed multiple key strategies that maintain communications for all team members. These strategies include:

- having all of the ETS management team staff participate in weekly meetings, both internal and client-facing
- making all key managers available by cell phone, e-mail, and voicemail seven (7) days a week, especially during peak periods
- conducting weekly internal meetings among ETS staff
- using e-mail in a disciplined manner to keep ETS managers and the CDE informed of all activities in all components of the SOW
- distributing a key contact information sheet that provides telephone, e-mail, fax, and cell phone information for all key management or personnel
- maintaining issues logs and risks management logs, and providing access to them to all ETS staff and the CDE
- following an escalation process for routine and emergency issues
- identifying initial issue or potential scope change
- conducting an internal discussion of an issue or potential scope change
- conducting a discussion with senior management
- conducting a discussion of an issue with the CDE
- performing root cause analysis

In addition, during the contract period, ETS will enhance these techniques to best suit the needs of the CDE. The goal will be to alert each ETS manager promptly if a deliverable is at risk of falling behind schedule or faces some other type of challenge. ETS will also aim to keep the CDE Contract Monitor apprised of all potential and actual issues that occur and describe how they are being resolved.
Approval and Certification Process

ETS will use the information from the Orientation Meeting to finalize a project schedule and detailed SOW and provide these documents to the CDE for the CDE’s review and approval no later than ten (10) business days following the Orientation Meeting.

This plan will include the refined proposal to describe the deliverables required for each task, which will include a minimum of ten (10) business days for the CDE staff to conduct their initial review and provide feedback. ETS’s draft plans will include substantive operational testing opportunities of the CAASPP Assessment Delivery System for the CDE staff to confirm the elimination of sources of error wherever possible, prior to any content or system functionality appearing in a production environment. ETS’s schedule will incorporate the required number of business days allocated for the CDE’s review of the initial and subsequent drafts.

For planning purposes, ETS will use the standard deliverable review process outlined below; however, ETS understands and acknowledges the need for flexibility to meet compressed or extended review requirements and will work with the CDE to develop a mutually agreeable review process and schedule for the given deliverable.

1. ETS submits the initial draft deliverable to the CDE.
2. The CDE reviews the initial draft and provides comments to ETS within ten (10) business days of the ETS submission.
3. ETS prepares and submits the revised deliverable to the CDE within five (5) business days after receipt of the CDE’s written comments to the initial draft.
4. The CDE reviews the revised draft and provides one of the following decisions:
   - Approval
   - Approval with edits
   - Edits and revisions required

Deliverables that receive an “Approval” will be finalized by ETS. The finalized deliverable will be submitted to the CDE for archive purposes within five (5) business days. Deliverables that receive an “Approval with edits” will be revised and finalized by ETS while incorporating the additional CDE edits. The finalized deliverable will be submitted to the CDE for archive purposes within five (5) business days. Deliverables that have “Edits and revisions required” will be revised by ETS and submitted to the CDE for another review. Prior to revising the deliverable, ETS will meet with the CDE to discuss the required revisions and to ensure that the revisions are clearly understood. The iterative revision and review process will continue until the CDE has approved the deliverable.

ETS will use a similar process for materials that required the CDE review and approval but were not identified in the SOW as a deliverable unless otherwise noted. ETS and the CDE will refer to these submissions as Review Items. Examples of Review Items include, but are not limited to, e-mail communications to the LEAs, memorandums to document decisions, and presentations or white papers to document CAASPP activities. Because time is of the essence with the content of some of the Review Items, ETS and the CDE will collaborate on the agreed upon timeline for each Review Item. Therefore, a Review Item could have a shorter CDE or ETS review timeline than a Deliverable.
Before ETS submits a deliverable to the CDE, and at each stage of the review for the deliverable, ETS’s program management representative will submit a signed certification with every deliverable attesting that the deliverable is error-free and meets all requirements. ETS will use a Web-based Project Manager Certification process.

The ETS Gatekeeper will manage the process by which deliverables and review items are submitted to the CDE and will manage feedback received from the CDE. The Gatekeeper will serve as the single point of contact for submitting deliverables and review items to the CDE and notifying the CDE of the submissions. The Gatekeeper will work with the program management representative to verify the completion and inclusion of certification as part of the submission. The Gatekeeper will also be the single point of contact for the CDE to return feedback and/or approval of the deliverable and review item and will confirm that the CDE’s feedback or approval has been communicated to the appropriate ETS program management member. The Gatekeeper may also assist the CDE and ETS in coordinating discussions about the deliverables and review items during the review process.

ETS will not disseminate materials to LEAs or publicly release any materials without the CDE’s prior written approval.
TASK 2: Program Support Services

ETS is committed to providing superior support services that make it as easy as possible for schools, LEAs, and the CDE to implement the CAASPP System. This section describes how ETS will implement communication activities to help the CDE broaden California’s understanding of the summative testing system and of the available interim and formative tools.

2.1. Coordinators

LEA CAASPP Coordinator and Superintendent Contact Information

TOMS will use the school hierarchy file provided by the CDE to populate its database. By August 18, annually, LEAs will receive communications from ETS requesting that the superintendent of each LEA provide the following information on or before July 1 or as required by the testing regulations (California Code of Regulations, Title 5, Section 857: LEA CAASPP Coordinator):

- designate from among the employees of the LEA an LEA CAASPP coordinator;
- identify school(s) with pupils unable to access the computer-based assessment (CBA) version of a CAASPP test(s) in accordance with EC Section 60640(e); and
- report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.

The prior year’s LEA CAASPP coordinator will also receive a copy of this communication in order to assure receipt and action from the Superintendent. ETS will track the receipt of a completed form for the LEA along with any updates to the data in TOMS. Any changes to the assigned LEA CAASPP coordinator made during a testing year will require a new Superintendent’s Designation of LEA CAASPP coordinator form signed by the LEA Superintendent. Representatives from CalTAC will enter the receipt date of these documents into TOMS, triggering LEA access to the system. LEA CAASPP coordinators will not be able to access TOMS until this form and a Security Agreement have been received from the LEA.

Security Agreements

LEA CAASPP and CAASPP test site coordinators receive from ETS the Test (including Field Tests) Security Agreement for LEA and Test Site Coordinators (the “Security Agreement form”). ETS will provide LEA and site coordinators with the Security Agreement form every June, together with the Superintendent’s Designation Form for the appropriate school year. CalTAC tracks receipt of the forms, and the new online version automatically routes Security Agreement forms submitted by CAASPP test site coordinators to the appropriate LEA CAASPP coordinator.

Upon receipt of this form and the Superintendent’s Designation of LEA CAASPP coordinator form, the LEA CAASPP coordinator will receive a user name and temporary password to access TOMS. ETS will conduct follow-up telephone, fax, and e-mail communications in order to obtain completed forms from all school LEAs.

LEA CAASPP coordinators will be required to sign a CAASPP Test Security Affidavit and to obtain a signed CAASPP Test Security Agreement and signed CAASPP Test Security Affidavit from each CAASPP test site coordinator. In addition, LEA CAASPP coordinators must obtain signed CAASPP Test Security Affidavits from all test examiners, proctors, and scribes as well
as from any other LEA and school staff that will have access to the CAASPP test materials either on paper or electronically. The LEA CAASPP coordinators must keep the signed agreements and affidavits on file at the LEA office.

2.2. Administration Management System LEA Support

The TOMS application will serve as the primary conduit for users of the online system. Administrators and teachers can upload files, retrieve reports, and utilize a long list of other functions. TOMS will use CALPADS data for the LEA/school hierarchy and for enrollment data. The CALPADS enrollment data will be used by TOMS to determine test assignments. ETS will work with the CDE to establish a daily data feed of CALPADS data to TOMS. Additional information about the data feed is described in Task 3.

TOMS will include functionality to collect supplemental ordering information, including overage rules, delivery date options, delivery to school or LEA (LEAs may choose different option for materials versus reports shipment), label options, updates to school and LEA addresses, contacts, rescore requests, and other information. TOMS will also allow LEAs to order accommodated test materials or additional materials and other services that cannot be accommodated by data flows from state-level data.

Users will access TOMS via the portal and will have one user ID and password (single sign-on) to perform all required functions to administer and report online and paper tests. Specifically, this includes viewing student information, including test eligibility, and preparing for online testing. Additional information about single sign-on is described in Task 3.

TOMS will be enhanced to manage and track LEA requests for rescores, and AIR’s proprietary Test Delivery System (TDS) system will manage and track LEA requests for appeals, as allowable by state regulations.

ETS will present a complete set of TOMS system requirements for the CDE’s approval before TOMS is configured for the 2016 administration. After the CDE approves this plan, ETS will present a complete project schedule with achievable milestone dates that will include system demonstrations, user acceptance testing by CDE representatives with accompanying system user guides, and built-in time to make any potential system refinements before the published launch date.

2.3. Data Driven Improvement

ETS will use a variety of approaches to solicit and use data and information to improve processes and support, inclusive of all CAASPP assessments.

Specifically, under the leadership of the CDE, ETS proposes to expand the following data collection actions:

- collect feedback from LEAs across the state at key points and on specific topics using informal focus group discussions and short, well-crafted online surveys;
- provide statewide training that allows LEAs plenty of time to conduct local training;
- review question logs from live Webcasts for patterns and themes and include Quick Polls during Webcasts to check for understanding; and
• regularly obtain feedback from CalTAC representatives on the nature of calls and e-mails received to identify key recurring points and questions from the field.

ETS will also hold up to nine (9) formal in-person focus groups per administration (up to 45 focus groups during the initial contract period). Formal in-person focus groups involve an independent moderator, as approved by the CDE, interviewing a group of participants from the target population. An independent research vendor recruits and selects the participants based on criteria provided by the CDE or ETS. Whenever possible, the formal focus groups are conducted in facilities that allow for unobtrusive observations by the CDE, ETS, and other stakeholders identified by the CDE. Six (6) focus groups will be conducted at the end of each administration cycle to gather additional information from test administrators, special education representatives, primary language stakeholders and LEA CAASPP coordinators. Another three (3) focus groups may be conducted at CDE’s request throughout an administration cycle that focus on specific topics such as Student Score Reports. ETS will work with the CDE to determine the purpose, location, schedule, and audience of each session. At the end of each formal in-person focus group, ETS will prepare a summary of the focus group responses and a set of recommendations about the given topic. ETS will submit each report in the timeline agreed upon with CDE through the deliverables and work plan and supporting project schedule.

2.4. Technical Assistance Center

ETS will provide a comprehensive support team to the CDE and LEAs during each annual administration for the support of CAASPP (including summative assessments, interim assessments, the Digital Library, user provisioning questions, etc.). The CDE and LEAs will have access to ETS program managers, LEA outreach team members, CalTAC technical assistance center staff, and computer-based testing technology experts.

ETS will provide three-tier help desk support. Support will be provided specifically to LEA CAASPP coordinators, LEA technology coordinators, and other LEA-level staff designated by the LEA CAASPP coordinator.

The three different tiers of help desk support are as follows:

• Tier 1 – CalTAC
• Tier 2 – ETS’s internal technical support team (xBT)
• Tier 3 – Smarter Balanced and/or AIR

Tier 1: CalTAC

ETS will provide CalTAC services for state- and LEA-level customers throughout the calendar year. CalTAC will:

• operate during the hours of 7 a.m. to 5 p.m. Pacific Time, Monday to Friday, excluding designated California school holidays, with extended hours as needed;
• have a dedicated toll-free telephone number handling up to 200 concurrent callers;
• have a dedicated e-mail address;
• offer real-time chat as an alternative to telephone or e-mail; and
• operate a fax line to communicate sensitive information (e.g., information that includes student names).

ETS will publish all CalTAC contact information in program materials and on http://www.caaspp.org/.

In addition, the ETS director of operations will serve as the single point of contact for responding to inquiries from the CDE staff and the CDE contractors within two (2) business hours. The ETS program manager will serve as the single point of contact on critical Smarter Balanced issues (e.g., Tier 3 Support issues). These points of contact will have the support of ETS’s CAASPP IT Manager.

**Response Time.** Given how important it is to provide a positive experience for California LEAs, ETS will promptly resolve customer inquiries. ETS will have 30 to 50 customer service representatives dedicated to handling CAASPP inquiries and will answer telephone calls within 60 seconds and respond to e-mail inquiries with a complete answer within two hours of receipt, if received before 3 p.m. during normal business hours. E-mail messages received after 3 p.m. or during non-business hours will receive responses by 9 a.m. the next business day. ETS will post chat feature responses within 90 seconds of receipt during normal business hours and will answer telephone messages received before business hours by 9 a.m. the same business day; telephone messages received after 3 p.m. will be answered by 9 a.m. the next business day. ETS relies on system productivity tools and supervisor interventions to monitor response time, and will meet the CDE’s response expectations during the administration window.

ETS will have documented processes to monitor the accuracy of telephone and e-mail responses by CalTAC staff through supervisory monitoring, LEA or state feedback, or other methods, and will provide retraining as necessary.

ETS will provide weekly customer service summary reports to the CDE. Reports will include volume, wait time, and responses/resolutions by CalTAC staff. The reports will be provided to the Smarter Balanced Assessment Consortium vendor as part of the overall coordination activities with the Smarter Balanced Assessment Consortium.

CalTAC will support only CAASPP-related contacts. ETS will have protocols in place to ensure that the contact is transferred to the appropriate representative who could answer non-CAASPP-related calls.

**Tiers 2 and 3: Technology Support (xBT and AIR)**

Tier 2 support will be accomplished through a seamless integration of ETS’s internal technical support team (xBT), a second level that will manage intermediate-plus issues. Two xBT support staff will continue to be based in California to provide Tier 2 technical support. Other xBT support staff will be located in New Jersey to provide additional Tier 2 technical support. In addition, xBT will assist in technical site visits, in-person training workshops, and technology-related Webcasts.

Tier 3 will escalate to the test delivery system (TDS) and reporting vendors AIR or Smarter Balanced for the Digital Library. Escalation to this level will be for technology issues directly related to the TDS or reporting system or the Digital Library. AIR will provide responses back to ETS in a timely manner to allow for information sharing across the platform. In addition, AIR will assist with in-person training workshops and test system-related Webcasts.
Technical issues identified during a testing window that cannot be resolved by CalTAC immediately will be transferred to ETS’s xBT team. If a school LEA is calling with a technical issue and students are in the classroom unable to test, the call is to be moved to technical support immediately for resolution or a recommendation should be provided to have students test at a later time if the problem cannot be resolved. Students should not be kept in a classroom for more than 15 minutes waiting for resolution if not agreed upon by the LEA.

Tier 2 and Tier 3 will support only CAASPP-related contacts. ETS will have protocols in place to ensure that the contact is transferred to the appropriate representative who could answer non-CAASPP-related calls.

Training of CalTAC Staff, Training Materials, and Informational Updates

Customer Service Representative Training. ETS will continue to provide training for customer service representatives through an ETS Learning and Development-certified trainer. Training will last for ten (10) business days, and upon completion of this training all representatives will be able to assist customers with:

- installing secure browsers;
- creating users in TOMS and resetting system passwords;
- utilizing all CAASPP management functions in TOMS;
- processing supplemental orders for paper materials;
- understanding summative and interim test administration procedures, including for both computer-based and paper-pencil assessments, where applicable;
- using the Digital Library;
- accessing student-level and aggregate score reports;
- finding answers to questions about upcoming trainings and events; and
- accessing applicable resources on https://www.caaspp.org.

Customer Service Representative Training Materials. ETS will use information from CDE-approved sources to develop program training and reference materials. These sources will include:

- administration manuals
- CAASPP PowerPoint presentations
- FAQs
- Standard Operating Procedures
- CAASPP Webcast presentations
- hands-on user acceptance testing (UAT) environments
Informational Updates. ETS internal informational updates will follow an established protocol within CalTAC. ETS’s Director of Operations will hold regularly scheduled internal briefing meetings with the CalTAC Manager and senior CalTAC Supervisors to provide the latest program updates. The internal briefings will occur at least weekly and will be scaled up to daily briefings, according to test administration needs.

As new information becomes available from the internal briefings of senior CalTAC Supervisors, ETS will distribute an updated informational flash to customer service representatives via e-mail and through a private, secure social media group used corporate wide. This flash tip sheet will detail the new information, the appropriate strategy for sharing the information with customers, the resolutions required, and the documentation method within ETS contact management tools and system. ETS will include informational flashes in any future training sessions, and will modify material to reflect these updates. As the CAASPP System evolves, ETS will update FAQs and training so that procedures for contact center staff remain up-to-date.

Annual and Periodic Customer Support Services Reports

CalTAC Annual Reports and Other Available Reports. ETS will continue to provide the CDE with annual reports that help determine the uses of customer support services. ETS will collaborate with the CDE to define views and intervals, and to gain approval on samples.

ETS will continue to distribute reports according to the CDE’s specifications (i.e., posting to a project site or e-mailing to a distribution list), and will work with the CDE and its stakeholders at the Orientation Meeting to determine the most appropriate implementation method for program tracking and resolution.

Customer Contact Tracking System. The ETS customer contact tracking system collects contact information and tracks resolution, and ETS will provide the CDE with detailed information on why a contact is calling and the resolution for each contact. ETS can also provide, at the CDE request, customer service representative-level detail with a historical view for each time a customer has contacted CalTAC. ETS will collaborate with the CDE to anticipate events before they occur while providing support and resolution to the field with timely and effective information to resolve any emerging issues.

Customer Service Representative Efficiency. CalTAC uses a performance dashboard to view real-time telephone performance. ETS will use this dashboard to track individual performance and determine if additional support for the contact is necessary. ETS also uses the dashboard to make dynamic staffing adjustments as needed to maintain required response times.

2.5. Student Accessibility Tool

ETS will support the California version of the Individual Student Assessment Accessibility Profile (ISAAP) tool, including supporting the extract that can be uploaded into TOMS.

ETS will further customize and enhance the California ISAAP tool to include tools, supports, and accommodations that may be needed in order to respond to policy changes from the state, the federal government, or the Smarter Balanced Consortium, or there may be new accessibility components needed specifically for the new non-Smarter Balanced computer-based assessments. ETS will propose annually what changes are required and possible to customize and improve the California ISAAP Tool.
2.6. Internet Resource Site

ETS will maintain the Web site that will be the central repository for all information regarding the CAASPP System. At the beginning of the new contract period and annually thereafter, ETS will submit the Web site through a Web Application Review Team (WebART) review to ensure that the site continues to meet the CDE Web standards. The portal will have a section to house accessible manuals, software, item samplers, and training materials that do not require a user ID or password to access. The portal will have search capabilities for public use. The search results will provide links to the pertinent information in the current versions of manuals and documents posted.

The portal will also link to a secure site that will allow for secure posting of data directly to LEAs or that will be accessible by LEAs for retrieval of data. Only authorized users will be able to access the secure site.

ETS will track and report the number of times that resources have been accessed on the portal.

As new Internet and social media resources become available, ETS will consider each to determine whether or not they might be appropriate for CAASPP. ETS will provide recommendations to the CDE for consideration.

ETS will obtain feedback from users of http://www.caaspp.org/ through a CDE-approved process such as an online feedback form. ETS will make recommendations to the CDE for improvements to the Web site based on user feedback and will implement the CDE-approved changes.

2.7. Workshops and Webcasts

ETS will establish and implement a training plan for LEA assessment staff on all aspects of the assessment program. The CDE and ETS, in collaboration with the CDE Senior Assessment Fellows and other stakeholders as needed, will determine audience, topics, frequency, and mode (in-person, Webcast, videos, modules, etc.) of the training, including such elements as format, participants, and logistics. It is anticipated that the training plan will be implemented in August annually.

ETS plans to conduct between 40–46 sets of workshops and Webcasts for each administration. Planned workshops and Webcasts are included in Table 2 at the end of this task.

ETS will present the names and qualifications of proposed presenters and all associated Workshop and Webcast materials to the CDE in advance for its review and approval. Following approval by the CDE, materials will be posted for each Webcast on http://www.caaspp.org/ so that viewers may download them no later than the day before the presentation of the Webcast.

Webcasts and Recorded Training

ETS will launch a series of live Webcasts each year starting in September, leading up to the start of summative testing in January, and will conclude each testing cycle with in-person post-test training on testing results and reporting. Webcast viewers will be provided with a method of electronically submitting questions to the presenters during the Webcast. The Webcasts will be closed captioned. The Webcasts will be recorded and archived for on-demand viewing. The CDE may direct ETS to produce and make available pre-recorded training instead of a live Webcast.
In-person Training

In person trainings will typically be conducted at county offices of education. The first in-person training in a series will always be held in Sacramento. Proposed locations for the in-person training will take into consideration providing convenient locations for as many LEAs as possible, while ensuring efficient use of limited staffing resources.

ETS will use an online registration system to track reservations and provide registration confirmation to participants with location, date, and time of their training session.

Videos and Narrated PowerPoint Presentations

To supplement the live Webcasts and in-person workshops, ETS will produce up to 35 short “how to” videos and narrated PowerPoint presentations that will be available on http://www.caaspp.org/. The short videos, video sets (e.g., test settings and accessibilities, etc.) and narrated PowerPoint presentations average about 15 minutes long with the longest no more than 30 minutes long. (Videos and presentations longer than 30 minutes are considered full-length recorded training.) The videos will be provided in multiple formats (e.g., YouTube video, .mov file) and will be closed captioned.

2.8. Local Assessments: Smarter Balanced Interim Assessments and Digital Library

ETS will support California’s kindergarten through twelfth grade (K–12) educators in accessing and using Smarter Balanced Interim Assessments and their results. Additionally, ETS will help educators use the Smarter Balanced Digital Library. As described in Task 7.3.A.1, the ETS plan for supporting LEAs includes:

- use of a single system sign on for streamlined access
- a unified platform for delivery of all system components
- large-scale teacher training in the scoring of students’ responses to constructed-response and performance task items (discussed in Task 7.3.A.1)
- training and materials to guide use of the interim assessments and accurate interpretations of scores and support effective use of results for instructional purposes (discussed in Task 7.3.A.1)

ETS will provide eight (8) training sessions per administration of the Interim Assessment/Digital Library Clinics and eight (8) sessions per administration of the Interim Assessment Handscoring Workshops. ETS will add two (2) additional sessions per administration for each training set if scheduling and resources are available. The additional sessions must be located within the original eight (8) locations.

2.8.A. Smarter Balanced Interim Assessments

ETS understands that the intent of California is to have the Smarter Balanced-provided interim assessments available year round to LEAs through the life of the contract. To that end, ETS will deploy the interim assessments using the test delivery system in August of each year or during a timeframe that supports the annual rollover of the CAASPP Assessment Delivery Systems to the next school year. ETS will incorporate any Smarter Balanced-provided updates to the interim assessments by September 1 annually. The CAASPP Assessment Delivery System will
deliver both adaptive and fixed form test designs to support core and block interim tests. The system will also allow LEAs to access the on-demand online administration year upon request, and it will provide seamless integration with other CAASPP System components.

ETS will provide the following materials for the Interim Assessments:

- System User Guide
- Scoring Guide
- System Infrastructure Guide
- System Training Workbook

2.8.B. Digital Library of Formative Assessment Resources

CDE-authorized California principals, teachers, and educators will have access to all the instructional and literacy modules, as well as the educational resources, available within the Smarter Balanced Digital Library of formative assessment resources. ETS will seamlessly integrate this Digital Library sign-on into TOMS as deemed appropriate by the CDE.

As an additional benefit, a flexible user interface will allow authorized California educators to upload additional instructional modules and resources to the Digital Library, under the specifications and guidelines provided by Smarter Balanced. ETS understands that Smarter Balanced will host the Digital Library and may want to manage the process and means by which materials are added to the collection. Depending on how that process is managed, ETS will provide a solution that supports California educators’ contributions to grow the resources available. ETS will also support the collaborative tools provided by the Smarter Balanced Digital Library, including user ratings, feedback, and other evaluation tools.

2.9 CAASPP Science Academy

The implementation of California’s Next Generation Science Standards (CA NGSS) has presented challenges to both practitioners and policy makers. CA NGSS presents a different way to think about how students learn and how teachers teach. Understanding the standards, what they look like in instruction and how they are operationalized through assessment items is part of the implementation journey.

ETS and WestEd will take information and lessons learned from Building Educator Assessment Literacy (BEAL)2 workshop to build the CAASPP Science Academy. The CAASPP Science Academy will be a 1-day professional learning workshop focused on building capacity of California practitioners for the CA NGSS implementation, focused on a deep understanding of the standards, 3-dimensional learning, and understanding how new science assessment item types can inform teaching and learning. ETS and WestEd will conduct one in-person workshop to pilot the PD materials and organization of delivery to a small group of California science educators and experts, the CDE, and other stakeholders as approved by the CDE. ETS and

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2 The Building Educator Assessment Literacy (BEAL) workshops focused on the Common Core State Standards (CCSS) for English-language arts and mathematics. BEAL was developed by WestEd and the Stanford Center for Assessment, Learning and Equity (SCALE) through a grant from the William and Flora Hewlett Foundation and Bechtel.
WestEd will conduct three (3) in-person Science Academies at locations in northern, central, and southern California.

**Intended Audience**

ETS and WestEd will target participation in the CAASPP Science Academy toward instructional leaders in the content area of science, including teacher leaders, teacher trainers, and instructional coaches. Participants may also include district-level and state-level curriculum, professional development, and assessment leaders.

**Learning Objectives**

Participants will analyze the standards on which the CAST items, including pilot and/or training test items, are based and learn about the CAST items and rubric expectations to promote CA NGSS readiness and inform instruction. Participants will use tools and processes to analyze student work and develop a deeper understanding of the standards and the implications for instruction. Participants will discuss the implications for classroom instruction, based on student responses, exemplars, and rubrics.

During the CAASPP Science Academy, participants have an opportunity to:

- Examine sample student responses
- Take different types of items themselves, identifying the demands on students and educators
- Understand assessment types, the high-level test design which speaks to the alignment to the three-dimensional model, the item specifications and how these might inform teaching and learning
- Plan how to use these new item types in the classroom, including accessibility for all students

**Implementation Plan**

ETS and WestEd will collaborate with the CDE and other stakeholders as approved by the CDE to finalize the audience, topics, communication and outreach, and mode (in-person, virtual Science Academy rooms, videos, modules, etc.) of the training, including such elements as format, participants, and logistics. A virtual Science Academy room allows individuals to join the in-person location remotely via their supported electronic device with internet access. ETS will have the ability place the virtual participants into virtual breakout rooms (e.g., a virtual room each for grade five, grade eight, and high school) similar to the in-person location and to monitor and moderate the discussion in each virtual breakout room.

ETS and WestEd will propose dates, format, and locations of the CAASPP Science Academy that enables the participation of as many educators as possible from different regions of California. ETS will submit the implementation plan for the CDE review and approval as specified in Task 1.9.

ETS also will prepare a timeline for the implementation of the CAASPP Science Academy for the CDE approval. ETS will submit the plan for the CDE review and approval as specified in Task 1.9. Table 1 includes a proposed high-level timeline of the CAASPP Science Academy. ETS and WestEd will submit a detailed timeline as part of the implementation plan.
Table 1. Proposed High-Level Timeline for the Implementation of the CAASPP Science Academy

<table>
<thead>
<tr>
<th>Month(s)</th>
<th>Task Description</th>
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</thead>
<tbody>
<tr>
<td>July 2017</td>
<td>Submit the final implementation plan and timeline</td>
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</table>
| August–December 2017   | Prepare and submit the professional development materials to the CDE for review and approval.  
                          | Secure the locations and facilities for the CAASPP Science Academy and the post-academy professional learning modules |
| January or February 2018 | Conduct a workshop to pilot the CAASPP Science Academy training materials and organization of delivery in the Sacramento region. Revise as necessary. |
| March 2018             | Finalize training materials based on information and feedback received from the pilot workshop and submit to the CDE for review and approval. |
| April–May 2018         | Conduct three (3) 1-day CAASPP Science Academy Training of Trainers (in-person with virtual Science Academy rooms)  
                          | Launch post-academy support activities (e.g., private social media group, e-mail, videoconferencing)  
                          | Conduct first post-academy survey |
| June–July 2018         | Finalize and release the CAASPP Science Academy materials to caaspp.org           |
| August–September 2018  | Conduct second post-academy survey                                               |
| October 2018           | Prepare and submit the draft CAASPP Science Academy summary report to the CDE for review and approval |
| November 2018          | Submit the final CAASPP Science Academy summary report to the CDE for review and approval |

Training Materials

ETS and WestEd will conduct an in-person workshop to pilot the PD materials to California science educators and experts, the CDE, and other stakeholders and to obtain feedback on materials and organization of delivery prior to the three in-person CAASPP Science Academies. The pilot will be held in the Sacramento area. ETS will collaborate with the CDE on the attendee list, as specified in Task 1.9. ETS and WestEd will revise the materials based on feedback from this pilot workshop and submit the PD materials and any changes to the implementation plan to the CDE for approval as specified in Task 1.9.
ETS and WestEd will use a training-of-trainers (TOT) model to increase educator access to the training. In collaboration with the CDE, ETS and WestEd will develop a set of professional development (PD) materials that includes training materials, presentations, and a facilitator’s guide. The PD materials will include integral components of the item specifications and analysis of the task models used to create the CAST items (see Task 6). All Science Academy participants, whether in-person or virtual, will also receive full presenter materials including PowerPoint slides, handout books, and detailed facilitators’ guides. The in-person participants will receive hard copies of the PD materials as well as electronic files of the materials. The virtual participants will receive the materials electronically.

All CAASPP Science Academy Training trainers/presenters will have expertise in Next Generation Science Standards (NGSS). In collaboration with the CDE, ETS and WestEd will select the trainers/presenters. ETS will submit the names and qualifications of proposed trainers/presenters to the CDE for review and approval.

**Logistics**

ETS and WestEd will conduct the CAASPP Science Academy as a one-day TOT session to teacher leaders with background in teaching science. ETS will target recruitment of participants based on the CDE-approved implementation plan. ETS will provide the communication and outreach materials to the CDE Contract Monitor for review and approval, as specified in Task 1.9, as part of the implementation plan.

ETS and WestEd will conduct three (3) in-person Science Academies at locations in northern, central, and southern California. The specific locations will be submitted to the CDE Contract Monitor for review and approval as specified in Task 1.9. Any on-site location will have the capacity to serve 100 participants. Whenever possible, ETS will work with a county office of education, large school district, or universities for locations.

For each in-person Science Academy, ETS also will host virtual Science Academy rooms as another method of participation for educators who cannot travel to one of the in-person locations. Virtual participants will receive the Science Academy materials electronically. ETS will moderate the virtual Science Academy room to support active involvement of virtual participants with the in-person participants.

At the end of each Science Academy, all participants, including the virtual participants, will be asked to complete an evaluation form to provide feedback on the materials, logistics, and training they received.

Each in-person participant will be responsible for registration fees and any travel and lodging costs related to participation in the CAASPP Science Academy TOT. Each virtual participant will be responsible for providing the electronic device, audio connection, and internet access required to join the Science Academy remotely. A nominal registration fee will be used to offset some Science Academy administrative costs as allowed by state guidelines.

ETS will be responsible for all logistical arrangements, including materials production, for all in-person Science Academies and all virtual Science Academy rooms. ETS will include details of the logistics in the implementation plan.

**Post-Academy Follow-up**

Upon completion of the TOT session, ETS and WestEd will post the complete CAASPP Science Academy materials to caaspp.org for LEA and educator use. ETS will present the materials, as described in the Training Materials section above, in a manner that allows an educator to use...
the documents even if they did not participate in the academy. ETS also will work with Smarter Balanced as feasible and as approved by the CDE to include the CAASPP Science Academy materials in the Smarter Balanced Digital Library.

To provide additional support to educators with understanding CA NGSS and CAST, ETS will produce an annotated guide to the CAST task models described in Task 6.1. ETS will collaborate with the CDE to select the task models and will develop the annotations to the selected task models. ETS will submit the annotated guide to the CDE for review and approval as specified in Task 1.9. ETS will post the approved annotated guide with the Science Academy materials to caasp.org.

ETS will provide to the Science Academy participants (i.e., in person and virtual) additional training, support, and responses to frequently asked questions using tools such as a private social media group, e-mail, and videoconferencing.

ETS will also conduct two post-academy follow-up surveys of both the in-person and virtual participants. The purpose of the first survey is to collected feedback from participants on the contents and process of the CAASPP Science Academy. ETS will administer the first survey shortly after the participants complete the academy. The second survey will be administered in fall 2018 and will collect information about the implementation of the CAASPP Science Academy training and materials within the participant’s LEA or school.

Summary Report

ETS and WestEd will prepare a report that will include a summary of participation including information on the number of school and school district teams participating. The summary report may also include, but are not limited to: summaries of workshop reflections, summaries of the workshop evaluations, counts of and information from the follow-up surveys, and hit counts from CAASPP.org for the Science Academy materials. All reports will be submitted to the CDE Contract Monitor for review and approval as specified in Task 1.9.
<table>
<thead>
<tr>
<th></th>
<th>Name and Description of Training</th>
<th>Type of Training</th>
<th>Audience or Estimated Number of Attendees</th>
<th>Planned # of Sessions</th>
<th>Estimated Durations</th>
<th>Planned Locations</th>
<th>Estimated Timeframe to Provide Training</th>
<th>School Years Provided</th>
<th>SOW Task Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Using the Smarter Balanced Digital Library Familiarize users with the content and uses of the digital library resources</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>August</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.B</td>
</tr>
<tr>
<td>3</td>
<td>Digital Library &amp; Interim Assessment Clinics Provide information on the access and administration of the interim assessments and general information about access of the Digital Library and available resources</td>
<td>In-person</td>
<td>CAASPP Coordinators + 3 participants per LEA (as space allows) 50-100 participants per session</td>
<td>8 (may expand to 10 if scheduling and resources are available)</td>
<td>4 ½ hours</td>
<td>TBD – propose: 2 North 2 Central 4 South</td>
<td>September–November</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.B</td>
</tr>
<tr>
<td>4</td>
<td>What is Computer-Adaptive Testing (CAT) Provides high-level information on CAT and how it works</td>
<td>Online Presentation</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>1</td>
<td>15 minutes</td>
<td>caaspp.org</td>
<td>September</td>
<td>As Smarter Balanced updates</td>
<td>2.7</td>
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<tr>
<td>5</td>
<td>Embedded Universal Tools and Online Features Explains the online tools available to students for testing and how to access and use them</td>
<td>Online Presentation</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>1</td>
<td>25 minutes</td>
<td>caaspp.org</td>
<td>September</td>
<td>As Smarter Balanced updates</td>
<td>2.7</td>
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<tr>
<td>6</td>
<td>Performance Task Overview</td>
<td>Online Presentation</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>1</td>
<td>20 minutes</td>
<td>caaspp.org</td>
<td>September</td>
<td>As Smarter Balanced updates</td>
<td>2.7</td>
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<td>Name and Description of Training</td>
<td>Type of Training</td>
<td>Audience or Estimated Number of Attendees</td>
<td>Planned # of Sessions</td>
<td>Estimated Durations</td>
<td>Planned Locations</td>
<td>Estimated Timeframe to Provide Training</td>
<td>School Years Provided</td>
<td>SOW Task Reference</td>
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<td>Explains the Smarter Balanced performance tasks (PTs) and Classroom Activities and provides examples</td>
<td></td>
<td>Test Administrators, Educators</td>
<td></td>
<td></td>
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<td></td>
<td>Balanced updates</td>
<td></td>
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<tr>
<td>Technology Requirements for Online Testing Provides technology requirements and readiness tasks in preparation for online testing</td>
<td>Online Presentation</td>
<td>CAASPP Coordinators, Technology Coordinators</td>
<td>1</td>
<td>20 minutes</td>
<td>caaspp.org</td>
<td>September</td>
<td>Annual updates as needed</td>
<td>2.7</td>
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<tr>
<td>Using the CAASPP Individual Student Assessment Accessibility Profile (ISAAP) Tool Tutorial Instructions for using the tool to create student test settings files</td>
<td>Video and PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>2</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>September</td>
<td>Annual updates as needed</td>
<td>2.7</td>
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<tr>
<td>Interim Assessments Hand Scoring System Presentation Instructions for accessing and using the scoring module for hand scored items on the interim assessment</td>
<td>Video, PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>2</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>September</td>
<td>Annual updates as needed</td>
<td>2.7</td>
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<tr>
<td>Interim Assessments Reporting System Presentation Familiarize users with available reports, navigation, and tools for the interim reporting system</td>
<td>Video, PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>2</td>
<td>30 minutes</td>
<td>caaspp.org</td>
<td>September</td>
<td>Annual updates as needed</td>
<td>2.7</td>
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<tr>
<td>Setting up Test Administrations in TOMS Demonstration of functions of TOMS</td>
<td>Video</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>15 minutes</td>
<td>caaspp.org</td>
<td>September</td>
<td>Annual updates as needed</td>
<td>2.7</td>
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<tr>
<td>Adding and Managing Users in TOMS Tutorial on how to add and manage users in TOMS/single sign-on</td>
<td>Video</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>15 minutes</td>
<td>caaspp.org</td>
<td>September</td>
<td>Annual updates as needed</td>
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<td>Planned Locations</td>
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<tr>
<td>13 Smarter Balanced Interim Assessments Provide an overview of the Interims, planning for them, uses of results and reporting</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>September</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.B</td>
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<tr>
<td>14 Preparing CALPADS Data Provide overview of CALPADS data elements and the process of loading to TOMS</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, CALPADS Coordinators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>September</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7</td>
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<tr>
<td>15 TOMS Training Provide introduction to TOMS, logging on, and configuring test administrations</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>September</td>
<td></td>
<td>2.7</td>
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<tr>
<td>16 Configuring Online Student Test Settings in TOMS Instructions for setting embedded and non-embedded supports and accommodations</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>September–October</td>
<td></td>
<td>2.7</td>
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<tr>
<td>17 CAASPP: Preparing Your LEA’s Technology for Online Testing Review LEA technological resources and requirements and secure browser installation</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Technology Coordinators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>September–October</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7</td>
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<tr>
<td>18 Interim Assessment Scoring Workshop Train teachers in the effective and consistent use of scoring rubrics</td>
<td>In-person</td>
<td>100 California educators per session</td>
<td>8 (may expand to 10 if scheduling and resources are available)</td>
<td>3 hours</td>
<td>TBD – propose: 2 North 2 Central 4 South</td>
<td>September–November</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.B 8.1.A.2</td>
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<td>19 Using the Interim Assessment Reporting System and Interim Assessment Results Interpretation Information to support accurate interpretation and effective use of interim assessment scores</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>October</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.B</td>
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<td>Name and Description of Training</td>
<td>Type of Training</td>
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<td>SOW Task Reference</td>
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<tr>
<td>20 Accessibility and Accommodations for CAASPP</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>October 2015–16 2016–17</td>
<td></td>
<td>2.7</td>
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<tr>
<td>21 Introduction to new CSA</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>October 17–18</td>
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<td>2.7.C</td>
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<tr>
<td>22 Introduction to new CAST</td>
<td>Video</td>
<td>CAASPP Coordinators, Test Administrators, Educators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>October 2016–17 2017–18</td>
<td></td>
<td>2.7.C</td>
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<tr>
<td>23 Student Paper-pencil Test Registration in TOMS</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>November Annual updates as needed</td>
<td></td>
<td>2.7</td>
<td></td>
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<tr>
<td>24 Preparing Your LEA’s Student Paper-pencil Test Registration File</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, CALPADS Coordinators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>November Annual updates as needed</td>
<td></td>
<td>2.7</td>
<td></td>
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<tr>
<td>25 Using the Online Practice and Training Tests</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>November 2015–16 2016–17 2017–18</td>
<td></td>
<td>2.7</td>
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<tr>
<td>26 Paper-Pencil Test Administration Workshop</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>December Annual updates as needed</td>
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<td>Audience or Estimated Number of Attendees</td>
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<td>Estimated Durations</td>
<td>Planned Locations</td>
<td>Estimated Timeframe to Provide Training</td>
<td>School Years Provided</td>
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<tr>
<td>27 Pre-Test Workshop</td>
<td>Webcast</td>
<td>CAASPP Coordinators</td>
<td>1</td>
<td>2 hours</td>
<td>Virtual</td>
<td>January 2015–16 2016–17 2017–18</td>
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<tr>
<td>28 Alternate Assessment Training (Math, ELA) Introduction and administration procedures for alternate assessments</td>
<td>Webcast (archived), PowerPoint</td>
<td>Alternate Assessment Test Administrators</td>
<td>1</td>
<td>1 hour</td>
<td>Virtual</td>
<td>January 2015–16</td>
<td>2.7</td>
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<tr>
<td>29 Alternate Assessment Training (Math, ELA, Science) Introduction and administration procedures for alternate assessments</td>
<td>Video</td>
<td>Alternate Assessment Test Administrators</td>
<td>1</td>
<td>1 ½ hours</td>
<td>Virtual</td>
<td>January 2016–17 2017–18</td>
<td>2.7.C</td>
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<tr>
<td>30 CSA Pilot Test Administration Training Introduction and administration of the pilot test</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>August 2017–18</td>
<td>2.7.C</td>
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<tr>
<td>31 CSA Field Test Administration Training Introduction and administration of the field test</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>January 2017–18</td>
<td>2.7.C</td>
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<tr>
<td>32 CAST Pilot Test Administration Training Introduction and administration of the pilot test</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>January 2016–17</td>
<td>2.7.C</td>
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<tr>
<td>33 CAST Field Test Administration Training Introduction and administration of the field test</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>January 2017–18</td>
<td>2.7.C</td>
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<tr>
<td>34 CAA for Science Pilot Test Administration Training Introduction and administration of the pilot test</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>January 2016–17</td>
<td>2.7.C</td>
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<tr>
<td>35 CAA for Science Pilot Test Administration Training Introduction and administration of the field test</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Test Administrators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>January 2017–18</td>
<td>2.7.C</td>
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<tr>
<td>Name and Description of Training</td>
<td>Type of Training</td>
<td>Audience or Estimated Number of Attendees</td>
<td>Planned # of Sessions</td>
<td>Estimated Durations</td>
<td>Planned Locations</td>
<td>Estimated Timeframe to Provide Training</td>
<td>School Years Provided</td>
<td>SOW Task Reference</td>
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<td>Pre-Test Administration Training (includes separate session for Alternate Assessments) In-depth train-the-trainer model on all aspects of test administration with live systems demonstrations with separate hands-on training for alternate assessment administrations</td>
<td>In-person</td>
<td>CAASPP Coordinators and Technology Coordinators 50-100 participants per session</td>
<td>17</td>
<td>4 ½ hours</td>
<td>Butte Humboldt Sacramento Shasta Alameda Fresno Monterey San Joaquin Santa Clara San Francisco Kern Los Angeles (2) Orange Riverside San Diego Santa Barbara</td>
<td>January–February</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7</td>
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<tr>
<td>Operational Scoring Workshops Operational training for scoring summative assessment items, qualifying, and live scoring</td>
<td>In-person or other CDE-approved mode of delivery</td>
<td>100 California educators per session</td>
<td>8</td>
<td>1 day</td>
<td>TBD – propose: 2 North 2 Central 4 South</td>
<td>Beginning mid- February</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.B 8.1.A.2</td>
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<tr>
<td>Using the Aggregate Reporting System and Summative Results Interpretation Information to support accurate interpretation and effective use of summative assessment scores</td>
<td>Webcast (archived), PowerPoint</td>
<td>CAASPP Coordinators, Educators</td>
<td>1</td>
<td>2 hours</td>
<td>caaspp.org</td>
<td>May</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.B</td>
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<td>Name and Description of Training</td>
<td>Type of Training</td>
<td>Audience or Estimated Number of Attendees</td>
<td>Planned # of Sessions</td>
<td>Estimated Durations</td>
<td>Planned Locations</td>
<td>Estimated Timeframe to Provide Training</td>
<td>School Years Provided</td>
<td>SOW Task Reference</td>
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<td>40 Post-Test Workshops Review reporting systems and features and provide guidelines for score interpretation Morning session: All CAASPP assessments Afternoon session: Focus on alternate assessments</td>
<td>In-person</td>
<td>CAASPP Coordinators (AM and PM sessions) Special education coordinators (PM sessions only) 50-100 participants per session per location</td>
<td>8</td>
<td>4 ½ hours</td>
<td>TBD – propose: 2 North 2 Central 4 South</td>
<td>May–June</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7</td>
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<tr>
<td>41 Additional Webcast (archived) or Recorded Training, PowerPoint #1</td>
<td>Webcast (archived), PowerPoint</td>
<td>TBD</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>TBD</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.C</td>
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<td>42 Additional Webcast (archived) or Recorded Training, PowerPoint #2</td>
<td>Webcast (archived), PowerPoint</td>
<td>TBD</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>TBD</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.C</td>
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<tr>
<td>43 Additional Webcast (archived) or Recorded Training, PowerPoint #3</td>
<td>Webcast (archived), PowerPoint</td>
<td>TBD</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>TBD</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.C</td>
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<td>44 Additional Webcast (archived) or Recorded Training, PowerPoint #4</td>
<td>Webcast (archived), PowerPoint</td>
<td>TBD</td>
<td>1</td>
<td>1 hour</td>
<td>caaspp.org</td>
<td>TBD</td>
<td>2015–16 2016–17 2017–18</td>
<td>2.7.C</td>
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<tr>
<td>45 CAASPP Science Academy Recording of one in-person Science Academy.</td>
<td>Video Instructional leaders</td>
<td>1</td>
<td>8 hours</td>
<td>caaspp.org</td>
<td>Fall 2018</td>
<td>2017–18</td>
<td>2.9</td>
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<tr>
<td>46 CAASPP Science Academy Video Modules Provides short training videos to support the modular administration of the Science Academy training</td>
<td>Video Instructional leaders Number of video modules TBD Length of each video module TBD</td>
<td></td>
<td></td>
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<td>caaspp.org</td>
<td>Fall 2018</td>
<td>2017–18</td>
<td>2.9</td>
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<tr>
<td>Name and Description of Training</td>
<td>Type of Training</td>
<td>Audience or Estimated Number of Attendees</td>
<td>Planned # of Sessions</td>
<td>Estimated Durations</td>
<td>Planned Locations</td>
<td>Estimated Timeframe to Provide Training</td>
<td>School Years Provided</td>
<td>SOW Task Reference</td>
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<td>CAASPP Science Academy</td>
<td>In-person Workshop with Virtual Workshop Rooms</td>
<td>Teacher leaders In-person: 100 participants</td>
<td>3 in-person plus virtual rooms</td>
<td>8 hours</td>
<td>Pilot: Sacramento In-person: 1 North 1 Central 1 South</td>
<td>Pilot: Jan-Feb 2018 Apr-May 2018</td>
<td>2017–18</td>
<td>2.9</td>
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<tr>
<td>Viewing Student Responses to the Interim Assessments Provides an overview of the Smarter Balanced application to view student responses to the Interim Assessments and provides a demonstration or tutorial to the application.</td>
<td>Webcast (archived) or Recorded Training</td>
<td>Educators</td>
<td>1</td>
<td>2 hours</td>
<td>Caaspp.org</td>
<td>TBD with CDE</td>
<td>2017–18</td>
<td>9</td>
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<tr>
<td>Using the Writing Extended Response (WER) Scores Provides an overview of the WER dimension scores and a tutorial or demonstration of the report available in ORS.</td>
<td>Webcast (archived) or Recorded Training</td>
<td>Educators</td>
<td>1</td>
<td>2 hours</td>
<td>Caaspp.org</td>
<td>TBD with CDE</td>
<td>2017–18</td>
<td>2.7</td>
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TASK 3: Technology Services

As part of the Assessment Technology Platform solution for California, the CAASPP Assessment Delivery System includes all components required to deliver the Smarter Balanced and non-Smarter Balanced assessments for the CAASPP System. Figure 1 below provides a diagram of the overall system for the CAASPP Assessment Technology Platform supported by ETS. ETS will work with Smarter Balanced to administer the 2017–18 STS utilizing as many of the Smarter Balanced open-source components as feasible and approved by the CDE.

Figure 1. CAASPP Assessment Technology Platform

The CAASPP Practice and Training Tests are administered through the AIR TDS. The practice and training tests are maintained on a server that is separate from the CAASPP summative assessments and Smarter Balanced Interim Assessments.

ETS will work closely with the CDE to evolve the existing high-capacity CAASPP test delivery system, used for the 2015 administration, to meet future requirements. The CAASPP Assessment Delivery System will, at minimum, deliver the Smarter Balanced Summative Assessments to approximately 10,000 schools and more than 3.2 million students in approximately 1,900 LEAs statewide that will use a wide variety of online testing devices (e.g., desktop computers, laptop computers, tablets). Additionally, the CAASPP Assessment Delivery System will deliver the Smarter Balanced Interim Assessments to all participating K–12 students.
3.1. School Technology Readiness

For the 2015–16 administration, ETS will work with the CDE to collect information on the technology readiness of schools. This information will include, at minimum:

- bandwidth availability;
- networking capability;
- available facilities for computer-based test administration; and
- the number of devices available for computer-based test administration.

This information is the same as that which is outlined in the Smarter Balanced Technology Strategy Framework.

As the majority of schools adapt to online testing, ETS anticipates less of a need for a technology readiness survey. Beginning with the 2016–17 administration, ETS will work with the CDE to refocus this activity to develop an online questionnaire to assist schools that may be facing technological barriers when administering the Smarter Balanced Summative Assessments.

Collecting the School Technology Readiness Information

During the annual updates from LEA CAASPP coordinators for 2015–16 administration, described in Task 2.1, ETS will incorporate the Technology Readiness Survey, which will be conducted in September 2015. The Technology Readiness Survey will be an online form.

Beginning in July 2016, ETS will revise the survey to become an online form for CAASPP Special Requests for Smarter Balanced Paper Exams. ETS will provide the draft special request form to the CDE for the standard review and approval process described in Task 1. Special requests submitted by LEAs will be delivered to the CDE immediately for review and decision (e.g., approved, denied).

The Annual Report on School Technology Readiness

Once ETS receives the results for the 2015–16 School Technology Readiness Survey, they will be compared against the previous year’s information. By November 1, 2015, ETS will submit to the CDE a preliminary report including a summary of the Technology Readiness Survey results. The report will also categorize the listed LEAs in terms of degree of readiness. The preliminary report will be updated and finalized by December 1, 2015.

Assistance to Schools to Meeting the Technology Requirements

Based on the results of the 2015–16 CAASPP Technology Readiness Survey and the special requests form, ETS will proactively reach out to each of those LEAs identified as being less ready, first via telephone and subsequently by site visit to assist them in determining what they need to do to become more technologically ready to participate in the CAASPP online assessment. For each such contact, ETS will provide the CDE with a report and recommendation for action it should take. At the CDE’s direction, ETS will be available to the LEAs to implement these recommendations.
3.2. Assessment Delivery System

The solution supports both summative and interim Smarter Balanced assessments as well as the new succession CAAs (ELA, mathematics, and science), CAST, and the CSA. The solution will employ AIR’s proprietary test delivery system, ETS’s TOMS, scoring systems from ETS and MI, and an online reporting tool from AIR.

For the 2017–18 STS administration, ETS will work with Smarter Balanced to administer STS utilizing as many of the Smarter Balanced open-source components as feasible and approved by the CDE. The solution also will use ETS’s TOMS, scoring systems from ETS and MI, and an online reporting system from AIR.

3.2.A. Project Management Plan

During project initiation, ETS project managers will develop a Project Management Plan (PMP) for the CAASPP System, including the Assessment Technology Platform. The PMP will cover the three-year period of the contract; start-up tasks will be included only in Year 1. ETS will ensure that the PMP is in compliance with California Project Management Methodology (CA-PMM) and the State Information Management Manual (SIMM) and will include all identified schedule elements such as actual and planned start and finish dates. ETS will use a template consistent with the CA-PMM to confirm that all key components are identified and presented in a consistent format. After completion, the PMP will remain accessible on the project SharePoint® site and will be updated annually. ETS will make the schedule available in MPP format for the CDE. The ETS Technology Manager and ETS CPMO Project Manager will provide the PMP to the CDE within 30 business days of contract start and will work with the CDE, the CDE contract manager, and the CDE state project manager to facilitate a review by IV&V Consultant and by IPOC.

The PMP will include, at a minimum, the following elements:

- **Scope Management Plan**—During project initiation, ETS will identify and document scope using the Project Definition document template. The PMP will require the project team to document work in-scope, work out-of-scope, deliverables produced, stakeholders, and interdependencies with other projects.

- **Organizational Chart and Governance Model**—ETS has created the Project Organization chart as one component of the PMP. ETS’s Project Review Committee will regularly evaluate the CAASPP System activities to ensure that the project team has the support needed to be successful.

- **Configuration Management Plan**—ETS will document the configuration management plan for California and use a configuration management tool to manage changes to the production system, including production environments, software releases and their content, and other production configurations.
• Change Control Management Plan—ETS will manage the scope for development of the Assessment Technology Platform through a structured change management process. First, ETS will establish baselines for scope and schedule at the outset of the project. In the project SharePoint site, ETS will establish a change log to document and track change requests, and will set up a review process to confirm that requests are vetted with the appropriate stakeholders. Project leadership will then review change requests to assess impacts and gain agreement on how to address those impacts in support of a formal approval process. As soon a change request is approved and obtains signoffs, ETS will update the change log, integrate changes into the project plan, and re-baseline schedules if necessary.

• Communications Management Plan—During project initiation, ETS will plan for proper communications so that the CDE stakeholders will be aware of not just the type of communications they will receive but also the purpose, frequency, and media (e.g., meeting, e-mail) of each communication.

• Risk Management and Escalation Plan—The ETS CPMO project manager will lead the project team and other key stakeholders through a risk identification and analysis session during the project’s planning phase. Identified risks will be added to a risk log which remains accessible on the project’s SharePoint site. In the event that a risk becomes an issue, the ETS CPMO project manager will add the issue to the issue log that is always accessible on the project’s SharePoint site. The project manager identifies appropriate owners to remediate issues in a timely fashion to confirm continued project success while reducing the emergence of new issues or risks. Senior management, consisting of ETS’s Project Review Committee and the CDE representatives, will regularly review critical project risks and issues.

• Quality Management Plan—The ETS project team will utilize the ETS Quality Management Plan template to construct a California Quality Plan during the Project Planning phase. The Quality Management Plan summarizes the quality targets and management processes undertaken during the Project Execution phase. As a result, ETS will be able to consistently reference the Quality Management Plan throughout the project to monitor and control the level of quality of the deliverables built and processes undertaken on the project.

• Requirements Management Plan—ETS based the requirements management process on best practices of the International Institute of Business Analysis. ETS uses this process to manage solution scope, requirements, and requirements traceability, as well as to maintain requirements for re-use and communicate the requirements. ETS will utilize seasoned business analysts to identify stakeholders; elicit, document, and confirm business needs; and manage traceability and gaps. The requirements management process includes securing approvals, managing issues that emerge during elicitation and analysis, and managing change control of baseline requirements and solution scope. ETS uses requirements traceability to detect missing functionality and to assist in scope change management, as well as during risk management. ETS analysts will confirm the requirements are clear, concise, accurate, and at the appropriate level of detail so that ETS can effectively communicate the requirements the stakeholders.
• Schedule Management Plan—ETS will utilize detailed schedules and dashboards built in the Microsoft Project component of the Microsoft® Enterprise® Project Management (EPM) system solution to create and actively manage the project schedule. ETS builds schedules and dashboards based on well-developed scheduling principles and published best practice guidelines. Breakdown structures highlight key task dependencies, critical paths, milestones, deadlines, and resources. ETS then baselines and reviews the schedule on a weekly basis to verify the maintenance of all tasks and timelines. ETS will closely monitor any variance from the schedule baseline to minimize impacts from tasks added, deleted, or updated to reflect changes based on the project team’s input.

• Resource Management Plan—ETS will monitor resources across all project teams and departments to optimize resource capacity, improve productivity, and use analytics to track utilization and reforecast staffing for projects when necessary.

ETS assumes that the CDE will provide comments to the initial PMP within 20 business days of receipt. ETS will respond and provide an updated PMP within 20 business days following receipt of the CDE-written comments. Upon approval by the CDE, ETS will implement and monitor the PMP and will collaborate fully with the CDE and the California Department of Technology (CalTech) to confirm that the plan meets expectations.

ETS will also collaborate with the CDE to determine the technology services summary information required for reporting purposes and will develop and implement a mutually-agreed upon format. ETS understands that the CDE may use the technology services summary to report to the SBE, CalTech, the California DOF, and other stakeholders as needed.

3.2.B. System Requirements

ETS will implement the CAASPP Assessment Delivery System for this program according to the expectations of CDE staff, the CDE contract manager, and the CDE state project manager. ETS will plan each meeting to efficiently use the time of the CDE staff, the IV&V consultant, the IPOC, and program management and technology staff to accomplish the tasks identified.

At the start of the contract, ETS will schedule a series of joint requirements sessions to review and discuss the minimum requirements outlined agreed upon by ETS and the CDE. (Request for Submission (RFS) Table 3.1.1. is included as Appendix C for reference.) ETS will be responsible for providing the initial requirements document, which will describe the known CAASPP requirements and how ETS handles those requirements. ETS proposes to hold joint requirements sessions before the Orientation Meeting. At each joint requirements session, ETS will use and refine the initial requirements document to establish that the requirements meet or exceed what is needed for the 2016 administration. The revised requirements document will also include a plan by which periodic reviews of the requirements will be conducted to confirm that they continue to meet the functional and technical requirements needed for the CAASPP Assessment Delivery System.

From time to time, there may be changes to state or federal policies or Smarter Balanced requirements that would have an immediate impact on the CAASPP System. The revised requirements also will include a process for ad hoc requirement reviews to address these changes in a flexible but immediate manner.

Within 15 business days of the effective date of the contract, ETS will conduct the Orientation Meeting as required in Task 1. ETS program managers will plan and facilitate this meeting, which will include topics under each functional area of the solution such as technology,
assessment development, research, delivery, and operations. ETS will review the proposed work plan and implementation schedule and obtain specific information, data, and criteria in order to successfully implement the solution. By August 1, 2015, ETS will also present the revised requirements as defined and agreed to in the joint requirements sessions with the goal of receiving the initial go-ahead to implement the CAASPP Assessment Delivery System. Should additional discussions about the requirements be needed, ETS will schedule and conduct additional joint requirements sessions until the CDE approves the solution for implementation. ETS will submit the final systems requirements, including flow charts and other required artifacts, document to the CDE by August 15, 2015.

ETS’s technology team will also participate in Annual Planning meetings, as described in Task 1.3, in Sacramento to review and confirm the SOW. The purpose of the meeting will be to plan any changes to the SOW, system enhancements and fixes, and the timelines to incorporate the changes for the upcoming test administration year. ETS will submit the revised systems requirements documents by date agreed upon by the CDE and ETS, including business requirements, functional requirements, requirements traceability matrix (RTM), and user acceptance testing (UAT) plans through the gatekeeper for approval for each release cycle. After a release is deployed to production, the final requirements are submitted via gatekeeper to reflect the “as built” software that was deployed to production.

In addition to Orientation and Annual Planning meetings, ETS’s technology teams will also participate in weekly management and technical/data exchange meetings, co-facilitated by the ETS Technology Manager and program manager that will anchor communication between all parties and appropriate technical personnel. These weekly meetings will provide the forum for communication with the CDE about project activities and technical items/issues.

ETS will document all business, technical, and functional requirements—new and updated—that are captured in the joint requirements sessions. ETS will then implement these, after the CDE’s approval, following the ETS software development lifecycle (SDLC) methodology. The ETS SDLC process is a combination of waterfall and agile software development processes.
3.2.B.1. Assessment Delivery System Architecture

The solution focuses on the following seven major domains: assessment planning and development, registration, scheduling and delivery, support, scoring, reporting, and analysis (see Figure 2).

Figure 2. CAASPP Assessment Delivery System

The ETS solution supports all operational domains, from test development to scoring and reporting. ETS’s system consists of fully integrated individual component services that provide a high performance and robust solution for the administration of Smarter Balanced and non-Smarter Balanced assessments for California.

Figure 3 represents the high-level physical architecture of the CAASPP Assessment Delivery System that supports interim and summative Smarter Balanced assessments as well non-Smarter Balanced assessments. For the 2017–18 STS administration, ETS will work with Smarter Balanced to administer STS utilizing as many of the Smarter Balanced open-source components as feasible and approved by the CDE.
Figure 3. Scalable Architecture of the CAASPP Assessment Delivery System

The CAASPP Assessment Delivery System will use a single proprietary solution (i.e., AIR Test Delivery System) that meets the general Smarter Balanced-defined requirements. ETS will further clarify with the CDE that this implementation addresses any California-specific variations allowable through the Smarter Balanced state procedures manual. Where the solution integrates with external Smarter Balanced systems, such as the Digital Library, ETS will use the defined standards and formats for data exchange.

The configuration specifications development process requires making a number of important decisions, often in a short period of time, following contract award. ETS will schedule a series of one- to two-hour meetings over several business days to review the provided system configurations and inform any required adjustments. ETS will coordinate with the CDE to schedule the systems configuration meetings to work through the necessary details of the solution specifications.

During these specifications meetings, ETS will work through the configuration decisions needed at one time. When applicable, ETS will provide screen shots and other supporting documentation to allow participants to visualize how different options will look in the various
solution components. Decisions to be made during the configuration specifications meetings will include, but are not limited to:

- test names and the order of tests listed;
- the dates during which the student test window will be open, including any scheduled downtime for maintenance and updates;
- which test settings that the test administrator can change in the test administration interface at the time the student takes a test, and which test settings must be changed in advance in TOMS;
- what values are allowed for each tool;
- the content of the messages that will be displayed to the student at various times during a testing session; and
- which forbidden applications should be included in the check performed on the student’s computer prior to testing.

ETS will record all decisions made during the specifications development process. ETS will provide the documentation to the CDE summarizing major decisions and any issues for which a final decision was not made during the meetings.

3.2.B.2. Interface Requirements

The CAASPP Assessment Delivery System provides a number of touch points with external systems and components as required by the CDE and/or Smarter Balanced policies. To meet those needs, systems will support scalable and reliable integrations with other systems and technologies by utilizing standardized interfaces wherever possible. For Smarter Balanced assessments, ETS will use the plug-and-play XML data exchange for the information about items and test packages needed to support test scoring. Non-Smarter Balanced computer-based assessments will also use the Smarter Balanced test package format whenever possible. If a non-Smarter Balanced computer-based assessment requires a different format to best support the items types developed for those assessments, ETS will work to confirm that the system can support the formats, prior to the item development process.

The CAASPP Assessment Delivery System consists of a series of integrated components. Even still, the CDE, LEAs, and schools will be able to access the features needed to administer, manage, operate, and conduct test delivery using a single sign-on. This enables these components to appear to users as a single integrated system. ETS will work with Smarter Balanced to provide a solution that allows users to log onto the CAASPP Assessment Delivery Systems and the Smarter Balanced systems using a single sign-on.

Smarter Balanced Implementation Readiness Package

ETS has verified that the delivery system conforms with the Smarter Balanced IRP version 1.0, which currently covers capabilities in test administration and item level score results delivery. Annually, and upon a request from the CDE, ETS will provide evidence, including the Summary Performance Report produced by the Implementation Readiness Package, as well as electronic access to the simulated assessment, to allow the CDE to verify that: items and applicable tools, supports, and accommodations rendered correctly; items were scored correctly; and results were correctly delivered to the Smarter Balanced data warehouse.
**CALPADS**

ETS will verify with the CDE ETS’s ability to accurately accept data extracts from CALPADS, import that data into the management system, and provide appropriate exception reporting to the CDE. ETS will configure TOMS to process daily CALPADS updates. To be consistent with the 2015 CAASPP System, ETS anticipates receiving two CALPADS extract files nightly via Secure File Transfer Protocol (SFTP). One extract file will have organization data, and the other will have student data.

To follow the process for the 2015 CAASPP System, ETS will coordinate with the appropriate CDE staff to facilitate the secure upload of CALPADS data extracts for use in the summative assessments. ETS will also verify the handling procedures for approval of paper-pencil test materials and special forms.

ETS will process the CALPADS files within 24 hours of successful receipt from the CDE. ETS will provide the following notifications when processing the CALPADS data:

- Notify the CDE via e-mail by 8 a.m. Pacific Standard Time (PST) if one or more of the CALPADS extract files fail to upload to the FTP site.
- Notify the CDE via e-mail within two hours of processing whether ETS has received and has processed the file and the number of records processed.
- Notify the field via e-mail and http://www.caaspp.org/ system alert if there are any issues with the files that affect the field.

**LEA System Compatibility**

ETS will continue to propose to the CDE ways to optimize the appropriate data capture from LEAs in the CALPADS interface, so that the regular extracts provided to support CAASPP accurately reflect the CDE-approved supports and accommodations. ETS will also continue working closely with the CDE by providing a TOMS user interface that provides the LEAs with the flexibility to update student support or accommodations needs directly. To be consistent with the 2015 CAASPP System, ETS will consult with the CDE to establish the protocols and permissions needed to allow for this flexibility and configure TOMS accordingly.

**3.2.B.3 Data Security**

ETS maintains dedicated staff with responsibility for information security, physical security, test security, privacy, disaster recovery/business continuity, and internal audit. These staff members communicate and collaborate via a corporate-level Security Steering Committee of leaders responsible for each function, which ETS’s chief information security officer leads.

**Data Security Plan**

ETS will provide all interfaces with the most stringent security considerations in mind, including interfaces for data encryption at rest and in transit for databases that store test items and student data. The CAASPP Assessment Delivery System will implement strong encryption (in transit and at rest) consistent with the most recent version of encryption guidelines published by the National Institute of Standards and Technology (NIST), (at least equivalent or better), to protect confidential information handled by the system. This information includes student registration information, student identifiable results information, test items, and other information as identified by applicable Federal, State of California, and the CDE laws, regulations, or policies. Whenever feasible, cryptographic modules shall be validated to the Federal Information...
Processing Standard (FIPS) 140-2. In rare instances where encryption cannot be implemented, compensating control(s) or alternatives to encryption will be in place. Compensating controls and alternatives to encryption must be reviewed on a case-by-case basis and approved in writing by the state entity ISO, after a thorough risk analysis.

ETS will manage, maintain, transport, and appropriately secure data storage and backup files. Also, ETS will employ industry-standard encryption to protect personally identifiable information both when it is in storage and when it electronically transfers across a public network. ETS will maintain that data in a portable format as agreed upon with the CDE.

ETS will meet the CDE’s expectations to develop and execute a data security plan that follows NIST SP 800-15 rev1 to comply with the applicable data security requirements outlined in the final system requirements that may be updated annually. Discussions about the data security plan and user roles and permissions will be an integral part of the joint requirements sessions, and ETS will document decisions in the requirements document for the CDE’s approval.

Working with Subcontractors and Vendors

ETS’s company policy mandates an Inter-Enterprise Security Assessment (IESA) of external organizations whenever their work impacts any of the following: sharing sensitive or critical data, communicating sensitive or critical data via non-ETS networks and systems, or interconnecting ETS networks and systems with others. ETS requires subcontractors and vendors by contract to maintain agreed-upon security controls and to provide periodic control assurance.

Providing for User Roles and Permissions

The CAASPP Assessment Delivery System will feature system access control features and authentication of users using industry-standard user access, authentication methods, and encryption. The CAASPP Assessment Delivery System allows for numerous user roles and permissions based on the functions that each user must perform in order to complete their responsibilities for the CAASPP System. The access control features will restrict access to information that is outside the responsibility of the assigned user role when the user has numerous, different roles. ETS will coordinate with the CDE to schedule meetings to review, refine, and add user roles and permissions for finalization within fifteen (15) business days of the contract start date.

3.2.B.4. System Development Process

At the CDE’s direction, ETS will provide process maps, standard operating procedures, templates, definitions of roles and responsibilities, technical documentation utilizing templates, and project schedules to the CDE’s IV&V consultant and IPOC, through June 2016 or when CalTech determines successful completion of project implementation.

Design Process

Led by the ETS Technology Manager, ETS will perform design at two levels:

- **Solution Architects** will tailor a high-level solution design, designing for innovation and capacity from the start. Their work will provide the big picture, establish that all bases are covered, and confirm that all involved parties are identified and collaborating to make CAASPP successful. The solution architects’ high-level solution design includes: (1) a high-level use case diagram identifying the key capabilities/domains of the solution, (2) activity diagrams depicting flow of responsibilities across software applications, (3) deployment diagrams identifying all participating applications and all interfaces, and (4)
other Unified Modeling Language diagrams and text as needed to describe the solution. These solution architects work closely with the various development teams in scope for the solution.

- **Application Architects** on these development teams then design their respective software applications and interfaces based on the solution design, verifying that their component fits in with the others.

**Development and Testing Process**

ETS’s SDLC teams will continuously improve, support, and enforce smooth and effective operation end-to-end in the technology components of this project. This team will work closely with all IT staff across ETS to establish smooth operation, quality output, and exceptional communication. ETS will perform an analysis at two levels. For the first, at the business level, a specialized team of business analysts will work with the CDE to capture, confirm, and analyze the CDE’s needs; at the second, at the software level, system analysts will determine the functions of the systems based on the business needs. Through ETS’s documentation practices, ETS will capture and account for all of the CDE’s functions.

**Validation Process**

ETS will follow industry best practices in software development and coding for the CAASPP Assessment Delivery System. This means ETS will use continuous integration, unit testing, code reviews, separation of environments (e.g., development, various levels of testing, and production), and version control. ETS will use repositories to systematically control all versions. ETS will use reference architecture to guide the use of technologies to keep abreast of the latest technologies, verifying that external support is available and keeping IT focused and efficient. ETS also verify operational readiness of software development by: (1) developing knowledge scripts for use by CalTAC personnel on how to route issues raised by end users, (2) documenting/communicating how to operate the software to the operations team, and (3) updating the software’s disaster recovery plan as appropriate.

ETS’s software development teams perform rigorous testing of their developed software, including unit testing, dev-to-dev integration testing, and functional testing. ETS will complement that with additional rigorous testing by a dedicated group specializing in software testing. This group provides a robust suite of testing, including: (1) functional testing, (2) integration testing, (3) performance testing, (4) security testing, and (5) accessibility testing. In particular, in the area of performance and load testing, this group will verify that ETS meets the scalability needs of California through capacity testing, extended period testing, stability testing, stress testing, functional verification under load testing, aggregate testing, and increasing load testing. Dedicated performance testers will tune specialized performance testing tools for the CAASPP Assessment Delivery System to account for the anticipated load.

ETS’s software testing group will perform progression and regression testing using a combination of commercial, open source, and custom developed tools. This testing will follow a rigorous and robust process. ETS will strictly manage defects and maintain traceability between requirements and test cases in order to verify complete coverage. ETS’s testing group will leverage testing automation through scripting and specialized testing tools in order to bring great efficiencies and value to the CDE by saving on manpower and enabling robust regression testing — all while utilizing highly skilled testers to weed out those issues that tools can overlook.
3.2.B.5. System Implementation

The System Implementation Plan will be part of the PMP, and ETS will discuss this plan as part of the joint requirements sessions before the Orientation meeting. Following the Orientation meeting, ETS will refine the System Implementation Plan for final review and approval by the CDE.

Overview of Hosting System

ETS will use two proven hosting providers to meet the CDE’s requirements: Rackspace® and Computer Sciences Corporation (CSC).

System Implementation Readiness Assessment Methodology and Schedule

To cover system implementation readiness assessments, or the Operational Readiness Review (ORR), a dedicated team of release managers carry out ETS’s Release Management (RM) process. As the pilots, field tests, and eventually implements new CAASPP computer-based assessments are conducted, ETS will analyze historical test taker estimates as well as survey data from LEAs about the target test taker populations to plan for a capacity that will support continuous systems operations for all CAASPP computer-based assessments.

Implementation Schedule, including Field Tests and Pilots

ETS will work closely with the CDE and will use the RM process to establish the implementation schedule for all administrations as outlined in Task 7, Table 13.

Overall Resources Needed to Support the Implementation Effort, including Hardware, Software, Facilities, Materials, and Personnel

By means of a formal resource planning process, ETS proactively determines and regularly re-assesses anticipated resource capacity based on California’s estimates for computer-based Smarter Balanced summative and interim assessments, test taker volumes, and expected peak volumes. ETS will also use historical resource usage data from the 2014 field test and the 2015 administration to refine capacity estimates. As the pilot tests, field tests, and eventually the implementations of the new CAASPP computer-based assessments are completed, ETS will analyze historical test taker estimates as well as survey data from LEAs about the target test taker populations to plan for a capacity that will support continuous systems operations for all CAASPP computer-based assessments. Capacity planning will enable the right sizing of the infrastructure capacity in order to scale rapidly and handle spikes in demand.

Security Features Associated with the System When it is Implemented, Including Security during Implementation

ETS has built security into the production environments and the technologies used and software developed. ETS’s software development process and software testing process includes a comprehensive security framework. This risk-based framework focuses on minimizing vulnerability, increasing awareness, and developing proficiency. In order to establish this level of security, ETS assesses every component of its systems for vulnerability. ETS utilizes Threat Modeling analysis and Attack Tree analysis, which are methods to analyze designs for threats and mitigate them.

Simultaneously, ETS will employ a few different methods of security testing, including vulnerability testing, penetration testing, and vulnerability code review. These methods utilize numerous state-of-the-art automated tools as well as manual security assessment and hacking
techniques performed by dedicated and trained security professionals. These methods also involve comprehensive testing and analysis steps.

Driving software development and providing a measurement base for testing, ETS will use tools to generate security requirements tailored to individual systems based on their characteristics. Open Web Application Security Project (OWASP) best practices, which are the industry leader in security standards, guide software development to verify that the software is secure. ETS also has an Information Protection Office (IPO) group in IT with oversight over all aspects of security, including software, hardware, network, and personnel security.

**Performance-monitoring Tools and Techniques**

ETS will employ a number of strategies to verify ongoing systems performance, including monitoring of system availability and providing reports of online system usage to the CDE. ETS can configure the metrics and thresholds for monitoring based on the CDE’s needs during start-up planning and annual project planning engagements.

ETS will include detailed planning steps identified during project initiation with the CDE to identify the most effective parameters for the assessment programs, so that systems are configured to capture and provide reports that are useful for the CDE. During subsequent project meetings, ETS will establish regular reporting practices and will periodically review the elements being captured and reported out, and ETS will provide the most relevant and actionable data possible for the CDE and other stakeholders.

**Site-specific Implementation Requirements**

Outside of preparation of the computer labs at the schools, the test delivery system has no site-specific implementation requirements. ETS will provide a diagnostic tool that may be used by LEAs and schools to verify that they have the bandwidth to support the desired number of testers.

**System Acceptance and Sign-off Process**

To accomplish system acceptance and sign off, ETS will deploy systems software to a user acceptance testing (UAT) environment for a full cycle of testing with the CDE. ETS develops and CDE reviews the user acceptance testing to confirm that systems meets the CDE’s requirements. Upon successful completion of user acceptance testing, a joint review meeting takes place to confirm that the release is ready to move to production. Software is deployed directly from the UAT environment to production on a mutually agreed upon release schedule. Final approval of user acceptance testing triggers final deployment of the system.

**3.2.B.6. User Experience**

ETS will use a rigorous applications user experience design process, which includes checkpoints during the following phases: architectural design, requirements gathering, user interface (UI) design, usability testing, piloting, and operational delivery. Application design and development will follow industry best practices for delivery on multiple platforms and devices, leveraging World Wide Web Consortium (W3C®), Microsoft®, and Apple® human interface guidelines.

For accessibility, ETS will adhere to the Web Content Accessibility Guidelines (WCAG) 2.0, Level A & AA. ETS will audit and validate application content and interfaces to confirm they are compliant with international Web standards. The WCAG 2.0 guidelines meet or exceed the WCAG 1.0 and Section 508 guidelines set forth in the California Government Code section
11135 and policies included in the CDE’s Web Accessibility Standards. As part of this contract, the development process will incorporate the checklists provided on the CDE Web site (http://www.cde.ca.gov/re/di/ws/webaccessstds.asp) into the development checkpoints.

ETS will include detailed plans for conforming to the User Experience requirements and will include these plans as part of the PMP document described in Task 3.2.B. The User Experience plans will outline the following:

- Consistent look and feel
- Name of student displayed on workstation
- Single sign-on and easy navigation
- Best practice standards
- Accessibility standards
- Online help
- Identical interfaces for administrators and students

3.2.B.7. Technical Assistance Center (Technology Support)

ETS provides Tier 1, 2, and 3 support for the CAASPP Assessment Delivery System via telephone, e-mail, and customer-initiated chat.

For telephone support, ETS uses a Verizon®-hosted implementation of Avaya Contact Center v.7.0. The ETS CalTAC can support the staff required to quickly respond to contacts and can shift calls to another ETS Help Desk location if needed for disaster recovery purposes. Additionally ETS will use the Verizon-hosted cloud service to provide additional services. The Avaya and Verizon platforms have back-up technologies in place to continue to route calls in the event of a localized issue. The ETS Help Desk solution includes audio recording of 100 percent of inbound calls and call storage for up to six months.

ETS will use customer service analytic software (e.g., eGain®, etc.) for e-mail and chat response management. ETS's e-mail and chat software has the capability to separate Tier 1, 2, and 3 contact types and responds to them based on set timeframes.

ETS will provide escalation to Tier 2 and Tier 3 via telephone, e-mail, or chat transfer. ETS logs all contacts and their statuses as cases into the Customer Relationship Management (CRM) system by institution, LEA, and individual contact.

ETS will maintain e-mail addresses for various groups such as the LEA and CDE information technology groups to allow for quick dissemination of information. During the Orientation Meeting, and at each Planning Meeting, adding specific groups to the CRM workflow will be discussed.

Cases escalate to Tier 2 and Tier 3 support via a workflow system based on program and issue type, which allows ETS to determine when cases escalate to resolver groups. LEAs or other callers will receive a unique case number that they can reference their case against for all contact methods. The CRM system provides detailed level-reporting for the program overall or down to the school level. Reports on case escalation and case aging are available for review.
3.2.B.8. System Delivery Release Management

ETS will use the RM process for coordinating, tracking, and reporting on software releases, from new release identification through production implementation. The process consists of three phases: release planning, release tracking, and release approval.

ETS will schedule RM planning meetings based on the agreed-upon frequency among the stakeholders, including AIR, MI, and the CDE. These Orientation and Annual Planning meetings will provide a forum for ETS to verify that the California releases are well-understood, that risks are identified, and that mitigation plans are in-place. ETS will hold a joint meeting with parties to be identified by the CDE prior to a production release to review the migration steps, address risk, and obtain a consensus approval for the release. ETS will develop the System Delivery Release Management Plan during RM planning, which is the initial starting point of the RM process.

As part of the Release Tracking Process, ETS will have a dedicated RM group that actively coordinates, tracks, and reports on software releases from the initial planning phase through to production deployment/implementation. The RM group will work directly with the ETS IT manager and program manager for CAASPP so that the team effectively coordinates tasks, requirements, and communications with the CDE. ETS will establish communication channels for release of information notification and will determine the stakeholders, communication frequencies, and information the stakeholders should communicate via these channels. RM also obtains the implementation approvals to initiate the production deployment process.

ETS will distribute the release schedule to all identified stakeholders identified, who will then need to review and approve the Release Management Schedule and associated tasks respectively.

Other key Release Management processes and services include the following:

- Processes and procedures for communications, and coordination with internal and external partners, will be a critical component of the process, since ETS includes external partners such as AIR, MI, and the CDE.

- Provide release artifacts that describe release content, testing requirements, and data sourcing to the CDE.

- Closely coordinate system outage management with the CDE so that it occurs when no testing is taking place, at night or on weekends, and will not impact batch processing.

- Provide environments that utilize the same code base to be used in production to the CDE for end user acceptance testing.

- Provide SDLC release testing procedures—including regression and integration testing with CALPADS, Smarter Balanced, and other external partners—to the CDE.

- Provide a detailed and complete Migration document that details every step and every piece of information that is needed to deploy it to production from scratch, including application and environment configuration, third-party libraries/software/technologies, system accounts, connection details, complete steps to install the entire environment and the application, as well as rollback procedures.
• Provide the UAT plan, which documents processes and procedures for system delivery acceptance.

• Conduct post-production validation (PPV) using predefined manual and automated scripts to verify that the system is released correctly and that it is operational. ETS will also work with the CDE to develop and review the user validation scripts to verify that users deploy the system properly in the schools and that it remains accessible on all the devices used for accessing the Assessment Delivery System.

• Initiate a roll back to the previous state of the production environment in the unlikely event that the PPV is not successful. Once system engineers roll back the release, the software development team verifies the release once again to verify that the rollback was successful.

3.2.B.9. Performance

The CAASPP Assessment Delivery System will support up to 500,000 concurrent users. Should there be issues with performance during the administration of Smarter Balanced and non-Smarter Balanced computer-based summative assessments, ETS has the capability to “turn off” or throttle back access to the Smarter Balanced Interim Assessments upon direction from the CDE.

The CAASPP Assessment Delivery System also includes existing network optimizations with the California K12HSN. ETS will continue the existing optimizations and will work with the CDE and the K12HSN vendor to continue improving performance whenever possible.

Performance Testing

ETS will conduct three types of performance testing: (1) load testing to verify customer-facing components function under peak expected loads; (2) verification that back-end processes run in acceptable time frames under all expected conditions; and (3) validation that individual requests are processed to specification, excluding exceptions such as certain administrative reports. ETS will:

• execute tests (with appropriate iteration);

• analyze the results; and

• implement corrective actions.

Working with the CDE State Project Manager, the IPOC, and IV&V Consultants

Within ten (10) business days of the performance report produced by the IV&V contractor, ETS will develop and submit a detailed Systems Performance Plan, in coordination with the CDE contract monitor and the CDE state project manager. The plan will include the most relevant ETS artifacts for monitoring performance, as well as the process that will be used to work collaboratively with the IPOC and IV&V consultants. During subsequent project meetings, ETS will establish and maintain regular reporting practices and issue escalation procedures to the CDE contract monitor, the CDE state project manager, the IPOC, and IV&V consultants.

Working with LEAs to Conduct Benchmark Testing

As part of the System Performance Plan, ETS will propose a list of schools to consider for benchmark testing; and will conduct systems benchmark testing with a set of LEAs and schools.
The proposed list will include schools that represent the range of school types that participate in the CAASPP System. ETS will also schedule and LEA participation requirements for the benchmark testing; and will submit this list to the CDE for review.

Upon the CDE’s approval, ETS will contact each LEA to obtain permission to conduct benchmark testing. Each LEA will receive detailed information on what is required to participate in the benchmark testing and the goals for the benchmark testing. Within ten (10) business days upon completion of the benchmark testing, ETS will submit a report of the results, with recommendations for performance improvement where necessary. ETS will work directly with the CDE staff, including the CDE contract monitor and the CDE state program manager, to implement the systems changes needed.

3.2.B.10. Disaster Recovery and Business Continuity (DR/BC)

ETS will provide robust and fault-tolerant systems and processes. ETS houses systems in Tier 3 data centers with dual-powered equipment and multiple uplinks to support at least 99.982 percent availability. Additionally, industry-standard backup and recovery procedures are in place. ETS will work with the CDE to document and execute on a formal DR/BC plan that supports the specified uptime and recovery time objectives.

3.2.B.11. Data Policy Retention and Destruction

ETS complies with the data retention, handling, and destruction requirements outlined in the requirements in the California State Administrative Manual (SAM) Section 5305.8; the Department of Education Administrative Manual (DEAM) sections 10120, 10600, and 10601; California EC 60607; and the Family Educational Rights and Privacy Act (FERPA) of 1975.

The ETS solution also meets the FIPS PUB 140-2 issued by the NIST for data with personally identifiable information and secure test data (e.g., items, score keys), both in transit and at rest.

To comply with the contract transition requirements, ETS will maintain the final data of record as identified in the Requirements document and will confirm the appropriate transfer of the information to the next contract. ETS will securely destroy any data generated by and for CAASPP not considered the data of record. ETS will seek the CDE’s approval prior to the secure destruction of these provisional data.

3.2.B.12. Maintenance and Operations

ETS will manage and coordinate requested changes in an orderly fashion. This will include scoping, at a high level, the amount of overall software changes anticipated for each test administration as well as accounting for infrastructure and technology upgrades.

As California’s needs change over time, ETS will capture those growing needs as Business Requirements, which will then be allocated to relevant ETS applications for implementation. The application development teams determine Functional Requirements additions/changes that address those changed business needs. The additions/changes will be allocated into releases considering the customer’s timing needs and other constraints.

ETS will establish appropriate communication channels to coordinate and communicate both scheduled and unscheduled releases, to the CDE’s specifications. Every release will contain release notes, including a list of all the functional changes and all the bug fixes that went out with the release.
**TASK 4: Test Security**

ETS will provide the CDE with a secure system that is designed to meet the security challenges—both current and emerging—facing today’s LEAs and schools. The system has security checks before, during, and after testing—protecting the integrity of the CAASPP System.

**4.1. Test Security Plan**

Upon commencement of the contract, ETS will review and propose revisions to the CDE for the current test security plan as needed to be specific to the 2016 CAASPP administration. ETS will deliver the draft 2016 test security plan to the CDE at the Orientation Meeting. Then the 2016 test security plan will be revised based on comments from the CDE review and, within three (3) business days after receipt of the CDE’s comments, will be delivered to the CDE. ETS will deliver the final version of the 2016 test security plan to the CDE within three (3) business days after receipt of the revised plan. Upon the CDE’s approval, ETS will implement the test security plan and will annually revise the test security plan for each administration.

**Commitment to Security**

ETS shares the CDE’s commitment to the confidentiality of students’ personal data as well as to the security of tests and will strictly enforce ETS’s security process. Every ETS employee must sign and abide by the ETS Code of Ethics, which explicitly describes the personal responsibility of employees to protect personally-identifiable information and intellectual property. ETS subcontractors must also sign documentation acknowledging their understanding of ethical and legal business practices, the need for site security, and expectations for confidentiality policies.

California will have the support of dedicated ETS staff who are responsible for information security, privacy, test security, physical security, disaster recovery/business continuity, and internal audits. These staff members communicate and collaborate via a corporate-level security steering committee, led by ETS’s chief information security officer.

Continual education and certification allow ETS to keep up-to-date in emerging security threats and industry best practices, both of which inform the continuous improvement of security practices and services.

ETS has adopted the International Organization for Standardization’s (ISO’s) 27000 series of standards as both its information security framework and the foundation of its Corporate Information Protection policies. This series of standards for information security management and control drives ETS’s information security program, as well as the manner in which ETS delivers services.

In addition to the ETS Code of Ethics policy noted above, ETS require all employees, agency personnel, consultants, and other work-for-hire staff that use its network services to sign a statement of agreement, verifying that they have read the ETS Corporate Information Protection policy and that they understand and agree to abide by its provisions. In addition, all staff who see or handle secure test items, forms, or booklets must sign a confidentiality agreement as a condition of employment. Information protection policies and the confidentiality agreement form will be provided to the CDE upon request.

ETS’s infrastructure provider holds an ISO 27001 certification for both ETS’s data center, where ETS systems such as servers and the mainframe reside, and ETS’s operations (e.g., network
administration and desktop support). This certification covers the systems and internetworks supporting all phases of ETS’s assessment process, including identity, authentication, authorization, registration, test delivery, results collection, scoring, and reporting. An independent firm regularly audits controls and provides an annual Statement on Standards for Attestation Engagements No. 16 (SAE16) Statement of Controls report.

**Secured Access.** The ETS data center will continue to protect the CAASPP System’s data. Only personnel with functional responsibilities may unlock the doors with their badges, and authorized personnel accompany visitors within the data center at all times. The data center contains extensive smoke detection and alarm systems, as well as a pre-action fire-control system. ETS stores critical files for software, applications, and documentation offsite in a secure location and has a backup site so that operations may continue in the event of a natural disaster.

The Assessment Delivery System is hosted in secure data centers in Chicago, Illinois, and in Ashburn, Virginia, that meet or exceed industry standards, are regularly audited by an independent firm, and provide multiple physical layers of security, including: an integrated proximity card-reader system, a closed circuit monitoring throughout the facility, and security staff available 24 hours a day, seven days a week. Industry standards and best practices — such as file system encryption, host-based firewalls, system hardening, and secure access — are used to enable network, host, and application security.

ETS is in compliance with all applicable legal and regulatory obligations at both the state and federal level. Applicable regulations for information security most often involve the protection of privacy, payment mechanisms, and other sensitive information and systems. Internal and external audits and management reviews grade compliance. Every three (3) years, a team of internal and external auditors, analyze and evaluate, audit the products and services delivered.

**Item and Test Development Security**

ETS will keep materials locked when not in use and will transmit items via ETS’s internal item banking system or secure file transfer protocol sites to maintain security for item development, item field tests, and test form construction. ETS will encrypt databases and backups to meet the standards published in FIPS 140-2.

**Item Bank Security**

The measures ETS takes for assuring the security of electronic files are as follows:

- Access to item banks requires secure login identification and passwords, and is restricted to the least amount of privilege required to perform one’s job functions.
- Backups of electronic forms of test content and item banking systems will be kept off-site in order to prevent loss from a system breakdown or a natural disaster.
- The off-site backup files will be kept in secure storage, with access limited to authorized personnel only.

**Committee Meeting Security Procedures**

For committee meetings participants will be required to sign and submit confidentiality forms. For meetings that use paper materials, participants must sign numbered materials in and out. To maintain security for meetings that require electronic devices be used, ETS will provide the electronic devices for use by participants during the meeting.
Computer-Based Testing Security

ETS designs identity and access management as a set of services, processes, and technologies to securely and consistently manage user identities, privileges, and usage. ETS strictly controls CAASPP Assessment Delivery System access based on the assigned user role. Access control features will restrict access to information that is outside the responsibility of the assigned user role when the user has numerous, different roles.

The CDE can direct ETS to change access to data and functionality at any time based on the available user roles. The CAASPP Assessment Delivery System will require users to authenticate themselves by providing a username and password before gaining access. The system’s single sign-on implementation will use industry-proven security standards and best-practice protocols. ETS also will enforce an industry-standard secure password policy every time a user creates a new password or updates an existing one.

The test delivery system will provide a secure browser that locks down the student’s desktop by blocking certain external applications and system hot keys. Any student or item data communicated to and from the test delivery system uses industry-standard encryption to enable secure content delivery. ETS will follow established standards and perform quality inspections so that the data are accurate.

Paper-Pencil Testing Security

ETS has agreements with more than 60 printing vendors specializing in the production of high-stakes assessment materials, including secure test booklet printing, accessible formats, scannable form production, non-secure materials production, non-standard formats, and other media.

Only those printing vendors who have met the security criteria and who have successfully passed the qualification process will produce secure test materials under contract by ETS for the CAASPP System. ETS will use established, secure processes to facilitate the back-and-forth of quality checks during the production cycle. ETS will use a secure courier to ship all test materials to California LEAs in unmarked boxes, bearing only the return address of ETS’s test materials processing center.

ETS will combine bar-code reading technology with a proprietary order tracking system to facilitate closed loop tracking for all secure materials. This process will create a permanent, detailed record of items distributed to each school, which can be matched against returning materials to assess the completeness of each LEA’s/school’s return.

ETS will systematically match the captured barcode numbers to the outbound shipment barcode numbers’ data files. An output log will be generated that identifies missing test materials by school and LEA. ETS program managers will receive this log, called a “Missing Materials Report,” for follow-up calls to LEA staff to investigate any missing test materials. ETS will provide a document identifying the check-in of all secure materials after each administration.

ETS will use a barcode verification system to account for the secure items received in the warehouse for closed loop tracking.

ETS will obtain written permission from the CDE prior to proceeding with certified, approved destruction at an approved facility after appropriate retention periods. Upon destruction, ETS will present a certificate of destruction of those materials.
Encryption of All Test Items and Student Data at Rest and In Transit

ETS will provide all interfaces with security for data encryption at rest and in transit. Encryption at rest primarily applies to any data files that reside on a server that uses the SFTP waiting to be retrieved. Best security practices, including system-to-system authentication/authorization, are integrated in ETS’s solution design to meet the FIPS 140-2 issued by the NIST. As the CDE requires, all CAASPP data will remain within the continental United States.

Secure Data Transmissions

As a part of implementation, ETS will establish an SFTP service that will manage SFTP transfers to a directory structure. Gatekeepers, generally one at the CDE and one at ETS, will determine access privileges. The ETS gatekeeper will be responsible for approving all users for access.

Reporting

The reporting system will produce quality-controlled reports and copy them to a secure location. There, score recipients can access only the information allowed by their security profile.

ETS will store California students’ information on servers that will be encrypted and protected with multiple levels of password protection to prevent unauthorized access. Additionally, ETS will earmark the reports displayed to a particular user for his or her assigned access permissions. The method used to download or electronically transfer files that contain student level data will utilize encryption that meets the standards outlined in FIPS 140-2. Secure socket layer encryption will protect all data transferred over the Internet, and ETS will maintain data behind a corporate firewall; intrusion-detection software monitors this firewall for breaches 24 hours a day, seven days a week, 365 days a year.

4.2. Test Administration Monitoring

ETS will provide the following test administration monitoring activities for the CAASPP System:

- working proactively with LEA CAASPP coordinators
- social media monitoring
- on-site test security site visits

During a test administration cycle, ETS will meet weekly with the CDE to review test monitoring activities, including the areas described in the following sections. These weekly meetings are separate from the weekly management meetings and will focus specifically on test monitoring activities such as appeals for computer-based tests.

Working with LEA CAASPP Coordinators

Prior to the beginning of the test administration window, ETS’s program staff and ETS’s Office of Testing Integrity staff will provide training, through a live Webcast, to LEA CAASPP coordinators over all required test security procedures for the CAASPP System. ETS will record and post the Webcast to http://www.caaspp.org/ for later viewing. The test security training Webcast will use a train-the-trainer model — that is, in addition to informing LEA CAASPP coordinators of the test security requirements, ETS will provide them with tools and training materials that they may use in training their LEA staff, CAASPP test site coordinators, test administrators and test Examiners, and even students.
ETS will also provide additional information, tools, and materials on http://www.caaspp.org/ that will assist LEAs in meeting test security requirements. ETS will work with the CDE to provide additional test security materials, as needed, for LEAs.

ETS will also work directly with LEA CAASPP coordinators and technology coordinators as they prepare their local systems, devices, and sites for test administration. ETS will conduct up to 100 on-site visits and up to 200 virtual site visits to LEAs to provide technology and test preparation support as needed.

The CAASPP Assessment Delivery System includes an online method for submitting appeals for computer-based assessments. ETS will work with the CDE to develop the online testing irregularities reporting process, which will include a decision tree to address reported irregularities in a timely fashion.

**Social Media Monitoring for All CAASPP Tests**

ETS will monitor social media and other Web sites throughout each CAASPP administration. Monitoring will begin when the first LEA receives its test materials in January of each administration year and will end upon the closing of the final testing window, in August, or when the last LEA has confirmed completion of testing. ETS will monitor such Web sites as YouTube®, Facebook®, Instagram®, Google+®, Twitter®, and school and LEA Web sites. ETS will include other Web sites identified during the test administration window. ETS will look for any postings—both images and text—that include secure test materials such as test questions or passages, test booklet covers, and answer documents.

For each identified posting, ETS will collect any relevant information, including student name and school or LEA, if possible. ETS will enter this information into a secure online log that is accessible by both ETS and the CDE staff. ETS test development and psychometric experts will evaluate each posting identified to be test material and will make recommendations to the CDE on the impact of the items to the validity of the test administration.

**On-site Test Security Visits**

ETS’s Office of Testing Integrity (OTI) and partner In-Touch Insight (In-Touch) will plan and conduct up to 130 on-site test security site visits annually. In-Touch’s team of in-state auditors will conduct the test security site visits.

OTI and CAASPP Program Management staff will provide training to the In-Touch auditors on the expected site visit audit procedures. ETS will conduct the auditor training via live Webcast from the ETS Sacramento office, which will allow participation by the CDE staff. ETS will record and post the Webcast on an auditor-only section of http://www.caaspp.org/ for later viewing. Each auditor will complete the provided training; and In-Touch supervisors will not assign auditors to site visits until they verify the completion of training.

The site visits will include audits of both computer-based (i.e., interim assessments and summative assessments) and paper-pencil test administrations. ETS will conduct before-, during-, and after-testing audits. For the 2015-16 administration, ETS will conduct the following:

- 25 pre-test audits (both computer-based and paper-pencil testing)
- 60 during-testing audits (both computer-based and paper-pencil testing)
- 15 post-test audits (paper-pencil testing only)
Beginning with the 2016–17 administration, ETS will conduct the following to adjust for the new online assessments and the reduction of paper-pencil tests:

- 30 pre-test audits (both computer-based and paper-pencil testing)
- 65 during-testing audits (both computer-based and paper-pencil testing)
- 5 post-test audits (paper-pencil testing only)

ETS will submit the proposed test security site visits auditor checklists to the CDE for review and approval. ETS will randomly select 125 LEAs as potential sites, with 100 primary sites plus 25 replacement sites. The proposed list will be representative of California’s diverse LEA demographics. In addition to the 100 primary sites, ETS will include up to 30 additional LEAs at the CDE’s direction. ETS will submit the combined list to the CDE within sixty (60) business days before the first test administration window.

Upon the CDE’s approval of the combined list, ETS staff will e-mail each selected LEA to inform the LEA CAASPP coordinator that an In-Touch auditor will be contacting him or her to schedule a security site visit. The In-Touch auditors will begin scheduling the 130 test security site visits within three (3) business days after ETS has notified the LEA CAASPP coordinator. Auditors will notify the LEA CAASPP coordinator at least three (3) business days before the scheduled site visit. At the direction of the CDE, a site visit may be scheduled and conducted immediately.

When conducting the site visits, auditors will present a letter of introduction from the ETS Office of Testing Integrity as well as valid government-issued identification. In-Touch will conduct thorough background investigations of each potential auditor before the auditor may complete training and conduct audits for CAASPP.

ETS will report the schedule of site visits weekly to the CDE. As site visits are completed, ETS will also report the preliminary results of the site visits. When a site does not meet the test security requirements, ETS will work with the CDE to determine the next action item, such as instigating a security breach investigation. ETS will submit the final report for a site visit to the CDE within ten (10) business days after the completion of that site visit.

### 4.3. Investigating Security Breaches

ETS will conduct an investigation of any confirmed test security breach that may compromise the CAASPP administration. An investigator from OTI will be available within 48 hours to handle security concerns related to the CAASPP administration.

Investigations will include interviews with test administrators and/or test examiners, students (at the discretion of the LEA), CAASPP test site coordinators, users with the Interim Assessment Administrator Only role, and any others who had access to the test materials (online or paper). ETS also analyze data from computer-based incident response and forensic investigation. These investigations will attempt to determine the identity of those involved in the incident, recover any missing material, and assess the extent to which they compromised the test content.

For all reported security breaches, ETS will coordinate and communicate the investigation with the CDE. If the breach involves Smarter Balanced test materials, ETS will work with both the CDE and Smarter Balanced to conduct the investigation and determine the proposed resolution. If the breach occurred in one or more of the member states, ETS assumes that Smarter
Balanced will notify the CDE, and will coordinate with both the CDE and Smarter Balanced to mitigate the breach.

When requested, OTI will conduct an immediate on-site investigation in response to security breaches. As required, ETS will obtain the CDE’s approval prior to the investigation. OTI will investigate and report results to CAASPP program management within five (5) business days of being informed of a security breach. When necessary, ETS will provide immediate reports through telephone and/or e-mail.

In-Touch auditors will immediately report any breaches to OTI, and OTI will notify CAASPP program management, which will in turn will immediately notify the CDE. ETS requires auditors to file an online site visit form with ETS within three (3) business days of the site visit.

ETS will submit a summary report of the investigation within ten (10) business days following the conclusion of the investigation.
TASK 5: Accessibility and Accommodations

ETS is committed to establishing that California students have the most accessible user experience with the CAASPP System. In this section, an overview is provided of the appropriate universal tools, designated supports, and accommodations that are available in compliance with Smarter Balanced policies (for the Smarter Balanced assessments) and with the most recent version of the California Code of Regulations, Title 5, Section 850 et seq., as adopted by the SBE.

5.1 Accessibility Plan for Computer-Based and Paper-Pencil Tests

5.1.A. Computer-Based Tests

ETS will use the AIR proprietary TDS to deliver all CAASPP computer-based assessments including: Smarter Balanced Summative Assessments, Smarter Balanced Interim Assessments, CAA for ELA and mathematics, CAA for Science, CAST, and CSA. ETS will provide students access to all of the appropriate universal tools, designated supports, and accommodations needed for the computer-based assessments. ETS will provide recommended plans to the CDE for implementing the accessibility supports for each CAASPP program.

The accessibilities available for the Smarter Balanced assessments will align with the most recent version of the Smarter Balanced Usability, Accessibility, and Accommodations Guidelines (see table in Appendix D).

For the non-Smarter Balanced CAASPP assessments, ETS will collaborate with nationally recognized experts externally and within ETS to develop test designs that are appropriate for the students and content standards assessed. In addition, ETS will obtain feedback from the experts as well as other stakeholders to identify the most appropriate accessibility supports for each assessment. The accessibility supports will be consistent, when the construct necessitates, with the accessibility supports available for the Smarter Balanced assessments. As new accessibility supports are considered, ETS will review the technology or feature and make recommendations to the CDE subject to CDE’s approval. California will be able to determine whether test administrators may adjust settings at the beginning of the session or whether access to specific features requires higher-level authorization.

ETS intends to work with Smarter Balanced and the state of California to implement new tools or supports in the student interface and secure browser. ETS is committed to working with the CDE and Smarter Balanced to support emergent technologies and accessibility features to the greatest extent possible. As new opportunities arise, ETS will review the technology or feature and make recommendations to the CDE and, if appropriate, Smarter Balanced on the potential systems and impact. ETS will implement new technology or features that are approved in writing by the CDE and ETS.

According to the CDE’s needs and preferences, ETS offers the following choices so that each accessibility support can be:

- available to all students
- assigned to students in advance through data upload or through the designated state, LEA, or school administrators
- assigned to students at testing time by the test administrator
At the beginning of the contract and annually thereafter, ETS will make recommendations to the CDE on the assignment of the tools and supports. ETS’s recommendations will be based on experiences from the previous year’s CAASPP administration as well as information from other sources if available such as the California Special Education Management Information System (CASEMIS) and TOMS.

5.1.A.1. Print on Demand

The AIR system will continue to support the print on demand accommodation for items. It is the responsibility of the local test administrators to securely destroy any items that were printed. The test administration manuals developed for each assessment and the test security Webcast will provide full instructions for the secure destruction of locally printed secure test materials. Test security site visit audits, described in Task 4, will include audits of the proper handling of these secure materials.

The TDS will deliver real-time adaptive braille; large print, AIR’s secure print-on-demand feature, which prints an item or item group to a designated printer, for large print and other paper assessments, or to an embosser for braille forms. Only the computer-based assessments will be available through the Print-On-Demand feature that is available in the TDS. Task 7.2.A.2. provides information on the paper-pencil braille and large print materials.

The print-on-demand function are protected with security controls at three levels:

- embedded security in the print-on-demand function
- authentication, which confirms that only authorized users access information
- policy and test administration procedures, which confirm the proper handling, retrieval, and tracking of secure materials

5.1.A.2. Assistive Technology

The TDS currently supports a wide array of assistive technologies, and ETS continues efforts to expand the classes of these assistive technologies. The system’s streamlined interface adheres to the current version of the Web Content Accessibility Guidelines, and AIR is actively working to secure certification of compliance. Permissive mode is built into the system, which relaxes these security restrictions for individual students who need to use such technologies.

The TDS currently works with a variety of refreshable braille devices, screen readers, on-screen keyboards, and a wide array of input devices.

ETS will collaborate with the CDE to understand the assistive technology needs of California LEAs and students. While it is impossible for any organization to guarantee support for unknown hardware and software, ETS is committed to providing accessibility for all students.

5.1.A.3. Translations

The TDS will support all means of translation access which Smarter Balanced has designed within its Assessment Delivery System or which the CDE determines to be available for the new CAASPP assessments. The availability of access features, embedded supports, and accommodations is completely configurable, at the CDE’s direction.

ETS will provide written translations of test directions in 12 languages. ETS will support the translated test directions as provided by Smarter Balanced for the Smarter Balanced
Summative Assessments for ELA and mathematics. ETS will work with the CDE to determine the languages designated for the non-Smarter Balanced CAASPP assessments.

Translations for Smarter Balanced Assessments

ETS’s system will deliver Smarter Balanced items with translation tags for all required language translations, and the provided translations will remain consistent with Smarter Balanced specifications. These translations include Spanish, Arabic, Vietnamese, Cantonese, Mandarin, Tagalog, Punjabi, Korean, Russian, Ilocano, Ukrainian, and American Sign Language (ASL).

Translation Glossaries for CAST

Translation glossaries are an embedded designated support that provides for selected construct-irrelevant terms for CAST. Similar to the mathematics translation glossaries provided by Smarter Balanced, the CAST translation glossaries will be available in written and audio formats. The translation glossaries will be available as part of the TDS. For translation glossaries, ETS will select a subset of items that will be identified to translate construct-irrelevant items that will total to approximately 300 – 350 words for each of the three grade-level tests developed, for an estimated total of 900 – 1,050 words.

ETS assessment development specialists will work with EL specialists to identify the words that are recommended for translation. ETS will submit the recommended word lists to the CDE for review and approval. The CDE-approved word lists will then be submitted to ETS’s translations services vendor. ETS will provide CAST translation glossaries in 12 languages as specified in the SBE-adopted California Code of Regulations.

If Smarter Balanced implements additional glossaries such as an illustrated glossary, ETS will assess the impact of implementing the new glossary and provide recommendations to the CDE. If the CDE request that the new glossary be implemented under the current 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.

In addition, ETS will provide stacked\(^3\) translations of the CAST in Spanish. ETS assumes that the CDE will provide its own language experts to conduct the CDE reviews. At the CDE’s direction, ETS will arrange to have an independent review completed.

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\(^3\) Stacked translations are a language support. Stacked translations are available for some students; stacked translations provide the full translation of each test item in Spanish above the original item in English.
5.1.B. Paper-Pencil Tests

ETS assumes that the following assessments\(^4\) will require braille and large print versions in accordance with student individualized education program (IEP) requirements:

- Smarter Balanced ELA and mathematics, grades three through eight and grade eleven
- California Standards Tests (CSTs) and California Modified Assessment (CMA) for Science in grades five, eight, and ten (for the 2015–16 administration)
- Standards-based Tests in Spanish (STS) for Reading/Language Arts (RLA) in grades two through eleven (2015–16 and 2016–17 administrations)

The print quantities of the CST/CMA for Science (2015–16 administration) and the STS RLA braille and large-print test books will be estimated based on usage from previous administrations and take into account any other factors that could influence volumes. The quantities of the Smarter Balanced braille and large-print test books will be based on orders provided by LEAs through TOMS by December 1 annually.

ETS will provide detailed LEA CAASPP coordinator instructions and test administrator directions to support the test for the special versions.

ETS will produce sufficient quantities of the special version test booklets and supporting answer documents to support the initial orders, any supplemental orders, and any samples necessary to support review and archival processes. ETS will continue to make available the Smarter Balanced special versions of tests, along with their accompanying test materials, even when the standard paper-pencil version is no longer administered.

5.1.B.1. Braille and Large Print Testing Materials

ETS will print the CST and CMA Science braille and large print materials for the 2015–16 administration. ETS will provide the STS braille and large print materials through the term of the contract. ETS will print the Smarter Balanced Summative Assessment braille and large print materials for the 2015–16, 2016–17, and 2017–18 administrations as described in Task 7.

Braille Versions of the CST and CMA Science tests and STS RLA Tests

Braille versions for this contract will be based on existing braille versions of the previously administered assessments. ETS assumes that there will be some level of updates and edits to existing braille materials.

If revisions to the existing braille versions are required, ETS will use contracted braille for CST sciences and CMA sciences and uncontracted braille for STS grades two through eleven.

Fixed-Form, Paper Braille Versions of the Smarter Balanced Summative Assessments

For the 2015–16 administration, ETS will print the fixed-form braille versions provided by Summative Assessments for all grades and content areas as a print-ready PDF. ETS will brand

\(^4\) Although operational during the life of the contract, ETS assumes that the California Alternate Assessments for ELA and mathematics and the CAPA for Science will not require braille and large print versions since the proposed assessment design is primarily an examiner-led test delivery. CAST, CAA for Science, and CSA will be online administrations only; the braille, large print, and other accessibility features for these assessments will be supported via the TDS and will be implemented within a timeframe that is appropriate for each assessment, which may extend beyond the terms of this contract.
the braille versions with CAASPP-specific covers. There will be no other revisions made to the Smarter Balanced braille versions.

Beginning with the 2016–17 administration, ETS will provide computer-based braille versions of the Smarter Balanced Summative Assessment that are fixed form versions for delivery through the TDS. LEAs may opt to administer the computer-based fixed form braille version to a student instead of administering the CAT and performance task. To accompany the computer-based fixed form braille versions, ETS also will provide LEAs with hard copies of the embossed graphics packages. The graphics packages provide item information such as pictures or other stimuli that may be difficult to braille via a braille reader or embosser during testing.

**Large-Print Versions of the CST/CMA Science and STS RLA Tests**

Large-print versions for this contract will be based on existing large print versions of the previously administered assessments. Like the braille versions, ETS assumes that there will be some level of updates and edits to the existing large print materials.

If revisions are needed to the existing CST for Science, CMA for Science, or STS for RLA large print versions, ETS test developers will identify those items that require special attention from the staff responsible for producing the large print forms. The large print version will be produced in a font format that is equivalent to 20-point Arial.

**Large-Print Versions of the Smarter Balanced Summative Assessments**

ETS assumes that Smarter Balanced will not provide a large print version of the Smarter Balanced tests. ETS will produce large print versions that meet the standard state requirements that approximate 14-point font through photo enlargement. ETS will indicate which items cannot be used for scoring because of art or graphics that may be affected by enlargement, and about the spacing of materials that affects performance on items.

ETS will print the large print test forms on 11" x 17" paper. The large print test forms will follow the pagination of the standard-size test book.

**Distribution of Printed Braille and Large Print Testing Materials**

For the 2015–16 and 2016–17 administrations, ETS will package printed test forms into kits that are ready for distribution to the LEAs on the same schedule as the standard version of the tests. LEAs will use ETS's system to order braille and large print kits, just as they do for the standard test materials.

Braille kits will include:

- braille test booklet
- operational test booklet
- braille response document
- operational response booklet
- directions for administering, transcribing, and returning braille tests
- boxes and envelopes, along with pre-paid return shipping labels, included in the shipment of all materials to the LEAs
Large print kits will include:

- large print test booklet
- booklet directions for administering, transcribing, and returning large print tests
- boxes and envelopes, along with pre-paid return shipping labels, included in the shipment of all materials to the LEAs

ETS will discuss the proposed plans in the project planning meeting, and ETS will make any adjustments to existing procedures or plans for development of accommodated materials.

**Scoring of Braille and Large Print Testing Materials**

Student responses for the CST/CMA science (2015–16 administration) will be marked on a paper-pencil answer document and will be returned to the ETS scoring center for processing.

Student responses for the STS RLA tests (2015–16 and 2016–17 administrations) will be marked on a paper-pencil answer document and will be returned to the ETS scoring center for processing. For the 2017-18 administration, ETS will provide LEAs with printed braille and large-print STS test materials for students whose IEPs specify the use of these materials. LEAs who use the braille or large print paper STS tests will be responsible for entering the student responses directly into the STS Online Pilot test delivery system in order for the student responses to be scored and reported.

ETS assumes that the Smarter Balanced paper-pencil Summative Assessments will be available by August 1 annually from Smarter Balanced. Refer to Task 7 for additional information on the production of the braille and large print Smarter Balanced forms.

**5.2. Unlisted Resources (previously referred to as “Individualized Aids”)**

All of the universal tools, designated supports, and accommodations currently required by California are supported. That said, ETS also understands that new technology and accessibility features will become available in the future.

To support this, ETS’s secure test delivery system will include a feature by which LEA CAASPP coordinators could request the use of unlisted resources. Using TOMS, the LEA CAASPP coordinator can select a request button while viewing a student profile. The request would automatically generate a request form linked to that student and would include all required information including:

- LEA name, County-District-School (CDS) code, and mailing address
- LEA CAASPP coordinator’s name and contact information
- the LEA or site testing window, test, and grade
- the Statewide Student Identifier (SSID) for the student for which the accessibility is requested

The LEA CAASPP coordinator would then provide information on the unlisted resource(s) being requested and description of student need(s) that would be addressed by the individualized aid.
If the CDE would like to expand the ability to request unlisted resources to others, for example the test administrator, ETS can configure the user roles to allow for this at no additional cost to the CDE.

Annually at the end of each administration, ETS will provide a summary to the CDE of the unlisted resources requested and the CDE’s decisions made for each request.
TASK 6: Assessment Development

ETS will provide a design plan that provides flexibility based on SBE direction and in collaboration with the CDE. Design and item development through forms construction is performed by ETS Assessment Development with guidance from the lead Psychometrician.

6.1. Assessment Design

For the new assessments, ETS will establish test design teams that include representatives from ETS internal areas of Assessment Development, Statistical Analysis, Program Management, and Information Technology, as well as representatives from ETS’s test delivery partner, AIR.

ETS will work with the CDE to engage the appropriate national and state-specific experts to participate in these test design teams. Figure 4 provides an overview of ETS’s test design team structure.
Once the SBE has approved the design plan for each assessment, ETS will begin the test design process with two steps foundational to the evidence-centered design (ECD) process:

- identification (based on the CDE’s guidance) of the specific uses of student scores and the claims that the CDE wishes to make based upon those scores
- creation of detailed descriptions of the learning domains to be covered in the assessment

California Science Tests (CAST) and California Alternate Assessments for Science (CAA for Science)

For planning purposes, ETS assumes that the test development activities for the CAST and CAA for Science focus on the assessments required to meet federal accountability. CAST and CAA for Science will be based on the California Next Generation Science Standards (CA NGSS) adopted by the SBE in 2013.

ETS will work with the CDE to develop a high-level test design for the new CAST that includes stakeholder input. ETS anticipates that the CDE will request SBE approval of the high-level test design for CAST during the March 2016 Board meeting. The high-level test design will include the timeline for the CAST pilot and field test activities that are described in this SOW.

ETS and the CDE also will collaborate with stakeholders to develop the conceptual design for the CAA for Science. ETS anticipates that the CDE will request SBE approval of the CAA for Science conceptual design during the July 2016 Board Meeting. The conceptual design will include the timeline for the CAA for Science pilot test activities that are described in this SOW.

ETS will work with the CDE to develop new CAST assessments in grades five, eight, and once in high school, to be determined through stakeholder input and approved by the CDE and the SBE. Development activities for the CAA for Science are described with the California Alternate Assessment activities within this task. The CAA for Science will be in the same grades as CAST: grades five, eight, and once in high school. ETS will work closely with the CDE to develop the CAST and CAA for Science to best meet the state’s vision. Other sources of appropriate items may be considered to create the necessary pool for test development and other resources.

A high-level timeline of CAST and CAA for Science development activities for the duration this contract is shown in Table 3 below.
### Table 3. High-level Test Development Timeline for CAST and CAA for Science

<table>
<thead>
<tr>
<th>Administration Year</th>
<th>CAST Activities</th>
<th>CAA for Science Activities</th>
</tr>
</thead>
</table>
| **2015–16**          | • Draft test design with the CDE and other stakeholders  
                       • Receive approval from the SBE for high-level test design  
                       • Develop draft blueprints  
                       • Develop General ALDs  
                       • Develop sufficient items for each grade to include on  
                         o Pilot Test  
                         o Training Test  
                       • Draft test design with the CDE and other stakeholders  
                       • Receive approval from the SBE for high-level test design  
                       • Develop one training test sample embedded performance task  
                       • Develop census pilot test – Year 1 items  
                         o one embedded performance task for grades 5 and 8, and high school |
| **2016–17**          | • Administer census pilot test  
                       • Write initial item/task specifications  
                       • Develop sufficient number of items for field test  
                       • Conduct rangefinding of pilot test CR items  
                       • Complete pilot test CR scoring  
                       • Update training test with revisions from stakeholders  
                         o Add accessibility supports  
                       • Conduct pilot test data review  
                       • Conduct review of items developed for field test  
                       • Produce pilot test technical report  
                       • Administer census pilot test  
                       • Write initial item/task specifications  
                       • Develop census pilot – Year 2 items  
                         o Sufficient number of embedded PTs for field test by grades 5, 8, and high school to administer a minimum of 3 embedded PTs for each grade (i.e., grades 5, 8, and once in high school)  
                       • Develop two training test samples embedded performance task for each grade (i.e., 5, 8, and high school)  
                       • Conduct pilot test – Year 2 item review  
                       • Produce pilot test summary report |
| **2017–18**          | • Finalize blueprints for SBE approval  
                       • Finalize General (Policy) ALDs for SBE approval  
                       • Develop and add additional items when appropriate to create a training test in grades five, eight, and high school  
                       • Administer census field test  
                       • Conduct cognitive labs  
                       • Conduct field test data review  
                       • Complete field test CR scoring  
                       • Review and revise test blueprint, if necessary  
                       • Produce field test technical report  
                       • Finalize blueprints for SBE approval, including Core Content Connectors  
                       • Finalize General (Policy) ALDs for SBE approval (ETS to fill an advisory role to the CDE for this task, similar to the process used for CAA ELA and mathematics)  
                       • Administer census Year 2 Pilot  
                       • Conduct pilot test – Year 2 data review  
                       • Produce pilot test – Year 2 technical report |

The CAST will consist of a census pilot test in 2016–17 and a census field test in 2017–18. For the pilot test, ETS will administer 30 discrete items for grade five, 36 discrete items for grade eight, 36 discrete items for high school, and three performance tasks one for each grade (i.e., grades five, eight, and high school). For the field test, ETS will develop a sufficient number of discrete items and performance tasks per grade based upon the draft blueprint, as directed by
the CDE, to build the pool for a multi-stage adaptive test within the first two operational years. A blueprint and general ALDs will be drafted for the CDE review and will be presented to the SBE in fall 2017 for approval. (Content-specific ALDs and standard setting are not included in this scope of work.)

The final set of items to be administered in the field test will be based on the SBE-approved blueprint. If the SBE-approved blueprint differs from the draft blueprints used during the item development process for CAST, ETS will assess the impact of the changes to the test development activities and field test. ETS will provide recommended actions to the CDE in order to address the changes. This blueprint impact analysis also applies to the blueprints for CAA for Science. If approved blueprints are different from the draft blueprints, ETS and the CDE will collaborate to reach a mutually agreed upon solution for field testing the CAST or the CAA for Science.

In order to develop items for CAST, ETS will develop task models. ETS defines “task model” as a set of documents to guide item developers and reviewers on approaches to item development, alignment to performance expectations, and characteristics of the components of the performance expectations (i.e., Science and Engineering Practices [SEPs], Disciplinary Core Ideas [DCIs], Cross Cutting Concepts [CCCs]) and will provide documentation of the test development process for peer review. The draft task models will be written in 2016–17, and revisions and refinements to the task models are expected as data and feedback from the pilot test is gathered.

The CAA for Science will be developed as an “embedded performance task” design that permits closer integration of assessment with classroom instruction. ETS will develop sufficient numbers of items that will result in an item bank to cover the SBE-approved blueprint. To address test security concerns due to the embedded design, ETS will take into consideration an item refresh rate that will maintain a robust operational item bank. Two census pilots will be administered:

- For Pilot Year 1 in the 2016–17 administration, ETS will develop a sufficient bank of items to yield a target of three tasks for pilot testing: one each for grade five, grade eight, and high school.
- For Pilot Year 2 in the 2017–18 administration, ETS will develop a sufficient bank of items to yield a target of nine tasks for pilot testing: three each for grade five, grade eight, and high school.
- In addition to developing tasks for pilot testing, ETS will develop a sufficient number of items to yield a target of six additional tasks for training purposes: two each for grade five, grade eight, and high school.

ETS will develop CAA for Science blueprints in collaboration with the CDE and within a mutually agreed-upon timeline. Formal field testing, content-specific ALD development, scoring, and reporting are not included in this scope of work. ETS will advise the CDE in the development of general ALDs for CAA for Science using the same process as for the CAA for ELA and mathematics ALD development.

**California Alternate Assessments for ELA and Mathematics**

Per EC Section 60640(b)(3), the CAA is limited to the same grades and subject areas assessed by the Smarter Balanced Summative Assessesments (i.e., ELA and mathematics in grades three through eight, inclusive, and grade eleven). ETS will incorporate the ECD test development process with a high-level test design focused on the principles of universal design for learning.
Using these concepts to guide test design and item development will allow ETS to create an assessment that is accessible to the widest range of students—and the resulting test scores will accurately reflect the claims of the assessment.

ETS proposes an innovative design that could evolve towards a pre-equated adaptive assessment at each grade, from three through eight and grade eleven. For ELA and mathematics this design will need to evolve from an initial post-equated two-stage adaptive assessment in the 2015–16 and 2016–17 administrations to potentially a pre-equated two-stage assessment in the 2017–18 administration. Post-equating involves the scoring of tests after the administration is complete and all test data is received, and is necessary if prior statistics are unavailable for items. Starting with the 2017–18 administration, scoring can be conducted earlier using “pre-equated” test forms, and results will be reported on the same timeline as other CAASPP assessments. ETS will work with the CDE and with California stakeholders to determine if this proposed design meets the state’s needs.

The core elements of the CAA for ELA and mathematics include:

- test design and item development to allow for students at all achievement levels, from essential understanding to CCC, to show what they know and can do
- incorporating student background characteristics into assessment design and analysis
- accessible and flexible delivery of assessment tasks that allow for diversity of student communication, attention, and sensory needs to show what they know and can do

Working with the CDE, ETS will identify a plan for a two-stage adaptive test design for CAA ELA and mathematics that meets core psychometric requirements and is reasonable in test length and cost.

The ETS item development plan will support the exploration of acquiring and incorporating item banks such as National Center and State Collaborative (NCSC) as those item banks become available to California. This will offer California comparable measurement precision with reduced testing time compared to the 2015 NCSC test design. ETS anticipates receiving the NCSC items in FY 2016–17. ETS, in consultation with the CDE, will review the available NCSC items in both ELA and mathematics and will select items that are a good fit for adaptation and use for CAA for ELA and mathematics. ETS will incorporate the items into the item bank for possible use in future CAA for ELA and mathematics test administrations. In the 2017–18 administration, ETS will modify NCSC items consistent with CAA item style guide and begin field testing NCSC-derived items by embedding these items into the operational forms. These modified NCSC-derived items will require item statistics prior to the items being used on pre-equated operational forms.

Incorporate Student Background Characteristics into Assessment Design and Analysis

Recent advances in alternate assessment design recognize the value of using data on student background characteristics to:

- evaluate the fairness of assessments for different groups of students
- document the validity of the assessment based on external criteria
- route students to appropriate test difficulty
- inform standard setting
ETS will work with the CDE to target a specific area of potential use for student background characteristics to investigate.

An efficient way of collecting background information is through the use of a short student inventory that teachers can complete during a student’s first year of testing, with a shorter version for subsequent years. One example of this is the NCSC Learner Characteristic Inventory (LCI): http://www.ncscpartners.org/media/default/pdfs/lci-project-report-08-21-12.pdf. California teachers who completed the NCSC pilot tests completed the LCI, which allowed for deeper analysis of pilot test and field test data. In addition, ETS can use the NCSC LCI along with the NCSC Student Response Check (SRC) to route students in an adaptive assessment, or to determine test stopping rules for students who are unable to respond to test items due to their current functional levels.

ETS will work with the CDE to adapt the LCI or develop a similar inventory for California, called the Survey of Student Characteristics (SSC), that allows administration to either students or teachers to describe a student’s abilities relevant to the constructs that the test measures. Another possible flexibility is to use teacher ratings to inform “stopping rules” (e.g., using teacher ratings in conjunction with a screening assessment to identify students without a foundational level of communicative competency).

Finally, ETS will work with the CDE to include one question (per content area) to allow teachers to rate student abilities in relation to applicable achievement-level descriptors (ALDs) (for example, the Performance Level Descriptors [PLDs] likely available from NCSC for ELA and mathematics and new CAA for Science PLDs) that summarize the grade- and content-specific knowledge and skills expected of students at different levels of proficiency. This additional question would simply ask the teacher to identify the level of proficiency that most closely matches the level of proficiency that the student demonstrates in the classroom. What would emerge is a grouping of students by achievement levels based in part on the recommendations of teachers who have the most knowledge of and experience with the students. Then, once ETS receives each student’s test score information, ETS will have a clear relationship between item and test performance and student ability levels. ETS may apply a contrasting-groups analysis to these data to recommend preliminary or tentative cut scores—the minimum test score needed to enter a proficiency level.

After completing analyses of first-year data from administering the SSC, ETS will work with the CDE to determine whether future operational use of the SSC is appropriate. In addition, ETS will present overall SSC findings to the CDE in a format that best meets the CDE’s needs.

**Accessible and Flexible Delivery**

The third core element of an alternate assessment is accessible and flexible delivery of test content. Students with significant cognitive disabilities use a wide diversity of expressive/receptive communication modes. For example some students use various augmentative and alternative communication (AAC) systems, while others may respond verbally, through sign language, or through gestures, verbalizations, or facial expressions. To accommodate this diversity, ETS will use an online delivery platform along with individualized administration that allows for print-on-demand paper or tactile delivery and scribe/reader facilitated administrations for students for whom these accommodations are appropriate.

**California Spanish Assessment**

In 2015–16, ETS will work with the CDE to develop a careful and collaborative design process that includes national advisors and stakeholder input. ETS will work with the CDE to develop a
high-level test design for the new California Spanish Assessment (CSA). The CSA will assess reading, writing, and listening in Spanish, and will be aligned with the California Common Core State Standards en Español, which will include linguistic augmentations specific to the Spanish language. It is anticipated that the high-level test design will be recommended for SBE action in September 2016.

The final set of items to be administered in the field test will be based on the SBE-approved blueprint. If the SBE-approved blueprint differs from the draft blueprints used during the item development process for CSA, ETS will assess the impact of the changes to the test development activities and field test. ETS will provide recommended actions to the CDE in order to address the changes. If approved blueprints are different from the draft blueprints, ETS and the CDE will collaborate to reach a mutually agreed upon solution for field testing the CSA. A high-level timeline of CSA development activities during the duration of this contract is shown in Table 4 below.

Table 4. High-Level Test Development Timeline for CSA

<table>
<thead>
<tr>
<th>School Year</th>
<th>Activities</th>
</tr>
</thead>
</table>
| 2015-16      | • Draft high-level test design  
               • Consult with national advisors and stakeholders on the test design of the CSA |
| 2016-17      | • Finalize high-level test design for SBE approval  
               • Develop Pilot Test passages and items  
               • Conduct item writer training  
               • Review Pilot Test passages and items with educators  
               • Draft, finalize, and receive approval of Pilot Test plan  
               • Develop draft test blueprints and General ALDs  
               • Conduct blueprint review meeting with educators  
               • Develop Field Test passages and items  
               • Conduct item writer training  
               • Review Field Test passages and items with educators  
               • Deliver Pilot Test Technical Report Outline |
| 2017-18      | • Administer Pilot Test  
               • Conduct cognitive labs  
               • Deliver Pilot Test technical report  
               • Draft, finalize, and receive approval of Field Test plan  
               • Finalize test blueprints and General ALDs for SBE approval  
               • Deliver Field Test Technical Report Outline |
| 2018-19      | • Build test forms for the operational test  
               • Develop content-specific ALDs  
               • Administer Field Test  
               • Conduct Field Test Data Review  
               • Produce Field Test technical report  
               • Finalize operational test forms (through Dec. 31, 2018) |
The purpose of the CSA will be to measure a student’s competency in Spanish language arts in grades three through eight and high school for the purpose of:

- providing student-level data in Spanish competency
- providing aggregate data that may be used for evaluating the implementation of Spanish language arts programs at the local level
- providing a high school measure suitable to be used, in part, for the State Seal of Biliteracy

The targeted test-taking population of the CSA will consist of:

- students receiving instruction in Spanish in California
- students seeking a measure that recognizes their Spanish-specific reading, writing, and listening skills

ETS will use a test development process similar to that used for Smarter Balanced. While the complexity of the items are similar, the CSA is not a translation or adaptation of the Smarter Balanced ELA test.

**Process for Working with the CDE and its Stakeholders in Designing and Developing Test Designs**

ETS will implement the following plan to help California design forward-looking yet practical assessments for CAST, CAA for Science, and CSA. ETS understands that the state will undergo a thorough process by which the State Superintendent of Public Instruction (SSPI) will provide assessment recommendations to the SBE and legislature for consideration. Test development activities for CAST, CAA for Science, and CSA will commence upon direction by the CDE. The work will proceed in the following stages as described in Table 5.
Table 5. Summary of Process for Designing and Developing California Assessments

<table>
<thead>
<tr>
<th>Process Step</th>
<th>Associated Tasks</th>
<th>Deliverables to the CDE for Review and Approval</th>
</tr>
</thead>
</table>
| Step 1: Create a Draft High-Level Design Document for the CDE’s Consideration | • convene ETS and external subject matter experts  
• develop draft claims and propose evidence to support those claims  
• identify items, tasks, stimuli, passages, and simulations to provide evidence  
• determine test format                                                                 | Draft High-Level Design Document |
| Step 2: Review Initial Draft of High-Level Design Document        | • stakeholders meet throughout the state                                                                 | High-Level Design |
| Step 3: Produce Detailed Task and Test Specification Documents    | • draft test blueprints  
• develop specifications for items and tasks  
• develop specifications for test forms  
• draft initial achievement-level descriptors (ALDs)  
• draft plan for producing operational results of assessment                                                                 | Detailed Specifications Documents (i.e., pilot test plan, field test plan) |
| Step 4: Conduct Reviews of Detailed Item and Test Specifications and ALDs | • review with the CDE staff  
• conduct stakeholder outreach                                                                 | Revised Documents |
| Step 5: Finalize Design and Specifications Documents              | • finalize documents based on input collected in Step 4                                                                 | Final Documents. |

6.2. Item and Task Development

All items that ETS develops will meet the technical criteria established in the American Educational Research Association (AERA), the American Psychological Association (APA), and the National Council on Measurement in Education (NCME) Standards for Educational and Psychological Testing.

ETS Item and Task Development Processes

In Table 6, ETS describes the standard item and task development processes, which ETS will use for the CAASPP System. Note that ETS discusses both standard processes for more traditional items, as well as the robust processes ETS uses for the development of more complex items types (e.g., interactive and scenario-based tasks).

Table 6. Summary of Process for Item and Task Development for California Assessments

<table>
<thead>
<tr>
<th>Process Step</th>
<th>Associated Tasks</th>
<th>Deliverables to the CDE for Review and Approval</th>
<th>Assessments for which the Process Step is Applicable</th>
</tr>
</thead>
</table>
| Step 1: Review Existing Item Pools | Existing items will be evaluated and placed into one of the following categories:  
• item aligns with the test specifications and can be used in the assessment as is                                                                 | Analysis Report                                      | CSA                                                 |
<table>
<thead>
<tr>
<th>Process Step</th>
<th>Associated Tasks</th>
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<tbody>
<tr>
<td></td>
<td>Deliverables to the CDE for Review and Approval</td>
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<tr>
<td></td>
<td>Assessments for which the Process Step is Applicable</td>
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<tr>
<td>Step 2: Create and Submit Annual Development Plans</td>
<td>• detailed development targets by content classification, item type and grade</td>
</tr>
<tr>
<td></td>
<td>• identification of all deliverables, including items, rationales, rubrics, stimuli, copyright permission, etc.</td>
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<tr>
<td></td>
<td>• definition of metadata that will be associated with all items and tasks</td>
</tr>
<tr>
<td></td>
<td>• description of major review steps</td>
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<tr>
<td></td>
<td>• a detailed schedule for the development process</td>
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<td></td>
<td>Item Development Plan</td>
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<td></td>
<td>CAA for ELA</td>
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<td></td>
<td>CAA for Mathematics</td>
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<td></td>
<td>CAA for Science</td>
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<td></td>
<td>CAST</td>
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<tr>
<td></td>
<td>CSA</td>
</tr>
<tr>
<td>Step 3: Recruit and Train Item Writers</td>
<td>• selection and training of item writers</td>
</tr>
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<td></td>
<td>• item writing assignments</td>
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<tr>
<td></td>
<td>Item Writing Workshop Plan</td>
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<tr>
<td></td>
<td>CAA for ELA</td>
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<td></td>
<td>CAA for Mathematics</td>
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<td>CAA for Science</td>
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<tr>
<td></td>
<td>CAST</td>
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<tr>
<td></td>
<td>CSA</td>
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<tr>
<td>Step 4: Creation of Items and Tasks</td>
<td>• draft quality items ranging from the simpler to the most complex and innovative</td>
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<tr>
<td></td>
<td>• develop associated metadata establishing item alignments to the framework targets</td>
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<td></td>
<td>• utilize Agile Development</td>
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<td></td>
<td>Deliverable in Step 6</td>
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<tr>
<td></td>
<td>CAA for ELA</td>
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<td>CAA for Mathematics</td>
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<td></td>
<td>CAST</td>
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<tr>
<td></td>
<td>CSA</td>
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<tr>
<td>Step 5: Internal Reviews at ETS</td>
<td>• three internal content reviews</td>
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<td></td>
<td>• an internal editorial review</td>
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<td></td>
<td>• an internal bias and sensitivity review</td>
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<td></td>
<td>Deliverable in Step 6</td>
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<td>CAA for ELA</td>
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<td>CAA for Mathematics</td>
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<td>CAST</td>
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<td></td>
<td>CSA</td>
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<tr>
<td>Step 6: Submission of Items and Tasks to CDE and CDE Review</td>
<td>• performance task development</td>
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<td></td>
<td>• technology-enhanced item development</td>
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<td></td>
<td>Draft Items and Tasks</td>
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<td>CAA for ELA</td>
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<td>Process Step</td>
<td>Associated Tasks</td>
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<tr>
<td></td>
<td>• traditional item development</td>
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</table>
| Step 7: External reviews with content and bias and sensitivity review groups | • recruit external reviewers  
• prepare the necessary materials  
• facilitate review  
• record results | Meeting Summary Report | CAA for ELA  
CAA for Mathematics  
CAA for Science |
|              |                  |                                                | CAST                                             |
|              |                  |                                                | CSA                                              |
| Step 8: Alternate Test Formats | • follow American Printing House for the Blind (APH) and ETS guidelines for refreshable braille |                                             | CAST                                             |
|              |                  |                                                | CSA                                              |

**Step 1: Review Existing Item Pools**

Once ETS has completed test designs, ETS will review any relevant existing items or passages in the California pools for appropriateness for the tests. ETS understands that it is not sufficient that an item can be “classified” according to a standard. For example, for CAST, items must truly measure the core ideas, practices, and cross-cutting concepts of CA NGSS, and must fit the new assessment specifications. For CAST, a review of the items used to assess the previous science standards was conducted in 2015. In agreement with the CDE, very few items from the science items in California’s Standardized Testing and Reporting (STAR) item bank could be used to assess the new CA NGSS.

**Step 2: Create and Submit Annual Development Plans**

After completing the review of the existing pools (where appropriate), ETS will complete a plan for item and task development for each new assessment.

Since CAA for ELA and mathematics administration will be an operational assessment beginning with the 2015–16 administration, the initial development plan will be constructed to allow for operational field testing in 2015–16 and 2016–17 to augment the item bank, followed by embedded field testing to maintain the bank in 2017–18 administration. ETS will submit the initial item development plans for alternate ELA and mathematics by December 2015, and the schedules for Steps 3 through 8 will be based on a December 2015 approval date by the CDE.

For planning purposes for CAST and CAA for Science, the plan will be constructed to allow for pilot testing in the 2016–17 school year. For CAA for Science, pilot testing will extend to a
second year in 2017–18. For the CSA, the plan will be constructed to allow for pilot testing in fall of the 2017–18 administration year. ETS understands that the development plans and schedules for Steps 3 through 8 below will be dependent on SBE approval and directions provided by the CDE to ETS on the assessments to be developed for these areas.

Step 3: Recruit and Train Item Writers

To achieve a strong representation of educators from California in the item development process, ETS with the guidance of the CDE will recruit California educators. When each new development cycle begins, ETS will conduct in-person and virtual item writing workshops that provide an overview of the subject framework, subject-specific guidelines, item writing techniques, factors that influence item difficulty, criteria for selecting stimulus materials, accessibility considerations, determination of appropriate item types to target specific measurement goals, translatability considerations, and bias/sensitivity guidelines.

ETS will give item writers assignments that include item target attributes. Assignments will include additional desired item attributes such as difficulty level, assessment goals, use of specific stimuli including media elements, accessibility guidelines, and tools and simulations. Outside item writers will sign and submit standard confidentiality agreement forms and will submit draft items to ETS electronically using appropriate security measures.

Step 4: Creation of Items and Tasks

Central to the development of items are the standards for which the CDE wants to collect evidence of student understanding. For many standards, the selection of passages and stimuli is a key component to ensuring items and tasks are aligned to the standards. For example, the CCSS for ELA place an emphasis on text complexity as the major differentiator of standards across the grades, and the CCSS for mathematics and the CA NGSS emphasize the application and generalization of knowledge and skills in a variety of settings.

Similarly, the creation of items involves more than the item content. Part of the ETS item development process includes the development of rationales (e.g., for incorrect answer options in selected response items) and scoring information and/or rubrics (e.g., for constructed-response items).

Agile Software Development

ETS will ensure that traditional items (e.g., selected response, technology-enabled items, and constructed-response items) are created to measure accurately specific content and to provide meaningful information based on student responses. ETS also has processes in place for developing more innovative items and tasks that may be required to address performance expectations in CAST, the CSA, and the CAAs.

An Agile Software Development approach will be used for the development of all technology-based performance tasks under this proposal, as used by ETS on NAEP science development for NCES performance tasks. Agile Software Development involves iterative stages of development with clear targets for the development goals and functionality at each stage of the development. Each stage is informed by data collection procedures and review commentary that improves the quality and usability of the final product, so that the critical investments that are needed for sophisticated and complex measurement tasks can be made appropriately at each stage shown below.
**Task Outline Agreement Review.** For science performance tasks, the task concept involves an outline with key elements that will be incorporated into the tasks, including standard item development characteristics such as framework targets and overall formats, but also performance-specific elements such as the inquiry question to be addressed and the independent and dependent variables to be included.

**Alpha Draft Task Agreement Review.** The next stage of review by the CDE will be of a programmed version of the task called the “alpha” build, with final text and all item content in place and mockups of graphics, animation, and functionality.

**Certification Review.** This is a Keep-or-Drop review by the CDE. During this review, the performance tasks are reviewed for their fidelity to the final text agreed upon at the Alpha draft task build text (see above) and for the final functionality as agreed in the Alpha draft task build functionality mockup.

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**Step 5: Internal Reviews at ETS**

ETS has well-established procedures for reviewing all items to ensure they meet California’s expectations. Throughout this multi-step item review process, ETS assessment specialists continuously evaluate the match of the items to the standards, the appropriateness of the items to the population being assessed, the importance of the information being assessed, and the implications for instruction. Another key aspect of item reviews is ensuring conformity with California Test Item Specifications and the California Style Guide. If an item is deemed to be unrelated to the content standards, to not be age appropriate, or to provide inappropriate models for instruction, it is revised or eliminated.

**Step 6: Submission of Items and Tasks to the CDE and CDE Review**

ETS is committed to providing the CDE sufficient time to review and approve all content materials prior to assessment review panels. For performance task development, ETS proposes a schedule where the CDE’s review of traditional items coincides with the Alpha Draft Task Agreement Review of Performance Tasks. The CDE’s review of Technology-Enhanced items will follow an approach similar to selected response and constructed-response items. All items and tasks for each development cycle will be submitted to the CDE for review.

**Step 7: External Reviews with Content and Bias/Sensitivity Review Groups**

ETS will present its plan for the CDE review followed by field review of the items and associated scoring rubrics. All assessment items are to be reviewed upon the completion of item editing. Each item must be reviewed by a Content and Bias/Sensitivity Review Group in each content area to confirm that the item is of high quality, that it has accurate content alignment for that content area, that it measures the skill in a sound manner, that it does not unfairly advantage/disadvantage any student, and that it is not offensive to students, parents, or the public.

**ETS Will Prepare the Necessary Materials and Facilitate Review**

For each meeting, ETS will prepare and provide all required review materials. ETS facilitators will record all external reviewer input in master item books, with a location to mark the reviewer’s judgment of “Accept as is,” “Accept with edits,” or “Reject.” At the conclusion of each meeting, ETS and the CDE representatives will discuss issues or discrepancies in notes or group recommendations. For performance tasks, see the review criteria recording for each
Recruitment of Content and Bias/Sensitivity Reviewers

ETS will seek applications from California educators by e-mailing the application form and process to LEAs. Applicants are vetted by ETS content staff to ensure minimum qualifications; criteria include degree in the appropriate field and teaching experience in the subject assessed. Those applicants who are qualified based on these criteria are forwarded to the CDE, and the CDE makes final selections from the pool of qualified applicants.

Role of External Reviewers

Content reviewers are convened to validate the content appropriateness of all items, passages, and scenario-based tasks prior to inclusion in the bank. ETS facilitators meet with content reviewers (either in person, or in a moderated online review) to discuss each item. Content reviewers consider the following questions as they review assessment materials:

1. Is the content of the item accurate?
2. Is the item correctly aligned to the standard?
3. Is the item an appropriate measure of student ability?

Based on these questions, the reviewer may decide to accept, revise, or reject an item, passage, or task from the bank. All items must complete this review prior to selection for use.

Bias/Sensitivity reviews are conducted to ensure that the content of assessment materials are free of any information or subject matter that may favor one group of students over another (criteria for group differences include gender, race/ethnicity, urban/rural, and socioeconomic status), or that may be disturbing or provoke an emotional response that could affect student performance. In committee recruitment, ETS recommends seeking teacher representatives reflecting the broad diversity of the state’s population to ensure that many perspectives are represented in committee deliberations. Bias and sensitivity reviews are conducted by the Content Reviewers during the Content Review Meetings. ETS will provide facilitators with special training in facilitating bias and sensitivity reviews. Bias/Sensitivity review groups are asked to consider the following questions as they review assessment materials:

1. Does the item, passage, or task contain information that may favor one group over another?
2. Does the item, passage, or task contain information that may be disturbing, controversial, or provoke an emotional response among some test takers?

If the answer to either question is yes, the reviewers will be asked to consider whether the item, passage, or task is an appropriate measure of student ability for the given standard. Based on discussion around this last question, the reviewers may recommend edits to the item, or may recommend it be rejected.

Finally, the reviewers will evaluate the set of items as a whole to determine whether the items, passages, and tasks are representative of the gender, racial/ethnic, socioeconomic, and urban/rural makeup of the state.

Following the Meetings. At the conclusion of each meeting, ETS and the CDE representatives will discuss issues or discrepancies in notes or reviewer recommendations. For performance tasks, see the review criteria recording for each stage of review described above (Accept/Decline followed by revise to Accept for Outline and Alpha Build reviews; Keep/Drop for Certification review stage).
Certification review stage). ETS will provide summary results from the review meetings, including the total number of items accepted as is, the number of items with revision, and the number of items rejected.

Preparation for external alignment evaluation. As described in Task 1, ETS understands that the CDE will contract with an independent evaluator to conduct alignment evaluation studies for CAST, CAA for Science, and the CSA. ETS is familiar with various alignment methods (e.g., Baron, Tannenbaum and Bailey, 2013; Herman, Webb, & Zuiga, 2007; Webb, Herman & Webb, 2007) and will provide the necessary data and test materials to the CDE for this work.

Step 8: Alternate Test Formats

ETS recognizes that some students will require alternate test formats to access test content, even with the focus on universal design and accessible testing platforms. All alternate testing formats will be developed by a specialized unit within ETS’s Assessment Development division, called the Alternate Test Formats (ATF) group, which is devoted to the development of alternate test forms. ETS assessment specialists work closely with the ATF group throughout the process to establish content validity in the adaptations. The Alternate Test Format group collaborates with approved braille vendors to produce embossed braille materials. ETS has experience working with several braille vendors, including but not limited to National Braille Press, Associated Services for the Blind, Region IV, Clovernook, and GH Braille. In addition, the ATF group works with assessment specialists to review Accessible Portable Item Protocol (APIP) tagging of items. APIP tagging standardizes the process for embedding accessibility features for test accommodations, including braille, audio forms, and language accommodations.

6.2.A. Pilot Testing

As part of the annual development plans described in Task 6.1 above for CAST, CAA for Science, and the CSA, ETS will develop piloting plans with the CDE that best suit the advancement of the CAASPP System, including administration of pilot testing of CAST and CAA for Science as census administrations, and as a sample administration for the CSA, for all eligible students in the state and the associated collection of test completion information for all students. In this process, ETS researchers will share measurement advances with the CDE. A pilot testing plan will be provided for each assessment developed.

In general for planning purposes, ETS assumes that a pilot test plan will describe the following:

- Purpose of the pilot and base criteria for evaluating pilot results
- Process by which relevant test administrator observations and student comments can be collected from post-test administration questionnaires
- Preparation, review, and production process for all materials for pilot testing, whether the materials are computer-based or paper
- Sampling plan and proposed sample size, or census testing
- Pilot test administration directions
- Proposed schedule of tasks, deliverables, and pilot test activities (including data review and rangefinding)
- Planned analysis and pilot test report
• Conduct small-scale cognitive labs (or similar research-based studies) and report (CAST and CSA)

• Communication and training plan to LEAs

ETS will collaborate with the CDE to finalize each pilot test plan and to schedule the pilot administrations in order to minimize disruption to instructional activities and to avoid conflicts with accountability assessment administrations.

ETS will conduct cognitive labs or similar research based studies for the CSA concurrent with the fall 2017 pilot. The goal of the CSA cognitive lab study is to collect in-depth information about the students’ interaction with the technology-enhanced items and testing platform. The findings of the study will provide information regarding how students interact with technology-enhanced items in Spanish.

ETS will complete cognitive labs for CAST as one of the special studies conducted under Task 9. The goal of the CAST cognitive labs is to investigate accessibility with certain item types and interactions. The findings of the study will be used to inform future item development to increase accessibility.

6.2.B. Field Testing

ETS understands that the CDE expects the administration of a stand-alone field test for CAST (census field test) and the CSA (sample field test). For CAA for science, census pilot testing will extend for a second year. ETS also understands the expectation of every eligible student to take part in these field tests, which is similar to the successful model that the CDE utilized in 2014 for the Smarter Balanced field test.

As part of the annual development plans described in Task 6.1 above for CAST and CSA, ETS will develop field testing plans with the CDE that best suit the advancement of the CAASPP System. In this process, ETS researchers will share measurement advances with the CDE. A field test plan will be provided for each assessment developed.

In general for planning purposes, ETS assumes that a field test plan will describe the following:

• Purpose of the field test and base criteria for evaluating field test results

• Process by which relevant test administrator observations and student comments can be collected from post-test administration questionnaires

• Preparation, review, and production process for all materials for field testing, whether the materials are computer-based or paper-pencil

• Sampling plan and proposed sample size

• Field test administration directions

• Proposed schedule of tasks, deliverables, and field test activities

• Scoring, including rangefinding, activities

• Planned analysis and field test report

• Communication and training plan to LEAs
ETS will collaborate with the CDE to finalize each field test plan and to schedule the field test administrations in order to minimize disruption to instructional activities and to avoid conflicts with accountability assessment administrations.

**Smarter Balanced**

AIR’s TDS supports embedded field-testing of newly developed Smarter Balanced items. ETS has assumed that all items will be provided by Smarter Balanced. ETS anticipates that the 2015–16 administration will include five to eight additional items in the computer-based tests only. ETS has not included costs for the development, scoring, or analyses of these field test items. Smarter Balanced will develop, score, and analyze the Smarter Balanced field test items. If Smarter Balanced uses a field test design that requires different blueprints, scoring models, or other work that is not part of the existing operational test administration process, ETS will provide the CDE with an analysis of the impact to scope, schedule, and resources.

Beginning with the 2016–17 administration, Smarter Balanced intends to field test performance tasks as an embedded field test within the standard administration of the Smarter Balanced Summative Assessments. Students will be randomly selected to take the embedded performance task field test, while other students will take the operational performance tasks. ETS will be responsible for identifying crisis papers and reporting any identified crisis papers to the student’s LEA immediately using the established notification process described in Task 8. Smarter Balanced will score student responses to the embedded performance tasks field test. This embedded performance task field test design will require that ETS create a blueprint and scoring models that are different from the operational test design. ETS also assumes that Smarter Balanced will return Writing Extended Response (WER) scores from the embedded performance task field test once they have completed scoring. If existing funds are available, ETS will implement the embedded performance task field test design beginning with the 2016–17 administration and assumes that the same field test design will be used for the 2017–18 administration. Additional information about activities related to the Smarter Balanced embedded performance task field test are included in Tasks 7 and 8.

**6.2.C. Forms Construction**

ETS will employ the Item Banking Information System (IBIS) platform for test construction activities. ETS will work hand-in-hand with the CDE during the test construction process. Additional details of the forms constructions requirements will be included in the annual development plans. ETS will acquire the CDE’s approval before the test specifications and blueprints are finalized and before any item pool or form moves forward in the process.

**6.3. Standard Setting (excluding Smarter Balanced assessments)**

ETS will meet the needs of the CDE by providing a sound and defensible standard setting process. ETS will collaborate with the CDE, and as appropriate with the TAG, to provide the necessary plans and materials for approval. ETS understands the needs of the CDE regarding achievement-level descriptors (ALDs) and standard setting, and will deliver reports in a timely manner to gain input from the CDE and the California public prior to SBE approval.

Beginning with this SOW amendment, ETS will conduct the following standard setting activities for the new CAASPP assessments:

- Develop grade and content ALDs and conduct standard setting for CAA for ELA and mathematics
• Develop general ALDs for CAST, CAA for Science, and the CSA

Based on the SBE-approved high-level test designs for CAST and CAA for Science, the development of the grade- and content-specific ALDs as well as the standard setting activities will occur in a phase outside of the terms of this contract.

Table 7 below provides a high-level timeline of the activities related to standard setting, pending SBE approval of the test designs for each assessment.

Table 7. High-Level Timeline of Standard Setting Activities by Assessment

<table>
<thead>
<tr>
<th>Program</th>
<th>General ALDs</th>
<th>Grade &amp; Content Specific ALDs</th>
<th>Standard Setting</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAA ELA &amp; Math</td>
<td>2014–15—developed by CDE prior to this contract</td>
<td>December 2016</td>
<td>August 2016</td>
</tr>
<tr>
<td>CAA for Science</td>
<td>2016–17</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>CAST</td>
<td>2016–17</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>CSA</td>
<td>2017–18</td>
<td>July 2018</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

Development of Achievement-Level Descriptors

ETS will propose and implement a process to develop the ALDs for each assessment on a timeline that is appropriate to the approved test designs for each assessment and that will allow review and revision by the CDE and SBE staff as needed. For CAA for ELA and mathematics, ETS will produce final approved grade- and content-specific ALDs for use in final form development and for use at the standard setting workshops.

For CAA for ELA and mathematics, ETS will facilitate ALD workshops, panel meetings of California educators, parents/guardians, and community representatives prior to the standard setting workshops. The panels will identify and discuss the knowledge and skills required of students in each grade and subject area for each level. The majority of participants will be teachers currently teaching the population of students taking the assessment, currently licensed in the subject and grades, and with five or more years of teaching experience. Teachers will have practice working with the California standards. Prior to the ALD workshop, participants will be provided with a pre-workshop assignment on the California standards, which will prepare them for the activities of the workshop. The ALD workshops will occur as soon as the blueprints are approved. Final blueprints and standards are essential elements of the ALD process.

For CAST, ETS will develop general ALDs with California educators during workshops in 2016–17. For CAA for Science, ETS will advise the CDE in the development or adoption of general ALDs for CAA for Science using the same process as that used for the CAA for ELA and mathematics ALD development. For the CSA, ETS will develop content-specific ALDs, which will be reviewed by California educators and stakeholders. Grade- and content-specific ALDs for CAST and CAA for Science will not be developed as part of this contract.

With CDE approval, ETS used the NCSC ALDs as the starting point for the CAA for ELA and mathematics prior to the start of this contract. ETS will develop the grade- and content-specific ALD work in workshops in Sacramento to be approved by the CDE.

For all ALD work, ETS staff with content knowledge and distance-based facilitation experience will conduct all training and facilitation. Prior to the start of each ALD workshop, ETS will conduct a walkthrough with the CDE of each of the ALD plans in Sacramento, California.
ETS understands the challenges associated with recruiting from this specialized pool of educators and will include utilizing contact lists of known California educators from this population to establish necessary representation. ETS proposes, for costing purposes, a four-panel workshop for the CSA, which will include two or three grades in each grade-based panel, including four representatives at each grade, and parent/guardian and community representatives. ETS anticipates a three-day workshop for each ALD workshop conducted for the CSA. The resulting ALD documents will be edited and a draft provided to the CDE for review prior to preparing a final document for SBE review.

ETS will recruit a similar configuration of panelists for the CAA ELA and mathematics ALD meetings; however, ETS anticipates that teachers on the CAA ELA and mathematics panels will have experience teaching both ELA and mathematics, which allows for more flexibility in recruiting and assignment. Representatives will participate in the grade-band and content area for which they have experience. Each panel will work in a small group to review grade- and content-specific NCSC ALDs, alternate assessment blueprints, and additional materials such as exemplar items. All available panelists will review all grades in their content area to finalize the CAA ELA and mathematics ALDs. ETS will provide this final document to the CDE for review and approval prior to presentation to the SBE for approval. Sample panel configurations for ALD workshops are included as Table 8, Table 9, and Table 10 below.

<table>
<thead>
<tr>
<th>Table 8. Sample Panel Configuration for CSA ALD Workshops</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grades</td>
</tr>
<tr>
<td>3–4</td>
</tr>
<tr>
<td>5–6</td>
</tr>
<tr>
<td>7–high school</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 9. Sample Panel Configuration for CAA for ELA and Mathematics ALD Workshops</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grades</td>
</tr>
<tr>
<td>3–4</td>
</tr>
<tr>
<td>5–6</td>
</tr>
<tr>
<td>7–8, 11</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 10. Sample Panel Configuration for CAST and CAA for Science ALD Workshops</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grades</td>
</tr>
<tr>
<td>5</td>
</tr>
</tbody>
</table>
Standard Setting Methods

Standard setting activities for the CSA, CAST, and CAA for Science will take place outside of the current contract. Standard setting activities for CAA for ELA and mathematics are described below.

ETS proposes to use the bookmark method (Karantonis & Sireci, 2006; Lewis, Mitzel, & Green, 1996; Zieky, Perie, & Livingston, 2008; Tannenbaum & Cho, 2014) for the CAA for ELA and mathematics. ETS used this method to set standards for the STAR CMA and STS assessments, and it is appropriate given the test design and psychometric calibration and scaling method.

Panel Composition

The standard setting workshop participants will include state-nominated educators as well as parent/guardian and community representatives. The composition of the panels will be primarily teachers with at least five years of experience working with students aligned with the assessments, and who are familiar with the state-approved content standards appropriate to the assessment. The goal in recruiting is to select a group of educators, representative of the demographics in California, within each subject area and grade level. ETS will work with the CDE to select and finalize each standard setting panel. ETS anticipates a three-day face-to-face workshop; and the results from the workshop will include documentation of the panel composition. Sample panel configurations for standard setting workshops are included as Table 11 below.

<table>
<thead>
<tr>
<th>Grades</th>
<th>Number of Panelists (ELA)</th>
<th>Number of Panelists (mathematics)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3–4</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>5–6</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>7–8, 11</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>30</td>
<td>30</td>
</tr>
</tbody>
</table>

Bookmark Method

ETS welcomes the opportunity to discuss with the CDE and the TAG the types of standard setting methods most appropriate for each assessment type. Because of the appropriateness of the Bookmark method, and its use in the standard setting procedures for the California STS in recent years (e.g., ETS 2009; ETS 2010; ETS 2011), ETS proposes the Bookmark method for standard setting of the CAA for ELA and mathematics.
**Standard Setting Process**

Prior to the panel meeting, panelists will receive a pre-workshop assignment to familiarize them with the CCC Standards and the ALDs for the subject and grade for which they have been recruited. Once assembled at the workshop, panelists undergo a general session overview and training.

After the panelists indicate that they understand the process, they make their first round of independent standard setting judgments. Panelists will complete the bookmark task three times over three rounds. Between rounds, discussions and feedback take place both at the table-level and the room-level, allowing panelists ample time and information for reflection. Panelists also receive their individual judgments. Between the second and third rounds the panelists will also discuss impact data — the percentage of students, based on the current administration of this assessment, who would be classified at each performance level, if the panel’s cut-score recommendations were to be accepted at that point. Panelists may, but are not required, to make changes to their individual judgments at each round.

The bookmark study can occur after the tests have been administered and test scores are available, Item Response Theory (IRT) analyses are completed, and materials have been prepared for the panel meetings. ETS anticipates each panel meeting requiring three (3) business days, and ETS will run four panels concurrently for each subject area.

ETS will provide the CDE with the formal standard setting plan for review six (6) weeks prior to the workshop, and will include a draft of the materials to be used in standard setting, an annotated agenda of the three-day workshop, and the review of the plan and materials in the overall project schedule, allowing adequate time for review, discussion, and revisions.

**Assessment Score Data in Standard Setting**

ETS recognizes the need for careful attention to training and evaluation of panelists’ understanding of both appropriate use and limitations of data in the judgment process. ETS proposes to discuss with the CDE and the TAG regarding inclusion of external data as part of the feedback to the panel.

**Technical Report**

ETS will provide the CDE and the TAGs with a complete report of the standard setting process, panelists’ recommendations, evaluations, and other relevant data. The report will meet the Every Student Succeeds Act (ESSA) peer review requirements (United State Department of Education 2007). In addition, the CDE may require an executive summary report, in order to meet time-sensitive deadlines. ETS will provide a brief report, oriented toward audiences such as the SBE. Because there are multiple score users, with differing backgrounds and needs, clear communication of score meaning must be deliberate. ETS will be happy to collaborate with the CDE to create useful score interpretive materials for multiple stakeholders.

**Schedule for Standard Setting**

ETS understands the need to hold the standard setting workshops for the CAA for ELA and mathematics as soon as data are available after the operational launch in spring 2015–16. For standard setting workshops proposed, there are important milestones. ETS acknowledges the need for clear communication and planning in order to be successful in these tasks.
Logistics

ETS will provide the CDE with recommendations for site locations which will accommodate each workshop. Once panel participants and locations have been approved, accommodations will include lodging and meals for panelists and meeting space. ETS will arrange for substitute teacher reimbursement and will cover the costs of lodging and meetings, in accordance with the current CDE guidelines.

6.4. Test Administration System Familiarization

ETS offers several opportunities for students and test administrators to become familiar with the test delivery system (including TOMS and TDS). ETS also provides multiple training opportunities to support the LEA CAASPP coordinator, the LEA technology coordinator, and other designated staff as they prepare the infrastructure used for the test administration process.

CAASPP Test Administration Portal

ETS will provide access to the test administration components with the broadest range of users in mind. The site itself provides a one-stop shop for access to all things CAASPP including access to the TDS, training videos, test administration manuals, and live Webcasts, among other things. A user can quickly go to a certain section or test administration tool and ETS designed the links to be interlaced yet intuitive.

Practice and Training Tests

The ETS Team will provide practice and training tests for the summative assessments administered in this contract as mutually agreed upon by ETS and the CDE as listed in Table 12 Planned Timeline for the Release of the Practice and Training, by Assessment. The agreed-upon timeline will include the ETS activities to update training tests with revisions from stakeholders, add accessibility supports consistent with the type of test (i.e., pilot, field, operational), and add additional items when feasible to create a training test in grades five, eight, and high school for CAST and CAA for Science.

Training tests include small set of sample test questions that allow students and test administrators to learn how to interact with the different items types, available accessibility features, and test administration instructions. Training tests are not grade-specific nor are they available as full-length tests. Practice tests generally mirror a full-length test and include the breadth of item types that a student may see on the assessment. Like the training tests, practice tests include the available accessibility features and test delivery functionality. Unlike the training tests, student responses to the practice test can be scored using the available scoring rubrics.

Practice tests and training tests will be available for the Smarter Balanced Summative Assessments and the Alternate Assessments in ELA and mathematics beginning with the 2015–16 administration. Training tests will be available for CAST, CAA for Science, and the CSA at the earliest possible opportunity as agreed upon between the CDE and ETS. Training tests will be updated annually with new functionality such as new item types and new accessibility features. Errors would be fixed as soon as possible. ETS will develop CAST and CAA for Science training tests for grades five, eight, and high school. Practice tests for CAST, CAA for Science, and the CSA will be produced after the first operational year of each program, which occur outside of the scope of this contract. Table 12 includes the proposed timeline for the release of the practice and training tests by assessment.
Table 12. Planned Timeline for the Release of the Practice and Training Tests, by Assessment

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Planned Availability of the Training Test</th>
<th>Planned Availability of the Practice Test</th>
</tr>
</thead>
</table>
| Smarter Balanced Summative Assessments for ELA and Mathematics | 2015–16  
2016–17  
2017–18 | 2015–16  
2016–17  
2017–18 |
| CAA for ELA and Mathematics                      | 2015–16  
2016–17  
2017–18 | 2016–17  
2017–18 |
| CAST                                            | 2016–17  
2017–18 | Not applicable |
| CAA for Science                                 | 2016–17  
2017–18 | Not applicable |
| CSA                                             | 2017–18 | Not applicable |

For subsequent school years prior to their release on September 1 and November 1, respectively, the ETS Team will ensure that the practice and training tests are updated to reflect current tools and item types. For the Smarter Balanced assessments, ETS will work with Smarter Balanced to obtain access to the latest practice and training test materials. For the CAA for ELA and mathematics, ETS will ensure that assessment development and AIR staff have provided the latest updates to the practice and training tests before they are made available.

The practice and training tests will be accessed via a Web browser using a guest login or through the secure browser. ETS will provide training materials and resources, such as classroom activities and scoring rubrics, on the CAASPP Portal. The practice and training tests will be available for each grade, or grade band, and content area being tested and will include functionality for all approved universal tools, designated supports, and accommodations.

Training for LEA CAASPP Coordinators and LEA Technology Coordinators

ETS’s training plan begins in September for each administration when ETS proposes to conduct a training session to introduce the test administration setup process. At this session, ETS will review the required testing windows for each type of assessment and provide guidelines and considerations for scheduling the testing. ETS also will provide detailed information on system requirements, including minimum requirements for hardware, software, and bandwidth.

ETS will conduct Webcasts and in-person workshops as outlined in the CDE-approved annual training plan and release training videos and manuals throughout the school year and leading up to the start of the summative test administration window.

6.5. Sample Questions (excluding Smarter Balanced assessments)

ETS will work with the CDE to release and make available to stakeholders a subset of the CDE-owned operational test items (i.e., CAAs for ELA and mathematics) using an online item viewing application as approved by the CDE. The item viewing application must allow the user to select content through filtering (e.g., grade, subject, item types, item ID, etc.), view, and interact with an item as a student would view and interact with the item during a test administration.
To accommodate the approved three-year operational rollout plan for CAA for ELA and mathematics, ETS anticipates development of sample test questions for CAA for ELA and mathematics after the 2017–18 administration. Smarter Balanced sample items are available through the Smarter Balanced Web site. ETS will include a link to the Smarter Balanced Web Site on the Sample Questions site to make it easy for users to locate. Based on the approved test designs, the earliest opportunity for sample questions for CAST, CAA for Science, and the CSA will be outside the terms of this contract.

**Preparation**

During the 2017–18 administration, ETS will identify and propose applications that will meet the CDE goals for the Sample Questions as a special study in Task 9.6. The ETS proposal will include a plan for carrying out a feasibility study of the application selected by the CDE. The feasibility study of the selected application will include, but are not limited to, the following activities:

- Understand and map out the processes by which the Sample Questions are imported into the application and reviewed for quality control purposes.
- Understand and document the data changes needed to provide the metadata for each item.
- Identify and document the supporting information (e.g., rationale, scoring rubrics) and the process by which the Samples Questions are reviewed by educators.
- Develop a high-level project plan (schedule) that the CDE can include as part of requirements when the Sample Questions will be released.

ETS will provide a report at the end of the Sample Questions feasibility special study that includes a summary of the feasibility study process, the outcomes from the study, and recommendations for next steps.

**Procedure**

For each assessment and grade level, ETS assessment specialists will work with the CDE content experts to select and release an annual sample questions equaling ten percent of the items appearing on the prior year’s test form.

1. ETS assessment specialists will select ten percent of the core items from each administration for each grade and subject area of the CDE-owned alternate ELA and mathematics items for release annually.

2. ETS assessment specialists will select and review each set of items for release to confirm that each set of Sample Questions is representative of the broad content, difficulty, and overall blueprint distribution of standards measured by items on the operational tests.

3. After the initial selection of the Sample Questions, ETS assessment specialists will establish that items undergo careful review following a thorough content and editorial review process.

4. After the content and editorial review process, ETS will submit the selected Sample Questions to the CDE for review and approval. Ultimately, the CDE will have the final authority to accept or reject any items selected for release. Historically this has been a
collaborative process, with ETS assessment specialists working in cooperation with CDE counterparts to review, revise, and finalize Sample Questions selections.

5. Once the CDE confirms the Sample Questions selections, ETS assessment specialists will prepare the Sample Questions and other necessary materials for review and approval by a California content review panel. The CDE will review the input from the content review panel and make the final determination of acceptance.

6. Upon finalization of the Sample Questions, ETS will update the item status in the item bank to indicate the item as released. This will make the item unavailable for selection in the future.

7. After the CDE makes final determination of acceptance of sample questions, ETS using an online item viewing application as approved by the CDE will display the sample questions.

Selection Criteria for Sample Questions

To confirm strong representation of the breadth and depth of the skills and concepts addressed by the items on each assessment, ETS assessment specialists will use the following criteria to select the Sample Questions:

- variety of item types, which may include selected-response items, constructed-response items, technology-enhanced items, and performance tasks
- statistical reliability of the item based on most recent administration
- range of item difficulty and complexity
- items that exemplify the level of knowledge and skills students are expected to demonstrate to meet expectations at each performance level
- adequate representation of standard and blueprint distribution
- representation of the various components of the standards
- representation of a variety of ways each standard can be assessed

In the event there is a problem securing permission for a passage or stimulus during the Sample Questions selection process, ETS will work with the CDE to find a solution which may include providing only the citations, rather than the complete text, for copyrighted material along with the associated items or replacing those Sample Questions related to materials for which permissions are not granted.

Communication Plan for Sample Questions

ETS will create a communication plan to increase and support parent, student, and teacher understanding of the CAASPP System; ETS will collaborate with the CDE to select a subset of the Sample Questions, exemplars, that represent the concepts and skills students performing at the different proficiency levels are expected to demonstrate at each grade level assessed.
6.6. Analysis of Test Results

Following each field test form, ETS will perform classical item, IRT, and test analyses. Classical item analyses involve computing a set of statistics for every item in each form of the test. Each statistic provides key information about the quality of each item from an empirical perspective. This is also a quality control step to verify answer keys. ETS uses this information for item reviews, test construction, test revisions, technical reports, and other psychometric analyses and documentation.

After receiving all of the student response data, implementing scoring rules, checking the data files and applying agreed-upon valid case criteria rules to the data, the next step will include a classical item analysis. This analysis evaluates item difficulty, item discrimination, and student raw score performance of selected response (SR) items and hand-scored constructed-response (CR) items. These analyses help identify any items that might not have performed as expected.

ETS will conduct and provide the following:

- Item difficulty (p-values)
- Item-total correlation (SR and CR items)
- Proportion of students choosing each response option (SR items)
- Percentage of students omitting an item (SR and CR items)
- Score point distribution (CR items)

In addition to the classical analyses described previously, ETS will carefully review each item for differential item functioning. In addition to providing classical item statistics for each field test, ETS will provide IRT parameter estimates for all items. The specific IRT model selected will be based on collaboration between the CDE and ETS. In addition, ETS will work with the CDE in investigating the feasibility of creating a vertical scale for both the CSA and the CAA for ELA and mathematics.

In addition to the item statistics ETS will estimate the reliability of each of the field test versions and use these estimates to advise the CDE concerning the estimated numbers of items that need to be administered to reach various levels of reliability. ETS will also examine additional data collected relevant to computer-based testing with innovative item types. Since California has expressed interest in moving towards an adaptive test, ETS will also evaluate the characteristics of the item pool to determine whether it was large enough in terms of range of difficulties, discriminations, and content covered without introducing exposure issues. In addition, ETS shall evaluate other characteristics of items and item performance that need to be analyzed (e.g., how long student spend on the items, the time it takes for the items to render, the time it take the system to present a new item, item utilization rates, accuracy of CAT engine in building aligned assessments for every student).

Following each field test, ETS will deliver a report within eight (8) weeks of the completion of the field testing.

As part of the test development process, ETS will work with California educators during item review meetings to verify item alignment to content standards. This review informs task selection for final forms of the newly developed assessments. If the CDE commissions an alignment study of the new assessments to be conducted by an independent evaluator, ETS will
provide support to the CDE and its contractor as described in Task 1, provided that the support
does not require changes to the contracted activities.

6.7. Item Banks

6.7.A. California Item Bank

ETS currently provides and maintains the electronic item bank for several of the California
paper-pencil assessments, including the California High School Exit Examination (CAHSEE),
CSTs, CMA, California Alternate Performance Assessment (CAPA), STS, and the California
English Language Development Test (CELDT). While the California item bank is not used to
produce the CST, CMA, CAPA, and STS forms, the CAHSEE or CELDT program may be using
the California item bank for its forms construction process.

The consolidated item bank will house all CST, CMA, CAPA, STS, CAHSEE, and CELDT items
and associated statistics by assessment. While ETS will retain ownership of its proprietary
software, the CDE will own and copyright both the item bank and the customized version of the
item bank. The enhanced item banking software will support the full functionality that is
described below.

ETS will provide updated versions of the item bank to the CDE on an ongoing basis. ETS will
work with the CDE to determine the optimum process if a change in databases is desired.

6.7.B. ETS IBIS

The items that will be developed for the new assessments will include a variety of item types
such as technology-enhanced items, graphing, and technology-enhanced simulations. The
structure of the California item bank cannot handle these new item types. In order to provide the
CDE with a data warehouse for the new CAASPP assessments, ETS will use its proprietary
item banking system, IBIS, during the development and reviews of the new CAASPP
assessments. To facilitate the item development and review process, ETS may also use AIR’s
proprietary Item Tracking System (AIR ITS) during phases of the test development process.
ETS does not include activities to provide customization of IBIS or AIR ITS.

Using IBIS, CDE staff and approved California item reviewers will have direct access to the item
bank through a secure Web-based interface. User authentication, controlled by ETS-managed
credentials, secures access through the interface. To establish the complete security of all data
moving across the Internet, ETS implements a 128-bit secure socket layer (SSL) encryption.

Controlled Access. ETS will grant the CDE staff and California item reviewers with access to
IBIS consistent with their roles in the item development process. These reviewers will be able to
comment on items during steps in the workflow process customized for CAASPP. ETS will
establish access policies with California and manage the granting of access for appropriate staff
and educators.

IBIS will hold searchable, sortable, and printable data (e.g., item cards) and properties,
including, but not limited to:

- unique identification number (UIN) for item components (e.g., question, stimulus,
  graphics, animations, sound files)
- UIN links between all item components
- titles for stimuli (e.g., passage, scenario, scene)
all and any alignment attributes (e.g., test family, item type, subject, grade, strand, substrand, standard, benchmark, cognitive level)

properties (keys, distractor rationales, item type, stimulus type [e.g., passage genre, scenario vs. simulation]), stimulus graphic indicator (yes/no), passage word count, Lexile, rubrics

source documentation, copyright permissions information, and related documentation (e.g., contract) for science scenarios, reading passages, graphics, and items, if applicable

item images (item as it appeared during administration) including functional animations or simulations

blind/visual impairment review notes

item development and administration status

administration history for the life of the item, scenario, or passage for non-Smarter Balanced items

performance data (e.g., p-value, pbis correlation, IRT parameters, tertiles, differential item functioning [DIF])

System Flexibility and Interoperability. The CDE will have the ability to customize features of IBIS for CAASPP development. This activity will involve meetings to determine the most desirable means for configuring the item bank and user interface. ETS will use the QTI standard as the basis for building the XML formats of items with capability for APIP standard tagging. QTI enables routine exports to most third-party online platforms including the AIR online platform. APIP tagging standardizes the process for embedding accessibility features for test accommodations, including braille, audio forms, and language accommodations.

Smarter Balanced Assessments. ETS plans to import the metadata and scoring information for Smarter Balanced items into IBIS to accomplish the following: (1) access to CR items in the scoring system; (2) scoring of the paper forms; and (3) psychometric analyses. ETS will receive an annual feed of items and metadata from Smarter Balanced in interoperable QTI format.

Item Bank Export. IBIS uses the QTI standard as the basis for building the XML formats for items, data, and metadata. This feature will confirm a smooth transition at the end of the contract period. ETS employs industry standard formats and routinely has handed off data feeds of items, test packets, data, and metadata to numerous partner organizations. As a comprehensive item database, IBIS includes all reading passages, artwork, stems, distractors, form identifiers, item keys, rationales, and scoring rubrics. IBIS may be supplemented by the AIR ITS during certain phases of the test development process to manage simulations and certain item types. Copyright permissions records are also housed in IBIS, and using the dynamic reporting functions in IBIS, a report containing copyright permissions and expiration dates can be generated for the CDE.

6.8. Activities in Support of Future Assessment Development

ETS understands that California law includes provisions for expanding the CAASPP System to include assessments in areas such as history/social sciences, technology, and the arts, as well
as new end-of-course tests in science, ELA, and mathematics. ETS further understands that these assessments would be based on SSPI recommendations made no later than March 1, 2016, and will require SBE approval, legislative action, and funding. Therefore, no specific plans or budget for work on any additional assessments has been included in this SOW.

References


TASK 7: Test Administration

ETS offers the CDE a comprehensive computer-based CAASPP Assessment Delivery System that allows LEAs to manage and administer all CAASPP assessments. While fewer California assessments are paper-pencil, ETS will deliver an efficient and secure paper-pencil test for students for whom these assessments are most appropriate. The CAASPP Assessment Delivery System includes both the Test Operations Management System (TOMS) and AIR’s test delivery system. These key components integrate together to produce, deliver, and administer both computer-based and paper-pencil assessments. Table 13 provides an overview of the test administration distribution plans.

Table 13. Distribution Plans for the CAASPP Summative Assessments

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Online</th>
<th>Paper</th>
<th>Paper Accommodations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smarter Balanced</td>
<td>✔</td>
<td>✔</td>
<td>Braille, Large Print, Spanish-Mathematics</td>
</tr>
<tr>
<td>CST, CMA, CAPA Science*</td>
<td></td>
<td>✔</td>
<td>Braille and Large Print for CST and CMA Science</td>
</tr>
<tr>
<td>(2015–16)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>STS RLA*</td>
<td>✔</td>
<td>✔</td>
<td>Braille and Large Print</td>
</tr>
<tr>
<td>(2017–18)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>California Alternate Assessments for ELA and Mathematics</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAST Census Pilot and Census Field Tests**</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2016–17 and 2017–18)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAA for Science Census Pilot Tests**</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2016–17 and 2017–18)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CSA Pilot and Field Test</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2017–18)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* CST: California Standardized Test; CMA: California Modified Assessment; CAPA: California Alternate Performance Assessment;
ST5 RLA: Standards-based Test in Spanish for Reading/Language Arts
**A census pilot test and census field test means that all eligible students will be expected to take the assessment.
For planning purposes, ETS used the information from Table 14 provided by the CDE.

Table 14. Estimated CAASPP Test Takers

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Subject</th>
<th>Grade</th>
<th>School Year(s)</th>
<th>Estimated Test Takers</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Assessments in State Law</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smarter Balanced Summative</td>
<td>ELA and Mathematics</td>
<td>3–8, 11</td>
<td>2015–16</td>
<td>3,200,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2016–17</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2017–18</td>
<td></td>
</tr>
<tr>
<td>CSTs and CMA</td>
<td>Science</td>
<td>5, 8, 10</td>
<td>2015–16</td>
<td>1,380,000</td>
</tr>
<tr>
<td>CAPA</td>
<td>Science</td>
<td>5, 8, 10</td>
<td>2015–16</td>
<td>15,000</td>
</tr>
<tr>
<td>STS</td>
<td>Reading/language arts</td>
<td>2–11</td>
<td>2015–16</td>
<td>45,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2016–17</td>
<td>45,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2017–18</td>
<td>10,000</td>
</tr>
<tr>
<td><strong>Successor Assessments in State Law</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alternate Assessment</td>
<td>ELA and Mathematics</td>
<td>3–8, 11</td>
<td>2015–16</td>
<td>39,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2016–17</td>
<td>39,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2017–18</td>
<td>39,000</td>
</tr>
<tr>
<td>CAST</td>
<td>Science</td>
<td>5, 8, and high school (grades 10, 11, or 12)</td>
<td>Pilot: 2016–17 Field Test: 2017–18</td>
<td>1,395,000</td>
</tr>
<tr>
<td>CAA for Science</td>
<td>Science</td>
<td>5, 8, and high school (grades 10, 11, or 12)</td>
<td>Pilot: 2016–17 Pilot: 2017–18</td>
<td>20,000</td>
</tr>
<tr>
<td>CSA</td>
<td>Reading/language arts</td>
<td>3–8 and high school</td>
<td>Pilot: Fall 2017–18 Field Test: (Fall) 2018-19</td>
<td>15,000</td>
</tr>
</tbody>
</table>

7.1. CAASPP Test Administration Requirements

ETS will create manuals, user guides, and other supporting materials so that the LEAs have the information they need to effectively and efficiently administer the CAASPP System.

7.1.A. Manuals

ETS will produce high-quality manuals that will give California the exact information needed in ways that are accurate and efficient. To increase the efficiency of communications between the LEAs and schools during the test administration, and to assure that tests are administered in a consistent manner, ETS will review with the CDE all CAASPP System documentation and update the materials based on the needs of the CDE and LEA CAASPP coordinators, revised academic standards, and other requirements. In addition, ETS will analyze information collected as part of data-driven improvement activities. ETS will solicit feedback specifically from the LEA Advisory Group to confirm the manuals and other ancillary materials meet the needs of the field.
General Specifications for Developing Manuals. ETS will use the previous administration’s manuals as the starting point for the current administration. Prior to the development and production of a manual, ETS will provide the CDE with a list of recommended revisions including those from the data-driven improvement process. When appropriate, ETS will also make recommendations to re-conceptualize existing manuals for increased usability, create new or additional manuals, or even retire existing manuals.

ETS will develop a manual release plan for CDE’s approval with sufficient time for the thorough review and approval of the manuals prior to posting or publishing. In addition, ETS will implement a process by which an ETS editor will conduct inter-manual consistency checks so that there is consistent tone, language, and directions between the manuals. The production schedule for each manual will follow the CDE approval requirements.

Posting Manuals to http://www.caaspp.org/. For the 2015–16 administration, ETS will print all manuals. ETS will convert all manuals to PDF and/or HTML files. The PDFs will include the appropriate accessibility tagging that meets or exceeds the CDE Web requirements. ETS will post only non-secure materials or materials edited to remove secure sections. http://www.caaspp.org/

Based on feedback from the LEA Advisory Group, ETS will propose recommendations to the CDE for ways to make information about the test administration process more accessible.

ETS will post all final approved manuals to http://www.caaspp.org/ based on the timeline agreed upon by the CDE and ETS for the given administration. ETS anticipates that there may be changes or updates to policy or administration procedures that may impact the manuals. During the initial planning phase of each manual, ETS will propose processes and contingencies. In the event that a policy or administrative change is required after ETS publishes a manual, ETS will work with the CDE to determine which contingencies ETS should consider and what impact the contingencies have to LEA activities and the overall program schedule, if any.

Printing Quality Control Procedures. For the 2015-16 administration, ETS will provide printed copies of the Test Administration Manual and the Post-Test Guide. Upon approval of the final draft by the CDE, the manuals will go through printing quality control procedures, which require that a printing quality control specialist be on-site through all stages of production to confirm the quality of all products. The general process requires all print vendors perform a quality check on all materials produced at all stages of print manufacturing. These quality checks occur at the prepress, press, bindery, and packaging/shipping stages. ETS will use a required quality control checklist to verify the vendors’ adherence to quality procedures. Beginning with the 2016–17 administration, ETS will deliver all manuals as electronic files through https://www.caaspp.org/ or, for secure manuals, through TOMS. To accommodate updates to policies and as new CAASPP assessments become available, ETS will reallocate the resources originally designated for printing quality control procedures toward additional manuals mutually agreed upon by the CDE and ETS and toward multiple approved updates of existing manuals throughout an administration.

Test Administration Manual (TAM)

The Online TAM will include instructions for all available online assessments including the Smarter Balanced Summative Assessments, CAA for ELA and mathematics, CAA for science (beginning 2016–17), CAST (beginning 2016-17), and CSA (beginning 2017–18). ETS will make sure that California-specific revisions still adhere to the Smarter Balanced test administration procedures and policies where appropriate. ETS may develop a separate Online TAM for CAA
for Science if the CDE and ETS mutually agree that a separate Online TAM is necessary for the successful administration of the assessment.

Separate TAMs will cover the existing paper-pencil assessments. These TAMs will be coordinated and consolidated whenever possible to confirm ease-of-use in the field. The manuals’ interior font size will be 11 points or larger and will be printed with black ink.

In addition to posting the final PDF of each TAM to http://www.caaspp.org by November 1 of each year, ETS will release sections of each TAM onto the Web portal as they are approved. ETS will submit a timeline for CDE approval that includes the planned release schedule for each section. The proposed TAM release schedule will prioritize the needs of the LEAs to prepare for testing. For each TAM produced for the 2015-16 administration, ETS will provide one copy for the LEA CAASPP coordinator and one copy for each CAASPP test site coordinator. ETS will deliver all printed copies to the LEA CAASPP coordinators, who will be responsible for distribution to their schools. Additional TAMS are available for order through CalTAC at no additional cost to the LEA or the CDE. ETS will confirm that the final PDF version of the appropriate TAM is available for training sessions. Beginning with the 2016-17 administration, the TAM will be posted to https://www.caaspp.org as an electronic PDF.

LEA CAASPP Test Coordinator Manual (LEA TCM)

With the CDE’s approval, ETS will replace the LEA TCM with the Test Operations Management System (TOMS) Pre-Administration Guide for CAASPP Testing and additional topic-specific guides and manuals.

CAASPP Test Site Coordinator Manual (SCM)

With CDE approval, ETS will replace the SCM with the Test Operations Management System (TOMS) Pre-Administration Guide for CAASPP Testing and additional topic-specific guides and manuals.

Topic-Specific Guides and Manuals

Beginning with the 2016-17 administration, the CDE and ETS will develop topic-specific guides and manuals to assist LEA and school staff with preparations and administration of CAASPP. Topic-specific manuals may include, but are not limited to, the:

- Interim Assessment User Guide;
- Completion Status User Guide and Roster Management for CAASPP Testing;
- Accessibility Guide for CAASPP Testing;
- Security Incidents and Appeals Procedure Guide; and
- Educational Testing Service Data Manager (EDM) User Guide for CAASPP (when approved for release by the CDE).

Directions for Administration (DFA) for CAAs and STS RLA

To complete the set of role-specific CAASPP coordination and administration manuals, ETS will develop Directions for Administration (DFAs) for the CAAs (all years being administered) and the STS RLA. ETS will develop a 2017–18 STS RLA DFA, in a format approved by the CDE, for
the Smarter Balance Open-Source Components and will collaborate with Smarter Balanced, as necessary. In compliance with the CDE requirements, these DFAs will include:

- an overview of the CAASPP System, and the various test management, registration, and delivery systems
- LEA CAASPP coordinator responsibilities
- LEA responsibility and activity checklist
- CAASPP test site coordinator responsibility and activity checklist
- test administrator responsibility and activity checklist
- appropriate processes for handling accessibility and accommodations for both computer-based and paper-pencil tests
- appropriate measures for protecting test security and confidentiality at the LEA level
- estimated test duration charts for planning purposes, and suggestions for LEA-level test scheduling
- appropriate processes for including special populations of students in testing
- important dates leading up to, during, and after the testing window(s)
- how to handle student absences and other unique testing situations (e.g., testing of homebound students, students moving into and/or out of the LEA during the testing window, etc.)
- how to report irregularities/security breaches
- how to determine whether an appeal is necessary
- toll-free telephone number and e-mail for CalTAC Help Desk support

**Technical Specifications and Configuration Guide for CAASPP Testing (formerly referred to as the Technology Services Coordinator’s Manual)**

ETS will develop a manual for use by LEA- and site-level technology coordinators, a crucial role now that California administers a majority of tests online. This guide is a compilation of the Secure Browser Installation Manual, the Technical Specifications for Online Testing Manual, and the System Requirements Manual from previous administrations.

**Test Operations Management System (TOMS) Pre-Administration Guide for CAASPP Testing (formerly referred to as the CAASPP Test Management System Manual)**

ETS also produces documentation that shows procedures for using TOMS, the CAASPP Assessment Delivery System component that allows authorized users to configure testing for students, order materials, submit test setting files, and complete other tasks. ETS will develop and release this documentation as a single manual covering all system functionalities. ETS will release the guide annually by November 1 and will update the guide throughout the
administration cycle as additional functionality and pre-administration activities become available.

**CAASPP Post-Test Guides**

ETS will develop a CAASPP Post-Test Guide each year that will provide a single reference document for all reporting-related information, for all users. The manual will provide an overview of the assessments, a description and guide to both online reporting tools and paper reports, and guidelines for interpreting reports. Also, ETS will include clear standards for interpreting the intended use of the test scores. ETS will develop these standards as part of the psychometric review of the test items and forms. ETS will clearly delimit the addressed population and describe the constructs that the assessments should measure. The goal of this manual will be to guide all CAASPP reporting stakeholders in understanding the scores provided, what they represent, and how they can use them to improve curricular programs in the schools.

ETS will post the Post-Test Guide to http://www.caaspp.org/ by at least ten (10) business days prior to the first Post-Test Workshops. For the 2015–16 administration, ETS will deliver one printed copy to each LEA CAASPP coordinator at least one month prior to the beginning of student summative testing each year. Additional printed copies are available for order from CalTAC at no additional cost to the LEA or the CDE.

**7.2. Paper-Pencil Administrations**

There are existing CAASPP tests that are available only as paper-pencil assessments. In addition, not all students in California will be able to test on a computer. Therefore, ETS will offer an efficient and secure process for providing a paper-pencil assessment for students who require this mode of testing. ETS will manage and provide the paper-delivered tests from ETS’s Ewing, New Jersey, location, where ETS owns publishing, distribution, and scoring facilities. Currently, ETS is using these capabilities and facilities to deliver the printed materials for the 2015 CAASPP administration, and ETS will use these same capabilities and facilities in future CAASPP administrations.

ETS will produce:

- non-scannable test booklets with separate scannable answer documents for CST/CMA/CAPA for Science Assessments in grades five, eight, and ten (2015–16 administration), and STS for RLA in grades four through eleven (2015–16 and 2016–17 administrations)
- scannable test booklets for the STS for RLA booklets for grades two and three (2015–16 and 2016–17 administrations)
- non-scannable test booklets with a scannable response booklet for the paper-pencil versions of the Smarter Balanced Summative Assessments in grades three through eight and grade eleven
- secure directions for administration (that include assessment items) the CAAs for ELA and mathematics in grades three through eight and grade eleven (beginning with the 2015–16 administration) and for CAA for science in grades five, eight, and high school (beginning with the 2016–17 administration)
• non-scannable test booklets for the braille and large print versions of all paper-pencil CAASPP assessments

• non-scannable test booklets for the Spanish version of the Smarter Balanced mathematics assessments in grades three through eight and grade eleven (2015–16 and 2016–17 administrations)

ETS will provide the CDE with final documents for the CDE's review and approval following the certification process.

With the CDE’s input, ETS will develop a detailed project plan to track the completion of the sequence of tasks and will incorporate the detailed project plan into the master project plan. ETS will put each document through the same rigorous process of review, proofreading, accuracy checking, CDE approval, document tracking and version control, and quality inspection that are used with all secure test materials.

7.2.A.1. Paper Test Booklets and Answer Documents

ETS will develop and print secure non-scannable test booklets and scannable answer documents for the CAASPP paper-pencil tests. In producing these versions, ETS will establish that all content and formatting within the test booklets and answer documents maintains consistency with the CAASPP test materials in the 2015 administration. ETS will discuss any changes in format or content for the non-Smarter Balanced paper-pencil assessments with the CDE for the CDE’s approval prior to implementation. For the Smarter Balanced paper-pencil assessments, ETS assumes that Smarter Balanced will provide print-ready PDFs that may be used for the CAASPP administration.

Test booklets will have adequate space for student identification and demographic information, as well as space for the placement of a student barcode label. Barcodes, along with the human-readable number, will appear on the front and back covers of each test booklet, to maintain test security. Estimated print quantities for the paper-pencil test materials is included in Table 15.

Table 15. Estimated Print Quantities* for Paper-Pencil Test Booklets, Answer Documents, Response Booklets, and School and Grade Identification Sheets

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>CST Science Grade 5 Test Booklet</td>
<td>Non-scannable</td>
<td>536,000</td>
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<tr>
<td>CST Science Grade 8 Test Booklet</td>
<td>Non-scannable</td>
<td>541,000</td>
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<td>CST Science Grade 10 Test Booklet</td>
<td>Non-scannable</td>
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<tr>
<td>CMA Science Grade 5 Test Booklet</td>
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<td>35,000</td>
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<tr>
<td>CMA Science Grade 8 Test Booklet</td>
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<td>CMA Science Grade 10 Test Booklet</td>
<td>Non-scannable</td>
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<td>CST/CMA Answer Document—Grade 5, 8, &amp; 10</td>
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<td>CAPA For Science Examiner's Manual</td>
<td>Non-scannable</td>
<td>7,500</td>
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<td>CAPA For Science Answer Document</td>
<td>Scannable</td>
<td>15,000</td>
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<tr>
<td>STS RLA Grade 2 Test Booklet</td>
<td>Scannable</td>
<td>17,000</td>
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<tr>
<td>STS RLA Grade 3 Test Booklet</td>
<td>Scannable</td>
<td>17,000</td>
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<td>STS RLA Grade 4 Test Booklet</td>
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<td>11,000</td>
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<td>STS RLA Grade 5 Test Booklet</td>
<td>Non-scannable</td>
<td>7,000</td>
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<tr>
<td>STS RLA Grade 6 Test Booklet</td>
<td>Non-scannable</td>
<td>5,000</td>
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<tr>
<td>STS RLA Grade 7 Test Booklet</td>
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<td>3,000</td>
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<tr>
<td>STS RLA Grade 8 Test Booklet</td>
<td>Non-scannable</td>
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<td>STS RLA Grade 9 Test Booklet</td>
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<tr>
<td>STS RLA Grade 10 Test Booklet</td>
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<tr>
<td>STS RLA Grade 11 Test Booklet</td>
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<tr>
<td>STS RLA Grade Answer Document — Grades 4–11</td>
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<td>35,000</td>
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<tr>
<td>Smarter Balanced ELA Grade 3 Test Booklet</td>
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<td>45,700</td>
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</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 3 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 3 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 3 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 4 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 4 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 4 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 4 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 5 Test Booklet</td>
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<tr>
<td>Smarter Balanced Mathematics Grade 5 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 5 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 5 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 6 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>---------------</td>
<td>---------------------------------</td>
<td>---------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 6 Test Booklet</td>
<td>Non-scannable</td>
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</tr>
<tr>
<td>Smarter Balanced ELA Grade 6 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
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</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 6 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 7 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
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</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 7 Test Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 7 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 8 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 8 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 8 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 11 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 11 Test Booklet</td>
<td>Non-scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced ELA Grade 11 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Smarter Balanced Mathematics Grade 11 Response Booklet</td>
<td>Scannable</td>
<td>45,700</td>
<td>45,700</td>
<td>1,000</td>
</tr>
<tr>
<td>Alternate Assessment For ELA and Mathematics Secure Directions for Administration — Grades 3–8 and 11***</td>
<td>Non-scannable</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
</tr>
<tr>
<td>School And Grade ID Sheet (SGID)</td>
<td>Scannable</td>
<td>570,000</td>
<td>570,000</td>
<td>0</td>
</tr>
</tbody>
</table>

*The estimated print quantities include the estimated test taker count as indicated in RFS Addendum 1, Table 3.1, plus the estimated overage materials included in the LEA shipments, the materials needed to support the special versions, and the estimated materials for ETS inventory to fulfill supplemental orders requested by LEAs.

**The estimated print quantities for the Smarter Balanced paper-pencil assessments for the 2017–18 administration are to support the continued administration of the braille and large print and minimal regular versions.

***The administration of the alternate assessments do not require test booklets and answer documents. Test questions are included in the secure Directions for Administration and test administrators will enter student responses into the TDS.
Test booklets, whether printed or other acceptable format, will contain the following information on their covers as approved by the CDE:

- form identification
- content area
- administration date
- security warning
- copyright information on the inside front cover
- CDE logo and CAASPP logo on the front cover

ETS is prepared to customize the information on the cover annually. ETS will design answer books to provide:

- space for scannable, pre-printed student barcode labels; or information can be printed if the LEA opted to receive pre-ID'd materials as an ancillary service (for 2015–16 and 2016–17)
- space for students to write and grid-in information specified above, such as name, grade level, and gender
- space for test administrators to indicate special testing conditions or student test settings used during testing

Each test booklet page printed by ETS will contain a unique scannable identifier on each page. This identifier will aid in locating any pages separated from the books. Each California test booklet printed by ETS will also have a six-digit sequential number, known as a litho code, which are used in the distribution and collection process and for the CDE edit checks. Each page will identify the session number and form designation for ease of viewing during test monitoring.

Each test booklet printed by ETS will contain a barcode, which ETS will scan before sending the test booklets to schools and LEAs. ETS will scan these barcodes again once those schools and LEAs return the test booklets. This will occur immediately upon receipt at the ETS facility following the return of paper test materials. ETS will document scanned data into both the inventory and a closed-loop tracking system. This system will track inventory and determine, by school and LEA, any missing test booklets or secure test materials.

After the last pick-up, ETS will provide an initial missing secure materials report. This report will include a complete accounting of all materials, identifying the school, LEA, content area, form identifier, quantity of test booklets sent, quantity of test booklets returned, and the number of missing materials. ETS will also provide a separate summary for each LEA and confer with the contracted courier service provider to obtain details about the delivery of returned shipments. ETS will update the report and inform California and each LEA of subsequent returns.

7.2.A.2. Special Versions (Braille and Large-Print)

ETS will estimate the print quantities of the CST/CMA for science (2015–16) and the STS RLA (2015–16 and 2016–17) braille and large print test books based on usage from previous administrations and take into account any other factors that could influence volumes. For the
2017–18 administration, ETS will utilize existing braille and large print STS RLA test materials (for English learners only) from the 2016–17 administration. ETS will provide instructions to test administrators on how to enter the student responses in the Smarter Balanced Open-Source test delivery system. ETS will base the quantities of the Smarter Balanced braille and large print test books on orders provided by LEAs through TOMS by December 1 annually.

**Procedures for Producing Braille Versions of the Tests**

ETS production staff will develop and produce braille versions of each assessment for each test administration window. Materials will include a page for transcriber’s notes and a special symbols page, as well as a special Instructions for Use document for administering the braille tests. ETS will provide detailed instructions and examiner directions to support the test for the braille versions. They will reflect any special instructions for test administration specific to the braille version of the assessment.

**Procedures for Producing Large-Print Versions of the Tests**

ETS will provide the large print booklets—in black ink—and related materials for each test administration. ETS will produce these booklets by submitting the document copy to the printer on electronic media. Before producing the camera copy, ETS will electronically enlarge the type size. It is important to do this, rather than enlarging the copy via a photocopier, to yield documents with sharp and distinct images that are vital to visually impaired students.

ETS will present pages in portrait format and spiral bind the booklets so that the pages will lie flat when fully opened. For the modification of graphics for the large print booklets, ETS will remove any background shading or screens during the composition process. Such shading or screens could hinder a student’s ability to interpret and respond to the item. ETS proposes reproducing any graphics that the developer purposely drew to scale at the same size and will only modify items from the original size that are solely represented by color or contrast.

The directions for administration specific to the large print edition will be similar to those used for the regular print, operational version of the test.

Students will respond directly in the special version test booklets or response booklets, and test administrators will transcribe their responses into the test delivery system.

**7.2.A.3. Paper-Pencil Test Administration**

ETS has detailed plans in place for the printing, packing and packaging, shipping, and retrieval and processing of the 2015 CAASPP test administration materials, and ETS will continue using the same processes, refining elements to improve efficiencies and to address any policy or programmatic changes required for a given administration.

**Printing and Packaging**

ETS will print and package assessment materials according to the requirements of the RFS. The shrink-wrap, overage, and packaging specifications will support the goal of efficient handling by the CAASPP test site coordinators, also allowing ETS to effectively bundle the necessary quantities of test materials.

ETS proposes the following baseline packaging assumptions:

- ETS will provide test booklets in packages of five.
- Test books will be spiraled for assessments with multiple test versions with the package to help facilitate equal distribution of forms across the student population.

- ETS will provide accommodated versions of the test booklets in individual packages with accompanying materials.

- ETS will individually package manuals and ancillary materials to meet the CDE’s requirements.

- Secure materials will be in shrink-wrapped packages that will have an affixed barcode indicating the items contained within the package.

ETS will ship all paper-pencil test materials—CST/CMA/CAPA Science, STS RLA, Smarter Balanced, and Alternate Assessments—for a test administration window at one time. If the LEA ordered pre-ID labels, then ETS will also package the labels at the same time that the test materials are shipped. ETS will package all materials for each school and ship those packages to the appropriate LEA. Because many LEAs have multitrack calendars that require testing in more than one test administration window, it will be necessary to make more than one shipment to some LEAs.

ETS will develop and maintain the materials list for each administration, as ETS does for the CAASPP 2015 administration. This list is a requirements document that specifies anticipated page counts, order quantities, distribution quantities, and processing quantities for each item type by year. ETS will provide the list to the CDE upon request.

ETS will use distribution rules to calculate material quantities and overages. ETS’s costs assume ten percent overage for every school testing, as well as a five percent overage for every LEA based on the LEA’s total order for each grade.

**Shipping**

ETS will meet the CDE’s timelines and requirements, producing detailed packing lists for each order and tracking sheets for test administrators. For barcode-tracked materials, ETS will produce shipping lists that itemize each piece of the shipment and individual boxes. ETS will provide electronic flat text files of the security barcodes at the time of shipping for the CDE and each LEA.

ETS will package boxes by assessment and grade for each test site and send them to the LEA, and ETS will clearly label the contents of each shipment. ETS ships all test materials, bearing the return address of ETS’s test materials processing center, by a secure courier.

Box 1 of each LEA- or county-office shipment will include:

- return freight kits for scorable and non-scorable materials

- directions for inventorying the materials and for notifying CalTAC of any missing materials or shortages

- a set of packing lists for all school shipments within the LEA or county office

- a packing list for the LEA or county overage materials listed in the order in which they are packed

- a pallet detail report for those shipments that include two or more pallets
Box 1 of each school shipment will include:

- return freight kits for scorable and non-scorable materials
- a packing list with materials listed in the order in which they are packed
- pre-ID student labels

ETS will numerically label the boxes to correspond with the packing list (i.e., Box 1 of 20, Box 2 of 20, Box 20 of 20), so as to make materials for a particular assessment and grade level identifiable upon receipt at the test site.

**Box Specifications.** ETS will use specifications for box construction so that the boxes used for shipping test materials are extremely sturdy and durable. ETS will use double-walled, reusable boxes to both withstand the rigors of handling by the carriers during distribution to LEAs, and to protect the test materials shipped back to ETS for processing.

LEAs receive many shipments of materials during the school year. Although ETS will label the boxes with program information, it is critical that the LEA CAASPP coordinator be able to locate Box 1 of each shipment as soon as possible, as Box 1 contains the packing list and other important information needed to facilitate handling. For that reason, ETS will mark Box 1 so that it is easily recognizable to LEAs.

**Special Services to LEAs.** Where possible, ETS will provide the following fee-based special services to LEAs:

- accommodations for special LEA requested arrangements and space
- pallet jack or other equipment necessary for LEAs without a dock or proper equipment
- alternate carrier arrangements at the request of the LEA

ETS will provide the CDE with a proposed price list for review and approval. The price list will include all special services and other fee-based ancillary services (e.g., rescoring of constructed-response test questions) available to LEAs.

ETS will use TOMS to capture requests for proper delivery (e.g., no dock, need assistance). If there are any questions about special services in the enrollment order, CalTAC will follow up with the LEA CAASPP coordinator before ETS ships test materials for that LEA.

**Additional Orders.** When LEAs need additional materials, ETS will process requests for additional materials as long as there are not delays with shipments to other LEAs. Having the additional orders fulfilled using the main packaging and distribution system will allow ETS to consistently and effectively respond to requests for additional materials to LEAs within two (2) business days of notification.

**Packaging and Distribution System.** ETS will utilize a state-of-the-art Packaging and Distribution system, which uses barcode-identified packaging components. Barcodes will identify item type, boxes, orders, pallets, and shipments.

ETS will establish a high level of quality through such steps as applying unique shipping labels for each package associated with a school’s order. Each package will have a tracking number associated with it. ETS will load this order and shipment tracking information into TOMS, where LEA CAASPP coordinators placed their orders. Since TOMS contains e-mail addresses tied to
each order’s school and LEA hierarchy, the system-generated e-mails will go to LEA CAASPP coordinators upon shipment of their order. Information on their order is available for LEA personnel to view and track in the system.

All materials for the test administration will arrive in schools no earlier than ten (10) business days and no later than five (5) business days prior to the start of testing. ETS will use closed-loop tracking to make sure that ETS sends the correct materials ordered, and that the school or LEA receives and accounts for those materials.

Collection and Processing

LEAs must return scorable and non-scorable materials within five (5) business days after the last day for each test administration period. ETS project management will closely monitor the return of materials and will notify the Help Desk, CalTAC, of any LEAs that have not returned their materials. CalTAC will contact the LEA CAASPP coordinators and work with them to facilitate the return of the test materials. ETS will work onsite with LEAs, collaborating with County Offices of Education, to verify the return of materials in a timely manner.

In the packaging process, ETS will include freight return kits for scorable and non-scorable materials for use by the LEA CAASPP and scorable materials. The label will also contain bar-coded information identifying the school and LEA. When CAASPP test site coordinators pack their materials for return to the LEA, they are required to apply the appropriate labels and number the cartons (e.g., 1 of 2, 2 of 2). Upon receipt of the materials at the LEA, the LEA CAASPP coordinator is required to complete the “total shipment from this LEA” information on the label.

The use of the color-coded labels streamlines the return process. LEAs will deliver all scorable and non-scorable materials to ETS’s scanning and scoring facilities in Ewing, New Jersey.

Processing of Returned Materials. Upon receipt of the test materials, ETS will utilize a precise inventory and test processing system in conjunction with quality assurance procedures to maintain an up-to-date accounting of all the testing materials within ETS facilities.

As ETS receives test materials, personnel remove the materials from the shipping cartons and carefully examine each shipment for a number of conditions, including physical damage, shipping errors, and omissions.

As materials are batched for scanning, personnel also conduct a visual inspection to compare the number of students recorded on the school and grade identification (SGID) sheet to the number of answer documents in the stack.

ETS’s image scanning process provides the ability to capture security information electronically and to perform the following tasks:

- compare the scorable material quantities reported on the header sheets to the actual documents scored
- follow up on any missing shipments or quantities appearing to be less than expected with a telephone call by ETS’s Program Management Team to the school LEA

CalTAC staff will contact the LEA for further resolution.

ETS will check in all secure materials by scanning the barcode label on each of the returned cartons. ETS will then count and return the materials in each box to the original box for storage.
ETS will compare the quantity of test booklets that received, including the scanned counts of STS grades two and three scorable documents, and compare that to the quantity that are assigned and sent to each LEA and school.

**Notifying LEAs of Discrepancies in the Quantities of Secure Materials.** ETS will send reports detailing secure materials received back from the LEAs or schools to CalTAC, who will follow-up with LEAs. ETS will provide the CDE with an electronic file showing the final resolutions of discrepancies no later than September 20 of each year. The format of the file will be similar to the file format used in the 2014 administration.

**Procedures for the Secure Destruction of Secure Materials.** After secure materials (including test booklets and examiner’s manuals) are processed, ETS will return them to their original boxes for storage and palletize and place them in ETS’s secure warehouse facilities. Once all resolution is complete, ETS will request approval from the CDE to securely destroy the materials. ETS will request approval from the CDE on October 31 annually following the administration to securely destroy test materials.

### 7.3. Computer-Based Assessments

AIR’s test delivery system will be used as part of a continued offering for CAASPP. This system has the proven operational capabilities need to deliver the full range of assessments.

**AIR-Proprietary Test Delivery System**

ETS and its subcontractor, AIR, will host and support the AIR-proprietary TDS for the administration of all online California-specific and Smarter Balanced assessments (summative and interim) for California.

As described in Task 5.1, ETS intends to work with Smarter Balanced and the CDE to implement new system features such as updated embedded calculators or illustrated glossaries. As new features become available, ETS will review the technology or feature and make recommendations to the CDE the potential systems and program impact. If the CDE requests that the technology or feature be implemented under the current 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.

A summary of the existing system features:

- Provides advanced security protocols and techniques to protect both test content and student data.
- Provides educators with a robust set of tools to manage and monitor testing. The system displays each student’s progress through the test. Additionally, intuitive, user-friendly icons indicate each student’s testing status. Customized student grouping rules can be applied to easily help manage student data.
- Uses current industry-recognized standards (Standard Interchange Format [SIF], Information Management System [IMS], etc.).
- Is flexible to accommodate the varying technological capabilities that exist in state school LEAs.
• Accommodates virtual networks and/or thin client environments and supports administration within a secure wireless environment on tablets or other mobile devices.

• Includes a rich set of tools to enhance the student’s computerized-testing experience.

• Tools are highly customizable and can be configured for each computerized test and test taker as set by the testing procedures and PMP.

• Provides a workflow that makes pre-registration for specific online testing sessions unnecessary.

• Shows online testing metrics, by assessment and state/LEA/school, immediately upon inquiry. Daily completion status reports summarized across state and by LEA are available.

The TDS is a purely Internet-based system that supports operating systems and Internet browsers longer than their original manufacturers. This covers almost all the computers currently found in schools. While inside schools, there can be technology schools, technology is advancing rapidly outside. ETS will not only keep up with those advances across all technology proposed for CAASPP, but will leverage them to make test content more meaningful and accessible. Therefore, ETS needs to confirm that their system always has forward browser compatibility with the latest operating systems, including iOS®, Androids, and Chromebook™ devices, as well as assistive technology devices.

Table 16 below describes the secure browser support policy for new operating system releases. Table 17 describes the Web browser support policy for new releases.

### Table 16. Secure Browser Support Policy for Operating Systems

<table>
<thead>
<tr>
<th>Release of Third-Party Software</th>
<th>Compatibility</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currently supported operating systems</td>
<td>90 days after release</td>
<td>AIR intends to support a new version of a currently supported operating system within 90 days of official release.</td>
</tr>
<tr>
<td>Google ChromeOS</td>
<td>presumptive support</td>
<td>AIR does not block new versions from accessing the site.</td>
</tr>
</tbody>
</table>

### Table 17. Web Browser Support Policy

<table>
<thead>
<tr>
<th>Release of Third-Party Software</th>
<th>Compatibility</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apple Safari and Microsoft Internet Explorer browsers</td>
<td>90 days after release</td>
<td>AIR does block new versions of these browsers from accessing the site until they are tested and all issues are resolved.</td>
</tr>
<tr>
<td>Google Chrome</td>
<td>presumptive support</td>
<td>AIR does not block new versions of these browsers from accessing the site.</td>
</tr>
</tbody>
</table>

Table 18 below provides a list of supported operating systems and recommended specifications as of the submission of this SOW. ETS will update this list annually as part of the Smarter Balanced Implementation Readiness Package described in Task 3. ETS will provide the CDE with advance notice when a secure browser update will be released. AIR will continue to work closely with the major operating system vendors to ensure that the secure browsers will work on any new operating system updates. The latest table of supported operating systems and minimum system requirements can be found on [https://www.caaspp.org/](https://www.caaspp.org/).
Table 18. Supported Operating Systems and Minimum Requirements, as of March 30, 2015

(Note: The latest information will be posted to http://www.caaspp.org/)

<table>
<thead>
<tr>
<th>Operating System</th>
<th>Supported Devices</th>
<th>Secure Browser</th>
<th>Related Requirements*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Desktop</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Windows XP (Service Pack 3), Vista, 7, 8.0, and 8.1
| Mac OS X 10.5 (Power PC) | Desktops/Laptops | Mac Secure Browser 5.6 | Disable fast user switching and Launchpad. |
| Mac OS X 10.5 (Intel) | Desktops/Laptops | Mac Secure Browser 6.5 | Disable fast user switching and Launchpad. |
| Mac OS X 10.6 – 10.10 | Desktops/Laptops | Mac Secure Browser 7.2 | Disable Spaces (10.7 – 10.10). |
| Linux Fedora 16 – 20
openSUSE 13.1
Red Hat Enterprise 6.5
Ubuntu (LTS) 10.04, 12.04, and 14.04 | Desktops/Laptops | Linux Secure Browser 6.5 | Install required libraries. Install Festival and SoX. Install Verdana TrueType font. |
| **Mobile**       |                   |                |                       |
| iOS 6.0 – 8.1    | iPad 2
iPad 3
4th Generation (Retina Display)
iPad Air | AIRSecureTest Mobile Secure Browser | Enable Guided Access. (Note: Single App Mode is not the same as Guided Access.) |
| Android 4.0.4 – 4.4 | Google Nexus 10
Motorola Xoom
Samsung Galaxy Note (10.1)
Samsung Galaxy Tab (10.1)
LearnPad Quarto | AIRSecureTest Mobile Secure Browser | Enable the secure browser keyboard. |
| Chrome OS 31 – 40 | Chromebooks | AIRSecureTest Kiosk Application | Chromebooks must be in kiosk mode. |
| Windows 8.0, and 8.1 | AIR supports any tablet running Windows 8.0 and 8.1 Pro. However, AIR has done extensive testing only on Surface Pro, Asus Transformer, and Dell Venue. | Windows Secure Browser 7.2 | Disable fast user switching. |

Note: The CAASPP end-of-support date for operating systems will be consistent with the Smarter Balanced end-of-support plan (www.smarterbalanced.org).
The CAASPP Assessment Delivery System contains a series of integrated modules that appear to users as a single, integrated system. Once logged in, users can navigate the various components of the system securely. The CAASPP Assessment Delivery system has four components: TOMS, the test delivery system, the quality monitor system, and participation reports. Table 19 provides an overview of each component.

### Table 19. Summary of Assessment Delivery Components

<table>
<thead>
<tr>
<th>System</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Test Operations Management System (TOMS)</td>
<td>TOMS is responsible for:</td>
</tr>
<tr>
<td></td>
<td>• student registration</td>
</tr>
<tr>
<td></td>
<td>• gathering of demographic data</td>
</tr>
<tr>
<td></td>
<td>• materials ordering</td>
</tr>
<tr>
<td>Test Delivery System</td>
<td>The test delivery system's test administrator interface provides the interface through which test administrators establish and monitor testing sessions and authenticate student users. The student interface is the testing system as it appears to the student, on which students take tests. The test delivery system delivers tests to students, records responses, and forwards data to downstream systems. Available for all CAASPP computer-based tests beginning with the 2015-16 administration.</td>
</tr>
<tr>
<td>Test Administrator Interface</td>
<td>The quality monitor system receives the data, verifies the validity of the test administered and the item-level scores assigned, and gathers statistical data for ongoing quality reports. Data are then provided to ETS for test-level scoring and reporting.</td>
</tr>
<tr>
<td>Quality Monitor System</td>
<td>The online reporting system for participation reports provides a secure interface to participation data and associated demographic information. Available for all CAASPP computer-based tests beginning with the 2015-16 administration.</td>
</tr>
<tr>
<td>Completion Status</td>
<td></td>
</tr>
</tbody>
</table>

### System Description and Capabilities

To administer tests, the test delivery system needs information about students and test administrators, including authentication information. TOMS gathers data from LEAs, schools, or the state, and transfers those data to AIR’s roster tracking system, a flexible database system shared by the test delivery system and the AIR reporting systems utilized for completion status. The roster tracking system will house TOMS-provided data provided about the educational networks in California, such as which schools are in which LEAs, which teachers are in which schools, and which students are in which classrooms.

After the test delivery system administers the test to a student, the system passes the resulting data to the quality monitor system. The quality monitor system rescores tests, checks that the tests meet the blueprint, captures statistics on items, and runs a host of extensive quality checks. The quality monitor system also runs a suite of analyses designed to detect cheating, which ETS can make accessible to psychometric personnel at any time. The entire quality checking process occurs in milliseconds. The system then transfers item-level score data to ETS for test-level scoring and population within the electronic reporting systems. In the rare
event that the quality monitor system identifies an anomalous test result, the system promptly notifies members of the project team and ETS holds the results until they can be verified.

The interfaces comply with the application programming interfaces and data interoperability standards established by the Smarter Balanced Consortium. Figure 5 provides a schematic of the overall system.

**Figure 5. Overall Schematic of the Test Delivery System**

Activities related to system requirements are described in Task 3.

**7.3.A.1 Interim Assessments**

ETS will build on the implementation of the 2015 Smarter Balanced Interim Assessments for LEAs to include:

- the capacity to limit the number of testing opportunities
- educator access to all grade levels of interims using a user-friendly presentation of the available interim assessments
- a visual difference from the summative assessments (e.g., different search or filtering process, different graphic screen element)
- streamlined access to the Smarter Balanced Interim Assessment component for educators, using the same systems and protocols used for the summative assessments
• training and certification of LEA-based trainers in the scoring of student responses to constructed-response and performance-task items, using workshops, Webinars, and supportive ancillary documents and materials

• training and materials to guide accurate interpretations of scores and support effective use of interim assessment results to improve instruction

• a method for reporting scores to the Smarter Balanced data warehouse for reporting purposes

As part of this contract, ETS and its subcontractor, AIR, will provide services that will incorporate access to the Interim Assessments via single sign-on functionality through TOMS. Access to the Interim Assessments will be available year round beginning in August 2015. ETS will update the interim assessments by September annually with materials provided by Smarter Balanced. ETS will work with the CDE to develop appropriate roles for administration of summative and interim assessments that limit access as appropriate.

The Interim Assessments will share the same servers as the Summative Assessment. It is estimated that approximately 6.3 million students in kindergarten through grade twelve will have access to the Interim Assessments. This estimate includes the students in grades three through eight and grade eleven who also will have access to the Summative Assessments. ETS and AIR will host a server infrastructure with sufficient bandwidth, hardware, and software to provide the Smarter Balanced assessments and tools to up to approximately 6.3 million students.

Training Educators in the Scoring of Student Responses to CR Items

As part of the plan to improve educators’ access to interim assessments—and to train them to effectively use them—ETS will use its expertise and provide opportunities for educators to learn how to accurately and reliably score student responses to constructed response and performance task items. Educators training is described in Task 2. ETS will provide training at eight sessions per administration and will add two sessions per administration if scheduling and resources allows. The additional sessions must be located within the original eight sessions.

Reporting Interim Assessment Scores to Smarter Balanced Data Warehouse

Following the administration of an interim assessment, ETS will securely transfer student demographic information and interim assessment test results to the Smarter Balanced Data Warehouse for prompt reporting via the Smarter Balanced Reporting System. If Smarter Balanced implements a federated process for user authorizations, ETS will work with Smarter Balanced to allow for single sign on access to the Smarter Balanced Reporting System to make it seamless for educators to use all components.

7.3.A.2. Appeals for Computer-Based Assessments

The test delivery system provides an online method by which LEA CAASPP coordinators may submit an appeal for a computer-based assessment. The system handles all of the current appeals types and conditions required by the CDE and Smarter Balanced. ETS will confirm with the appeals types and conditions for each administration during the Orientation and Annual Planning Meetings.

A team of trained ETS representatives, in conjunction with the CDE, will be responsible for monitoring the appeals queue via the online appeals system. Monitoring and processing of the outstanding appeals will take place throughout the day, Monday through Friday, during the test
administration period. The designated team will review each request and approve or deny the appeal based upon the requirements documented for each type of appeal. Based on experiences from the 2014 Smarter Balanced Field Test and preparations for the 2015 CAASPP administration, a recommended decision tree is included in Table 20. The decision tree indicates who is handling the request and describes each type of request, reasons for the request, and results of an approved request.

Table 20. 2015–16 Online Appeals: Types and Conditions

<table>
<thead>
<tr>
<th>Type of Appeal</th>
<th>Reasons for Appeal</th>
<th>Results of Approved Appeal</th>
</tr>
</thead>
</table>
| **Invalidate a Test** | • Test security breach  
• Test administered inconsistently with the TAM  
• Student deliberately did not attempt to respond appropriately to items | Invalidated tests WILL be scored. |
| **Restore a Test that has been Reset** | • A test was inadvertently or inappropriately reset | A test that has been reset in error can be restored to its previous status and restarted where the student left off. |
| **Grace Period Extension** | • Loss of Internet access | Allows the student to review previously answered questions upon logging back in to the test following expiration of the pause rule period. |

<table>
<thead>
<tr>
<th>Type of Appeal</th>
<th>Reasons for Appeal</th>
<th>Results of Approved Appeal</th>
</tr>
</thead>
</table>
| **Reset a Test** | • Student started test without the designated supports or accommodations in his or her individualized education program or Section 504 plan  
• Correct test was not available  
• Incorrect test originally opened | Resetting a student's test removes that test from the system and enables the student to start a new test from the beginning. |
| **Reopen a Test** | • Student became ill and the test expired  
• Technological difficulty resulted in expiration of the test  
• Unanticipated excused absence or school closure resulted in expiration of test(s) | Reopening a test allows a student to access a test that has already been expired or submitted:  
• Expired – Test opens where student left off; student can review items in the current segment, but cannot return to previous segments  
• Submitted – Test opens at the last page of the test; student can review items in the current segment, but cannot return to previous segments |

The above chart is for the 2015–16 test administration. ETS will work with the CDE on a mutually agreeable process for handling appeals authorized by 5 CCR Section 860, review this information annually with the CDE, and include it as part of the Security Incidents and Appeals Procedure Guide.
After ETS enters and reviews an appeal within the system, the LEA will receive a status of the appeal, whether it has been approved or denied. The LEA can review reasons for denying an appeal in the appeals database.

ETS will report weekly on the status of all appeals, whether they be approved, rejected, or outstanding appeals that are still in the queue to be processed. ETS will be prepared to report daily or on demand as needed by the CDE.

ETS will maintain a log of appeals that includes at least the following data elements:

- Date of appeal
- Name of LEA
- Type of Appeal
- Appeal Decision

### 7.4. Contracting with LEAs for STS for Dual Immersion-Programs

STS is currently available via the process agreed to by CDE and ETS. The STS is optionally available for students enrolled in a dual-language immersion program and who are either non-limited English proficient or re-designated fluent English proficient (the STS for Non-ELs in Dual-immersion Programs). ETS will enter into agreements with LEA’s that are interested in this service.

Non-EL students in dual-immersion programs may take the STS for RLA and/or the STS for mathematics for which they meet the grade-level or end-of-course (EOC) eligibility requirements. However, because ETS will not report results for the STS for non-ELs, students do not have to take both content-area tests.

ETS has a process in place to allow these students to take a previous version of the STS at a minimal cost to the LEA. This cost is uniform across the state and is designed to recoup the marginal cost of the assessment.

LEAs will be able to download and/or order printed copies of these tests via a secure Web site. Prior to accessing the Web site, the LEA must sign and return a license and administration agreement that covers all security and privacy requirements.

ETS documents materials regarding test administration and instructions for scoring in detail, and makes these materials available to the LEA for download or in a printed format.

ETS will include the fees for these STS services as part of the CAASPP Ancillary Services Price List for the CDE’s review and approval.

Once it is determined which of the Smarter Balanced Open-Source components will be utilized for the 2017–18 STS project, those components will also be available to Dual-Immersion non-ELs at no cost to the LEA. Any component that is not covered by Smarter Balanced Open Source may necessitate an agreement between ETS and the LEA following the process used in the prior years of the contract.
TASK 8: Scoring and Analysis

ETS will work with the CDE to lay out and document the scoring procedures. After scoring is complete, ETS will follow existing quality assurance processes to confirm and validate the results. Finally, ETS will perform a series of tests, which will include processing sample data through an end-to-end sequence, to verify accuracy.

8.1. Scoring

ETS will take an integrated approach to planning and accurately scoring the assessments using Smarter Balanced- and California-required methodologies and procedures. ETS will work with the CDE to lay out and document these scoring procedures and will follow the quality assurance process to confirm and validate the results. Finally, ETS will perform a series of tests, which will include processing sample data through an end-to-end sequence that verifies accuracy.

Scoring Process Flowcharts

For computer-based assessments, ETS will deliver test results two to three weeks after a student completes testing in a given content area. Figure 6 below illustrates the process ETS will use for scoring computer-based CAASPP assessments. Information about the reporting requirements and timelines are included in Task 9, Table 23 and Table 24.

Figure 6. Computer-based Test Delivery—Scoring and Reporting Flow
For all paper-pencil tests, ETS will deliver test results within six (6) weeks after receiving the materials to confirm complete and accurate processing. Figure 7 below illustrates the process ETS will use for scoring paper-pencil CAASPP assessments.

**Figure 7. Paper-pencil Test Delivery—Scoring and Reporting Flow**

- **School paper-based testing completes**
- **Test Site Coordinators prepare and package paper materials**
- **LEA receives test materials from Test Site Coordinators within 2 business days**
- **LEA inspects and prepares shipment**
- **Processing / Batching**
- **ETS Receiving**
- **Ship to ETS Processing Center at Ludlow, NJ**
- **Resolution edits and batch balancing (6 week SLA starts)**
- **Scoring (Hand scoring for Smarter Balanced Paper)**
- **Merge of machine scored and hand scored items**
- **Final scoring and validation**
- **Districts receive paper reports for all students and PDFs available online**
- **Printing and Shipping of paper reports for all students**
- **Creation of individual Student Reports PDFs for paper-based and computer-based tests**

**Rescore Requests**

Request for a rescore will be provided to LEAs following a CDE-approved procedure for requesting the rescoring of an individual student’s responses or a set of classroom-level responses. ETS will provide results of any such rescoring to the requesting LEA within 30 business days of receipt of the request. In the case that the rescore indicates any anomalies, ETS will verify the correct scores and reissue affected score reports. In such an event, there will be no charge to the LEA. ETS will also conduct CDE rescore requests at no charge to the CDE. If any such CDE-requested rescoring requires updating and/or distribution of new data and score reports, there will be no charge to the CDE or to the CAASPP contract.

**8.1.A. Methods of Scoring**

ETS will utilize all necessary scoring methods for each of the following item types:

- **Selected-response Item Scoring.** For CAT, the AIR test delivery system will administer, score, and subsequently pass items through the CAT algorithm to determine which item to administer next. The system scores machine-scored items automatically in real-time. ETS will house student results in the ETS-maintained database of record. This private and secure state-specific database will contain CAASPP student results and assessment registration information.
• **Technology-enhanced Item Scoring.** Technology-enhanced items (TEIs) offer an advantage over traditional selected-response items. TEIs more closely simulate what students do in the classroom and the real world, as students can actually create their own responses rather than choosing from four preselected responses. Although scoring such items presents new challenges, ETS has significant experience and demonstrated competence in this area.

• **Constructed Response Item Scoring.** Constructed-response items require students to provide written responses, from simple fill-in-the-blank items with comprehensive lists of possible answers to full essay responses. Scoring approaches for these items generally fall into three categories:
  - **Deterministic Scoring.** This includes machine-scored items, basic TEIs (e.g., matching items, hot spots), or simple fill-in-the-blank items with comprehensive lists of possible answers.
  - **Human-scored Responses.** As the name suggests, these items involve constructs that require human scoring.
  - **AI Scoring.** ETS has developed rater engines that make it possible to automatically score more complex constructed-response items — such as items that ETS can score by matching a mathematical function (e.g., plot a line, use an equation), or longer constructed-response items that move beyond simple fill-in-the-blank types — that expand the possibilities for constructed-response items. AI scoring often requires some level of human scoring in order to train the scoring engine and validate the scores.

**8.1.A.1. Deterministic or Machine-Scoring**

ETS’s system will maintain each unique scoring key used to score the programs. All Smarter Balanced machine-scored items will be rendered into ETS’s systems.

ETS will score the multiple-choice, gridded responses, and computer-scored technology-enhanced items using the production keys or scoring rules.


ETS will score performance task and constructed-response student responses (including mathematics responses in Spanish) to maximize validity and reliability while incorporating efficiencies wherever possible. Table 21 represents the division of labor between ETS and MI.
Table 21. Performance Task and Constructed-Response Scoring of Summative Assessments, by Content Area and Grade

<table>
<thead>
<tr>
<th>Grade</th>
<th>Smarter Balanced Summative Assessments–ELA</th>
<th>Smarter Balanced Summative Assessments–Mathematics</th>
<th>CAST</th>
<th>CSA*</th>
<th>CAAs for ELA and Mathematics**</th>
<th>CAAs for and</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade 3</td>
<td>ETS</td>
<td>MI</td>
<td>-</td>
<td>*</td>
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<td></td>
</tr>
<tr>
<td>Grade 4</td>
<td>ETS</td>
<td>MI</td>
<td>-</td>
<td>*</td>
<td>**</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Grade 5</td>
<td>ETS</td>
<td>MI</td>
<td>ETS</td>
<td>*</td>
<td>**</td>
<td>Test Examiner</td>
<td></td>
</tr>
<tr>
<td>Grade 6</td>
<td>MI</td>
<td>ETS</td>
<td>-</td>
<td>*</td>
<td>**</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Grade 7</td>
<td>MI</td>
<td>ETS</td>
<td>-</td>
<td>*</td>
<td>**</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Grade 8</td>
<td>MI</td>
<td>ETS</td>
<td>ETS</td>
<td>*</td>
<td>**</td>
<td>Test Examiner</td>
<td></td>
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<tr>
<td>Grade 9</td>
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<td>-</td>
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<tr>
<td>Grade 10</td>
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<tr>
<td>Grade 11</td>
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<td>Test Examiner</td>
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<tr>
<td>Grade 12</td>
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<td>-</td>
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<td></td>
</tr>
</tbody>
</table>

* The CSA High Level Test Design approved by the SBE in September 2016 does not include human scoring of performance tasks, although ETS will develop constructed response items, scoring rubrics, and training materials for future use.

** The CAA for ELA and mathematics do not include human scoring of constructed-response items.

By design, student responses to the Smarter Balanced Interim Assessment performance task and constructed response items will be scored locally as determined by each LEA for their needs. Task 8.1.B provides additional information about the Smarter Balanced Interim Assessment Scoring activities.

The procedures ETS proposes for California include:

- careful recruiting of raters utilizing ETS best practice hiring process
- extensive training of all levels of scoring leadership, not only on the prompts, rubrics, and related scoring material but on how best to monitor the quality of the scoring
- rigorous training of the raters in appropriately applying the rubric for each prompt type, following the generic sample responses that exemplify the quality required for each score point so that every prompt is scored on the same general criteria
- requiring new raters to demonstrate their accuracy by passing a “certification” test before being assigned to score a specific assessment and then by passing a shorter, more focused “calibration” test before each new prompt type
- using scoring leaders to read behind and monitor raters; scoring leaders have the option of evaluating responses a rater previously scored, with or without the knowledge of the score he or she gave (i.e., “informed” versus “blind” back rating)
- using the scoring system’s live operational data to identify (and, for scoring leaders, then counsel) raters who are reading at unusually slow or fast rates
- using content scoring leaders to monitor the scoring leaders and their virtual teams
- including pre-scored validity responses (sometimes called monitor papers) within each rater’s set of assigned responses in order to evaluate ongoing accuracy while scoring
- regularly analyzing inter-rater reliability (IRR) statistics to verify that raters are scoring consistently (the scoring system produces real-time IRR and validity response scoring statistics)

Using Hand Scoring of CAASPP Constructed Response Items for Teacher Professional Development

ETS remains committed to maximizing the involvement of California teachers in scoring student responses to CAASPP items and in increasing the professional development opportunities to the greatest extent possible. ETS will follow best practices as recommended by Smarter Balanced and CDE (for non-Smarter Balanced CAASPP assessments) for using scoring as a professional development tool for teachers in California.

ETS will involve teachers in five types of large-scale scoring activities: (1) Smarter Balanced Interim Assessment Scoring Workshops, (2) Summer Scoring Workshops, (3) Range-Finding Meetings, (4) Constructed Response Scoring Modules, and (5) Live Operational Scoring.

To encourage teacher involvement with these professional development opportunities, ETS will provide reimbursement to any California teacher or to the teacher’s LEA for their participation:

- If a California teacher’s school is not in session when he or she participates in the workshop, ETS will provide a stipend of $150 per day to the California teacher for each day he or she attends the workshop. The teacher will not receive the stipend if his or her school is in session when the teacher attends the workshop.

- If a California teacher’s school is in session when he or she attends the workshop, ETS will provide substitute teacher reimbursement of $150 per day to the California educator’s LEA for each day that the educator is not working at his or her LEA due to participation in the workshop. The LEA will receive the substitute teacher reimbursement only if the teacher’s school is in session when the teacher attends the workshop.

Smarter Balanced Interim Assessment Scoring Workshops will train teachers in the effective and consistent use of scoring rubrics and materials so that they may accurately score their students’ interim assessments.

These workshops, detailed in Table 1 in Task 2, will include:

- training that will increase teacher effectiveness in teaching and evaluating writing
- feedback to teachers that will support improvement in student performance
- online posting of videotapes of these workshops or, upon approval by the CDE, providing other materials in lieu of the videos, such as a facilitator’s guide, that support local training conducted by LEAs
• support for the recruitment and training of California teachers to score Smarter Balanced Summative Assessments
• pre-scored constructed-response samples in the scoring training sessions
• preparation of workshop participants for the certification test required for CAASPP Smarter Balanced summative raters
• access to the scoring system with the opportunity to take an online certification test
• opportunities for teachers not qualified for the summative scoring

Summer Scoring Workshops will provide training on the scoring of released operational items from both the summative and interim administrations from the previous year.

These workshops will include:

• live training materials that raters use for operational scoring
• student responses from the summative and interim administrations for certified teachers
• items and responses from the pool of AI-scored responses that receive additional human back-reads
• opportunity for teachers to rate responses using the same systems and processes used for operational scoring

Range-Finding Meetings for CAST will take place after the pilot and field tests for any items that require rubric scoring. Range-finding meetings for the CSA will take place after the field test in fall 2018 for any items that require rubric scoring. The grade-specific committees will include teachers, LEA/school curriculum staff, LEA/school administrators, and higher education staff as specified by the CDE. These range-finding meetings will provide input into score ranges for each item, scoring rationales, and identify anchor sets with exemplar responses.

Constructed Response Scoring Modules will work with the Beginning Teacher Support and Assessment (BTSA) Induction to engage preliminary credentialed teachers in a job-embedded formative assessment delivery system of support and professional growth. ETS will suggest opportunities to include modules on constructed response scoring in these locally implemented programs with the goal of improving classroom practice. With this professional development, beginning teachers will be able to hand score both interim and summative performance tasks, and engage in the system of assessments to improve teaching and learning. ETS will reach out to interested BTSA providers to gauge their interest.

Live Operational Scoring will provide current California teachers, to the maximum extent possible, the option to engage in operational scoring of CAASPP ELA and mathematics student responses. To achieve this, ETS will employ the following strategies:

a. Operational Scoring Workshops will be available to California teachers who have applied and have been accepted for the operational pool. ETS will hold scoring workshops on alternating weeks beginning in mid-February, or in a timeline approved by the CDE, for the purposes of training and certifying
California teachers in a face-to-face setting or other CDE-approved mode of delivery. Teachers who qualify during these workshops will score for the remainder of the workshop and will be certified to score via a distributed model at the end of the workshop. Refer to Task 2, Table 1, for additional information about the workshops.

b. **Recruitment Tactics to Maximize California Teacher Involvement.** In order to encourage California teachers to participate in distributed scoring, ETS proposes the following:

- reach out to a collection of educator stakeholders, for assistance
- offer teachers professional development or continuing education credit – ETS will explore the possibility with the appropriate state offices to offer continuing education credits to teachers
- offer California teachers priority processing over other raters and provide them with their own link through the CDE and California teachers associations Web sites
  - Priority processing means that, as applications come in to the scoring centers, applications from California teachers will be placed at the very front of the queue, guaranteeing them priority in the training, certification, and hiring process.
- reach out to Teacher Education Programs throughout the State to target pre-service teachers
  - ETS will suggest criteria or possible pilot programs for consideration of the CDE and SBE to expand the pool of potential raters beyond the current requirement of a bachelor's degree.
- **Beginning Teacher Support and Assessment (BTSA) Induction.** In addition to providing the modules described above, ETS will propose to BTSA providers that they include information regarding the CR scoring opportunities and perhaps a link to the application site.

c. **Rates:**

- **Hourly:**
  At the time of hiring, all reviewers are expected to make a reasonable commitment to participate in summative scoring, as defined annually by the CDE and SBE staff.
  - The hourly rate for scoring in the program is $13 an hour.
  - The hourly rate for scoring by certified California educators is $20 per hour, retroactive to the time of hiring. ETS will work with the CDE to operationalize the process and will submit the process for review and approval by the CDE and SBE staff.
Operational Scoring Workshops:

- Travel expenses for attendance at an operational scoring workshop. California educators or their LEAs also may receive reimbursement of $150 per day for their attendance during the workshop as described at the beginning of this hand scoring section.
- California teachers who qualify to score after the workshop will receive $20 an hour for any scoring they provide after the workshop. (Note: A California teacher does not have to attend an Operational Scoring Workshop in order to qualify and be hired as a CAASPP rater.)

Scoring Preparation and Execution for California

Rater Recruitment

ETS will recruit and hire the necessary number of qualified raters to meet the scoring timelines. A qualified rater must meet the following eligibility requirements: (1) has, at minimum, an undergraduate degree from an accredited college or university; (2) is preferably a practicing or former teacher; (3) resides in the continental United States, Alaska, or Hawaii; and (4) is eligible to work in the United States. ETS will require verification of rater credentials including college degrees or other qualifications as determined in cooperation with the CDE and SBE staff. ETS will specifically recruit California teachers and educators and plan to hire as many qualified applicants from California as possible. In addition, recruitment outreach will include prior raters who are currently scoring or have successfully scored responses for one or more large-scale constructed-response programs.

ETS will appoint a team of highly experienced human resources professionals to recruit and achieve the CDE’s stated program requirements. This dedicated team will be responsible for vetting and hiring the required number of qualified raters and leaders to meet the volumes specified by Smarter Balanced, as well as the volumes required to score the pilot and field test items for CAST and the field test items for the CSA. The purpose of scoring the CAST pilot and field test items and the CSA field test items is to develop scoring rubrics and, when appropriate, scoring models that will contribute to the development of operational scoring data.

Organizational Scoring Structure

The organizational structure for CAASPP will encompass:

- **Content scoring leaders.** These team members have overall responsibility for one or more assessments, working under the supervision of ETS’s assessment development content experts. Working across the leadership team for their domain, such as the ELA Upper Level grades, the content scoring leader will escalate non-routine issues (e.g., test security cases), review the performance of the group scoring leaders, and oversee the quality and progress of the scoring, working closely with assessment developers, scoring experts, and human resources professionals.
• **Group scoring leaders.** These team members provide key leadership and feedback to scoring leaders, carefully monitoring the overall quality and progress of the scoring. They score complex, non-routine responses and resolve any content-related issues raised by leaders.

• **Scoring leaders.** Scoring leaders’ primary duties will include monitoring and reporting on a team of raters. Leaders back-read their teams throughout the scoring process, offering feedback and resolving selected non-routine responses.

• **Raters.** Based on their given availability, ETS schedules these members to calibrate and then score assigned responses.

During rater recruitment, ETS evaluates, trains, and tests raters to determine their ability to read responses and score to the required accuracy level. If an applicant meets all of the specifications, then ETS will certify him or her as a rater.

**Scoring Plan**

**Number of Responses for Human and AI Scoring**

ETS will use specific assumptions regarding the number of items and the scoring mode for each item. Based on information provided on [http://www.smarterapp.org](http://www.smarterapp.org) regarding the type of student response elicited, and the potential of items to provide quality professional development, ETS will base scoring solutions on the following assumptions regarding the number of items that can be AI scored. ETS will work with the CDE to adjust inclusion of additional items for AI scoring to reflect their potential and appropriately include more human scoring by California teachers. In all cases, AI scoring will only be applied to items that meet the most rigorous technical specifications for scoring that equal or exceed standards for human raters.

ETS will only expand AI scoring beyond the 2014-15 levels in accordance with the following criteria and with prior approval of the CDE.

1. ETS will target for AI scoring only those constructed response (CR) items that are designed to elicit a specific correct answer from students. These items require test-takers to enter a single word, phrase, sentence, number, or set of numbers and are technical and repetitive. They typically take students 1-5 minutes and do not require complex scoring rubrics. These are items that are not particularly useful or appropriate for trained educators and professional development.

2. ETS will target for Teacher Scoring and Professional Development Extended Response (ER) items that are designed to elicit more complex and elaborate student responses. These items allow students to demonstrate the use of complex thinking skills that are consistent with evidence-based conclusions for interpreting information and developing explanations. These items typically take students 5-20 minutes to complete and require multi-level scoring rubrics. These item types are much more suitable for scoring by human scorers and for focused professional development.5

3. ETS will only expand AI scoring to any identified ER items after engaging input from teacher stakeholder groups to determine the best item types to use for professional development and teacher scoring.

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Development of Scoring Training Materials for New Assessments

Following range finding, the scoring team will create the various sets needed to train, qualify, and monitor raters for the CAST pilot and field tests.

ETS will include a set of decision (i.e., anchor) papers, which will be identified during range finding, that represent the fine lines at the top and bottom of each score descriptor on the rubric. ETS will select these responses based on their scoring “difficulty” (e.g., is the response a high 2 or a low 3?).

Training

The Scoring Trainers will use Smarter Balanced training materials for each grade level and train by item type to develop a strong foundation to score a variety of items within the type for which they qualify. ETS will leverage the Smarter Balanced-based infrastructure in place to allow for ongoing trainings as ETS brings on raters to handle any fluctuations in scoring demands. ETS will complete scoring on a rolling basis and return the results within the window specified.

ETS will train the raters to evaluate types of items within a specific grade and content area. By focusing on a specific type of response, the rater will develop specialization in understanding and applying the nuances of the rubric criteria for the item type. This internalization of the rubric by type will allow raters to apply the general scoring criteria to multiple items accurately. For performance tasks, when scoring criteria for performance tasks within a family is generalizable across the performance task type, raters will train across all performance tasks in the type as a unit. ETS anticipates that the training and qualifying sets from Smarter Balanced will consist of items and responses most representative of the type that ETS will score. Scoring trainers will use the latest Smarter Balanced training materials to help the raters learn to apply the criteria illustrated in the Scoring Guide, confirm the raters become familiar with the process of scoring student responses, and assess the raters’ understanding of the scoring criteria before they can begin live scoring.

ETS will employ flexible and secure online training interfaces for the rater training in the scoring sites and with distributive scoring activities. ETS will use the online training interfaces to allow ETS to lead interactive training sessions that emulate the best characteristics of face-to-face training. Using these same systems, the CDE will be able to actively monitor all hand-scoring training and scoring activities without travel.

ETS raters will utilize the identification of condition codes, unusual prompt treatment, and Alert situations (e.g., child-in-danger); as well as other particular types of responses that they should forward to the Scoring Leaders during live scoring.

Qualification. Each member of the ETS scoring staff will qualify for scoring student responses based on established California standards following a rigorous training process. ETS will maintain a consistent level of scoring quality throughout the scoring effort. ETS will submit documentation of all training processes and results to the CDE at the conclusion of scoring.

Scoring Systems

The ETS online distributed scoring platform contains the key features, functionality, and related benefits that California needs for effective high-quality scoring.

To satisfy California’s need for rapid scoring turnaround, ETS will use this platform to:

- use selected criteria to prioritize the scoring of responses in queue
stratify response scoring, based on the alignment of student and rater demographic data, to reduce potential scoring bias

randomly distribute responses

reconfigure pre-set scoring rules in a prioritized order, when necessary, to achieve scoring deadlines

Quality Control

ETS will utilize a variety of procedures for controlling rating quality along with the monitoring of the raters.

These procedures include:

- **Rigorous training of the scoring leadership.** Content scoring leaders, group scoring leaders, and scoring leaders will receive training respectively on their assigned grade level(s) and prompt types prior to the annual scoring period. In subsequent years, top leadership will conduct refresher sessions.

- **Extensive training of raters.** Raters will go through a training period where they learn to appropriately apply the rubric for each prompt, following the Smarter Balanced-provided and the CDE-developed benchmark sample responses that exemplify the quality required for each score point. ETS online scoring platforms will support rater training with a full-service menu of training options, including orientation materials, program-specific information, training on how to use the platform, and interactive training that includes practice scoring for both potential and qualified raters.

Rater Reliability

ETS will conduct 10 percent second reads for all hand scored responses without adjudication. The second read will be used as a quality assurance measure to validate the consistency of the scoring and measure the accuracy of the scoring.

ETS’s scoring systems will capture and report the quality monitoring data that are available to scoring supervisors. These data include: the number and percent of exact matches for each rater; the number and percent of adjacent scores. ETS will confer with the CDE to outline requirements for rater reliability reports so that ETS can provide this information with the necessary level of detail. MI will transfer the quality data from its system to ETS on a daily basis for consolidation of reporting.

The scoring specifications will include the requirement to maintain an average inter-rater reliability of 70 percent or higher. When ETS identifies an item that falls below this threshold, ETS will notify the CDE and make a recommendation for the CDE to consider.

ETS considers scores captured within the distributed scoring systems to be raw scores. ETS exports these scores, once acceptable according to the California rules, to the final scoring and reporting system, which will report the scores on appropriate scale for each prompt.

Questionable Content and Confidentiality

ETS will implement a formal process for informing the CDE when student responses reflect a possible dangerous situation for the student or for others. For possible dangerous situations, scoring project management and staff will employ a set of Alert procedures to notify the CDE of
responses indicating endangerment, abuse, or psychological and/or emotional difficulties. If a rater identifies a response, which may require an Alert, then he or she flags or notes that response as a possible Alert and transfers the image to the scoring manager. Scoring leadership will then decide if they need to forward the response to the CDE for further review and action.

ETS will provide an SFTP site to send the alerted student’s response in a unique file with student identification information to the CDE. ETS will attach a detailed description of the unusual situation to the student response. ETS will make any other adjustments to the process based on CDE-specific requirements. ETS will communicate weekly—or more often, if required—with updates on posted alert papers to CDE jurisdiction through e-mail.

ETS will investigate the use of an automated system to flag responses that may require an Alert and will present recommendations to the CDE. If the CDE decides to implement an automated system, ETS will work with the CDE to develop and implement processes to review the alerts and notify LEAs as appropriate.

**Condition Codes**

ETS will assign student responses a score or a condition code according to the final set of scoring specifications developed in conjunction with the CDE. Smarter Balanced already has assigned a set of condition codes that ETS proposes to use with approval of the CDE. ETS will assign scores as requested by the CDE and include scores of zero in the computed statistics.

ETS will verify blank responses for either the multiple-choice or constructed-response items as a routine step in the scoring process. Additionally, ETS will visually check returned paper materials for any separate papers that may contain student written responses.

**Reporting**

ETS’s online scoring system provides on-demand reports on scoring activities. The CDE will be able to view both aggregate scoring statistics for the entire pool of raters as well as individual raters in real-time.

The scoring system offers many data elements, such as:

- total number of responses for responses read
- hourly rate of responses read
- mean score awarded overall
- percentage of scores awarded at each score point
- number and percentage of exact scores
- number and percentage of adjacent scores
- number and percentage of non-adjacent scores
- number and percentage of responses deferred
- rater performance statistics
rater productivity metrics

Scoring Student Responses with Artificial Intelligence (AI)

ETS will deliver AI scoring technologies that meet the demand for student reports and scoring data that is not only fast and efficient, but that also meets the rigorous standards of validity and reliability necessary for large-scale state assessments. ETS will follow the same considerations for teacher scoring and professional development as outlined in the Scoring Plan.

The scope for both the Smarter Balanced and CAST components includes the following:

- initial AI scoring model building and evaluation for CR items or PTs
- operational deployment of AI scoring models for CR items or PTs
- periodic operational quality control for monitoring AI scoring model performance for CR items or PTs
- development of an annual client memorandum that document AI model development, deployment, and performance

Timeline for Model Building, Evaluation, and Deployment

For Smarter Balanced items, ETS will utilize AI scoring and incorporate both ETS and MI engines for scoring in a complementary fashion.

For CAST items, ETS will complete the development of an initial item pool in the first year of development (see Task 6.1). A pilot test will be in the spring of 2017 and a field test in the spring of 2018. Once the data from the field test become available in the summer of 2018, ETS will conduct AI-scoring model building and evaluation during the second half of 2018.

ETS will use a broad range of evaluation criteria during model development, which consider statistical performance criteria as well as construct-representation considerations, to compare the performance of candidate models.

ETS will conduct ongoing quality-control (QC) efforts to monitor the performance of the AI scoring models during deployment. Therefore, if the structure of the student (sub-) populations and their associated performance characteristics change significantly, ETS will be able to detect and recalibrate the scoring models in time for future administrations.

Long-term Partnership Model

ETS will consult with the CDE in the longer-term development and deployment of novel AI models. ETS will utilize existing and emerging capabilities to produce statistically reliable, substantively defensible, and practically useful automated scores for an increasing number of items over the years.

8.1.B. Smarter Balanced Interim Assessment Scoring

ETS will deliver the interim assessments through the same test delivery system as the summative assessments. ETS will meet all of the mandatory requirements in the same way as is done in the summative assessment.
This system will provide the same features available on the summative assessments, assuming that Smarter Balanced provides the same content supports (e.g., alternate language glossaries) that it will provide for the operational summative assessment.

The test delivery system has an automated routing feature that sends items that require human scoring to a designated scoring system. Local scoring occurs through the Interim Assessment Hand Scoring System (IAHSS), which routes student responses to performance items back to the local test administrator for scoring or further routing.

Local Scoring

The test delivery system will make student performance responses available for local scoring of interim assessments. The teacher scoring system allows teachers to score any performance items requiring hand-scoring administered as part of the interim assessments, including extended responses and writing essays. Hand-scoring via the Interim Assessment Hand Scoring System (IAHSS) differs significantly from the hand-scoring procedures described for the summative assessments. First, the summative assessment procedures route student responses randomly to trained professional raters. Second, they typically require additional read behind requirements. Third, those procedures typically route validation papers through the scoring queue to monitor scoring behavior.

Student responses for performance task items on the interim assessments will flow into the IAHSS in real-time after a student completes and submits an online test. Scoring rubrics, exemplar responses, and anchor papers for each item will be accessible in the IAHSS by the teacher. In the event the teacher needs to transfer his or her queue, the teacher or a higher-level authority (e.g., a principal) is able to assign student responses to other raters.

Once teachers submit performance scores to the IAHSS, student test records will be uploaded to AIR’s test integration system, where they will be processed in real-time. Uploads from the IAHSS to the test integration system will be regularly scheduled, within 24 hours after performance scores are submitted. The test integration system merges human scores with machine scores and sends the complete test result through the Quality Monitor (QM) system for final test scoring. Results then transfer to ETS for routing to the Smarter Balanced reporting system. The Database of Record (DoR) maintains the authoritative record of tests administered and completed.

Training Local Raters to Score Interim Assessments

ETS will provide training materials that will guide teachers through the process, including accessing the IAHSS, retrieving student responses for scoring, training and refreshing on scoring rubrics and exemplar responses, and entering scores into the system for reporting.

Teachers will be able to train to use the IAHSS using a combination of training materials:

- a detailed user guide on the IAHSS that includes screenshots and step-by-step instructions on how to use the IAHSS, how to complete critical tasks in the IAHSS, and how to address common issues encountered in the system
- training and certification of LEA-based trainers in the scoring of student’s responses to constructed-response and performance task items
User Guide for IAHSS

The purpose of the user guide for the IAHSS is to train users on the system functionality. ETS will work closely with the CDE to confirm that the user guide clearly explains all relevant functions. The user guide will be available in PDF format for users to retrieve from a designated location on http://www.caaspp.org/.

Scoring Training

In addition to the user guide, ETS will develop a training presentation for teachers and schools to learn how to score students’ responses.

Additional Training

ETS will consult with the CDE to design and implement additional training for teacher scoring. Task 2 provides additional information on the training and supports for the interim assessments. Should additional training for teacher scoring be identified beyond what has been agreed to in this Scope of Work, ETS will provide a cost estimate to the CDE.

8.1.C. Cumulative Scores

ETS’s enterprise scoring platform will coordinate all scoring. The scoring platform will integrate both objective item scores and constructed-response item ratings to produce final cumulative score data, which can be scaled or converted as needed. Custom quality control processes, will be based on the Statistical Analysis System® (SAS), verify that score data meet ETS data quality requirements.

Student Database of Record

ETS will maintain a student Oracle database that houses all student biographical, demographic, and assessment results. The database will be of sufficient size and scope to accommodate the entire California suite of assessment programs. Information associated with each student has a database relationship to the LEA, school, and teacher/class codes as ETS collects the data during the operational chain of events.

Statewide Student Identification Number (SSID). ETS assumes that the CDE-issued SSID number provided in CALPADS will serve as the unique student identifier. ETS will maintain the SSID for all records produced throughout the life of the contract. ETS will provide the CDE with a list of SSIDs that require resolution (e.g., duplicate SSIDs for different students, incomplete or missing SSIDs, retired SSIDs, etc.).

For the 2017–18 STS online administration, ETS will work with Smarter Balanced to identify STS test takers and to ensure that the student demographic data from the approved demographic data snapshot are used in the reporting process.

8.2. Analysis of Test Results

ETS will use commercially available software for all statistical analyses. In particular, ETS will use the SAS to develop an open-source solution to support item analyses and differential item functioning (DIF) analyses, scoring, and any statistical and psychometric analysis for technical reports, research studies, and any data analysis based on the CDE’s requests. For item response theory (IRT) calibration, ETS will use a commercially available version of PARSCALE.
or an equivalent version (e.g., FLEXMIRT); and, if needed, ETS will use STUIRT for equating and scaling.

**Final scores.** The test delivery system will deliver the Smarter Balanced- and newly developed computer-based assessments. The ETS scoring system will create a record for each test taker. For each test response submission, the system will receive all machine-scored item scores and hold them in the record along with the number of constructed responses pending hand scoring. When the system receives constructed response scores, it will update the student record. Once both adaptive and performance task test response submissions are received and all expected constructed response scores are received, final scoring is invoked and all required test scores (i.e., overall and claims) are calculated. ETS will base all scaled scores produced on the maximum likelihood estimation (MLE) approach. Once all required scores are calculated, ETS will send the scored test record to the quality validation system. Once this is complete, ETS’s Statistical Analysis Group will receive a data extract to verify the scoring. ETS will sign off on the release of scores into downstream systems.

For the paper-pencil assessments, ETS will use ETS systems for scoring and other psychometric analysis. As with computer-based assessments, once scoring and validation is complete, ETS’s Statistical Analysis Group will analyze scores and release them for downstream reporting.

**Routine procedures.** ETS will perform data cleaning, item analyses, DIF for newly developed assessments, IRT calibration for newly developed assessments, and scaling and equating for newly developed assessments prior to producing scoring tables. For each of these steps in the process, two psychometricians and two data analysts will independently review the results using a psychometric procedure checklist. For newly developed forms that require scaling and equating, ETS will conduct a final executive review after the psychometric and data analysis team has verified the analyses. This final review will involve the psychometric director and senior psychometric advisors who have extensive operational and theoretical psychometric experience. They will provide an independent evaluation of the psychometric analyses and determine whether all results are technically defensible. After securing final approval in the executive review, ETS will share results with the CDE for final approval before producing the scoring tables. ETS will thoroughly review these scoring tables as a quality step before passing them on to downstream systems for scoring and reporting.

**Audit procedures.** ETS will use both the ETS internal audit process and detailed documentation of each assessment to evaluate the assessments and assessment system. ETS performs an audit of its testing programs at least once every three years, and ETS will report the audit results of the tests in the CAASPP to the CDE. The ETS Office of Corporate Quality Assurance (OCQA) will be responsible for conducting these audits.

**Performance tracking.** For each assessment, regardless of whether or not there is new test development, ETS will track performance over time, focusing specifically over the years on scaled score means, scaled score standard deviations, and percentage of students meeting each performance level both for the overall population as well as for each subgroup. In addition, within each year, in the event of an administration of multiple test forms within a grade level, ETS will evaluate whether the scores and psychometric properties (e.g. reliability) were comparable. In instances where unusual performance patterns appear, ETS will communicate these issues with the CDE and provide recommendations for resolving them.

**New assessments.** For assessments with new test development, ETS will develop psychometric criteria to support new test form construction based on results from field test
studies or information from well-established item pools. Specifically, ETS will establish target test characteristic curves, targeted difficulty, and targeted discrimination levels in order to achieve parallel forms. In terms of the psychometric process, ETS will document all psychometric characteristics of all test forms developed. Particularly, ETS will document test form difficulty (based on IRT), characteristics of the populations when the form was created and scaled (e.g., demographics, average test performance, percentage of examinees at each performance level), linking coefficients used to scale new test to base scale, and final conversion tables. ETS will compare the documentation associated with the newly developed test forms against documentation from prior versions of a particular assessment to evaluate the coherence of all forms constructed. If any new form created deviates from historical psychometric characteristics, then ETS will perform additional analyses to identify potential causes. ETS will share the results of such analyses with the CDE.

Technical report. ETS will develop a technical report, summarizing the entire end-to-end process, to provide the technical evidence of the quality and overall performance of each assessment. The key components of the assessment include test design, test development and form assembly, test administration, scoring and reporting, calibration, equating and scaling, standard setting, scoring reliability and validity, quality control procedures, and historical comparisons and special studies.

ETS will readily provide further data analyses in order to confirm the validity of test scores, federal peer review, programmatic review, program evaluation, or any additional inquiries regarding the operation of the CAASPP System.

8.2.A. Item Analysis

Smarter Balanced Assessments

The Smarter Balanced Consortium will analyze the Smarter Balanced Assessments. ETS will fully cooperate with the development of appropriate reports, and ETS psychometricians will document relevant technical information to provide the CDE with additional information and analyses, as necessary, for the maintenance of the Smarter Balanced ELA and mathematics assessments.

Continuing CAASPP Assessments

CAASPP involves the administration of linear forms of current paper-pencil assessments. For each item on these forms, ETS will provide the following information:

- the proportion of examinees selecting the correct response
- the IRT difficulty parameter (b)
- point-biserial and biserial correlation coefficients used to measure item discrimination
- the test characteristic curve
- the IRT item fit classification for each item
- plots of item difficulties (as measured by the b parameter) estimated in prior administrations, and the b parameter estimated in the current population
- raw score to scale score conversion tables with frequencies and the associated conditional standard errors of measurement for each raw score
New Assessments

After ETS receives all of the student response data for the new assessments, implements scoring rules, checks the data files, and applies agreed-upon valid case criteria rules to the data, ETS will conduct item analyses. The item analyses compute important statistics for every item of the test. The statistics provide key information about the quality of each item from an empirical perspective.

ETS will perform this analysis to evaluate item difficulty, item discrimination, and student raw score performance of selected response (SR) items and hand-scored constructed response (CR) items. These analyses help identify any items that might not have performed as expected.

Summary Analyses

ETS will provide the CDE with summary analyses at the end of each test administration. The purpose of the summary analyses is to provide the CDE with a preliminary summary of the statewide test results. Typical summary analyses include percent at proficient or above, mean scale scores, and comparisons to selected LEAs. By May annually, ETS will work with the CDE to agree upon the summary analyses that will be provided.

8.2.B. Summary Analysis

ETS will produce analyses that provide summary evidence of test score accuracy and validity. Both during and after completion of the item analyses, ETS will conduct analyses specific to summarizing the performance of the students taking each assessment and the psychometric qualities of each assessment.

The CAASPP System includes both online and paper-pencil assessments, as well as both linear assessments and computer-adaptive assessments. For all assessments, ETS will provide distributions of tests scores by grade and subgroup within grade, descriptive statistics concerning test scores, and where applicable, descriptive statistics for performance task scores and subscores where possible. In addition, for each assessment, ETS will provide the test characteristic curve, the overall test score reliability, overall and conditional standard errors of measurement, and, where applicable, decision accuracy and decision consistency estimates. At the item level, ETS will summarize item difficulty and item discrimination measures for both CR and SR item types. For online assessments, ETS will also provide the distribution of the time to complete the assessment, as well as descriptive statistics summarizing the time to complete the assessment. For tests that may have variable-length assessments, ETS will provide the distribution of the number of items administered, as well as descriptive statistics summarizing the number of items administered to each student. For CR items, ETS will summarize reader reliability information and provide information concerning the degree of relationship among CR items and, where applicable, the relationship between CR and SR scores.

Continuing CAASPP Paper-Pencil Summative Assessments

As part of the CAASPP System, ETS will administer current paper-pencil assessments for the CAPA for Science, CST for Science, and CMA for Science for the 2015–16 administration only. ETS will conduct analyses for the populations of students who take each form at both the item and the test level, and will summarize them in the technical reports.

For the population of students who take selected-response tests, ETS will first conduct an item analysis estimating the percentage correct and the biserial and point biserial correlations. For CR test items, ETS will first conduct item analyses estimating the average item scores and the polyserial correlations, and ETS will examine the frequency distribution for each item. ETS will
review items flagged for extreme difficulty or low item discrimination for inclusion in scoring. Because ETS will not develop new items to support the existing tests, there will be no need to perform DIF analyses or item model fit, as the items have already undergone review. At the test level, ETS will determine the overall internal consistency reliability of the test and the overall standard error of measurement, and ETS will provide conditional standard errors of measurement. In addition, ETS will also examine the internal consistency reliability estimates for various subgroups of the student population. ETS will also provide decision classification information for score classifications.

For all intact forms without any edits or replacement of items, ETS will apply the conversion tables from the previous administration to the current administration. If new or edited items are used or removed as the result of an item security breach, then ETS will generate conversion tables using the true-score equating through the Rasch model. The item parameters used for true-score equating are post-equated item parameters from the intact forms for the unchanged items and the post-equated item parameters from the most recent administration for the replacement or edited items.

Summary analyses will include overall distributions of test scores, as well as distributions by grade level and by subgroups. These tables will group students by demographic characteristics such as gender, ethnicity, English-language fluency, need for special education services, and economic status. For each demographic group, the tables will show the number of valid cases, scale score means, standard deviations, minimums, maximums, and the percentages of students in each performance level.

**STS RLA**

ETS will administer the STS RLA through the term of the contract. The 2015–16 and 2016–17 STS administrations will use paper-pencil test materials. The 2017–18 STS administration will be an online administration using the Smarter Balanced open-source components as feasible and approved by the CDE. ETS will use the 2017–18 STS data received from Smarter Balanced as is. ETS will conduct analyses for the populations of students who take each form at both the item and the test level, and will summarize them in the CDE technical reports.

**Smarter Balanced**

ETS assumes that the CDE will rely on the analyses conducted by Smarter Balanced for the Smarter Balanced Summative Assessments and no additional activities will be planned for the analysis of Smarter Balanced data except for the purposes of special studies approved by the CDE.

**New Non-Smarter Balanced Online Summative Assessments**

If the new online CAASPP assessments are linear forms, ETS will utilize a multi-stage adaptive testing (MST) model (or an item-level adaptive), or begin with a linear assessment and morph to an MST model (or item-level adaptive).

Regardless of whether ETS implements a linear test, item-level adaptive, or MST, ETS will provide distributions of test scores by grade and subgroup within grade and descriptive statistics concerning test scores. These tables will group students by demographic characteristics such as gender, ethnicity, English-language fluency, need for special education services, and economic status. For each demographic group, the tables will show the number of valid cases, scale score means, standard deviations, minimums, maximums, and the percentages of students in each performance level.
ETS will provide the test characteristic curve, the overall test score reliability, and overall and conditional standard errors of measurement (CSEM). At the item level, ETS will summarize item difficulty and item discrimination measures for both CR and SR item types. The estimation procedures used for statistics such as CSEM will depend on whether the assessment uses a linear, item-level adaptive or a MST design. ETS will also provide the distribution of the time to complete the assessment, as well as descriptive statistics summarizing the time to complete the assessment. If the assessments follow the MST model and the results have variable-length assessment, ETS will provide the distribution of the number of items administered, as well as descriptive statistics summarizing the number of items administered to each student. For SR items, ETS will summarize reader reliability information and provide information concerning the degree of relationship among CR items. For an MST, ETS would provide routing rates, ranges of scores for each route, and IRT parameter levels by each route.

ETS will conduct DIF analyses as part of the item development process in which the items are identified as potentially biased in the item bank and not ready for operational use.

If ETS uses an MST, ETS will conduct extensive monitoring and quality control analyses. ETS will concentrate on the characteristics of the MST panels developed to measure whether earlier panels obtained similar measurement outcomes and whether ETS should adjust to the initial assembly configuration implemented to optimize the routing rates.

**8.2.C. Replication of Analyses**

ETS will work with the CDE and the external evaluator to determine the format and the layout of the student-level data files. Also, ETS will have psychometricians, data analysts, assessment developers, and IT professionals available to answer questions on the statistical and content properties of the items as well as any technical questions concerning the data structure.

The student data for replication will provide all student demographic information, including level of student support or accommodation. ETS will provide all test level scores, including raw scores, cluster scores claim level scores, and all scaled scores. The student-level data file will also contain all item responses for SR items, all scores for performance task items, and all associated item identifications. In addition, ETS will provide the latency between items and the time to answer each item.

ETS will supply the CDE and the external evaluator with the entire vector of student-level information for each student, including identification of any accommodations the student used. If there is any information that the CDE believes is not necessary in the replication of item statistics and test characteristics, ETS will create and send an abridged file to the CDE and the external evaluator. In addition, should the CDE require additional documentation to assist in replications, then ETS will provide any supplemental information needed.

**Smarter Balanced Interim Assessment Analyses**

When final claim and test level scores are available, ETS will receive the interim assessment results for both the Interim Comprehensive Assessments (ICAs) and the Interim Assessment Blocks (IABs). When the last LEA completes summative testing, ETS will produce a complete electronic file containing interim assessment information for all those who took an interim assessment. This file will contain student identifiers, student test scores on the interim (not reported to the CDE) and summative assessments, school information, testing dates, and student demographics. As a result, ETS will be able to provide the CDE with a comprehensive report documenting the usage of the computer-based interim assessments.
The report will include:

- overall utilization rates by grade and subject
- overall utilization rates by subject and grade by LEA and school
- tables providing interim assessment usage over the course of the school year

These tables will also include summary statistics on how many times students took each assessment.
TASK 9: Reporting

ETS will deliver a full range of reports and reporting formats that the CDE requires for the CAASPP System, which will include merging results from both paper-pencil formats and computer-based tests. ETS will provide reports in both formats and ETS will confirm security, confidentiality, and ease of use for CDE-approved users. ETS will utilize the AIR Online Reporting System (ORS) to report secure student test results for each of the operational summative assessments — Smarter Balanced and CAA for ELA and mathematics — and will have the flexibility of reporting secure student test results, if available, for CAST, CAA for Science, and CSA. ORS is the same system that was used for the 2015 CAASPP administration. ETS will continue to improve the reporting system annually based on user feedback from the previous administration. ETS also will utilize the Smarter Balanced open source reporting system to report student test results for the Smarter Balanced Interim Assessments. Table 22 provides a high-level timeline for reporting test results by assessment.

Table 22. High-level Timeline for Reporting Test Results, by Assessment

<table>
<thead>
<tr>
<th>Assessment</th>
<th>2015–16 Administration</th>
<th>2016–17 Administration</th>
<th>2017–18 Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smarter Balanced</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CST, CMA, CAPA Science*</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>STS RLA*</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CAA for ELA and Mathematics</td>
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<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CAST</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAA for Science</td>
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<td></td>
</tr>
<tr>
<td>CSA</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9.1. Reporting to Local Educational Agencies

ETS will implement the comprehensive and secure ORS for interactive reporting to allow users to create customized reports to display data at the LEA, school, and student level.

ETS will deliver reports in both PDF and Microsoft Excel (CSV) formats for convenience and flexibility in printing and sharing. ETS will send documents to e-mail addresses as determined by the LEA CAASPP Coordinator or the CDE.

ETS will consult with the CDE on the expansion of these reports to support additional summative, interim, and formative reporting needs. Initially the system will report test results only for the Smarter Balanced and non-Smarter Balanced Summative Assessments. Reports for the interim assessments will occur through the Smarter Balanced Data Warehouse.

Requirements for Reporting to LEAs

ETS will follow the reporting requirements as outlined in EC Section 60643. ETS’s system for reporting results to LEAs will include the following features:

- integration of student demographic data from CALPADS with student test results from the assessments
• real-time online completion reports for students taking the computer-based summative assessments, with completion reports available at the school and LEA level

• online student rosters with test results by grade level for each school and LEA, where the LEA may print or download student rosters locally through the reporting system

• online individual student results for all CAASPP assessments that the LEA may print or download locally

• provide additional student results, such as scores for the WER dimensions, in ORS

Table 23 below describes the test results provided to LEAs by type of report, test, timeframe, and mode of delivery for each of the operational summative assessments. For clarity, the operational summative assessments to be delivered within the terms of this contract include Smarter Balanced Summative Assessments for ELA and mathematics, CAA for ELA and mathematics, CST/CMA/CAPA Sciences (for 2015–16), and STS RLA. The timeframes provided in Table 23 will be in effect after ETS receives the CDE approval to release reports.

<table>
<thead>
<tr>
<th>Type of Report</th>
<th>Tests/Content</th>
<th>When</th>
<th>Who</th>
</tr>
</thead>
<tbody>
<tr>
<td>The individual student results for a content area</td>
<td>Computer-based assessments (both Smarter Balanced and non-Smarter Balanced)</td>
<td>Two to three (2-3) weeks after the student has completed all components of the assessment for that content area and scores are merged</td>
<td>LEA and Site Coordinators, teachers have access through ORS</td>
</tr>
<tr>
<td>Individual student results</td>
<td>CAASPP paper-pencil tests (e.g., CST/CMA/CAPA Science for 2015–16 and STS RLA for 2015–16 and 2016–17)</td>
<td>Within six (6) weeks after the scoring center receives a complete, clean set of answer documents for processing and scoring</td>
<td>LEA and Site Coordinators, teachers have access through ORS</td>
</tr>
<tr>
<td>Individual student results</td>
<td>Smarter Balanced paper-pencil assessments</td>
<td>Within six (6) weeks after the scoring center receives a complete, clean set of answer documents for processing and scoring and after receipt of the Smarter Balanced score keys and conversion tables</td>
<td>LEA and Site Coordinators, teachers have access through ORS</td>
</tr>
<tr>
<td>Online aggregate reports of test results</td>
<td>All assessment result summaries by subgroups</td>
<td>Aggregate results for a school or LEA will be available once individual test results are posted after validation. Aggregate calculations will be refreshed nightly. This includes target aggregate reports for online summative Smarter Balanced ELA and mathematics assessments.</td>
<td>LEA and Site Coordinators, teachers have access through ORS</td>
</tr>
<tr>
<td><strong>Type of Report</strong></td>
<td><strong>Tests/Content</strong></td>
<td><strong>When</strong></td>
<td><strong>Who</strong></td>
</tr>
<tr>
<td>-------------------</td>
<td>------------------</td>
<td>----------</td>
<td>---------</td>
</tr>
<tr>
<td>LEA-created roster-based aggregate reports, based on the data available and as the CDE allows</td>
<td>All assessments</td>
<td>Aggregate results for a school or LEA will be available once individual student test results are posted. Authorized users have ability to create rosters to view aggregate results based on data available.</td>
<td>LEA and Site Coordinators, teachers have access through ORS</td>
</tr>
<tr>
<td>Student Score Reports (SSRs) in electronic format, online individual student results for all CAASPP assessments that the LEA may print or download locally</td>
<td>Computer-based assessments (both Smarter Balanced and non-Smarter Balanced)</td>
<td>Within four (4) weeks after the student has completed all components of the assessment for the last content area</td>
<td>LEA and Site Coordinators have access through TOMS</td>
</tr>
<tr>
<td>Paper SSR</td>
<td>All assessments</td>
<td>Provided to the LEA once the test administration reaches 90% of the student test results scored for that testing window. Additional student score report shipments will be sent for the balance of SSRs after the end of the statewide CAASPP test administration window as defined in the most current testing regulations. The CDE has the opportunity to review and approve printing and shipping paper SSRs to LEAs that fail to reach the 90% threshold.</td>
<td>LEAs will receive two (2) copies of each SSR</td>
</tr>
<tr>
<td>LEA Student Data (Downloadable) File</td>
<td>All assessments</td>
<td>Available to all LEAs regardless of testing or scoring completion status on a schedule agreed upon by the CDE and ETS. The schedule will be developed to coordinate with the CDE data delivery dates to allow LEAs to compare their data file against Public Web Reporting results prior to its release by the CDE.</td>
<td>LEA and Site Coordinators have access through TOMS</td>
</tr>
<tr>
<td>Type of Report</td>
<td>Tests/Content</td>
<td>When</td>
<td>Who</td>
</tr>
<tr>
<td>---------------------</td>
<td>------------------------------------------------------------------------------</td>
<td>-----------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>ETS Data Manager</td>
<td>All assessments through a dynamic, interactive data tool that offers the ability to access data through pre-developed report templates and an environment for the creation of custom reports</td>
<td>Starting in a timeframe as approved by the CDE</td>
<td>CDE and LEA users, if approved by the CDE</td>
</tr>
<tr>
<td>WER dimension scores</td>
<td>Smarter Balanced ELA</td>
<td>As approved by the CDE</td>
<td>Authorized user access through ORS</td>
</tr>
</tbody>
</table>

**Individual Student Score Reports (SSR) in Paper Format Delivered to LEAs**

- The SSR, also previously referred to as the Individual Student Reports (ISRs), will include test results of all operational CAASPP assessments that a student took.
- The student’s SSR will include operational test results from all assessments on a single SSR. For the grade eleven SSR, ETS assumes that the SSR is a single-page report with dynamic text options and the student test results printed on one side with CAASPP and EAP information printed on the other side.
- ETS will provide an option for an SSR for the non-STS assessments to be reproduced in Spanish if an LEA marks in TOMS that the student comes from a Spanish-speaking home. Spanish and English SSRs for the non-STS assessments will be provided in both an electronic downloadable format in TOMS and a printed version. When the Spanish indicator is set in TOMS, the LEA will receive two SSRs: the LEA receives the Spanish version and the school receives the English version. The Spanish SSRs are packaged and shipped following the packaging specifications. STS SSRs will continue to be provided in Spanish only.
- In addition, to help parents/guardians understand the SSR, ETS will develop and post printable PDFs of the Understanding the CAASPP SSR guide. The guide will describe the key elements of the SSR and will be available for each grade of similar content and messaging. For example, one version of the guide is provided for grades five and eight as students in these grades are registered for the same content (i.e., ELA, mathematics, and science) assessments. ETS will deliver one version in English and one Spanish translation for posting to the CDE Web site.

LEAs will log into the reporting system through the CAASPP Assessment Delivery System, which employs a single sign-on solution.

**Online Reporting System**

**LEA Access to the Online Reporting System**

Similar to the security protocol for TOMS and the test delivery system components, LEAs will access the reporting features based on the level of access in their roles. The hierarchy operates so that a user has access to reports for his or her role level and all levels below.
• CDE-assigned staff can view the test result reports within the state, if approved by the CDE contract monitor.

• An LEA user can view test result reports within his or her LEA drill-downs to school- and student-level reports.

• Authorized users (e.g., school administrators, educators) can view test result reports within their school.

California users will have access to ORS 24 hours a day, seven days a week, except during CDE-approved system downtime as described in Task 3. After completing scoring procedures for summative assessments, ETS’s systems will provide data for static and dynamic reports in the timeframe described in Table 23 above.

Pilot Student Score Reports

ETS will pilot the electronic student score reports for LEA use. This will allow LEAs a new capability that allows them to opt-in to electronic student score reporting.

LEAs opting for electronic student score reporting would no longer receive printed SSRs. The electronic student score report should include all the same content of the SSRs. ETS will collaborate with vendors that the LEAs utilize for providing access to the electronic student score reports for parents. The purpose of the collaboration with the vendors is to ensure the electronic student score report is provided in a consumable format that is consistent with responsive design.

Report Types

Based on the Smarter Balanced reporting requirements for mathematics and ELA, the summative reports will contain information outlining student knowledge and skills as well as achievement levels aligned to the assessment-specific claims as defined by Smarter Balanced and as adopted and adapted by the California State Board of Education (SBE). These reports define and present test scores for users in multiple ways. The online reports offer drill-down functionality — from the overall claim to the content claim — at the LEA, school, and student levels. The individual student report outlines student performance on the Smarter Balanced Summative Assessments in a static version supported by extensive text.

For the non-Smarter Balanced computer-based assessments that will be operational during the initial contract period (i.e., alternate assessments for ELA and mathematics), the summative reports will contain information outlining student knowledge and skills as well as SBE-adopted achievement levels. ETS’s reporting system is capable of expanding to include new CAASPP computer-based assessments as they are implemented.

ETS’s interactive reporting suite will produce customized reports showing preliminary individual and group-level results for online assessments. These reports are real-time and cumulative, and provide student listings with relevant score measures.

ETS’s reporting solution provides static reports. Static reports include average scale score, percentage in each achievement level, percent at each claim achievement category, and performance on each assessment target based on user permissions.

By default, the filtering variables will align with CDE-outlined student demographic variables while taking into account the Smarter Balanced requirements. ETS will provide
recommendations to the CDE for configuring ORS for CAASPP. Configurable features include access rules, features that can be turned off or on or modified, availability of data fields, and customized labeling of elements of the online reports.

**Additional Information about Report Distribution**

**Electronic Test Results**

The results for the Smarter Balanced Summative Assessments, CAA for ELA and Mathematics, CST/CMA/CAPA Sciences (for the 2015-16 administration), and STS RLA will be provided as electronic data files in TOMS.

All Interim reports will be available via the Smarter Balanced Reporting System. ETS will deliver the data files daily during business days to Smarter Balanced so that the results are included in the Smarter Balanced Data Warehouse and Reporting systems. If the capability to process the data files in real-time (i.e., as each student completes the exam) is available from Smarter Balanced, ETS will determine the feasibility of delivering the data files to Smarter Balanced in real-time. The interim assessment data files will be provided in a CDE-approved format and will include the item- and student-level response information for each student who took an interim assessment. This information will be used in future online reporting features that allow the display of student responses to California educators. The interim assessment data files will also include student demographic information as approved by the CDE and student-level achievement results. LEAs will be able to access the Smarter Balanced Reporting System for interim assessment results by logging into the Smarter Balanced Administration and Registration Tools (ART) Web interface.

ETS will deliver California’s Smarter Balanced Summative Assessment data to the Smarter Balanced Data Warehouse on a schedule agreed upon by the CDE and ETS. The data will be in the format specified by Smarter Balanced.

**Paper SSRs**

Test results provided on the SSR will include scale scores, performance levels, and, where available, performance by claim or reporting cluster.

For ease of handling by the LEAs, the SSR will be printed on a single sheet of 8.5 x 11 inches paper. The student address will be on the left side of the report to accommodate the use of left-windowed envelopes by LEAs. For the 2015–16 administration, a POSTNET barcode will appear above the student address; the barcode will allow LEAs to qualify for lower postage rates and take advantage of faster, more efficient mail processing.

ETS will provide two color copies of each student’s SSR to the student’s LEA. One copy will be packaged for the LEA and the second copy will be packaged for the school. The SSRs will be provided to the LEA as specified in the CDE-approved reporting specifications. As described above, ETS will begin shipping the printed SSRs to an LEA when the LEA’s administration reaches 90 percent scored, which may occur while the LEAs test administration window is still open or after it closes. Color schemes will be chosen so that the LEA report can be easily photocopied as a black-and-white copy.

Additional information on the test results may be available on the online reporting system. ETS will propose SSR formats and additional online information for the CDE’s consideration and approval.
Printing

When ETS prints SSRs, ETS will:

- print each page as original, thus producing easy-to-read reports that do not smudge
- utilize a sophisticated report collation process combined with high-speed laser printing technologies to print all report types in continuous print streams

Packaging

Each shipment of reports for schools and LEAs will include a specific letter enclosed with the package describing what they are receiving in their shipment. All reports will be assembled by grade, school, and LEA. School sets of reports will be assembled and shipped to the LEA for distribution to schools.

The following packaging processes will be employed to provide LEAs with clearly organized shipments:

- All reports will be assembled and placed in report folders. One color of folder will be used for LEA reports; another color will be used for school reports.
- Electronic packing slip files will be available for LEAs to download in the Reports section in TOMS, which includes the list of students by school that are included in the printed SSR shipment. For those LEAs that test grade levels in multiple testing administration windows, ETS will provide a packing slip file for each test administration window.
- Reports will be boxed and labeled by school, with the boxes for all schools within each LEA shipped to the LEA CAASPP Coordinator for distribution. The LEA reports will be boxed separately. If the SSRs being mailed to the LEA are a lower volume, the reports will be packaged and shipped in envelopes.
- Enclosed in each shipment of reports will be a letter describing what the LEA is receiving in the shipment.
- A pallet map will be included with each report shipment for LEAs that receive more than one pallet of reports.
- Prior to shipment, quality control specialists will perform a final quality check of reports and check for complete units of work, correct assembly, and the correct use of mailing labels.

Delivery

ETS and its subcontractors will work with the CDE to design reports and reporting systems that provide accurate results to all stakeholders in a timely manner.

ETS will distribute all paper reports so that LEAs receive them according to the approved timeline described in Table 23. For those LEAs that test grade levels in multiple testing windows/administrations, they will receive SSRs as processing and scoring reaches 90 percent for each test administration. For example, an LEA has three separate test administration windows to accommodate the instructional calendars for groups of schools and academic programs. Scoring for test administration window 1 is at 95 percent, window 2 is at 75 percent, and window 3 is at 90 percent. The SSRs for windows 1 and 3 will have shipped to the LEA.
because scoring has reached 90 percent or more for each window. The SSRs for window 2 will not ship until scoring has reached 90 percent, which may occur before or after their test administration window closes.

Each box of the LEA shipment will be white, and Box 1 contains the letter explaining what is included in the shipment. The white LEA boxes will make it easy for the LEA CAASPP Coordinator to distinguish his or her boxes from the school brown boxes in the shipment.

Trained shipping personnel will determine the most reliable and rapid means of delivering each shipment of reports. Each LEA’s reports will be entered in the shipping manifest system as they are shipped. ETS’s barcode technology, combined with distribution partners’ (e.g., United Parcel Service) tracking systems, will allow ETS to provide instant updates about the location and status of report packages should any problems arise. Upon receipt of reports at the LEA, LEA personnel signatures will be required to provide for secure delivery.

ETS will track where an LEA is at a given point in the reporting process and will provide the following status information to the CDE during the weekly management meetings: Reports printed, Reports shipped, and LEA complete.

**Correcting SSR Errors Due to Changes to the Data**

A number of factors may cause data to change and require SSRs to be regenerated. Examples of factors include, but are not limited to, the following:

- An operational item was identified to be excluded from scoring after reporting occurred.
- SSIDs were corrected for students who tested using the incorrect SSIDs provided by the test administrator. The SSID issue was reported after the tests results were reported.
- An appeal was completed after the SSR was generated.
- A student whose incomplete tests were processed because his or her original LEA’s test window closed moved to an LEA where the test window was still open.

As part of the reporting specifications, ETS will work with the CDE to develop the business rules, deadlines, triggers (e.g., timing, LEA errors, triggers to rescore versus reprint) to handle corrections to SSRs. If the cause of the change is due to LEA error, ETS will offer ancillary fee-based services paid by the LEA for the printing of revised SSRs.

In any such event, ETS staff will take the following steps:

- initially analyze the situation
- inform the CDE immediately
- further analyze the impact of the error
- discuss solution options with the CDE and with Smarter Balanced for the Smarter Balanced tests as needed
- deliver an expedient resolution that best mitigates program risk

The revised reports will be clearly identified with the appropriate revision date.
Correcting Demographic and Special Testing Conditions Data

Since CALPADS is the source of record for student demographic data, LEAs will be instructed to make demographic data corrections in CALPADS. The corrected demographic data will be uploaded to the online reporting system through the process established and described in Test Administration.

LEAs will be instructed to use TOMS to make corrections to special testing conditions information and other test-specific data that may be correctable, such as parent exemptions or accommodations used by the student.

All corrections should be submitted by the LEA on or before the end of its test administration window. There will be no cost to LEAs for making either demographic data corrections or changes to other testing condition information that may be correctable. If the LEA makes corrections in CALPADS after the end of its test administration window, the corrections will not be reflected in the LEA’s aggregate data in the public Web reporting site and student reports. CALPADS data changes will be reflected in ORS.

Rescore Requests for Paper-Pencil Tests and for Responses That Were Hand Scored

ETS will establish a process by which an LEA may request that a student’s test be rescored as a fee-based ancillary service paid by the LEA. ETS will provide a price list for ancillary services to the CDE for review and approval. Rescore requests will be restricted to the paper-pencil tests that have bearing on federal or state accountability and to responses to Smarter Balanced Summative Assessments that were hand scored. Rescoring will not be available for the CAPA Science (administered in 2015-16) and the CAAs, since the student responses are entered by the examiner; or for the STS RLA tests, since these tests are not part of accountability.

ETS scoring experts will review each original student response in question along with the original score assigned. For responses that were hand scored by human raters, the original score assigned to the student response will be reviewed in close comparison to the original anchor papers used in training. If ETS’s scoring experts determine that the original score assigned was incorrect, a new score will be issued.

ETS will work with the CDE to establish criteria by which LEAs may request rescoring and to determine the fee for rescore requests.

9.2. Reporting to the CDE—Public Reporting Web Site

ETS will design and develop, utilizing responsive Web design, an updated CAASPP results reporting Web site that the CDE can host. Development will follow ETS software development standards, as described in Task 3, while also adhering to the CDE Web Application Development Standards and the CDE Web Standards. ETS’s design staff will consult with the CDE to document detailed requirements for aggregation of the data per EC Section 60641, as well as display of the data in the Web reporting site. ETS will supply installation documentation and functional requirements to the CDE. Table 24 shows the results that will appear on this Web site.
Table 24. CAASPP Test Results Provided to the Public

<table>
<thead>
<tr>
<th>Type of Report</th>
<th>Tests</th>
<th>Content</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Web site hosted by the CDE</td>
<td>Smarter Balanced summative and non-Smarter Balanced online summative assessments</td>
<td>Aggregate results at school, grade, LEA, county, and state levels and will allow for selection of further breakdowns based on the required demographic data (e.g. race, English language proficiency, gender, ethnicity) identified by the CDE. The application will also allow for comparison of multiple schools or LEAs and will incorporate a data-visualization design approach.</td>
<td>August annually, to be determined by CDE</td>
</tr>
<tr>
<td>Web site hosted by the CDE</td>
<td>CAASPP paper-pencil tests (e.g., CST/CMA/CAPA Science for 2015-16 and STS RLA for 2015-16 and 2016-17) Note: CAAs, CAST, and CSA will not offer paper-pencil tests, as indicated in the SBE-approved high-level test design.</td>
<td>Aggregate results at school, grade, LEA, county, and state levels and will allow for selection of further breakdowns based on the required demographic data (e.g. race, English language proficiency, gender, ethnicity) identified by the CDE.</td>
<td>August annually, to be determined by the CDE</td>
</tr>
</tbody>
</table>

ETS will deliver the CAASPP reporting data to the CDE in coordination with the calculation for federal and state accountability programs.

ETS will protect the platform or application itself by user authentication during the “LEA preview period” prior to being publicly available.

ETS will put in place quality controls of the application and the data displayed. Also, ETS will test software developed by ETS for quality and performance, and the CDE will also have user acceptance signoff. ETS’s Data Quality group (DQS) and statistical analysis department will review aggregate data files for accuracy. Additionally, ETS will install data files into ETS’s user acceptance testing environment to confirm that ETS completes the data load without error. ETS will turn over data files and application code to the CDE per an agreed-upon schedule.

To protect student privacy, the Web reporting site will implement the CDE-required suppression rules. ETS will use an asterisk or similar mark to suppress data where someone could ascertain a student’s identity. For example, if a grade includes 10 or fewer students with valid test scores, an asterisk or similar notation will appear in the reporting rows to indicate that the data were suppressed. Additional suppression rules will be applied at the subgroup level to prevent a user of the public Web reporting site from gathering ethnicity, gender, disability, or other reporting subgroup data for any group of 10 or fewer students.
To speed delivery of Web pages during times of peak demand or when the site is performing suboptimally, ETS will support static versions of all the Web pages. Since the Web reporting site will reside on the CDE servers, the CDE will monitor Web site performance. ETS will provide technical support to the CDE Technology Services Division as needed to optimize the Web reporting site.

**Requirements for the Reporting Web Site**

ETS will work with the CDE and the SBE on the timeline for the delivery of the Reporting Web site. For planning purposes, ETS will assume that the CDE will publicly release statewide test results in late summer, annually. To accomplish this, only those test materials that are received by the scoring center as of a specific date agreed upon by the CDE and ETS will be included in the state’s initial release.

ETS will work with the CDE to comply with the CDE’s Web standards. The CDE will continue to host the Reporting Web site.

The design of the Reporting Web site will be data driven so the user can efficiently select particular parameters to see the desired reporting of results. The design will be scalable to accommodate additional servers. The database will use MS-SQL Server technology. While there are many combinations of summary reports that will be accessible, the summary data will be pre-calculated. While this may limit the dynamic nature of the site, it will prevent inappropriate summaries that could lead to inappropriate interpretation of results by users.

The software application behind the Reporting Web site will allow the site administrator to load new iterations of data into the database and to generate new research files based on the refreshed data. As the data are refreshed, notes added by the CDE from the previous iteration will be preserved.

Summaries by counties, LEAs, schools, and the state will be provided. The site will support all CAASPP assessments — Smarter Balanced Summative Assessments, the CSTs (2015–16), CMA (2015–16), CAPA (2015–16), and STS.

**Student Privacy**

ETS will deliver the Reporting Web site in accordance with these requirements:

- use of an asterisk to suppress data where a student’s identity could be ascertained
- reporting of all performance levels and a combined achievement level that totals the sum of the achievement levels as determined by the CDE
- allowance for the selective inclusion of either all available achievement levels or the combined achievement level on Web pages

**Delivery of Aggregate Summary Data Files That Are Synchronous with the Delivery of the Student Data Files**

The Web site will provide for aggregate summary data files that are synchronous with the delivery of the statewide student data files. These aggregate summary data files include aggregations by schools, LEAs, counties, and the state. Independent charters are represented as separate LEAs within a county. The summaries will also be compiled by individual assessment and by grade within each assessment. They will include statistical data for the various assessments reflecting achievement levels or CAPA levels (for 2015-16 results). These
data will include the number of test takers, the average scale score, and derived scores as appropriate.

Requirements for the Aggregate Summary Data

ETS will deliver report pages and research files that include aggregate summary data. The summary data and the Web site will support the reporting by claim. ETS will work with the CDE to define this new requirement more precisely in order to optimize value to the CAASPP Assessment Delivery System constituencies.

Summary Data

ETS will work with the CDE annually to determine the subgroup categories to be supported by the Reporting Web site.

ETS will include the ethnicity by economic status data in the CAASPP Summary Data submitted to the CDE for Web reporting purposes. For Web reporting purposes, the ethnicity subgroups will include: African American or Black, American Indian or Alaskan Native, Asian, Filipino, Hispanic or Latino, Pacific Islander, and White. Economic Status analysis will include Economically Disadvantaged and Not Economically Disadvantaged. ETS will work with the CDE to incorporate changes annually to the required subgroup reporting categories.

Research Files

The Web reporting application supports the following research file requirements:

- state-level research file that contains all county, LEA, and school results for all demographic subgroups
- state-level research file that contains all county, LEA, and school results for the “all students” demographic subgroup
- state-level–only research file that contains results for all demographic subgroups
- limited research files that contain all data for selected counties, LEAs, and schools
- research files containing all assessment data
- a research file containing all reporting claim results data
- suppression of results where the reported group totals 10 or fewer students or where the number of student reports in any individual cell may allow identification of an individual student
- compressed (zipped) research files formatted as fixed-length ASCII and comma-delimited (including column names) files
- an Access 2003 (or a more recent version of Access) database shell that can be used to import comma-delimited research files along with all instructions for use of the database shell
- a load utility that will facilitate the easy importation of comma-delimited research files into the database shell
Administrative Functionality

ETS will incorporate extensive administrative functionality into the Internet design to include:

- **Notes.** These allow for the inclusion of “notes” that may be dynamically added to any selected report page. For example, notes may be added to one or all schools in an LEA and to one or all of the subgroups. Notes must be capable of being retained when report data are updated.

- **Embargo Reports.** These allow for the selected exclusion of Internet report pages. For example, all reporting claim reports may be excluded, or a report page may be embargoed for subgroup reports at the school level while the combined proficiency report (i.e., combined total of proficient and above students) is accessible. In addition, all state reports are embargoed until the site is opened to the public.

- **Research File Generation.** This allows for the generation of new research files when new aggregate data are loaded to the site. Which files are generated and the sequence of that generation must be part of the research-file generation function.

### CDE Web Delivery Requirements

The key to successful deliveries of the Web reporting application and data files is to plan for preliminary iterations. This strategy allows the CDE data management staff to be involved in early review of the site and the data. By delivering early, issues are identified and remedied earlier, before the critical public deadlines.

Annually, ETS will propose a timeline for site development and data deliverables for the CDE approval.

### 9.3. Data Files

ETS will maintain a student database to house all student demographic data and assessment results. This database will accommodate millions of records of the size and scope of the CAASPP System. Information associated with each student has a database relationship to the LEA, school, and grade codes as data are collected during the operational chain of events. Integral to this database is the maintenance of a student identification system, which confirms that each student is uniquely identified within the test delivery system so all assessment information can easily be associated with that student. ETS assumes that the CDE-issued SSID number provided in CALPADS will serve as the unique student identifier. ETS will maintain the SSID for all records produced throughout the life of the incumbent contract.

ETS recognizes that CALPADS is the state database of record for managing and maintaining the longitudinal student data. The scoring capabilities and procedures described in Task 8 outline ETS’s robust process for both scannable answer documents and assessments delivered online. ETS’s scoring process will utilize the SSID number to provide the linkage information that maps directly to the database. Whether a student uses a pre-ID label or a pre-printed answer document, receives a unique login user ID and password, or takes multiple modes of assessments — each of the delivery modes will direct the resulting data for that student to a central repository for scoring and reporting.

ETS will deliver student data files and corresponding aggregate files on the delivery schedule agreed upon with the CDE. ETS recognizes that delivery dates will be dependent on the requirements for the state and federal accountability programs.
ETS will prepare the data in a format that the CDE can access. Due to the large numbers of records produced for CAASPP annually, ETS will deliver fixed record-length data files. ETS will consult with the CDE to determine if data delivery in a different format (e.g., XML file or delimited file) is necessary.

ETS will deliver student data files in two formats:

- a layout with item response data and demographic information
- a file that contains all student data available

ETS’s systems will maintain two types of files for CAASPP: a complete student response file for each CAASPP test administration, and a history file for all students who have participated in CAASPP testing. ETS will maintain a cumulative repository of individual test results for all students who have participated in CAASPP testing. The history file will include student-identification and performance data, as specified by the CDE, as well as other information necessary for merging with files of any other test administration in which the student participated. The CAASPP history will allow the tracking of previous test administrations for individual students. The history file will maintain compatibility with files developed under previous contracts and with files developed by contractors awarded contracts under the terms of this SOW.

9.4. Secure File Transfer System

Due to the confidential nature of test results, ETS uses secure file transfer protocol (SFTP) and encryption for all student data files. SFTP offers an efficient mechanism for transferring large-scale data. In addition, ETS uses .ZIP archive file format technology to reduce the disk space requirements on all files. This method applies to all data file transfers.

ETS supports most secure transfer protocols, including Web-service-based technologies, to exchange data with clients and file-based transfers using Tumbleweed® Communications Corp., a provider of security solutions. This enables ETS to effectively manage and protect business-critical Internet communications. These processes allow simplified data exchanges with secure and easy-to-use architecture, which provides management of files and large documents over the Internet. One standard, easy-to-use mechanism is an SFTP.

As a part of implementation, ETS will establish an SFTP service that will manage SFTP transfers to a directory structure between ETS and the CDE. Gatekeepers, generally one in California and one at ETS, will determine access privileges. The ETS gatekeeper will be responsible for approving all users for access.

ETS will provide all interfaces with the most stringent security considerations in mind, including interfaces for data encryption at rest and in transit for databases that store test items and student data. Encryption at rest primarily applies to any data files that reside on a server that uses the SFTP waiting to be retrieved. ETS integrates best security practices, including system-to-system authentication and authorization, in ETS’s solution design. These practices meet the FIPS PUB 140-2 issued by the NIST. All CAASPP data will remain within the continental United States, as the CDE requires.
9.5. Technical Report

ETS will consult with the CDE and recommend suggestions in organization, style, and specificity that would improve the readability and overall usefulness of technical reports. Furthermore, ETS will partner with the CDE to determine what standard elements of the technical report overlap with the elements supplied by Smarter Balanced and need not be a part of the reports for CAASPP. ETS will confirm that generated reports include what is necessary for the CDE and the corresponding Technical Advisory Committees in producing the final versions of the technical reports.

ETS will produce a technical report for each administered summative assessment, including pilot or field test assessments. Table 25 below lists the planned technical reports for each administration.

Table 25. Planned CAASPP Technical Report for Summative Assessments by Administration

<table>
<thead>
<tr>
<th></th>
<th>2015–16 Administration</th>
<th>2016–17 Administration</th>
<th>2017–18 Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smarter Balanced for ELA and Mathematics</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CST for Science</td>
<td>✓</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>CMA for Science</td>
<td>✓</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>CAPA for Science</td>
<td>✓</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>STS RLA</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CAA for ELA and Mathematics</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CAST</td>
<td>Not Applicable</td>
<td>✓                     for the Pilot Test</td>
<td>✓                     for the Field Test</td>
</tr>
<tr>
<td>CAA for Science</td>
<td>Not Applicable</td>
<td>✓                     for the Pilot Test</td>
<td>✓                     for the Pilot Test</td>
</tr>
<tr>
<td>CSA</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>✓                     for the Pilot Test (Fall 2017)  ✓                     for the Field Test (Fall 2018)</td>
</tr>
</tbody>
</table>

For the Smarter Balanced technical report, unless critically important to the narrative, ETS will not duplicate requirements already supplied by the Smarter Balanced Assessment Consortium.

ETS will deliver drafts of the technical manuals annually by November 1 or within the schedule mutually agreed to by the CDE and ETS that takes into account the availability of the data for analysis and at the end of the contract. The following bullets outline the proposed organization of the technical reports. ETS will work with the CDE to determine any additional chapters or analyses as needed.

- **Executive Summary.** This summary section can stand alone for public distribution, and ETS will write it for an informed lay audience (e.g., school principals). It will highlight key findings from each chapter of the technical report.
• **Chapter 1. Introduction.** This chapter provides an introduction to the technical manual, gives the purposes of the assessment, and describes the uses of the assessment information.

• **Chapter 2. Overview of the Assessment.** This chapter describes the item formats and item specifications, as well as test assembly, test administration, scoring, and an equating overview.

• **Chapter 3. Item Development.** This chapter describes the procedures followed during item development. For the Smarter Balanced assessments, only a very brief overview of the process will be included, as ETS expects that the Smarter Balanced consortium will include a thorough discussion in its report.

• **Chapter 4. Test Assembly.** This chapter provides a description of the content being measured and detailed descriptions of how the content is being measured (i.e., test blueprints). This chapter provides a rationale for how blueprints were constructed and the construct being measured. For the Smarter Balanced assessments, only a very brief overview of the process will be included.

• **Chapter 5. Test Administration.** This chapter details the processes involved in the actual administration with emphasis on efforts made to confirm standardization of the tests. It also details procedures to confirm test security.

• **Chapter 6. Performance Standards.** This section will overview the cutpoint validation and the standard-setting methodologies and describe the process conducted to establish cut scores for the assessments based on their first operational administration. For the Smarter Balanced assessments, this section will link to the report supplied by the Smarter Balanced consortium.

• **Chapter 7. Scoring.** This chapter provides information on the scoring processes and describes the types of scores and score reports produced at the end of each administration. The section will include scale score distribution tables and demographic summaries, as well as summary reports of how the automated scoring systems performed.

• **Chapter 8. Psychometric Analyses.** This chapter provides detailed information on the psychometric analyses of the operational test data. It presents and describes the results of the item and test analyses, differential item functioning results, calibration and scaling process, linking and equating methods, and deriving scale scores. It includes explanations for all statistical procedures implemented during the psychometric analyses; interpretations of the data and the analyses; and IRT analyses, standard errors of measurement, and reliability estimates (including for subgroups). For the Smarter Balanced assessments, ETS will base the statistics only on students from California.

• **Chapter 9. Quality Control Procedures.** This chapter describes quality control procedures of various aspects of the testing process — from control of item development, to scoring procedures and psychometric processes, to score reporting.

• **Chapter 10. Historical Results.** This chapter provides yearly results for each assessment, at both the item and test levels. ETS will maintain longitudinal results in this chapter.
ETS will provide the CDE sufficient time to review each technical report and verify the accuracy of analyses. ETS will provide at least twenty (20) business days for the CDE to review the first drafts and ten (10) business days for the CDE to review the revised draft. ETS scheduled five (5) business days for the CDE review of the final draft.

ETS will deliver five bound copies of each final technical report. In addition, ETS will deliver electronic formats of each technical report—in Microsoft Word, PDF, and HTML—that will meet the CDE’s Web accessibility requirements, and ETS will deliver the tables included in the technical reports as Microsoft Excel files.

9.6. Other Analyses or Reports

ETS will partner with the CDE and SBE staff/liaisons to identify and expand on research questions and develop instruments for the CDE’s approval. ETS will make recommendations for all data collection instruments, such as interview protocols, observation protocols, surveys, and cognitive labs. ETS will then deliver the instruments within the test delivery system in order to link responses to student performance and student demographic data from CALPADS.

Studies to be considered include, but are not limited to:

- analytic research on the impact of AI scoring at the sub-group level to determine if any group is disadvantaged by the new technology
- statistical analysis of the necessary N size and aggregation of sub-claim score for assessments at the LEA level
- efficacy or impact of extended response items types as a tool to provide professional development in both summative scoring modality and various interim scoring situations
- effect(s) of any universal tools, designated supports, and/or accommodations used by students (particularly students with disabilities and English learners) on the CAA
- simulations for three growth models that California is considering for its academic accountability system
- cognitive lab or similar qualitative study for CAA for Science
- other studies, such as validity studies for CAST and CSA and the Sample Questions Site Feasibility Study (see Task 6.5), as approved by the CDE that help inform item and test design plans

Once each year during the term of the contract with the CDE, ETS will propose additional studies and analyses to support the validity of the CAASPP System, evaluate new initiatives, or address relevant policy issues. ETS will recommend additional studies either proactively or upon request. ETS will work with the CDE to support the technical quality of the CAASPP System, which includes validity, reliability, fairness and accessibility, and comparability.

A global view of the process would be that ETS and the CDE and SBE staff and liaisons would meet at least once a year to discuss special studies. Should the CDE request any special studies, ETS will meet with researchers who have specific expertise in the study area requested. ETS would present the research study plans, along with a statement of cost, to the CDE. Together, the CDE, SBE staff and liaisons, and ETS staff would discuss the specific plans and make necessary modifications before agreeing on final costs. All special studies and
research will adhere to the requirements outlined in Appendix B, Reporting Expectations for Special Studies and Research Projects.
Appendix A—Sample Program Schedule

The program schedule is a living document. The program schedule included in this appendix is a sample for planning purposes only. ETS will present a revised schedule to the CDE prior to the Orientation Meeting. ETS will present a proposed schedule each year prior to the Annual Planning Meeting. At a minimum, the agreed upon schedule will be reviewed with the CDE during the Weekly Management Meetings, and more often as determined by the needs of the program.

<table>
<thead>
<tr>
<th>ID</th>
<th>Task Name</th>
<th>Duration</th>
<th>Start</th>
<th>Finish</th>
<th>Resource Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Contract Begins</td>
<td>0 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/1/15</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Administration Year One (July 2015 - December 2016)</td>
<td>897 days</td>
<td>Wed 7/1/15</td>
<td>Fri 12/28/18</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Begin administration year one</td>
<td>0 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/1/15</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Project Management</td>
<td>277 days</td>
<td>Wed 7/1/15</td>
<td>Fri 8/5/16</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Project Management Begins</td>
<td>0 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/1/15</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Orientation Meeting</td>
<td>14 days</td>
<td>Wed 7/1/15</td>
<td>Tue 7/21/15</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Conduct internal ETS planning meeting</td>
<td>1 day</td>
<td>Wed 7/1/15</td>
<td>Wed 7/1/15</td>
<td>ETS, AIR, MI</td>
</tr>
<tr>
<td>8</td>
<td>Schedule and prepare/ship materials for orientation meeting</td>
<td>5 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/8/15</td>
<td>ETS</td>
</tr>
<tr>
<td>9</td>
<td>Conduct orientation meeting</td>
<td>2 days</td>
<td>Mon 7/13/15</td>
<td>Tue 7/14/15</td>
<td>MI, CDE, ETS, AIR</td>
</tr>
<tr>
<td>10</td>
<td>Prepare meeting minutes/participant list and deliver to CDE</td>
<td>5 days</td>
<td>Wed 7/15/15</td>
<td>Tue 7/21/15</td>
<td>ETS</td>
</tr>
<tr>
<td>11</td>
<td>Program Meetings</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Conduct weekly internal status meetings</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td>ETS</td>
</tr>
<tr>
<td>13</td>
<td>Conduct weekly CDE management meetings</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td>CDE, AIR, MI, ETS</td>
</tr>
<tr>
<td>14</td>
<td>Conduct weekly CDE technical meeting</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td>CDE, AIR, MI, ETS</td>
</tr>
<tr>
<td>15</td>
<td>State Board Meetings</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Attend State Board meetings</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td>CDE, ETS</td>
</tr>
<tr>
<td>17</td>
<td>Technical Advisory Group (TAG) Meetings</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Work with the CDE to develop TAG agendas</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td>CDE, ETS</td>
</tr>
<tr>
<td>19</td>
<td>Attend TAG meetings</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td>CDE, ETS</td>
</tr>
<tr>
<td>20</td>
<td>Monthly Progress Reports</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Deliver monthly progress reports to CDE</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Project Management Plan (PMP) &amp; Project Definitions Document</td>
<td>80 days</td>
<td>Wed 7/1/15</td>
<td>Thu 10/22/15</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Project Management Plan for Overall CAASPP Activities</td>
<td>70 days</td>
<td>Wed 7/1/15</td>
<td>Thu 10/8/15</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Establish project SharePoint site</td>
<td>1 day</td>
<td>Thu 7/9/15</td>
<td>Thu 7/9/15</td>
<td>ETS</td>
</tr>
<tr>
<td>25</td>
<td>Complete Work Breakdown Structure</td>
<td>10 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/15/15</td>
<td>ETS</td>
</tr>
<tr>
<td>26</td>
<td>Develop draft project management plan for overall CAASPP activities</td>
<td>30 days</td>
<td>Wed 7/1/15</td>
<td>Wed 8/12/15</td>
<td>ETS</td>
</tr>
<tr>
<td>27</td>
<td>CDE reviews project management plan for overall CAASPP activities</td>
<td>20 days</td>
<td>Thu 8/13/15</td>
<td>Thu 9/10/15</td>
<td>CDE</td>
</tr>
<tr>
<td>28</td>
<td>Finalize project management plan for overall CAASPP activities</td>
<td>20 days</td>
<td>Fri 9/11/15</td>
<td>Thu 10/8/15</td>
<td>ETS</td>
</tr>
<tr>
<td>29</td>
<td>Project Definitions Document for the Assessment Delivery System</td>
<td>70 days</td>
<td>Wed 7/1/15</td>
<td>Thu 10/8/15</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Develop draft project management plan for the Assessment Delivery System</td>
<td>30 days</td>
<td>Wed 7/1/15</td>
<td>Wed 8/12/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
</tr>
<tr>
<td>----</td>
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<td>----------</td>
<td>-------------</td>
<td>---------------</td>
<td>----------------</td>
</tr>
<tr>
<td>31</td>
<td>CDE reviews project management plan for the Assessment Delivery System</td>
<td>20 days</td>
<td>Thu 8/13/15</td>
<td>Thu 9/10/15</td>
<td>CDE</td>
</tr>
<tr>
<td>32</td>
<td>Finalize project management plan for the Assessment Delivery System</td>
<td>20 days</td>
<td>Fri 9/11/15</td>
<td>Thu 10/8/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>33</td>
<td>Integrated Comprehensive Work Plan &amp; Project Schedule</td>
<td>10 days</td>
<td>Fri 10/9/15</td>
<td>Thu 10/22/15</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>CDE reviews comprehensive integrated project schedule</td>
<td>10 days</td>
<td>Fri 10/9/15</td>
<td>Thu 10/22/15</td>
<td>CDE</td>
</tr>
<tr>
<td>35</td>
<td>CDE project schedule review complete</td>
<td>0 days</td>
<td>Thu 10/22/15</td>
<td>Thu 10/22/15</td>
<td>CDE</td>
</tr>
<tr>
<td>36</td>
<td>Test Security</td>
<td>277 days</td>
<td>Wed 7/1/15</td>
<td>Fri 8/5/16</td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>Update the Test Security Plan for the 2016 administration</td>
<td>7 days</td>
<td>Wed 7/1/15</td>
<td>Fri 7/10/15</td>
<td>ETS</td>
</tr>
<tr>
<td>38</td>
<td>Deliver the Test Security Plan to CDE for review</td>
<td>1 day</td>
<td>Mon 7/13/15</td>
<td>Mon 7/13/15</td>
<td>ETS</td>
</tr>
<tr>
<td>39</td>
<td>CDE reviews the Test Security Plan</td>
<td>10 days</td>
<td>Thu 7/14/15</td>
<td>Mon 7/27/15</td>
<td>CDE</td>
</tr>
<tr>
<td>40</td>
<td>Apply CDE edits to the Test Security Plan</td>
<td>3 days</td>
<td>Tue 7/28/15</td>
<td>Thu 7/30/15</td>
<td>ETS</td>
</tr>
<tr>
<td>41</td>
<td>CDE 2nd review of the Test Security Plan</td>
<td>5 days</td>
<td>Fri 7/31/15</td>
<td>Thu 8/6/15</td>
<td>CDE</td>
</tr>
<tr>
<td>42</td>
<td>Apply updates and deliver the final Test Security Plan to CDE for approval</td>
<td>3 days</td>
<td>Fri 8/7/15</td>
<td>Tue 8/11/15</td>
<td>ETS</td>
</tr>
<tr>
<td>43</td>
<td>Monitor social media sites for test security breaches</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
<td>ETS</td>
</tr>
<tr>
<td>44</td>
<td>Perform on-site security audit visits</td>
<td>125 days</td>
<td>Wed 2/3/16</td>
<td>Fri 7/29/16</td>
<td>ETS</td>
</tr>
<tr>
<td>45</td>
<td>Investigate test security breaches as needed</td>
<td>125 days</td>
<td>Wed 2/3/16</td>
<td>Fri 7/29/16</td>
<td>ETS</td>
</tr>
<tr>
<td>46</td>
<td>Deliver audit reports to CDE</td>
<td>125 days</td>
<td>Wed 2/10/16</td>
<td>Fri 8/5/16</td>
<td>ETS</td>
</tr>
<tr>
<td>47</td>
<td>Data Driven Improvement</td>
<td>237 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/9/16</td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Pre-Testing Data Collection</td>
<td>77 days</td>
<td>Fri 10/23/15</td>
<td>Wed 2/17/16</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>Pre-Test Survey</td>
<td>77 days</td>
<td>Fri 10/23/15</td>
<td>Wed 2/17/16</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>Develop Pre-Test Survey</td>
<td>20 days</td>
<td>Fri 10/23/15</td>
<td>Thu 11/19/15</td>
<td>ETS</td>
</tr>
<tr>
<td>51</td>
<td>CDE reviews Pre-Test Survey</td>
<td>10 days</td>
<td>Fri 11/20/15</td>
<td>Mon 12/7/15</td>
<td>CDE</td>
</tr>
<tr>
<td>52</td>
<td>Revise Pre-Test Survey</td>
<td>3 days</td>
<td>Tue 12/8/15</td>
<td>Thu 12/10/15</td>
<td>ETS</td>
</tr>
<tr>
<td>53</td>
<td>CDE send review of Pre-Test Survey</td>
<td>5 days</td>
<td>Fri 12/11/15</td>
<td>Thu 12/17/15</td>
<td>CDE</td>
</tr>
<tr>
<td>54</td>
<td>Apply updates and deliver final Pre-Test Survey to CDE for approval</td>
<td>3 days</td>
<td>Fri 12/18/15</td>
<td>Tue 12/22/15</td>
<td>ETS</td>
</tr>
<tr>
<td>55</td>
<td>Administer Pre-Test Survey</td>
<td>20 days</td>
<td>Mon 1/4/16</td>
<td>Mon 2/1/16</td>
<td>ETS</td>
</tr>
<tr>
<td>56</td>
<td>Analyze survey results</td>
<td>10 days</td>
<td>Tue 2/2/16</td>
<td>Tue 2/16/16</td>
<td>ETS</td>
</tr>
<tr>
<td>57</td>
<td>Deliver survey results &amp; recommended program improvements to CDE</td>
<td>1 day</td>
<td>Wed 2/17/16</td>
<td>Wed 2/17/16</td>
<td>ETS</td>
</tr>
<tr>
<td>58</td>
<td>Post-Testing Data Collection</td>
<td>237 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/9/16</td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>Post-Test Survey</td>
<td>67 days</td>
<td>Tue 3/8/16</td>
<td>Thu 6/9/16</td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>Develop Post-Test Survey</td>
<td>20 days</td>
<td>Tue 3/8/16</td>
<td>Mon 4/4/16</td>
<td>ETS</td>
</tr>
<tr>
<td>61</td>
<td>CDE reviews Post-Test Survey</td>
<td>10 days</td>
<td>Tue 4/5/16</td>
<td>Mon 4/18/16</td>
<td>CDE</td>
</tr>
<tr>
<td>62</td>
<td>Revise Post-Test Survey</td>
<td>3 days</td>
<td>Tue 4/19/16</td>
<td>Thu 4/21/16</td>
<td>ETS</td>
</tr>
<tr>
<td>63</td>
<td>CDE 2nd review of Post-Test Survey</td>
<td>5 days</td>
<td>Fri 4/22/16</td>
<td>Thu 4/28/16</td>
<td>ETS</td>
</tr>
<tr>
<td>64</td>
<td>Apply updates and deliver final Post-Test Survey to CDE for approval</td>
<td>3 days</td>
<td>Fri 4/29/16</td>
<td>Tue 5/3/16</td>
<td>CDE</td>
</tr>
<tr>
<td>65</td>
<td>Administer Post-Test Survey</td>
<td>20 days</td>
<td>Wed 5/11/16</td>
<td>Wed 6/8/16</td>
<td>ETS</td>
</tr>
<tr>
<td>66</td>
<td>Deliver survey results &amp; recommended program improvements to CDE</td>
<td>1 day</td>
<td>Thu 6/9/16</td>
<td>Thu 6/9/16</td>
<td>ETS</td>
</tr>
<tr>
<td>67</td>
<td>Post-Test Focus Groups for Administrators</td>
<td>60 days</td>
<td>Wed 7/1/15</td>
<td>Thu 9/24/15</td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>Prepare materials for Post-Test Focus Groups</td>
<td>9 days</td>
<td>Wed 7/1/15</td>
<td>Tue 7/14/15</td>
<td>ETS</td>
</tr>
<tr>
<td>69</td>
<td>Conduct Sacramento focus group</td>
<td>2 days</td>
<td>Wed 7/15/15</td>
<td>Thu 7/16/15</td>
<td>ETS</td>
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<td>Task Name</td>
<td>Duration</td>
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<td>70</td>
<td>Conduct Southern CA focus group</td>
<td>2 days</td>
<td>Tue 7/28/15</td>
<td>Wed 7/29/15</td>
<td>ETS</td>
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<tr>
<td>71</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Thu 7/30/15</td>
<td>Thu 9/24/15</td>
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<tr>
<td>72</td>
<td>Test Coordinator Advisory Group 1</td>
<td>162 days</td>
<td>Tue 8/18/15</td>
<td>Mon 4/11/16</td>
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<td>73</td>
<td>Prepare materials for Test Coordinator Advisory Group 1</td>
<td>20 days</td>
<td>Tue 8/18/15</td>
<td>Tue 9/15/15</td>
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<td>1 day</td>
<td>Wed 9/16/15</td>
<td>Wed 9/16/15</td>
<td>ETS</td>
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<td>75</td>
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<td>40 days</td>
<td>Thu 9/17/15</td>
<td>Wed 11/11/15</td>
<td>ETS</td>
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<tr>
<td>76</td>
<td>Prepare materials for Test Coordinator Advisory Group 2</td>
<td>20 days</td>
<td>Thu 1/14/16</td>
<td>Thu 2/11/16</td>
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<td>1 day</td>
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<td>Fri 2/21/16</td>
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<td>78</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Tue 2/16/16</td>
<td>Mon 4/11/16</td>
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<td>79</td>
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<td>62 days</td>
<td>Mon 8/24/15</td>
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<td>80</td>
<td>Prepare materials for caaspp.org Focus Groups</td>
<td>20 days</td>
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<td>Mon 9/21/15</td>
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<td>81</td>
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<td>2 days</td>
<td>Tue 9/22/15</td>
<td>Wed 9/23/15</td>
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<td>82</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Thu 9/24/15</td>
<td>Wed 11/18/15</td>
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<td>83</td>
<td>Project Management Complete</td>
<td>0 days</td>
<td>Fri 8/5/16</td>
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<td>84</td>
<td>Training &amp; LEA Support</td>
<td>252 days</td>
<td>Wed 7/1/15</td>
<td>Thu 6/30/16</td>
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<td>85</td>
<td>Training &amp; LEA Support Begins</td>
<td>0 days</td>
<td>Wed 7/1/15</td>
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<td>252 days</td>
<td>Wed 7/1/15</td>
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<td>87</td>
<td>Train CalTAC staff on the CAASPP Program</td>
<td>10 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/15/15</td>
<td>ETS</td>
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<tr>
<td>88</td>
<td>Establish help desk technical phone, Web chat, and e-mail support</td>
<td>10 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/15/15</td>
<td>ETS</td>
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<tr>
<td>89</td>
<td>Perform technology support site visits as needed</td>
<td>242 days</td>
<td>Thu 7/16/15</td>
<td>Thu 6/30/16</td>
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<td>90</td>
<td>LEA CAASPP Coordinator Designation Forms &amp; Security Agreements</td>
<td>64 days</td>
<td>Wed 7/1/15</td>
<td>Wed 9/30/15</td>
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<td>91</td>
<td>Collect LEA CAASPP coordinator designation forms and security agreements</td>
<td>50 days</td>
<td>Wed 7/1/15</td>
<td>Thu 9/10/15</td>
<td>ETS</td>
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<td>92</td>
<td>Input updates into the LEA CAASPP coordinator database</td>
<td>43 days</td>
<td>Thu 7/30/15</td>
<td>Tue 9/29/15</td>
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<td>93</td>
<td>Provide CDE access to the CAASPP coordinator database</td>
<td>1 day</td>
<td>Wed 9/30/15</td>
<td>Wed 9/30/15</td>
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<td>94</td>
<td>LEA Technology Readiness</td>
<td>91 days</td>
<td>Thu 7/30/15</td>
<td>Tue 12/8/15</td>
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<td>95</td>
<td>Develop technology readiness information collection methodologies</td>
<td>30 days</td>
<td>Thu 7/30/15</td>
<td>Thu 9/10/15</td>
<td>ETS</td>
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<tr>
<td>96</td>
<td>Collect technology readiness information from LEAs</td>
<td>40 days</td>
<td>Fri 9/11/15</td>
<td>Thu 11/5/15</td>
<td>ETS</td>
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<tr>
<td>97</td>
<td>Conduct outreach campaign to non-responsive LEAs</td>
<td>20 days</td>
<td>Fri 11/6/15</td>
<td>Mon 12/7/15</td>
<td>ETS</td>
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<tr>
<td>98</td>
<td>Present readiness results to CDE</td>
<td>1 day</td>
<td>Tue 12/8/15</td>
<td>Tue 12/8/15</td>
<td>ETS</td>
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<td>99</td>
<td>Summative Assessment Test Administration Training Manuals</td>
<td>216 days</td>
<td>Wed 7/1/15</td>
<td>Tue 5/10/16</td>
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<td>100</td>
<td>Smarter Balanced Test Administration Manual (TAM)</td>
<td>111 days</td>
<td>Wed 7/1/15</td>
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<td>101</td>
<td>TAM available from Smarter Balanced</td>
<td>0 days</td>
<td>Wed 7/1/15</td>
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<td>102</td>
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<td>15 days</td>
<td>Fri 9/11/15</td>
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<td>10 days</td>
<td>Fri 10/2/15</td>
<td>Thu 10/15/15</td>
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<td>Apply CDE edits to Smarter Balanced TAM</td>
<td>3 days</td>
<td>Fri 10/16/15</td>
<td>Tue 10/20/15</td>
<td>ETS</td>
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<td>105</td>
<td>CDE 2nd review of Smarter Balanced TAM</td>
<td>5 days</td>
<td>Wed 10/21/15</td>
<td>Tue 10/27/15</td>
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<td>3 days</td>
<td>Wed 10/28/15</td>
<td>Fri 10/30/15</td>
<td>ETS</td>
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<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
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<tr>
<td>107</td>
<td>Post Smarter Balanced TAM to caaspp.org</td>
<td>1 day</td>
<td>Mon 11/2/15</td>
<td>Mon 11/2/15</td>
<td>ETS</td>
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<td>108</td>
<td>Print Smarter Balanced TAM</td>
<td>20 days</td>
<td>Mon 11/2/15</td>
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<td>ETS</td>
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<td>109</td>
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<td>5 days</td>
<td>Wed 12/2/15</td>
<td>Tue 12/8/15</td>
<td>ETS</td>
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<td>110</td>
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<td>72 days</td>
<td>Thu 8/13/15</td>
<td>Mon 11/23/15</td>
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<td>111</td>
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<td>25 days</td>
<td>Thu 8/13/15</td>
<td>Thu 9/17/15</td>
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<td>10 days</td>
<td>Fri 9/18/15</td>
<td>Thu 10/1/15</td>
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<td>3 days</td>
<td>Fri 10/2/15</td>
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<td>114</td>
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<td>5 days</td>
<td>Wed 10/7/15</td>
<td>Tue 10/13/15</td>
<td>ETS</td>
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<td>3 days</td>
<td>Wed 10/14/15</td>
<td>Fri 10/16/15</td>
<td>ETS</td>
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<td>116</td>
<td>Post Alternate Assessment TAM to caaspp.org</td>
<td>1 day</td>
<td>Mon 10/19/15</td>
<td>Mon 10/19/15</td>
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<td>117</td>
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<td>20 days</td>
<td>Tue 10/20/15</td>
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<td>118</td>
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<td>5 days</td>
<td>Tue 11/17/15</td>
<td>Mon 11/17/15</td>
<td>ETS</td>
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<tr>
<td>119</td>
<td>CST, CMA, CAPA Science, STS Paper/Pencil TAM</td>
<td>56 days</td>
<td>Thu 8/16/15</td>
<td>Fri 10/23/15</td>
<td>CDE</td>
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<tr>
<td>120</td>
<td>Develop CST, CMA, CAPA Science, &amp; STS Paper/Pencil TAM</td>
<td>10 days</td>
<td>Thu 8/6/15</td>
<td>Wed 8/19/15</td>
<td>ETS</td>
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<td>121</td>
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<td>10 days</td>
<td>Thu 8/20/15</td>
<td>Wed 9/2/15</td>
<td>CDE</td>
</tr>
<tr>
<td>122</td>
<td>Apply CDE edits to CST, CMA, CAPA Science, &amp; STS Paper/Pencil TAM</td>
<td>3 days</td>
<td>Thu 9/3/15</td>
<td>Tue 9/8/15</td>
<td>ETS</td>
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<td>123</td>
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<td>5 days</td>
<td>Wed 9/9/15</td>
<td>Tue 9/15/15</td>
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<td>3 days</td>
<td>Wed 9/16/15</td>
<td>Fri 9/18/15</td>
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<tr>
<td>125</td>
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<td>1 day</td>
<td>Mon 9/21/15</td>
<td>Mon 9/21/15</td>
<td>ETS</td>
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<td>126</td>
<td>Print CST, CMA, CAPA Science, &amp; STS Paper/Pencil TAM</td>
<td>20 days</td>
<td>Mon 9/21/15</td>
<td>Fri 10/16/15</td>
<td>ETS</td>
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<td>127</td>
<td>Distribute CST, CMA, CAPA Science, &amp; STS Paper/Pencil TAM to LEAs</td>
<td>5 days</td>
<td>Mon 10/19/15</td>
<td>Fri 10/23/15</td>
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<tr>
<td>128</td>
<td>LEA CAASPP Test Coordinators Manual (LEA TCM)</td>
<td>47 days</td>
<td>Wed 10/28/15</td>
<td>Thu 1/7/16</td>
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<td>129</td>
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<td>25 days</td>
<td>Wed 10/28/15</td>
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<td>10 days</td>
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<td>3 days</td>
<td>Fri 12/18/15</td>
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<td>132</td>
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<td>5 days</td>
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<td>Thu 12/31/15</td>
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<td>133</td>
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<td>3 days</td>
<td>Mon 1/4/16</td>
<td>Wed 1/6/16</td>
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<td>134</td>
<td>Post LEA TCM to caaspp.org</td>
<td>1 day</td>
<td>Thu 1/7/16</td>
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<td>25 days</td>
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<td>10 days</td>
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<td>138</td>
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<td>3 days</td>
<td>Fri 12/18/15</td>
<td>Tue 12/22/15</td>
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<td>139</td>
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<td>5 days</td>
<td>Wed 12/23/15</td>
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<td>CDE</td>
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<td>3 days</td>
<td>Mon 1/4/16</td>
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<td>141</td>
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<td>1 day</td>
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<td>142</td>
<td>Test Examiners Manual (TEM)</td>
<td>47 days</td>
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<td>25 days</td>
<td>Wed 11/4/15</td>
<td>Thu 12/10/15</td>
<td>ETS</td>
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<td>144</td>
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<td>10 days</td>
<td>Fri 12/11/15</td>
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<td>145</td>
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<td>3 days</td>
<td>Tue 12/29/15</td>
<td>Thu 12/31/15</td>
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<td>5 days</td>
<td>Mon 1/4/16</td>
<td>Fri 1/8/16</td>
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<td>147</td>
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<td>3 days</td>
<td>Mon 1/11/16</td>
<td>Wed 1/13/16</td>
<td>ETS</td>
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<tr>
<td>148</td>
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<td>1 day</td>
<td>Thu 1/14/16</td>
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<td>149</td>
<td>Technology Services Coordinators Manual (TSCM)</td>
<td>47 days</td>
<td>Wed 11/4/15</td>
<td>Thu 1/14/16</td>
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<td>25 days</td>
<td>Wed 11/4/15</td>
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<td>CDE reviews TSCM</td>
<td>10 days</td>
<td>Fri 12/11/15</td>
<td>Mon 12/28/15</td>
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<td>152</td>
<td>Apply CDE edits to TSCM</td>
<td>3 days</td>
<td>Tue 12/29/15</td>
<td>Thu 12/31/15</td>
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<td>153</td>
<td>CDE 2nd review of TSCM</td>
<td>5 days</td>
<td>Mon 1/4/16</td>
<td>Fri 1/8/16</td>
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<tr>
<td>154</td>
<td>Apply updates and deliver final TSCM to CDE for approval</td>
<td>3 days</td>
<td>Mon 1/11/16</td>
<td>Wed 1/13/16</td>
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<td>155</td>
<td>Post TSCM to caaspp.org</td>
<td>1 day</td>
<td>Thu 1/14/16</td>
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<td>156</td>
<td>CAASPP Test Operations Management System (TOMS) Manual</td>
<td>47 days</td>
<td>Thu 8/13/15</td>
<td>Mon 10/19/15</td>
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<tr>
<td>157</td>
<td>Develop TOMS manual</td>
<td>25 days</td>
<td>Thu 8/13/15</td>
<td>Thu 9/17/15</td>
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<td>158</td>
<td>CDE reviews TOMS manual</td>
<td>10 days</td>
<td>Fri 9/18/15</td>
<td>Thu 10/1/15</td>
<td>CDE</td>
</tr>
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<td>159</td>
<td>Apply CDE edits to TOMS manual</td>
<td>3 days</td>
<td>Fri 10/2/15</td>
<td>Tue 10/6/15</td>
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<td>160</td>
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<td>5 days</td>
<td>Wed 10/7/15</td>
<td>Tue 10/13/15</td>
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<td>161</td>
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<td>3 days</td>
<td>Wed 1/14/15</td>
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<td>162</td>
<td>Post TOMS manual to caaspp.org</td>
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<td>Mon 10/19/15</td>
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<td>163</td>
<td>STS for Dual Immersion Students Manual</td>
<td>47 days</td>
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<td>164</td>
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<td>47 days</td>
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<td>184</td>
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<td>185</td>
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<td>188</td>
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<td>Fri 3/25/16</td>
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<td>189</td>
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<td>3 days</td>
<td>Fri 4/1/16</td>
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<td>190</td>
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<td>1 day</td>
<td>Wed 4/6/16</td>
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<td>191</td>
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<td>20 days</td>
<td>Wed 4/6/16</td>
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<td>192</td>
<td>Distribute Post-Test Guide to LEAs</td>
<td>5 days</td>
<td>Wed 5/4/16</td>
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<td>193</td>
<td>Training Webcasts and Workshops</td>
<td>193 days</td>
<td>Wed 8/19/15</td>
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<td>194</td>
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<td>195</td>
<td>Present and archive Using the Digital Library Webcast</td>
<td>1 day</td>
<td>Wed 8/19/15</td>
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<td>196</td>
<td>Present and archive Using Interim Assessments Webcast</td>
<td>1 day</td>
<td>Wed 9/9/15</td>
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<tr>
<td>197</td>
<td>Present and archive Preparing CALPADS Data for Testing Webcast</td>
<td>1 day</td>
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<td>199</td>
<td>Present and archive Preparing Technology for Online Testing Webcast</td>
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<td>Wed 10/14/15</td>
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<td>200</td>
<td>Present and archive Accessibility and Accommodations Webcast</td>
<td>1 day</td>
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<td>1 day</td>
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<td>Wed 11/18/15</td>
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<td>202</td>
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<td>1 day</td>
<td>Tue 1/12/16</td>
<td>Tue 1/12/16</td>
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<td>203</td>
<td>Present and archive Alternate Assessment training Webcast</td>
<td>1 day</td>
<td>Wed 1/13/16</td>
<td>Wed 1/13/16</td>
<td>ETS</td>
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<td>204</td>
<td>Present and archive Test Security LEA Training Webcast</td>
<td>1 day</td>
<td>Wed 1/20/16</td>
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<td>205</td>
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<td>1 day</td>
<td>Wed 5/18/16</td>
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<td>ETS</td>
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<td>206</td>
<td>Regional Training Workshops</td>
<td>178 days</td>
<td>Thu 9/10/15</td>
<td>Wed 5/25/16</td>
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<td>207</td>
<td>Present regional Digital Library and Interim workshops</td>
<td>5 days</td>
<td>Thu 9/10/15</td>
<td>Wed 9/16/15</td>
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<td>208</td>
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<td>22 days</td>
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<td>Fri 2/12/16</td>
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<td>Present regional Post-Test Workshops</td>
<td>5 days</td>
<td>Thu 5/19/16</td>
<td>Wed 5/25/16</td>
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<td>210</td>
<td>Interim CR Scoring Training</td>
<td>101 days</td>
<td>Tue 10/13/15</td>
<td>Thu 3/10/16</td>
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<td>211</td>
<td>Receive CR scoring methodology and procedures from Smarter Balanced</td>
<td>1 day</td>
<td>Tue 10/13/15</td>
<td>Tue 10/13/15</td>
<td>Smarter Balanced</td>
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<td>212</td>
<td>Produce workshop slides and e-mail announcement</td>
<td>20 days</td>
<td>Thu 1/21/16</td>
<td>Thu 2/18/16</td>
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<td>213</td>
<td>Deliver summative and interim CR scoring training workshops</td>
<td>15 days</td>
<td>Fri 2/19/16</td>
<td>Thu 3/10/16</td>
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<td>214</td>
<td>Training &amp; LEA Support Complete</td>
<td>0 days</td>
<td>Thu 6/30/16</td>
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<td>215</td>
<td>Test Development</td>
<td>392 days</td>
<td>Wed 7/1/15</td>
<td>Fri 1/20/17</td>
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<td>216</td>
<td>Test Development Begins</td>
<td>0 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/1/15</td>
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<td>217</td>
<td>NGSS and Primary Language Design</td>
<td>121 days</td>
<td>Wed 7/1/15</td>
<td>Tue 12/22/15</td>
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<td>218</td>
<td>Create a draft high level design document &amp; submit to CDE</td>
<td>40 days</td>
<td>Wed 7/1/15</td>
<td>Wed 8/26/15</td>
<td>ETS</td>
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<tr>
<td>219</td>
<td>CDE reviews initial draft of high level design document</td>
<td>10 days</td>
<td>Thu 8/7/15</td>
<td>Thu 9/10/15</td>
<td>CDE</td>
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<td>220</td>
<td>Produce detailed tasks and test specification documents</td>
<td>40 days</td>
<td>Fri 9/11/15</td>
<td>Thu 11/5/15</td>
<td>ETS</td>
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<td>221</td>
<td>Conduct review of detailed item and test specifications and ALDs with stakeholders</td>
<td>1 day</td>
<td>Fri 11/20/15</td>
<td>Fri 11/20/15</td>
<td>ETS, CDE</td>
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<td>Finalize design and specifications documents</td>
<td>20 days</td>
<td>Mon 11/23/15</td>
<td>Tue 12/22/15</td>
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<td>223</td>
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<td>71 days</td>
<td>Wed 7/1/15</td>
<td>Fri 10/9/15</td>
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<td>224</td>
<td>Create a draft high level design document &amp; submit to CDE</td>
<td>10 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/15/15</td>
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<td>225</td>
<td>CDE reviews initial draft of high level design document</td>
<td>10 days</td>
<td>Thu 7/16/15</td>
<td>Wed 7/29/15</td>
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<td>226</td>
<td>Produce detailed tasks and test specification documents</td>
<td>30 days</td>
<td>Thu 7/30/15</td>
<td>Thu 9/10/15</td>
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<td>227</td>
<td>Conduct review of detailed item and test specifications and ALDs with stakeholders</td>
<td>1 day</td>
<td>Fri 9/11/15</td>
<td>Fri 9/11/15</td>
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<td>228</td>
<td>Finalize design and specifications documents</td>
<td>20 days</td>
<td>Mon 9/14/15</td>
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<td>229</td>
<td>Alternate Assessment ELA/Math</td>
<td>52 days</td>
<td>Mon 10/12/15</td>
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<td>230</td>
<td>Develop draft blueprints</td>
<td>5 days</td>
<td>Mon 10/12/15</td>
<td>Fri 10/16/15</td>
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<td>231</td>
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<td>10 days</td>
<td>Mon 10/19/15</td>
<td>Fri 10/30/15</td>
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<td>232</td>
<td>External committee blueprint review meeting</td>
<td>2 days</td>
<td>Mon 11/2/15</td>
<td>Tue 11/3/15</td>
<td>External Committee, CDE, ETS</td>
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<td>233</td>
<td>CDE reviews and approves blueprints</td>
<td>5 days</td>
<td>Wed 11/4/15</td>
<td>Tue 11/10/15</td>
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<td>234</td>
<td>Develop Alternate Assessment ELA/Mathematics Assessment items</td>
<td>13 days</td>
<td>Wed 11/11/15</td>
<td>Tue 12/1/15</td>
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<td>CDE reviews new Alternate Assessment ELA/Mathematics items</td>
<td>10 days</td>
<td>Wed 12/2/15</td>
<td>Tue 12/15/15</td>
<td>CDE</td>
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<td>236</td>
<td>External committee item review meetings</td>
<td>2 days</td>
<td>Wed 12/16/15</td>
<td>Thu 12/17/15</td>
<td>External Committee, CDE, ETS</td>
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<td>237</td>
<td>CDE reviews and approves new items</td>
<td>5 days</td>
<td>Fri 12/18/15</td>
<td>Mon 12/28/15</td>
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<td>238</td>
<td>Primary Language</td>
<td>309 days</td>
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<td>Mon 12/19/16</td>
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<td>239</td>
<td>Review existing passages</td>
<td>40 days</td>
<td>Mon 9/28/15</td>
<td>Fri 11/20/15</td>
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<td>10 days</td>
<td>Mon 11/23/15</td>
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<td>241</td>
<td>CDE reviews and approves development plan</td>
<td>15 days</td>
<td>Wed 12/9/15</td>
<td>Thu 12/31/15</td>
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<td>Conduct Item Writer Training workshop</td>
<td>2 days</td>
<td>Mon 1/4/16</td>
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<td>Develop Primary Language Assessment items</td>
<td>60 days</td>
<td>Wed 1/6/16</td>
<td>Thu 3/11/16</td>
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<td>244</td>
<td>ETS reviews new Primary Language items</td>
<td>10 days</td>
<td>Fri 4/1/16</td>
<td>Thu 4/14/16</td>
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<td>245</td>
<td>ETS revises Primary Language items</td>
<td>40 days</td>
<td>Fri 4/15/16</td>
<td>Fri 6/10/16</td>
<td>ETS</td>
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<td>246</td>
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<td>2 days</td>
<td>Mon 6/13/16</td>
<td>Tue 6/14/16</td>
<td>External Committee, CDE, ETS</td>
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<td>247</td>
<td>CDE reviews and approves new items</td>
<td>5 days</td>
<td>Wed 6/15/16</td>
<td>Tue 6/21/16</td>
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<td>248</td>
<td>Finalize items and develop pilot test forms</td>
<td>40 days</td>
<td>Wed 6/22/16</td>
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<td>85 days</td>
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<td>296 days</td>
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<td>Conduct additional stakeholder meetings</td>
<td>5 days</td>
<td>Mon 11/16/15</td>
<td>Fri 11/20/15</td>
<td>ETS</td>
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<td>Finalize development plan</td>
<td>5 days</td>
<td>Mon 11/23/15</td>
<td>Tue 12/1/15</td>
<td>ETS</td>
</tr>
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<td>253</td>
<td>CDE reviews and approves development plan</td>
<td>15 days</td>
<td>Wed 12/2/15</td>
<td>Tue 12/22/15</td>
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<td>Task outline agreement review</td>
<td>5 days</td>
<td>Wed 12/23/15</td>
<td>Thu 12/31/15</td>
<td>ETS, CDE</td>
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<td>255</td>
<td>Finalize, review, and approve blueprints in collaboration with CDE partners</td>
<td>15 days</td>
<td>Mon 1/4/16</td>
<td>Mon 1/25/16</td>
<td>ETS, CDE</td>
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<td>External committee blueprint review meeting</td>
<td>2 days</td>
<td>Tue 1/26/16</td>
<td>Wed 1/27/16</td>
<td>External Committee, CDE, ETS</td>
</tr>
<tr>
<td>257</td>
<td>CDE approves blueprints</td>
<td>5 days</td>
<td>Thu 1/28/16</td>
<td>Wed 2/3/16</td>
<td>CDE</td>
</tr>
<tr>
<td>258</td>
<td>Develop NGSS Science items</td>
<td>65 days</td>
<td>Thu 2/4/16</td>
<td>Thu 5/5/16</td>
<td>ETS</td>
</tr>
<tr>
<td>259</td>
<td>CDE reviews new NGSS discreet items and alpha draft task agreement</td>
<td>10 days</td>
<td>Fri 5/6/16</td>
<td>Thu 5/19/16</td>
<td>CDE</td>
</tr>
<tr>
<td>260</td>
<td>External committee item review meetings</td>
<td>3 days</td>
<td>Mon 5/23/16</td>
<td>Wed 5/25/16</td>
<td>ETS</td>
</tr>
<tr>
<td>261</td>
<td>Task certification review, finalize items, and develop plot test forms</td>
<td>100 days</td>
<td>Thu 5/26/16</td>
<td>Mon 10/17/16</td>
<td>ETS</td>
</tr>
<tr>
<td>262</td>
<td>Prepare for online test delivery</td>
<td>65 days</td>
<td>Tue 10/18/16</td>
<td>Fri 1/20/17</td>
<td>ETS</td>
</tr>
<tr>
<td>263</td>
<td>Test Development Complete</td>
<td>0 days</td>
<td>Fri 1/20/17</td>
<td>Fri 1/20/17</td>
<td></td>
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<tr>
<td>264</td>
<td>Operational Test Administration</td>
<td>769 days</td>
<td>Wed 7/1/15</td>
<td>Tue 7/2/18</td>
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<tr>
<td>265</td>
<td>Operational Test Administration Begins</td>
<td>0 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/1/15</td>
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</tr>
<tr>
<td>266</td>
<td>CAASPP Assessments</td>
<td>510 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/5/17</td>
<td></td>
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<tr>
<td>267</td>
<td>Testing Systems</td>
<td>151 days</td>
<td>Wed 7/1/15</td>
<td>Mon 2/8/16</td>
<td></td>
</tr>
<tr>
<td>268</td>
<td>Minimum System Requirements Document</td>
<td>20 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/29/15</td>
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</tr>
<tr>
<td>269</td>
<td>Develop Minimum System Requirements Document</td>
<td>5 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/8/15</td>
<td>ETS</td>
</tr>
<tr>
<td>270</td>
<td>CDE reviews and approves Minimum System Requirements Document</td>
<td>15 days</td>
<td>Thu 7/9/15</td>
<td>Wed 7/29/15</td>
<td>CDE</td>
</tr>
<tr>
<td>271</td>
<td>System Configurations</td>
<td>20 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/29/15</td>
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<tr>
<td>272</td>
<td>Develop list of system configurations</td>
<td>5 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/8/15</td>
<td>ETS</td>
</tr>
<tr>
<td>273</td>
<td>CDE reviews and approves system configurations</td>
<td>15 days</td>
<td>Thu 7/9/15</td>
<td>Wed 7/29/15</td>
<td>CDE</td>
</tr>
<tr>
<td>274</td>
<td>Item Transfer</td>
<td>40 days</td>
<td>Fri 11/3/15</td>
<td>Thu 1/14/16</td>
<td></td>
</tr>
<tr>
<td>275</td>
<td>Receive Interim items from Smarter Balanced</td>
<td>1 day</td>
<td>Fri 11/13/15</td>
<td>Fri 11/13/15</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>276</td>
<td>Import Interim field test items from Smarter Balanced</td>
<td>10 days</td>
<td>Mon 11/16/15</td>
<td>Tue 12/1/15</td>
<td>ETS</td>
</tr>
<tr>
<td>277</td>
<td>Receive Summative pools from Smarter Balanced</td>
<td>1 day</td>
<td>Wed 12/30/15</td>
<td>Wed 12/30/15</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>278</td>
<td>Import items from Smarter Balanced and embed new field test items into testing system</td>
<td>10 days</td>
<td>Thu 12/31/15</td>
<td>Thu 1/14/16</td>
<td>ETS</td>
</tr>
<tr>
<td>279</td>
<td>Test Operations Management System (TOMS)</td>
<td>76 days</td>
<td>Wed 7/1/15</td>
<td>Fri 10/16/15</td>
<td></td>
</tr>
<tr>
<td>280</td>
<td>CDE confirms CALPADS information and list of designated supports/accommodations</td>
<td>1 day</td>
<td>Wed 7/1/15</td>
<td>Wed 7/1/15</td>
<td>CDE</td>
</tr>
<tr>
<td>281</td>
<td>Confirm business requirements for pre-test delivery reporting and application enhancements</td>
<td>1 day</td>
<td>Thu 7/2/15</td>
<td>Thu 7/2/15</td>
<td>ETS</td>
</tr>
<tr>
<td>282</td>
<td>Update CALPADS import function</td>
<td>20 days</td>
<td>Thu 7/2/15</td>
<td>Thu 7/30/15</td>
<td>ETS</td>
</tr>
<tr>
<td>283</td>
<td>Develop and deliver TOMS implementation plan to CDE</td>
<td>5 days</td>
<td>Mon 7/6/15</td>
<td>Fri 7/10/15</td>
<td>ETS</td>
</tr>
<tr>
<td>284</td>
<td>CDE reviews TOMS implementation plan</td>
<td>10 days</td>
<td>Mon 7/13/15</td>
<td>Fri 7/24/15</td>
<td>CDE</td>
</tr>
<tr>
<td>285</td>
<td>Incorporate CDE recommendations to TOMS implementation plan</td>
<td>3 days</td>
<td>Mon 7/27/15</td>
<td>Wed 7/29/15</td>
<td>ETS</td>
</tr>
<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>286</td>
<td>CDE approves TOMS implementation plan</td>
<td>5 days</td>
<td>Thu 7/30/15</td>
<td>Wed 8/5/15</td>
<td>CDE</td>
</tr>
<tr>
<td>287</td>
<td>Configure TOMS enhancements for the 2016 CAASPP administration</td>
<td>15 days</td>
<td>Thu 8/6/15</td>
<td>Wed 8/26/15</td>
<td>ETS</td>
</tr>
<tr>
<td>288</td>
<td>Begin daily updates of LEA and school user contact information</td>
<td>1 day</td>
<td>Thu 8/27/15</td>
<td>Thu 8/27/15</td>
<td>ETS</td>
</tr>
<tr>
<td>289</td>
<td>Functional testing</td>
<td>10 days</td>
<td>Thu 8/27/15</td>
<td>Thu 9/10/15</td>
<td>ETS</td>
</tr>
<tr>
<td>290</td>
<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Fri 9/11/15</td>
<td>Thu 9/17/15</td>
<td>ETS</td>
</tr>
<tr>
<td>291</td>
<td>Integration testing</td>
<td>10 days</td>
<td>Fri 9/18/15</td>
<td>Thu 10/1/15</td>
<td>ETS</td>
</tr>
<tr>
<td>292</td>
<td>Load testing</td>
<td>10 days</td>
<td>Fri 9/18/15</td>
<td>Thu 10/1/15</td>
<td>ETS</td>
</tr>
<tr>
<td>293</td>
<td>CDE UAT of TOMS enhancements</td>
<td>5 days</td>
<td>Fri 10/2/15</td>
<td>Thu 10/8/15</td>
<td>CDE</td>
</tr>
<tr>
<td>294</td>
<td>Apply fixes to TOMS enhancements</td>
<td>5 days</td>
<td>Fri 10/9/15</td>
<td>Thu 10/15/15</td>
<td>ETS</td>
</tr>
<tr>
<td>295</td>
<td>Deploy enhancements to TOMS</td>
<td>1 day</td>
<td>Fri 10/16/15</td>
<td>Fri 10/16/15</td>
<td>ETS</td>
</tr>
<tr>
<td>296</td>
<td>CA ISAAP Tool</td>
<td>21 days</td>
<td>Thu 8/6/15</td>
<td>Thu 9/3/15</td>
<td></td>
</tr>
<tr>
<td>297</td>
<td>Gather business requirements for CA ISAAP tool enhancements</td>
<td>5 days</td>
<td>Thu 8/6/15</td>
<td>Wed 8/12/15</td>
<td>ETS</td>
</tr>
<tr>
<td>298</td>
<td>Configure CA ISAAP tool for the 2016 administration</td>
<td>5 days</td>
<td>Thu 8/13/15</td>
<td>Wed 8/19/15</td>
<td>ETS</td>
</tr>
<tr>
<td>299</td>
<td>CDE UAT of CA ISAAP Tool</td>
<td>5 days</td>
<td>Thu 8/20/15</td>
<td>Wed 8/26/15</td>
<td>CDE</td>
</tr>
<tr>
<td>300</td>
<td>Apply fixes to CA ISAPP</td>
<td>5 days</td>
<td>Thu 8/27/15</td>
<td>Wed 9/2/15</td>
<td>ETS</td>
</tr>
<tr>
<td>301</td>
<td>Deploy CA ISAAP Tool</td>
<td>1 day</td>
<td>Thu 9/3/15</td>
<td>Thu 9/3/15</td>
<td>ETS</td>
</tr>
<tr>
<td>302</td>
<td>Test Delivery System (TDS)</td>
<td>150 days</td>
<td>Thu 7/12/15</td>
<td>Mon 2/8/16</td>
<td></td>
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<tr>
<td>303</td>
<td>Update Secure Browsers</td>
<td>25 days</td>
<td>Thu 10/29/15</td>
<td></td>
<td>AIR</td>
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<tr>
<td>304</td>
<td>Gather business requirements for application enhancements</td>
<td>10 days</td>
<td>Thu 7/12/15</td>
<td>Thu 7/16/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>305</td>
<td>Configure TDS for the 2016 CAASPP administration</td>
<td>40 days</td>
<td>Thu 7/30/15</td>
<td>Thu 9/24/15</td>
<td>AIR</td>
</tr>
<tr>
<td>306</td>
<td>TDS Testing for Interim Assessments</td>
<td>62 days</td>
<td>Fri 9/25/15</td>
<td>Wed 12/23/15</td>
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</tr>
<tr>
<td>307</td>
<td>Functional testing</td>
<td>10 days</td>
<td>Fri 9/25/15</td>
<td>Thu 10/8/15</td>
<td>AIR, ETS</td>
</tr>
<tr>
<td>308</td>
<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Fri 10/9/15</td>
<td>Thu 10/15/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>309</td>
<td>Integration testing</td>
<td>5 days</td>
<td>Fri 10/16/15</td>
<td>Thu 10/22/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>310</td>
<td>Load testing</td>
<td>5 days</td>
<td>Fri 10/23/15</td>
<td>Thu 10/29/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>311</td>
<td>CDE UAT</td>
<td>10 days</td>
<td>Fri 10/16/15</td>
<td>Thu 10/29/15</td>
<td>CDE</td>
</tr>
<tr>
<td>312</td>
<td>End-to-End (E2E) Testing</td>
<td>15 days</td>
<td>Wed 12/2/15</td>
<td>Tue 12/22/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>313</td>
<td>Deploy TDS for Interim Assessments including Teacher Hand Scoring</td>
<td>1 day</td>
<td>Wed 12/23/15</td>
<td>Wed 12/23/15</td>
<td>AIR</td>
</tr>
<tr>
<td>314</td>
<td>TDS Testing for Summative Assessments</td>
<td>41 days</td>
<td>Tue 12/8/15</td>
<td>Mon 2/8/16</td>
<td></td>
</tr>
<tr>
<td>315</td>
<td>Functional testing</td>
<td>10 days</td>
<td>Tue 12/8/15</td>
<td>Mon 12/21/15</td>
<td>AIR, ETS</td>
</tr>
<tr>
<td>316</td>
<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Tue 12/22/15</td>
<td>Wed 12/30/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>317</td>
<td>Integration testing</td>
<td>5 days</td>
<td>Fri 1/15/16</td>
<td>Fri 1/22/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>318</td>
<td>Load testing</td>
<td>5 days</td>
<td>Mon 1/25/16</td>
<td>Fri 1/29/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>319</td>
<td>CDE UAT</td>
<td>10 days</td>
<td>Thu 12/31/15</td>
<td>Thu 1/4/16</td>
<td>CDE</td>
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<tr>
<td>320</td>
<td>End-to-End (E2E) Testing</td>
<td>15 days</td>
<td>Fri 1/15/16</td>
<td>Fri 2/5/16</td>
<td>ETS, AIR</td>
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<tr>
<td>321</td>
<td>Deploy TDS for Summative Assessments including Online Reporting System and Participation Reports</td>
<td>1 day</td>
<td>Mon 2/8/16</td>
<td>Mon 2/8/16</td>
<td>AIR</td>
</tr>
<tr>
<td>322</td>
<td>Formative Digital Library</td>
<td>116 days</td>
<td>Fri 9/11/15</td>
<td>Tue 3/1/16</td>
<td>ETS</td>
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<tr>
<td>323</td>
<td>Provide access to Digital Library</td>
<td>116 days</td>
<td>Fri 9/11/15</td>
<td>Tue 3/1/16</td>
<td>ETS</td>
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<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
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<td>Finish</td>
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<tr>
<td>324</td>
<td>Interim Assessment Registration, Test Content, and Ancillaries</td>
<td>170 days</td>
<td>Wed 7/1/15</td>
<td>Mon 3/7/16</td>
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<tr>
<td>325</td>
<td>Current Interim Assessments available</td>
<td>0 days</td>
<td>Wed 7/1/15</td>
<td>Wed 7/1/15</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>326</td>
<td>Update enrollment/test administration information</td>
<td>50 days</td>
<td>Fri 9/25/15</td>
<td>Mon 12/7/15</td>
<td>ETS</td>
</tr>
<tr>
<td>327</td>
<td>New enhanced test packages available from Smarter Balanced</td>
<td>0 days</td>
<td>Fri 2/5/16</td>
<td>Fri 2/5/16</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>328</td>
<td>Process new test packages</td>
<td>20 days</td>
<td>Fri 2/5/16</td>
<td>Fri 3/4/16</td>
<td>AIR</td>
</tr>
<tr>
<td>329</td>
<td>Updated Interim Comprehensive Assessment (summative clone) (ICA) launched</td>
<td>1 day</td>
<td>Mon 3/7/16</td>
<td>Mon 3/7/16</td>
<td>AIR</td>
</tr>
<tr>
<td>330</td>
<td>Updated Interim Assessment Blocks (IAB) launched</td>
<td>1 day</td>
<td>Mon 3/7/16</td>
<td>Mon 3/7/16</td>
<td>AIR</td>
</tr>
<tr>
<td>331</td>
<td>Configure Smarter Balanced System User Guide for CA</td>
<td>40 days</td>
<td>Wed 7/1/15</td>
<td>Wed 8/26/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>332</td>
<td>Configure Smarter Balanced Scoring Guide for CA</td>
<td>40 days</td>
<td>Wed 7/1/15</td>
<td>Wed 8/26/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>333</td>
<td>Configure Smarter Balanced System Infrastructure Guide for CA</td>
<td>40 days</td>
<td>Wed 7/1/15</td>
<td>Wed 8/26/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>334</td>
<td>Configure Smarter Balanced System Training Workbook for CA</td>
<td>40 days</td>
<td>Wed 7/1/15</td>
<td>Wed 8/26/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>335</td>
<td>Interim Assessment Reporting</td>
<td>101 days</td>
<td>Tue 2/9/16</td>
<td>Thu 6/30/16</td>
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</tr>
<tr>
<td>336</td>
<td>Deliver Interim Results to Smarter Balanced</td>
<td>101 days</td>
<td>Tue 2/9/16</td>
<td>Thu 6/30/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>337</td>
<td>Summative Computer Based Assessments</td>
<td>165 days</td>
<td>Tue 11/17/15</td>
<td>Fri 7/15/16</td>
<td></td>
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<tr>
<td>338</td>
<td>Summative content packages available for CAT</td>
<td>0 days</td>
<td>Tue 11/17/15</td>
<td>Tue 11/17/15</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>339</td>
<td>Summative content packages available for PT</td>
<td>0 days</td>
<td>Tue 12/1/15</td>
<td>Tue 12/1/15</td>
<td>Smarter Balanced</td>
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<tr>
<td>340</td>
<td>Summative test packages available for CAT and PT</td>
<td>0 days</td>
<td>Mon 1/11/16</td>
<td>Mon 1/11/16</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>341</td>
<td>Import and QC test packages</td>
<td>20 days</td>
<td>Mon 1/11/16</td>
<td>Mon 2/8/16</td>
<td>ETS</td>
</tr>
<tr>
<td>342</td>
<td>Update enrollment/test administration information</td>
<td>20 days</td>
<td>Tue 1/12/16</td>
<td>Tue 2/9/16</td>
<td>ETS</td>
</tr>
<tr>
<td>343</td>
<td>Administer summative assessments (Smarter Balanced ELA/Math, ELA/Mathematics Alternate)</td>
<td>90 days</td>
<td>Thu 3/10/16</td>
<td>Fri 7/15/16</td>
<td>ETS</td>
</tr>
<tr>
<td>344</td>
<td>Summative Paper/Pencil Testing</td>
<td>418 days</td>
<td>Tue 11/10/15</td>
<td>Wed 7/5/17</td>
<td></td>
</tr>
<tr>
<td>345</td>
<td>Reprint CST/CMA/CAPA Science &amp; STS paper test</td>
<td>30 days</td>
<td>Tue 11/10/15</td>
<td>Wed 12/23/15</td>
<td>ETS</td>
</tr>
<tr>
<td>346</td>
<td>Receive material orders</td>
<td>15 days</td>
<td>Mon 11/16/15</td>
<td>Tue 12/8/15</td>
<td>ETS</td>
</tr>
<tr>
<td>347</td>
<td>Receive paper-based tests from Smarter Balanced</td>
<td>1 day</td>
<td>Mon 12/5/16</td>
<td>Mon 12/5/16</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>348</td>
<td>Add covers</td>
<td>10 days</td>
<td>Tue 12/6/16</td>
<td>Mon 12/19/16</td>
<td>ETS</td>
</tr>
<tr>
<td>349</td>
<td>Print all summative operational paper tests</td>
<td>30 days</td>
<td>Tue 12/20/16</td>
<td>Wed 2/1/17</td>
<td>ETS</td>
</tr>
<tr>
<td>350</td>
<td>Distribute paper tests as needed</td>
<td>88 days</td>
<td>Thu 2/16/17</td>
<td>Mon 6/19/17</td>
<td>ETS</td>
</tr>
<tr>
<td>351</td>
<td>Receive paper tests</td>
<td>75 days</td>
<td>Thu 3/17/16</td>
<td>Thu 6/30/16</td>
<td>ETS</td>
</tr>
<tr>
<td>352</td>
<td>Scan paper tests</td>
<td>76 days</td>
<td>Thu 3/17/16</td>
<td>Fri 7/1/16</td>
<td>ETS</td>
</tr>
<tr>
<td>353</td>
<td>Conduct resolutions on paper tests</td>
<td>90 days</td>
<td>Thu 3/17/16</td>
<td>Fri 7/22/16</td>
<td>ETS</td>
</tr>
<tr>
<td>354</td>
<td>Special Versions</td>
<td>150 days</td>
<td>Tue 12/6/16</td>
<td>Wed 7/5/17</td>
<td></td>
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<tr>
<td>355</td>
<td>Produce large print &amp; braille</td>
<td>40 days</td>
<td>Tue 12/6/16</td>
<td>Wed 2/1/17</td>
<td>ETS</td>
</tr>
<tr>
<td>356</td>
<td>Deliver large print and braille as requested</td>
<td>100 days</td>
<td>Thu 2/16/17</td>
<td>Wed 7/5/17</td>
<td>ETS</td>
</tr>
<tr>
<td>357</td>
<td>Scoring</td>
<td>90 days</td>
<td>Thu 3/24/16</td>
<td>Fri 7/29/16</td>
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<td>358</td>
<td>Summative Computer Based Assessments</td>
<td>90 days</td>
<td>Thu 3/24/16</td>
<td>Fri 7/29/16</td>
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<tr>
<td>359</td>
<td>Hand and AI scoring occurs</td>
<td>90 days</td>
<td>Thu 3/24/16</td>
<td>Fri 7/29/16</td>
<td>ETS, MI</td>
</tr>
<tr>
<td>360</td>
<td>Perform scoring QC</td>
<td>90 days</td>
<td>Thu 3/24/16</td>
<td>Fri 7/29/16</td>
<td>ETS</td>
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<tr>
<td>361</td>
<td>Final scoring occurs</td>
<td>90 days</td>
<td>Thu 3/24/16</td>
<td>Fri 7/29/16</td>
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<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
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<tr>
<td>362</td>
<td>Psychometric Analysis</td>
<td>18 days</td>
<td>Thu 5/19/16</td>
<td>Tue 6/14/16</td>
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<tr>
<td>363</td>
<td>Conduct Item Analysis of CAASPP Summative assessments</td>
<td>16 days</td>
<td>Thu 5/19/16</td>
<td>Fri 6/10/16</td>
<td>ETS</td>
</tr>
<tr>
<td>364</td>
<td>Item Analysis Files delivered to CDE</td>
<td>1 day</td>
<td>Mon 6/13/16</td>
<td>Mon 6/13/16</td>
<td>ETS</td>
</tr>
<tr>
<td>365</td>
<td>Facilitate Alternate Assessment Data Review meeting</td>
<td>1 day</td>
<td>Tue 6/14/16</td>
<td>Tue 6/14/16</td>
<td>ETS</td>
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<tr>
<td>366</td>
<td>Standard Setting for Alternate Assessment ELA/Math</td>
<td>4 days</td>
<td>Thu 7/12/16</td>
<td>Fri 7/15/16</td>
<td>ETS, CDE</td>
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<td>367</td>
<td>Conduct Standard Setting for Alternate Assessment ELA/Math</td>
<td>4 days</td>
<td>Tue 7/12/16</td>
<td>Fri 7/15/16</td>
<td>ETS, CDE</td>
</tr>
<tr>
<td>368</td>
<td>Reporting</td>
<td>724 days</td>
<td>Thu 9/3/15</td>
<td>Tue 7/3/18</td>
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<tr>
<td>369</td>
<td>Summative Assessment</td>
<td>724 days</td>
<td>Thu 9/3/15</td>
<td>Tue 7/3/18</td>
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<tr>
<td>370</td>
<td>Delivery of Data Files to CDE and Smarter Balanced</td>
<td>117 days</td>
<td>Thu 3/24/16</td>
<td>Wed 9/7/16</td>
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<td>371</td>
<td>Prepare student data files</td>
<td>90 days</td>
<td>Thu 3/24/16</td>
<td>Fri 7/29/16</td>
<td>ETS</td>
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<td>372</td>
<td>Post initial student data files to SFTP site for CDE and Smarter Balanced Data Warehouse</td>
<td>1 day</td>
<td>Mon 8/1/16</td>
<td>Mon 8/1/16</td>
<td>ETS</td>
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<td>373</td>
<td>Post final data files to SFTP site for CDE and Smarter Balanced Data Warehouse</td>
<td>1 day</td>
<td>Wed 9/7/16</td>
<td>Wed 9/7/16</td>
<td>ETS</td>
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<td>374</td>
<td>Online Reporting Systems</td>
<td>724 days</td>
<td>Thu 9/3/15</td>
<td>Tue 7/3/18</td>
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<td>375</td>
<td>Online Reporting Systems Setup</td>
<td>37 days</td>
<td>Thu 9/3/15</td>
<td>Mon 10/26/15</td>
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<td>376</td>
<td>Gather specifications for AIR online reporting system</td>
<td>5 days</td>
<td>Thu 9/3/15</td>
<td>Thu 9/10/15</td>
<td>ETS</td>
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<td>377</td>
<td>CDE reviews online reporting system specifications</td>
<td>10 days</td>
<td>Fri 9/11/15</td>
<td>Thu 9/24/15</td>
<td>CDE</td>
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<td>378</td>
<td>Configure online reporting systems</td>
<td>20 days</td>
<td>Fri 9/25/15</td>
<td>Thu 10/22/15</td>
<td>ETS, AIR</td>
</tr>
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<td>379</td>
<td>Demonstrate online reporting systems to CDE</td>
<td>1 day</td>
<td>Fri 10/23/15</td>
<td>Fri 10/23/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>380</td>
<td>Deploy online reporting system</td>
<td>1 day</td>
<td>Mon 10/26/15</td>
<td>Mon 10/26/15</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>381</td>
<td>Student Level Reporting</td>
<td>627 days</td>
<td>Wed 1/27/16</td>
<td>Tue 7/3/18</td>
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<tr>
<td>382</td>
<td>Provide final individual scores within 4 weeks of student online test completion</td>
<td>90 days</td>
<td>Wed 2/28/18</td>
<td>Thu 7/3/18</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>383</td>
<td>Launch ISR availability within online reporting system</td>
<td>1 day</td>
<td>Wed 1/27/16</td>
<td>Wed 1/27/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>384</td>
<td>School Level Reporting</td>
<td>1 day</td>
<td>Fri 4/8/16</td>
<td>Fri 4/8/16</td>
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<tr>
<td>385</td>
<td>Launch school level reporting functionality</td>
<td>1 day</td>
<td>Fri 4/8/16</td>
<td>Fri 4/8/16</td>
<td>ETS, AIR</td>
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<td>386</td>
<td>LEA Level Reporting</td>
<td>1 day</td>
<td>Mon 4/25/16</td>
<td>Mon 4/25/16</td>
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<tr>
<td>387</td>
<td>Launch LEA level reporting functionality</td>
<td>1 day</td>
<td>Mon 4/25/16</td>
<td>Mon 4/25/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>388</td>
<td>State Level Reporting</td>
<td>188 days</td>
<td>Fri 10/23/15</td>
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<tr>
<td>389</td>
<td>State Aggregate Reporting Web site</td>
<td>188 days</td>
<td>Fri 10/23/15</td>
<td>Mon 7/25/16</td>
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<tr>
<td>390</td>
<td>Develop business requirements</td>
<td>45 days</td>
<td>Fri 10/23/15</td>
<td>Wed 12/30/15</td>
<td>ETS</td>
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<tr>
<td>391</td>
<td>CDE provides text for site</td>
<td>1 day</td>
<td>Tue 3/29/16</td>
<td>Tue 3/29/16</td>
<td>CDE</td>
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<tr>
<td>392</td>
<td>Construct Web reporting site</td>
<td>30 days</td>
<td>Wed 3/30/16</td>
<td>Tue 5/10/16</td>
<td>ETS</td>
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<tr>
<td>393</td>
<td>CDE UAT of Web Reporting Site</td>
<td>10 days</td>
<td>Wed 5/11/16</td>
<td>Tue 5/24/16</td>
<td>CDE</td>
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<tr>
<td>394</td>
<td>CDE provides feedback on changes needed</td>
<td>10 days</td>
<td>Wed 5/25/16</td>
<td>Wed 6/8/16</td>
<td>CDE</td>
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<tr>
<td>395</td>
<td>Apply changes</td>
<td>5 days</td>
<td>Thu 6/9/16</td>
<td>Wed 6/15/16</td>
<td>ETS</td>
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<td>396</td>
<td>CDE 2nd UAT</td>
<td>5 days</td>
<td>Thu 6/16/16</td>
<td>Wed 6/22/16</td>
<td>CDE</td>
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<tr>
<td>397</td>
<td>Finalize site with CDE updates</td>
<td>5 days</td>
<td>Thu 6/23/16</td>
<td>Wed 6/29/16</td>
<td>ETS</td>
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<tr>
<td>398</td>
<td>Deploy state-level reporting Web site</td>
<td>1 day</td>
<td>Mon 7/25/16</td>
<td>Mon 7/25/16</td>
<td>ETS</td>
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<td>399</td>
<td>Individual Student Report</td>
<td>172 days</td>
<td>Fri 11/20/15</td>
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<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
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<td>Resource Names</td>
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<tr>
<td>400</td>
<td>Develop individual student report</td>
<td>40 days</td>
<td>Fri 11/20/15</td>
<td>Fri 1/22/16</td>
<td>ETS</td>
</tr>
<tr>
<td>401</td>
<td>CDE reviews individual student report</td>
<td>10 days</td>
<td>Mon 1/25/16</td>
<td>Fri 2/5/16</td>
<td>CDE</td>
</tr>
<tr>
<td>402</td>
<td>Update individual student report</td>
<td>3 days</td>
<td>Mon 2/8/16</td>
<td>Wed 2/10/16</td>
<td>ETS</td>
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<tr>
<td>403</td>
<td>CDE 2nd review of individual student report</td>
<td>5 days</td>
<td>Thu 2/11/16</td>
<td>Thu 2/18/16</td>
<td>CDE</td>
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<tr>
<td>404</td>
<td>Apply updates &amp; submit to CDE for approval</td>
<td>3 days</td>
<td>Fri 2/19/16</td>
<td>Tue 2/23/16</td>
<td>ETS</td>
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<td>405</td>
<td>Provide electronic student roster reports to LEAs</td>
<td>20 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/29/16</td>
<td>ETS</td>
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<tr>
<td>406</td>
<td>Print and ship Individual Student Reports (ISR) to LEAs</td>
<td>20 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/29/16</td>
<td>ETS</td>
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<tr>
<td>407</td>
<td>Rescore Process</td>
<td>120 days</td>
<td>Thu 3/24/16</td>
<td>Mon 9/12/16</td>
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<tr>
<td>408</td>
<td>LEAs request rescores</td>
<td>90 days</td>
<td>Thu 3/24/16</td>
<td>Fri 7/29/16</td>
<td>LEAs</td>
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<tr>
<td>409</td>
<td>Provide rescore results</td>
<td>90 days</td>
<td>Thu 5/5/16</td>
<td>Mon 9/12/16</td>
<td>ETS</td>
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<td>410</td>
<td>Invoicing for rescores occurs</td>
<td>10 days</td>
<td>Thu 5/12/16</td>
<td>Wed 5/25/16</td>
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<td>411</td>
<td>Interpretive Guides</td>
<td>31 days</td>
<td>Tue 3/22/16</td>
<td>Tue 5/3/16</td>
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<td>412</td>
<td>Produce interpretive guides</td>
<td>30 days</td>
<td>Tue 3/22/16</td>
<td>Mon 5/2/16</td>
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<td>413</td>
<td>Post interpretive guides</td>
<td>1 day</td>
<td>Tue 5/3/16</td>
<td>Tue 5/3/16</td>
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<td>414</td>
<td>Technical Report</td>
<td>61 days</td>
<td>Thu 9/8/16</td>
<td>Mon 12/5/16</td>
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<td>415</td>
<td>Develop Technical Report</td>
<td>40 days</td>
<td>Thu 9/8/16</td>
<td>Wed 11/2/16</td>
<td>ETS</td>
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<tr>
<td>416</td>
<td>CDE reviews Technical Report and returns edits to ETS</td>
<td>10 days</td>
<td>Thu 11/3/16</td>
<td>Wed 11/16/16</td>
<td>CDE</td>
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<tr>
<td>417</td>
<td>CDE applies edits and delivers final Technical Report to CDE</td>
<td>3 days</td>
<td>Thu 11/17/16</td>
<td>Mon 11/21/16</td>
<td>ETS</td>
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<td>418</td>
<td>CDE 2nd review of Technical Report for approval</td>
<td>5 days</td>
<td>Tue 11/22/16</td>
<td>Wed 11/30/16</td>
<td>CDE</td>
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<tr>
<td>419</td>
<td>Apply updates and deliver Technical Report to CDE for approval</td>
<td>3 days</td>
<td>Thu 12/1/16</td>
<td>Mon 12/5/16</td>
<td>ETS</td>
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<tr>
<td>420</td>
<td>Operational Test Administration Complete</td>
<td>0 days</td>
<td>Thu 7/3/18</td>
<td>Tue 7/3/18</td>
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<tr>
<td>421</td>
<td>Year one Complete</td>
<td>0 days</td>
<td>Fri 12/28/18</td>
<td>Fri 12/28/18</td>
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<tr>
<td>422</td>
<td>Administration Year Two (July 2016 - December 2017)</td>
<td>523 days</td>
<td>Thu 6/23/16</td>
<td>Thu 7/3/18</td>
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<td>423</td>
<td>Begin administration year two</td>
<td>0 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/1/16</td>
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<tr>
<td>424</td>
<td>Project Management</td>
<td>283 days</td>
<td>Thu 6/23/16</td>
<td>Tue 8/1/17</td>
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<tr>
<td>425</td>
<td>Project Management Begins</td>
<td>0 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/1/16</td>
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<tr>
<td>426</td>
<td>Annual Planning Meetings</td>
<td>35 days</td>
<td>Thu 6/23/16</td>
<td>Thu 8/11/16</td>
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<tr>
<td>427</td>
<td>Schedule and prepare/shipping materials for annual planning meeting</td>
<td>3 days</td>
<td>Thu 6/23/16</td>
<td>Mon 6/27/16</td>
<td>ETS</td>
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<tr>
<td>428</td>
<td>Conduct annual planning meeting</td>
<td>3 days</td>
<td>Tue 7/5/16</td>
<td>Thu 7/7/16</td>
<td>CDE, AIR, MI, ETS</td>
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<tr>
<td>429</td>
<td>Update project documentation and management plan</td>
<td>15 days</td>
<td>Fri 7/8/16</td>
<td>Thu 7/28/16</td>
<td>ETS</td>
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<tr>
<td>430</td>
<td>Prepare meeting minutes/participant list and deliver to CDE</td>
<td>10 days</td>
<td>Fri 7/29/16</td>
<td>Thu 8/11/16</td>
<td>ETS</td>
</tr>
<tr>
<td>431</td>
<td>Program Meetings</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
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<tr>
<td>432</td>
<td>Conduct weekly internal status meetings</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td>ETS</td>
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<tr>
<td>433</td>
<td>Conduct weekly CDE management meetings</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td>CDE, AIR, MI, ETS</td>
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<tr>
<td>434</td>
<td>Conduct weekly CDE technical meeting</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td>CDE, AIR, MI, ETS</td>
</tr>
<tr>
<td>435</td>
<td>State Board Meetings</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td></td>
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<tr>
<td>436</td>
<td>Attend State Board meetings</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td>CDE, ETS</td>
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<tr>
<td>437</td>
<td>Technical Advisory Group (TAG) Meetings</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
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<tr>
<td>438</td>
<td>Work with the CDE to develop TAG agendas</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td>CDE, ETS</td>
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<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>439</td>
<td>Attend TAG meetings</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td>CDE, ETS</td>
</tr>
<tr>
<td>440</td>
<td>Monthly Progress Reports</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td></td>
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<tr>
<td>441</td>
<td>Deliver monthly progress reports to CDE</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
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<tr>
<td>442</td>
<td><strong>Project Management Plan (PMP) &amp; Project Definitions Document</strong></td>
<td>80 days</td>
<td>Fri 7/1/16</td>
<td>Mon 10/24/16</td>
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<tr>
<td>443</td>
<td><strong>Project Management Plan for Overall CAASPP Activities</strong></td>
<td>70 days</td>
<td>Fri 7/1/16</td>
<td>Mon 10/10/16</td>
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<tr>
<td>444</td>
<td>Update Work Breakdown Structure as needed</td>
<td>10 days</td>
<td>Fri 7/8/16</td>
<td>Thu 7/21/16</td>
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<tr>
<td>445</td>
<td>Update project management plan for overall CAASPP activities as needed</td>
<td>30 days</td>
<td>Fri 7/1/16</td>
<td>Fri 8/12/16</td>
<td></td>
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<tr>
<td>446</td>
<td>CDE reviews project management plan for overall CAASPP activities</td>
<td>20 days</td>
<td>Mon 8/15/16</td>
<td>Mon 9/12/16</td>
<td>CDE</td>
</tr>
<tr>
<td>447</td>
<td>Finalize updates to the project management plan for overall CAASPP</td>
<td>20 days</td>
<td>Tue 9/13/16</td>
<td>Mon 10/10/16</td>
<td>ETS</td>
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<tr>
<td>448</td>
<td><strong>Project Definitions Document for the Assessment Delivery System</strong></td>
<td>70 days</td>
<td>Fri 7/1/16</td>
<td>Mon 10/10/16</td>
<td></td>
</tr>
<tr>
<td>449</td>
<td>Develop draft project management plan for the Assessment Delivery System</td>
<td>30 days</td>
<td>Fri 7/1/16</td>
<td>Fri 8/12/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>450</td>
<td>CDE reviews project management plan for the Assessment Delivery System</td>
<td>20 days</td>
<td>Mon 8/15/16</td>
<td>Mon 9/12/16</td>
<td></td>
</tr>
<tr>
<td>451</td>
<td>Finalize project management plan for the Assessment Delivery System</td>
<td>20 days</td>
<td>Tue 9/13/16</td>
<td>Mon 10/10/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>452</td>
<td><strong>Integrated Comprehensive Work plan &amp; Project Schedule</strong></td>
<td>10 days</td>
<td>Tue 10/11/16</td>
<td>Mon 10/24/16</td>
<td></td>
</tr>
<tr>
<td>453</td>
<td>CDE reviews comprehensive integrated project schedule</td>
<td>10 days</td>
<td>Tue 10/11/16</td>
<td>Mon 10/24/16</td>
<td>CDE</td>
</tr>
<tr>
<td>454</td>
<td>CDE project schedule review complete</td>
<td>0 days</td>
<td>Mon 10/24/16</td>
<td>Mon 10/24/16</td>
<td>CDE</td>
</tr>
<tr>
<td>455</td>
<td>Test Security</td>
<td>277 days</td>
<td>Fri 7/1/16</td>
<td>Tue 8/1/17</td>
<td></td>
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<tr>
<td>456</td>
<td>Update the Test Security Plan for the 2017 administration</td>
<td>3 days</td>
<td>Fri 7/1/16</td>
<td>Wed 7/6/16</td>
<td>ETS</td>
</tr>
<tr>
<td>457</td>
<td>Deliver the Test Security Plan to CDE for review</td>
<td>1 day</td>
<td>Thu 7/7/16</td>
<td>Thu 7/7/16</td>
<td></td>
</tr>
<tr>
<td>458</td>
<td>CDE reviews the Test Security Plan</td>
<td>10 days</td>
<td>Fri 7/8/16</td>
<td>Thu 7/21/16</td>
<td></td>
</tr>
<tr>
<td>459</td>
<td>Apply CDE edits to the Test Security Plan</td>
<td>3 days</td>
<td>Fri 7/22/16</td>
<td>Tue 7/26/16</td>
<td></td>
</tr>
<tr>
<td>460</td>
<td>CDE 2nd review of the Test Security Plan</td>
<td>5 days</td>
<td>Wed 7/27/16</td>
<td>Tue 8/2/16</td>
<td></td>
</tr>
<tr>
<td>461</td>
<td>Apply updates and deliver the final Test Security Plan to CDE for approval</td>
<td>3 days</td>
<td>Wed 8/3/16</td>
<td>Fri 8/5/16</td>
<td></td>
</tr>
<tr>
<td>462</td>
<td>Monitor social media sites for test security breaches</td>
<td>255 days</td>
<td>Fri 7/1/16</td>
<td>Fri 6/30/17</td>
<td>ETS</td>
</tr>
<tr>
<td>463</td>
<td>Perform on-site security audit visits</td>
<td>125 days</td>
<td>Wed 2/1/17</td>
<td>Tue 7/25/17</td>
<td></td>
</tr>
<tr>
<td>464</td>
<td>Investigate test security breaches as needed</td>
<td>125 days</td>
<td>Wed 2/1/17</td>
<td>Tue 7/25/17</td>
<td></td>
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<tr>
<td>465</td>
<td>Deliver audit reports to CDE</td>
<td>125 days</td>
<td>Wed 2/8/17</td>
<td>Tue 8/1/17</td>
<td></td>
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<tr>
<td>466</td>
<td>Data Driven Improvement</td>
<td>237 days</td>
<td>Fri 7/1/16</td>
<td>Tue 6/6/17</td>
<td></td>
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<tr>
<td>467</td>
<td>Pre-Testing Data Collection</td>
<td>77 days</td>
<td>Tue 10/25/16</td>
<td>Tue 2/14/17</td>
<td></td>
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<tr>
<td>468</td>
<td>Pre-Test Survey</td>
<td>77 days</td>
<td>Tue 10/25/16</td>
<td>Tue 2/14/17</td>
<td></td>
</tr>
<tr>
<td>469</td>
<td>Develop Pre-Test Survey</td>
<td>20 days</td>
<td>Tue 10/25/16</td>
<td>Mon 11/21/16</td>
<td></td>
</tr>
<tr>
<td>470</td>
<td>CDE reviews Pre-Test Survey</td>
<td>10 days</td>
<td>Tue 11/22/16</td>
<td>Wed 12/7/16</td>
<td></td>
</tr>
<tr>
<td>471</td>
<td>Revise Pre-Test Survey</td>
<td>3 days</td>
<td>Thu 12/8/16</td>
<td>Mon 12/12/16</td>
<td></td>
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<tr>
<td>472</td>
<td>CDE 2nd review of Pre-Test Survey</td>
<td>5 days</td>
<td>Tue 12/13/16</td>
<td>Mon 12/19/16</td>
<td></td>
</tr>
<tr>
<td>473</td>
<td>Apply updates and deliver final Pre-Test Survey to CDE for approval</td>
<td>3 days</td>
<td>Tue 12/20/16</td>
<td>Thu 12/22/16</td>
<td></td>
</tr>
<tr>
<td>474</td>
<td>Administer Pre-Test Survey</td>
<td>20 days</td>
<td>Tue 1/3/17</td>
<td>Mon 1/30/17</td>
<td></td>
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<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>475</td>
<td>Analyze survey results</td>
<td>10 days</td>
<td>Tue 1/31/17</td>
<td>Mon 2/13/17</td>
<td>ETS</td>
</tr>
<tr>
<td>476</td>
<td>Deliver survey results &amp; recommended program improvements to CDE</td>
<td>1 day</td>
<td>Tue 2/14/17</td>
<td>Tue 2/14/17</td>
<td>ETS</td>
</tr>
<tr>
<td>477</td>
<td>Post-Testing Data Collection</td>
<td>237 days</td>
<td>Fri 7/1/16</td>
<td>Tue 6/6/17</td>
<td></td>
</tr>
<tr>
<td>478</td>
<td>Post-Test Survey</td>
<td>67 days</td>
<td>Mon 3/6/17</td>
<td>Tue 6/6/17</td>
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</tr>
<tr>
<td>479</td>
<td>Develop Post-Test Survey</td>
<td>20 days</td>
<td>Mon 3/6/17</td>
<td>Fri 3/31/17</td>
<td>ETS</td>
</tr>
<tr>
<td>480</td>
<td>CDE reviews Post-Test Survey</td>
<td>10 days</td>
<td>Mon 4/3/17</td>
<td>Fri 4/14/17</td>
<td>CDE</td>
</tr>
<tr>
<td>481</td>
<td>Revise Post-Test Survey</td>
<td>3 days</td>
<td>Mon 4/17/17</td>
<td>Wed 4/19/17</td>
<td>ETS</td>
</tr>
<tr>
<td>482</td>
<td>CDE 2nd review of Post-Test Survey</td>
<td>5 days</td>
<td>Thu 4/20/17</td>
<td>Wed 4/26/17</td>
<td>CDE</td>
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<tr>
<td>483</td>
<td>Apply updates and deliver final Post-Test Survey to CDE for approval</td>
<td>3 days</td>
<td>Thu 4/27/17</td>
<td>Mon 5/1/17</td>
<td>ETS</td>
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<tr>
<td>484</td>
<td>Administer Post-Test Survey</td>
<td>20 days</td>
<td>Tue 5/9/17</td>
<td>Mon 6/5/17</td>
<td>ETS</td>
</tr>
<tr>
<td>485</td>
<td>Deliver survey results &amp; recommended program improvements to CDE</td>
<td>1 day</td>
<td>Tue 6/6/17</td>
<td>Tue 6/6/17</td>
<td>ETS</td>
</tr>
<tr>
<td>486</td>
<td>Post-Test Focus Groups for Administrators</td>
<td>60 days</td>
<td>Fri 7/1/16</td>
<td>Mon 9/26/16</td>
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<tr>
<td>487</td>
<td>Prepare materials for Post-Test focus groups</td>
<td>9 days</td>
<td>Fri 7/1/16</td>
<td>Thu 7/14/16</td>
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<td>488</td>
<td>Conduct Sacramento focus group</td>
<td>2 days</td>
<td>Fri 7/15/16</td>
<td>Mon 7/18/16</td>
<td>ETS</td>
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<tr>
<td>489</td>
<td>Conduct Southern CA focus group</td>
<td>2 days</td>
<td>Thu 7/28/16</td>
<td>Fri 7/29/16</td>
<td>ETS</td>
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<tr>
<td>490</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Mon 8/1/16</td>
<td>Mon 9/26/16</td>
<td>ETS</td>
</tr>
<tr>
<td>491</td>
<td>Test Coordinator Advisory Group</td>
<td>162 days</td>
<td>Thu 8/18/16</td>
<td>Fri 4/17/17</td>
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</tr>
<tr>
<td>492</td>
<td>Prepare materials for Test Coordinator Advisory Group</td>
<td>20 days</td>
<td>Thu 8/18/16</td>
<td>Thu 9/15/16</td>
<td>ETS</td>
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<tr>
<td>493</td>
<td>Conduct September Advisory Group 1</td>
<td>1 day</td>
<td>Fri 9/16/16</td>
<td>Fri 9/16/16</td>
<td>ETS</td>
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<td>494</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Mon 9/19/16</td>
<td>Fri 11/11/16</td>
<td>ETS</td>
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<tr>
<td>495</td>
<td>Prepare materials for Test Coordinator Advisory Group</td>
<td>20 days</td>
<td>Fri 1/13/17</td>
<td>Fri 2/9/17</td>
<td>ETS</td>
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<tr>
<td>496</td>
<td>Conduct February Advisory Group 2</td>
<td>1 day</td>
<td>Fri 2/10/17</td>
<td>Fri 2/10/17</td>
<td>ETS</td>
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<tr>
<td>497</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Mon 2/13/17</td>
<td>Fri 4/7/17</td>
<td>ETS</td>
</tr>
<tr>
<td>498</td>
<td>caaspp.org User Focus Group</td>
<td>62 days</td>
<td>Wed 8/24/16</td>
<td>Fri 11/18/16</td>
<td></td>
</tr>
<tr>
<td>499</td>
<td>Prepare materials for caaspp.org focus groups</td>
<td>20 days</td>
<td>Wed 8/24/16</td>
<td>Wed 9/21/16</td>
<td>ETS</td>
</tr>
<tr>
<td>500</td>
<td>Conduct caaspp.org User focus group</td>
<td>2 days</td>
<td>Thu 9/22/16</td>
<td>Fri 9/23/16</td>
<td>ETS</td>
</tr>
<tr>
<td>501</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Mon 9/26/16</td>
<td>Fri 11/18/16</td>
<td>ETS</td>
</tr>
<tr>
<td>502</td>
<td>Project Management Complete</td>
<td>0 days</td>
<td>Tue 8/1/17</td>
<td>Tue 8/1/17</td>
<td></td>
</tr>
<tr>
<td>503</td>
<td>Training &amp; LEA Support</td>
<td>252 days</td>
<td>Fri 7/1/16</td>
<td>Tue 6/27/17</td>
<td></td>
</tr>
<tr>
<td>504</td>
<td>Training &amp; LEA Support Begins</td>
<td>0 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/1/16</td>
<td></td>
</tr>
<tr>
<td>505</td>
<td>CalTAC</td>
<td>252 days</td>
<td>Fri 7/1/16</td>
<td>Tue 6/27/17</td>
<td></td>
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<tr>
<td>506</td>
<td>Train CalTAC staff on the CAASPP Program</td>
<td>10 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/15/16</td>
<td>ETS</td>
</tr>
<tr>
<td>507</td>
<td>Establish help desk technical phone, Web chat, and e-mail support</td>
<td>10 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/15/16</td>
<td>ETS</td>
</tr>
<tr>
<td>508</td>
<td>Perform technology support site visits as needed</td>
<td>242 days</td>
<td>Mon 7/18/16</td>
<td>Tue 6/27/17</td>
<td>ETS</td>
</tr>
<tr>
<td>509</td>
<td>LEA CAASPP Coordinator Designation Forms &amp; Security Agreements</td>
<td>64 days</td>
<td>Fri 7/1/16</td>
<td>Fri 9/30/16</td>
<td></td>
</tr>
<tr>
<td>510</td>
<td>Collect LEA CAASPP coordinator designation forms and security agreements</td>
<td>50 days</td>
<td>Fri 7/1/16</td>
<td>Mon 9/12/16</td>
<td>ETS</td>
</tr>
<tr>
<td>511</td>
<td>Input updates into the LEA CAASPP coordinator database</td>
<td>43 days</td>
<td>Mon 8/1/16</td>
<td>Thu 9/29/16</td>
<td>ETS</td>
</tr>
<tr>
<td>512</td>
<td>Provide CDE access to the CAASPP coordinator database</td>
<td>1 day</td>
<td>Fri 9/30/16</td>
<td>Fri 9/30/16</td>
<td>ETS</td>
</tr>
<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
</tr>
<tr>
<td>-----</td>
<td>---------------------------------------------------------------------------</td>
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<td>----------------</td>
<td>------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>513</td>
<td>LEA Technology Readiness</td>
<td>91 days</td>
<td>Mon 8/1/16</td>
<td>Thu 12/8/16</td>
<td></td>
</tr>
<tr>
<td>514</td>
<td>Develop technology readiness information collection methodologies</td>
<td>30 days</td>
<td>Mon 8/1/16</td>
<td>Mon 9/12/16</td>
<td>ETS</td>
</tr>
<tr>
<td>515</td>
<td>Collect technology readiness information from LEAs</td>
<td>40 days</td>
<td>Tue 9/13/16</td>
<td>Mon 11/7/16</td>
<td>ETS</td>
</tr>
<tr>
<td>516</td>
<td>Conduct outreach campaign to non-responsive LEAs</td>
<td>20 days</td>
<td>Tue 11/8/16</td>
<td>Wed 12/7/16</td>
<td>ETS</td>
</tr>
<tr>
<td>517</td>
<td>Present readiness results to CDE</td>
<td>1 day</td>
<td>Thu 12/8/16</td>
<td>Thu 12/8/16</td>
<td>ETS</td>
</tr>
<tr>
<td>518</td>
<td>Summative Assessment Test Administration Training Manuals</td>
<td>216 days</td>
<td>Fri 7/1/16</td>
<td>Mon 5/8/17</td>
<td></td>
</tr>
<tr>
<td>519</td>
<td>Smarter Balanced Test Administration Manual (TAM)</td>
<td>111 days</td>
<td>Fri 7/1/16</td>
<td>Thu 12/8/16</td>
<td></td>
</tr>
<tr>
<td>520</td>
<td>TAM available from Smarter Balanced</td>
<td>0 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/1/16</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>521</td>
<td>Adapt Smarter Balanced TAM for California</td>
<td>15 days</td>
<td>Tue 9/13/16</td>
<td>Mon 10/3/16</td>
<td>ETS</td>
</tr>
<tr>
<td>522</td>
<td>CDE reviews Smarter Balanced TAM</td>
<td>10 days</td>
<td>Tue 10/4/16</td>
<td>Mon 10/17/16</td>
<td>CDE</td>
</tr>
<tr>
<td>523</td>
<td>Apply CDE edits to Smarter Balanced TAM</td>
<td>3 days</td>
<td>Tue 10/18/16</td>
<td>Thu 10/20/16</td>
<td>ETS</td>
</tr>
<tr>
<td>524</td>
<td>CDE 2nd review of Smarter Balanced TAM</td>
<td>5 days</td>
<td>Fri 10/21/16</td>
<td>Thu 10/27/16</td>
<td>CDE</td>
</tr>
<tr>
<td>525</td>
<td>Apply updates and deliver final Smarter Balanced TAM to CDE for approval</td>
<td>3 days</td>
<td>Fri 10/28/16</td>
<td>Tue 11/11/16</td>
<td>ETS</td>
</tr>
<tr>
<td>526</td>
<td>POST Smarter Balanced TAM to caaspp.org</td>
<td>1 day</td>
<td>Wed 11/2/16</td>
<td>Wed 11/2/16</td>
<td>ETS</td>
</tr>
<tr>
<td>527</td>
<td>Print Smarter Balanced TAM</td>
<td>20 days</td>
<td>Wed 11/2/16</td>
<td>Thu 12/1/16</td>
<td>ETS</td>
</tr>
<tr>
<td>528</td>
<td>Distribute Smarter Balanced TAM to LEAs</td>
<td>5 days</td>
<td>Fri 12/2/16</td>
<td>Thu 12/8/16</td>
<td>ETS</td>
</tr>
<tr>
<td>529</td>
<td>Alternate Assessment Test Administration Manual (TAM)</td>
<td>72 days</td>
<td>Mon 8/15/16</td>
<td>Wed 11/23/16</td>
<td></td>
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<tr>
<td>530</td>
<td>Develop Alternate Assessment TAM</td>
<td>25 days</td>
<td>Mon 8/15/16</td>
<td>Mon 9/19/16</td>
<td>ETS</td>
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<tr>
<td>531</td>
<td>CDE reviews Alternate Assessment TAM</td>
<td>10 days</td>
<td>Tue 9/20/16</td>
<td>Mon 10/3/16</td>
<td>CDE</td>
</tr>
<tr>
<td>532</td>
<td>Apply CDE edits to Alternate Assessment TAM</td>
<td>3 days</td>
<td>Tue 10/4/16</td>
<td>Thu 10/6/16</td>
<td>ETS</td>
</tr>
<tr>
<td>533</td>
<td>CDE 2nd review of Alternate Assessment TAM</td>
<td>5 days</td>
<td>Fri 10/7/16</td>
<td>Thu 10/13/16</td>
<td>CDE</td>
</tr>
<tr>
<td>534</td>
<td>Apply updates and deliver final Alternate Assessment TAM to CDE for approval</td>
<td>3 days</td>
<td>Fri 10/14/16</td>
<td>Tue 10/18/16</td>
<td>ETS</td>
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<tr>
<td>535</td>
<td>POST Alternate Assessment TAM to caaspp.org</td>
<td>1 day</td>
<td>Wed 10/19/16</td>
<td>Wed 10/19/16</td>
<td>ETS</td>
</tr>
<tr>
<td>536</td>
<td>Print Alternate Assessment TAM</td>
<td>20 days</td>
<td>Thu 10/20/16</td>
<td>Wed 11/16/16</td>
<td>ETS</td>
</tr>
<tr>
<td>537</td>
<td>Distribute Alternate Assessment TAM to LEAs</td>
<td>5 days</td>
<td>Thu 11/17/16</td>
<td>Wed 11/23/16</td>
<td>ETS</td>
</tr>
<tr>
<td>538</td>
<td>CST, CMA, CAPA Science, STS Paper/Pencil TAM</td>
<td>56 days</td>
<td>Mon 8/8/16</td>
<td>Tue 10/25/16</td>
<td></td>
</tr>
<tr>
<td>539</td>
<td>Develop CST, CMA, CAPA Science, &amp; STS Paper/Pencil TAM</td>
<td>10 days</td>
<td>Mon 8/8/16</td>
<td>Fri 8/19/16</td>
<td>ETS</td>
</tr>
<tr>
<td>540</td>
<td>CDE reviews CST, CMA, CAPA Science, &amp; STS Paper/Pencil TAM</td>
<td>10 days</td>
<td>Mon 8/22/16</td>
<td>Fri 9/2/16</td>
<td>CDE</td>
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<tr>
<td>541</td>
<td>Apply CDE edits to CST, CMA, CAPA Science, &amp; STS Paper/Pencil TAM</td>
<td>3 days</td>
<td>Tue 9/6/16</td>
<td>Thu 9/8/16</td>
<td>ETS</td>
</tr>
<tr>
<td>542</td>
<td>CDE 2nd review of CST, CMA, CAPA Science, &amp; STS Paper/Pencil TAM</td>
<td>5 days</td>
<td>Fri 9/9/16</td>
<td>Thu 9/15/16</td>
<td>CDE</td>
</tr>
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<td>3 days</td>
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<td>20 days</td>
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<td>Primary Language Pilot Test</td>
<td>93 days</td>
<td>Mon 2/6/17</td>
<td>Wed 6/14/17</td>
<td>ETS</td>
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<td>637</td>
<td>Administer Primary Language Pilot Test</td>
<td>30 days</td>
<td>Mon 2/6/17</td>
<td>Fri 3/17/17</td>
<td>ETS</td>
</tr>
<tr>
<td>638</td>
<td>Conduct range finding external committee meeting</td>
<td>2 days</td>
<td>Mon 4/17/17</td>
<td>Tue 4/18/17</td>
<td>ETS, CDE, External Committee</td>
</tr>
<tr>
<td>639</td>
<td>CDE approves training scoring sets</td>
<td>10 days</td>
<td>Wed 4/19/17</td>
<td>Tue 5/2/17</td>
<td>CDE</td>
</tr>
<tr>
<td>640</td>
<td>Perform analysis on pilot test data</td>
<td>20 days</td>
<td>Wed 4/26/17</td>
<td>Tue 5/23/17</td>
<td>ETS</td>
</tr>
<tr>
<td>641</td>
<td>CDE reviews pilot test data</td>
<td>10 days</td>
<td>Wed 5/24/17</td>
<td>Tue 6/6/17</td>
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<tr>
<td>642</td>
<td>Conduct data review external committee meeting</td>
<td>1 day</td>
<td>Wed 6/7/17</td>
<td>Wed 6/7/17</td>
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<td>643</td>
<td>CDE approval of data review results</td>
<td>5 days</td>
<td>Thu 6/8/17</td>
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<tr>
<td>644</td>
<td>NGSS Pilot Test (Including Alt NGSS)</td>
<td>73 days</td>
<td>Mon 2/6/17</td>
<td>Wed 5/17/17</td>
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<tr>
<td>645</td>
<td>Administer NGSS Pilot Test</td>
<td>30 days</td>
<td>Mon 2/6/17</td>
<td>Fri 3/17/17</td>
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<td>Conduct range finding external committee meeting</td>
<td>2 days</td>
<td>Mon 4/17/17</td>
<td>Tue 4/18/17</td>
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<td>647</td>
<td>Perform analysis on pilot test data</td>
<td>20 days</td>
<td>Wed 4/19/17</td>
<td>Tue 5/16/17</td>
<td>ETS</td>
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<td>648</td>
<td>Conduct data review external committee meeting</td>
<td>1 day</td>
<td>Wed 5/17/17</td>
<td>Wed 5/17/17</td>
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<tr>
<td>649</td>
<td>Alternate Assessment ELA/Mathematics Embedded Field Test Item Development</td>
<td>43 days</td>
<td>Fri 7/1/16</td>
<td>Wed 8/31/16</td>
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<td>Develop Alternate Assessment ELA/Mathematics Assessment items</td>
<td>26 days</td>
<td>Fri 7/1/16</td>
<td>Mon 8/8/16</td>
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<tr>
<td>651</td>
<td>CDE reviews new items</td>
<td>10 days</td>
<td>Tue 8/9/16</td>
<td>Mon 8/22/16</td>
<td>CDE</td>
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<td>652</td>
<td>External committee item review meetings</td>
<td>2 days</td>
<td>Tue 8/23/16</td>
<td>Wed 8/24/16</td>
<td>ETS, CDE, External Committee</td>
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<td>653</td>
<td>CDE approves new items</td>
<td>5 days</td>
<td>Thu 8/25/16</td>
<td>Wed 8/31/16</td>
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<td>654</td>
<td>Primary Language Standalone Census Field Test Preparation</td>
<td>284 days</td>
<td>Tue 12/20/16</td>
<td>Tue 1/23/18</td>
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<td>655</td>
<td>Revise Primary Language Assessment items as needed</td>
<td>81 days</td>
<td>Tue 12/20/16</td>
<td>Thu 4/13/17</td>
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<td>CDE reviews new Primary Language items</td>
<td>15 days</td>
<td>Fri 4/14/17</td>
<td>Thu 5/4/17</td>
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<td>657</td>
<td>Update items based on CDE review</td>
<td>3 days</td>
<td>Fri 5/5/17</td>
<td>Tue 5/9/17</td>
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<td>5 days</td>
<td>Wed 5/10/17</td>
<td>Tue 5/16/17</td>
<td>CDE</td>
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<td>659</td>
<td>Finalize items and develop field test forms</td>
<td>83 days</td>
<td>Wed 5/17/17</td>
<td>Fri 9/8/17</td>
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<td>Duration</td>
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<td>660</td>
<td>CDE reviews field test forms</td>
<td>18 days</td>
<td>Mon 9/11/17</td>
<td>Wed 10/4/17</td>
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<td>661</td>
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<td>2 days</td>
<td>Thu 10/5/17</td>
<td>Fri 10/6/17</td>
<td>ETS, CDE, External Committee</td>
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<td>662</td>
<td>CDE approves field test forms</td>
<td>5 days</td>
<td>Mon 10/9/17</td>
<td>Fri 10/13/17</td>
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<tr>
<td>663</td>
<td>Prepare for online test delivery</td>
<td>72 days</td>
<td>Mon 10/18/17</td>
<td>Tue 1/23/18</td>
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<td>664</td>
<td>NGSS Science (Including Alt NGSS) Standalone Census Field Test Preparation</td>
<td>320 days</td>
<td>Tue 9/27/16</td>
<td>Fri 12/22/17</td>
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<td>Revise NGSS Science items as needed</td>
<td>152 days</td>
<td>Tue 9/27/16</td>
<td>Tue 5/2/17</td>
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<td>3 days</td>
<td>Wed 5/3/17</td>
<td>Fri 5/5/17</td>
<td>External Committee, CDE, ETS</td>
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<td>667</td>
<td>Develop pilot test forms &amp; CDE review/approval</td>
<td>100 days</td>
<td>Mon 5/8/17</td>
<td>Fri 9/22/17</td>
<td>ETS, CDE</td>
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<td>668</td>
<td>Prepare for online test delivery</td>
<td>65 days</td>
<td>Mon 9/25/17</td>
<td>Fri 12/22/17</td>
<td>ETS</td>
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<tr>
<td>669</td>
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<td>0 days</td>
<td>Tue 1/23/18</td>
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<td>517 days</td>
<td>Fri 7/1/16</td>
<td>Thu 7/3/18</td>
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<td>0 days</td>
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<td>Fri 7/1/16</td>
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<td>Fri 7/1/16</td>
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<td>20 days</td>
<td>Fri 7/1/16</td>
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<td>5 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/8/16</td>
<td>ETS</td>
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<td>676</td>
<td>CDE reviews and approves Minimum System Requirements Document</td>
<td>15 days</td>
<td>Mon 7/11/16</td>
<td>Fri 7/29/16</td>
<td>CDE</td>
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<td>677</td>
<td>System Configurations</td>
<td>20 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/29/16</td>
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<td>678</td>
<td>Develop list of system configurations</td>
<td>5 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/8/16</td>
<td>ETS</td>
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<td>679</td>
<td>CDE reviews and approves system configurations</td>
<td>15 days</td>
<td>Mon 7/11/16</td>
<td>Fri 7/29/16</td>
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<td>680</td>
<td>Item Transfer</td>
<td>11 days</td>
<td>Fri 7/1/16</td>
<td>Mon 7/18/16</td>
<td>ETS</td>
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<tr>
<td>681</td>
<td>Receive Interim items from Smarter Balanced</td>
<td>1 day</td>
<td>Fri 7/1/16</td>
<td>Fri 7/1/16</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>682</td>
<td>Import Interim field test items from Smarter Balanced</td>
<td>10 days</td>
<td>Tue 7/5/16</td>
<td>Mon 7/18/16</td>
<td>ETS</td>
</tr>
<tr>
<td>683</td>
<td>Receive Summative pools from Smarter Balanced</td>
<td>1 day</td>
<td>Fri 7/1/16</td>
<td>Fri 7/1/16</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>684</td>
<td>Import items from Smarter Balanced and embed new field test items into testing system</td>
<td>10 days</td>
<td>Tue 7/15/16</td>
<td>Mon 7/18/16</td>
<td>ETS</td>
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<tr>
<td>685</td>
<td>Test Operations Management System (TOMS)</td>
<td>71 days</td>
<td>Fri 7/1/16</td>
<td>Tue 10/11/16</td>
<td>ETS</td>
</tr>
<tr>
<td>686</td>
<td>CDE confirms CALPADS information and list of designated supports/accommodations</td>
<td>1 day</td>
<td>Fri 7/1/16</td>
<td>Fri 7/1/16</td>
<td>CDE</td>
</tr>
<tr>
<td>687</td>
<td>Confirm business requirements for pre-test delivery reporting and application enhancements</td>
<td>1 day</td>
<td>Tue 7/5/16</td>
<td>Tue 7/5/16</td>
<td>ETS</td>
</tr>
<tr>
<td>688</td>
<td>Update CALPADS import function</td>
<td>20 days</td>
<td>Tue 7/5/16</td>
<td>Mon 8/1/16</td>
<td>ETS</td>
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<tr>
<td>689</td>
<td>Configure TOMS enhancements for the 2017 CAASPP administration</td>
<td>15 days</td>
<td>Mon 8/1/16</td>
<td>Fri 8/19/16</td>
<td>ETS</td>
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<tr>
<td>690</td>
<td>Begin daily updates of LEA and school user contact information</td>
<td>1 day</td>
<td>Mon 8/22/16</td>
<td>Mon 8/22/16</td>
<td>ETS</td>
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<tr>
<td>691</td>
<td>Functional testing</td>
<td>10 days</td>
<td>Mon 8/22/16</td>
<td>Fri 9/2/16</td>
<td>ETS</td>
</tr>
<tr>
<td>692</td>
<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Tue 9/6/16</td>
<td>Mon 9/12/16</td>
<td>ETS</td>
</tr>
<tr>
<td>693</td>
<td>Integration testing</td>
<td>10 days</td>
<td>Tue 9/13/16</td>
<td>Mon 9/26/16</td>
<td>ETS</td>
</tr>
<tr>
<td>694</td>
<td>Load testing</td>
<td>10 days</td>
<td>Tue 9/13/16</td>
<td>Mon 9/26/16</td>
<td>ETS</td>
</tr>
<tr>
<td>695</td>
<td>CDE UAT of TOMS enhancements</td>
<td>5 days</td>
<td>Tue 9/27/16</td>
<td>Mon 10/3/16</td>
<td>CDE</td>
</tr>
<tr>
<td>696</td>
<td>Apply fixes to TOMS enhancements</td>
<td>5 days</td>
<td>Tue 10/4/16</td>
<td>Mon 10/10/16</td>
<td>ETS</td>
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<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>697</td>
<td>Deploy enhancements to TOMS</td>
<td>1 day</td>
<td>Tue 10/11/16</td>
<td>Tue 10/11/16</td>
<td>ETS</td>
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<tr>
<td>698</td>
<td>CA ISAAP Tool</td>
<td>49 days</td>
<td>Wed 7/6/16</td>
<td>Tue 9/13/16</td>
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<td>699</td>
<td>Gather business requirements for CA ISAAP tool enhancements</td>
<td>20 days</td>
<td>Wed 7/6/16</td>
<td>Tue 8/2/16</td>
<td>ETS</td>
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<td>700</td>
<td>Configure CA ISAAP tool for the 2017 administration</td>
<td>5 days</td>
<td>Mon 8/22/16</td>
<td>Fri 8/26/16</td>
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<td>701</td>
<td>CDE UAT of CA ISAAP Tool</td>
<td>5 days</td>
<td>Mon 8/29/16</td>
<td>Fri 9/2/16</td>
<td>CDE</td>
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<td>702</td>
<td>Apply fixes to CA ISAAP</td>
<td>5 days</td>
<td>Tue 9/6/16</td>
<td>Mon 9/12/16</td>
<td>ETS</td>
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<td>703</td>
<td>Deploy CA ISAAP Tool</td>
<td>1 day</td>
<td>Tue 9/13/16</td>
<td>Tue 9/13/16</td>
<td>ETS</td>
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<tr>
<td>704</td>
<td>Test Delivery System (TDS)</td>
<td>121 days</td>
<td>Mon 8/22/16</td>
<td>Mon 2/13/17</td>
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<td>705</td>
<td>Update Secure Browsers</td>
<td>25 days</td>
<td>Tue 9/27/16</td>
<td>Mon 10/31/16</td>
<td>AIR</td>
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<td>706</td>
<td>Gather business requirements for application enhancements</td>
<td>10 days</td>
<td>Mon 8/22/16</td>
<td>Fri 9/2/16</td>
<td>ETS, AIR</td>
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<td>707</td>
<td>Configure TDS for the 2017 CAASPP administration</td>
<td>40 days</td>
<td>Tue 9/6/16</td>
<td>Mon 10/31/16</td>
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<td>708</td>
<td>TDS Testing for Interim Assessments</td>
<td>41 days</td>
<td>Tue 11/1/16</td>
<td>Mon 1/2/17</td>
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<td>709</td>
<td>Functional testing</td>
<td>10 days</td>
<td>Tue 11/1/16</td>
<td>Mon 11/14/16</td>
<td>AIR, ETS</td>
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<tr>
<td>710</td>
<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Tue 11/15/16</td>
<td>Mon 11/21/16</td>
<td>ETS, AIR</td>
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<td>711</td>
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<td>5 days</td>
<td>Tue 11/22/16</td>
<td>Wed 11/30/16</td>
<td>ETS, AIR</td>
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<td>712</td>
<td>Load testing</td>
<td>5 days</td>
<td>Thu 12/1/16</td>
<td>Wed 12/7/16</td>
<td>ETS, AIR</td>
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<tr>
<td>713</td>
<td>CDE UAT</td>
<td>10 days</td>
<td>Tue 11/22/16</td>
<td>Wed 12/7/16</td>
<td>CDE</td>
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<td>714</td>
<td>End-to-End (E2E) Testing</td>
<td>15 days</td>
<td>Thu 12/8/16</td>
<td>Fri 12/30/16</td>
<td>ETS, AIR</td>
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<td>715</td>
<td>Deploy TDS for Interim Assessments including Teacher Hand Scoring</td>
<td>1 day</td>
<td>Mon 1/2/17</td>
<td>Mon 1/2/17</td>
<td>AIR</td>
</tr>
<tr>
<td>716</td>
<td>TDS Testing for Summative Assessments</td>
<td>41 days</td>
<td>Thu 12/15/16</td>
<td>Mon 2/13/17</td>
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<tr>
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<td>Functional testing</td>
<td>10 days</td>
<td>Thu 12/15/16</td>
<td>Fri 12/30/16</td>
<td>AIR, ETS</td>
</tr>
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<td>718</td>
<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Mon 1/2/17</td>
<td>Fri 1/6/17</td>
<td>ETS, AIR</td>
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<td>719</td>
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<td>5 days</td>
<td>Mon 1/9/17</td>
<td>Fri 1/13/17</td>
<td>ETS, AIR</td>
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<td>720</td>
<td>Load testing</td>
<td>5 days</td>
<td>Mon 1/16/17</td>
<td>Fri 1/20/17</td>
<td>ETS, AIR</td>
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<td>721</td>
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<td>10 days</td>
<td>Mon 1/9/17</td>
<td>Fri 1/20/17</td>
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<td>722</td>
<td>End-to-End (E2E) Testing</td>
<td>15 days</td>
<td>Mon 1/23/17</td>
<td>Fri 2/10/17</td>
<td>ETS, AIR</td>
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<td>723</td>
<td>Deploy TDS for Summative Assessments including Online Reporting System</td>
<td>1 day</td>
<td>Mon 2/13/17</td>
<td>Mon 2/13/17</td>
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<td>724</td>
<td>Formative Digital Library</td>
<td>116 days</td>
<td>Tue 9/13/16</td>
<td>Mon 2/27/17</td>
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<td>725</td>
<td>Provide access to Digital Library</td>
<td>116 days</td>
<td>Tue 9/13/16</td>
<td>Mon 2/27/17</td>
<td>ETS</td>
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<tr>
<td>726</td>
<td>Interim Assessment Registration, Test Content, and Ancillaries</td>
<td>171 days</td>
<td>Fri 7/1/16</td>
<td>Mon 3/6/17</td>
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<td>727</td>
<td>Current Interim Assessments available</td>
<td>0 days</td>
<td>Fri 7/1/16</td>
<td>Fri 7/1/16</td>
<td>Smarter Balanced</td>
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<td>728</td>
<td>Update enrollment/test administration information</td>
<td>50 days</td>
<td>Tue 9/27/16</td>
<td>Wed 12/7/16</td>
<td>ETS</td>
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<td>729</td>
<td>New enhanced test packages available from Smarter Balanced</td>
<td>0 days</td>
<td>Mon 2/6/17</td>
<td>Mon 2/6/17</td>
<td>Smarter Balanced</td>
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<td>Process new test packages</td>
<td>20 days</td>
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<td>Fri 3/3/17</td>
<td>AIR</td>
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<td>731</td>
<td>Updated Interim Comprehensive Assessment (summative clone) (ICA)</td>
<td>1 day</td>
<td>Mon 3/6/17</td>
<td>Mon 3/6/17</td>
<td>AIR</td>
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<td>732</td>
<td>Updated Interim Assessment Blocks (IAB) launched</td>
<td>1 day</td>
<td>Mon 3/6/17</td>
<td>Mon 3/6/17</td>
<td>AIR</td>
</tr>
<tr>
<td>733</td>
<td>Configure Smarter Balanced System User Guide for CA</td>
<td>40 days</td>
<td>Fri 7/1/16</td>
<td>Fri 8/26/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>734</td>
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<td>40 days</td>
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<td>Fri 8/26/16</td>
<td>ETS, AIR</td>
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<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
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<td>735</td>
<td>Configure Smarter Balanced System Infrastructure Guide for CA</td>
<td>40 days</td>
<td>Fri 7/1/16</td>
<td>Fri 8/26/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>736</td>
<td>Configure Smarter Balanced System Training Workbook for CA</td>
<td>40 days</td>
<td>Fri 7/1/16</td>
<td>Fri 8/26/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>737</td>
<td>Interim Assessment Reporting</td>
<td>101 days</td>
<td>Tue 2/14/17</td>
<td>Tue 7/4/17</td>
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<tr>
<td>738</td>
<td>Deliver Interim Results to Smarter Balanced</td>
<td>101 days</td>
<td>Tue 2/14/17</td>
<td>Tue 7/4/17</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>739</td>
<td>Summative Computer Based Assessments</td>
<td>171 days</td>
<td>Mon 11/14/16</td>
<td>Fri 7/14/17</td>
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<tr>
<td>740</td>
<td>Summative content packages available for CAT</td>
<td>0 days</td>
<td>Mon 11/14/16</td>
<td>Mon 11/14/16</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>741</td>
<td>Summative content packages available for PT</td>
<td>0 days</td>
<td>Thu 12/1/16</td>
<td>Thu 12/1/16</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>742</td>
<td>Summative test packages available for CAT and PT</td>
<td>0 days</td>
<td>Mon 1/9/17</td>
<td>Mon 1/9/17</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>743</td>
<td>Import and QC test packages</td>
<td>20 days</td>
<td>Mon 1/9/17</td>
<td>Fri 2/3/17</td>
<td>ETS</td>
</tr>
<tr>
<td>744</td>
<td>Update enrollment/test administration information</td>
<td>20 days</td>
<td>Mon 1/16/17</td>
<td>Fri 2/10/17</td>
<td>ETS</td>
</tr>
<tr>
<td>745</td>
<td>Administer summative assessments (Smarter Balanced ELA/Math, ELA/ Mathematics Alternate)</td>
<td>90 days</td>
<td>Mon 3/13/17</td>
<td>Fri 7/14/17</td>
<td>ETS</td>
</tr>
<tr>
<td>746</td>
<td>Summative Paper/Pencil Testing</td>
<td>199 days</td>
<td>Wed 10/12/16</td>
<td>Fri 7/21/17</td>
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<tr>
<td>747</td>
<td>Reprint CST/CMA/CAPA Science &amp; STS paper test</td>
<td>30 days</td>
<td>Tue 11/15/16</td>
<td>Fri 12/30/16</td>
<td>ETS</td>
</tr>
<tr>
<td>748</td>
<td>Receive material orders</td>
<td>35 days</td>
<td>Wed 10/12/16</td>
<td>Thu 12/16</td>
<td>ETS</td>
</tr>
<tr>
<td>749</td>
<td>Receive paper-based tests from Smarter Balanced</td>
<td>1 day</td>
<td>Mon 12/5/16</td>
<td>Mon 12/5/16</td>
<td>Smarter Balanced</td>
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<tr>
<td>750</td>
<td>Add covers</td>
<td>10 days</td>
<td>Tue 12/16/16</td>
<td>Mon 12/19/16</td>
<td>ETS</td>
</tr>
<tr>
<td>751</td>
<td>Print all summative operational paper tests</td>
<td>30 days</td>
<td>Tue 12/20/16</td>
<td>Wed 2/1/17</td>
<td>ETS</td>
</tr>
<tr>
<td>752</td>
<td>Distribute paper tests as needed</td>
<td>88 days</td>
<td>Thu 2/16/17</td>
<td>Mon 6/19/17</td>
<td>ETS</td>
</tr>
<tr>
<td>753</td>
<td>Receive paper tests</td>
<td>75 days</td>
<td>Mon 3/20/17</td>
<td>Fri 6/30/17</td>
<td>ETS</td>
</tr>
<tr>
<td>754</td>
<td>Scan paper tests</td>
<td>76 days</td>
<td>Mon 3/20/17</td>
<td>Mon 7/3/17</td>
<td>ETS</td>
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<tr>
<td>755</td>
<td>Conduct resolutions on paper tests</td>
<td>90 days</td>
<td>Mon 3/20/17</td>
<td>Fri 7/21/17</td>
<td>ETS</td>
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<tr>
<td>756</td>
<td>Special Versions</td>
<td>150 days</td>
<td>Tue 12/6/16</td>
<td>Wed 7/5/17</td>
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<tr>
<td>757</td>
<td>Produce large print &amp; braille</td>
<td>40 days</td>
<td>Tue 12/16/16</td>
<td>Wed 2/1/17</td>
<td>ETS</td>
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<tr>
<td>758</td>
<td>Deliver large print and braille as requested</td>
<td>100 days</td>
<td>Thu 2/16/17</td>
<td>Wed 7/5/17</td>
<td>ETS</td>
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<tr>
<td>759</td>
<td>Scoring</td>
<td>90 days</td>
<td>Mon 3/27/17</td>
<td>Fri 7/28/17</td>
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<td>760</td>
<td>Summative Computer Based Assessments</td>
<td>90 days</td>
<td>Mon 3/27/17</td>
<td>Fri 7/28/17</td>
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<tr>
<td>761</td>
<td>Hand and AI scoring occurs</td>
<td>90 days</td>
<td>Mon 3/27/17</td>
<td>Fri 7/28/17</td>
<td>ETS, MI</td>
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<tr>
<td>762</td>
<td>Perform scoring QC</td>
<td>90 days</td>
<td>Mon 3/27/17</td>
<td>Fri 7/28/17</td>
<td>ETS</td>
</tr>
<tr>
<td>763</td>
<td>Final scoring occurs</td>
<td>90 days</td>
<td>Mon 3/27/17</td>
<td>Fri 7/28/17</td>
<td>ETS</td>
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<tr>
<td>764</td>
<td>Psychometric Analysis</td>
<td>38 days</td>
<td>Mon 5/22/17</td>
<td>Wed 7/12/17</td>
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<tr>
<td>765</td>
<td>Conduct Item Analysis of CAASPP Summative assessments</td>
<td>16 days</td>
<td>Mon 5/22/17</td>
<td>Mon 6/12/17</td>
<td>ETS</td>
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<td>766</td>
<td>Item Analysis Files delivered to CDE</td>
<td>1 day</td>
<td>Tue 6/13/17</td>
<td>Tue 6/13/17</td>
<td>ETS</td>
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<tr>
<td>767</td>
<td>Facilitate Alternate Assessment Data Review meeting</td>
<td>1 day</td>
<td>Wed 7/12/17</td>
<td>Wed 7/12/17</td>
<td>ETS</td>
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<tr>
<td>768</td>
<td>Reporting</td>
<td>472 days</td>
<td>Tue 9/6/16</td>
<td>Thu 7/3/18</td>
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<td>769</td>
<td>Summative Assessment</td>
<td>472 days</td>
<td>Tue 9/6/16</td>
<td>Thu 7/3/18</td>
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<tr>
<td>770</td>
<td>Delivery of Data Files to CDE and Smarter Balanced</td>
<td>117 days</td>
<td>Mon 3/27/17</td>
<td>Tue 9/5/17</td>
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<tr>
<td>771</td>
<td>Prepare student data files</td>
<td>90 days</td>
<td>Mon 3/27/17</td>
<td>Fri 7/28/17</td>
<td>ETS</td>
</tr>
<tr>
<td>772</td>
<td>Post initial student data files to SFTP site for CDE and Smarter Balanced Data Warehouse</td>
<td>1 day</td>
<td>Mon 7/31/17</td>
<td>Mon 7/31/17</td>
<td>ETS</td>
</tr>
<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>773</td>
<td>Post final data files to SFTP site for CDE and Smarter Balanced Data Warehouse</td>
<td>1 day</td>
<td>Tue 9/5/17</td>
<td>Tue 9/5/17</td>
<td>ETS</td>
</tr>
<tr>
<td>774</td>
<td>Online Reporting Systems</td>
<td>472 days</td>
<td>Tue 9/6/16</td>
<td>Thu 7/3/18</td>
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</tr>
<tr>
<td>775</td>
<td>Online Reporting Systems Setup</td>
<td>37 days</td>
<td>Tue 9/6/16</td>
<td>Wed 10/26/16</td>
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<tr>
<td>776</td>
<td>Gather specifications for AIR online reporting systems</td>
<td>5 days</td>
<td>Tue 9/6/16</td>
<td>Mon 9/12/16</td>
<td>ETS, AIR</td>
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<td>777</td>
<td>CDE reviews online reporting system specifications</td>
<td>10 days</td>
<td>Tue 9/13/16</td>
<td>Mon 9/26/16</td>
<td>CDE</td>
</tr>
<tr>
<td>778</td>
<td>Configure online reporting systems</td>
<td>20 days</td>
<td>Tue 9/27/16</td>
<td>Mon 10/24/16</td>
<td></td>
</tr>
<tr>
<td>779</td>
<td>Demonstrate online reporting systems to CDE</td>
<td>1 day</td>
<td>Tue 10/25/16</td>
<td>Tue 10/25/16</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>780</td>
<td>Deploy online reporting system</td>
<td>1 day</td>
<td>Wed 10/26/16</td>
<td>Wed 10/26/16</td>
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<tr>
<td>781</td>
<td>Student Level Reporting</td>
<td>375 days</td>
<td>Wed 1/25/17</td>
<td>Thu 7/3/18</td>
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<tr>
<td>782</td>
<td>Provide final individual scores within 4 weeks of student online test completion</td>
<td>90 days</td>
<td>Wed 2/28/18</td>
<td>Tue 7/3/18</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>783</td>
<td>Launch ISR availability within online reporting system</td>
<td>1 day</td>
<td>Wed 1/25/17</td>
<td>Wed 1/25/17</td>
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</tr>
<tr>
<td>784</td>
<td>School Level Reporting</td>
<td>1 day</td>
<td>Thu 4/13/17</td>
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<tr>
<td>785</td>
<td>Launch school level reporting functionality</td>
<td>1 day</td>
<td>Thu 4/13/17</td>
<td>Thu 4/13/17</td>
<td>ETS, AIR</td>
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<td>786</td>
<td>LEA Level Reporting</td>
<td>1 day</td>
<td>Fri 4/28/17</td>
<td>Fri 4/28/17</td>
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<td>787</td>
<td>Launch LEA level reporting functionality</td>
<td>1 day</td>
<td>Fri 4/28/17</td>
<td>Fri 4/28/17</td>
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<tr>
<td>788</td>
<td>State Level Reporting</td>
<td>188 days</td>
<td>Tue 10/25/16</td>
<td>Wed 7/19/17</td>
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<tr>
<td>789</td>
<td>State Aggregate Reporting Web site</td>
<td>188 days</td>
<td>Tue 10/25/16</td>
<td>Wed 7/19/17</td>
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<tr>
<td>790</td>
<td>Develop business requirements</td>
<td>45 days</td>
<td>Tue 10/25/16</td>
<td>Fri 12/30/16</td>
<td>ETS</td>
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<tr>
<td>791</td>
<td>CDE provides text for site</td>
<td>1 day</td>
<td>Mon 3/27/17</td>
<td>Mon 3/27/17</td>
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</tr>
<tr>
<td>792</td>
<td>Construct Web reporting site</td>
<td>30 days</td>
<td>Tue 3/28/17</td>
<td>Mon 5/8/17</td>
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<tr>
<td>793</td>
<td>CDE UAT of Web Reporting Site</td>
<td>10 days</td>
<td>Tue 5/9/17</td>
<td>Mon 5/22/17</td>
<td>CDE</td>
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<tr>
<td>794</td>
<td>CDE provides feedback on changes needed</td>
<td>10 days</td>
<td>Tue 5/23/17</td>
<td>Mon 6/5/17</td>
<td>CDE</td>
</tr>
<tr>
<td>795</td>
<td>Apply changes</td>
<td>5 days</td>
<td>Tue 6/6/17</td>
<td>Mon 6/12/17</td>
<td>ETS</td>
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<tr>
<td>796</td>
<td>CDE 2nd UAT</td>
<td>5 days</td>
<td>Tue 6/13/17</td>
<td>Mon 6/19/17</td>
<td>CDE</td>
</tr>
<tr>
<td>797</td>
<td>Finalize site with CDE updates</td>
<td>5 days</td>
<td>Tue 6/20/17</td>
<td>Mon 6/26/17</td>
<td>ETS</td>
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<td>798</td>
<td>Deploy State level reporting Web site</td>
<td>1 day</td>
<td>Wed 7/19/17</td>
<td>Wed 7/19/17</td>
<td>ETS</td>
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<td>799</td>
<td>Individual Student Report</td>
<td>195 days</td>
<td>Tue 10/25/16</td>
<td>Fri 7/28/17</td>
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<tr>
<td>800</td>
<td>Develop individual student report</td>
<td>40 days</td>
<td>Tue 10/25/16</td>
<td>Wed 12/21/16</td>
<td>ETS</td>
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<tr>
<td>801</td>
<td>CDE reviews individual student report</td>
<td>10 days</td>
<td>Thu 12/22/16</td>
<td>Fri 1/6/17</td>
<td>CDE</td>
</tr>
<tr>
<td>802</td>
<td>Update individual student report</td>
<td>3 days</td>
<td>Mon 1/9/17</td>
<td>Wed 1/11/17</td>
<td>ETS</td>
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<tr>
<td>803</td>
<td>CDE 2nd review of individual student report</td>
<td>5 days</td>
<td>Thu 1/12/17</td>
<td>Wed 1/18/17</td>
<td>CDE</td>
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<tr>
<td>804</td>
<td>Apply updates &amp; submit to CDE for approval</td>
<td>3 days</td>
<td>Thu 1/19/17</td>
<td>Mon 1/23/17</td>
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<td>805</td>
<td>Provide electronic student roster reports to LEAs</td>
<td>20 days</td>
<td>Mon 7/3/17</td>
<td>Fri 7/28/17</td>
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<tr>
<td>806</td>
<td>Print and ship Individual Student Reports (ISR) to LEAs</td>
<td>20 days</td>
<td>Mon 7/3/17</td>
<td>Fri 7/28/17</td>
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<td>807</td>
<td>Rescore Process</td>
<td>120 days</td>
<td>Mon 3/27/17</td>
<td>Fri 9/8/17</td>
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<td>808</td>
<td>LEAs request rescores</td>
<td>90 days</td>
<td>Mon 3/27/17</td>
<td>Fri 7/28/17</td>
<td>LEAs</td>
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<td>Provide rescore results</td>
<td>90 days</td>
<td>Mon 5/8/17</td>
<td>Fri 9/8/17</td>
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<td>Invoicing for rescores occurs</td>
<td>10 days</td>
<td>Mon 5/15/17</td>
<td>Fri 5/26/17</td>
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<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<td>811</td>
<td>Interpretive Guides</td>
<td>31 days</td>
<td>Mon 3/20/17</td>
<td>Mon 5/1/17</td>
<td>ETS</td>
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<td>812</td>
<td>Produce interpretive guides</td>
<td>30 days</td>
<td>Mon 3/20/17</td>
<td>Fri 4/28/17</td>
<td>ETS</td>
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<td>Post interpretive guides</td>
<td>1 day</td>
<td>Mon 5/1/17</td>
<td>Mon 5/1/17</td>
<td>ETS</td>
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<tr>
<td>815</td>
<td>Develop Technical Report</td>
<td>40 days</td>
<td>Wed 9/6/17</td>
<td>Tue 10/31/17</td>
<td>ETS</td>
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<tr>
<td>816</td>
<td>CDE reviews Technical Report and returns edits to ETS</td>
<td>10 days</td>
<td>Wed 11/1/17</td>
<td>Tue 11/14/17</td>
<td>CDE</td>
</tr>
<tr>
<td>817</td>
<td>CDE applies edits and delivers final Technical Report to</td>
<td>3 days</td>
<td>Wed 11/15/17</td>
<td>Fri 11/17/17</td>
<td>ETS</td>
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<td>CDE</td>
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<tr>
<td>818</td>
<td>CDE 2nd review of Technical Report</td>
<td>5 days</td>
<td>Mon 11/20/17</td>
<td>Fri 11/24/17</td>
<td>CDE</td>
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<tr>
<td>819</td>
<td>Apply updates and deliver Technical Report to CDE for</td>
<td>3 days</td>
<td>Mon 11/27/17</td>
<td>Wed 11/29/17</td>
<td>ETS</td>
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<tr>
<td>820</td>
<td>Operational Test Administration Complete</td>
<td>0 days</td>
<td>Tue 7/3/18</td>
<td>Tue 7/3/18</td>
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<tr>
<td>821</td>
<td>Year two complete</td>
<td>0 days</td>
<td>Tue 1/23/18</td>
<td>Tue 1/23/18</td>
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<tr>
<td>822</td>
<td>Administration Year Three (July 2017 - December 2018)</td>
<td>397 days</td>
<td>Thu 6/22/17</td>
<td>Fri 12/28/18</td>
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<tr>
<td>823</td>
<td>Begin administration year three</td>
<td>0 days</td>
<td>Mon 7/3/17</td>
<td>Mon 7/3/17</td>
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<tr>
<td>824</td>
<td>Project Management</td>
<td>397 days</td>
<td>Thu 6/22/17</td>
<td>Fri 12/28/18</td>
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<tr>
<td>825</td>
<td>Project Management Begins</td>
<td>0 days</td>
<td>Mon 7/3/17</td>
<td>Mon 7/3/17</td>
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<tr>
<td>826</td>
<td>Annual Planning Meetings</td>
<td>35 days</td>
<td>Thu 6/22/17</td>
<td>Wed 8/9/17</td>
<td></td>
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<tr>
<td>827</td>
<td>Schedule and prepare/ship materials for annual planning</td>
<td>3 days</td>
<td>Thu 6/22/17</td>
<td>Mon 6/26/17</td>
<td>ETS</td>
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<tr>
<td></td>
<td>meeting</td>
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<tr>
<td>828</td>
<td>Conduct annual planning meeting</td>
<td>3 days</td>
<td>Mon 7/3/17</td>
<td>Wed 7/5/17</td>
<td>CDE, AIR, MI, ETS</td>
</tr>
<tr>
<td>829</td>
<td>Update project documentation and management plan</td>
<td>15 days</td>
<td>Thu 7/6/17</td>
<td>Wed 7/26/17</td>
<td>ETS</td>
</tr>
<tr>
<td>830</td>
<td>Prepare meeting minutes/participant list and deliver to</td>
<td>10 days</td>
<td>Thu 7/27/17</td>
<td>Wed 8/9/17</td>
<td>ETS</td>
</tr>
<tr>
<td></td>
<td>CDE</td>
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<tr>
<td>831</td>
<td>Program Meetings</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
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<tr>
<td>832</td>
<td>Conduct weekly internal status meetings</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
<td>ETS</td>
</tr>
<tr>
<td>833</td>
<td>Conduct weekly CDE management meetings</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
<td>CDE, AIR, MI, ETS</td>
</tr>
<tr>
<td>834</td>
<td>Conduct weekly CDE technical meeting</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
<td>CDE, AIR, MI, ETS</td>
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<tr>
<td>835</td>
<td>State Board Meetings</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
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<td>836</td>
<td>Attend State Board meetings</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
<td>CDE, ETS</td>
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<tr>
<td>837</td>
<td>Technical Advisory Group (TAG) Meetings</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
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<td>838</td>
<td>Work with the CDE to develop TAG agendas</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
<td>CDE, ETS</td>
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<tr>
<td>839</td>
<td>Attend TAG meetings</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
<td>CDE, ETS</td>
</tr>
<tr>
<td>840</td>
<td>Monthly Progress Reports</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
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<tr>
<td>841</td>
<td>Deliver monthly progress reports to CDE</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/28/18</td>
<td>CDE, ETS</td>
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<tr>
<td>842</td>
<td>Project Management Plan (PMP) &amp; Project Definitions</td>
<td>80 days</td>
<td>Mon 7/3/17</td>
<td>Fri 10/20/17</td>
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<td>Document</td>
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<tr>
<td>843</td>
<td>Project Management Plan for Overall CAASPP Activities</td>
<td>70 days</td>
<td>Mon 7/3/17</td>
<td>Fri 10/6/17</td>
<td></td>
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<tr>
<td>844</td>
<td>Update Work Breakdown Structure as needed</td>
<td>10 days</td>
<td>Thu 7/6/17</td>
<td>Wed 7/19/17</td>
<td>ETS</td>
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<tr>
<td>845</td>
<td>Update project management plan for overall CAASPP activities as needed</td>
<td>30 days</td>
<td>Mon 7/3/17</td>
<td>Fri 8/11/17</td>
<td>ETS</td>
</tr>
<tr>
<td>846</td>
<td>CDE reviews updates to the project management plan for</td>
<td>20 days</td>
<td>Mon 8/14/17</td>
<td>Fri 9/8/17</td>
<td>CDE</td>
</tr>
<tr>
<td></td>
<td>overall CAASPP activities</td>
<td></td>
<td></td>
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<td>847</td>
<td>Finalize updates to the project management plan for</td>
<td>20 days</td>
<td>Mon 9/11/17</td>
<td>Fri 10/6/17</td>
<td>ETS</td>
</tr>
<tr>
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<td>overall CAASPP activities</td>
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<tr>
<td>848</td>
<td>Project Definitions Document for the Assessment Delivery</td>
<td>70 days</td>
<td>Mon 7/3/17</td>
<td>Fri 10/6/17</td>
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<tr>
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<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>849</td>
<td>Develop draft project management plan for the Assessment Delivery System</td>
<td>30 days</td>
<td>Mon 7/3/17</td>
<td>Fri 8/11/17</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>850</td>
<td>CDE reviews project management plan for the Assessment Delivery System</td>
<td>20 days</td>
<td>Mon 8/14/17</td>
<td>Fri 9/8/17</td>
<td>CDE</td>
</tr>
<tr>
<td>851</td>
<td>Finalize project management plan for the Assessment Delivery System</td>
<td>20 days</td>
<td>Mon 9/11/17</td>
<td>Fri 10/6/17</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>852</td>
<td>Integrated Comprehensive Work Plan &amp; Project Schedule</td>
<td>10 days</td>
<td>Mon 10/9/17</td>
<td>Fri 10/20/17</td>
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<tr>
<td>853</td>
<td>CDE reviews comprehensive integrated project schedule</td>
<td>10 days</td>
<td>Mon 10/19/17</td>
<td>Fri 10/20/17</td>
<td>CDE</td>
</tr>
<tr>
<td>854</td>
<td>CDE project schedule review complete</td>
<td>0 days</td>
<td>Fri 10/20/17</td>
<td>Fri 10/20/17</td>
<td>CDE</td>
</tr>
<tr>
<td>855</td>
<td>Test Security</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/8/18</td>
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<tr>
<td>856</td>
<td>Update the Test Security Plan for the 2018 administration</td>
<td>2 days</td>
<td>Mon 7/3/17</td>
<td>Tue 7/4/17</td>
<td>ETS</td>
</tr>
<tr>
<td>857</td>
<td>Deliver the Test Security Plan to CDE for review</td>
<td>1 day</td>
<td>Wed 7/5/17</td>
<td>Wed 7/5/17</td>
<td>ETS</td>
</tr>
<tr>
<td>858</td>
<td>CDE reviews the Test Security Plan</td>
<td>10 days</td>
<td>Thu 7/6/17</td>
<td>Wed 7/19/17</td>
<td>CDE</td>
</tr>
<tr>
<td>859</td>
<td>Apply CDE edits to the Test Security Plan</td>
<td>3 days</td>
<td>Thu 7/20/17</td>
<td>Mon 7/24/17</td>
<td>ETS</td>
</tr>
<tr>
<td>860</td>
<td>CDE 2nd review of the Test Security Plan</td>
<td>5 days</td>
<td>Tue 7/25/17</td>
<td>Mon 7/31/17</td>
<td>CDE</td>
</tr>
<tr>
<td>861</td>
<td>Apply updates and deliver the final Test Security Plan to CDE for approval</td>
<td>3 days</td>
<td>Tue 8/1/17</td>
<td>Thu 8/3/17</td>
<td>ETS</td>
</tr>
<tr>
<td>862</td>
<td>Monitor social media sites for test security breaches</td>
<td>390 days</td>
<td>Mon 7/3/17</td>
<td>Fri 12/8/18</td>
<td>ETS</td>
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<tr>
<td>863</td>
<td>Perform on-site security audit visits</td>
<td>125 days</td>
<td>Wed 1/24/18</td>
<td>Tue 7/17/18</td>
<td>ETS</td>
</tr>
<tr>
<td>864</td>
<td>Investigate test security breaches as needed</td>
<td>125 days</td>
<td>Wed 1/24/18</td>
<td>Tue 7/17/18</td>
<td>ETS</td>
</tr>
<tr>
<td>865</td>
<td>Deliver audit reports to CDE</td>
<td>125 days</td>
<td>Wed 1/31/18</td>
<td>Tue 7/24/18</td>
<td>ETS</td>
</tr>
<tr>
<td>866</td>
<td>Data Driven Improvement</td>
<td>237 days</td>
<td>Mon 7/3/17</td>
<td>Tue 5/29/18</td>
<td></td>
</tr>
<tr>
<td>867</td>
<td>Pre-Testing Data Collection</td>
<td>77 days</td>
<td>Mon 10/23/17</td>
<td>Tue 2/6/18</td>
<td></td>
</tr>
<tr>
<td>868</td>
<td>Pre-Test Survey</td>
<td>77 days</td>
<td>Mon 10/23/17</td>
<td>Tue 2/6/18</td>
<td></td>
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<tr>
<td>869</td>
<td>Develop Pre-Test Survey</td>
<td>20 days</td>
<td>Mon 10/23/17</td>
<td>Fri 11/17/17</td>
<td>ETS</td>
</tr>
<tr>
<td>870</td>
<td>CDE reviews Pre-Test Survey</td>
<td>10 days</td>
<td>Mon 11/20/17</td>
<td>Fri 12/1/17</td>
<td>CDE</td>
</tr>
<tr>
<td>871</td>
<td>Revise Pre-Test Survey</td>
<td>3 days</td>
<td>Mon 12/4/17</td>
<td>Wed 12/6/17</td>
<td>ETS</td>
</tr>
<tr>
<td>872</td>
<td>CDE 2nd review of Pre-Test Survey</td>
<td>5 days</td>
<td>Thu 12/7/17</td>
<td>Wed 12/13/17</td>
<td>CDE</td>
</tr>
<tr>
<td>873</td>
<td>Apply updates and deliver final Pre-Test Survey to CDE for approval</td>
<td>3 days</td>
<td>Thu 12/14/17</td>
<td>Mon 12/18/17</td>
<td>ETS</td>
</tr>
<tr>
<td>874</td>
<td>Administer Pre-Test Survey</td>
<td>20 days</td>
<td>Tue 12/26/17</td>
<td>Mon 1/22/18</td>
<td>ETS</td>
</tr>
<tr>
<td>875</td>
<td>Analyze survey results</td>
<td>10 days</td>
<td>Tue 1/23/18</td>
<td>Mon 2/5/18</td>
<td>ETS</td>
</tr>
<tr>
<td>876</td>
<td>Deliver survey results &amp; recommended program improvements to CDE</td>
<td>1 day</td>
<td>Tue 2/6/18</td>
<td>Tue 2/6/18</td>
<td>ETS</td>
</tr>
<tr>
<td>877</td>
<td>Post-Testing Data Collection</td>
<td>237 days</td>
<td>Mon 7/3/17</td>
<td>Tue 5/29/18</td>
<td></td>
</tr>
<tr>
<td>878</td>
<td>Post-Test Survey</td>
<td>67 days</td>
<td>Mon 2/26/18</td>
<td>Tue 5/29/18</td>
<td></td>
</tr>
<tr>
<td>879</td>
<td>Develop Post-Test Survey</td>
<td>20 days</td>
<td>Mon 2/26/18</td>
<td>Fri 3/23/18</td>
<td>ETS</td>
</tr>
<tr>
<td>880</td>
<td>CDE reviews Post-Test Survey</td>
<td>10 days</td>
<td>Mon 3/6/18</td>
<td>Fri 4/6/18</td>
<td>CDE</td>
</tr>
<tr>
<td>881</td>
<td>Revise Post-Test Survey</td>
<td>3 days</td>
<td>Mon 4/9/18</td>
<td>Wed 4/11/18</td>
<td>ETS</td>
</tr>
<tr>
<td>882</td>
<td>CDE 2nd review of Post-Test Survey</td>
<td>5 days</td>
<td>Thu 4/12/18</td>
<td>Wed 4/18/18</td>
<td>CDE</td>
</tr>
<tr>
<td>883</td>
<td>Apply updates and deliver final Post-Test Survey to CDE for approval</td>
<td>3 days</td>
<td>Thu 4/19/18</td>
<td>Mon 4/23/18</td>
<td>ETS</td>
</tr>
<tr>
<td>884</td>
<td>Administer Post-Test Survey</td>
<td>20 days</td>
<td>Tue 5/1/18</td>
<td>Mon 5/28/18</td>
<td>ETS</td>
</tr>
<tr>
<td>885</td>
<td>Deliver survey results &amp; recommended program improvements to CDE</td>
<td>1 day</td>
<td>Tue 5/29/18</td>
<td>Tue 5/29/18</td>
<td>ETS</td>
</tr>
<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>886</td>
<td>Post-Test Focus Groups for Administrators</td>
<td>60 days</td>
<td>Mon 7/3/17</td>
<td>Fri 9/22/17</td>
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<tr>
<td>887</td>
<td>Prepare materials for Post-Test Focus Groups</td>
<td>9 days</td>
<td>Mon 7/3/17</td>
<td>Thu 7/13/17</td>
<td>ETS</td>
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<tr>
<td>888</td>
<td>Conduct Sacramento focus group</td>
<td>2 days</td>
<td>Fri 7/14/17</td>
<td>Mon 7/17/17</td>
<td>ETS</td>
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<tr>
<td>889</td>
<td>Conduct Southern CA focus group</td>
<td>2 days</td>
<td>Thu 7/27/17</td>
<td>Fri 7/28/17</td>
<td>ETS</td>
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<td>890</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Mon 7/31/17</td>
<td>Fri 9/22/17</td>
<td>ETS</td>
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<tr>
<td>891</td>
<td>Test Coordinator Advisory Group</td>
<td>162 days</td>
<td>Thu 8/17/17</td>
<td>Fri 3/30/18</td>
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<td></td>
<td>Prepare materials for Test Coordinator Advisory Group</td>
<td>20 days</td>
<td>Thu 8/17/17</td>
<td>Wed 9/13/17</td>
<td>ETS</td>
</tr>
<tr>
<td>894</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Fri 9/15/17</td>
<td>Thu 11/9/17</td>
<td>ETS</td>
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<tr>
<td>895</td>
<td>Prepare materials for Test Coordinator Advisory Group</td>
<td>20 days</td>
<td>Fri 1/5/18</td>
<td>Thu 2/1/18</td>
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<tr>
<td>896</td>
<td>Conduct February Advisory Group 2</td>
<td>1 day</td>
<td>Fri 2/2/18</td>
<td>Fri 2/2/18</td>
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<td>897</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Mon 2/5/18</td>
<td>Fri 3/30/18</td>
<td>ETS</td>
</tr>
<tr>
<td>898</td>
<td>caaspp.org User Focus Group</td>
<td>62 days</td>
<td>Wed 8/23/17</td>
<td>Thu 11/16/17</td>
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<td>899</td>
<td>Prepare materials for caaspp.org focus groups</td>
<td>20 days</td>
<td>Wed 8/23/17</td>
<td>Tue 9/19/17</td>
<td>ETS</td>
</tr>
<tr>
<td>900</td>
<td>Conduct caaspp.org User focus group</td>
<td>2 days</td>
<td>Wed 9/20/17</td>
<td>Thu 9/21/17</td>
<td>ETS</td>
</tr>
<tr>
<td>901</td>
<td>Compile results and recommended program improvements to CDE</td>
<td>40 days</td>
<td>Fri 9/22/17</td>
<td>Thu 11/16/17</td>
<td>ETS</td>
</tr>
<tr>
<td>902</td>
<td>Project Management Complete</td>
<td>0 days</td>
<td>Fri 12/28/18</td>
<td>Fri 12/28/18</td>
<td></td>
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<tr>
<td>903</td>
<td>Training &amp; LEA Support</td>
<td>252 days</td>
<td>Mon 7/3/17</td>
<td>Tue 6/19/18</td>
<td></td>
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<tr>
<td>904</td>
<td>Training &amp; LEA Support Begins</td>
<td>0 days</td>
<td>Mon 7/3/17</td>
<td>Mon 7/3/17</td>
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<tr>
<td>905</td>
<td>CaTAC</td>
<td>252 days</td>
<td>Mon 7/3/17</td>
<td>Tue 6/19/18</td>
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<tr>
<td>906</td>
<td>Train CaTAC staff on the CAASPP Program</td>
<td>10 days</td>
<td>Mon 7/3/17</td>
<td>Fri 7/14/17</td>
<td>ETS</td>
</tr>
<tr>
<td>907</td>
<td>Establish help desk technical phone, Web chat, and e-mail</td>
<td>10 days</td>
<td>Mon 7/3/17</td>
<td>Fri 7/14/17</td>
<td>ETS</td>
</tr>
<tr>
<td>908</td>
<td>Perform technology support site visits as needed</td>
<td>242 days</td>
<td>Mon 7/17/17</td>
<td>Tue 6/19/18</td>
<td>ETS</td>
</tr>
<tr>
<td>909</td>
<td>LEA CAASPP Coordinator Designation Forms &amp; Security Agreements</td>
<td>64 days</td>
<td>Mon 7/3/17</td>
<td>Thu 9/28/17</td>
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<tr>
<td>910</td>
<td>Collect LEA CAASPP coordinator designation forms and security</td>
<td>50 days</td>
<td>Mon 7/3/17</td>
<td>Fri 9/8/17</td>
<td>ETS</td>
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<tr>
<td>911</td>
<td>input updates into the LEA CAASPP coordinator database</td>
<td>43 days</td>
<td>Mon 7/31/17</td>
<td>Wed 9/27/17</td>
<td>ETS</td>
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<tr>
<td>912</td>
<td>Provide CDE access to the CAASPP coordinator database</td>
<td>1 day</td>
<td>Thu 9/28/17</td>
<td>Thu 9/28/17</td>
<td>ETS</td>
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<tr>
<td>913</td>
<td>LEA Technology Readiness</td>
<td>91 days</td>
<td>Mon 7/3/17</td>
<td>Mon 12/4/17</td>
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<tr>
<td>914</td>
<td>Develop technology readiness information collection</td>
<td>30 days</td>
<td>Mon 7/31/17</td>
<td>Fri 9/8/17</td>
<td>ETS</td>
</tr>
<tr>
<td>915</td>
<td>methodologies</td>
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</tr>
<tr>
<td>916</td>
<td>Collect technology readiness information from LEAs</td>
<td>40 days</td>
<td>Mon 9/11/17</td>
<td>Fri 11/3/17</td>
<td>ETS</td>
</tr>
<tr>
<td>917</td>
<td>Present readiness results to CDE</td>
<td>1 day</td>
<td>Mon 12/4/17</td>
<td>Mon 12/4/17</td>
<td>ETS</td>
</tr>
<tr>
<td>918</td>
<td>Summative Assessment Test Administration Training Manuals</td>
<td>216 days</td>
<td>Mon 7/3/17</td>
<td>Mon 4/30/18</td>
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<td>919</td>
<td>Smarter Balanced Test Administration Manual (TAM)</td>
<td>111 days</td>
<td>Mon 7/3/17</td>
<td>Mon 12/4/17</td>
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<tr>
<td>920</td>
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**Note:** The table above lists tasks and their respective durations, start dates, finish dates, and resource names. The tasks are organized by their ID numbers. Each task includes details such as the task name, duration, start date, finish date, and the names of the resources involved in completing the task.
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<td>1013</td>
<td>Present and archive Alternate Assessment training Webcast</td>
<td>1 day</td>
<td>Wed 1/10/18</td>
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<td>1014</td>
<td>Present and archive Test Security LEA Training Webcast</td>
<td>1 day</td>
<td>Tue 1/16/18</td>
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<td>1015</td>
<td>Present and archive Post-Test Webcast</td>
<td>1 day</td>
<td>Mon 5/14/18</td>
<td>Mon 5/14/18</td>
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<tr>
<td>1016</td>
<td>Regional Training Workshops</td>
<td>181 days</td>
<td>Mon 9/11/17</td>
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<td>1017</td>
<td>Present regional Digital Library and Interim workshops</td>
<td>5 days</td>
<td>Mon 9/11/17</td>
<td>Fri 9/15/17</td>
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<td>1018</td>
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<td>22 days</td>
<td>Mon 1/15/18</td>
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<td>Present regional Post-Test Workshops</td>
<td>5 days</td>
<td>Tue 5/15/18</td>
<td>Mon 5/21/18</td>
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<tr>
<td>1020</td>
<td>Interim CR Scoring Training</td>
<td>101 days</td>
<td>Wed 10/11/17</td>
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<td>1021</td>
<td>Receive CR scoring methodology and procedures from Smarter Balanced</td>
<td>1 day</td>
<td>Wed 10/11/17</td>
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<td>Smarter Balanced</td>
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<tr>
<td>1022</td>
<td>Produce workshop slides and e-mail announcement</td>
<td>20 days</td>
<td>Thu 1/11/18</td>
<td>Wed 2/7/18</td>
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<td>1023</td>
<td>Deliver summative and interim CR scoring training workshops</td>
<td>15 days</td>
<td>Tue 2/8/18</td>
<td>Wed 2/28/18</td>
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<td>1024</td>
<td>Training &amp; LEA Support Complete</td>
<td>0 days</td>
<td>Tue 6/19/18</td>
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<td>1025</td>
<td>Test Development</td>
<td>392 days</td>
<td>Thu 6/29/17</td>
<td>Fri 12/28/18</td>
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<td>1026</td>
<td>Begin Test Development</td>
<td>0 days</td>
<td>Mon 7/3/17</td>
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<tr>
<td>1027</td>
<td>Primary Language Field Test</td>
<td>138 days</td>
<td>Wed 1/24/18</td>
<td>Fri 8/3/18</td>
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<td>1028</td>
<td>Administer Primary Language Census Field Test</td>
<td>100 days</td>
<td>Wed 1/24/18</td>
<td>Tue 6/12/18</td>
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<td>Conduct range finding external committee meeting</td>
<td>2 days</td>
<td>Wed 6/27/18</td>
<td>Thu 6/28/18</td>
<td>ETS, External Committee, CDE</td>
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<td>1030</td>
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<td>10 days</td>
<td>Fri 6/29/18</td>
<td>Thu 7/12/18</td>
<td>CDE</td>
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<td>1031</td>
<td>Perform analysis on field test data</td>
<td>20 days</td>
<td>Fri 6/29/18</td>
<td>Thu 7/26/18</td>
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<td>1032</td>
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<td>1 day</td>
<td>Fri 7/27/18</td>
<td>Fri 7/27/18</td>
<td>External Committee, CDE, ETS</td>
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<td>Task Name</td>
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<td>1033</td>
<td>CDE approval of data review results</td>
<td>5 days</td>
<td>Mon 7/30/18</td>
<td>Fri 8/3/18</td>
<td>CDE</td>
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<tr>
<td>1034</td>
<td>NGSS Field Test (Including Alt NGSS)</td>
<td>121 days</td>
<td>Mon 3/12/18</td>
<td>Mon 8/27/18</td>
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<td>1035</td>
<td>Administer NGSS Census Field Test</td>
<td>80 days</td>
<td>Mon 3/12/18</td>
<td>Fri 6/29/18</td>
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<td>2 days</td>
<td>Thu 7/26/18</td>
<td>Fri 7/27/18</td>
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<td>1037</td>
<td>Perform analysis on field test data</td>
<td>20 days</td>
<td>Mon 7/30/18</td>
<td>Fri 8/24/18</td>
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<td>1 day</td>
<td>Mon 8/27/18</td>
<td>Mon 8/27/18</td>
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<td>1039</td>
<td>Alternate Assessment ELA/Mathematics Embedded Field Test Item Development</td>
<td>40 days</td>
<td>Thu 6/29/17</td>
<td>Wed 8/23/17</td>
<td>ETS, CDE, ETS</td>
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<td>1040</td>
<td>Develop Alternate Assessment ELA/Mathematics Assessment items</td>
<td>23 days</td>
<td>Thu 6/29/17</td>
<td>Mon 7/31/17</td>
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<td>1041</td>
<td>CDE reviews new items</td>
<td>10 days</td>
<td>Tue 8/1/17</td>
<td>Mon 8/14/17</td>
<td>CDE</td>
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<td>1042</td>
<td>External committee item review meetings</td>
<td>2 days</td>
<td>Tue 8/15/17</td>
<td>Wed 8/16/17</td>
<td>ETS, CDE, ETS</td>
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<td>1043</td>
<td>CDE approves new items</td>
<td>5 days</td>
<td>Thu 8/17/17</td>
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<td>1044</td>
<td>Primary Language Embedded Field Test Item Development</td>
<td>117 days</td>
<td>Wed 1/24/18</td>
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<td>1045</td>
<td>Develop Primary Language Assessment items</td>
<td>80 days</td>
<td>Wed 1/24/18</td>
<td>Tue 5/15/18</td>
<td>ETS</td>
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<td>1046</td>
<td>CDE reviews new Primary Language items</td>
<td>10 days</td>
<td>Wed 5/16/18</td>
<td>Tue 5/29/18</td>
<td>CDE</td>
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<td>External committee item review meetings</td>
<td>2 days</td>
<td>Wed 5/30/18</td>
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<td>1048</td>
<td>CDE approves new items</td>
<td>5 days</td>
<td>Fri 6/1/18</td>
<td>Thu 6/7/18</td>
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<td>1049</td>
<td>Finalize items</td>
<td>20 days</td>
<td>Fri 6/8/18</td>
<td>Thu 7/5/18</td>
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<td>1050</td>
<td>Primary Language Operational Forms for the 2018 administration</td>
<td>47 days</td>
<td>Fri 6/8/18</td>
<td>Mon 8/13/18</td>
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<td>1051</td>
<td>Develop operational forms</td>
<td>30 days</td>
<td>Fri 6/8/18</td>
<td>Thu 7/19/18</td>
<td>ETS</td>
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<tr>
<td>1052</td>
<td>CDE reviews operational forms</td>
<td>10 days</td>
<td>Fri 7/20/18</td>
<td>Thu 8/2/18</td>
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<tr>
<td>1053</td>
<td>External committee forms review meeting</td>
<td>2 days</td>
<td>Fri 8/3/18</td>
<td>Mon 8/6/18</td>
<td>ETS, CDE, ETS</td>
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<td>1054</td>
<td>CDE approves operational forms</td>
<td>5 days</td>
<td>Tue 8/7/18</td>
<td>Mon 8/13/18</td>
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<td>1055</td>
<td>NGSS Science (Including Alt NGSS) Embedded Field Test Item Development</td>
<td>320 days</td>
<td>Mon 10/9/17</td>
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<td>1056</td>
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<td>152 days</td>
<td>Mon 10/9/17</td>
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<td>3 days</td>
<td>Wed 5/9/18</td>
<td>Fri 5/11/18</td>
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<td>1058</td>
<td>Develop pilot test forms</td>
<td>100 days</td>
<td>Mon 5/14/18</td>
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<tr>
<td>1059</td>
<td>Prepare for online test delivery</td>
<td>65 days</td>
<td>Mon 10/1/18</td>
<td>Fri 12/8/18</td>
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<td>1060</td>
<td>Test Development Complete</td>
<td>0 days</td>
<td>Fri 12/8/18</td>
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<td>1061</td>
<td>Operational Test Administration</td>
<td>369 days</td>
<td>Mon 7/3/17</td>
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<td>1062</td>
<td>Operational Test Administration Begins</td>
<td>0 days</td>
<td>Mon 7/3/17</td>
<td>Mon 7/3/17</td>
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<td>1063</td>
<td>CAAASPP Assessments</td>
<td>276 days</td>
<td>Mon 7/3/17</td>
<td>Mon 7/23/18</td>
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<td>1064</td>
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<td>156 days</td>
<td>Mon 7/3/17</td>
<td>Mon 25/18</td>
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<td>1065</td>
<td>Minimum System Requirements Document</td>
<td>20 days</td>
<td>Mon 7/3/17</td>
<td>Fri 7/28/17</td>
<td>ETS</td>
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<td>Duration</td>
<td>Start</td>
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<td>1066</td>
<td>Develop Minimum System Requirements Document</td>
<td>5 days</td>
<td>Mon 7/3/17</td>
<td>Fri 7/7/17</td>
<td>ETS</td>
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<tr>
<td>1067</td>
<td>CDE reviews and approves Minimum System Requirements Document</td>
<td>15 days</td>
<td>Mon 7/10/17</td>
<td>Fri 7/28/17</td>
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<td>1068</td>
<td>System Configurations</td>
<td>20 days</td>
<td>Mon 7/3/17</td>
<td>Fri 7/28/17</td>
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<td>1069</td>
<td>Develop list of system configurations</td>
<td>5 days</td>
<td>Mon 7/3/17</td>
<td>Fri 7/7/17</td>
<td>ETS</td>
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<td>1070</td>
<td>CDE reviews and approves system configurations</td>
<td>15 days</td>
<td>Mon 7/10/17</td>
<td>Fri 7/28/17</td>
<td>CDE</td>
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<td>1071</td>
<td>Item Transfer</td>
<td>45 days</td>
<td>Mon 11/13/17</td>
<td>Fri 1/12/18</td>
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<tr>
<td>1072</td>
<td>Receive Interim items from Smarter Balanced</td>
<td>1 day</td>
<td>Mon 11/13/17</td>
<td>Mon 11/13/17</td>
<td>Smarter Balanced</td>
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<td>1073</td>
<td>Import Interim field test items from Smarter Balanced</td>
<td>10 days</td>
<td>Tue 11/14/17</td>
<td>Mon 11/27/17</td>
<td>ETS</td>
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<td>1074</td>
<td>Receive Summative pools from Smarter Balanced</td>
<td>1 day</td>
<td>Fri 12/29/17</td>
<td>Fri 12/29/17</td>
<td>Smarter Balanced</td>
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<tr>
<td>1075</td>
<td>Import items from Smarter Balanced and embed new field test items into testing system</td>
<td>10 days</td>
<td>Mon 1/1/18</td>
<td>Fri 1/12/18</td>
<td>ETS</td>
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<tr>
<td>1076</td>
<td>Test Operations Management System (TOMS)</td>
<td>71 days</td>
<td>Mon 7/3/17</td>
<td>Mon 10/9/17</td>
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<td>1077</td>
<td>CDE confirms CALPADS information and list of designated supports/accommodations</td>
<td>1 day</td>
<td>Mon 7/3/17</td>
<td>Mon 7/3/17</td>
<td>CDE</td>
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<tr>
<td>1078</td>
<td>Confirm business requirements for pre-test delivery reporting and application enhancements</td>
<td>1 day</td>
<td>Tue 7/4/17</td>
<td>Tue 7/4/17</td>
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<tr>
<td>1079</td>
<td>Update CALPADS import function</td>
<td>20 days</td>
<td>Tue 7/4/17</td>
<td>Mon 7/31/17</td>
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<td>1080</td>
<td>Configure TOMS enhancements for the 2018 CAASPP administration</td>
<td>15 days</td>
<td>Mon 7/31/17</td>
<td>Fri 8/18/17</td>
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<tr>
<td>1081</td>
<td>Begin daily updates of LEA and school user contact information</td>
<td>1 day</td>
<td>Mon 8/21/17</td>
<td>Mon 8/21/17</td>
<td>ETS</td>
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<td>1082</td>
<td>Functional testing</td>
<td>10 days</td>
<td>Mon 8/21/17</td>
<td>Fri 9/1/17</td>
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<td>1083</td>
<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Mon 9/4/17</td>
<td>Fri 9/8/17</td>
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<td>10 days</td>
<td>Mon 9/11/17</td>
<td>Fri 9/22/17</td>
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<tr>
<td>1085</td>
<td>Load testing</td>
<td>10 days</td>
<td>Mon 9/11/17</td>
<td>Fri 9/22/17</td>
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<tr>
<td>1086</td>
<td>CDE UAT of TOMS enhancements</td>
<td>5 days</td>
<td>Mon 9/25/17</td>
<td>Fri 9/29/17</td>
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<tr>
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<td>Apply fixes to TOMS enhancements</td>
<td>5 days</td>
<td>Mon 10/2/17</td>
<td>Fri 10/6/17</td>
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<tr>
<td>1088</td>
<td>Deploy enhancements to TOMS</td>
<td>1 day</td>
<td>Mon 10/9/17</td>
<td>Mon 10/9/17</td>
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<tr>
<td>1089</td>
<td>CA ISAAP Tool</td>
<td>49 days</td>
<td>Wed 7/5/17</td>
<td>Mon 9/11/17</td>
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<td>1090</td>
<td>Gather business requirements for CA ISAAP tool enhancements</td>
<td>20 days</td>
<td>Wed 7/5/17</td>
<td>Tue 8/1/17</td>
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<td>1091</td>
<td>Configure CA ISAAP tool for the 2018 administration</td>
<td>5 days</td>
<td>Mon 8/21/17</td>
<td>Fri 8/25/17</td>
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<td>1092</td>
<td>CDE UAT of CA ISAAP Tool</td>
<td>5 days</td>
<td>Mon 8/28/17</td>
<td>Fri 9/1/17</td>
<td>ETS</td>
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<tr>
<td>1093</td>
<td>Apply fixes to CA ISAPP</td>
<td>5 days</td>
<td>Mon 9/4/17</td>
<td>Fri 9/8/17</td>
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<td>1094</td>
<td>Deploy CA ISAAP Tool</td>
<td>1 day</td>
<td>Mon 9/11/17</td>
<td>Mon 9/11/17</td>
<td>ETS</td>
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<td>1095</td>
<td>Test Delivery System (TDS)</td>
<td>121 days</td>
<td>Mon 8/21/17</td>
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<td>1096</td>
<td>Update Secure Browsers</td>
<td>25 days</td>
<td>Mon 9/25/17</td>
<td>Fri 10/27/17</td>
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<td>1097</td>
<td>Gather business requirements for application enhancements</td>
<td>10 days</td>
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<td>Fri 9/1/17</td>
<td>ETS,AIR</td>
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<td>Configure TDS for the 2018 CAASPP administration</td>
<td>40 days</td>
<td>Mon 9/4/17</td>
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<td>TDS Testing for the 2018 CAASPP administration</td>
<td>41 days</td>
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<td>Functional testing</td>
<td>10 days</td>
<td>Mon 10/30/17</td>
<td>Fri 11/10/17</td>
<td>AIR, ETS</td>
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<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Mon 11/13/17</td>
<td>Fri 11/17/17</td>
<td>ETS,AIR</td>
</tr>
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<td>Integration testing</td>
<td>5 days</td>
<td>Mon 11/20/17</td>
<td>Fri 11/24/17</td>
<td>ETS,AIR</td>
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<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<td>1103</td>
<td>Load testing</td>
<td>5 days</td>
<td>Mon 11/27/17</td>
<td>Fri 12/1/17</td>
<td>ETS, AIR</td>
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<td>1104</td>
<td>CDE UAT</td>
<td>10 days</td>
<td>Mon 11/20/17</td>
<td>Fri 12/1/17</td>
<td>CDE</td>
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<td>End-to-End (E2E) Testing</td>
<td>15 days</td>
<td>Mon 12/4/17</td>
<td>Fri 12/22/17</td>
<td>ETS, AIR</td>
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<td>Deploy TDS for Interim Assessments including Teacher Hand Scoring</td>
<td>1 day</td>
<td>Mon 12/25/17</td>
<td>Mon 12/25/17</td>
<td>AIR</td>
</tr>
<tr>
<td>1107</td>
<td>TDS Testing for Summative Assessments</td>
<td>41 days</td>
<td>Mon 12/11/17</td>
<td>Mon 2/5/18</td>
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<tr>
<td>1108</td>
<td>Functional testing</td>
<td>10 days</td>
<td>Mon 12/11/17</td>
<td>Fri 12/22/17</td>
<td>AIR, ETS</td>
</tr>
<tr>
<td>1109</td>
<td>Dev-2-Dev Testing</td>
<td>5 days</td>
<td>Mon 12/25/17</td>
<td>Fri 12/29/17</td>
<td>ETS, AIR</td>
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<tr>
<td>1110</td>
<td>Integration testing</td>
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<td>Mon 1/1/18</td>
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<td>ETS, AIR</td>
</tr>
<tr>
<td>1111</td>
<td>Load testing</td>
<td>5 days</td>
<td>Mon 1/22/18</td>
<td>Fri 1/26/18</td>
<td>ETS, AIR</td>
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<tr>
<td>1112</td>
<td>CDE UAT</td>
<td>10 days</td>
<td>Mon 1/1/18</td>
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<td>CDE</td>
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<tr>
<td>1113</td>
<td>End-to-End (E2E) Testing</td>
<td>15 days</td>
<td>Mon 1/15/18</td>
<td>Fri 2/2/18</td>
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<tr>
<td>1114</td>
<td>Deploy TDS for Summative Assessments including Online Reporting System and Participation Reports</td>
<td>1 day</td>
<td>Mon 2/5/18</td>
<td>Mon 2/5/18</td>
<td>AIR</td>
</tr>
<tr>
<td>1115</td>
<td>Formative Digital Library</td>
<td>116 days</td>
<td>Mon 9/11/17</td>
<td>Mon 2/19/18</td>
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<tr>
<td>1116</td>
<td>Provide access to Digital Library</td>
<td>116 days</td>
<td>Mon 9/11/17</td>
<td>Mon 2/19/18</td>
<td>ETS</td>
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<tr>
<td>1117</td>
<td>Interim Assessment Registration, Test Content and Ancillaries</td>
<td>176 days</td>
<td>Mon 7/3/17</td>
<td>Mon 3/5/18</td>
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<tr>
<td>1118</td>
<td>Current Interim Assessments available</td>
<td>0 days</td>
<td>Mon 7/3/17</td>
<td>Mon 7/3/17</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>1119</td>
<td>Update enrollment/test administration information</td>
<td>50 days</td>
<td>Mon 9/25/17</td>
<td>Fri 12/1/17</td>
<td>ETS</td>
</tr>
<tr>
<td>1120</td>
<td>New enhanced test packages available from Smarter Balanced</td>
<td>0 days</td>
<td>Mon 2/5/18</td>
<td>Mon 2/5/18</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>1121</td>
<td>Process new test packages</td>
<td>20 days</td>
<td>Mon 2/5/18</td>
<td>Fri 3/2/18</td>
<td>AIR</td>
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<tr>
<td>1122</td>
<td>Updated Interim Comprehensive Assessment (summative clone) (ICA) launched</td>
<td>1 day</td>
<td>Mon 3/5/18</td>
<td>Mon 3/5/18</td>
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<td>1123</td>
<td>Updated Interim Assessment Blocks (IAB) launched</td>
<td>1 day</td>
<td>Mon 3/5/18</td>
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<td>1124</td>
<td>Configure Smarter Balanced System User Guide for CA</td>
<td>40 days</td>
<td>Mon 7/3/17</td>
<td>Fri 8/25/17</td>
<td>ETS, AIR</td>
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<td>1125</td>
<td>Configure Smarter Balanced Scoring Guide for CA</td>
<td>40 days</td>
<td>Mon 7/3/17</td>
<td>Fri 8/25/17</td>
<td>ETS, AIR</td>
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<td>1126</td>
<td>Configure Smarter Balanced System Infrastructure Guide for CA</td>
<td>40 days</td>
<td>Mon 7/3/17</td>
<td>Fri 8/25/17</td>
<td>ETS, AIR</td>
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<tr>
<td>1127</td>
<td>Configure Smarter Balanced System Training Workbook for CA</td>
<td>40 days</td>
<td>Mon 7/3/17</td>
<td>Fri 8/25/17</td>
<td>ETS, AIR</td>
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<tr>
<td>1128</td>
<td>Interim Assessment Reporting</td>
<td>101 days</td>
<td>Tue 2/6/18</td>
<td>Tue 6/26/18</td>
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<tr>
<td>1129</td>
<td>Deliver Interim Results to Smarter Balanced</td>
<td>101 days</td>
<td>Tue 2/6/18</td>
<td>Tue 6/26/18</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>1130</td>
<td>Summative Computer Based Assessments</td>
<td>176 days</td>
<td>Mon 11/13/17</td>
<td>Mon 7/16/18</td>
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<tr>
<td>1131</td>
<td>Summative content packages available for CAT</td>
<td>0 days</td>
<td>Mon 11/13/17</td>
<td>Mon 11/13/17</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>1132</td>
<td>Summative content packages available for PT</td>
<td>0 days</td>
<td>Fri 12/1/17</td>
<td>Fri 12/1/17</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>1133</td>
<td>Summative test packages available for CAT and PT</td>
<td>0 days</td>
<td>Fri 1/5/18</td>
<td>Fri 1/5/18</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>1134</td>
<td>Import and QC test packages</td>
<td>20 days</td>
<td>Fri 1/5/18</td>
<td>Thu 2/1/18</td>
<td>ETS</td>
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<td>1135</td>
<td>Update enrollment/test administration information</td>
<td>20 days</td>
<td>Tue 1/16/18</td>
<td>Mon 2/12/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1136</td>
<td>Administer summative assessments (Smarter Balanced ELA/Math, ELA/Mathematics Alternate)</td>
<td>90 days</td>
<td>Tue 3/13/18</td>
<td>Mon 7/16/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1137</td>
<td>Summative Braille and Large Print Paper/Pencil Testing</td>
<td>205 days</td>
<td>Tue 10/10/17</td>
<td>Mon 7/23/18</td>
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<tr>
<td>1138</td>
<td>Reprint CST/CMA/CAPA Science &amp; STS paper test</td>
<td>30 days</td>
<td>Tue 11/21/17</td>
<td>Mon 1/1/18</td>
<td>ETS</td>
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<tr>
<td>ID</td>
<td>Task Name</td>
<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>1139</td>
<td>Receive material orders</td>
<td>39 days</td>
<td>Tue 10/10/17</td>
<td>Fri 12/1/17</td>
<td>ETS</td>
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<tr>
<td>1140</td>
<td>Receive paper-based tests from Smarter Balanced</td>
<td>1 day</td>
<td>Tue 12/5/17</td>
<td>Tue 12/5/17</td>
<td>Smarter Balanced</td>
</tr>
<tr>
<td>1141</td>
<td>Add covers</td>
<td>10 days</td>
<td>Wed 12/6/17</td>
<td>Tue 12/19/17</td>
<td>ETS</td>
</tr>
<tr>
<td>1142</td>
<td>Produce braille and large print summative operational paper tests</td>
<td>30 days</td>
<td>Wed 12/20/17</td>
<td>Tue 1/30/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1143</td>
<td>Distribute braille and large print paper tests as needed</td>
<td>88 days</td>
<td>Wed 2/14/18</td>
<td>Fri 6/15/18</td>
<td>ETS</td>
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<tr>
<td>1144</td>
<td>Receive braille and large print paper tests</td>
<td>75 days</td>
<td>Tue 3/20/18</td>
<td>Mon 7/2/18</td>
<td>ETS</td>
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<tr>
<td>1145</td>
<td>Scan braille and large print paper tests</td>
<td>76 days</td>
<td>Tue 3/20/18</td>
<td>Tue 7/3/18</td>
<td>ETS</td>
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<tr>
<td>1146</td>
<td>Conduct resolutions on paper tests</td>
<td>90 days</td>
<td>Tue 3/20/18</td>
<td>Mon 7/23/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1147</td>
<td>Scoring</td>
<td>121 days</td>
<td>Tue 3/27/18</td>
<td>Tue 9/11/18</td>
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<tr>
<td>1148</td>
<td>Summative Computer Based Assessments</td>
<td>90 days</td>
<td>Tue 3/27/18</td>
<td>Mon 7/30/18</td>
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<tr>
<td>1149</td>
<td>Hand and AI scoring occurs</td>
<td>90 days</td>
<td>Tue 3/27/18</td>
<td>Mon 7/30/18</td>
<td>ETS, MI</td>
</tr>
<tr>
<td>1150</td>
<td>Perform scoring QC</td>
<td>90 days</td>
<td>Tue 3/27/18</td>
<td>Mon 7/30/18</td>
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<tr>
<td>1151</td>
<td>Final scoring occurs</td>
<td>90 days</td>
<td>Tue 3/27/18</td>
<td>Mon 7/30/18</td>
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<tr>
<td>1152</td>
<td>Psychometric Analysis</td>
<td>38 days</td>
<td>Tue 5/22/18</td>
<td>Thu 7/12/18</td>
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<tr>
<td>1153</td>
<td>Conduct Item Analysis of CAASPP Summative assessments</td>
<td>16 days</td>
<td>Tue 5/22/18</td>
<td>Tue 6/12/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1154</td>
<td>Item Analysis Files delivered to CDE</td>
<td>1 day</td>
<td>Wed 6/13/18</td>
<td>Wed 6/13/18</td>
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<tr>
<td>1155</td>
<td>Facilitate Alternate Assessment Data Review meeting</td>
<td>1 day</td>
<td>Thu 7/12/18</td>
<td>Thu 7/12/18</td>
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<tr>
<td>1156</td>
<td>Standard Setting for Primary Language</td>
<td>5 days</td>
<td>Wed 9/5/18</td>
<td>Tue 9/11/18</td>
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<tr>
<td>1157</td>
<td>Conduct Primary Language Standard Setting</td>
<td>5 days</td>
<td>Wed 9/5/18</td>
<td>Tue 9/11/18</td>
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<tr>
<td>1158</td>
<td>Reporting</td>
<td>324 days</td>
<td>Mon 9/4/17</td>
<td>Thu 11/29/18</td>
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<tr>
<td>1159</td>
<td>Summative Assessment</td>
<td>266 days</td>
<td>Mon 9/4/17</td>
<td>Mon 9/10/18</td>
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<tr>
<td>1160</td>
<td>Delivery of Data Files to CDE and Smarter Balanced</td>
<td>117 days</td>
<td>Tue 3/27/18</td>
<td>Wed 9/5/18</td>
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<tr>
<td>1161</td>
<td>Prepare student data files</td>
<td>90 days</td>
<td>Tue 3/27/18</td>
<td>Mon 7/30/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1162</td>
<td>Post initial student data files to SFTP site for CDE and Smarter Balanced Data Warehouse</td>
<td>1 day</td>
<td>Tue 7/31/18</td>
<td>Tue 7/31/18</td>
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<td>1163</td>
<td>Post final data files to SFTP site for CDE and Smarter Balanced Data Warehouse</td>
<td>1 day</td>
<td>Wed 9/5/18</td>
<td>Wed 9/5/18</td>
<td></td>
</tr>
<tr>
<td>1164</td>
<td>Online Reporting Systems</td>
<td>226 days</td>
<td>Mon 9/4/17</td>
<td>Mon 7/16/18</td>
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<tr>
<td>1165</td>
<td>Online Reporting Systems Setup</td>
<td>37 days</td>
<td>Mon 9/4/17</td>
<td>Tue 10/24/17</td>
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<tr>
<td>1166</td>
<td>Gather specifications for AIR online reporting</td>
<td>5 days</td>
<td>Mon 9/4/17</td>
<td>Fri 9/8/17</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>1167</td>
<td>CDE reviews online reporting system specifications</td>
<td>10 days</td>
<td>Mon 9/11/17</td>
<td>Fri 9/22/17</td>
<td>CDE</td>
</tr>
<tr>
<td>1168</td>
<td>Configure online reporting systems</td>
<td>20 days</td>
<td>Mon 9/25/17</td>
<td>Fri 10/20/17</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>1169</td>
<td>Demonstrate online reporting systems to CDE</td>
<td>1 day</td>
<td>Mon 10/23/17</td>
<td>Mon 10/23/17</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>1170</td>
<td>Deploy online reporting system</td>
<td>1 day</td>
<td>Tue 10/24/17</td>
<td>Tue 10/24/17</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>1171</td>
<td>Student Level Reporting</td>
<td>129 days</td>
<td>Wed 1/17/18</td>
<td>Mon 7/16/18</td>
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<tr>
<td>1172</td>
<td>Provide final individual scores within 4 weeks of student online test completion</td>
<td>90 days</td>
<td>Tue 3/13/18</td>
<td>Mon 7/16/18</td>
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<tr>
<td>1173</td>
<td>Launch ISR availability within online reporting system</td>
<td>1 day</td>
<td>Wed 1/17/18</td>
<td>Wed 1/17/18</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>1174</td>
<td>School Level Reporting</td>
<td>1 day</td>
<td>Thu 4/12/18</td>
<td>Thu 4/12/18</td>
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<tr>
<td>1175</td>
<td>Launch school level reporting functionality</td>
<td>1 day</td>
<td>Thu 4/12/18</td>
<td>Thu 4/12/18</td>
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<tr>
<td>1176</td>
<td>LEA Level Reporting</td>
<td>1 day</td>
<td>Fri 4/27/18</td>
<td>Fri 4/27/18</td>
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<tr>
<td>ID</td>
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<td>Duration</td>
<td>Start</td>
<td>Finish</td>
<td>Resource Names</td>
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<tr>
<td>1177</td>
<td>Launch LEA level reporting functionality</td>
<td>1 day</td>
<td>Fri 4/27/18</td>
<td>Fri 4/27/18</td>
<td>ETS, AIR</td>
</tr>
<tr>
<td>1178</td>
<td>State Level Reporting</td>
<td>188 days</td>
<td>Mon 10/23/17</td>
<td>Wed 7/11/18</td>
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<tr>
<td>1179</td>
<td>State Aggregate Reporting Web site</td>
<td>188 days</td>
<td>Mon 10/23/17</td>
<td>Wed 7/11/18</td>
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<tr>
<td>1180</td>
<td>Develop business requirements</td>
<td>45 days</td>
<td>Mon 10/23/17</td>
<td>Fri 12/22/17</td>
<td>ETS</td>
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<tr>
<td>1181</td>
<td>CDE provides text for site</td>
<td>1 day</td>
<td>Mon 3/19/18</td>
<td>Mon 3/19/18</td>
<td>CDE</td>
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<tr>
<td>1182</td>
<td>Construct Web reporting site</td>
<td>30 days</td>
<td>Tue 3/20/18</td>
<td>Mon 4/30/18</td>
<td>ETS</td>
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<tr>
<td>1183</td>
<td>CDE UAT of Web reporting site</td>
<td>10 days</td>
<td>Tue 5/1/18</td>
<td>Mon 5/14/18</td>
<td>CDE</td>
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<tr>
<td>1184</td>
<td>CDE provides feedback on changes needed</td>
<td>10 days</td>
<td>Tue 5/15/18</td>
<td>Mon 5/28/18</td>
<td>CDE</td>
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<tr>
<td>1185</td>
<td>Apply changes</td>
<td>5 days</td>
<td>Tue 5/29/19</td>
<td>Mon 6/4/18</td>
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<tr>
<td>1186</td>
<td>CDE 2nd UAT</td>
<td>5 days</td>
<td>Tue 6/5/18</td>
<td>Mon 6/11/18</td>
<td>CDE</td>
</tr>
<tr>
<td>1187</td>
<td>Finalize site with CDE updates</td>
<td>5 days</td>
<td>Tue 6/12/18</td>
<td>Mon 6/18/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1188</td>
<td>Deploy state-level reporting Web site</td>
<td>1 day</td>
<td>Wed 7/11/18</td>
<td>Wed 7/11/18</td>
<td>ETS</td>
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<tr>
<td>1189</td>
<td>Individual Student Report</td>
<td>201 days</td>
<td>Mon 10/23/17</td>
<td>Mon 7/30/18</td>
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<tr>
<td>1190</td>
<td>Develop individual student report</td>
<td>40 days</td>
<td>Mon 10/23/17</td>
<td>Fri 12/15/17</td>
<td>ETS</td>
</tr>
<tr>
<td>1191</td>
<td>CDE reviews individual student report</td>
<td>10 days</td>
<td>Mon 12/18/17</td>
<td>Fri 12/29/17</td>
<td>CDE</td>
</tr>
<tr>
<td>1192</td>
<td>Update individual student report</td>
<td>3 days</td>
<td>Mon 1/1/18</td>
<td>Wed 1/3/18</td>
<td>ETS</td>
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<tr>
<td>1193</td>
<td>CDE 2nd review of individual student report</td>
<td>5 days</td>
<td>Thu 1/4/18</td>
<td>Wed 1/10/18</td>
<td>ETS</td>
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<tr>
<td>1194</td>
<td>Apply updates &amp; submit to CDE for approval</td>
<td>3 days</td>
<td>Thu 1/11/18</td>
<td>Mon 1/15/18</td>
<td>ETS</td>
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<tr>
<td>1195</td>
<td>Provide electronic student roster reports to LEAs</td>
<td>20 days</td>
<td>Tue 7/3/18</td>
<td>Mon 7/30/18</td>
<td>ETS</td>
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<tr>
<td>1196</td>
<td>Print and ship Individual Student Reports (ISR) to LEAs</td>
<td>20 days</td>
<td>Tue 7/3/18</td>
<td>Mon 7/30/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1197</td>
<td>Rescore Process</td>
<td>120 days</td>
<td>Tue 3/27/18</td>
<td>Mon 9/10/18</td>
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<tr>
<td>1198</td>
<td>LEAs request rescores</td>
<td>90 days</td>
<td>Tue 3/27/18</td>
<td>Mon 7/30/18</td>
<td>LEAs</td>
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<td>1199</td>
<td>Provide rescore results</td>
<td>90 days</td>
<td>Tue 5/8/18</td>
<td>Mon 9/10/18</td>
<td>ETS</td>
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<td>1200</td>
<td>Invoicing for rescores occurs</td>
<td>10 days</td>
<td>Tue 5/15/18</td>
<td>Mon 5/28/18</td>
<td>ETS</td>
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<td>1201</td>
<td>Interpretive Guides</td>
<td>31 days</td>
<td>Mon 3/12/18</td>
<td>Mon 4/23/18</td>
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<td>1202</td>
<td>Produce interpretive guides</td>
<td>30 days</td>
<td>Mon 3/12/18</td>
<td>Fri 4/20/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1203</td>
<td>Post interpretive guides</td>
<td>1 day</td>
<td>Mon 4/23/18</td>
<td>Mon 4/23/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1204</td>
<td>Technical Report</td>
<td>61 days</td>
<td>Thu 9/6/18</td>
<td>Thu 11/29/18</td>
<td></td>
</tr>
<tr>
<td>1205</td>
<td>Develop Technical Report</td>
<td>40 days</td>
<td>Thu 9/6/18</td>
<td>Wed 10/31/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1206</td>
<td>CDE reviews Technical Report and returns edits to ETS</td>
<td>10 days</td>
<td>Thu 11/1/18</td>
<td>Wed 11/14/18</td>
<td>CDE</td>
</tr>
<tr>
<td>1207</td>
<td>ETS applies edits and delivers final Technical Report to CDE</td>
<td>3 days</td>
<td>Thu 11/15/18</td>
<td>Mon 11/19/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1208</td>
<td>CDE 2nd review of Technical Report</td>
<td>5 days</td>
<td>Tue 11/20/18</td>
<td>Mon 11/26/18</td>
<td>CDE</td>
</tr>
<tr>
<td>1209</td>
<td>Apply updates and deliver Technical Report to CDE for approval</td>
<td>3 days</td>
<td>Tue 11/27/18</td>
<td>Thu 11/29/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1210</td>
<td>Operational Test Administration Complete</td>
<td>0 days</td>
<td>Thu 11/29/18</td>
<td>Thu 11/29/18</td>
<td></td>
</tr>
<tr>
<td>1211</td>
<td>Transition contract to new testing vendor</td>
<td>20 days</td>
<td>Mon 12/3/18</td>
<td>Fri 12/28/18</td>
<td>ETS</td>
</tr>
<tr>
<td>1212</td>
<td>Contract Complete</td>
<td>0 days</td>
<td>Mon 12/31/18</td>
<td>Mon 12/31/18</td>
<td></td>
</tr>
</tbody>
</table>
Appendix B—Reporting Expectations for Special Studies and Research Projects

Special studies and research conducted by ETS must adhere to the American Educational Research Association (AERA) Guidelines for Reporting on Empirical Social Science Research (2006). The following requirements are adapted from the guidelines and represent the basic expectations of the department for reporting results of special studies and research projects contracted for by the CDE.

Overall, reports on special studies and research projects must be:

1. Warranted; that is, adequate evidence should be provided to justify the results and conclusions.

2. Transparent; that is, reporting should make explicit the logic of inquiry and activities that led from the development of the initial interest, topic, problem, or research question; through the definition, collection, and analysis of data or empirical evidence; to the articulated outcomes of the study.

All reports on empirical research submitted to the CDE should include:

A. A problem formulation that provides a clear statement of the purpose and scope of the study. It should describe the question, problem, or issue the study addresses, situate it in context, and describe the approach taken to addressing it.

B. A review of the relevant scholarship that bears directly on the topic of the report. It should include a clear statement of the criteria used to identify and select the relevant scholarship in which the study is grounded. The rationale for the conceptual, methodological, or theoretical orientation of the study should be described and explained with relevant citations to what others have written.

C. A specific and unambiguous description of the design — the way the sources of evidence for data collection or data identification activities selected for and organized in the investigation. Significant developments or alterations in the research questions or design should be described and a rationale for the changes presented.

D. A complete description of the data or empirical materials that were collected, the methods used to collect the data, and the source(s) of the data or materials collected. The means of selection of the sites, groups, participants, events, or other units of study should be described.

E. A complete description of measurement instruments used or classification systems developed to analyze the data. The description must include evidence of the meaningfulness and appropriateness of the measure or classification system for capturing important characteristics of the groups or individuals being studied. With qualitative methods in particular, classification is integral to the data analysis process.

F. The procedures used for analysis should be precisely and transparently described from the beginning of the study through presentation of the outcomes. Descriptive and
inferential statistics should be provided for each of the statistical analyses essential to
the interpretation of the results. Any considerations that arose in data collection or
identified during data analysis and processing that might compromise the validity of the
statistical analysis or inferences should be reported.

1. For qualitative studies, the procedures used for analysis should be precisely and
transparently described from the beginning of the study through presentation of
the outcomes. Analytic techniques should be described in sufficient detail to
permit understanding of how the data were analyzed and the processes and
assumptions underlying specific techniques. Analysis and interpretation should
include information about any intended or unintended circumstances that may
have significant implications for interpretation of the outcomes, limit their
applicability, or compromise their validity. If coding processes are used, the
description should include, as relevant, information on the backgrounds and
training of the coders; inter-coder reliability or outcomes of reviews by other
analysts; and, where relevant, indications of the extent to which those studied
(participants) agree with the classifications.

2. For quantitative studies, reporting should clearly state what statistical analyses
were conducted and the appropriateness of the statistical tests, linking them to
the logic of design and any claims or interpretations based on them. For each of
the statistical results that is critical to the logic of the design and analysis, there
should be included an indication of the uncertainty of the results such as a
standard error or a confidence interval. When hypothesis testing is used, the test
statistic and its associated significance level should be presented along with a
qualitative interpretation of the meaningfulness of the results in terms of the
questions the study was intended to answer.

G. A presentation of conclusions and recommendations that (a) provide a statement of how
claims and interpretations address the research problem, question, or issue underlying
the research; (b) show how the conclusions connect to, support, elaborate, or challenge
conclusions in earlier scholarship; and (c) emphasize the theoretical, practical, or
methodological implications of the study.
Appendix C—Minimum System Requirements

The following table is included in this appendix for reference. ETS will work with the CDE, the IV&V consultant, the IPOC, and other stakeholders to determine the final minimum system requirements for each administration.

For the 2017–18 STS online administration, ETS understands that Smarter Balanced is expected to develop, manage, and operate the Smarter Balanced open-source components that are feasible and approved by the CDE. Once the open source components are determined, ETS will document the minimum system requirements in the same format as Table 26 specific to the 2017–18 STS project.

Table 26. Minimum System Requirements

<table>
<thead>
<tr>
<th>#</th>
<th>Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARC-01.01</td>
<td>Architecture</td>
<td>The contractor must provide a data dictionary that utilizes the CDE’s preferred variation for each data element collected or stored.</td>
</tr>
<tr>
<td>ARC-01.02</td>
<td>Architecture</td>
<td>The contractor must provide dataflow diagrams.</td>
</tr>
<tr>
<td>ARC-01.03</td>
<td>Architecture</td>
<td>The contractor must provide an Entity Relationship Diagram (ERD) in the format determined by the CDE.</td>
</tr>
<tr>
<td>ARC-01.04</td>
<td>Architecture</td>
<td>The contractor must provide a complete list of Test Delivery System configurations that differ from the open-source system default settings no later than December 31, 2017.</td>
</tr>
<tr>
<td>ARC-01.05</td>
<td>Architecture</td>
<td>The Assessment Delivery System must be scalable to accommodate new and modified consortium and California-specific assessments.</td>
</tr>
<tr>
<td>INT-02.00</td>
<td>Interface</td>
<td>The Assessment Delivery System must accept test packages (both Smarter Balanced and non-Smarter Balanced) in the Smarter Balanced test package format (see <a href="http://www.smarterapp.org">http://www.smarterapp.org</a>) and accurately deliver tests and applicable tools, supports, and accommodations to students with authenticity (inclusive of the adaptive algorithm), collect responses, score responses, and deliver scores to the Data Warehouse.</td>
</tr>
<tr>
<td>INT-02.01</td>
<td>Interface</td>
<td>The Assessment Delivery System must successfully and completely process a daily electronic student registration information file, containing up to 6.5 million records, by 6 a.m. PT of the same day of the file availability. The CDE will make the student registration information file available by 2 a.m. PT, Monday through Friday. All current student registration information must be available within the Assessment Delivery System immediately after processing of the student registration information file.</td>
</tr>
<tr>
<td>INT-02.02</td>
<td>Interface</td>
<td>The Assessment Delivery System must successfully identify and process all student information changes (e.g., new, modified, deleted) contained in CALPADS electronic student registration information file.</td>
</tr>
<tr>
<td>INT-02.03</td>
<td>Interface</td>
<td>The Assessment Delivery System must be able to complete the processing of electronic data student registration information files received from CALPADS without impacting any other nightly batch processing or maintenance windows.</td>
</tr>
<tr>
<td>INT-02.04</td>
<td>Interface</td>
<td>The Assessment Delivery System must generate and deliver to the CDE daily electronic student data files (final specifications will be determined during joint requirement sessions) for CALPADS in a location designated by the CDE.</td>
</tr>
<tr>
<td>#</td>
<td>Type</td>
<td>Requirement</td>
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</tr>
<tr>
<td>INT-02.05</td>
<td>Interface</td>
<td>The Assessment Delivery System must accept and process daily (Monday through Friday) Student Access Data Files from LEAs that specify accessibility tools, supports, and accommodations that the student must be provided during summative and/or interim testing, the specifications of which are to be derived during the joint requirement sessions.</td>
</tr>
<tr>
<td>INT-02.06</td>
<td>Interface</td>
<td>The Assessment Delivery System must provide students with access to the accessibility tools, supports, and accommodations specified in the Student Access Data File within 24 hours of the contractor receiving the data file from the LEA.</td>
</tr>
<tr>
<td>INT-02.07</td>
<td>Interface</td>
<td>The Assessment Delivery System must be able to accommodate annual changes to the Student Access Data File to coincide with the use of new tools, supports, and accommodations as they become available.</td>
</tr>
<tr>
<td>INT-02.08</td>
<td>Interface</td>
<td>The contractor must provide a document describing the solution's application programming interfaces and Web services.</td>
</tr>
<tr>
<td>INT-02.09</td>
<td>Interface</td>
<td>The Assessment Delivery System must be able to deliver assessments using the minimum technology standards (e.g., network connections, student devices, operating systems) established (and annually updated) by the Smarter Balanced Consortium in the Technology Strategy Framework and Testing Device Requirements.</td>
</tr>
<tr>
<td>INT-02.10</td>
<td>Interface</td>
<td>The Assessment Delivery System must not require the use of any additional software beyond the Secure Browser (e.g., use HTML5 and Javascript as the means to render items and submit responses).</td>
</tr>
<tr>
<td>INT-02.11</td>
<td>Interface</td>
<td>The Assessment Delivery System must support the use of all Smarter Balanced embedded accessibility supports (see Smarter Balanced Assessment Consortium: Usability, Accessibility, and Accommodations Guidelines for description of the Smarter Balanced supports).</td>
</tr>
<tr>
<td>INT-02.12</td>
<td>Interface</td>
<td>The Assessment Delivery System must use either the Smarter Balanced Assessment Item Packaging Format as described in the Smarter Balanced Assessment Item Format Specification or, if available, another format consistent with the Smarter Balanced Assessment Item Packaging Format.</td>
</tr>
<tr>
<td>INT-02.13</td>
<td>Interface</td>
<td>The Assessment Delivery System must support the scoring of selected-response and constructed-response items using machine scoring, hand scoring, and artificial intelligence (artificial intelligence applicable only if the contractor is using artificial intelligence scoring).</td>
</tr>
<tr>
<td>INT-02.14</td>
<td>Interface</td>
<td>The contractor must download the electronic data student registration information file, extracted from CALPADS by the CDE, once a day Monday through Friday, from a CDE-designated location.</td>
</tr>
<tr>
<td>INT-02.15</td>
<td>Interface</td>
<td>The Assessment Delivery System must successfully and completely process a daily electronic school and associated LEA information file by 6 a.m. Pacific Standard Time (PT) of the same day of the file availability. The school and associated LEA information file will be extracted from CALPADS and made available by 2 a.m. PT the same day.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>#</th>
<th>Type</th>
<th>Requirement</th>
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</table>
| SEC-3.00 | Security    | The contractor must provide security policy and governance, including:  
• information security program policies;  
• information security governance;  
• use of human-resource policy and practice security controls related to employees and contractors with potential access to sensitive information;  
• physical security of facilities hosting sensitive information resources;  
• organization’s security audit policy and practice including internal audits, independent audits, the audit scope, the audit frequency, and the exposure/reporting of audit results;  
• contractor’s system administrator roles and access levels and related controls. |
| SEC-03.01 | Security    | The Assessment Delivery System must provide hosted and delivered system access control features consistent with RFS Tables 3.3.2 and 3.3.3 that describe required user roles and permissions, including:  
• system-level access controls;  
• feature/function access controls;  
• information/data access controls;  
• system’s incorporation of role based, group-based, and specific user-based access controls. |
<p>| SEC-03.02 | Security    | The Assessment Delivery System must provide authentication of users using industry-standard user authentication methods. Access control features will restrict access to information that is outside the responsibility of the assigned user role when the user has numerous, different roles. |
| SEC-03.03 | Security    | The Assessment Delivery System must provide the ability to set and enforce password strength and reset policies.                                                                                          |
| SEC-03.04 | Security    | The Assessment Delivery System, including secondary storage, must implement strong encryption (in transit and at rest) consistent with encryption guidelines published by the National Institute of Standards and Technology (NIST), an equivalent, or better, to protect confidential information handled by the system. This information includes student registration information, student identifiable results information, test items, and other information as identified by applicable Federal, State of California, and CDE laws, regulations, or policies. Whenever feasible, cryptographic modules shall be validated to the Federal Information Processing Standard (FIPS) 140-2. In rare instances where encryption cannot be implemented, compensating control(s) or alternatives to encryption must be in place. Compensating controls and alternatives to encryption must be reviewed on a case-by-case basis and approved in writing by the state entity ISO, after a thorough risk analysis. |
| SEC-03.05 | Security    | The Assessment Delivery System must purge, dispose, and/or archive sensitive information securely.                                                                                                          |
| SEC-03.06 | Security    | The Assessment Delivery System must employ integrity, controls such as source authentication, checksums, and message authentication methods to ensure that the secure information, such as student information, test content, answers, and scores, are unaltered and reliable. |
| SEC-03.07 | Security    | The Assessment Delivery System must provide availability controls, such as protections against denial of service attacks.                                                                               |
| SEC-03.08 | Security    | The Assessment Delivery System must provide logging and audit controls available in the system to identify all user and system access of all data and functions and make the information available to the CDE Information Security Officer (ISO) on demand. |</p>
<table>
<thead>
<tr>
<th>#</th>
<th>Type</th>
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</thead>
<tbody>
<tr>
<td>SEC-03.10</td>
<td>Security</td>
<td>The contractor shall provide storage administration that includes the strict control and accessibility of all storage media.</td>
</tr>
<tr>
<td>SEC-03.11</td>
<td>Security</td>
<td>The contractor must ensure that all storage media is inventoried on an annual basis, or sooner as dictated by the CDE, regulatory, or other contractual agreements.</td>
</tr>
<tr>
<td>SEC-03.12</td>
<td>Security</td>
<td>The contractor must ensure all portable storage devices, including backup tapes, are encrypted using a FIPS 140-2 validated solution. (SAM 5350.1)</td>
</tr>
<tr>
<td>SEC-03.15</td>
<td>Security</td>
<td>The contractor must ensure physical media containing PII is maintained in a secure environment prior to its transfer offsite.</td>
</tr>
<tr>
<td>SEC-03.16</td>
<td>Security</td>
<td>The contractor must ensure physical media containing PII is monitored during the internal shipping process and must never be left unattended before handoff to the shipper.</td>
</tr>
<tr>
<td>SEC-03.17</td>
<td>Security</td>
<td>The contractor must ensure that physical media containing PII is shipped in locked containers with no special markings or other indications of the sensitive nature of the contents.</td>
</tr>
<tr>
<td>SEC-03.18</td>
<td>Security</td>
<td>The contractor must ensure shipping procedures include a positive acknowledgement of receipt of encrypted backup files at the destination.</td>
</tr>
<tr>
<td>SEC-03.19</td>
<td>Security</td>
<td>If a Cloud Service Provider is used as part of the Assessment Delivery System, the cloud system must be listed as a FedRAMP Compliant Cloud System (see <a href="http://cloud.cio.gov/fedramp/cloud-systems">http://cloud.cio.gov/fedramp/cloud-systems</a>).</td>
</tr>
<tr>
<td>SEC-03.20</td>
<td>Security</td>
<td>The contractor must ensure data remains within the continental United States.</td>
</tr>
<tr>
<td>SEC-03.21</td>
<td>Security</td>
<td>If a Cloud Service Provider is used as part of the Assessment Delivery System, the data maintained by the Cloud Service Provider shall be encrypted with a FIPS 140-2 validated solution and the Contractor shall ensure that the CDE maintains possession of the encryption key.</td>
</tr>
<tr>
<td>SEC-03.22</td>
<td>Security</td>
<td>The contractor must ensure that data will not be converted into a proprietary format which will render the data non-portable.</td>
</tr>
<tr>
<td>SEC-03.23</td>
<td>Security</td>
<td>The contractor must deploy a secure browser (that supports Operating Systems as dictated by Smarter Balanced) annually in order to create a secure interface for students to access only the CAASPP summative tests without any other online-enabled utility (i.e., students may only access the exam). Refer to the Secure Browser Requirements and Specifications at <a href="http://www.smarterapp.org/specs/SecureBrowserSpecification.html">http://www.smarterapp.org/specs/SecureBrowserSpecification.html</a>.</td>
</tr>
<tr>
<td>SDP-04.00</td>
<td>System Development Process</td>
<td>The Assessment Delivery System must provide real-time progress reporting to LEA CAASPP coordinators, site coordinators, and the CDE pertaining to aggregate test administration information by LEA, school, course/grade, or content area consistent with the roles and permissions established during joint requirement sessions. The specifications of the progress reporting are to be finalized during joint requirement sessions but may include such information as number of tests scheduled (by date or session and test type), number of tests being administered, number of tests completed, and the number of scoreable tests completed.</td>
</tr>
<tr>
<td>#</td>
<td>Type</td>
<td>Requirement</td>
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</tbody>
</table>
| SDP-04.01 | System Development Process | The contractor must have an established, repeatable Unit/Functional testing process for which evidence can be given if requested. The contractor must develop System/Functional, Integration, and User Acceptance Test Plans that describe, at a minimum:  
  • Roles and responsibilities  
  • Scope  
  • System test phases and schedule  
  • System test approach, methodology, and tools  
  • System test entry and exit criteria  
  • System test pass/fail criteria  
  • System test data and metrics  
  • System test reporting  
  • System test scenarios, cases, and scripts  
  • System test defect management processes and procedures |
<p>| SDP-04.02 | System Development Process | The contractor must provide system test environment(s) for each system test phase, including System/Functional, Integration, and User acceptance. |
| SDP-04.03 | System Development Process | The contractor must provide functional testing, including test environment(s), test data, and test to requirements/feature coverage. |
| SDP-04.04 | System Development Process | The Assessment Delivery System must have the ability to limit interim assessment usage (i.e., restrict interim usage) within one hour of receiving the direction from the CDE to do so. |
| SDP-04.05 | System Development Process | The Assessment Delivery System must create unique test session IDs that ensure secure test administration. |
| SDP-04.06 | System Development Process | The Assessment Delivery System must allow for functionality to process approved appeals (i.e., test reset, invalidation, reopen, and restore). |
| SDP-04.07 | System Development Process | The Assessment Delivery System must allow all students to review their answers for certain sections or sets of questions before moving on to the next section or completing the exam. |
| SDP-04.08 | System Development Process | The Assessment Delivery System must have controls to prevent a student from prematurely exiting an assessment or from being inadvertently exited from an assessment. |
| SDP-04.09 | System Development Process | The Assessment Delivery System must default to human voice when both human and machine voice options are available as a feature of accessibility supports, tools, or accommodations. |
| SDP-04.10 | System Development Process | The Assessment Delivery System must save student responses to selected-response items (both linked to common stimuli and not) upon selection by the student. |
| SDP-04.11 | System Development Process | The Assessment Delivery System must save student responses to constructed-response items and technology-enhanced (e.g., drag/drop, graphing) items. |
| SDP-04.12 | System Development Process | The Assessment Delivery System must allow test administrators to start, stop, pause, and resume a test session. |</p>
<table>
<thead>
<tr>
<th>#</th>
<th>Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDP-04.13</td>
<td>System Development Process</td>
<td>For the Smarter Balanced Interim Assessments only, the Assessment Delivery System must allow test administrators to specify a limited set (number) of questions for testing.</td>
</tr>
<tr>
<td>SDP-04.14</td>
<td>System Development Process</td>
<td>The Assessment Delivery System must allow test administrators to monitor student progress during testing, which includes but is not limited to having the ability to determine which item a student is currently working on without showing the item or student response.</td>
</tr>
<tr>
<td>SDP-04.15</td>
<td>System Development Process</td>
<td>The Assessment Delivery System must provide a user interface (accessible to user roles consistent with those established during joint requirement sessions) to activate and deactivate accessibility tools, supports, and accommodations. The activations/deactivations made via the user interface must be made prior to a student taking a test and must be immediately available to the student once he or she begins testing.</td>
</tr>
<tr>
<td>SDP-04.16</td>
<td>System Development Process</td>
<td>The Assessment Delivery System must retain previously saved student responses when a test is paused or restarted.</td>
</tr>
<tr>
<td>SDP-04.17</td>
<td>System Development Process</td>
<td>The Assessment Delivery System must save student responses and end a test session when there is no activity on the test for a specified period established during joint requirement sessions.</td>
</tr>
<tr>
<td>SDP-04.18</td>
<td>System Development Process</td>
<td>For the Smarter Balanced interim assessment only, the Assessment Delivery System must allow for out-of-level testing (i.e., administration of tests that are not consistent with the student's enrolled grade).</td>
</tr>
<tr>
<td>SDP-04.19</td>
<td>System Development Process</td>
<td>For the Smarter Balanced interim assessment only, the Assessment Delivery System must allow an unlimited number of interim tests to be administered to any one student.</td>
</tr>
</tbody>
</table>
| SIM-05.00 | System Implementation   | The contractor must develop a System Implementation Plan that describes how the Assessment Technology Platform will be deployed, installed, and transitioned into an operational system. The plan shall include, at a minimum:  
  • an overview of the hosting system;  
  • system implementation readiness assessment methodology and schedule;  
  • implementation schedule, including field tests and pilots;  
  • description of the major tasks involved in the implementation;  
  • overall resources needed to support the implementation effort, including hardware, software, facilities, materials, and personnel;  
  • security features associated with the system when it is implemented, including security during implementation;  
  • description of performance monitoring tools and techniques;  
  • any site-specific implementation requirements;  
  • description of process for validating the implementation was successful;  
  • description of system acceptance and sign-off process. |
<p>| UEP-06.00 | User Experience         | The Assessment Delivery System must conform to a consistent look and feel for each class of user for all components of the system, including Smarter Balanced and non-Smarter Balanced components. |
| UEP-06.01 | User Experience         | The Assessment Delivery System must display (on the workstation screen) the name of the student who is testing.                                 |
| UEP-06.02 | User Experience         | The Assessment Technology Platform must be presented as a cohesive, single system with a single sign-on and seamless navigation. The single sign-on may be achieved by using the Smarter Balanced single sign-on or, if available, the use of a California single sign-on that can integrate with the Smarter Balanced single sign-on. |</p>
<table>
<thead>
<tr>
<th>#</th>
<th>Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>UEP-06.03</td>
<td>User Experience</td>
<td>The Assessment Delivery System must adhere to industry best practice user interface standards and use industry best practice user interface controls in accordance with the supported end-user devices (e.g., W3C, Microsoft).</td>
</tr>
<tr>
<td>UEP-06.04</td>
<td>User Experience</td>
<td>The Assessment Delivery System must comply with all applicable accessibility standards set forth in California Government Code Section 11135 as well as policy set forth in the CDE Web Accessibility standards located at <a href="http://www.cde.ca.gov/re/dl/ws/webaccessstds.asp">http://www.cde.ca.gov/re/dl/ws/webaccessstds.asp</a>.</td>
</tr>
<tr>
<td>UEP-06.05</td>
<td>User Experience</td>
<td>The Assessment Delivery System must provide online, context-sensitive help for each class of user. The specific features requiring online help shall be identified during joint requirement sessions.</td>
</tr>
<tr>
<td>UEP-06.06</td>
<td>User Experience</td>
<td>The user interfaces (both administrators and students) of the Assessment Delivery System must be identical except for required deviations due to differences between Smarter Balanced and non-Smarter Balanced tests (e.g., skip item functionality would only be available on non-Smarter Balanced tests).</td>
</tr>
<tr>
<td>TAC-07.00</td>
<td>Technical Assistance Center</td>
<td>The contractor must provide Tier 1, 2, and 3 supports for technical issues as referenced in RFS Section 3.2.3.</td>
</tr>
<tr>
<td>TAC-07.01</td>
<td>Technical Assistance Center</td>
<td>The contractor must provide an escalation to Tier 2 and 3 support for unresolved Tier 1 issues consistent with RFS Section 3.2.3.</td>
</tr>
<tr>
<td>TAC-07.02</td>
<td>Technical Assistance Center</td>
<td>The contractor must provide a process for working with user-sponsored technical support organizations (i.e., LEA and the CDE information technology groups).</td>
</tr>
<tr>
<td>TAC-07.03</td>
<td>Technical Assistance Center</td>
<td>The contractor must provide system support ticket tracking, resolution, and reporting.</td>
</tr>
</tbody>
</table>
| SRM-08.00 | System Delivery Release Management | The contractor must provide a System Delivery Release Management Plan that includes, at a minimum:  
\- scope;  
\- roles and responsibilities;  
\- Release Management approach and methodology;  
\- processes and procedures for solution maintenance and upgrade as it relates to participation in, and implementation of, subsequent versions of the open-source Smarter Balanced code base, as well as proprietary modifications and independently developed components (only applicable if the Assessment Delivery System uses the Smarter Balanced open-source code);  
\- process and procedures for communications and coordination with internal and external partners;  
\- description of release artifacts, including release notes and reports;  
\- inputs to Release Management;  
\- description of release types, including maintenance and emergency releases;  
\- processes and procedures for performing scheduled and unscheduled releases;  
\- system outage management;  
\- processes and procedures for performing scheduled and unscheduled releases;  
\- release testing procedures, including regression and integration testing with CALPADS and other external partners;  
\- production readiness procedures;  
\- production deployment procedures;  
\- production validation procedures;  
\- processes and procedures for system delivery acceptance;  
\- release rollback/back-out procedures. |
<table>
<thead>
<tr>
<th>#</th>
<th>Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>SRM-08.01</td>
<td>System Delivery Release Management</td>
<td>The contractor must provide a process for scheduled and unscheduled releases.</td>
</tr>
<tr>
<td>SRM-08.02</td>
<td>System Delivery Release Management</td>
<td>The contractor must comply with the system delivery acceptance process as defined by the CDE for the initial, and each subsequent, system delivery release.</td>
</tr>
<tr>
<td>PER-09.00</td>
<td>Performance</td>
<td>The Assessment Delivery System must support the concurrent use by up to 500,000 users inclusive of student test takers and test administrators between the hours of 6 a.m. and 8 p.m. PT Monday through Friday.</td>
</tr>
<tr>
<td>PER-09.01</td>
<td>Performance</td>
<td>The Assessment Delivery System must provide an adequate number of concurrent Web sessions to support the number of concurrent users at any given time.</td>
</tr>
<tr>
<td>PER-09.02</td>
<td>Performance</td>
<td>The Assessment Delivery System must deliver 100% of the test questions with no more than five seconds of latency while serving a simulated peak concurrent user load as tested from a series of test devices connected to a test lab. Performance testing results will be provided to the CDE annually prior to the launch of testing in January. The performance testing results will provide details on the number of concurrent users tested and associated latency with test delivery as well as meeting all the requirements in Section 3.2.B.9.</td>
</tr>
</tbody>
</table>
| PER-09.03 | Performance | The contractor must conduct performance/load/stress testing that addresses, at a minimum, the following objectives:  
- To verify the reliability of the application under stress.  
- To determine application's behavior under extreme load conditions.  
- To discover application bugs that occurs only under high load conditions. These can include such things as synchronization issues, race conditions, and memory leaks.  
- To determine the application's robustness in terms of extreme load and help application administrators to determine if the application will perform sufficiently if the current load goes well above the expected maximum. |
<p>| PER-09.04 | Performance | The Assessment Delivery System must demonstrate performance and stress requirements compliance through rigorous performance testing prior to the opening of the summative testing window. |
| PER-09.05 | Performance | The contractor must provide a performance, load, and stress testing environment that utilizes the same code base as the production environment and is capable of simulating peak transaction and user loads as well as data creation/storage/transfer capacities. |
| PER-09.06 | Performance | The contractor must work with the CDE during joint requirement development sessions to define performance thresholds that include, but are not limited to, network utilization, component latency/processing time, screen refresh rates, test item delivery latency, and test answer submission latency. |</p>
<table>
<thead>
<tr>
<th>#</th>
<th>Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>PER-09.07</td>
<td>Performance</td>
<td>The contractor must conduct performance/load/stress testing that identifies, at a minimum:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• the hardware and/or the system’s configurations/communication bottlenecks and their causes;</td>
</tr>
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<td></td>
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<td>• application’s response times;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• application’s throughput;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• maximum concurrent users that application can bear in a system;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• resource (e.g., CPU, RAM, network I/O, and disk I/O) utilisations that application consumes during the test;</td>
</tr>
<tr>
<td></td>
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<td>• behavior of the system under various workload types including normal load and peak load;</td>
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<td>• at what parameter levels beyond the minimum the system performance degrades below acceptable performance thresholds;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• symptoms and causes of application failure under stress conditions;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• weak points in the application (e.g., an increase in the number of users, amount of data, or application activity might cause an increase in stress).</td>
</tr>
<tr>
<td>PER-09.08</td>
<td>Performance</td>
<td>The contractor must instrument and monitor the production hosted and delivered system to ensure the production implementation remains compliant with performance requirements and service level agreements.</td>
</tr>
<tr>
<td>PER-09.09</td>
<td>Performance</td>
<td>The contractor must develop a Performance/Load/Stress Test Plan that confirms that the Assessment Delivery System can handle the maximum thresholds as indicated in the minimum system requirements and will produce the results of the tests when requested.</td>
</tr>
<tr>
<td>PER-09.10</td>
<td>Performance</td>
<td>The contractor must provide a process for monitoring and reporting production system performance, the specifics of which will be determined through joint requirement sessions.</td>
</tr>
<tr>
<td>PER-09.11</td>
<td>Performance</td>
<td>The contractor must provide production system health reporting capabilities that include, but are not limited to, the ability for the CDE to monitor in real-time, or through reports, the number of test takers, number of in-progress tests (interim and summative counts), number of administrative users, and other technical system health and use parameters to be determined through joint requirement sessions.</td>
</tr>
<tr>
<td>PER-09.12</td>
<td>Performance</td>
<td>The contractor must obtain a network peering agreement (or functionally similar agreement) with the K12HSN to enable efficient routing of messages.</td>
</tr>
<tr>
<td>DRC-10.00</td>
<td>Disaster Recovery and Business Continuity</td>
<td>The Assessment Delivery System must maintain an availability rate of 99.9 percent during summative testing as defined by California Education Code, and availability rate of 99 percent outside of the summative testing window, exclusive of the California school holidays, planned system release outages, and approved maintenance windows. The availability rate will be calculated between the hours of 6 a.m. and 6 p.m. PT Monday through Friday.</td>
</tr>
<tr>
<td>DRC-10.01</td>
<td>Disaster Recovery and Business Continuity</td>
<td>The Assessment Delivery System must be at a Tier 3 data center. A Tier 3 data center is defined as a facility consisting of multiple active power and cooling distribution paths; however, only one path is active. Additionally, the facility has redundant components and is concurrently maintainable providing 99.982% availability.</td>
</tr>
<tr>
<td>DRC-10.02</td>
<td>Disaster Recovery and Business Continuity</td>
<td>The Assessment Delivery System must provide sufficient information on student progress or state of the application with sufficient detail necessary for system recovery, including saving the state of partially completed answers to multi-part items.</td>
</tr>
<tr>
<td>DRC-10.03</td>
<td>Disaster Recovery and Business Continuity</td>
<td>The Assessment Delivery System must have the ability to recover from end-user device failure while minimizing the loss of information, progress, and state.</td>
</tr>
<tr>
<td>#</td>
<td>Type</td>
<td>Requirement</td>
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<tr>
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</tr>
<tr>
<td>DRC-10.04</td>
<td>Disaster Recovery and Business Continuity</td>
<td>The Assessment Delivery System must have the ability to recover from network failure while minimizing the loss of information, progress, and state.</td>
</tr>
<tr>
<td>DRC-10.05</td>
<td>Disaster Recovery and Business Continuity</td>
<td>The Assessment Delivery System must have the ability to recover from a Web server/application server/database server failure while minimizing the loss of information, progress, and state.</td>
</tr>
<tr>
<td>DRC-10.06</td>
<td>Disaster Recovery and Business Continuity</td>
<td>The Assessment Delivery System must ensure the maintenance of test integrity during outage events that occur while test administration is in process.</td>
</tr>
<tr>
<td>DRC-10.07</td>
<td>Disaster Recovery and Business Continuity</td>
<td>The Assessment Delivery System must have robust data backup and recovery process and architecture that adhere to industry best practices.</td>
</tr>
</tbody>
</table>
| DRC-10.08 | Disaster Recovery and Business Continuity | The contractor must provide a Disaster Recovery and Business Continuity Plan that provides for the Assessment Delivery System to stay functional in a disastrous state. The plan must include, at a minimum:  
  • Scope  
  • Approach and methodology  
  • Roles and responsibilities  
  • Backup and restore strategies and policies for data, database, and code  
  • Business continuity planning activities  
  • Disaster recovery process, procedures, and timeframes  
  • Ongoing testing, updates, and maintenance of the plan |
| DRD-11.00 | Data Policy Retention and Destruction | The Assessment Delivery Component must securely store and transmit student-level data in accordance with the requirements of the SAM Section 5305.8 for highly sensitive data. Data must be accessed only by authorized personnel and securely destroyed after the termination of the contract. |
| DRD-11.01 | Data Policy Retention and Destruction | The contractor must adhere to the Department of Education Administrative Manual (DEAM), sections 10120, 10600, and 10601 with regards to data security, retention, and destruction. |
| DRD-11.02 | Data Policy Retention and Destruction | The contractor must adhere to EC 60607 and to the Family Educational Rights and Privacy Act (FERPA) of 1974 , Section 1232g in Part 4 of Title 20 of the Code of Federal Regulations (20 C.F.R. § 1232g) with regard to the access and destruction of PII information and/or confidential data. |
| MAO-12.00 | Maintenance and Operation | The contractor must develop a maintenance and operation plan that describes, at a minimum:  
  • process for system maintenance and upgrades (e.g., implementation of subsequent versions of the open-source Smarter Balanced code base; implementation of proprietary modifications and independently developed components);  
  • process for scheduled and unscheduled releases;  
  • process for release testing and coordination;  
  • release notes, communications, and coordination processes. |
Appendix D—Summary of Embedded Universal Tools, Designated Supports, and Accommodations Supported by the CAASPP 2015 Test Delivery System

The following table includes the full set of embedded universal tools, designated supports, and accommodations (see gray boxes) that the Assessment Delivery System (ADS) supports. ETS assumes that the Embedded Universal Tools, Designated Supports, and Accommodations will be reviewed and updated annually to be consistent with current best practices.

ETS will support the embedded tools, designated supports, and accommodations appropriate for each CAASPP assessment. ETS will provide all the accessibility supports listed in the latest testing regulations for each of the new CAASPP assessments (i.e., CAST, CAA for Science, and CSA) to support the approved test designs for each assessment. The current accessibility supports are listed on the CDE 2016–17 CA Student Assessment Accessibility Web page at http://www.cde.ca.gov/ta/tg/ca/accesssupportitems.asp. The latest version of the approved accessibilities and supports is available on the CDE CAASPP Web page (http://www.cde.ca.gov/ta/tg/ca/).
<table>
<thead>
<tr>
<th>Universal Tools</th>
<th>Designated Supports</th>
<th>Accommodations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Embedded Breaks</td>
<td>Color Contrast</td>
<td>American Sign Language</td>
</tr>
<tr>
<td>Calculator</td>
<td>Masking</td>
<td>Braille</td>
</tr>
<tr>
<td>Digital Notepad</td>
<td>Text-to-Speech</td>
<td>Closed Captioning</td>
</tr>
<tr>
<td>English Dictionary</td>
<td>Translated Test Directions</td>
<td>Streamline</td>
</tr>
<tr>
<td>English Glossary</td>
<td>Translations (Glossary)</td>
<td>Text-to-Speech</td>
</tr>
<tr>
<td>Expandable Passages</td>
<td>Turn off Any Universal Tools</td>
<td></td>
</tr>
<tr>
<td>Global Notes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highlighter</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Keyboard Navigation</td>
<td></td>
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<tr>
<td>Mark for Review</td>
<td></td>
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<tr>
<td>Mathematics Tools</td>
<td></td>
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</tr>
<tr>
<td>Spell Check</td>
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</tr>
<tr>
<td>Strikethrough</td>
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<tr>
<td>Writing Tools</td>
<td></td>
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<tr>
<td>Zoom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-embedded Breaks</td>
<td>Bilingual Dictionary</td>
<td>Abacus</td>
</tr>
<tr>
<td>English Dictionary</td>
<td>Color Contrast</td>
<td>Alternate Response Options</td>
</tr>
<tr>
<td>Scratch Paper</td>
<td>Color Overlay</td>
<td>Calculator</td>
</tr>
<tr>
<td>Thesaurus</td>
<td>Magnification</td>
<td>Multiplication Table</td>
</tr>
<tr>
<td></td>
<td>Read Aloud</td>
<td>Print on Demand</td>
</tr>
<tr>
<td></td>
<td>Noise Buffers</td>
<td>Read Aloud</td>
</tr>
<tr>
<td></td>
<td>Scribe</td>
<td>Scribe</td>
</tr>
<tr>
<td></td>
<td>Separate Setting</td>
<td>Speech-to-Text</td>
</tr>
<tr>
<td></td>
<td>Translated Test Directions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Translations (Stacked)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turn off Any Universal Tools</td>
<td></td>
</tr>
</tbody>
</table>

* Items shown are available for ELA and mathematics unless otherwise noted.

1. For calculator-allowed items only
2. For ELA performance task full-writes
3. Includes embedded ruler, embedded protractor
4. For ELA items
5. Includes bold, italic, underline, indent, cut, paste, spell check, bullets, undo/redo
6. For ELA items (not ELA reading passages) and mathematics items
7. For mathematics items
8. For mathematics items
9. For mathematics test
10. For ELA listening items and mathematics items
11. For ELA listening items
12. For ELA reading passages grades 6-8 and 11
13. For ELA performance task full-writes
14. For ELA performance task full-writes
15. For ELA performance task full-writes
16. For ELA non-writing items and mathematics items
17. For mathematics items
18. Includes adapted keyboards, large keyboards, StickyKeys, MouseKeys, FilterKeys, adapted mouse, touch screen, head wand, and switches
19. For calculator-allowed items only
20. For mathematics items beginning in grade 4
## Appendix E—Glossary of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Year</td>
<td>The administration year, in the context of this contract, refers to the period in which LEAs administer the CAASPP assessments. The statewide test administration period is August through July.</td>
</tr>
</tbody>
</table>
| AI scoring                  | Artificial intelligence scoring (also may be referred to as automated scoring)  
AI scoring uses a scoring engine (software) to evaluate responses to tasks that require test takers to write essays, fill in the blank, write mathematics equations, or give oral responses. See Task 8. |
| TDS                         | A Test Delivery System is used by students to take computer-based assessments.  
AIR TDS is a proprietary system owned by the American Institutes for Research (AIR), an ETS subcontractor, for CAASPP. Authorized users use the AIR TDS to set up and manage test sessions (exclusive of 2017–18 STS). Students use the TDS for CAASPP assessments. See Tasks 3 and 8. |
| ALD                         | Achievement level descriptors. See Task 6.                                                                                                    |
| Alternate Assessments       | See CAA.                                                                                                                                 |
| ART                         | Administration and Registration Tool  
ART is used for registering users in the Smarter Balanced Single Sign-On (SSO) system and students for test delivery. Authorized users use ART to access the Digital Library and the Interim Assessment student test results. See Task 2.8. |
<p>| CA NGSS                     | Next Generation Science Standards for California (CA NGSS)                                                                                  |</p>
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAAs</td>
<td>California Alternate Assessments (CAA)</td>
</tr>
<tr>
<td></td>
<td>Content areas assessed by CAA include English-Language Arts, mathematics, and science (beginning 2016–17). The CAAs are individually administered to students who have an individualized education program that indicates the use of an alternate assessment on statewide assessments. All eligible students are required to participate in these online assessments. The CAAs for ELA and mathematics in grades three through eight and grade 11. The CAAs for Science will be administered to eligible students in grades five and eight and high school (grades 10, 11, or 12). Formerly referred to as the Alternate Assessments. CAA for Science replaced CAPA for Science.</td>
</tr>
<tr>
<td>CALPADS</td>
<td>California Longitudinal Pupil Achievement Data System</td>
</tr>
<tr>
<td></td>
<td>A longitudinal data system owned and operated by CDE and used to maintain individual-level data including student demographics, course data, discipline, assessments, staff assignments, and other data for state and federal reporting. CALPADS is the database of record for the school and LEA organization and for student demographic data used in CAASPP. See Task 3. (Source: <a href="http://www.cde.ca.gov/ds/sp/cl/">http://www.cde.ca.gov/ds/sp/cl/</a>)</td>
</tr>
<tr>
<td>CalTAC</td>
<td>California Technical Assistance Center</td>
</tr>
<tr>
<td></td>
<td>CalTAC serves as the Tier 1 help desk for LEA Testing Coordinators. See Task 2.</td>
</tr>
<tr>
<td>CalTech</td>
<td>California Office of Technology</td>
</tr>
<tr>
<td>CAPA for Science</td>
<td>California Alternate Performance Assessment for Science</td>
</tr>
<tr>
<td></td>
<td>CAPA for Science was based on the previous California science content standards. The CAPA for Science is individually administered to students with severe cognitive disabilities who have an individualized education program that indicates the use of an alternate assessment on statewide assessments. All eligible students in grades five, eight, and 10 are required to participate in these online assessments. The last administration of these assessments will be the 2015-16 administration.</td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
</tr>
<tr>
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</tr>
<tr>
<td>CAST</td>
<td>California Science Tests</td>
</tr>
<tr>
<td></td>
<td>Based on the Next Generation Science Standards for California (CA NGSS), these tests are administered online to all students in grades five and eight and high school (grades 10, 11, or 12). Formerly referred to as the CA NGSS assessments.</td>
</tr>
<tr>
<td>CAT</td>
<td>Computer adaptive test</td>
</tr>
<tr>
<td></td>
<td>The computer adaptive testing engine uses a student’s answers to find the appropriate level of difficulty for the student to answer subsequent questions. For every claim assessed on the test, questions are available that are very easy, easy, medium, hard, and very hard. Students who are able to correctly answer more difficult questions move up the difficulty scale more quickly. Students who answer incorrectly are given easier questions and move down the difficulty scale to accommodate their learning. Strong foundational skills make a critical difference in building student confidence to answer challenging questions. (Source: <a href="http://www.cde.ca.gov/ta/tg/ca/sbteacherguides.asp">http://www.cde.ca.gov/ta/tg/ca/sbteacherguides.asp</a>)</td>
</tr>
<tr>
<td>CBT</td>
<td>Computer-based tests. See Task 7.</td>
</tr>
<tr>
<td>CMA for Science</td>
<td>California Modified Assessments for Science</td>
</tr>
<tr>
<td></td>
<td>CMA for Science were based on the previous California science content standards. The CMA for Science were individually administered to students who have an individualized education program that indicates the use of an alternate assessment on statewide assessments. All eligible students in grades five, eight, and 10 were required to participate in these online assessments. The last administration of these assessments was the 2015-16 administration.</td>
</tr>
<tr>
<td>Contract</td>
<td>Overall document that defines the scope of work, terms and conditions, and budget to support the administration and reporting of the CAASPP assessment program.</td>
</tr>
<tr>
<td>CR</td>
<td>Constructed Response</td>
</tr>
<tr>
<td></td>
<td>CR items prompt students to write a short written or numerical response. CR items may be hand scored or machine scored. (Source: <a href="http://www.cde.ca.gov/ta/tg/ca/sbacparentguides.asp">http://www.cde.ca.gov/ta/tg/ca/sbacparentguides.asp</a>)</td>
</tr>
<tr>
<td>CSA</td>
<td>California Spanish Assessments</td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
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</tr>
<tr>
<td>The CSA will assess reading, writing, and listening in Spanish, and will be aligned with the California Common Core State Standards en Español, which will include linguistic augmentations specific to the Spanish language. LEAs may voluntarily administer these tests to students in grades three through eight and grade 11. Formerly referred to as the primary language assessment in Spanish.</td>
<td></td>
</tr>
<tr>
<td>CST for Science</td>
<td>California Standards Tests for Science</td>
</tr>
<tr>
<td>CST for Science</td>
<td>CST for Science were based on the previous California science content standards. All eligible students in grades five, eight, and 10 were required to participate in these online assessments. The last administration of these assessments was be the 2015-16 administration.</td>
</tr>
<tr>
<td>Deliverable</td>
<td>Deliverables are specifically identified in the SOW as the product of a task or requirement. See Task 1.</td>
</tr>
<tr>
<td>DOF</td>
<td>California Department of Finance</td>
</tr>
<tr>
<td>ELA</td>
<td>English-language arts or English-language arts/literacy</td>
</tr>
<tr>
<td>FT</td>
<td>Field test</td>
</tr>
<tr>
<td>FT</td>
<td>FTs serve as “tests of the tests,” allowing experts to gauge the accuracy and reliability of individual test items before finalizing the assessments for full-scale use. As such, no FT scores will be produced or reported.</td>
</tr>
<tr>
<td>(Source: <a href="https://www.cde.ca.govhttp://www.cde.ca.gov/">https://www.cde.ca.gov</a></td>
<td></td>
</tr>
<tr>
<td>IAHSS</td>
<td>Interim Assessment Hand Scoring System. See Task 8.</td>
</tr>
<tr>
<td>IEP</td>
<td>Individualized education program</td>
</tr>
<tr>
<td>Instructional Year</td>
<td>See School Year.</td>
</tr>
<tr>
<td>IPOC</td>
<td>Independent project oversight consultant</td>
</tr>
<tr>
<td>IV&amp;V</td>
<td>Independent verification and validation consultant</td>
</tr>
<tr>
<td>LEAs</td>
<td>Local educational agency</td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
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<td>------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>MPP</td>
<td>Microsoft Project Plan</td>
</tr>
<tr>
<td>NGSS</td>
<td>Next General Science Standards (national version)</td>
</tr>
<tr>
<td>Open-source TDS</td>
<td>Open-source Test Delivery System</td>
</tr>
<tr>
<td></td>
<td>The Smarter Balanced Assessment Consortium released the open-source TDS for public use and updates. Currently, CDE does not use the open-source TDS.</td>
</tr>
<tr>
<td>ORS</td>
<td>Online Reporting System</td>
</tr>
<tr>
<td></td>
<td>ORS is a proprietary online reporting system owned by AIR, an ETS subcontractor, for CAASPP. Authorized users use ORS to access CAASPP summative assessment test results. Assessments reported in ORS include the Smarter Balanced Summative Assessments, CAAs for ELA and mathematics, STS (2015–16 and 2016–17), and CST/CMA/CAPA for Science (2015–16). See Task 8.</td>
</tr>
<tr>
<td>PBT or PPT</td>
<td>Paper-based tests or Paper-pencil tests. See Task 7.</td>
</tr>
<tr>
<td>Practice Test</td>
<td>The Practice Tests provide students with grade-specific testing experiences that are similar in structure and format to the Summative Assessments. See Task 6.</td>
</tr>
<tr>
<td></td>
<td>(Source: <a href="http://www.cde.ca.gov/ta/tg/ca/">http://www.cde.ca.gov/ta/tg/ca/</a>)</td>
</tr>
<tr>
<td>Primary Language Assessment</td>
<td>See CSA.</td>
</tr>
<tr>
<td>PT</td>
<td>Performance task</td>
</tr>
<tr>
<td></td>
<td>PTs are a complex set of tasks in which students engage to demonstrate their understanding. For example, students may be asked to conduct research and then write an argumentative essay, using sources as evidence. Or they may be asked to solve a complex problem in mathematics. PTs integrate knowledge and skills across many areas and standards.</td>
</tr>
<tr>
<td></td>
<td>(Source: <a href="http://www.cde.ca.gov/ta/tg/ca/sbacparentguides.asp">http://www.cde.ca.gov/ta/tg/ca/sbacparentguides.asp</a>)</td>
</tr>
<tr>
<td>Public Web Reporting</td>
<td>The public Web reporting site provides CAASPP test results at the aggregate level. See Task 9 and <a href="http://caaspp.cde.ca.gov/">http://caaspp.cde.ca.gov/</a>.</td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Review Item</td>
<td>Materials that required CDE review and approval but are not identified in the SOW as a deliverable. Examples of Review Items include, but are not limited to, e-mail communications to the LEAs, memorandums to document decisions, and presentations or white papers to document CAASPP activities. Because time is of the essence with the content of some of the Review Items, ETS and the CDE will collaborate on the agreed upon timeline for each Review Item. Therefore, a Review Item could have a shorter CDE review timeline than a Deliverable. See Task 1.</td>
</tr>
<tr>
<td>RLA</td>
<td>Reading/language arts</td>
</tr>
<tr>
<td>RTM</td>
<td>Requirements traceability matrix. See Task 3.</td>
</tr>
<tr>
<td>RTQs</td>
<td>Released Test Questions. See Task 6.</td>
</tr>
<tr>
<td>School Year</td>
<td>Also referred to as Instructional Year. The school year is defined by California Education Code “as not less than 175 days during the fiscal year and for not less than the minimum school day established by or pursuant to law” [5 CCR § 2].</td>
</tr>
<tr>
<td>SDLC</td>
<td>Software Development Life Cycle. The ETS SDLC process is a combination of waterfall and agile software development processes. See Task 3.</td>
</tr>
<tr>
<td>Secure Browser</td>
<td>The secure browser prevents students from accessing other computer or Internet applications or copying test information. All computers that will be used for testing must have the correct secure browser installed.</td>
</tr>
<tr>
<td>Selected-response items</td>
<td>Selected-response items prompt students to choose one or more answers. (Source: <a href="http://www.cde.ca.gov/ta/tg/ca/sbacparentguides.asp">http://www.cde.ca.gov/ta/tg/ca/sbacparentguides.asp</a>)</td>
</tr>
<tr>
<td>Smarter Balanced Digital Library (DL)</td>
<td>The Smarter Balanced Digital Library consists of tools and practices designed to help teachers utilize formative assessment processes for improved teaching and learning in all grades. These optional resources are available to all K–12 teachers in public schools. See Task 2.8.</td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Smarter Balanced Interim Assessments (IA)</td>
<td>The interim assessments are aligned with the Common Core State Standards (CCSS) for ELA and mathematics. They are specifically designed to provide meaningful information for gauging student progress throughout the year toward mastery of the skills measured by the summative assessments. The interim assessments may be administered to students in kindergarten through grade 12. These tests are administered online. See Task 2.8 and Task 8.</td>
</tr>
<tr>
<td>Smarter Balanced Summative Assessments</td>
<td>The Smarter Balanced Summative Assessments are comprehensive end-of-year assessments in ELA and mathematics that are aligned with the Common Core State Standards (CCSS) for ELA and mathematics and measure progress toward college and career readiness. The summative assessments are administered to students in grades three through eight and grade 11. These tests are administered online.</td>
</tr>
<tr>
<td>SOW</td>
<td>Scope of work</td>
</tr>
</tbody>
</table>
| Single Sign-on                           | Single sign-on refers to the application or process that authorized users must use to log into one or more systems. For CAASPP, dual logins are required to access the two systems (i.e., CAASPP and Smarter Balanced) and the components with these systems. In order to administer the summative and interim assessments and access the formative assessment resources, teachers and administrators need access to both systems. See Task 3.  
(Source: [http://www.cde.ca.gov/ta/tg/ca/](http://www.cde.ca.gov/ta/tg/ca/)) |
<p>| SSR                                      | Student Score Report                                                                                                                                                                                        |
|                                          | The SSR presents test results in a format approved by the SBE for parents/guardians. SSRs are provided in electronic (PDF) and paper versions to LEAs, who are responsible for delivering the SSRs to their students’ parents/guardians. See Task 9. |
| Stacked Translation                      | When selected as a designated support, Stacked Translation provides the assessment item in both Spanish and English directly in the Secure Browser. It is only available for the Smarter Balanced mathematics items and will be available for CAST. |</p>
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target Reports</td>
<td>Target Reports are a new resource for administrators and teachers. These reports show the relative performance of groups of students on assessment targets within a claim area. The reports show how a group of students performed on a target compared to the overall performance on the test. ELA is intended to be learned as an integrated content area. Using the formative assessment process, specific evidence for each target may be collected in multiple parts of an integrated task. By reflecting on students' time-on-task and their opportunities for mastery throughout the year in each target area, teachers are able to compare the intended learning of groups of students with the evidence of learning on the Smarter Balanced assessments. (Source: <a href="http://www.cde.ca.gov/ta/tg/ca/sbteacherguides.asp">http://www.cde.ca.gov/ta/tg/ca/sbteacherguides.asp</a>)</td>
</tr>
<tr>
<td>TEI</td>
<td>Technology-enhanced item</td>
</tr>
<tr>
<td></td>
<td>TEIs prompt students to edit text or draw an object. (Source: <a href="http://www.cde.ca.gov/ta/tg/ca/sbacparentguides.asp">http://www.cde.ca.gov/ta/tg/ca/sbacparentguides.asp</a>)</td>
</tr>
<tr>
<td>TIS</td>
<td>Test integration system</td>
</tr>
<tr>
<td></td>
<td>The TIS is an open-source application developed by Smarter Balanced to manage test data to and from the systems maintained by Smarter Balanced. See the Smarter Balanced applications site: <a href="https://github.com/SmarterApp/TDS_TestIntegrationSystem/blob/master/README.md">https://github.com/SmarterApp/TDS_TestIntegrationSystem/blob/master/README.md</a>.</td>
</tr>
<tr>
<td>TOMS</td>
<td>Test Operations Management System</td>
</tr>
<tr>
<td></td>
<td>TOMS is a proprietary system owned by ETS and is used to manage test administration settings such as test administration windows, user roles, student test registration, and test settings. TOMS also can be used to access test results. See Task 3.</td>
</tr>
<tr>
<td>Training Test</td>
<td>The Training Tests provide students with the opportunity to quickly become familiar with the software and interface features. The Training Tests are organized by grade bands (e.g., 3–5). See Task 6.</td>
</tr>
<tr>
<td></td>
<td>(Source: <a href="http://www.cde.ca.gov/ta/tg/ca/">http://www.cde.ca.gov/ta/tg/ca/</a>)</td>
</tr>
<tr>
<td>UAT</td>
<td>User acceptance testing. See Task 3.</td>
</tr>
</tbody>
</table>
### 2015–16 Test Administration Cycle

#### Administrative and Program Supports:

<table>
<thead>
<tr>
<th>Task</th>
<th>Type</th>
<th>Grades to be Tested</th>
<th>Estimated Number of Test Takers</th>
<th>Fiscal Year 2015–16 (7/1/15 to 6/30/16)</th>
<th>Fiscal Year 2016-17 (7/1/16 to 6/30/17)</th>
<th>Fiscal Year 2017-18 (7/1/17 to 6/30/18)</th>
<th>Fiscal Year 2018–19 (7/1/18 to 12/31/18)</th>
<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>$ 4,681,625</td>
<td>$ 49,730</td>
<td>$</td>
<td>$</td>
<td>$ 4,731,355</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>$ 6,572,439</td>
<td>$ 137,603</td>
<td>$</td>
<td>$</td>
<td>$ 6,710,042</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td>$ 5,027,486</td>
<td>$ 476,627</td>
<td>$</td>
<td>$</td>
<td>$ 5,504,113</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td>$ 99,832</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$ 99,832</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>$ 171,457</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$ 171,457</td>
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</table>

#### Assessment Development (Task 6):

<table>
<thead>
<tr>
<th>Task</th>
<th>Type</th>
<th>Grades to be Tested</th>
<th>Estimated Number of Test Takers</th>
<th>Fiscal Year 2015–16 (7/1/15 to 6/30/16)</th>
<th>Fiscal Year 2016-17 (7/1/16 to 6/30/17)</th>
<th>Fiscal Year 2017-18 (7/1/17 to 6/30/18)</th>
<th>Fiscal Year 2018–19 (7/1/18 to 12/31/18)</th>
<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>CBT</td>
<td>3–8, 11</td>
<td></td>
<td>$ 998,419</td>
<td>$ 710,064</td>
<td>$</td>
<td>$</td>
<td>$ 1,708,483</td>
</tr>
<tr>
<td>6</td>
<td>CBT</td>
<td>3–8, 11</td>
<td></td>
<td>$ 150,000</td>
<td>$ 248,164</td>
<td>$</td>
<td>$</td>
<td>$ 398,164</td>
</tr>
</tbody>
</table>

**CCSS-aligned Alternate Assessments: California Alternate Assessments for ELA and Mathematics—Incorporate and modify appropriate items from other sources as referenced in Task 6.1 per State Board approval March 2016.**

**CAST (develop)**

<table>
<thead>
<tr>
<th>Task</th>
<th>Type</th>
<th>Grades to be Tested</th>
<th>Estimated Number of Test Takers</th>
<th>Fiscal Year 2015–16 (7/1/15 to 6/30/16)</th>
<th>Fiscal Year 2016-17 (7/1/16 to 6/30/17)</th>
<th>Fiscal Year 2017-18 (7/1/17 to 6/30/18)</th>
<th>Fiscal Year 2018–19 (7/1/18 to 12/31/18)</th>
<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>CBT</td>
<td>TBD</td>
<td></td>
<td>$ 1,176,838</td>
<td>$ 561,453</td>
<td>$</td>
<td>$</td>
<td>$ 1,738,291</td>
</tr>
<tr>
<td>6</td>
<td>CBT</td>
<td>TBD</td>
<td></td>
<td>$ 341,645</td>
<td>$ 306,873</td>
<td>$</td>
<td>$</td>
<td>$ 648,518</td>
</tr>
<tr>
<td>6</td>
<td>CBT</td>
<td>3–11</td>
<td></td>
<td>$ 717,593</td>
<td>$ 1,169,013</td>
<td>$</td>
<td>$</td>
<td>$ 1,886,606</td>
</tr>
</tbody>
</table>

#### Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9); Interim Assessments (Task 2):

<table>
<thead>
<tr>
<th>Task</th>
<th>Type</th>
<th>Grades to be Tested</th>
<th>Estimated Number of Test Takers</th>
<th>Fiscal Year 2015–16 (7/1/15 to 6/30/16)</th>
<th>Fiscal Year 2016-17 (7/1/16 to 6/30/17)</th>
<th>Fiscal Year 2017-18 (7/1/17 to 6/30/18)</th>
<th>Fiscal Year 2018–19 (7/1/18 to 12/31/18)</th>
<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>7, 8, 9</td>
<td>CBT</td>
<td>3–8, 11</td>
<td>3,104,000</td>
<td>$ 46,372,147</td>
<td>$ 5,999,112</td>
<td>$</td>
<td>$</td>
<td>$ 52,371,259</td>
</tr>
<tr>
<td>2, 7, 8, 9</td>
<td>CBT</td>
<td>K–12</td>
<td></td>
<td>$ 1,672,029</td>
<td>$ 2,129</td>
<td>$</td>
<td>$</td>
<td>$ 1,674,158</td>
</tr>
<tr>
<td>7, 8, 9</td>
<td>CBT</td>
<td>3–8, 11</td>
<td>39,000</td>
<td>$ 1,039,582</td>
<td>$ 33,294</td>
<td>$</td>
<td>$</td>
<td>$ 1,072,876</td>
</tr>
<tr>
<td>7, 8, 9</td>
<td>P</td>
<td>3–8, 11</td>
<td>96,000</td>
<td>$ 1,727,409</td>
<td>$ 228,932</td>
<td>$</td>
<td>$</td>
<td>$ 1,956,341</td>
</tr>
<tr>
<td>7, 8, 9</td>
<td>P</td>
<td>3–8, 11</td>
<td>4,000</td>
<td>$ 120,855</td>
<td>$ 2,705</td>
<td>$</td>
<td>$</td>
<td>$ 123,560</td>
</tr>
<tr>
<td>7, 8, 9</td>
<td>P</td>
<td>5, 8, 10</td>
<td>1,380,000</td>
<td>$ 3,711,073</td>
<td>$ 325,353</td>
<td>$</td>
<td>$</td>
<td>$ 4,036,426</td>
</tr>
<tr>
<td>7, 8, 9</td>
<td>P</td>
<td>5, 8, 10</td>
<td>15,000</td>
<td>$ 447,416</td>
<td>$ 4,994</td>
<td>$</td>
<td>$</td>
<td>$ 452,410</td>
</tr>
<tr>
<td>7, 8, 9</td>
<td>P</td>
<td>2–11</td>
<td>45,000</td>
<td>$ 1,122,090</td>
<td>$ 13,147</td>
<td>$</td>
<td>$</td>
<td>$ 1,135,237</td>
</tr>
</tbody>
</table>

**Total cost for 2015–16 test administration cycle:** $ 76,149,935 $ 10,269,193 $ - $ 86,419,128
<table>
<thead>
<tr>
<th>Task</th>
<th>Type</th>
<th>Grades to be Tested</th>
<th>Estimated Number of Test Takers</th>
<th>Fiscal Year 2015–16 (7/1/15 to 6/30/16)</th>
<th>Fiscal Year 2016-17 (7/1/16 to 6/30/17)</th>
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<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>$4,705,232</td>
<td>$93,868</td>
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<td>$4,799,100</td>
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<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>$6,115,925</td>
<td>$141,730</td>
<td></td>
<td></td>
<td>$6,257,655</td>
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<tr>
<td>3</td>
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<td></td>
<td></td>
<td>$4,257,302</td>
<td>$443,722</td>
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<td></td>
<td>$4,701,024</td>
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<tr>
<td>4</td>
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<td>$100,577</td>
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<td>$100,577</td>
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<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>$100,491</td>
<td></td>
<td></td>
<td></td>
<td>$100,491</td>
</tr>
</tbody>
</table>

**Assessment Development (Task 6):**

- CAA for ELA and Mathematics (ongoing) 6 CBT 3–8, 11 $916,550 $467,130 $1,383,680
- CAST (Pilot) 6 CBT TBD $4,821,112 $609,132 $5,430,244
- CAA for Science (Pilot) 6 CBT TBD $589,835 $28,457 $618,292
- CSA (Develop) 6 CBT 3–11 $1,049,006 $37,807 $1,086,813

**Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9); Interim Assessments (Task 2):**

- Smarter Balanced Summative Assessments 7, 8, 9 CBT 3–8, 11 3,104,000 $44,463,695 $3,511,441 $47,975,136
- Smarter Balanced Interim Assessments 2, 7, 8, 9 CBT K–12 $1,678,581 $2,741 $1,681,322
- CAA for ELA and Mathematics 7, 8, 9 CBT 3–8, 11 39,000 $1,030,128 $30,879 $1,061,007
- Smarter Balanced Summative Assessments 7, 8, 9 P 3–8, 11 96,000 $1,727,731 $366,421 $2,094,152
- CAA for ELA and Mathematics 7, 8, 9 P 3–8, 11 4,000 $115,549 $2,851 $118,400
- CST and CMA Science Assessments 7, 8, 9 P 5, 8, 10 1,380,000 $ - $ - $ -
- CAPA Science Assessments 7, 8, 9 P 5, 8, 10 15,000 $ - $ - $ -
- STS Primary Language Assessment 7, 8, 9 P 2–11 45,000 $1,166,186 $18,587 $1,184,773

Total cost for 2016–17 test administration cycle: $ - $72,837,900 $5,754,766 $ - $78,592,666
# Proposed Budget Summary by Fiscal Year

## 2017–18 Test Administration Cycle

### Administrative and Program Supports:

<table>
<thead>
<tr>
<th>Task</th>
<th>Type</th>
<th>Grades to be Tested</th>
<th>Estimated Number of Test Takers</th>
<th>Fiscal Year</th>
<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>Fiscal Year 2015–16 (7/1/15 to 6/30/16)</td>
<td>$4,775,131 $1,615,287 $6,390,418</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>Fiscal Year 2016–17 (7/1/16 to 6/30/17)</td>
<td>$6,800,786 $383,410 $7,184,196</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td>Fiscal Year 2017–18 (7/1/17 to 6/30/18)</td>
<td>$3,850,059 $601,494 $4,451,553</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td>Fiscal Year 2018–19 (7/1/18 to 12/31/18)</td>
<td>$102,411 $ - $102,411</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>Fiscal Year 2018–19 (7/1/18 to 12/31/18)</td>
<td>$110,763 $ - $110,763</td>
</tr>
</tbody>
</table>

### Assessment Development (Task 6):

<table>
<thead>
<tr>
<th>Task</th>
<th>Type</th>
<th>Grades to be Tested</th>
<th>Estimated Number of Test Takers</th>
<th>Fiscal Year</th>
<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>CBT</td>
<td>3–8, 11</td>
<td></td>
<td>Fiscal Year 2015–16 (7/1/15 to 6/30/16)</td>
<td>$846,859 $517,726 $1,364,585</td>
</tr>
<tr>
<td>6</td>
<td>CBT</td>
<td>TBD</td>
<td>1,380,000</td>
<td>Fiscal Year 2016–17 (7/1/16 to 6/30/17)</td>
<td>$5,143,955 $282,314 $5,426,269</td>
</tr>
<tr>
<td>6</td>
<td>CBT</td>
<td>TBD</td>
<td>15,000</td>
<td>Fiscal Year 2017–18 (7/1/17 to 6/30/18)</td>
<td>$730,553 $113,421 $843,974</td>
</tr>
<tr>
<td>6</td>
<td>CBT</td>
<td>3–11</td>
<td>45,000</td>
<td>Fiscal Year 2018–19 (7/1/18 to 12/31/18)</td>
<td>$1,199,287 $488,386 $1,687,673</td>
</tr>
</tbody>
</table>

### Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9); Interim Assessments (Task 2):

<table>
<thead>
<tr>
<th>Task</th>
<th>Type</th>
<th>Grades to be Tested</th>
<th>Estimated Number of Test Takers</th>
<th>Fiscal Year</th>
<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>CBT</td>
<td>3–8, 11</td>
<td>3,200,000</td>
<td>Fiscal Year 2015–16 (7/1/15 to 6/30/16)</td>
<td>$44,730,283 $1,348,822 $46,079,105</td>
</tr>
<tr>
<td>8</td>
<td>CBT</td>
<td>TBD</td>
<td>$1,682,500</td>
<td>Fiscal Year 2016–17 (7/1/16 to 6/30/17)</td>
<td>$5,143,955 $282,314 $5,426,269</td>
</tr>
<tr>
<td>9</td>
<td>P</td>
<td>3–8, 11</td>
<td>39,000</td>
<td>Fiscal Year 2017–18 (7/1/17 to 6/30/18)</td>
<td>$1,037,787 $22,566 $1,060,353</td>
</tr>
<tr>
<td>10</td>
<td>P</td>
<td>3–8, 11</td>
<td>4,000</td>
<td>Fiscal Year 2018–19 (7/1/18 to 12/31/18)</td>
<td>$109,494 $2,908 $112,402</td>
</tr>
<tr>
<td>11</td>
<td>P</td>
<td>2–11</td>
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### Total cost for 2017–18 test administration cycle:

- Smarter Balanced Summative Assessments: $46,079,105
- CCSS-aligned Alternate Assessments: $112,402
- CAST: $53,234
- CAA for Science: $53,234
- CSA (Field Test): $2,802
- CSA: $2,802
- STS Primary Language Assessment: $17,810

### Total cost per fiscal year for all three test administration cycles:

- CAA for ELA and Mathematics: $76,149,935
- CAST: $83,107,093
- CAA for Science: $77,273,778
- CCSS-aligned Alternate Assessments: $5,380,178

### Total cost for all three test administrations cycles:

- CAST: $241,910,984
## 2015-16 Test Administration Summary

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<tr>
<th>Task Type</th>
<th>Subjects</th>
<th># Items to be Developed</th>
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### Assessment Development (Task 6)

- **CAA for ELA and Mathematics (ongoing)**
  - 6 CBT ELA, Math TBD—See Note Below 3-8, 11 | $1,708,483 | $1,708,483 |
- **CCSS-aligned Alternate Assessments: California Alternate Assessments for ELA and Mathematics—Incorporate and modify appropriate items from other sources as referenced in Task 6.1 per State Board approval March 2016.**
  - 6 CBT ELA, Math 3-8, 11 | $398,164 | $398,164 |

### Test Administration (Task 7)

- **Smarter Balanced Summative Assessments**
  - 7 CBT ELA, Math 3-8, 11 | $2,503,426 | $850,543 | $6,099,369 | 20.37 |
  - 8 CBT ELA, Math 3-8, 11 | $2,503,426 | $850,543 | $6,099,369 | 20.37 |
  - 9 CBT ELA, Math 3-8, 11 | $2,503,426 | $850,543 | $6,099,369 | 20.37 |

### Total Costs for 2015-16 Test Administration cycle:

$74,060,214

Note: The average cost per item for an assessment depends on the mix of item types and number of items. Since the scope of work includes meetings with stakeholders to assist the State Board of Education in determining the content of the test(s), an average cost per item for the new assessments cannot be provided at this time.
## 2016–17 Test Administration Cycle

### Administrative and Program Supports:

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### Test Administration (Task 7); Scoring and Analysis (Task 8); and Reporting (Task 9):

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### Additional Notes:

- The average cost per item for an assessment depends on the mix of item types and number of items. Since the scope of work includes meetings with stakeholders to assist the State Board of Education in determining the content of the test(s), an average cost per item for the new assessments cannot be provided at this time.

---

**Total cost for 2016–17 test administration cycle:**

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<th>Task</th>
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**Total cost for 2016–17 test administration cycle:**

- $74,115,108
- $4,777,558
- $0.96
- $78,592,666
- $16.78
### 2017–18 Test Administration Cycle

#### Administrative and Program Supports:

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#### CAA for ELA and Mathematics

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#### CAA for ELA and Mathematics

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#### CAA for ELA and Mathematics

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### Total cost for 2017–18 test administration cycle:

- Total cost: $75,694,539
- Per pupil cost: $1,204,651
CAASPP Contract Amendment 4—Narrative for the Budget Summary

The purpose of this document is to provide supporting information to the budget summary that Educational Testing Service (ETS) submitted to the California Department of Education (CDE) as part of the contract amendment negotiations for Contract CN150012. The budget summary was presented to the CDE on April 6, 2017, along with the contract amendment scope of work (SOW).

This narrative describes the changes listed in the column labeled “Amendment 4” and is organized in the same order as Exhibit B in the budget summary. For additional information about the other elements of the budget summary, refer to the budget narrative submitted to the CDE on April 21, 2015.

General Comments about the Contract Amendment Budget Summary

- ETS revised the original assessment titles to be consistent with the current assessment titles.
  - “CCSS-aligned Alternate Assessments” is now called the California Alternate Assessments for English-language arts and Mathematics (CAA for ELA and Mathematics).
  - “NGSS-aligned science assessments” is now called the California Science Tests (CAST).
  - “NGSS-aligned alternate science assessments” is now called the California Alternate Assessments for Science (CAA for Science).
  - “CCSS-aligned primary language assessments” is now called the California Spanish Assessments (CSA).
- Contract amendment 4 includes no-cost scope changes in fiscal year (FY) 2016–17.
- Contract amendment 4 includes additional funding in FY2017–18, pending approval by the Governor. The activities that require additional funding include activities in both the 2016–17 test administration year and 2017–18 test administration year.
- There are no budget changes to FY2015–16 and FY2018–19. There are no budget changes to the 2015–16 test administration.

General Comments about Fixed Costs

- Fixed costs include costs for the activities that must occur in order to successfully administer the California Assessment of Student Performance and Progress (CAASPP) system regardless of variables such as, but not limited to: number of tests; number of students tested; or number of local educational agencies (LEAs), schools, or test administrators. To administer at least one test, the activities described as fixed costs must occur.
• Fixed costs include activities that are not tied to a specific testing program and that must occur to operate the CAASPP system. These tasks include the comprehensive plan and schedule (Task 1); program support services, including the Smarter Balanced Interim Assessments and Digital Library (Task 2); technology services (Task 3); test security measures (Task 4); accessibility and accommodations support (Task 5), and test development (Task 6).

• Fixed costs also include activities that are related directly to the specific testing program. These activities must occur in order to administer at least one test for each grade and content area required. These fixed costs may include test materials construction and production (whether online or paper), scoring, analysis, and psychometric/technical activities and are combined with variable costs. Additional information about these fixed costs is described in the sections below for each testing program. Tasks that have a mix of both fixed and variable costs include test administration (Task 7), scoring and reporting (Task 8), and reporting (Task 9).

• The testing programs within the CAASPP assessment system also share some specific activities that create efficiencies in the administration and operations of the overall assessment system. These include, but are not limited to: preparing the test delivery system for computer-based tests; packaging paper-pencil testing materials for the different testing programs and shipping these materials to LEAs; collecting the paper test materials from LEAs; processing and preparing the test materials (both online or paper tests) when returned to the scoring center; and reporting the test results to the LEAs. For the CAASPP assessment system, the fixed costs for these shared activities are allocated to each testing program according to the expected number of students taking the tests. Thus, the fixed costs for the Smarter Balanced Summative Assessments — both shared and test specific — are higher than those of the other testing programs, because they include the largest volume of test takers.

General Comments about Variable Costs

• Variable costs include activities that are impacted directly by factors that can change, such as number and types of test materials or number of test takers.

• For the CAASPP assessment system, the most significant drivers of variable costs are the number of test takers which varies by and for each testing program and the number of student responses that human readers must score.

• Variable costs generally include activities that are tied to a specific testing program. The tasks that include variable costs are test administration (Task 7); scoring and analysis (Task 8), and reporting (Task 9). These tasks also have associated fixed costs.

Administrative and Program Support Costs

• 2016–17 Test Administration
  o There are no budget changes to the 2016–17 test administration in this contract amendment.
• 2017–18 Test Administration
  o ETS reallocated $345,383 in the existing budget in Task 2 to the WestEd subcontract, resulting in a no-cost change.
  o The Program Support Services (Task 2) budget increased by $475,168 to include a new SOW Task 2.9 to produce the CAASPP Science Academy.

Assessment Development Costs
• The scope of assessment development costs includes CAA for ELA and mathematics, CAST, CAA for Science, and CSA.

• 2016–17 Test Administration
  o In May 2016, the State Board of Education (SBE) approved the census pilot and field testing of CAST and CAA for Science beginning with the 2016–17 Test Administration. The SBE also approved the elimination of the 2016–17 CST, CMA, and CAPA Science tests.
  o The CAST budget for Task 6 increased by $4,220,404 in FY2016–17 funds. The reduction in the CST and CMA Science Assessments budget offset the increase, resulting in a no-cost change.
  o The CAA for Science budget for Task 6 increased by $447,123 in FY2016–17 funds. The reduction in the CAPA Science Assessments budget offset the increase, resulting in a no-cost change.

• 2017–18 Test Administration
  o In July 2016, the SBE-approved high-level test design for CSA required an adjustment to the test development activities. The new CSA activities—cognitive labs for CSA and the development of general and content-specific achievement level descriptors—increased Task 6 by $125,581. The elimination of the standard setting activity offset the increase, resulting in a no-cost change.

Smarter Balanced Summative Assessment Costs — Computer-Based Tests
• The tasks and associated costs included in this area are those that are specifically related to the computer-based (online) administration of the Smarter Balanced Summative Assessments in ELA and mathematics. All students in grades three through eight (inclusive) and 11 are required to take the Smarter Balanced tests. Students eligible to take the CAA are exempt from the Smarter Balanced tests.

• Task 8: Scoring and Analysis
  o The Task 8 budget for the 2016–17 Test Administration increased by a total of $318,503 in FY2017–18 funds to include the following new activities:
    ▪ Smarter Balanced embedded performance task (PT) field test (FT) in the amount of $318,503
The Task 8 budget for the 2017–18 Test Administration increased by a total of $202,122 in FY2017–18 funds to include the following new activities:

- Smarter Balanced embedded performance task (PT) field test (FT) in the amount of $169,532
- Reporting the Writing Extended Response (WER) dimension scores in the amount of $32,590

Task 9: Reporting

The Task 9 budget for the 2016–17 Test Administration increased by a total of $107,663 in FY2017–18 funds to include the following new activities:

- Smarter Balanced embedded performance task (PT) field test (FT) in the amount of $28,285
- Reporting the Writing Extended Response (WER) dimension scores in the amount of $79,378

The Task 9 budget for the 2017–18 Test Administration increased by a total of $85,944 in FY2017–18 funds to include the following new activities:

- Smarter Balanced embedded performance task (PT) field test (FT) in the amount of $28,285
- Reporting the Writing Extended Response (WER) dimension scores in the amount of $30,756
- Special Studies in the amount of $26,903

Smarter Balanced Interim Assessment Costs

- The tasks and associated costs included in this area are those that are specifically related to the delivery of the Smarter Balanced Interim Assessments in ELA and mathematics and access to the Smarter Balanced Digital Library.

- There are no changes to the budget for this amendment.

CAA for ELA and Mathematics — Computer-Based Tests

- The tasks and associated costs included in this area are those that are specifically related to the computer-based (online) administration of the CAA in ELA and mathematics. The CAA for ELA and mathematics will be administered to students in grades three through eight (inclusive) and grade 11 whose individualized education program (IEP) teams have determined that the student’s cognitive disabilities prevent him or her from taking the online Smarter Balanced Summative Assessments. This population of students has, in previous years, been assigned to take the CAPA for ELA and mathematics.

- There are no changes to the budget to Tasks 7, 8, and 9 for this amendment.
Smarter Balanced Summative Assessments — Paper-Pencil Tests

- Information about the Smarter Balanced Summative Assessments is included in the “Smarter Balanced Summative Assessments — Computer-Based Tests” section of this budget narrative.

- The tasks and associated costs included in this area are those that are specifically related to the paper-pencil administration of the Smarter Balanced Summative Assessments in ELA and mathematics. The paper-pencil tests are available only for the 2016 and 2017 administrations and will be discontinued beginning with the 2018 administration. LEAs must receive approval from the CDE to receive and administer the paper-pencil versions.

- There are no changes to the budget for this amendment.

CAA for ELA and Mathematics — Paper-Pencil Tests

- Information about the CAA for ELA and mathematics is included in the “California Alternate Assessments — Computer-Based Tests” section of this budget narrative.

- The tasks and associated costs included in this area are those that are specifically related to the paper-pencil administration of the CAA for ELA and mathematics in ELA and mathematics.

- There are no changes to the budget for this amendment.

CST and CMA for Science Costs

- The tasks and associated costs included in this area are those that are specifically related to the administration of the CST and CMA for Science in grades five, eight, and 10. Administration, scoring, and reporting of the CST and CMA science assessments are required by state law to meet federal accountability requirements.

- 2016–17 Test Administration
  - In May 2016, the State Board of Education (SBE) approved the census pilot and field testing of CAST and CAA for Science beginning with the 2016–17 Test Administration. The SBE also approved the elimination of the 2016–17 CST, CMA, and CAPA Science tests.
  - The CST and CMA Science Assessments budget of $4,220,404 in FY2016–17 funds was reallocated to the CAST Task 6 budget, resulting in a no-cost change.

- 2017–18 Test Administration
  - There are no budget changes.
CAPA for Science Costs

- The tasks and associated costs included in this area are those that are specifically related to the administration of the CAPA for Science in grades five, eight, and 10. Administration, scoring, and reporting of the CAPA Science assessments that state law is currently required to meet federal accountability requirements. The CAPA Science tests are administered to students with severe cognitive disabilities who cannot access the CST or CMA Science tests.

- 2016–17 Test Administration
  - In May 2016, the State Board of Education (SBE) approved the census pilot and field testing of CAST and CAA for Science beginning with the 2016–17 Test Administration. The SBE also approved the elimination of the 2016–17 CST, CMA, and CAPA Science tests.
  - The CAPA Science Assessments budget of $447,123 in FY2016–17 funds was reallocated to the CAA for Science budget Task 6 budget, resulting in a no-cost change.

- 2017–18 Test Administration
  - There are no budget changes.

STS for Reading/Language Arts Costs

- The tasks and associated costs included in this area are those that are specifically related to the administration of the STS for Reading/Language Arts (RLA) in grades two through 11 inclusive. The STS for RLA tests are administered to Spanish-speaking English learners who meet the eligibility requirements provided by the CDE. It is an optional test and is not used to meet state or federal accountability requirements.

- 2016–17 Test Administration
  - There are no budget changes.

- 2017–18 Test Administration
  - In July 2016, the SBE-approved high-level test design for CSA required an adjustment to the test development schedule that resulted in the delay to implementation of CSA beyond the 2017–18 test administration. In the original contract, the CDE planned to administer the STS RLA through the 2016–17 test administration; however, the California Education Code requires the administration of the STS RLA until the CSA becomes operational. To meet the Education Code, the CDE added the 2017–18 administration of STS RLA as an online test.
  - The 2017–18 STS RLA administration added $325,298 in FY2017–18 funds:
    - The Task 7–Test Administration activities added $209,127.
    - The Task 9–Reporting activities added $116,171.
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

ITEM 03
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 draft ESSA State Plan.

Since 2010, California has been engaged in an extensive redesign of its education system, including new standards and assessments, a new funding formula, and a new accountability and support system. Most of the content in the current draft of the State Plan, provided as Attachment 1, reflects policy decisions that have been made by the SBE during the course of this multi-year redesign.

The draft ESSA State Plan also contains staff recommendations on several topics for SBE consideration before the draft plan is made available for the 30-day public comment period, scheduled to begin in late May 2017. These topics have been brought to the SBE, California Practitioners Advisory Group (CPAG), and other stakeholders for deliberation previously, but no specific policy proposal has yet been presented or approved by the SBE. These topics include:

- Native language assessments,
- Establishment of long-term goals,
- Identification of schools, and
- Annual measurement of achievement (95 percent participation rate).
The initial draft of the State Plan contains preliminary policy proposals on these topics. The California Department of Education (CDE) recommends that the SBE deliberate and approve the inclusion of these policy proposals in the initial draft of the State Plan before the public comment period begins so that stakeholders have ample opportunity to provide feedback on these plan elements based on specific policy proposals.

Additional content in the draft is less well-defined and will benefit from further research, stakeholder input, and SBE deliberation. For example, many features of the statewide system of support, including the design and implementation of strategies to support schools identified for additional assistance and the best, evidence-based investment of ESSA optional and required reservations for state-level activities, will be developed collaboratively in the coming months with a variety of local, regional, and state entities. California will also need to develop a definition for “ineffective” teacher and determine how best to support local educational agencies (LEAs) as they address any identified local educator equity issues.

The initial draft of the State Plan does not include specific policy proposals on these topics. Continued stakeholder input and SBE deliberations will inform further development in these areas, some of which may remain a "plan to plan" in the final State Plan submitted to ED in September 2017.

RECOMMENDATION

The CDE recommends that the SBE approve the draft ESSA State Plan for the statutorily required 30-day public comment period. The CDE will bring a final draft of the State Plan to the SBE for approval in September 2017.

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.

California is committed to aligning 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 LEAs, schools, educators, and students; recognize the diverse and multidimensional characteristics of LEAs, schools, educators, and students, and provide support accordingly; 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 draft State Plan has been written 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.

Although California has been working steadily to develop its State Plan since ESSA was signed in 2015, federal requirements regarding state plan development have been in flux for many months. In May 2016, ED made available proposed regulations for Accountability, Data Reporting, and Submission of State Plans for public review and comment. Shortly thereafter, a consolidated state plan template was released. California used this template as a starting point for organizing its State Plan. In November 2016, ED released final regulations for Accountability, Data Reporting, and Submission of State Plans, as well as a final consolidated state plan template incorporating regulatory requirements. The template was organized thematically and states were encouraged to utilize resources across programs to support state priorities.

In February 2017, as the repeal of the Accountability, Data Reporting, and Submission of State Plans regulations was being considered by Congress, ED signaled its intention to develop and make available a revised consolidated state plan template based solely on statutory requirements and designed to collect only “absolutely necessary” information. This new template, released on March 13, 2017, is more concise than previous versions and is organized by program, not by theme. Regulatory requirements are not included in the template, and several elements of the previous templates, including the sections on consultation and coordination, standards, and educator equity data, are no longer required.
Given the new federal approach to collect only what is “absolutely necessary,” and at the request of the SBE, California’s State Plan has been written to meet, not exceed, federal requirements. It describes how California plans to use, manage, and monitor federal funds to support implementation of rigorous state academic standards consistent with California’s existing LCFF approach, providing the State maximum flexibility to utilize federal resources to effectively support California’s accountability and continuous improvement system. Introductory material and additional italicized text has been inserted into the document to provide context for how federal requirements fit into the broader state system. This material will not be included in the document that will be submitted to ED.

Pending SBE approval, CDE staff will conduct the required 30-day public comment period for the draft State Plan. The public comment period is scheduled to begin on May 22, 2017, and continue through June 2017. Stakeholder feedback will be shared with the SBE at its July 2017 and September 2017 meetings, providing multiple opportunities for public input. California intends to submit its State Plan to ED on September 18, 2017.

ESSA State Plan Assurances

ESSA Section 8304 provides that each state that submits a consolidated State Plan must have on file with the ED a single set of assurances. At its March 2017 meeting, the SBE approved the CDE staff recommendation 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 the ED. The SBE unanimously approved and authorized these recommended actions. At that time, the State Plan Assurances Template included references to the ESSA accountability regulations, which have since been rescinded and have no effect. The ED informed states that it would release a revised assurances template that would remove references to the accountability regulations, and ED also moved the due date for assurances from April 3 to June 2, 2017, to accommodate submission of the revised template.

On April 27, 2017, the ED published for public comment the revised Assurances Template available at https://www.regulations.gov/document?D=ED-2017-ICCD-0054-0001. It is anticipated that the final template will be available on May 17, 2017. The authority granted to the SBE President by the SBE members at the March 2017 meeting to sign and submit the assurances to the ED remains in effect. This update is provided for information only and no further SBE action related to this matter is required.

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 and have engaged in extensive stakeholder outreach throughout the development of the document. The engagement strategies and processes employed by the State are
described in the introduction of the plan. A summary of outreach and consultation activities conducted by CDE staff in March and April 2017 is provided in Attachment 2.

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

March 2017: CDE staff presented to the SBE an update on the development of the State Plan including a status update on issues that need to be addressed in the State Plan and stakeholder feedback regarding State Plan policy decisions. SBE members engaged in discussion regarding the policy decisions and provided feedback to staff to consider in the State Plan draft. Additionally, CDE staff recommended 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 the ED. The SBE unanimously approved and authorized these recommended actions.

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, academic achievement, 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:
State      $52.9 billion  
Local       27.4 billion  
Federal      8.0 billion  
Total      $ 88.3 billion  

This includes K–12 revenues from all sources. ESSA funds are a portion of the total federal funding amount. The ESSA will be implemented in 2017–18. No fiscal changes are projected for the remainder of the 2016–17 school year. The ESSA will become effective for non-competitive formula grants in the 2017–18 school year, and for competitive grants as instructed by ED, but largely in the 2017–18 school year as well.

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 President Obama’s Proposed Budget for federal fiscal year (FFY) 2017, which runs through October 2017. Although the fiscal year is more than halfway over, funding for this fiscal year has not yet been finalized. A temporary budget measure known as a “continuing resolution” or “CR” kept the federal government operational through May 5, 2017. These numbers may be updated as the final numbers for the fiscal year become available, but we do not anticipate significant changes to funding levels at this time.

There are, however, a number of changes to various formulas that may impact funding as ESSA goes into effect this year.

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 in 2017–18 based on President Obama’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.

Funding for FFY 2018 (which CDE will receive for the 2018–19 school year) is still being debated in Congress. A budget blueprint sent to Congress by President Trump in March would make significant changes to federal education funding, including eliminating funding for Title II professional development and Title IV, Part B 21st Century Community Learning Centers. However, Congress has sole jurisdiction over federal appropriations. The conversation regarding funding for FFY 2018 is likely to continue throughout the year.

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)
o Attachment 1: Overview of Every Student Succeeds Act Programs
This document provides an overview of programs included in the ESSA, including estimated funding amounts and reservations for state administration and state level activities.

o 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: DRAFT California ESSA Consolidated State Plan (81 Pages)

Attachment 2: ESSA State Plan Development: Communications, Outreach, and Consultation with Stakeholders: March–April 2017 (5 Pages)
# CALIFORNIA’S EVERY STUDENT SUCCEEDS ACT CONSOLIDATED STATE PLAN

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Appendix A: Measurements of Interim Progress
Introduction

The California Way

On December 10, 2015, President Obama signed the Every Student Succeeds Act (ESSA) into law, setting a starting point for an approach to the management and use of federal education funding that encourages increased state and local control. The change in federal direction comes during California’s implementation of an extensive redesign of its education system, including new standards and assessments, a new funding formula, and a new accountability and support system.

Since 2010, California has moved boldly towards a continuous improvement system that values, supports, and necessitates local control and responsibility to ensure that all students are prepared to live, work, and thrive in a multicultural, multilingual, and highly connected world. When Governor Brown introduced the Local Control Funding Formula (LCFF) in 2013, he cited the concept of “subsidiarity” as a means of assigning responsibility to the level of government most capable of guiding actions to effectively address local needs and opportunities. As he noted in his 2014 State of the State address:

No better example of this can be found than in your enactment last year of the Local Control Funding Formula…Instead of prescriptive commands issued from headquarters here in Sacramento, more general goals have been established for each local school to attain, each in its own way. This puts the responsibility where it has to be: In the classroom and at the local district.¹

Superintendent Torlakson’s Blueprint 2.0 Planning Team provided a comprehensive description of the California Way:

The days of California’s reliance on a single standardized test for accountability purposes are over. While we had good intentions, we now recognize that we were using the wrong drivers for positive educational change. The implementation of the LCFF and the new California Standards drive an accountability system that differs from the previous one in almost every respect. Schools and local educational agencies (LEAs) throughout California now have a unique opportunity to reconfigure themselves as learning organizations committed to continuous improvement. The result of all of this work is emerging as The California Way, which builds on a collaborative team approach to positive education change and is now attracting national attention as an alternative to test-driven reform. The California Way rests on the belief that educators want to excel, trusts them to improve when given the proper supports, and provides local schools and districts with the leeway and flexibility to deploy resources so they can improve. The California Way engages students, parents, and communities as part of a collaborative decision-making process around how to fund and implement these improvement efforts, and provides supplemental resources to ensure that California’s English learners (ELs), foster youths, and students in poverty have the learning supports they need.²

California’s journey to the system described in *A Blueprint for Great Schools Version 2.0* started with the adoption of academic standards in the content areas of mathematics, English language arts/literacy, English language development, and science. The state had previously adopted standards in the content areas of history-social science, physical education, health, world language, visual and performing arts, and career technical education and will soon adopt model standards for computer science. The state has renewed its focus on the whole child, including social and emotional needs and school climate. California also recognizes the importance of school readiness and will work to integrate early learning into a clearly articulated P–12 system. The new standards and assessment system, with its focus on critical thinking, authentic learning experiences, and formative assessment, are a further example of California’s shift to local control; the state is steadily moving to a system of teaching and learning that encourages engagement and responsive instruction to support learning and improved outcomes across a broad spectrum of measures.

The LCFF emphasizes equity through the mechanism of funding and expectations for comparable outcomes and creates linkages between need, funding, and outcomes. The changes that California has made to state academic standards, assessments, funding, and accountability are moving the entire system away from one that is compliance-bound to one focused on performance, equity, and improvement.

**Developing a single, coherent system**

California is committed to aligning 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 LCFF. The system will promote coherence across programs to better serve the needs of students, educators, schools, and LEAs; recognize the diverse and multidimensional characteristics of LEAs, schools, educators, and students, and provide support accordingly; 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 State Board of Education (SBE) unanimously approved the following guiding principles for development of California’s ESSA State Plan:

- Create a single, coherent system that avoids the complexities of having separate state and federal accountability structures.
- Ensure that state priorities and direction lead the plan with opportunities in the ESSA leveraged to assist in accomplishing goals and objectives.
- 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.
Key elements of this aligned system include integration of the LEA Plan required under the ESSA with the Local Control and Accountability Plan required under LCFF, alignment of state and federal accountability metrics, and development of a multi-leveled statewide system of support for LEAs and schools. Each of these elements is described below.

**Integrated Planning Processes:** LCFF increases local control over spending decisions while requiring LEAs to adopt and annually update local control and accountability plans (LCAPs), developed with stakeholder input, that address state priority areas. The LCAP is the primary planning document for each LEA.

California is committed to updating required plans to ensure that federally funded goals and activities are aligned to state priorities. The state is also determined to streamline and align local planning processes to the greatest extent possible. To achieve these objectives, the CDE, in collaboration with LEA representatives, designed a new approach to meeting federal planning requirements within the context of the LCAP process. Upon review of the required federal LEA plan provisions, the working group agreed that a well-written LCAP encompasses many of the federal provisions. The group mapped the LEA plan provisions to LCAP priorities and considered how best to address the provisions that were not addressed in the LCAP.

A prototype for a new LCAP Addendum was developed through this process. The addendum is intended to supplement the LCAP, just as ESSA funds are intended to supplement state funds. The new addendum will be piloted with several districts in 2017.

**Aligned Accountability Metrics:** Like the LCFF, the ESSA requires the use of multiple measures for school accountability. Since the ESSA’s enactment, the SBE has proceeded with the goal of developing an integrated local, state, and federal accountability system based on the LCFF. The LCFF requires evaluation rubrics that include performance standards for LEAs, schools, and the statutorily defined student groups, which include the groups required under the ESSA.

In developing and ultimately approving the evaluation rubrics, the SBE decided that the state indicators in the evaluation rubrics will be used as the required indicators under the ESSA to create a single accountability system for LEAs and schools.

- The Academic Indicator and College/Career Indicator include student test scores on English language arts and mathematics for grades 3–8, and once in high school;
- The English Learner Progress Indicator measures progress of English learners (ELs) toward language proficiency;
- Graduation rate is a state indicator;
- Chronic absence will serve as an additional academic indicator for grades K–8, given its strong correlation with future academic attainment; and
- Suspension rate will serve as an additional indicator that applies to grades K–12.

At its January 2017 meeting, the SBE finalized the details for a field test of the evaluation rubrics during 2016–17, before California’s new accountability system is fully operational for LEAs in 2017–18. Performance data from the evaluation rubrics will be reported to the public.
through the California School Dashboard, a new Web site available at http://www.caschooldashboard.org/, that parents/guardians, educators, and the public can use to see how LEAs and schools are meeting the needs of California’s diverse student population.

**Coherent Supports and Interventions:** Inspired by the conceptual framework behind a Multi-Tiered System of Supports (MTSS), California is developing a statewide system of support that will align state and regional resources to support improvement for all schools and districts. This approach will provide support to LEAs and schools within California’s integrated local, state, and federal accountability and continuous improvement system. It builds on three levels of supports: Support for All LEAs and Schools, Differentiated Assistance, and Intensive Intervention, as shown in Table A below.

**Table A. Overview of California’s Support System**

<table>
<thead>
<tr>
<th>Level of Support</th>
<th>Description of Supports Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support for All LEAs and Schools</td>
<td>Various state and local agencies provide an array of support resources, tools, and voluntary technical assistance that all LEAs may use to improve student performance at the LEA and school level and narrow disparities among student groups across the LCFF priorities, including recognition for success and the ability to share promising practices.</td>
</tr>
<tr>
<td>Differentiated Assistance</td>
<td>County superintendents (or the Superintendent of Public Instruction/California Department of Education [CDE], when provided to county offices of education [COEs]) and the California Collaborative for Educational Excellence (CCEE) provide differentiated assistance for LEAs and schools, in the form of individually designed technical assistance, to address identified performance issues, including significant disparities in performance among student groups.</td>
</tr>
<tr>
<td>Intensive Intervention</td>
<td>The Superintendent of Public Instruction may require more intensive interventions for LEAs and/or schools with persistent performance issues and a lack of improvement over a specified time period.</td>
</tr>
</tbody>
</table>

The foundation of the system is supporting all LEAs and schools to improve outcomes and opportunities for all students and to narrow disparities among student groups. The importance and value of local decision-making and flexibility are central to the success of the LCFF. Improving student success, increasing public trust, and supporting engagement in local decision-making require shared responsibility and accountability first and foremost at the local level.

The first level of support aims to provide all LEAs and schools with early support so that they do not require more intensive assistance in the second and third levels of support, based on low performance. The California School Dashboard will support all LEAs and schools by showing student performance on the state and local performance indicators and by highlighting disparities among student groups on those indicators. This will assist LEAs and schools as they review and update their LCAPs and LCAP Addenda annually.

Three primary statewide teams provide the foundation for the statewide system of support: CDE, COEs, and CCEE, with the SBE playing a central policy role. These entities have key roles in providing supports to help all LEAs and schools improve and are given statutory responsibility for providing more focused, evidence-based interventions and assistance for LEAs
and schools that are struggling. Critical roles will also be played by multiple stakeholders in the full system of support including other state entities (i.e., the California Commission on Teacher Credentialing [CTC] and California Subject Matter Project [CSMP]), labor, state associations, researchers, non-profit organizations, institutions of higher education, philanthropy, and coalitions. Systematic collaboration and coordination among all of these entities will facilitate coherent technical assistance and support at the local level and ensure alignment of efforts with the California Way.

**California’s ESSA Consolidated State Plan**

Although California has been working steadily to develop its State Plan since the Elementary and Secondary Education Act was reauthorized in 2015, federal requirements regarding state plan development have been in flux for many months. In May 2016, ED made available proposed regulations for Accountability, Data Reporting, and Submission of State Plans for public review and comment. Shortly thereafter, a draft consolidated state plan template was released. California used this template as a starting point for organizing its State Plan. In November 2016, ED released final regulations for Accountability, Data Reporting, and Submission of State Plans, as well as a final consolidated state plan template incorporating regulatory requirements. The template was organized thematically and states were encouraged to utilize resources across programs to support state priorities.

In February 2017, as the repeal of this set of regulations was being considered by Congress, ED signaled its intention to develop and make available a revised consolidated state plan template based solely on statutory requirements and designed to collect only “absolutely necessary” information. This new template, released on March 13, 2017, is more concise than previous versions and is organized by program, not by theme. Regulatory requirements are not included in the template, and several elements of the previous templates are no longer required, including the sections on consultation and coordination, standards, and educator equity data.

Given the new federal approach to collect only what is “absolutely necessary,” and at the request of the SBE, California’s State Plan has been written to meet, not exceed, federal requirements. It describes how California plans to use, manage, and monitor federal funds to support implementation of rigorous state academic standards consistent with California’s existing LCFF approach, providing the state maximum flexibility to utilize federal resources to effectively support California’s accountability and continuous improvement system.

Although the new template does not require states to provide information regarding how they are conducting consultation with stakeholders, stakeholder engagement is key to the development and implementation of California education policy. Stakeholders have been, and continue to be, integrally involved in the development of the new accountability system, including reviewing data methodologies and simulations, reviewing indicator cut scores and distributions, providing input regarding the identification of schools and districts for technical assistance and support, and providing feedback regarding the system’s user-interface. The state regularly conducts consultation with the following groups:

- **California Practitioners Advisory Group (CPAG):** The CPAG is an advisory committee to the SBE and also serves as the state’s Title I committee of practitioners. The CPAG has provided, and will continue to provide, input regarding accountability to the SBE throughout the State Plan development process.
• LCFF Policy Input Group: This group includes representatives from statewide professional associations and community-based organizations. It provides feedback to the CDE and SBE regarding LCFF implementation and accountability.

• User Acceptance Testing Group: This group consists of representatives from over 30 LEAs, including COEs, school districts, and charter schools. It provides feedback to the CDE and SBE regarding the LCFF evaluation rubrics and their relevance, usefulness, and applicability to support local planning and evaluation of performance relative to state priorities.

• Technical Design Group: This is a group of psychometric theory and education research experts and LEA practitioners that provides recommendations to the CDE on matters related to the state and federal accountability system.

• English Learner Progress Indicator Work Group: This group was comprised of individuals with EL program expertise and EL data expertise with representatives from the county and district levels as well as representatives from stakeholder groups. It was tasked with creating a composite measure for the English Learner Progress Indicator that includes English acquisition, reclassification rates, and at-risk and long-term EL rates.

• School Conditions and Climate Work Group: This group consists of members with expertise in education measurement and school conditions/climate. It is tasked with reviewing existing school climate measurement approaches, tools, resources, and surveys that measure aspects of school conditions and climate and presenting recommendations to the CDE regarding the school climate state priority indicator.

• College/Career Indicator Work Group: This group is designed to inform the CDE on further development work for the College/Career Indicator (CCI) to provide a balance of college and career measures. The CCI Work Group will also provide feedback on the existing methodology and potential data collection requirements to support inclusion of future measures.

• Alternative School Task Force: This group is tasked with developing a set of recommendations to the CDE and the SBE to inform a comprehensive accountability framework and indicators specific to alternative schools.

Since the ESSA became law, the state has engaged in public state board and advisory group meetings, webinars, regional stakeholder meetings, stakeholder surveys, and targeted consultation. Thousands of Californians have contributed to the document.

• In Phase I of the California ESSA Stakeholder Engagement Plan, the CDE and several COEs across the state partnered to host a series of regional stakeholder meetings to provide an overview of the ESSA and an update on the development of the State Plan and to consult with stakeholders regarding what should be included in the State Plan.

• Phase II of stakeholder outreach took place in November and December 2016 and focused on public review and comment on several draft sections of the ESSA State Plan. Stakeholders were encouraged to utilize resources in the ESSA Stakeholder Engagement Toolkit, available at http://www.cde.ca.gov/re/es/toolkit.asp, to learn more.
about the timeline for the development of the State Plan and important overview information about ESSA and State Plan requirements.

Stakeholders were also directed to the Stakeholder Engagement - Phase II Toolkit, available at http://www.cde.ca.gov/re/es/toolkit2.asp. This set of tools included toolkit facilitator instructions, select draft sections of the State Plan, overview videos summarizing the context and contents of each section, and the public comment survey used to collect feedback on the draft sections.

- In February 2017, the CDE, in partnership with several COEs, conducted Phase III of stakeholder outreach, convening a second round of stakeholder meetings to inform the development of California’s State Plan. During these meetings, stakeholders were asked to provide feedback on a set of ESSA-related policy options to inform SBE decision-making. Meeting materials are available on the CDE Policy Input Meeting Materials Web page at http://www.cde.ca.gov/re/es/policyfactsheets.asp.

- Phase IV of stakeholder engagement will include the required 30-day public comment period on the complete draft of the State Plan. The CDE will conduct webinars and regional stakeholder meetings to explain the contents of the plan and encourage engagement in the public comment process. The public comment period is scheduled to begin on May 22, 2017, and continue through June 2017.

More information regarding these stakeholder engagement activities and links to the summaries of stakeholder feedback collected during each phase of outreach are available on the CDE ESSA State Plan Development Opportunities Web page at http://www.cde.ca.gov/re/es/essaopptopart.asp.

In addition to these formal opportunities for providing feedback, stakeholders are encouraged to submit comments, questions, recommendations, or letters concerning the State Plan at any time to the CDE by e-mail at ESSA@cde.ca.gov. Stakeholders are also encouraged to provide public comment during the following CPAG and SBE meetings in which the State Plan will be discussed:

- June 1, 2017: CPAG Meeting
- July 12–13, 2017: SBE Meeting
- August 25, 2017: CPAG Meeting
- September 13, 2017: SBE Meeting

The CDE anticipates presenting the ESSA State Plan for final SBE approval at the September 2017 SBE meeting before submitting it to the U.S. Department of Education on September 18, 2017.

Additional Information

Each section of the plan begins with a description of the purpose of the program and an estimate regarding how much funding California receives for the program and how many California students are served by the program. The 2017–18 amounts provided are based on the U.S. Department of Education’s State Tables which are based on the President Obama’s Proposed Budget for federal fiscal year (FFY) 2017, which runs through October 2017. Although the fiscal year is more than halfway over, funding for this fiscal year has not yet been finalized, and stated amounts are subject to change. A temporary budget measure known as a
“continuing resolution” or “CR” kept the federal government operational through May 5, 2017. These numbers may be updated as the final numbers for the fiscal year become available, but we do not anticipate significant changes to funding levels at this time. Funding for FFY 2018 (which California will receive for the 2018–19 school year) is still being debated in Congress. A budget blueprint sent to Congress by President Trump in March would make significant changes to federal education funding, including eliminating funding for Title II professional development and Title IV, Part B 21st Century Community Learning Centers. However, Congress has sole jurisdiction over federal appropriations. The conversation regarding funding for FFY 2018 is likely to continue throughout the year.
## California ESSA State Plan Glossary

The following acronyms and terms are used throughout the State Plan. Readers of the State Plan are encouraged to refer to this glossary as needed.

<table>
<thead>
<tr>
<th>Acronym/Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td><strong>CalEDFacts</strong></td>
<td><em>CalEDFacts</em> is a compilation of statistics and information on a variety of issues concerning education in California. <a href="http://www.cde.ca.gov/re/pn/fb/">http://www.cde.ca.gov/re/pn/fb/</a></td>
</tr>
<tr>
<td><strong>California School Dashboard</strong></td>
<td>The California School Dashboard (Dashboard) is a Web site released in March 2017 that parents/guardians, educators, and the public can use to see how districts and schools are meeting the needs of California's diverse student population based on the concise set of measures included in the new accountability system, including test scores, graduation rates, English learner progress, and suspension rates. Additionally, the Dashboard includes reporting and evaluation of local indicators. The Dashboard is part of California's new school accountability system based on the Local Control Funding Formula, enacted in 2013. As provisioned in California <em>Education Code</em>, the Dashboard will be used to support local educational agencies (LEAs) in identifying strengths, weaknesses, and areas for improvement; to assist in determining whether LEAs and schools are eligible for technical assistance; and to assist the state in determining whether LEAs and schools are eligible for more intensive support/intervention. <a href="http://www.caschooldashboard.org/">http://www.caschooldashboard.org/</a></td>
</tr>
<tr>
<td><strong>CAASPP</strong></td>
<td>The California Assessment of Student Performance and Progress (CAASPP) System was established on January 1, 2014. The CAASPP System replaced the Standardized Testing and Reporting (STAR) Program, which became inoperative on July 1, 2013. The CAASPP system includes the Smarter Balanced summative assessments for English language arts/literacy and mathematics, the California Science Tests, the reading/language arts standards-based Tests in Spanish, and the California Alternative Assessments. <a href="http://www.cde.ca.gov/ta/tg/ca/">http://www.cde.ca.gov/ta/tg/ca/</a></td>
</tr>
<tr>
<td><strong>CCEE</strong></td>
<td>The California Collaborative for Educational Excellence (CCEE) was established pursuant to California <em>Education Code</em> Section 52074, which states that “[t]he purpose of the California Collaborative for Educational Excellence is to advise and assist school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan.” The CCEE is a public agency that is governed by a five-member governing board composed of the State Superintendent of Public Instruction (or his or her designee), the president of the State Board of Education (or his or her designee), a county superintendent of schools appointed by the Senate Committee on Rules, a superintendent of a school district appointed by the Governor, and a teacher appointed by the Speaker of the Assembly. <a href="http://ccee-ca.org/">http://ccee-ca.org/</a></td>
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<tr>
<td>Acronym/Term</td>
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<tr>
<td>CDE</td>
<td>The California Department of Education (CDE) oversees the state's diverse and dynamic public school system, which is responsible for the education of more than seven million children and young adults in more than 10,000 schools. The CDE and the State Superintendent of Public Instruction are responsible for enforcing education law and regulations and for continuing to reform and improve public elementary school programs, secondary school programs, adult education, expanded learning programs, and some preschool and child care programs. The CDE's mission is to provide a world-class education for all students, from early childhood to adulthood. The CDE serves the state by innovating and collaborating with educators, schools, parents, and community partners, preparing students to live, work, and thrive in a highly connected world. <a href="http://www.cde.ca.gov/">http://www.cde.ca.gov/</a></td>
</tr>
<tr>
<td>COE</td>
<td>There are 58 county offices of education (COEs) in California that provide services to the state’s school districts. COEs have elected governing boards and are administered by elected or appointed county superintendents. The county superintendent is responsible for examining and approving school district budgets and expenditures and for reviewing and approving Local Control and Accountability Plans. COEs support school districts by performing tasks that can be done more efficiently and economically at the county level. COEs provide or help formulate new curricula, staff development and training programs, and instructional procedures; design business and personnel systems; and perform many other services to meet changing needs and requirements. When economic or technical conditions make county or regional services most appropriate for students, COEs provide a wide range of services, including special and vocational education, programs for youths at risk of failure, and instruction in juvenile detention facilities. In addition, several statutes give COEs responsibility for monitoring districts for adequate textbooks, facilities, and teacher qualifications. <a href="http://www.cde.ca.gov/re/sd/co/coes.asp">http://www.cde.ca.gov/re/sd/co/coes.asp</a></td>
</tr>
<tr>
<td>CPAG</td>
<td>The California Practitioners Advisory Group (CPAG) provides input to the State Board of Education (SBE) on ongoing efforts to establish a single coherent local, state, and federal accountability system. This advisory committee also serves as the state’s committee of practitioners under Title I requirements. The purpose of this advisory committee is to provide input to the SBE on practical implications of decisions before the SBE, which includes providing input on decisions related to implementing the state’s Local Control Funding Formula. The committee also reviews any state rules and regulations relating to Title I of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act, in order to advise the state in carrying out its Title I responsibilities. <a href="http://www.cde.ca.gov/be/cc/cp/">http://www.cde.ca.gov/be/cc/cp/</a></td>
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<tr>
<td>Acronym/Term</td>
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<td>CSMP</td>
<td>The California Subject Matter Project (CSMP) is a network of nine discipline-based statewide projects that support on-going quality professional development. Activities and programs are designed by university faculty, teacher leaders, and teacher practitioners to improve instructional practices that lead to increased achievement for all students. The CSMP encompasses the course content represented in California’s K–12 standards and frameworks, and covers all of the academic disciplines required to meet college entrance (“a-g”) requirements. After completing a program, teachers are offered ongoing education resources and support through professional communities, and further, programs cultivate and emphasize teacher leadership. CSMP programs support teachers’ implementation of standards and literacy strategies in order to nurture the academic skills of English learners and students with low literacy and content area skills. The CSMP bolsters the state’s efforts to incorporate the new standards and assessments, while also addressing the needs of California’s diverse students to ensure they acquire the requisite content knowledge to succeed in college and beyond or in their chosen careers. <a href="https://csmp.ucop.edu/">https://csmp.ucop.edu/</a></td>
</tr>
<tr>
<td>CTC</td>
<td>The California Commission on Teacher Credentialing (CTC) is an agency in the Executive Branch of the California State Government that operates as an independent standards board and works in conjunction with the California Department of Education to serve California teachers. The CTC is statutorily responsible for the design, development, and implementation of standards that govern educator preparation for the public schools of California, for the licensing and credentialing of professional educators in California, for the enforcement of professional practices of educators, and for the review and discipline of applicants and credential holders in the State of California. <a href="http://www.ctc.ca.gov/">http://www.ctc.ca.gov/</a></td>
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<tr>
<td>Curriculum Frameworks</td>
<td>The California State Board of Education (SBE) adopts curriculum frameworks for kindergarten through grade twelve (K–12) in accordance with California Education Code (EC) Section 51002, which calls for the development of “broad minimum standards and guidelines for educational programs.” Curriculum frameworks in the core curriculum areas of English language arts/English language development, mathematics, history–social science, and science are aligned to the SBE-adopted academic content standards. The Instructional Quality Commission (IQC) develops the curriculum frameworks under the authority of EC Section 33538, in a process defined in the California Code of Regulations, Title 5, sections 9510–9516. The process begins with the California Department of Education conducting four focus groups of educators to get input on improvements to an existing framework. The IQC recruits members for the Curriculum Framework and Evaluation Criteria Committee</td>
</tr>
<tr>
<td>Acronym/Term</td>
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| (CFCC)      | The CFCC is composed of a minimum of nine to a maximum of 20 members, at least half of whom are classroom teachers. The IQC makes recommendations to the SBE about the development of a curriculum framework and appointments to the CFCC. Curriculum frameworks are developed in a public manner. The CFCC develops a draft document, and the IQC prepares the draft framework for field review and holds public meetings on the document. The IQC is responsible for the draft framework that is recommended to the SBE. After a 60-day public comment period, the SBE also holds a public hearing prior to considering the framework for adoption. After adoption, the frameworks are available for purchase through the CDE and may be viewed on the CDE All Curriculum Frameworks Web page at [http://www.cde.ca.gov/ci/cr/cf/allfwks.asp](http://www.cde.ca.gov/ci/cr/cf/allfwks.asp). Curriculum frameworks have drawn state and national recognition for focusing directly on the curriculum and for contributing substantively to the improvement of teaching and learning. Based on current research in education and the specific content area, the frameworks provide a firm foundation for curriculum and instruction by describing the scope and sequence of knowledge and the skills that all students are expected to master. The frameworks' overarching dedication is to the balance of factual knowledge, fundamental skills, and the application of knowledge and skills. In addition, the frameworks establish criteria to evaluate instructional materials. These criteria are used to select, through the state adoption process mandated in EC sections 60200–60206, instructional materials for K–8. Frameworks also guide district selection of instructional resources for grades nine through twelve. Although curriculum frameworks cover the K–12 educational program, their effect can be seen in preschool programs, child-care centers, adult education programs, higher education instruction, and university entrance requirements. |}

| EL          | The Every Student Succeeds Act defines the term English learner (EL) as an individual:  
(A) who is aged 3 through 21;  
(B) who is enrolled or preparing to enroll in an elementary school or secondary school;  
(C) (i) who was not born in the United States or whose native language is a language other than English;  
(ii) (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and  
(II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or  
(iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and |
### Acronym/Term | Definition
--- | ---
(D) | whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—
  (i) the ability to meet the challenging state academic standards;
  (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
  (iii) the opportunity to participate fully in society.

### Federal Program Monitoring
School districts, direct-funded charter schools, and county offices that receive funding for certain federal programs may be chosen for a review by the state. The purpose of the review is to ensure that they are spending the funding as required by law. At the end of each review, the state will complete a report that details any findings of non-compliance and informs the school, district, or county office how to correct the findings.

http://www.cde.ca.gov/ta/cr/

### Golden State Seal Merit Diploma
California Assembly Bill 3488, approved in July 1996, called for the development of the Golden State Seal Merit Diploma (GSSMD) to recognize public school graduates who have demonstrated their mastery of the high school curriculum in at least six subject matter areas, four of which are English-language arts, mathematics, science, and U.S. history, with the remaining two subject matter areas selected by the student. The GSSMD is awarded jointly by the State Board of Education and the State Superintendent of Public Instruction.

http://www.cde.ca.gov/ta/tg/ca/meritdiploma.asp

### LCAP
The Local Control and Accountability Plan (LCAP) is an important component of California’s Local Control Funding Formula (LCFF). The LCAP is a tool for local educational agencies to set goals, plan actions, and leverage resources to meet those goals to improve student outcomes with specific activities to address state and local priorities. The eight state priorities include the following:

1. Basic
   a. Teacher assignment
   b. Access to standards-aligned instructional materials
   c. Facilities
2. Implementation of State Standards
3. Parental Involvement
4. Pupil Achievement
5. Pupil Engagement
6. School Climate
7. Course Access
8. Other Pupil Outcomes

California *Education Code* requires that LCAPs be developed in a public process in consultation with teachers, principals, administrators, other school personnel, local bargaining units of the
<table>
<thead>
<tr>
<th>Acronym/Term</th>
<th>Definition</th>
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</thead>
<tbody>
<tr>
<td>LCAP Addendum</td>
<td>The Local Control and Accountability Plan Addendum (LCAP Addendum) is the mechanism by which local educational agencies will address local planning requirements of Every Student Succeeds Act programs within the LCAP development process. The addendum is intended to supplement the LCAP, just as ESSA funds are intended to supplement state funds. It addresses the local planning requirements for the following ESSA programs:</td>
</tr>
<tr>
<td></td>
<td>• Title I, Part A: Improving Basic Programs Operated by State and Local Educational Agencies</td>
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<td></td>
<td>• Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk</td>
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<td>• Title II, Part A: Supporting Effective Instruction</td>
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<td>• Title III, Part A: Language Instruction for English Learners and Immigrant Students</td>
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<tr>
<td></td>
<td>• Title IV, Part A: Student Support and Academic Enrichment Grants</td>
</tr>
<tr>
<td>LCFF</td>
<td>California’s 2013–14 Budget Act enacted landmark legislation that greatly simplifies the school finance system and provides additional resources to local educational agencies serving students with greater educational needs. The changes introduced by the Local Control Funding Formula (LCFF) represent a major shift in how the state funds local educational agencies (LEAs), eliminating revenue limits and most state categorical programs. LEAs receive funding based on the demographic profile of the students they serve and gain greater flexibility to use these funds to improve student outcomes. More information regarding the LCFF is available on the California Department of Education (CDE) LCFF Overview Web page at <a href="http://www.cde.ca.gov/fg/aa/lc/lcffoverview.asp">http://www.cde.ca.gov/fg/aa/lc/lcffoverview.asp</a>.</td>
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<td></td>
<td>LEAs receive a base grant based upon average daily attendance with additional funds for students in certain grade spans. In addition, they receive a supplemental grant equal to 20 percent of the base grant based on the number of students eligible to receive free or reduced-price meals, English learners, and foster youth students, and a concentration grant equal to 50 percent of the adjusted base grant for these same students when exceeding 55 percent of an LEA’s enrollment. LEAs have broad discretion regarding use of the base grants but are required to develop, adopt, and annually update a three-year Local Control and Accountability Plan (LCAP) which describes how they intend to meet annual goals for all pupils, with specific activities to address state and local priorities identified in LCFF statute. The law requires LEAs to increase or improve services for high-need students in proportion to the additional funding apportioned on the basis of the target student enrollment in the school district, parents, and pupils. <a href="http://www.cde.ca.gov/re/lc/">http://www.cde.ca.gov/re/lc/</a></td>
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<tr>
<td>Acronym/Term</td>
<td>Definition</td>
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<tr>
<td>district.</td>
<td>In California, local educational agencies (LEAs) include county offices of education, school districts, and direct-funded charter schools.</td>
</tr>
<tr>
<td>LEA</td>
<td>The California State Board of Education (SBE) is the state’s 11 member K–12 policy-making body for academic standards, curriculum, instructional materials, assessments, and accountability. California Education Code 12032 officially designates the SBE as the state educational agency (SEA) for federally funded education programs, including the Every Student Succeeds Act. The SEA has the primary responsibility for overseeing the state’s full compliance with provisions of federal law including school accountability. <a href="http://www.cde.ca.gov/be/">http://www.cde.ca.gov/be/</a></td>
</tr>
<tr>
<td>SEA</td>
<td>The state educational agency (SEA) is defined in ESSA as the agency primarily responsible for the state supervision of public elementary schools and secondary schools. California Education Code 12032 officially designates the State Board of Education as the SEA for federally funded education programs, including the ESSA.</td>
</tr>
<tr>
<td>Seal of Biliteracy</td>
<td>The State Seal of Biliteracy, codified in California Education Code sections 51460–51464, provides recognition to high school students who have demonstrated proficiency in speaking, reading, and writing in one or more languages in addition to English. <a href="http://www.cde.ca.gov/sp/el/er/sealofbiliteracy.asp">http://www.cde.ca.gov/sp/el/er/sealofbiliteracy.asp</a></td>
</tr>
<tr>
<td>TDG</td>
<td>The Technical Design Group (TDG) is a group of experts in psychometric theory and education research that provide recommendations to the California Department of Education on matters related to the state and federal accountability system.</td>
</tr>
</tbody>
</table>
Revised State Template for the Consolidated State Plan
The Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act

U.S. Department of Education
Issued: March 2017

OMB Number: 1810-0576
Expiration Date: September 30, 2017
Introduction
Section 8302 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), requires the Secretary to establish procedures and criteria under which, after consultation with the Governor, a State educational agency (SEA) may submit a consolidated State plan designed to simplify the application requirements and reduce burden for SEAs. ESEA section 8302 also requires the Secretary to establish the descriptions, information, assurances, and other material required to be included in a consolidated State plan. Even though an SEA submits only the required information in its consolidated State plan, an SEA must still meet all ESEA requirements for each included program. In its consolidated State plan, each SEA may, but is not required to, include supplemental information such as its overall vision for improving outcomes for all students and its efforts to consult with and engage stakeholders when developing its consolidated State plan.

Completing and Submitting a Consolidated State Plan
Each SEA must address all of the requirements identified below for the programs that it chooses to include in its consolidated State plan. An SEA must use this template or a format that includes the required elements and that the State has developed working with the Council of Chief State School Officers (CCSSO).

Each SEA must submit to the U.S. Department of Education (Department) its consolidated State plan by one of the following two deadlines of the SEA’s choice:

- April 3, 2017; or
- September 18, 2017.

Any plan that is received after April 3, but on or before September 18, 2017, will be considered to be submitted on September 18, 2017. In order to ensure transparency consistent with ESEA section 1111(a)(5), the Department intends to post each State plan on the Department’s website.

Alternative Template
If an SEA does not use this template, it must:
1) Include the information on the Cover Sheet;
2) Include a table of contents or guide that clearly indicates where the SEA has addressed each requirement in its consolidated State plan;
3) Indicate that the SEA worked through CCSSO in developing its own template; and
4) Include the required information regarding equitable access to, and participation in, the programs included in its consolidated State plan as required by section 427 of the General Education Provisions Act. See Appendix B.

Individual Program State Plan
An SEA may submit an individual program State plan that meets all applicable statutory and regulatory requirements for any program that it chooses not to include in a consolidated State plan. If an SEA intends to submit an individual program plan for any program, the SEA must submit the individual program plan by one of the dates above, in concert with its consolidated State plan, if applicable.

Consultation
Under ESEA section 8540, each SEA must consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor’s office, including during the development and prior to

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3 Unless otherwise indicated, citations to the ESEA refer to the ESEA, as amended by the ESSA.
submission of its consolidated State plan to the Department. A Governor shall have 30 days prior to the SEA submitting the consolidated State plan to the Secretary to sign the consolidated State plan. If the Governor has not signed the plan within 30 days of delivery by the SEA, the SEA shall submit the plan to the Department without such signature.

Assurances
In order to receive fiscal year (FY) 2017 ESEA funds on July 1, 2017, for the programs that may be included in a consolidated State plan, and consistent with ESEA section 8302, each SEA must also submit a comprehensive set of assurances to the Department at a date and time established by the Secretary. In the near future, the Department will publish an information collection request that details these assurances.

For Further Information: If you have any questions, please contact your Program Officer at OSS.[State]@ed.gov (e.g., OSS.Alabama@ed.gov).
## Cover Page

### Contact Information and Signatures

<table>
<thead>
<tr>
<th>SEA Contact (Name and Position):</th>
<th>Telephone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>Email Address:</td>
</tr>
<tr>
<td>California Department of Education</td>
<td></td>
</tr>
<tr>
<td>1430 N Street</td>
<td></td>
</tr>
<tr>
<td>Sacramento, CA 95814</td>
<td></td>
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</tbody>
</table>

By signing this document, I assure that:
To the best of my knowledge and belief, all information and data included in this plan are true and correct.
The SEA will submit a comprehensive set of assurances at a date and time established by the Secretary,
including the assurances in ESEA section 8304.
Consistent with ESEA section 8302(b)(3), the SEA will meet the requirements of ESEA sections 1117 and 8501 regarding the participation of private school children and teachers.

<table>
<thead>
<tr>
<th>Authorized SEA Representative (Printed Name)</th>
<th>Telephone:</th>
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<table>
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<tr>
<th>Signature of Authorized SEA Representative</th>
<th>Date:</th>
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<thead>
<tr>
<th>Governor (Printed Name)</th>
<th>Date SEA provided plan to the Governor under ESEA section 8540:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edmund G. Brown, Jr.</td>
<td></td>
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</tbody>
</table>

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<thead>
<tr>
<th>Signature of Governor</th>
<th>Date:</th>
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</table>
Programs Included in the Consolidated State Plan

Instructions: Indicate below by checking the appropriate box(es) which programs the SEA included in its consolidated State plan. If an SEA elected not to include one or more of the programs below in its consolidated State plan, but is eligible and wishes to receive funds under the program(s), it must submit individual program plans for those programs that meet all statutory and regulatory requirements with its consolidated State plan in a single submission.

☒ Check this box if the SEA has included all of the following programs in its consolidated State plan.

or

If all programs are not included, check each program listed below that the SEA includes in its consolidated State plan:

☐ Title I, Part A: Improving Basic Programs Operated by 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: English Language Acquisition, Language Enhancement, and Academic Achievement

☐ 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 Youth Program (McKinney-Vento Act)

Instructions

Each SEA must provide descriptions and other information that address each requirement listed below for the programs included in its consolidated State plan. Consistent with ESEA section 8302, the Secretary has determined that the following requirements are absolutely necessary for consideration of a consolidated State plan. An SEA may add descriptions or other information, but may not omit any of the required descriptions or information for each included program.
A. Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies

The purpose of this program is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

This program provides financial assistance through states to local educational agencies (LEAs) and public schools with high numbers or percentages of children from low-income families to help ensure that all students meet challenging state academic content standards. LEAs target the Title I funds they receive to public schools with the highest percentages of children from low-income families.

Title I schools with percentages of low-income students of at least 40 percent may use Title I funds, along with other federal, state, and local funds, to operate a "schoolwide program" to upgrade the instructional program for the whole school. Title I schools with less than 40 percent low-income students or that choose not to operate a schoolwide program offer a "targeted assistance program" in which the school identifies students who are failing, or most at risk of failing, to meet the state’s challenging academic standards. Targeted assistance schools design, in consultation with parents, staff, and district staff, an instructional program to meet the needs of those students.

To support low-income students in meeting the state’s academic content standards, Title I, Part A includes provisions regarding the state’s standards and assessments, accountability system, school support and improvement activities, activities to ensure equitable access to effective educators, and efforts to improve school conditions and school transitions.

California estimates it will receive $1.8 billion in Title I, Part A funds in 2017–18. Under the Every Student Succeeds Act (ESSA), states must reserve 7 percent to support schools identified as needing additional support, not less than 95 percent of which must be subgranted to LEAs to serve identified schools or, with permission of the LEA, subgranted to an external entity to provide such support. The remaining 5 percent of the 7 percent may be used by the state for school improvement activities. In 2015–16, under the No Child Left Behind Act, over 3.9 million students in California participated in programs under Title I, Part A.

1. **Challenging State Academic Standards and Assessments** (ESEA section 1111(b)(1) and (2) and 34 CFR §§ 200.1–200.8).^4^

2. **Eighth Grade Math Exception** (ESEA section 1111(b)(2)(C) and 34 CFR § 200.5(b)(4)):
   i. Does the State administer an end-of-course mathematics assessment to meet the requirements under section 1111(b)(2)(B)(v)(I)(bb) of the ESEA?
      □ Yes
      X No
   ii. If a State responds “yes” to question 2(i), does the State wish to exempt an eighth-grade student who takes the high school mathematics course associated with the end-of-course

^4 The Secretary anticipates collecting relevant information consistent with the assessment peer review process in 34 CFR § 200.2(d). An SEA need not submit any information regarding challenging State academic standards and assessments at this time.
assessments from the mathematics assessment typically administered in eighth grade under section 1111(b)(2)(B)(v)(I)(aa) of the ESEA and ensure that:

a. The student instead takes the end-of-course mathematics assessment the State administers to high school students under section 1111(b)(2)(B)(v)(I)(bb) of the ESEA;

b. The student’s performance on the high school assessment is used in the year in which the student takes the assessment for purposes of measuring academic achievement under section 1111(c)(4)(B)(i) of the ESEA and participation in assessments under section 1111(c)(4)(E) of the ESEA;

c. In high school:
   1. The student takes a State-administered end-of-course assessment or nationally recognized high school academic assessment as defined in 34 CFR § 200.3(d) in mathematics that is more advanced than the assessment the State administers under section 1111(b)(2)(B)(v)(I)(bb) of the ESEA;
   2. The State provides for appropriate accommodations consistent with 34 CFR § 200.6(b) and (f); and
   3. The student’s performance on the more advanced mathematics assessment is used for purposes of measuring academic achievement under section 1111(c)(4)(B)(i) of the ESEA and participation in assessments under section 1111(c)(4)(E) of the ESEA.

□ Yes □ No

iii. If a State responds “yes” to question 2(ii), consistent with 34 CFR § 200.5(b)(4), describe, with regard to this exception, its strategies to provide all students in the State the opportunity to be prepared for and to take advanced mathematics coursework in middle school.

3. Native Language Assessments (ESEA section 1111(b)(2)(F) and 34 CFR § 200.6(f)(2)(ii) ) and (f)(4):

i. Provide its definition for “languages other than English that are present to a significant extent in the participating student population,” and identify the specific languages that meet that definition.

California has identified Spanish as its most populous language other than English. This is based on 2015–16 Language Data for Districts and Schools by Language Group, which may be accessed on the CDE Web page at http://www.cde.ca.gov/ls/pf/cm/transref.asp. These data indicate that Spanish is spoken by 33.5 percent of students in kindergarten through grade twelve. The next most populous language is spoken by only 1.31 percent of students. Within the English learner student group, Spanish is spoken by 83.4 percent of students, with the next language trailing far behind at 2.2 percent.

ii. Identify any existing assessments in languages other than English, and specify for which grades and content areas those assessments are available.

California is committed to providing reliable assessments in languages other than English based on the constructs being measured. For the California Assessment of Student Performance and Progress (CAASPP) Smarter Balanced mathematics assessment in grades three through eight and grade eleven, California provides stacked translations in Spanish and language glossaries in the 10 languages most commonly spoken in Smarter Balanced member state schools. In addition, for the CAASPP Smarter Balanced mathematics and English language arts (ELA) assessments, California provides translated test directions in 17 languages.
For the California Alternate Assessment in mathematics, eligible pupils shall have any instructional supports and/or accommodations, including the language of instruction, used in the pupil's daily instruction in accordance with the pupil's individualized education program.

iii. Indicate the languages identified in question 3(i) for which yearly student academic assessments are not available and are needed.

Currently, the California Science Test is under development and is scheduled to be operational in 2018–19; it will include stacked translations in Spanish and embedded glossaries for specific words.

In support of biliteracy, California is currently developing a Spanish reading/language arts (RLA) assessment, the California Spanish Assessment (CSA). The State Board of Education (SBE)-approved purpose of the CSA is to measure a student’s competency in Spanish language arts in grades three through eight and high school for the purpose of: (1) providing student-level data in Spanish competency; (2) providing aggregate data that may be used for evaluating the implementation of Spanish language arts programs at the local level; and (3) providing a high school measure suitable to be used, in part, for the State Seal of Biliteracy.

Although the Spanish RLA assessment is aligned, to the extent feasible, with the Common Core State Standards (CCSS) en Español, the Spanish RLA assessment and the English language arts (ELA) assessment measure constructs that are fundamentally different, thus yielding data that are not comparable. A test construct refers to the concept or the characteristic that a test is designed to measure. For example, because contractions (i.e., don’t) are a construct of the English language, but not a construct of the Spanish language, a Spanish language assessment would fail to include a construct that is important to the English language. Likewise, there are constructs in Spanish (i.e., accent marks) for which there are no English equivalents. The RLA assessment for Spanish as well as for ELA are accurate and reliable measures for their intended constructs. The ESSA requirement is to determine which of the measures is “most likely to yield accurate and reliable information;” given the constructs are different, this comparison is inappropriate. As a result, California will not be using the Spanish RLA assessment in lieu of the ELA assessment for federal accountability purposes, as the assessments are not interchangeable. This decision is supported by the following recent research by nationally renowned linguistic scholars:

- “Issues of equivalence across languages are considerably more serious in the case of English Language Arts--it is impossible to make valid inferences about EL students’ knowledge of this field based on their scores on English Language Arts administered in their native language. The reason is twofold. First, language arts are specific to the language in which they originate. Second, to a large extent, language arts involve more than meaning...there are subtle aspects that cannot be replicated and assessed across languages.” (Solano-Flores, G. & Hakuta, K. [2017] Assessing Students in their Home Language, pp. 14–15)

Moreover, the U.S. Department of Education states, “We further agree that it is...
important that any content assessment that states develop in languages other than English measure the same construct as the assessments administered in English..." per the Federal Register, Vol. 81, No 236, Page 88921 (2016). As explained in the bullet above, assessing a student’s ELA knowledge with an assessment in the student’s native language is not valid because the two assessments measure different constructs (i.e., “language arts are specific to the language in which they originate”). California will not administer the CSA in lieu of the ELA assessment because the assessments measure different constructs and do not align with the federal government’s stance that the constructs that measure ELA and native language assessments must be the same.

Additionally, the College and Career Readiness Anchor Standards, which are part of the CCSS in ELA/Literacy, emphasize the importance of literacy and language arts in English in order to prepare students for entering college and/or the workforce. Allowing students to take the Spanish RLA assessment in lieu of the ELA assessment beyond their first year in the United States would provide no measure of the students’ progress toward meeting the ELA standards, thereby failing to measure their preparedness for college and the workforce.

Although the Spanish RLA assessment measures a separate construct, it is still an important construct to measure. It will provide LEAs with a reliable measure of Spanish RLA which will enable them to evaluate their Spanish language arts programs and can be used in their Local Control and Accountability Plan (LCAP), if appropriate. The CDE will ensure that LEAs are provided with access to data which can be considered in their LCAP development process. These purposes are consistent with the SBE-approved purposes of the CSA.

iv. Describe how it will make every effort to develop assessments, at a minimum, in languages other than English that are present to a significant extent in the participating student population including by providing
   a. The State’s plan and timeline for developing such assessments, including a description of how it met the requirements of 34 CFR § 200.6(f)(4);

   Table 1, below, provides the timeline for developing additional assessments.

   Table 1. Timeline for Assessments in Languages Other Than English

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Timeline</th>
<th>Funding Sources</th>
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   | Development of the California Science Tests | Pilot test: 2016–17  
                                    | Field test: 2017–18  
                                    | Operational: 2018–19 | State and federal funds |

   b. A description of the process the State used to gather meaningful input on the need for assessments in languages other than English, collect and respond to public comment, and consult with educators; parents and families of English learners; students, as appropriate; and other stakeholders; and

   In 2015, CAASPP stakeholder meetings were held to gather meaningful input on the development of the assessments as documented in the March 2016 report from the CDE to the Governor entitled Recommendations for Expanding
California’s Comprehensive Assessment System (http://www.cde.ca.gov/ta/tg/ca/documents/compassessexpand.pdf). The CDE also meets regularly with parent, educator, and family advocacy groups, the California Practitioners Advisory Group (CPAG), the Advisory Commission on Special Education, and LEA representatives to provide assessment updates and receive feedback.

c. As applicable, an explanation of the reasons the State has not been able to complete the development of such assessments despite making every effort.

California is currently developing stacked translations in Spanish simultaneously with the development of the California Science Test (CAST) and therefore, these stacked translations will be available once the CAST becomes operational in 2018–19.

4. Statewide Accountability System and School Support and Improvement Activities (ESEA section 1111(c) and (d)):
   i. Subgroups (ESEA section 1111(c)(2)):
      a. List each major racial and ethnic group the State includes as a subgroup of students, consistent with ESEA section 1111(c)(2)(B).

      In California, the racial/ethnic student groups are the following:
      - Black or African American
      - Asian
      - Filipino
      - Hispanic or Latino
      - American Indian or Alaska Native
      - Native Hawaiian or Pacific Islander
      - Two or More Races
      - White

      California also includes the following student groups in its accountability system:
      - Socioeconomically Disadvantaged
      - English Learners
      - Students with Disabilities
      - Foster Youth
      - Homeless

   b. If applicable, describe any additional subgroups of students other than the statutorily required subgroups (i.e., economically disadvantaged students, students from major racial and ethnic groups, children with disabilities, and English learners) used in the Statewide accountability system.

      California includes foster youth and homeless children and youth in its accountability system.
c. Does the State intend to include in the English learner subgroup the results of students previously identified as English learners on the State assessments required under ESEA section 1111(b)(2)(B)(v)(I) for purposes of State accountability (ESEA section 1111(b)(3)(B))? Note that a student’s results may be included in the English learner subgroup for not more than four years after the student ceases to be identified as an English learner.

X Yes  □ No

d. If applicable, choose one of the following options for recently arrived English learners in the State:

X Applying the exception under ESEA section 1111(b)(3)(A)(i); or
□ Applying the exception under ESEA section 1111(b)(3)(A)(ii); or
□ Applying the exception under ESEA section 1111(b)(3)(A)(i) or under ESEA section 1111(b)(3)(A)(ii). If this option is selected, describe how the State will choose which exception applies to a recently arrived English learner.

ii. Minimum N-Size (ESEA section 1111(c)(3)(A)):

a. Provide the minimum number of students that the State determines are necessary to be included to carry out the requirements of any provisions under Title I, Part A of the ESEA that require disaggregation of information by each subgroup of students for accountability purposes.

California’s accountability system will be applied to all schools, including charter schools, and student groups with 30 or more students. The same minimum N size of 30 will be applied to alternative schools when the alternative indicators are produced for the fall 2018 California School Dashboard.

Note: California will use a minimum student group size of 15 or more students for foster youth and homeless youth under LCFF for LEAs (i.e., LCAP goals and performance levels on the California School Dashboard).

b. Describe how the minimum number of students is statistically sound.

Given the confidence level and margin of error, a sample size of 30 is needed to appropriately estimate the population. A sample size of 30 produces a standardized normal distribution, where the distance between the variance is normal/standard, resulting in statistically significant results (based on the central limit theorem).

c. Describe how the minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when determining such minimum number.

Research overwhelmingly supports a minimum N size of 30 to produce a mean, range, standard deviation, and even distribution. Based on this research, the California Legislature established the N size for accountability purposes in California Education Code Section 52052. There was support from educational stakeholders and a general consensus regarding the established N size of 30.
d. Describe how the State ensures that the minimum number is sufficient to not reveal any personally identifiable information.5

To preserve student anonymity, the CDE does not report data if a student group has less than 11 valid results.

e. If the State’s minimum number of students for purposes of reporting is lower than the minimum number of students for accountability purposes, provide the State’s minimum number of students for purposes of reporting.

The minimum size for reporting is 11.

iii. Establishment of Long-Term Goals (ESEA section 1111(c)(4)(A)):

Long-term goals, and the ability for LEAs or schools to determine interim progress goals, are built into the California Model. For a complete description of the model, please see the response to Section A.4.v: Annual Meaningful Differentiation. The new system is based on a five-by-five colored grid that produces 25 results. A school and student group’s placement on the grid determines the improvement that is required to maintain the current performance level (color) on the grid or to move to the next performance level.

Note: For a summary of all the decisions the SBE is required to make regarding the new federal accountability requirements, please review the April 2017 Information Memorandum on the “Relationship Between the State Board of Education’s Adopting the Local Control Funding Formula Evaluation Rubrics and the Title I School Accountability Requirements Under the Every Student Succeeds Act” on the CDE April 2017 Information Memoranda Web page at http://www.cde.ca.gov/be/pn/im/infomemoapr2017.asp. An overview of the California accountability model (California Model) is provided on the CDE California Accountability Model & School Dashboard Web page at http://www.cde.ca.gov/ta/ac/cm/. Detailed information on the production of the new indicators in the new California Model is provided in the “Technical Guide for the New Accountability System” available on the CDE Web page at http://www.cde.ca.gov/ta/ac/cm/ under the Data Files and Guide tab.

a. Academic Achievement. (ESEA section 1111(c)(4)(A)(i)(I)(aa))

1. Describe the long-term goals for improved academic achievement, as measured by proficiency on the annual statewide reading/language arts and mathematics

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5 Consistent with ESEA section1111(i), information collected or disseminated under ESEA section 1111 shall be collected and disseminated in a manner that protects the privacy of individuals consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”). When selecting a minimum n-size for reporting, States should consult the Institute for Education Sciences report “Best Practices for Determining Subgroup Size in Accountability Systems While Protecting Personally Identifiable Student Information” to identify appropriate statistical disclosure limitation strategies for protecting student privacy.
assessments, for all students and for each subgroup of students, including: (i) baseline data; (ii) the timeline for meeting the long-term goals, for which the term must be the same multi-year length of time for all students and for each subgroup of students in the State; and (iii) how the long-term goals are ambitious.

For ELA baseline data, 6.3 percent of schools are in the Red performance level, 12.8 percent are in the Orange performance level, 46.4 percent are in the Yellow performance level, 19.8 percent are in the Green performance level, and 14.6 percent are in the Blue performance level. For the mathematics baseline data, 8.1 percent of schools are in the Red performance level, 14.2 percent are in the Orange performance level, 44.2 percent are in the Yellow performance level, 19.9 percent are in the Green performance level, and 13.5 percent are in the Blue performance level.

The SBE has not yet established goals for all schools and student groups. Based on where the cut points for Status and Change were drawn within the current statewide distribution of performance, the Green performance level represents a logical starting place for establishing goals.

As reflected in the baseline data, the Green performance level represents approximately the top third of performance statewide, making it ambitious to set a goal of moving all schools and student groups to that level of performance.

There are, however, five boxes that make up the Green performance level on the five-by-five grid, representing different combinations of Status and Change. The SBE will determine a specific “Green” box as the goal. In other words, the SBE will establish the minimum specific Status and Change requirements to meet the goal.

The CDE has produced a report that indicates where schools are on the five-by-five colored grid, allowing schools to determine how much improvement is needed to reach that goal.

The SBE has not yet established a timeline for reaching the goal. The SBE expects to revise the performance levels for state indicators every five to seven years and has established an annual review process to assess progress on all indicators statewide. The SBE also may update performance standards sooner if warranted (e.g., if the majority of LEAs, schools, and/or student groups have exceeded the goal). Accordingly, the goal will be to reach a specific cell in the Green performance level within five to seven years.

Note: Staff will review the five-by-five grids for each state indicator and present specific recommendations for the SBE’s consideration at the July 2017 SBE meeting. As a starting point for stakeholder input during the public comment period, staff have identified the cell for High (Status) and Maintained (Change) as a potential goal. All of the Blue cells would exceed the goal, and the SBE would determine whether any other Green cells also exceed the goal (e.g., Very High [Status] and Declined [Change]. Based on SBE direction, staff anticipate revising this section of the draft plan to describe a specific goal.
Staff anticipates that the SBE will adopt performance standards at its September 2017 meeting for the approved College/Career Indicator, which includes grade 11 assessment results for ELA and mathematics. This section will be updated based on those performance standards, once approved.

2. Provide the measurements of interim progress toward meeting the long-term goals for academic achievement in Appendix A.

3. Describe how the long-term goals and measurements of interim progress toward the long-term goals for academic achievement take into account the improvement necessary to make significant progress in closing statewide proficiency gaps.

Because all student groups have the same long-term goal, student groups with lower baseline performance will need to make greater improvement over time to reach the long-term goal. The ability for LEAs or schools to determine interim progress goals, including for lower performing student groups, is built into the California Model.

b. Graduation Rate. (ESEA section 1111(c)(4)(A)(i)(I)(bb))

1. Describe the long-term goals for the four-year adjusted cohort graduation rate for all students and for each subgroup of students, including: (i) baseline data; (ii) the timeline for meeting the long-term goals, for which the term must be the same multi-year length of time for all students and for each subgroup of students in the State; and (iii) how the long-term goals are ambitious.

California’s overall graduation rates have been steadily increasing since California started calculating the four-year cohort rate beginning with the 2009–10 graduating class. The graduation rate baseline data produced 11.0 percent of schools in the Red performance level, 6.9 percent percent in the Orange performance level, 15.8 percent in the Yellow performance level, 23.0% in the Green performance level, and 43.3 percent in the Blue performance level.

The SBE has not yet established goals for all schools and student groups or a timeline for reaching the goals. Based on where the cut points for Status and Change were drawn within the current statewide distribution of performance, the Green performance level represents a logical starting place for establishing goals.

There are, however, four boxes that make up the Green performance levels on the five-by-five grid, representing different combinations of Status and Change. The SBE will determine a specific “Green” box as the goal. In other words, the SBE will establish the minimum specific Status and Change requirements to meet the goal.

The CDE has produced a report that indicates where schools are on the five-by-five colored grid, allowing schools to determine how much improvement is needed to reach that goal.

The SBE has not yet established a timeline for reaching the goal. The SBE expects to revise the performance levels for state indicators every five to
seven years and has established an annual review process to assess progress on all indicators statewide. The SBE also may update performance standards sooner if warranted (e.g., if the majority of LEAs, schools, and/or student groups have exceeded the goal). Accordingly, the goal will be to reach a specific cell in the Green performance level within five to seven years.

Note: Staff will review the five-by-five grids for each state indicator and present specific recommendations for the SBE’s consideration at the July 2017 SBE meeting. As a starting point for stakeholder input during the public comment period, staff have identified the cell for High (Status) and Maintained (Change) as a potential goal. All of the Blue cells would exceed the goal, and the SBE would determine whether any other Green cells also exceed the goal (e.g., Very High [Status] and Declined [Change]). Less than 40 percent of all schools are in the High (Status) and Maintained (Change) for graduation rate and only one student group (Asian) is in the High (Status) and Maintained (Change). If the SBE sets High (Status) and Maintained (Change) as the goal, it would be an ambitious goal to move all schools and student groups to reach or exceed that box in the Green performance level. Based on SBE direction, staff anticipate revising this section of the draft plan to describe a specific goal.

2. If applicable, describe the long-term goals for each extended-year adjusted cohort graduation rate, including (i) baseline data; (ii) the timeline for meeting the long-term goals, for which the term must be the same multi-year length of time for all students and for each subgroup of students in the State; (iii) how the long-term goals are ambitious; and (iv) how the long-term goals are more rigorous than the long-term goal set for the four-year adjusted cohort graduation rate.

California is still in the process of incorporating the five-year cohort graduation rate into the accountability system and anticipates incorporating the five-year cohort data into the accountability system for the fall 2018 release.

3. Provide the measurements of interim progress toward the long-term goals for the four-year adjusted cohort graduation rate and any extended-year adjusted cohort graduation rate in Appendix A.

4. Describe how the long-term goals and measurements of interim progress for the four-year adjusted cohort graduation rate and any extended-year adjusted cohort graduation rate take into account the improvement necessary to make significant progress in closing statewide graduation rate gaps.

Given that all student groups have the same long-term goal, student groups with lower baseline performance will need to make greater improvement over time to reach the long-term goal. The ability for LEAs or schools to determine interim progress goals, including for lower performing student groups, is built into the California Model.
c. **English Language Proficiency** *(ESEA section 1111(c)(4)(A)(ii))*

1. Describe the long-term goals for English learners for increases in the percentage of such students making progress in achieving English language proficiency, as measured by the statewide English language proficiency assessment including: (i) baseline data; (ii) the State-determined timeline for such students to achieve English language proficiency; and (iii) how the long-term goals are ambitious.

The California Model methodology provides credit to schools when students move up one performance level on the language proficiency test from the prior year to the current year. Using the current language assessment results (the California English Language Development Test [CELDT]) and current methodology, a student that starts with a beginning level on the CELDT is expected to achieve language proficiency within five years and maintain language proficiency based on the California Model.

Research indicates that it takes five to seven years for English learner (EL) students to become language proficient. Therefore, the California Model sets high expectations for schools.

However, California is currently transitioning to a new language proficiency test. The first operational administration of the new assessment, the English Language Proficiency Assessments for California (ELPAC), will occur in spring 2018. Once the ELPAC is operational and the CDE has the initial results, the SBE will revisit the English Learner Progress Indicator (ELPI) methodology, cut points, and timelines for language proficiency.

The ELPI baseline data using the CELDT produced 15.7 percent of schools in the Red performance level, 28.2 percent in the Orange performance level, 18.8 percent in the Yellow performance level, 27.0 percent in the Green performance level, and 10.3 percent in the Blue performance level.

The SBE has not yet established goals for all schools or a timeline for reaching the goals. Based on where the cut points for Status and Change were drawn within the current statewide distribution of performance, the Green performance level represents a logical starting place for establishing goals.

There are, however, five boxes that make up the Green performance level on the five-by-five grid, representing different combinations of Status and Change. The SBE will determine a specific “Green” box as the goal. In other words, the SBE will establish the minimum specific Status and Change requirements to meet the goal.

The CDE has produced a report that indicates where schools are on the five-by-five colored grid, allowing schools to determine how much improvement is needed to reach that goal.

The SBE has not yet established a timeline for reaching the goal. The SBE expects to revise the performance levels for state indicators every five to seven years and has established an annual review process to assess progress on all indicators statewide. The SBE also may update performance standards sooner if warranted (e.g., if the underlying construction of the
measure changes due to use of a new assessment). Accordingly, the goal will be to reach a specific cell in the Green performance level within five to seven years.

*Note:* Staff will review the five-by-five grids for each state indicator and present specific recommendations for the SBE’s consideration at the July 2017 SBE meeting. As a starting point for stakeholder input, during the public comment, staff have identified the cell for High (Status) and Maintained (Change) as a potential goal. All of the Blue cells would exceed the goal, and the SBE would determine whether any other Green cells also exceed the goal (e.g., Very High [Status] and Declined [Change]). Based on SBE direction, staff anticipate revising this section of the draft plan to describe a specific goal.

2. Provide the measurements of interim progress toward the long-term goal for increases in the percentage of English learners making progress in achieving English language proficiency in Appendix A.

iv. **Indicators (ESEA section 1111(c)(4)(B))**
   a. **Academic Achievement Indicator.** Describe the Academic Achievement indicator, including a description of how the indicator (i) is based on the long-term goals; (ii) is measured by proficiency on the annual Statewide reading/language arts and mathematics assessments; (iii) annually measures academic achievement for all students and separately for each subgroup of students; and (iv) at the State’s discretion, for each public high school in the State, includes a measure of student growth, as measured by the annual Statewide reading/language arts and mathematics assessments.

The Academic Indicator will include the CAASPP for ELA and mathematics in grades three through eight for elementary and middle schools. Currently, “Status” is determined using the average distance from the lowest scale score associated with Level 3 (Standard Met) on the most recent administration of the Smarter Balanced assessments, and “Change” is the difference between performance from the prior year and current year.

The CDE is researching the possibility of using an individual student growth model to determine the “Change” component. If the SBE adopts the growth model and the “Change” component, the average Distance from Level 3 will continue to be used to determine “Status.” If a student-level growth model is adopted, the CDE anticipates it can be in place for the 2018–19 accountability determinations.

For high schools, the grade 11 assessment results are incorporated into the Career/College Indicator (CCI). To ensure transparency, grade eleven CAASPP results are also reported separately as the average distance from the lowest scale score associated with Level 3 (Standard Met) by schools and LEAs. The CCI is designed to include multiple measures in order to value the multiple pathways that students may take to prepare for postsecondary. The CCI currently has three levels (Prepared, Approaching Prepared, and Not Prepared) and is designed to allow new measures to be added when they become available. To determine how well schools have prepared students for postsecondary, the CCI evaluates all students in the four-year graduation cohort.
The following measures might be included (subject to SBE approval) in the fall 2017–18 release of the CCI:

- Grade 11 CAASPP results in ELA and mathematics
- a-g Completion
- Dual Enrollment
- Advanced Placement (AP) exam
- International Baccalaureate (IB) exam
- Career Technical Education (CTE) pathway completion

California added new data elements to California’s student-level data collection, the California Longitudinal Pupil Achievement Data System (CALPADS), in the 2016–17 end-of-year data collection. Once these new measures are collected and determined to be valid and reliable, they might be considered for inclusion in the CCI. These measures are:

- State Seal of Biliteracy
- Golden State Seal Merit Diploma
- Articulated CTE Pathways

In addition, California has convened a work group that will make recommendations regarding how to incorporate more career measures in the CCI. The group is scheduled to make short and long-term recommendations to the Superintendent of Public Instruction in fall 2017 to inform the CDE’s recommendations to the SBE.

For the CCI, “Status” is determined using the current CCI rate and “Change” is the difference between the current rate and the prior year’s rate.

b. **Indicator for Public Elementary and Secondary Schools that are Not High Schools (Other Academic Indicator).** Describe the Other Academic indicator, including how it annually measures the performance for all students and separately for each subgroup of students. If the Other Academic indicator is not a measure of student growth, the description must include a demonstration that the indicator is a valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance.

Chronic absence will serve as an additional academic indicator for grades K–8, given its strong correlation with future academic attainment. There is wide agreement that students who are absent 10 percent or more of the school year, including excused and unexcused absences, are at greater risk of reading below grade level and dropping out of high school (Ginsburg, Jordan, and Chang, 2014; Balfanz and Byrnes, 2012; Ginsburg and Chudowsky, 2012).

In addition, this indicator will be especially important for schools that only serve students in grades K–2. A study in California found that only 17 percent of children chronically absent in both kindergarten and grade 1 were proficient readers by the end of grade 3, as compared to 64 percent of their peers who attended school regularly (Bruner, Discher, and Chang, 2011).
LEAs will report chronic absence data to the state for the first time in fall 2017. It is expected that the SBE will approve color-coded performance levels scores no earlier than the fall 2018, when at least two years of data will be available.

All student groups will have the same long-term goal. Student groups with lower baseline performance will need to make greater improvement over time to reach the long-term goal. The ability for LEAs or schools to determine interim progress goals, including for lower performing student groups, is built into the California Model.

c. **Graduation Rate.** Describe the Graduation Rate indicator, including a description of (i) how the indicator is based on the long-term goals; (ii) how the indicator annually measures graduation rate for all students and separately for each subgroup of students; (iii) how the indicator is based on the four-year adjusted cohort graduation rate; (iv) if the State, at its discretion, also includes one or more extended-year adjusted cohort graduation rates, how the four-year adjusted cohort graduation rate is combined with that rate or rates within the indicator; and (v) if applicable, how the State includes in its four-year adjusted cohort graduation rate and any extended-year adjusted cohort graduation rates students with the most significant cognitive disabilities assessed using an alternate assessment aligned to alternate academic achievement standards under ESEA section 1111(b)(2)(D) and awarded a State-defined alternate diploma under ESEA section 8101(23) and (25).

The Graduation Rate Indicator will use the four-year cohort graduation rate. California is still in the process of incorporating the five-year cohort graduation rate into the accountability system. We anticipate incorporating the five-year cohort data into the accountability system for the fall 2018 release.

Currently, students with the most significant cognitive disabilities are held to the same graduation requirements as all other students.

d. **Progress in Achieving English Language Proficiency (ELP) Indicator.** Describe the Progress in Achieving ELP indicator, including the State’s definition of ELP, as measured by the State ELP assessment.

Currently, the ELPI combines performance on the English language test, currently the CELDT, with reclassified EL student data. For accountability purposes, the CELDT has six performance levels. “Status” is the percent of EL students who move up one performance category each year (e.g., move from level 1 to level 2) plus the percent of students who were reclassified in the prior year. “Change” is the difference between “Status” from the current year and “Status” in the prior year. Students who have become English proficient must maintain their English proficiency.

California *Education Code (EC)* Section 313 requires LEAs to take the following criteria to into consideration for determining when students have achieved sufficient language proficiency to be reclassified:

- Assessment of English language proficiency, using an objective assessment instrument, including, but not limited to, the state test of English language development;
Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery;

Parent opinion and consultation; and

Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.

California is currently transitioning to a new language proficiency test. The first administration of the new assessment, the ELPAC, will occur in spring 2018. Once the ELPAC is operational and the state has the initial results, the state may revisit the criteria listed above to determine how the reclassification criteria can be applied across all LEAs.

e. School Quality or Student Success Indicator(s). Describe each School Quality or Student Success Indicator, including, for each such indicator: (i) how it allows for meaningful differentiation in school performance; (ii) that it is valid, reliable, comparable, and statewide (for the grade span(s) to which it applies); and (iii) of how each such indicator annually measures performance for all students and separately for each subgroup of students. For any School Quality or Student Success indicator that does not apply to all grade spans, the description must include the grade spans to which it does apply.

The Suspension Rate Indicator will be used to measure school quality. For all state indicators, the California Model determines performance levels based on the distribution of LEA data. The distribution is used to set four cut scores for both Status and Change. However, for the Suspension Rate Indicator, the data were significantly different among elementary, middle, and high schools. Therefore, for the Suspension Rate Indicator only, three distributions were created, one for elementary, one for middle, and one for high schools. The three sets of distributions resulted in the establishment of three different sets of cut scores, which allows for a valid and reliable comparison among schools statewide by school type.

v. Annual Meaningful Differentiation (ESEA section 1111(c)(4)(C))

a. Describe the State’s system of annual meaningful differentiation of all public schools in the State, consistent with the requirements of section 1111(c)(4)(C) of the ESEA, including a description of (i) how the system is based on all indicators in the State’s accountability system, (ii) for all students and for each subgroup of students. Note that each state must comply with the requirements in 1111(c)(5) of the ESEA with respect to accountability for charter schools.

California has developed a multiple measures accountability system that uses percentiles to create a five-by-five grid. This five by five grid provides 25 results that combine “Status” and “Change” to make an overall determination for each of the indicators. The accountability system provides equal weight to both “Status” and “Change.”

“Status” is determined using the current year performance (i.e., current year graduation rate), and “Change” is the difference between performance from the current year and the prior year, or between the current year and a multi-year
weighted average.

To determine the percentile cut scores for “Status”, LEAs and schools were ordered from highest to lowest and four cut points were selected based on the distribution. These cut points created five “Status” levels:

- Very High
- High
- Medium
- Low
- Very Low

For “Change” cut scores, LEAs and schools were ordered separately from highest to lowest for positive change and lowest to highest for negative change. These cuts points created five “Change” levels:

- Increased significantly
- Increased
- Maintained
- Declined
- Declined significantly

Each indicator will have its own unique set of cut points for “Status” and “Change.” The cut points will generally remain in place for five to seven years, although the SBE may adjust the cut scores earlier if statewide data demonstrate that the existing cut scores no longer support meaningful differentiation of schools. By combining the results of both “Status” and “Change,” a “Performance Level” can be assigned one of the following colors for each indicator:

- Blue
- Green
- Yellow
- Orange
- Red

The following table is a sample of the five-by-five grid California will use to illustrate school and LEA performance relative to each indicator:

**Figure 1. Sample Five-by-Five Grid**

<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>Green</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>Medium</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>
b. Describe the weighting of each indicator in the State’s system of annual meaningful differentiation, including how the Academic Achievement, Other Academic, Graduation Rate, and Progress in ELP indicators each receive substantial weight individually and, in the aggregate, much greater weight than the School Quality or Student Success indicator(s), in the aggregate.

For each indicator, “Status” and “Change” have equal weight. In addition, each indicator is given equal weight when meaningfully differentiating schools, as explained in section vi.a below. Because five of the six indicators are academic, more weight is automatically attributed to academics without devaluing the importance of school quality (i.e., suspension rates).

c. If the States uses a different methodology or methodologies for annual meaningful differentiation than the one described in 4.v.a above for schools for which an accountability determination cannot be made (e.g., P-2 schools), describe the different methodology or methodologies, indicating the type(s) of schools to which it applies.

California will produce an accountability report for every public school in the state. Traditional schools’ reports will be based on the indicators described in this document and alternative schools’ reports will be based on comparable indicators that are more appropriate for their school mission.

Schools with less than 30 students will receive data on their Status and Change. However, they will not receive a performance level (i.e., a color). This will provide small schools with data that they can use to improve student performance. In addition, California’s new accountability system includes LEAs. The indicators used for school accountability will also be applied at the LEA level. As a result, the performance of students in schools with less than 30 students will be rolled up to the LEA level and to the state level. California is in the process of developing tools for all LEAs and schools to use for continuous improvement and implementing state law requirements for assistance and intervention for LEAs that are low-performing on the indicators described for the state and additional local indicators that apply only at the LEA level. Schools with less than 30 students will have access to these tools to assist them in their improvement plans. (Note: For privacy purposes results are never displayed for fewer than 11 students.)

California’s accountability system uses both “Status” and “Change” which requires two consecutive years of data. Therefore, newly opened schools will not receive performance levels on the state indicators until the second year of data is available.

State assessments are administered starting at grade 3. Elementary schools with kindergarten, grade 1, and/or grade 2 students will have their accountability reports based on grade 3 results of schools with which they are paired. Pairing is based on matriculation patterns. For start-up schools, where there is not a matriculation pattern, the grade 3 district average will be used.

For alternative schools, the SBE approved the development of comparable
indicators that are more appropriate for these schools. Alternative schools are designed to meet the needs of at-risk student populations, and include schools that serve students who are in custody in the juvenile court system or enrolled in drop-out recovery programs and continuation schools. These schools help students who are credit deficient make up credits and work toward graduation. Such schools often serve students for limited durations. It is expected that the SBE will consider alternate measures for these schools over the coming year.

vi. Identification of Schools (ESEA section 1111(c)(4)(D))
   a. Comprehensive Support and Improvement Schools. Describe the State’s methodology for identifying not less than the lowest-performing five percent of all schools receiving Title I, Part A funds in the State for comprehensive support and improvement, including the year in which the State will first identify such schools.

   The SBE has not yet established a methodology for identifying the lowest-performing 5 percent of schools. Using the methodology for meaningful differentiation based on performance on the state indicators described in section v.b above, California will identify the 5 percent of schools based on the combination of performance levels on the indicators that apply for each school. Under this approach, the initial pool would consist of schools that have the lowest performance level for all indicators (e.g., Red on all applicable indicators). The pool would successively expand based on established criteria (combinations of color-coded performance levels) until at least 5 percent of schools were identified. This gives much greater weight, in the aggregate, to the academic performance indicators because they represent a significant majority of the indicators used when expanding the pool.

   Note: As explained in an April 2017 information memorandum (http://www.cde.ca.gov/be/pr/im/documents/memo-exec-essa-apr17item02.doc), this approach is consistent with the approach for identifying LEAs for assistance under LCFF, in which no indicator receives extra weight relative to others. It also relies on the performance levels (with Status and Change) that the SBE approved as part of the evaluation rubrics and, like the LEA criteria, focuses identification on the Red performance level (although it may expand to include Orange or Yellow performance levels to reach 5 percent). There are numerous variations on this general approach that staff will review for technical reliability. Staff expect to present one or more specific scenarios under this general approach to the SBE at the July SBE meeting. The April 2017 information memorandum also identified several alternate approaches, including analysis of why those approaches are less consistent with the approach for identifying LEAs for technical assistance under LCFF.

   b. Comprehensive Support and Improvement Schools. Describe the State’s methodology for identifying all public high schools in the State failing to graduate one third or more of their students for comprehensive support and improvement, including the year in which the State will first identify such schools.

   California will use three years of graduation rate data to identify schools with a high school graduation rate less than 67 percent. Any school with a graduation rate less than 67 percent in all three years will be identified for comprehensive
assistance. Alternative schools will be not be included; however, California will identify the lowest-achieving five percent of alternative schools based on the alternate measures the SBE is expected to approve.

Three years of data will be used to identify schools; therefore, newly opened schools will not be identified for comprehensive support and improvement until the third year of data is available.

California will identify high schools beginning in the 2018–19 school year.

c. Comprehensive Support and Improvement Schools. Describe the methodology by which the State identifies public schools in the State receiving Title I, Part A funds that have received additional targeted support under ESEA section 1111(d)(2)(C) (based on identification as a school in which any subgroup of students, on its own, would lead to identification under ESEA section 1111(c)(4)(D)(i)(I) using the State’s methodology under ESEA section 1111(c)(4)(D)) and that have not satisfied the statewide exit criteria for such schools within a State-determined number of years, including the year in which the State will first identify such schools.

California will apply the criteria used initially to identify these schools for additional targeted support and determine whether the school would still be eligible for additional targeted support based on their performance. Schools will meet the exit criteria if they no longer meet those criteria (i.e., have improved so a student group, on its own, would no longer be identified based on those criteria). California will identify these schools once every three years after the initial identification.

d. Frequency of Identification. Provide, for each type of school identified for comprehensive support and improvement, the frequency with which the State will, thereafter, identify such schools. Note that these schools must be identified at least once every three years.

California will identify schools once every three years.

e. Targeted Support and Improvement. Describe the State’s methodology for annually identifying any school with one or more “consistently underperforming” subgroups of students, based on all indicators in the statewide system of annual meaningful differentiation, including the definition used by the State to determine consistent underperformance. (ESEA section 1111(c)(4)(C)(iii))

California will identify as consistently underperforming any schools in which any student group, on its own, meets the criteria for being identified for comprehensive support as the lowest-performing 5 percent of all schools receiving Title I, Part A funds in the state.

f. Additional Targeted Support. Describe the State’s methodology for identifying schools in which any subgroup of students, on its own, would lead to identification under ESEA section 1111(c)(4)(D)(i)(I) using the State’s methodology under ESEA section
1111(c)(4)(D), including the year in which the State will first identify such schools and the frequency with which the State will, thereafter, identify such schools. *(ESEA section 1111(d)(2)(C)-(D)*)

California will use the same methodology that is used to identify schools for comprehensive support as the lowest-performing 5 percent of all schools receiving Title I, Part A funds in the state. Schools will be identified beginning in the 2018–19 school year.

g. **Additional Statewide Categories of Schools.** If the State chooses, at its discretion, to include additional statewide categories of schools, describe those categories.

Not applicable.

vii. **Annual Measurement of Achievement** *(ESEA section 1111(c)(4)(E)(iii)*): Describe how the State factors the requirement for 95 percent student participation in statewide mathematics and reading/language arts assessments into the statewide accountability system.

*The SBE has not yet established how the requirement for 95 percent student participation will factor into the statewide accountability system.* California will report whether schools met the 95 percent participation requirement based on a unique symbol (for example, a color coded image or icon specific to participation rate). Assistance specific to meeting the 95 percent participation rate will be offered to schools that do not meet that participation rate through the statewide system of support.

viii. **Continued Support for School and LEA Improvement** *(ESEA section 1111(d)(3)(A)*)

a. **Exit Criteria for Comprehensive Support and Improvement Schools.** Describe the statewide exit criteria, established by the State, for schools identified for comprehensive support and improvement, including the number of years (not to exceed four) over which schools are expected to meet such criteria.

The statewide exit criteria would consider whether the school would still be eligible for comprehensive support, based on the criteria used initially to identify these schools for comprehensive support, when the next cohort of schools is identified for comprehensive support.

b. **Exit Criteria for Schools Receiving Additional Targeted Support.** Describe the statewide exit criteria, established by the State, for schools receiving additional targeted support under ESEA section 1111(d)(2)(C), including the number of years over which schools are expected to meet such criteria.

The statewide exit criteria would consider whether the school would still be eligible for targeted support, based on the criteria used initially to identify these schools for targeted support, when the next cohort of schools is identified for targeted support.
c. **More Rigorous Interventions.** Describe the more rigorous interventions required for schools identified for comprehensive support and improvement that fail to meet the State’s exit criteria within a State-determined number of years consistent with section 1111(d)(3)(A)(i)(I) of the ESEA.

When a school fails to meet the state’s exit criteria for Comprehensive Support and Improvement (CSI) after a pre-determined number of years, more intensive support is then warranted. The goal for intensive support is to ensure rapid and sustained improvement for LEAs and their identified schools. Mandatory intensive support that builds LEA capacity to sustain continuous improvement over time may be implemented.

More rigorous interventions for schools that fail to meet exit criteria will be determined within a multi-tiered statewide system of support, where coordination of differentiated assistance and intensive intervention are provided by county superintendents, the CCEE, and the CDE/State Superintendent of Public Instruction. To inform these decisions, LEAs and their identified schools will use the California School Dashboard to identify strengths and areas for continued improvement. At minimum, the state may, through the statewide system of support, assist any LEA with schools that fail to exit from CSI to:

- Conduct a new school-level comprehensive needs assessment that focuses on systemic factors and identifies gaps between current conditions and desired conditions. The state may require that the LEA partner with an external entity, agency, or individual with demonstrated expertise and capacity to conduct a comprehensive, evidence-based review of the LEA and school.
- Place identified gaps and needs in priority order and target resources to address needs.
- Identify evidence-based interventions, strategies, activities, and/or practices or additional supports that contain greater rigor.
- Within the system of support, California may determine a limited set of evidence-based interventions, strategies, activities, and/or practices available for use and may offer additional intensive assistance such as customized planning support, coaching, participation in cohort networks, and COE mandatory planning and embedded coaching.

In making a determination about additional, more rigorous evidence-based interventions, strategies, activities, and/or practices, the state may consider outcomes of prior and existing school improvement supports and efforts and recommendations from partner agencies involved in the improvement work.

d. **Resource Allocation Review.** Describe how the State will periodically review resource allocation to support school improvement in each LEA in the State serving a significant number or percentage of schools identified for comprehensive or targeted support and improvement.

California will review resource allocation to those LEAs and schools identified for...
CSI and Targeted Support and Improvement (TSI) through a multi-tiered statewide system of support and review process. Based on available data, elements of that process may include, but are not limited to, the following activities:

- **Comprehensive Support and Improvement Review**: Within a statewide system of support, California will review and approve initial CSI plans, including a review of how the LEA will address identified resource inequities.

- **Targeted Support and Improvement Review**: Within a LEA-level system of support, LEAs will review and approve initial TSI plans, which may be incorporated in the Single Plan for Student Achievement and will include a review of how the LEA will address identified resource inequities.

- **Consolidated Application Reporting System (CARS)**: The CDE will revise and periodically review resource allocation pages in the CARS for LEAs with a significant number of schools identified for CSI and TSI.

- **Federal Program Monitoring**: The CDE will annually review selected LEAs, including LEAs with a significant number of schools identified for CSI and TSI, for resource allocation inequities, strategies designed to resolve resource allocation inequities, and progress in resolving resource allocation inequities. This process may include technical assistance and support for program strategies.

- **Differentiated Assistance**: The CDE will provide assistance to LEAs and schools identified for CSI and TSI with more intensive and differentiated assistance focused on LEAs with a significant number of schools identified for CSI and TSI with the intent to build LEA capacity to identify, correct, and monitor the resolution of resource inequities.

e. **Technical Assistance**: Describe the technical assistance the State will provide to each LEA in the State serving a significant number or percentage of schools identified for comprehensive or targeted support and improvement.

The California Way is rooted in collaboration and shared decision-making among stakeholders in order to effect positive educational change. The SBE, CCEE, COEs, and CDE all have key roles in providing supports to help LEAs and schools improve and in providing more focused assistance for LEAs and schools that are struggling. Continuing collaboration and coordination among these agencies, as well as other state, regional, and local partners, will facilitate coherent technical assistance and support at the local level and ensure alignment of efforts with the California Way.

Based on feedback from stakeholders and in partnership with the CCEE, COEs and the CDE, the SBE will further define the emerging statewide system of support over the coming year, including roles and responsibilities, coordination among agencies, the nature and scope of assistance and support activities, and goals and progress monitoring to assess the statewide system of support’s
effectiveness. This will include establishing parameters for the technical assistance the state will provide to each LEA in the state serving a significant number or percentage of schools identified for comprehensive or targeted support and improvement.

f. Additional Optional Action. If applicable, describe the action the State will take to initiate additional improvement in any LEA with a significant number or percentage of schools that are consistently identified by the State for comprehensive support and improvement and are not meeting exit criteria established by the State or in any LEA with a significant number or percentage of schools implementing targeted support and improvement plans.

Not applicable.

5. Disproportionate Rates of Access to Educators (ESEA section 1111(g)(1)(B)): Describe how low-income and minority children enrolled in schools assisted under Title I, Part A are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the SEA will use to evaluate and publicly report the progress of the SEA with respect to such description.\(^6\)

California has updated its State Plan to Ensure Equitable Access to Excellent Educators, approved by the U.S. Department of Education in August 2015, to include new data regarding the rates at which low-income and minority students are taught by unqualified, out-of-field, intern, or inexperienced teachers compared to non-low-income and non-minority students and to meet new requirements of the Elementary and Secondary Education Act, as amended by ESSA.

The 2016 State Plan to Ensure Equitable Access to Excellent Educators (which includes required definitions, rates, root causes of disproportionate rates, and strategies for addressing inequities) is posted on the CDE Educator Excellence Web page at [http://www.cde.ca.gov/pd/ee/](http://www.cde.ca.gov/pd/ee/). In this equity plan, the CDE has drawn upon data collected via the CALPADS, California Commission on Teacher Credentialing (CTC), and CalEdFacts to create data profiles that provide information regarding the rates at which low-income and minority children are taught by unqualified, out-of-field, inexperienced, and intern teachers compared to the rates at which other children are taught by these teachers. At the request of stakeholders to provide a more precise depiction of statewide gaps, the plan includes equity gap data with California’s 10,453 schools organized by student demographics into deciles.

California does not currently collect data regarding teacher effectiveness, nor does the state have a definition for the term “ineffective teacher.” The CDE plans to consult with diverse stakeholders over the coming months regarding the most appropriate approach for addressing the statutory requirement to evaluate and publicly report data regarding “ineffective” teachers and the students they serve. In 2017–18, the state will collect data regarding out-of-field, inexperienced, underprepared, and intern teachers and publicly

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\(^6\) Consistent with ESEA section 1111(g)(1)(B), this description should not be construed as requiring a State to develop or implement a teacher, principal or other school leader evaluation system.
report this information in a report that will be provided to the SBE and posted on CDE Web pages.

Once the SBE has approved a definition of “ineffective teacher,” the CDE will develop an annual data profile that provides information regarding the rates at which low-income students and minority students are taught by “ineffective,” out-of-field, and inexperienced teachers compared to the rates at which other children are taught by these teachers. The state may continue to report additional data to the extent it is not incorporated into the definition of “ineffective.” Using this information, the CDE will prepare a report on the State’s progress toward eliminating equity gaps, will provide the report to the SBE on an annual basis, and will post the report on CDE Web pages.

LEAs with identified equity gaps will describe how they are addressing equitable access issues in their LCAP Addendum. LCAP Addenda will be reviewed by the CDE and approved by the SBE. Resources to assist LEAs in addressing equitable access are available on the CDE Educator Excellence Web page at [http://www.cde.ca.gov/pd/ee/](http://www.cde.ca.gov/pd/ee/). Upon request, the CDE will provide technical assistance regarding resolving issues of disproportionate access. In addition, the CDE will monitor LEA strategies to address equity gaps through the federal program monitoring process.

### Table 2. California Educator Terms and Definitions

<table>
<thead>
<tr>
<th>Key Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ineffective teacher</td>
<td>This term is currently not defined. The CDE will work with stakeholders in the coming months to define “ineffective” and bring a recommendation to the SBE for approval.</td>
</tr>
<tr>
<td>Out-of-field teacher</td>
<td>A certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate, permit, or waiver with an appropriate authorization for the assignment or is not authorized for the assignment under another section of statute or regulations.</td>
</tr>
<tr>
<td>Inexperienced teacher</td>
<td>A teacher who has two or fewer years of teaching experience.</td>
</tr>
<tr>
<td>Underprepared teacher</td>
<td>A teacher who is assigned based on the issuance of a Provisional Intern Permit, Short-term Staff Permit, or Variable or Short-term Waiver.</td>
</tr>
<tr>
<td>Intern teacher</td>
<td>A teacher who is assigned a District or University Intern Credential.</td>
</tr>
</tbody>
</table>

6. **School Conditions (ESEA section 1111(g)(1)(C))**: Describe how the SEA agency will support LEAs receiving assistance under Title I, Part A to improve school conditions for student learning, including through reducing: (i) incidences of bullying and harassment; (ii) the overuse of discipline practices that remove students from the classroom; and (iii) the use of aversive behavioral interventions that compromise student health and safety.

California’s Local Control Funding Formula (LCFF) sets eight priorities for school districts and charter schools (ten for county offices of education) and places significant emphasis on the improvement of school conditions for student learning. State Priority 6 specifically focuses on School Climate and requires LEAs to support the development of...
positive school climate through their LCAPs while considering suspension rates, pupil expulsion rates, and other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

Progress for each of the LCFF priorities is tracked through state and local indicators and presented through evaluation rubrics adopted by the SBE. Suspension rates have been selected as a state indicator, and, as discussed in Section A.iv.e, are used as a measure of school quality. California’s strong commitment to the improvement of school conditions for student learning is further underscored by its selection of chronic absence as its additional K–8 academic measure under the ESSA. This is a reflection of the state’s understanding of the correlation of chronic absence with academic achievement and its utility as a key indicator of student risk.

Performance data from the evaluation rubrics is reported to the public through the California School Dashboard. With the implementation of this ESSA State Plan, LEAs will develop LCAP Addenda, which will draw from their LCAPs relevant data and goals that support development of positive school conditions for student learning.

An integrated state system of support including the CDE, CCEE, and COEs, as well as other state, regional, and local partners, will provide support for the development, implementation, and evaluation of LCAPs, LCAP Addenda, and school plans with a significant focus on the continuous improvement of conditions for student learning. This work will be supplemented by Title I, Part A, Title II, Part A, and Title IV, Part A resources.

7. **School Transitions (ESEA section 1111(g)(1)(D)):** Describe how the State will support LEAs receiving assistance under Title I, Part A in meeting the needs of students at all levels of schooling (particularly students in the middle grades and high school), including how the State will work with such LEAs to provide effective transitions of students to middle grades and high school to decrease the risk of students dropping out.

California makes available a number of resources to assist LEAs in developing strategies to support students to make successful transitions. Curriculum frameworks include sections on content and pedagogy for each grade level, transitional kindergarten through grade 12, to help LEAs develop or improve coherent educational programs between feeder and receiving schools. The state sponsors regular statewide conferences, local institutes, and an online resource exchange to include presentations, workshops, and Q and A sessions by national, state, and local leaders to help disseminate best practices and guidance to schools served under Title I, Part A to improve or refine services and supports that ensure successful transitioning of students through their education continuum. California also has statutory requirements regarding pupil promotion and retention to support the use of appropriate promotion practices. The state is currently identifying articulation agreements that exist between our middle schools, high schools, and colleges.

California’s early education programs are administered by the CDE to ensure that such programs are aligned with our K–12 system. This alignment is clearly delineated in the publication **Alignment of California Preschool Learning Foundations with Key Early Education Resources**, available on the CDE Alignment of the Preschool Learning Foundations Web page at [http://www.cde.ca.gov/sp/cd/re/psalignment.asp](http://www.cde.ca.gov/sp/cd/re/psalignment.asp), which provides an in-depth analysis of how the nine domains of the preschool foundations...
closely align with the *California Infant/Toddler Learning and Development Foundations*, the California Content Standards, the Common Core State Standards, and the Head Start Child Development and Early Learning Framework. This publication is an integral guidance resource for all of California’s early education programs and will be used in Title I, Part A technical assistance to support LEAs in using these funds to work with early education providers to support successful transitions from early childhood education to elementary school.

Transitional kindergarten (TK) is the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. A child is eligible for TK if they have their fifth birthday between September 2 and December 2. TK curriculum is aligned to the state-adopted academic content standards and frameworks, the California Preschool Learning Foundations, and California Preschool Curriculum Frameworks. Each elementary or unified school district must offer TK classes for all children eligible to attend. A child who completes one year in a TK program, may continue in a kindergarten program for one additional year.

Further, The California Mathematics Placement Act of 2015 requires the governing boards of LEAs that serve pupils entering grade nine to adopt “a fair, objective, and transparent mathematics placement policy” before the beginning of the 2016–17 school year. The mathematics placement policy must be adopted in a regularly scheduled public meeting. The law further supports successful transitions by authorizing the governing boards of LEAs serving pupils who are transitioning between elementary school and middle or junior high school to develop and implement a mathematics placement policy.

Each spring, all grade 11 students in California take the Smarter Balanced Summative Assessments for ELA and mathematics. These assessments, which are administered as part of the CAASPP System, also serve as an indicator of readiness for college-level coursework in English and mathematics and are used by the California State University (CSU) and participating California Community Colleges (CCCs) to determine Early Assessment Program (EAP) status. There are four possible EAP status levels: Ready, Conditionally Ready, Not Yet Ready, and Not Ready. “Ready” students are considered ready for English and/or mathematics college-level coursework and are exempt from having to take the CSU English Placement Test (EPT) and/or Entry Level Mathematics (ELM) exam. These students will be able to register in college degree-bearing courses upon enrolling in a CSU or a participating CCC. If a student’s results are at any level below “Ready,” they will have to meet requirements before registering for degree-bearing courses in participating colleges. Providing this information to students before they begin grade 12 has been shown to decrease the need for college remediation.

The state is also working to promote and expand student access to career pathways in the 15 Industry Sectors. For three years (2015–16, 2016–17, and 2017–18) the CDE is allocated $900 million to provide incentive funds to districts to expand and improve career technical educational (CTE) programs or in some cases to establish new programs.

As part of the emerging statewide system of support, California will incorporate ESSA and state resources to the greatest extent possible to ensure that LEAs and schools identified as needing additional assistance have the necessary support to develop or strengthen processes and procedures that lead to successful student transitions from
B. Title I, Part C: Education of Migratory Children

The purpose of this program is to:

- Assist states in supporting high-quality and comprehensive educational programs and services during the school year and, as applicable, during summer or intersession periods that address the unique needs of migratory children.

- Ensure that migratory children who move among states are not penalized in any manner by disparities within the state in curriculum, graduation requirements, and challenging state academic standards.

- Ensure that migratory children receive full and appropriate opportunities to meet the same challenging state academic standards that all children are expected to meet.

- Help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed.

- Help migratory children benefit from state and local systemic reforms.

It is estimated that California will receive $116.2 million in Title I, Part C funds to be used to administer the program and fund regional migrant education programs. In 2015–16, almost 97,000 migratory children in California were eligible to receive services under Title I, Part C.

1. Supporting Needs of Migratory Children (ESEA section 1304(b)(1)): Describe how, in planning, implementing, and evaluating programs and projects assisted under Title I, Part C, the State and its local operating agencies will ensure that the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, are identified and addressed through:

   i. The full range of services that are available for migratory children from appropriate local, State, and Federal educational programs;

   The California Department of Education (CDE) subgrants Migrant Education Program (MEP) funding to 20 local educational agencies (LEAs) that provide supplementary services in the areas with the highest concentrations of migratory workers. These MEP subgrantees’ identification and recruitment (I&R) staff regularly review the mobility data of migrant populations to plan area I&R activities, and this mobility information allows subgrantees to target I&R efforts for the times of year when higher numbers of migratory families and youths arrive in their areas. All of the state’s subgrantees develop specific I&R plans and strategies to meet the needs of their respective communities. School- and community-based approaches are both utilized to identify migratory families that may be eligible for MEP services. Recruiters in urban and mixed communities rely more on using school-based strategies, such as interviewing the parents of students who are newly enrolled in the local school district. Recruiters in less-populated or more rural areas typically utilize more community-based
opportunities to interview families and youths, such as visiting farms, fields, orchards, dairies, ranches, and farmworker housing facilities.

Once a migrant family or youth is identified, a recruiter interviews the parent, guardian, or youth to determine eligibility for MEP services using a customizable interview script that is facilitated by the state’s data system, the Migrant Student Information System, or “MSIN 6.0.” An automated procedure in the MSIN 6.0 COEStar Performance Reporter produces a table that contains a list of all students who might be eligible to be counted or served by the program. To verify residence in years two and three of eligibility, the CDE requires that subgrantees make contact with all families and youth in their geographic areas at least once each year (typically on the anniversary of their qualifying arrival date). The subgrantee must document the nature of the contact (phone or in person), verify that children on the Certificate of Eligibility are still at the residence, verify if additional age-eligible children have joined the residence, and document if a worker has moved to seek or obtain employment. If a new qualifying move has been made, the recruiter must make a personal visit to the residence to complete a new Certificate of Eligibility. Children are not counted unless they have one or more of the following: valid qualifying move date, new residency date, or enrollment date (residency enrollment for non-attendees or a school enrollment for attendees) during the period in question.

Students that are identified as migratory students receive the core instruction as provided through state funds. Students who are low-income and disadvantaged receive supplementary services from Title I, Part A. In California, about half of the migratory student population is identified as English learners and these students receive supplementary services through Title III. Additionally, migratory students in California receive supplementary services in preschool through grade 12 and services for those identified as out-of-school youth. Collaboration between educational services and health agencies is coordinated by the 20 subgrantees.

ii. Joint planning among local, State, and Federal educational programs serving migratory children, including language instruction educational programs under Title III, Part A;

The California MEP collaborates with other local, state, and federal programs to ensure that comprehensive services, including language instruction programs under Title III, Part A, are provided to migratory students. At the state level, the CDE works with other state and federal programs, including Title I and Title III, to provide a variety of resources to the local MEP subgrantees. California solicits parent involvement in the planning, operation and evaluation of the MEP through the establishment of state and local parent advisory councils.

California’s Local Control Funding Formula (LCFF) reinforces joint planning among local, state, and federal programs serving migratory children. The LCFF emphasizes equity by focusing on student group performance and coordination of services and provides core and base services for all students, including migrant students. California’s new accountability system has an academic achievement indicator, a graduation rate indicator, and an English learner progress indicator amongst other state and federal indicators. Approximately half of all migrant students are English learners and having both the state and local indicators emphasize the accountability progress of English learners provides a mechanism to jointly plan applications for local, state, and federal funds and
collaborate on services to be provided.

iii. The integration of services available under Title I, Part C with services provided by those other programs; and

Additionally, the CDE meets with community-based organizations to identify promising practices at the local level and then share them with the MEP Directors as appropriate during the Migrant Director’s quarterly meetings. California Education Code sections 54443.1(c)(10) and 54443.1(h) requires MEP subgrantees to coordinate with other state and federal education programs at the local level. At the state level, both the Title III Program and the Migrant Program reside in the same CDE division in order to promote integration of services. The administrators of both programs present at various events including the annual Title III conference, Title III quarterly meetings, annual State Parent Conference, and statewide migrant meetings and conferences. Interagency coordination between the MEP and other programs that improves services to migratory children is monitored through the CDE’s Federal Program Monitoring process. This integration of services ensures that migratory children are receiving the services to meet their unique educational needs.

iv. Measurable program objectives and outcomes.

California assesses the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, through two different methods. First, the CDE requires that each subgrantee complete a local Comprehensive Needs Assessment (CNA). The CNA is conducted by an independent agency for each of the 20 MEP subgrantees and includes data collected from focus groups, including students and parents, staff surveys, and academic testing data for the region’s migrant student population. The local CNA provides both the MEP subgrantees and the CDE with an independent assessment and evaluation of regional migrant student and program needs, and provides specific recommendations and solutions for improving outcomes for California’s migrant student population. Each local CNA serves as the basis for program development and delivery in each respective service area. Additionally, each subgrantee completes an Individual Needs Assessment to identify individual student needs, including medical, social, and mental health needs, and develops a targeted intervention plan for each eligible student ages 3 to 21 on an annual basis.

The second method CDE uses to ensure that all educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school, are met and that the students participate effectively in school, consists of a three-part process: 1) identify needs via the CNA; 2) develop a State Services Delivery Plan (SSDP) based on the statewide CNA, which outlines the statewide needs, measurable program objectives and outcomes; and 3) revise the regional application based on the SSDP. Furthermore, the CDE requires that all Title I, Part C subgrantees provide an annual update using the regional application to monitor program and student achievement. Starting in 2017–18, the regional application will be on a three-year cycle, and subgrantees will have to provide an annual update on three sections:
student needs, measurable program outcomes, and revision of programs based on outcomes. Subgrantees will revise the needs of migratory children in their regional application based on several data sources to ensure that all eligible student needs are reviewed annually. Additionally, subgrantees will revise their direct services and measurable program objectives and outcomes to implement a cycle of continuous improvement.

California is currently implementing a process to identify statewide needs of migratory children based on a meta-analysis of the 20 regional local CNAs and a review of statewide data. In February 2016, the CDE began a series of stakeholder meetings to discuss and prioritize the needs of migratory children that must be addressed in order for migratory children to participate effectively in school. The Statewide CNA report will be released in May 2017.

California is currently implementing a process to identify statewide measurable program objectives and outcomes for migratory children based on the development of the statewide CNA and input from stakeholders. California will have the updated SSDP, including the statewide measurable program objectives and outcomes, ready in June 2017.

2. **Promote Coordination of Services (ESEA section 1304(b)(3))**: Describe how the State will use Title I, Part C funds received under this part to promote interstate and intrastate coordination of services for migratory children, including how the State will provide for educational continuity through the timely transfer of pertinent school records, including information on health, when children move from one school to another, whether or not such move occurs during the regular school year.

Title I, Part C funded subgrantees utilize the Migrant Student Information Exchange (MSIX) and the MSIN to promote interstate and intrastate coordination of services for migratory children, including how the state provides for educational continuity through the timely transfer of pertinent school records. The MSIX is the national data collection system that ensures greater continuity of educational services for migratory children by providing a mechanism for all states to exchange education-related information on migratory children who move from one state to another. The MSIN is the California state equivalent to the MSIX and provides a mechanism for exchanging education-related information on migratory children who move within the state and assists the CDE-funded subgrantees in locating migrant students throughout the state using the Migrant Student Locator. Both the MSIX and the MSIN help to improve the timeliness of school enrollments, improve the appropriateness of grade and course placements, and reduce incidences of unnecessary immunizations of migrant children. Lastly, the CDE and subgrantees collaborate with other states serving the same migratory students to ensure these eligible students receive services as they migrate. The CDE and subgrantees participate in interstate organizational meetings with the Interstate Migrant Education Council and the National Association of State Directors of Migrant Education.

3. **Use of Funds (ESEA section 1304(b)(4))**: Describe the State’s priorities for the use of Title I, Part C funds, and how such priorities relate to the State’s assessment of needs for services in the State.

California’s priorities for the use of Title I, Part C funds directly relate to the State’s evaluation of the unique educational needs of migratory children. The CNA identifies
specific needs of migratory children. In turn, the SSDP guides the MEP in planning and service delivery at the state, regional, and local levels to address the needs of migratory children with a focus on students identified as Priority for Services (PFS).

The current process for identifying PFS children is conducted as an annual identification after the end of the Performance Period established by the U.S. Department of Education. This is done using the record of a move made during the regular school year within the Performance Period, in addition to assessment data for the Performance Period. After the child has been identified based on move and assessment scores (four months after the end of the period in which their move occurred), they are marked as PFS for that Performance Period, and are PFS in the following year if still present.

In 2016–17, the MSIN 6.0 system will function in real time for identifying children as PFS. All of the data required to make the PFS determination (based on moves and assessment scores) will be reported in a single system. If the move is within the regular school year and the child has a Statewide Student Identifier number, then his/her most current state assessment scores can be evaluated to immediately identify him/her as PFS. This immediate identification enables regions to target services sooner, allows for faster reporting to the MSIX, and allows for faster EDFacts file creation.

The CDE will have the responsibility for documenting the determination of PFS. The PFS determination will be made on a daily basis through the MSIN 6.0 system. Subgrantees (regional offices and LEAs that have MOUs or District Service Agreements [DSAs]) will be responsible for providing services appropriate to the child's need.

The determination process will be immediate; children will be evaluated using the state's criteria as soon as the county office of education documenting the move during the Performance Period is verified; subgrantees will be notified within 24 hours of the determination; and children identified as PFS will be monitored to ensure services are delivered.

Strategies to administer Title I, Part C funds may be updated to align with the emerging statewide system of support.

C. Title I, Part D: Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk

The purpose of this program is to:

- *Improve educational services for children and youth in local, tribal, and state institutions for neglected or delinquent children and youth so that such children and youth have the opportunity to meet the same challenging state academic standards that all children in the state are expected to meet;*

- *Provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment; and*

- *Prevent at-risk youth from dropping out of school, and to provide dropouts and children and youth returning from correctional facilities, or institutions for neglected or*
delinquent children and youth, with a support system to ensure their continued education and the involvement of their families and communities.

Local educational agencies (LEAs) and state agencies are eligible to receive funds for this program if they serve neglected or delinquent children as described in the Every Student Succeeds Act (ESSA). In California, the state agency that receives Title I, Part D, subpart 1 funding is the California Department of Corrections and Rehabilitation (CDCR). Generally, the CDCR’s share of the California’s Part D allocation is determined by the number of such students served in the CDCR multiplied by 40 percent of the average per-pupil expenditure in the state. It is estimated that California will receive $1.2 million in Title I, Part D, subpart 1 funds in 2017–18.

California also serves neglected, delinquent, and at-risk students under Title I, Part D, subpart 2, section 1421. Title I, Part D, subpart 2, funds are allocated to LEA, rather than the state, Part D programs. California allocates Part D, subpart 2 funds for supplemental education programs and services in detention center education programs. Part D, subpart 2, programs are administered through the county offices of education (COE). For administrative and funding allocation purposes under Part D, subpart 2, the COEs act as LEA. Part D, subpart 2 funds are generated through an annual survey of neglected or delinquent children in State and locally operated institutions. It is estimated that California will receive $21,057,740 in Title I, Part D, subpart 2 2017–18 funding. In school year 2015–16, Title I, Part D programs in California served nearly 52,000 students.

1. Transitions Between Correctional Facilities and Local Programs (ESEA section 1414(a)(1)(B)):
   Provide a plan for assisting in the transition of children and youth between correctional facilities and locally operated programs.

   The California Department of Education (CDE) will provide funded agencies with professional development and training targeting transitional planning for youth, relationship building with workforce and post-secondary institutions, data management, program evaluation, and implementing evidence-based and outcome driven strategies that are aligned to college and career readiness standards. The CDE will continue to build statewide partnerships with the California Community Colleges Chancellor’s Office, California Workforce Investment Board, and California Department of Corrections and Rehabilitation to support local level planning and coordination with external partners. The CDE will ensure that funded agencies are complying with federal, state, and local laws and regulations by conducting on-site and online reviews through the annual federal program monitoring review process that is conducted on an annual basis.

2. Program Objectives and Outcomes (ESEA section 1414(a)(2)(A)):
   Describe the program objectives and outcomes established by the State that will be used to assess the effectiveness of the Title I, Part D program in improving the academic, career, and technical skills of children in the program.

   California will increase annually its pre- and post-testing of youth in Title I, Part D programs in reading and mathematics, the number of students who earn a high school diploma or pass a high school equivalency exam, and the enrollment of students in career-related programs or in programs to continue their education. These goals and objectives are aligned and built upon the U.S. Department of Education’s leading indicators and will be used to assess the effectiveness of Title I, Part D programs in California. The CDE will develop and implement required regional training and technical
assistance to funded agencies to support local and state level implementation of Title I, Part D requirements in alignment with the emerging statewide system of support.

D. Title II, Part A: Supporting Effective Instruction

The purpose of this program is to provide grants to states and subgrants to local educational agencies (LEAs) to:

- Increase student achievement consistent with the challenging state academic standards;
- Improve the quality and effectiveness of teachers, principals, and other school leaders;
- Increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and
- Provide low-income and minority students greater access to effective teachers, principals, and other school leaders.

Under Title II, Part A, 95 percent of the state grant is subgranted to LEAs. The remaining 5 percent is used for administration and state-level activities. These funds are provided to States and LEAs based on a formula that considers the population and level of poverty. The California Department of Education (CDE) anticipates that California will receive $252 million in Title II, Part A funds in 2017–18. Of this amount, $239.4 million will be subgranted to LEAs, and the remaining $12.6 million will be dedicated to administrative and state-level activities. The ESSA provides California with an opportunity to reserve 3 percent of the Title II, Part A LEA subgrant allocation for activities for principals or other school leaders. Based on the estimate of $252 million, this represents $7,182,000. Allowable uses of Title II, Part A funds are described in sections 2101(c) and 2103 of the ESSA. In 2016–17 under the No Child Left Behind Act, 1,250 districts and direct-funded charter schools received Title II, Part A funds.

1. Use of Funds (ESEA section 2101(d)(2)(A) and (D)): Describe how the State educational agency will use Title II, Part A funds received under Title II, Part A for State-level activities described in section 2101(c), including how the activities are expected to improve student achievement.

Note: Since 2010, California has been steadily supporting the transition to new standards for English language arts (ELA)/literacy, mathematics, English language development (ELD) and science. The State Board of Education (SBE) has updated the curriculum frameworks for each of these sets of standards and has also updated the curriculum framework for the history/social science standards.

Successful implementation of standards requires strong instructional leadership in every school and well-prepared teachers in every classroom. In order for any standards-based system to be successful, educators must possess a thorough understanding of what students are expected to know and be able to do, as well as an array of instructional strategies designed to support every student in meeting those expectations. California must continue to build the instructional capacity of its teachers and leaders to improve educational outcomes for its students.
In keeping with California’s deep commitment to educational equity, Title II, Part A resources will be used to build the capacity of California educators to successfully implement state academic content standards while emphasizing the importance of meeting the specific, and often multiple, learning needs of diverse students, including, but not limited to, English learners, students with disabilities, foster youth, and low-income students. Consistent with California’s theory of action and commitment to continuous improvement, state-level activities will be designed collaboratively by the CDE, SBE, California Collaborative for Educational Excellence (CCEE), county offices of Education (COEs), California Commission on Teacher Credentialing (CTC), California Subject Matter Project (CSMP), and other entities as appropriate; informed by California School Dashboard data; and updated as necessary to flexibly address emerging statewide needs as they are identified. Key activities are described below.

**Implementation of State Academic Content Standards:** Currently, the CDE, SBE, and COEs are working in collaboration with other state, regional, and local partners to support the implementation of state academic content standards. The Standards Implementation Steering Committee, Collaboration Committees, and Communities of Practice support standards implementation through collaborative and coordinated efforts at the state, regional, and local levels in the areas of curriculum, instruction, and professional learning.

California will build upon this work using Title II, Part A funds and funds available through related programs to support the dissemination and implementation of SBE adopted standards and frameworks, deploying a variety of strategies to provide professional learning opportunities for educators to support student achievement. Activities will be designed to address specific areas of need identified through the California School Dashboard, review of LEA Local Control and Accountability Plans (LCAPs) and LCAP Addenda, and surveys. These data points will be reviewed regularly and activities updated as necessary to support continuous improvement.

**Support for School Leaders:** To promote high-quality instruction and instructional leadership, California plans to leverage the optional 3 percent Title II, Part A LEA subgrant reservation to incorporate into the emerging statewide system of support resources and activities that will focus on developing and providing professional learning and other systems of support for principals and other school leaders. The initiative will emphasize the development of culturally competent leaders and leadership teams to guide and support teachers/staff in engaging students in differentiated teaching and learning so that all students graduate ready for success in college and careers.

Activities may include approaches and methods to collect and analyze data related to student achievement and well-being and educator workforce equitable distribution and labor-management collaboration; strategies to implement cycles of continuous improvement, based on data in making evidence-based decisions to solve problems of practice; engagement of K–12 principals and other school leaders, achieved through collegially selected topics of high interest (e.g., development of cultural competency and access to instructional resources) and professional learning opportunities; and strategies that establish and support distributed or shared leadership at the school site that include teacher leaders along with site administrators in communities of practice, supportive infrastructure, and adequate time for the work to unfold.

**Equitable services:** Title II, Part A funds will also be used to provide state-wide
professional development activities to California’s nonprofit private school teachers and administrators based on a proportional share and on an equitable basis of Title II, Part A funding for state-level activities. The CDE consults with a diverse body of current practitioners from private schools and private school networks across the state that represent the broadly inclusive needs and interests of California’s nonprofit, private school students to conduct and analyze needs assessments and collaboratively design these statewide professional learning activities.

**Administration and technical assistance:** Title II, Part A funds will be used to support CDE staff who distribute, monitor, and provide technical assistance regarding appropriate use of local Title II funds.

2. **Use of Funds to Improve Equitable Access to Teachers in Title I, Part A Schools (ESEA section 2101(d)(2)(E)):** If an SEA plans to use Title II, Part A funds to improve equitable access to effective teachers, consistent with ESEA section 1111(g)(1)(B), describe how such funds will be used for this purpose.

   Title II, Part A funds will be used to collect and evaluate pertinent data, and then report on equitable access to teachers in schools that receive Title I, Part A funds. Consistent with California’s commitments to equity, continuous improvement, and local control, the state will incorporate resources and supports for LEA efforts to address issues regarding educator equity into the statewide system of support, and may use Title II, Part A funds for this purpose. Specific strategies will be developed within the context of the emerging statewide system of support.

3. **System of Certification and Licensing (ESEA section 2101(d)(2)(B)):** Describe the State’s system of certification and licensing of teachers, principals, or other school leaders.

   The CTC operates as an independent standards board and works in conjunction with the CDE to serve California’s teachers. The CTC is statutorily responsible for the design, development, and implementation of standards that govern educator preparation for the public schools of California and for the licensing and credentialing of professional educators in California.

   The CTC is responsible for issuing any and all licenses required by law to serve in an instructional, administrative, service, or counseling position in the public schools in California. Education Code Section 44225 requires the CTC to award the following types of credentials to applicants whose preparation and competence satisfy its standards: basic teaching credentials for teaching in kindergarten, or any of grades 1 to 12 inclusive; credentials for teaching adult education classes and vocational education classes; credentials for teaching specialties, including bilingual education, early childhood education, and special education; and credentials for school services, such as administrators, school counselors, speech language therapists, audiologists, school psychologists, library media teachers, supervisors of attendance, and school nurses.

   California teachers and administrators are required to participate in a two-year induction program in order to clear their preliminary credentials and become fully licensed. The CTC is responsible for both developing induction program standards and approving educator induction programs. The California Standards for the Teaching Profession serve as the basis for teacher induction programs. Strong and effective mentoring is one
of the primary factors contributing to teacher retention and classroom performance and is the most important aspect of induction. Teacher induction programs emphasize meeting the new teacher’s immediate needs and supporting long-term teacher growth through ongoing reflection on and analysis of practice. More information regarding teacher induction is available on the CTC Elementary/Multiple Subjects Credentials Web page at http://www.ctc.ca.gov/help/MS/renewal.html.

The California Professional Standards for Education Leaders serve as the basis for administrator induction programs. The heart of the clear credential program for administrators is a coaching-based professional induction process contextualized through the job the administrator currently holds while still continuing to develop candidates for future leadership positions. This new structure is designed to provide the best career preparation for effective leadership in California’s 21st century schools. More information regarding administrator induction is available on the CTC Clear Administrative Services Credential Web page at http://www.ctc.ca.gov/educator-prep/clear-asc%5Cdefault.html.

4. **Improving Skills of Educators (ESEA section 2101(d)(2)(J))**: Describe how the SEA will improve the skills of teachers, principals, or other school leaders in order to enable them to identify students with specific learning needs, particularly children with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

California’s curriculum frameworks serve as the cornerstone for the state’s efforts to improve the specific learning needs of students and improve student outcomes. The SBE-adopted frameworks provide guidance to K–12 educators for implementing California’s academic content standards by outlining the scope and sequence of the learning trajectory across grade levels. They contain guidance on content and pedagogy, access and equity, and strategies for professional learning and leadership. Figure 2 below, a screenshot from the English language arts/English language develop (ELA/ELD) framework’s “Access and Equity” chapter, illustrates California’s commitment to meeting the needs of all of its diverse students, including children with disabilities, English learners, students who are gifted and talented, and students with low literacy levels.
Frameworks inform educator professional learning across the career continuum; they are used in educator preparation and induction programs and in the professional learning activities of in-service educators. Dissemination of the frameworks is the primary objective of the statewide standards implementation work described in section D.1 above. The frameworks also include evaluation criteria for instructional materials, encouraging publishers to develop classroom resources that support framework content. Instructional materials approved by the SBE must meet the criteria described in the frameworks.

designed to guide instruction so that English learners develop sufficient language to gain access to and engage in academic subjects, achieve in grade-level academic content, and meet state academic standards for college and career readiness. The CA ELD Standards were adopted in 2012 and are correlated to the ELA standards that were adopted in 2010. California is first in the nation to produce an integrated ELA/ELD curriculum framework and all subsequently adopted frameworks now include the integration of ELD.

Further, to ensure that students with disabilities are served more effectively regardless of setting, California is undertaking substantial revisions to its teacher preparation standards and programs. The CTC has engaged a stakeholder group to redesign program standards for both special educators and general education teachers. This redesign is based on the concept of cross-training, and will include increased preparation for general education teachers in serving students with disabilities. California recognizes that most students with disabilities receive much of their instruction in general education classrooms, so it is critical that general educators are better prepared to address the needs of the students with disabilities they serve.

Concurrently, special education program standards will be revised to include additional preparation to serve general education students, resulting in a broadened credential authorization that will allow special educators to serve general education students. As a result, special education expertise will be available through intervention and remediation activities to assist general education students who are struggling to overcome barriers to improved academic performance. These efforts to recognize the needs of students with disabilities in general education classrooms, and the challenges of the teachers who serve them, were inspired by the groundbreaking work of California’s Statewide Special Education Task Force and their summary report, “One System: Reforming Education to Serve All Students,” available at http://www.smcoe.org/about-smcoe/statewide-special-education-task-force/.

California’s accountability and continuous improvement system based on the Local Control Funding Formula (LCFF) provides LEAs with information and tools to identify areas where specific groups of students may need additional support. Performance data on a variety of state priorities is reported to the public through the California School Dashboard. LEAs can use this information to identify local educator professional learning needs, develop strategies, set goals, and resource these activities appropriately. The statewide system of support, a multi-leveled system that includes the standards implementation and support for school leaders activities described in Section D.1 above, will provide resources and assistance to schools and districts as they work to address locally-determined professional learning needs of educators.

5. Data and Consultation (ESEA section 2101(d)(2)(K)): Describe how the State will use data and ongoing consultation as described in ESEA section 2101(d)(3) to continually update and improve the activities supported under Title II, Part A.

Data and consultation are at the heart of California’s school funding system. At the local level, LCAPs are updated annually, allowing for local evaluation of programs and activities and realignment of resources that is responsive to the evolving needs of educators, students, and the district community.

Supplementing the LCAP development process with its requirements for community
engagement, LEAs must complete the LCAP Addendum, which is the mechanism by which LEAs address the local planning requirements of the ESSA. Specifically, LEAs must describe programs and activities they will engage in using their Title II, Part A funds. Therefore, the expenditure of these funds is planned for in consultation with the local school community.

State-level activities will also be continuously evaluated and improved through data analysis and consultation. In reviewing LCAP Addenda, analyzing statewide Dashboard data annually, and consulting with state system of support partners, the state will prioritize state-level activities under Title II, Part A to address areas of greatest need. Systematic coordination with other state and federal programs will reduce redundancies and ensure the greatest impact at the local level.

6. **Teacher Preparation** *(ESEA section 2101(d)(2)(M))*: Describe the actions the State may take to improve preparation programs and strengthen support for teachers, principals, or other school leaders based on the needs of the State, as identified by the SEA.

California does not plan to utilize Title II, Part A funds to improve preparation programs. Investments to strengthen supports for educators will be made within California’s state system of support as described above.

E. **Title III, Part A, Subpart 1: English Language Acquisition and Language Enhancement**

The purposes of this program are to:

- Help ensure that English learners (ELs), including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English;

- Assist all ELs, including immigrant children and youth, to achieve at high levels in academic subjects so that all ELs can meet the same challenging state academic standards that all children are expected to meet;

- Assist teachers (including preschool teachers), principals and other school leaders, states, LEAs, and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching ELs, including immigrant children and youth;

- Assist teachers (including preschool teachers), principals and other school leaders, states, and LEAs to develop and enhance their capacity to provide effective instructional programs designed to prepare ELs, including immigrant children and youth, to enter all-English instructional settings; and

- Promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of ELs.

It is anticipated that California will receive $167.6 million in Title III funds in 2017–18. Of the state’s Title III allotment, at least 95 percent must be allocated to local educational agencies.
(LEAs) and the remaining 5 percent may be used to carry out state activities described in ESSA Section 3111(b)(2); however, not more than 50 percent of this 5 percent may be used for state administration. LEAs that enrolled one or more EL and/or immigrant students during the previous fiscal year are eligible to receive Title III, Part A funding. In the case of immigrant education funds, the LEA must also meet the enrollment criteria for eligible immigrant students. In 2015–16, around 1.3 million students in California were eligible to receive services under Title III, Part A.

As stated in the plan introduction, California is committed to aligning 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). The system promotes coherence across programs to better serve the needs of 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.

Key elements of this aligned coherent system include integration of LEA plan provisions with the Local Control and Accountability Plan required under LCFF, alignment of state and federal accountability metrics, and development of a coherent, multi-leveled state and federal support and intervention system.

1. **Entrance and Exit Procedures (ESEA section 3113(b)(2))**: Describe how the SEA will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

The statewide California entrance procedures ensure that all students who may be ELs are assessed for such status using a valid and reliable instrument within 30 days after enrollment in a school in the state. California will replace the California English Language Development Test (CELDT) with the English Language Proficiency Assessments for California (ELPAC) as the state’s English language proficiency (ELP) assessment in 2018. Validity of the ELPAC is assured through the processes used to develop the assessment instrument including content review, alignment studies, standard setting procedures, and comparison studies. Cronbach’s alpha, a measure of internal consistency, will be used to calculate reliability of the ELPAC. Inter-correlations and standard errors of measurement will also be reported.

California has established processes to include timely and meaningful consultation representing the geographic diversity of the state for all our current standardized, statewide entrance and exit procedures by engaging stakeholders in meetings throughout the state, hosting statewide conferences, trainings, soliciting participation in various committees, soliciting public comment during the regulations process and policy updates. Guidance documents and professional development are provided through various formats that provide access to stakeholders.

Pursuant to Education Code Section 313, the current standardized reclassification procedures for ELs are as follows, in accordance with the California Code of Regulations, Title 5, Section 11303:
1. Assessment of language proficiency using the state test of English language proficiency;

2. Teacher evaluation inclusive of a review of the student’s curriculum mastery;

3. Parent opinion and consultation, inclusive of a review of student data, and at which time the parent is provided opportunity to opine and question; and

4. Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.

California ensures that the same standardized procedures are used for exiting students from the EL subgroup as are used for Title I reporting and accountability purposes. The ELPAC summative assessment will be administered as an operational assessment statewide in spring 2018. To ensure the exit from EL status is valid and reliable, a cut-score validation study will be conducted based on data received from the ELPAC summative assessment. Once the ELPAC is fully operational, California will examine the need to update the exit criteria.

2. **SEA Support for English Learner Progress** *(ESEA section 3113(b)(6))*: Describe how the SEA will assist eligible entities in meeting:

   i. The State-designed long-term goals established under ESEA section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State’s English language proficiency assessments under ESEA section 1111(b)(2)(G); and

   ii. The challenging State academic standards.

The State Board of Education (SBE) has adopted state standards, including the English Language Development Standards, and has defined the EL subgroup in each of the state accountability indicators required under ESSA Section 1111(c)(4)(A)(ii).

The California English Language Development Standards (CA ELD Standards) are designed to guide instruction so that ELs develop sufficient language to gain access to and engage in academic subjects, achieve in grade-level academic content, and meet state academic standards for college and career readiness. The CA ELD Standards were adopted in 2012 and are correlated to the English Language Arts (ELA) standards that were adopted in 2010. California is first in the nation to produce an integrated ELA/ELD framework and all subsequently adopted frameworks now include the integration of ELD. In 2015, a correspondence study was conducted to ensure the CA ELD Standards are aligned to both the science and mathematics standards. The study found a strong correlation between the language demands of the content and the CA ELD Standards. California ensures every content area framework incorporates the CA ELD Standards and the SBE adopts materials that are aligned to the content standards and the CA ELD Standards.

ELs also participate in the California Assessment of Student Performance and Progress (CAASPP) system. ELs who have not attended a school in the U.S. within the last 12 months are exempted during that time from the assessments.
The state-designed long-term goals for ELs are based on meeting the statewide and local accountability measures. Three indicators will be used, the Academic Indicator (to measure EL academic progress in ELA and mathematics), the English Learner Progress Indicator (to measure English proficiency growth based on CELDT scores and reclassification rates) and the Graduation Rate Indicator (to measure graduation rate growth).

The English Learner Progress Indicator (ELPI) measures the percent of EL students who are making progress toward language proficiency from one year to the next on the CELDT and the number of ELs who were reclassified from EL to fluent English proficient in the prior year. The CELDT has five performance levels, and the interim goal for every EL student is to progress at least one performance level each year. Therefore, the benchmark for all students is to advance one performance level a year. The newcomer long-term goal is to achieve proficiency within five years. The entry performance level determines the number of years expected to reach proficiency, but no less than one year progress is expected. It is important to note that California will transition to full implementation of the English Language Proficiency Assessments for California (ELPAC) in the 2018–19 school year replacing the CELDT. The ELPI is reported on the California School Dashboard which can be found on the CDE California Accountability Model & School Dashboard Web page at http://www.cde.ca.gov/ta/ac/cm/. Progress on the California School Dashboard as well as local metrics will be used to measure interim progress and achievement of the academic goals for ELs.

The state has established several systems of support that provide assistance to LEAs to ensure that students meet English language proficiency and the academic standards, including: a library of resources for LEAs to conduct interim assessments and monitor progress; statewide professional development provided by integrated teams of language, assessment, accountability, and academic experts; and a system of county level support. Title III funds are used to supplement existing efforts and provide additional targeted support to the LEAs that receive the funds. The state and County Leads provide in person, virtual, and web-based assistance to support the planning, implementation, evaluation, and reporting of required and authorized activities designed to meet interim and long-term goals, as well as California’s academic content standards. These systems will be updated to align with the emerging state system of support.

3. **Monitoring and Technical Assistance (ESEA section 3113(b)(8))**: Describe:
   i. How the SEA will monitor the progress of each eligible entity receiving a Title III, Part A subgrant in helping English learners achieve English proficiency; and
   ii. The steps the SEA will take to further assist eligible entities if the strategies funded under Title III, Part A are not effective, such as providing technical assistance and modifying such strategies.

The state has established a system of monitoring LEAs receiving Title III funds through a CDE federal program monitoring (FPM) process. All LEAs in the state are divided into four cohorts. Two cohorts are subject to review each year. Thus, the CDE’s FPM process includes a data review of 50 percent of the LEAs in the
state to identify and conduct a total of 125 LEA on-site and online reviews during any given year. The remaining 50 percent of the LEAs in the state receive the data review the following year. A description of the FPM process, LEAs identified in each cohort, LEAs selected for online or on-site reviews, and program instruments can be found on the CDE Compliance Monitoring Web page at http://www.cde.ca.gov/ta/cr/. Several items in the monitoring instrument for EL programs emphasize student achievement of English language proficiency.

The CDE provides technical assistance to LEAs in the preparation of and planning for the use of local and federal funds to meet the local and state accountability measures. In addition, Title III County Leads are trained by the CDE to provide local technical assistance to LEAs on federal requirements, best practices, and improvement of EL progress in English language proficiency and meeting state academic standards. Title III County Leads also recommend modifications to EL strategies as necessary.

The CDE works closely with the Comprehensive Center and other entities to provide further assistance to eligible entities if the strategies funded under Title III are not effective. Root cause analysis tools and technical assistance is provided to LEAs to determine how to modify existing strategies.

Strategies to monitor and provide technical assistance regarding Title III, Part A funds will be updated to align with the emerging statewide system of support.

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

The purpose of this program is to improve students’ academic achievement by increasing the capacity of states, local educational agencies (LEAs), schools, and local communities to:

- Provide all students with access to a well-rounded education;

- Improve school conditions for student learning; and

- Improve the use of technology in order to improve the academic achievement and digital literacy of all students.

California anticipates receiving $58 million in Title IV, Part A funds. The state’s allotment is based on its portion of the Title I appropriation, and similarly, LEAs receive funds under this part based on their portion of the state’s Title I appropriation. Of the State’s Title IV allotment, no less than 95 percent must be allocated to LEAs, not more than 1 percent may be used to administer the program, and the remaining 4 percent may be used by the state for activities described in the Every Student Succeeds Act (ESSA) Section 4104(b).

1. Use of Funds (ESEA section 4103(c)(2)(A)): Describe how the SEA will use funds received under Title IV, Part A, Subpart 1 for State-level activities.

   California plans to use Title IV, Part A, Subpart 1 state-level activity funds to build the capacity of California educators to successfully implement state academic content standards while emphasizing the importance of meeting the specific, and often multiple, learning needs of diverse students, including, but not limited to, English learners,
students with disabilities, foster youth, and low-income students. Specific activities and strategies are described in more detail in the Title II, Part A section of this plan.

2. Awarding Subgrants (ESEA section 4103(c)(2)(B)): Describe how the SEA will ensure that awards made to LEAs under Title IV, Part A, Subpart 1 are in amounts that are consistent with ESEA section 4105(a)(2).

In order to ensure that awards made to LEAs under Title IV, Part A, Subpart 1 are in the amounts consistent with ESSA Section 4105(a)(2), the California Department of Education (CDE) will allocate funds in the manner described in the steps below:

1. Calculate the percentage of each LEA’s Title I, Part A allocation from the total amount of Title I, Part A funding allocated to all LEAs by the state during the prior fiscal year.

2. Compute each LEA’s share of the Title IV, Part A allocation by applying the above calculated percentage to the total amount of Title IV, Part A funds available for allocation.

3. If there are insufficient Title IV, Part A funds resulting in LEAs not receiving the minimum-allowed amount of $10,000, California will ratably reduce the LEA allocations of Title IV, Part A funding. This will involve a calculation by which a certain proportionate amount of each LEA allocation is reduced so that every applying LEA may receive at least the minimum allotment of $10,000 as pursuant to ESSA Section 4105(a)(2).

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

The purpose of this program is to provide opportunities for communities to establish or expand activities in community learning centers that:

- Provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards;

- Offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and

- Offer families of students served by community learning centers opportunities for active and meaningful engagement in their children’s education, including opportunities for literacy and related educational development.
California estimates it will receive $113.7 million in Title IV, Part B funds in 2017–18, which funds a competitive grant program for eligible community learning centers. In 2016–17, under the No Child Left Behind Act, 687 programs were funded by the 21st Century Community Learning Centers (21st CCLC) program.

1. **Use of Funds (ESEA section 4203(a)(2))**: Describe how the SEA will use funds received under the 21st Century Community Learning Centers program, including funds reserved for State-level activities.

California’s Expanded Learning Programs (ELPs) support local educational agencies (LEAs) and local communities by aligning with the regular school day for a well-rounded and supportive education for students. ELPs offer youth opportunities for leadership, engaging youth leaders, as an example, in the reduction or elimination of incidents of bullying and harassment. ELPs are designed to promote student well-being through balanced nutrition, physical activity, and other enrichment activities supplementing the student’s regular school day academic instruction.

ELPs recruit, train, and retain high quality staff and volunteers to provide academic and enrichment activities. They build collaborative relationships among internal school and external stakeholders, including students, parents, families, governmental agencies (e.g., city and county parks and recreation departments), local law enforcement, community organizations, and the private sector to improve programs. This ensures active family engagement and gathering additional community resources to expand and benefit the number of students being served in the most disadvantaged neighborhoods.

California plans to use Title IV, Part B state-level activity funds to contract with statewide technical assistance providers such as the California After School Network, ASAPconnect, county offices of education (COEs), and STEM Power of Discovery. This technical assistance system, in collaboration with the state, is called the System of Support for Expanded Learning (SSEL). The SSEL provides technical assistance to ELPs that are new, not meeting attendance or performance goals, or otherwise need assistance. It supports overall quality for all programs while still allowing local schools and districts the leeway and flexibility to deploy resources so they can improve.

California has developed, in collaboration with stakeholders, Quality Standards for Expanded Learning Programs, available on the California Department of Education (CDE) Web page at [http://www.cde.ca.gov/ls/ba/as/documents/qualstandexplearn.pdf](http://www.cde.ca.gov/ls/ba/as/documents/qualstandexplearn.pdf). These standards are the foundation that the SSEL uses to provide support to ELPs. A portion of the state-level reservation will be used for administration of Title IV, Part B funds: awarding and monitoring grants; providing technical assistance, evaluation, and training services; and providing local assistance funds to support continuous quality improvement.

2. **Awarding Subgrants (ESEA section 4203(a)(4))**: Describe the procedures and criteria the SEA will use for reviewing applications and awarding 21st Century Community Learning Centers funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet the challenging State academic standards and any local academic standards.

California funds five-year 21st CCLC programs to establish or expand high quality before-and-after school programs for students that primarily attend low performing
schools or schools identified by LEAs as in need of intervention. These programs serve economically disadvantaged students and their families.

California has posted its 21st Century Request for Applications (RFA) for funds allocated beginning in the 2017–18 fiscal year to align with the Every Student Succeeds Act (ESSA) requirements on the CDE 21st CCLC Funding and Fiscal Management Web page at http://www.cde.ca.gov/ls/ba/cp/funding.asp. Consistent with federal requirements, California will award 21st CCLC funds in a competitive grant application process.

Those entities eligible to apply for 21st CCLC funding will be public or private entities or a consortium of such entities that propose to serve students (and their families) who primarily attend schools eligible for schoolwide programs under ESSA Section 1114, schools implementing comprehensive or targeted support and improvement activities under ESSA Section 1111(d), and schools determined by the LEA to be in need of intervention and support.

Applicants will be required to provide a local match. The applicant may not use matching funds from other federal or state funds. The amount of the match will be based on a sliding scale that takes into account the relative poverty of the population to be targeted by the eligible entity and the ability of the eligible entity to obtain such matching. If an eligible entity is unable to provide a match, a justification will be required as to why they are unable to provide a match.

The 21st CCLC RFA includes a program quality evaluation rubric that is derived from the Quality Standards for Expanded Learning in California, as well as state and federal application requirements. An online application reader’s conference will use impartial, qualified, and calibrated peer evaluators to determine grant application program quality. Grant applications that have been identified as high quality programs will then be assigned priority for funding based on state and federal requirements. The RFA gives priority funding to applications:

1. That propose to target services to students (and their families) who primarily attend schools that:
   a. Are implementing comprehensive support and improvement activities or targeted support and improvement activities under Section 1111(d) or other schools determined by the LEA to be in need of intervention and support to improve student academic achievement and other outcomes; and
   b. Enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models;

2. Are submitted jointly by eligible entities consisting of at least one:
   a. LEA receiving funds under of Title I, Part A; and
b. Another eligible entity:\(^8\);

The applicant will be given this priority if it demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality.

3. Demonstrate that the activities proposed in the application:
   a. Are, as of the date of the submission of the application, not accessible to students who would be served; or
   b. Would expand accessibility to high-quality services that may be available in the community.

4. Replace an expiring grant. (This is a general state funding priority requirement.)

5. Will provide year-round expanded learning programming. (This is a state middle and elementary funding priority requirement.)

6. Have programs that have previously received funding, but are not currently expiring. (This is a state high school funding priority requirement.)

7. Propose expansion of existing grants up to the per site maximum. (This is a state high school funding priority requirement.)

Priority will not be given to eligible entities that propose to use 21\textsuperscript{st} CCLC funding to extend the regular school day.

These funding priorities will be additive. The proposed sites with the highest number of priorities will be funded first. High quality grant applications with an equal number of state and federal priorities will be selected for funding based on the highest percentage of school level poverty. All grantees will be required to sign assurances that they will comply with all ESSA and state requirements.

California’s 21\textsuperscript{st} CCLC program will have a minimum grant award per program site of $50,000 as required by federal law. In addition, grant awards are subject to state legislative cap amounts of $112,500 for programs serving elementary schools and $150,000 for programs serving middle or junior high schools. High school programs are similarly capped at $250,000 per school site. Elementary, middle, and junior high school awards may be increased up to double amounts using a large school adjustment formula.

Currently, all expiring 21\textsuperscript{st} CCLC grantees must re-apply for a new five-year grant. As allowed by the ESSA, California will consider renewing sub-grants of existing grantees based on grantee performance during the preceding sub-grant period.

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\(^8\) Eligible entities include LEAs, community based organizations, Indian tribes or tribal organizations, another public or private entity, or a consortium of two or more such agencies or organizations or entities.
H. Title V, Part B, Subpart 2: Rural and Low-Income School Program

The purpose of this program is to address the unique needs of rural school districts that frequently lack the personnel and resources needed to compete effectively for federal competitive grants and receive formula grant allocations in amounts too small to be effective in meeting their intended purposes. Under Title V, Part B, Subpart 2, the U.S. Department of Education makes allocations to states, which in turn make subgrants to eligible local educational agencies (LEAs). An LEA is eligible for an allocation under the Rural and Low-Income School (RLIS) Program if three criteria are met:

- **Rural criterion:** All schools served by the LEA have a locale code of 6, 7, or 8 (assigned by the National Center for Education Statistics), or if a state government agency defines the location of the LEA as rural;

- **Low-Income criterion:** 20 percent or more of the children age 5 to 17 served by the LEA are from families with incomes below the poverty line (as determined by the U.S. Census Bureau), and;

- **An LEA is not eligible to receive funds under the Title V, Part B, Subpart 1 program.**

Grant funds awarded to LEAs under this subpart can be used for any of the following:

- Activities authorized under Title I, Part A
- Activities authorized under Title II, Part A
- Activities authorized under Title III
- Activities authorized under Title IV, Part A
- Parental involvement activities

California will work to ensure that these funds are used in concert with an integrated system of support. A state receiving a grant under this subpart may not use more than 5 percent of the amount of the grant for State administrative costs and to provide technical assistance to eligible LEAs. It is estimated that California will receive $3.5 million in 2017–18 Title V, Part B, Subpart 2 funds. In 2016–17, under the No Child Left Behind Act, 58 districts and direct-funded charter schools received funds under the Rural and Low-Income School Program.

1. **Outcomes and Objectives (ESEA section 5223(b)(1))**: Provide information on program objectives and outcomes for activities under Title V, Part B, Subpart 2, including how the SEA will use funds to help all students meet the challenging State academic standards.

   To support California students, the RLIS Program objectives will include, but will not be limited to, ensuring that all eligible LEAs are aware of, and have the ability to apply for and receive RLIS funding; ensuring that all eligible LEAs use the RLIS fund to effectively support other specified federal programs; and ensuring that RLIS LEAs report annually on allowable uses of funds through the Consolidated Application Reporting System.

2. **Technical Assistance (ESEA section 5223(b)(3))**: Describe how the SEA will provide technical assistance to eligible LEAs to help such agencies implement the activities described in ESEA section 5222.
California’s system of support will build the capacity of LEAs in the administration of these funds by providing technical assistance through training, information sharing, grant management, and on-demand support via webinars, e-mails, and telephone. The Local Control and Accountability Plan (LCAP) and LCAP Addendum planning process will support LEAs in tying this support to their overall goals.

I. Education for Homeless Children and Youth program, McKinney-Vento Homeless Assistance Act, Title VII, Subtitle B

The Education for Homeless Children and Youth (EHCY) program is authorized under Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) (McKinney-Vento Act). The McKinney-Vento Act is designed to address the challenges that homeless children and youths have faced in enrolling, attending, and succeeding in school. Under the McKinney-Vento Act, states must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youths. Homeless children and youths must have access to the educational and related services that they need to enable them to meet the same challenging state academic standards that all students are expected to meet. States and local educational agencies (LEAs) are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths.

The McKinney-Vento Act under the Every Student Succeeds Act (ESSA) includes, among other things, new or changed requirements focused on:

- Identification of homeless children and youths;
- Preschool-aged homeless children, including clarification that local liaisons must ensure that these children and their families have access to and receive services, if eligible, under LEA-administered preschool programs, including Head Start, Part C of the Individuals with Disabilities Education Act (IDEA) (Early Intervention Program for Infants and Toddlers with Disabilities), and other preschool programs administered by the LEA;
- Collaboration and coordination with other service providers, including public and private child welfare and social services agencies; law enforcement agencies; juvenile and family courts; agencies providing mental health services; domestic violence agencies; child care providers; runaway and homeless youth centers; providers of services and programs funded under the Runaway and Homeless Youth Act; and providers of emergency, transitional, and permanent housing, including public housing agencies, shelter operators, and operators of transitional housing facilities;
- Professional development and technical assistance at both the state and local levels;
- Removing enrollment barriers, including barriers related to missed application or enrollment deadlines, fines, or fees; records required for enrollment, including immunization or other required health records, proof of residency, or other documentation; or academic records, including documentation for credit transfer;
• School stability, including the expansion of school of origin to include preschools and receiving schools and the provision of transportation until the end of the school year, even if a student becomes permanently housed;

• Privacy of student records, including information about a homeless child or youth’s living situation; and

• The dispute resolution process.

California anticipates receiving $10 million in 2017–18 EHCY funds, the majority of which is subgranted to LEAs based on the number of homeless children and youth enrolled in schools served by the LEA. In 2016–17, 61 LEAs received EHCY funds.

1. Student Identification (722(g)(1)(B) of the McKinney-Vento Act): Describe the procedures the SEA will use to identify homeless children and youth in the State and to assess their needs.

LEAs identify and track homeless students using a variety of methods including but not limited to self-identification, questions on registration forms, data queries, and in-take questionnaires. Each LEA is required to identify and track the number of homeless students by grade level in the California Longitudinal Pupil Achievement Data System (CALPADS), which houses student-level data including student demographics, course data, discipline, assessment, staff assignments, and other data for state and federal reporting.

These categories are based on the requirements outlined in the Consolidated State Performance Report that is submitted to the U.S. Department of Education annually. The data provided through CALPADS serves as the California Department of Education’s (CDE’s) means of identifying homeless children and youth in the State.

The CDE provides support and technical assistance to LEAs to assist with the identification of homeless students. This includes tracking data in CALPADS and performing targeted outreach to LEAs that identify their homeless count as zero; creating and disseminating training modules on identification methods and strategies to LEA registrars, attendance clerks, school counselors, and homeless liaisons; and providing LEAs with posters outlining the educational rights of homeless children and youths and tracking LEAs’ use of the poster through California’s Consolidated Application and Reporting System (CARS).

The CDE is currently in the process of developing an intake template that will be designed to collect information related to the individual needs of the homeless students that a school or district serves. Staff will provide the tool and relevant trainings on using the template to LEAs, measure the use of the template through CARS reporting mechanisms, and encourage its use to assess the needs of homeless youth across the state. Additionally, each LEA is required to identify at least one homeless education liaison who is charged with representing the interests of the homeless students that the LEA serves, assessing the needs of these students, ensuring that needs are addressed by the appropriate entity, and serving as a resource to parents, families, and school and LEA personnel.

To facilitate best practices regarding the assessment of the needs of homeless students, the CDE will continue to support LEAs to conduct data analyses for their homeless students, implement case management models, and collaborate with relevant agencies.
2. **Dispute Resolution** *(722(g)(1)(C) of the McKinney-Vento Act)*: Describe procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth.

California has revised its dispute resolution process to improve the process and better align with federal requirements and intends to conduct further revisions to the dispute resolution process in 2017 to include more specific language regarding timelines, roles of all stakeholders, student-centered factors, and eligibility to facilitate the prompt resolution of disputes.

The dispute resolution process involves key steps aimed at ensuring that disputes are resolved promptly while safeguarding the rights of all parties. Every student must be immediately enrolled regardless of any dispute that arises. In the case of a dispute, the matter is first referred to the LEA’s homeless liaison, with a written explanation from the disputing school; the liaison then makes a determination regarding school selection, eligibility, or enrollment. If unresolved or appealed, the matter is referred to the county office of education (COE) homeless liaison, who is required to make the school selection, eligibility, or enrollment decision within five working days of receipt of dispute materials. If the matter is not resolved at the LEA or COE level, the case will then be referred to the State Homeless Coordinator for review and a final school selection, eligibility, or enrollment decision will be made within ten working days of receipt of materials.

The process is posted on the CDE’s Resources for Homeless Children and Youths Web page at [http://www.cde.ca.gov/sp/hs/cy/disputeres.asp](http://www.cde.ca.gov/sp/hs/cy/disputeres.asp). The CDE will continue to provide professional development and technical assistance to LEAs regarding the dispute resolution process to ensure effective implementation.

3. **Support for School Personnel** *(722(g)(1)(D) of the McKinney-Vento Act)*: Describe programs for school personnel (including the LEA liaisons for homeless children and youth, principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of such school personnel of the specific needs of homeless children and youth, including runaway and homeless children and youth.

The CDE will continue to collect the number of LEA liaisons participating in homeless education professional development through the Homeless Education Implementation and Policy page in the CARS. The CDE will add an additional question to the Homeless Education Implementation and Policy page regarding the status of local training at each LEA and offer technical assistance to those LEAs and their liaisons that report that they have not participated in homeless education professional development.

The CDE will develop, disseminate, and post training modules on various homeless education topics for principals, teachers, liaisons, health care providers, outside agencies, and registrars. These training modules will include all EHCY provisions under the ESSA, such as an overview of EHCY, definitions, identification, enrollment, transportation, collaboration, dispute resolution, unaccompanied youths, preschool-age students, and Title I, Part A reservation funds. The CDE also routinely offers professional development and trainings on homeless education to local school attendance review.
boards, which are comprised of school personnel and other relevant stakeholders.

The CDE will continue to collect and post annually a database of homeless liaisons and their contact information through the CDE’s Resources for Homeless Children and Youths Web site to enable school personnel to contact liaisons for specific information and resources as needed. This list of liaisons becomes the basis for the Homeless Education Resources Listserv which allows the State Homeless Coordinator to send out resources, materials, updates, and training modules.

4. **Access to Services (722(g)(1)(F) of the McKinney-Vento Act):** Describe procedures that ensure that:
   i. Homeless children have access to public preschool programs, administered by the SEA or LEA, as provided to other children in the State;

   The CDE will continue to coordinate and collaborate with Head Start, Early Head Start, and the Interagency Coordinated Council and offer professional development and technical assistance to LEAs as well as to preschool programs regarding homeless education and preschool collaboration. There will be an emphasis on identification, enrollment, and transportation with an encouragement for LEAs and preschool programs to establish a case management process to meet the needs of homeless preschoolers. Additionally, the CDE plans to add a question on the Homeless Education Implementation and Policy page in the CARS regarding the number of homeless preschoolers enrolled by an LEA- or state-run preschool program.

   ii. Homeless youth and youth separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youth described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies; and

   The CDE will undertake a variety of activities to support access to secondary education for homeless youth. The CDE will continue to implement state policies (AB 1806 and AB 1166) that enable homeless students to complete the school district’s high school graduation requirements within a fifth year or to complete state graduation requirements. The CDE will train LEAs to analyze their homeless students’ data available in the California School Dashboard and other sources, including dropout rates and graduation rates, to determine homeless students’ needs and ways to collaborate and coordinate with various agencies to meet these needs. The CDE has disseminated resources, sample templates, and presentations on credit recovery and partial credit acceptance. Currently, the California Education Code requires LEAs to accept appropriate credit for full or partial coursework, and the CDE will update the 2007 Granting and Transferring of Partial Course Credit letter to reflect new requirements under state policies and the ESSA.

   iii. Homeless children and youth who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet school,
summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels.

California state law requires that a homeless child or youth be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. The CDE continues to collaborate and coordinate internally with regard to access to academic programs for homeless children and youths and the implications for charter schools, expanded learning, special education, adult education, and career and college transition. The CDE will ensure that the various programs are addressed and included in the training modules as it relates to the implementation of state laws, policies, and ESSA requirements. Also, through professional development and technical assistance, the CDE will encourage LEA liaisons to coordinate and collaborate with these different programs to ensure accessibility for homeless children and youths.

5. Strategies to Address Other Problems (722(g)(1)(H) of the McKinney-Vento Act): Provide strategies to address other problems with respect to the education of homeless children and youth, including problems resulting from enrollment delays that are caused by—
   i. requirements of immunization and other required health records;
   ii. residency requirements;
   iii. lack of birth certificates, school records, or other documentation;
   iv. guardianship issues; or
   v. uniform or dress code requirements.

   The CDE training modules will address each of the issues listed above. The training modules will offer strategies and best practices that remove the barriers to immediate enrollment and how to access various resources to obtain immunizations, other medical records, birth certificates, school records, uniforms, etc. The CDE will also continue to encourage LEAs to use their EHCY grant funding and/or Title I, Part A reservation funds to assist with some of these costs. Currently, the CDE Resources for Homeless Children and Youths Web page (http://www.cde.ca.gov/sp/hs/cy/) has various samples of residency forms, intake forms, caregiver affidavits, and other key resources posted for LEAs use. As mentioned above, the CDE will develop and disseminate a training module for LEA-level registrars, attendance clerks, and school counselors to assist with identification, enrollment, and all provisions under the ESSA.

6. Policies to Remove Barriers (722(g)(1)(I) of the McKinney-Vento Act): Demonstrate that the SEA and LEAs in the State have developed, and shall review and revise, policies to remove barriers to the identification of homeless children and youth, and the enrollment and retention of homeless children and youth in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

   The CDE, through the CARS’ Homeless Education Implementation and Policy page, continues to collect the number of LEAs that have an approved homeless education board policy and the date in which it was last approved. Technical assistance is offered to those LEAs that do not have an approved homeless education board policy. The CDE requires those LEAs that are applying for the federal supplemental EHCY grant funding to submit their approved homeless education board policies and administrative regulations. The CDE and the California School Boards Association (CSBA) work closely
together to ensure that the CSBA sample board policies meet all requirements. Finally, the CDE continues to monitor LEAs for homeless education compliance, including approved homeless education board policies, through the federal program monitoring process.

7. Assistance from Counselors (722(g)(1)(K)): A description of how youths described in section 725(2) will receive assistance from counselors to advise such youths, and prepare and improve the readiness of such youths for college.

Within the training modules mentioned above, the CDE will provide an overview of the requirements and showcase successful implementation strategies. These modules will be for any stakeholder to learn about state and federal law with a focus on collaboration and coordination with higher education, new state laws, and the process of completing the Free Application for Federal Student Aid. The CDE will assist in various ways with the implementation of California’s AB 801 (2016), which states a postsecondary educational institution must designate a staff member to serve as the Homeless and Foster Student Liaison. This staff member can be employed within the financial aid office, or another appropriate office or department. The Homeless and Foster Student Liaison will be responsible for understanding the provisions of the federal Higher Education Act pertaining to financial aid eligibility of homeless youth, including unaccompanied homeless youth. The liaison shall assist these students in applying for and receiving federal and state financial aid and other available services. Creating connections between LEA homeless liaisons, school counselors, and the Homeless and Foster Student Liaisons is essential for homeless youth to prepare for college.

Appendix A: Measurements of interim progress

Instructions: Each SEA must include the measurements of interim progress toward meeting the long-term goals for academic achievement, graduation rates, and English language proficiency, set forth in the State’s response to Title I, Part A question 4.iii, for all students and separately for each subgroup of students, including those listed in response to question 4.i.a. of this document. For academic achievement and graduation rates, the State’s measurements of interim progress must take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps.

A. Academic Achievement
The ability for LEAs or schools to determine interim progress goals, including for lower performing student groups, is built into the California Model. The CDE has produced a report that indicates where schools and student groups are on the five-by-five colored grid, allowing schools to determine improvement needed to progress toward the long-term goals and the differential improvement needed to close achievement gaps that exist for particular student groups. For example, based on a current Status, how much improvement is needed to be High (Status) and Maintained (Change) or above? Dividing that by the number of years left to reach the goal provides the average annual Change needed to reach the goal within the period of time.
## ELA Academic Indicator – Distance from Level 3

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<tr>
<th>Level</th>
<th>Declined Significantly by more than 15 points</th>
<th>Declined by 1 to 15 points</th>
<th>Maintained Declined by less than 1 point or increased by less than 7 points</th>
<th>Increased by 7 to less than 20 points</th>
<th>Increased Significantly by 20 points or more</th>
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<tr>
<td>45 or more points above</td>
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<td>Declined by 1 to 10 Points</td>
<td>Maintained Declined by less than 1 point or increased by less than 5 points</td>
<td>Increased by 5 to less than 15 points</td>
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<td>More than 95 points below</td>
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*Note: Staff expect that the State Board of Education will adopt performance standards at its September 2017 meeting for the approved College/Career Indicator, which includes Grade 11 assessment results for English/language arts and mathematics. This section will be updated to reflect those performance standards, once approved.*
B. Graduation Rates

The ability for LEAs or schools to determine interim progress goals, including for lower performing student groups, is built into the California Model. The CDE has produced a report that indicates where schools and student groups are on the five-by-five colored grid, allowing schools to determine improvement needed to progress toward the long-term goals and the differential improvement needed to close achievement gaps that exist for particular student groups. For example, based on a current Status, how much improvement is needed to be High (Status) and Maintained (Change) or above? Dividing that by the number of years left to reach the goal provides the average annual Change needed to reach the goal within the period of time.

Graduation Rate Indicator

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<th>Level</th>
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<th>Declined by 1.0% to 5.0%</th>
<th>Maintained Declined or increased by less than 1.0%</th>
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</table>
C. Progress in Achieving English Language Proficiency

The ability for LEAs or schools to determine interim progress goals, including for lower performing student groups, is built into the California Model. The CDE has produced a report that indicates where schools and student groups are on the five-by-five colored grid, allowing schools to determine improvement needed to progress toward the long-term goals and the differential improvement needed to close achievement gaps that exist for particular student groups. For example, based on a current Status, how much improvement is needed to be High (Status) and Maintained (Change) or above? Dividing that by the number of years left to reach the goal provides the average annual Change needed to reach the goal within the period of time.

### English Learner Progress Indicator

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<td>Green</td>
<td>Blue</td>
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<tr>
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<tr>
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<td>Orange</td>
<td>Yellow</td>
<td>Green</td>
<td>Green</td>
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<td>Yellow</td>
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<td></td>
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<tr>
<td>Very Low</td>
<td>Red</td>
<td>Red</td>
<td>Red</td>
<td>Orange</td>
<td>Yellow</td>
</tr>
<tr>
<td>Less than 60.0%</td>
<td></td>
<td></td>
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</tbody>
</table>
ESSA State Plan Development: Communications, Outreach, and Consultation with Stakeholders: March – April 2017

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 March and April 2017 is provided below.

**Date:** March 13, 2017  
**Meeting:** California Conference on American Indian Education  
**Participants:** Educators, parents, families, students, tribal leaders, and CDE staff  
**Details:**

CDE staff presented an overview of the ESSA and provided an update on ESSA State Plan development. Staff highlighted opportunities to participate in the plan development process and presented on specific opportunities for American Indian Education under ESSA.

**Date:** March 15, 2017  
**Meeting:** UC Davis Resourcing Excellence in Education Meeting  
**Participants:** UC Davis Resourcing Excellence in Education staff and CDE staff  
**Details:**

CDE staff provided an update on ESSA State Plan development and discussed opportunities to improve instructional quality using federal funds provisioned under ESSA.

**Date:** March 17, 2017  
**Meeting:** State and Federal Programs 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, the new ESSA State Plan Template, local planning requirements for 2017–18, the Local Control and Accountability Plan (LCAP) Addendum, and school improvement reservations under ESSA Section 1003.

**Date:** March 17, 2017  
**Meeting:** Bilingual Coordinators Network
Participants: Bilingual Coordinators from county offices of education (COEs) and local educational agencies (LEAs) 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. Staff provided an overview of the guiding principles and framework for the plan and highlighted the upcoming opportunities to participate in plan development during Phase IV of stakeholder engagement.

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Date: March 27, 2017
Meeting: University Principal Preparation Initiative Meeting
Participants: Teams from seven states, including California Commission on Teacher Credentialing (CTC) staff and CDE staff.
Details:

Meeting participants discussed opportunities in the ESSA to build the capacity of education leaders.

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Date: March 29, 2017
Meeting: Statewide System of Support Meeting
Participants: California County Superintendents Educational Services Association staff, California Collaborative for Educational Excellence staff, COE staff, SBE staff, and CDE staff.
Details:

Participants discussed the emerging statewide system of support, roles and responsibilities of each agency, and next steps for continued collaboration.

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Date: April 3, 2017
Meeting: Child Nutrition Advisory Council Meeting
Participants: Child Nutrition Advisory Council members and CDE staff
Details:

CDE staff provided an update on ESSA State Plan development, including an update regarding federal regulations. Staff provided an overview of the guiding principles and framework for the plan and highlighted the upcoming opportunities to participate in plan development during Phase IV of stakeholder engagement.

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Date: April 12, 2017
Meeting: Local Control Funding Formula (LCFF) Equity Coalition
**Participants:** Representatives from Public Advocates; The California Association for Bilingual Education; National Center for Youth Law; EdVoice; The Education Trust – West; Californians Together; Children Now, SBE staff, and CDE staff

**Details:**

CDE and SBE staff provided an update regarding ESSA State Plan development and discussed opportunities to collaborate during Phase IV of stakeholder engagement to promote participation.

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**Date:** April 13, 2017  
**Meeting:** California Practitioners Advisory Group (CPAG) Meeting  
**Participants:** CPAG members, SBE members, CDE staff, SBE staff, and the public  

**Details:**

CDE staff provided an update on ESSA State Plan development, including an update on local planning requirements for 2017–18. Staff solicited feedback from CPAG members regarding the draft LCAP Addendum.

---

**Date:** April 14, 2017  
**Meeting:** Consortium for the Implementation of Common Core Stakeholder Meeting  
**Participants:** Consortium for the Implementation of Common Core members and CDE staff  

**Details:**

CDE staff presented an overview of the ESSA and provided an update on ESSA State Plan development, including the guiding principles, framework for the plan, and federal regulations. Staff highlighted opportunities to participate in the plan development process during Phase IV of stakeholder engagement. Staff also presented ways to build capacity for implementing state academic content standards utilizing ESSA resources.

---

**Date:** April 17, 2017  
**Meeting:** California Teachers Association Meeting  
**Participants:** California Teachers Association staff, SBE staff, and CDE staff  

**Details:**

CDE staff shared an update regarding ESSA State Plan development and solicited feedback from California Teachers Association staff about ESSA requirements regarding educator equity.

---

**Date:** April 21, 2017  
**Meeting:** State and Federal Programs Directors’ Meeting
**Participants:** State and Federal Program Directors and CDE staff  
**Details:**

CDE staff provided an update on ESSA State Plan development and the draft LCAP Addendum. Staff also highlighted opportunities to participate in plan development during Phase IV of stakeholder engagement.

---

**Date:** April 24 – 25, 2017  
**Meeting:** National Governors Association Human Capital Learning Lab: Building Aligned Teacher and Principal Pipelines  
**Participants:** Teams from 15 states, including CTC staff, SBE staff, and CDE staff  
**Details:**

Meeting participants discussed opportunities in the ESSA to support the development of an aligned statewide system for recruiting, training, and supporting teachers and principals.

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**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.

<table>
<thead>
<tr>
<th>Month</th>
<th>Page Views</th>
</tr>
</thead>
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<tr>
<td>March</td>
<td>2,715</td>
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<td>April</td>
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<td>May</td>
<td>7,803</td>
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<td>June</td>
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<td>July</td>
<td>8,963</td>
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<td>October</td>
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<td>November</td>
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<td>December</td>
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<td>January</td>
<td>14,714</td>
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<tr>
<td>February</td>
<td>20,866</td>
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</table>

![CDE ESSA Web Page Views](chart.png)
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.

<table>
<thead>
<tr>
<th>Month</th>
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<th>Messages</th>
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<tbody>
<tr>
<td>April</td>
<td>299</td>
<td>4</td>
</tr>
<tr>
<td>May</td>
<td>562</td>
<td>6</td>
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<td>July</td>
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<tr>
<td>March</td>
<td>1,774</td>
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</tbody>
</table>
ITEM 04
The California Department of Education (CDE) is responsible for administering the California High School Proficiency Examination (CHSPE) to individuals who are at least sixteen years of age or meet other eligibility requirements. Individuals taking the CHSPE may earn a certificate of proficiency awarded by the State Board of Education (SBE) that is equivalent to a high school diploma according to Education Code (EC) Section 48412. Assembly Bill (AB) 2656 (O'Donnell), signed by the Governor on September 27, 2016, prohibits the CDE from charging fees to administer the CHSPE to a certified foster youth who is under twenty-five years of age. AB 2656 requires the SBE to adopt emergency regulations to implement the provisions of this new law.

Amendments were made to existing regulations regarding homeless youth and were adopted by the SBE in May 2016 to meet the requirements of Senate Bill 252, which was signed by the Governor on September 30, 2015. The proposed amendments to California Code of Regulations, Title 5 (5 CCR) sections 11250, 11524, 11525, and 11526 provide continuity between homeless and foster youth requirements. Additionally, these proposed amendments make the use of the previously incorporated form permissive and no longer a requirement for certification.

**RECOMMENDATION**

The CDE recommends that the SBE take the following actions:

- Approve the Finding of Emergency
- Adopt the proposed emergency regulations
- Direct the CDE to circulate the required notice of proposed emergency action, and then submit the emergency regulations to the Office of Administrative Law (OAL) for approval
• Authorize the CDE to take any necessary action to respond to any direction or concern expressed by the OAL during its review of the Finding of Emergency and proposed emergency regulations

BRIEF HISTORY OF KEY ISSUES

Individuals who are at least sixteen years of age, or have been enrolled in grade ten for one academic year or longer, or are completing their final semester of grade ten are eligible to take the CHSPE to earn a certificate of proficiency, which is equivalent to a California high school diploma. The CHSPE is administered by the Sacramento County Office of Education under a contract with the CDE.

Individuals who take the CHSPE must register for the test and pay the fee for administration and scoring of the test at their own expense. AB 2656 provides the opportunity for a certified foster youth who is under the age of twenty-five and meets other eligibility requirements to take the CHSPE at no cost. The law requires that a service provider who has knowledge of the examinee’s status certify that the examinee is eligible for the fee waiver. EC sections 48412(h)(1) and (2) define foster youth as:

• A child who was the subject of a petition filed pursuant to Section 300 of the Welfare and Institutions Code (WIC) and removed from his or her home by the juvenile court pursuant to sections 319 or 361 of the WIC

• A child who was the subject of a petition filed pursuant to Section 602 of the WIC and removed from his or her home by the juvenile court pursuant to Section 727 of the WIC

AB 2656 requires the SBE to adopt emergency regulations to implement the provisions of the law. This agenda item proposes amendments to existing CHSPE regulations for that purpose. The proposed amendments include, but are not limited to, the:

• Addition of information to specify that foster youth certification is provided by a county or state agency

• Amendment of a section to specify that the contractor shall not collect a registration fee from a certified foster youth who registers by the regular registration deadline

• Amendment of a section to specify that fees for other services for the foster youth will not be waived

• Addition of information to specify that homeless service providers or the provider’s agency shall not charge any fees to a homeless youth seeking certification

• Addition of a section that includes the documentation to be provided by the foster youth to verify his or her status
• Addition of a section that stipulates the fee waiver is valid until the foster youth reaches twenty-five years of age

• Addition of a section that requires the contractor to maintain original certification documentation until the foster youth reaches twenty-eight years of age and provide the original certification to the CDE upon request

• Addition of information to specify that the service provider or the service provider’s agency shall not charge any fees to a foster youth seeking certification

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Senate Bill 252 (Leno) signed by the Governor on September 30, 2015, prohibits the CDE from charging fees to administer the CHSPE to a certified homeless youth who is under twenty-five years of age. The SBE adopted emergency regulations on May 11, 2016. Under a separate item, the SBE approved the commencement of the standard rulemaking process to make permanent amendments to 5 CCR sections 11520 through 11525. On November 16, 2016, the OAL approved the regulations prohibiting the CDE from charging a CHSPE test fee. AB 2656 extends the prohibition to an examinee who meets the defined criteria of a foster youth.

**FISCAL ANALYSIS (AS APPROPRIATE)**

An Economic and Fiscal Impact Statement is attached.

**ATTACHMENT(S)**

Attachment 1: Finding of Emergency (4 pages)
Attachment 2: Emergency Regulations (4 pages)
Attachment 3: Notice of Proposed Emergency Action (2 pages)
Attachment 4: Economic and Fiscal Impact Statement (STD. 399) (5 pages)
FINDING OF EMERGENCY
California High School Proficiency Examination

The State Board of Education (SBE) finds that an emergency exists and that the emergency regulations adopted are necessary to avoid serious harm to the public peace, health, safety, or general welfare, especially the welfare of students attending California’s public schools.

SPECIFIC FACTS DEMONSTRATING THE EXISTENCE OF AN EMERGENCY AND THE NEED FOR IMMEDIATE ACTION

Overview

These proposed regulations must be adopted on an emergency basis in order to meet the statutory-established timelines as set forth in Education Code (EC) Section 48412, as established by Assembly Bill 2656 (O’Donnell) (Statutes of 2016). Assembly Bill 2656 prohibits the California Department of Education (CDE) from charging a fee to an examinee who meets the defined criteria of a foster youth. Assembly Bill 2656 provides that no additional state funds shall be appropriated for purposes of implementing the above provisions. The bill requires the SBE to adopt emergency regulations for purposes of these provisions.

In addition, EC Section 48412 requires that on or before December 1, 2018, the State Superintendent of Public Instruction submit a report to the appropriate policy and fiscal committees of the Legislature that includes the number of foster youths who took the high school proficiency test at no cost in each of the 2017 and 2018 calendar years. Without these emergency regulations, foster youths will be delayed in receiving the fee waiver. In addition, the data requirements for 2017 and 2018 may not be available, and the CDE would be hindered in providing the statutorily required reports and recommendations to the Legislature.

Background

EC Section 48412 authorizes certain persons, including, among others, any person sixteen years of age or older, to have his or her proficiency in basic skills taught in public high schools verified according to criteria established by the CDE. The law requires the SBE to award a certificate of proficiency to persons who demonstrate that proficiency. The law requires the CDE to develop standards of competency in basic skills taught in public high schools and to provide for the administration of examinations prepared by, or with the approval of, the CDE to verify competency. The law authorizes the CDE to charge a fee for each examination application in the amount sufficient to recover the costs of administering the requirements of these provisions, but prohibits the fee from exceeding an amount equal to the cost of test renewal and administration per examination application. The high school proficiency examination is known as the California High School Proficiency Examination (CHSPE) and is currently administered
under the CDE’s contract with the Sacramento County Office of Education. Assembly Bill 2656 prohibits the CDE from charging a fee to an examinee who is under twenty-five years of age and can verify his or her status as a foster youth. The foster youth will be certified by the county or the California Department of Social Services.

Assembly Bill 2656 requires the CDE, on or before December 1, 2018, to submit a report to the appropriate policy and fiscal committees of the Legislature. The report will include, among other data, the number of foster youths who took the CHSPE in 2017 and 2018. The reporting requirements for the CHSPE will be inoperative on January 1, 2020, pursuant to Government Code (GC) Section 10231.5

Specific Basis for the Finding of Emergency

Assembly Bill 2656 is intended to allow the vulnerable population of foster youths to achieve a high school proficiency or equivalency certificate without financial obstacles and requires detailed reports be provided by the CDE to the Legislature for the calendar years 2017 and 2018. If the standard regulation process is followed, foster youths will be delayed in receiving a fee waiver, and the CDE may not meet the reporting requirements for 2017 and 2018. EC Section 48412 requires the SBE to adopt emergency regulations, as necessary, to implement the provisions of Assembly Bill 2656.

These Issues Could Not Be Addressed Through Nonemergency Regulations

EC Section 42412(f) established a statutory deadline of December 1, 2018, for the CDE to provide detailed reports to the Legislature that include data for the calendar years 2017 and 2018. These requirements do not allow for sufficient time to complete the regular rulemaking process.

NON-DUPLICATION

GC Section 11349 prohibits unnecessary duplication of state or federal statutes in regulation. In this case, duplication of certain state statutes in the proposed emergency regulations is necessary in order to provide additional specific detail not included in state statute.

AUTHORITY AND REFERENCE

Authority: Sections 33031, 48410, and 48412, Education Code.

References: Sections 48410 and 48412, Education Code.
INFORMATIVE DIGEST

EC Section 48412 authorizes certain persons, including, among others, any person sixteen years of age or older, to have his or her proficiency in basic skills taught in public high schools verified according to criteria established by the CDE. The law requires the SBE to award a certificate of proficiency to persons who demonstrate that proficiency. The law further requires the CDE to develop standards of competency in basic skills taught in public high schools and to provide for the administration of examinations prepared by, or with the approval of, the CDE to verify competency. The law authorizes the CDE to charge a fee for each examination application in an amount sufficient to recover costs of administering the requirements of these provisions, but prohibits the fee from exceeding an amount equal to the cost of test renewal and administration per examination application.

Assembly Bill 2656 (O’Donnell), signed by the Governor on September 27, 2016, prohibits the CDE from charging a fee to a foster youth who is under twenty-five years of age and can verify his or her status as a foster youth. Assembly Bill 2656 authorizes service providers to verify the examinee’s status for purposes of these provisions. Assembly Bill 2656 provides that no additional state funds shall be appropriated for purposes of implementing the above provisions. The bill requires the SBE to adopt emergency regulations for purposes of these provisions.

Required reports will provide an indication of the effectiveness of the fee waiver in regard to helping foster youths achieve greater educational and employment opportunities.

The proposed regulations are intended to support the efficient implementation of the CHSPE fee waiver for eligible foster youths. The proposed regulations do not differ substantially from existing federal statutes, as Assembly Bill 2656 includes definitions and guidelines, from federal statutes, such as McKinney-Vento Homeless Assistance Act (42 U.S.C. Section 1134a[2]) and state guidelines such as Welfare and Institutions Code Section 602. The CDE reviewed all state regulations relating to the CHSPE and found none that are inconsistent or incompatible with these regulations.

SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

The proposed regulations will serve to implement the changes to law required under Assembly Bill 2656 by providing direction to foster youths and the contractor about what documentation, and processes will be required for a foster youth to obtain the fee waiver for the CHSPE. The proposed regulations further clarify which fees will be waived, which fees will not be waived, how long documentation and fee waivers will be valid, and the documentation that must be maintained by the contractor. Implementation of the proposed regulations would provide foster youths and former foster youths who do not have the financial resources to pay the CHSPE registration fee with an opportunity to take the CHSPE at no personal cost and potentially earn a certificate of proficiency. The
proposed regulations also would ensure that only those examinees who are certified as foster youths and former foster youths are afforded this opportunity.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS**

The SBE did not consider any technical, theoretical, empirical studies, reports, or other documents in drafting these regulations.

**Mandate on Local Agencies or School Districts**

Service providers may be requested to make certification records available to the CDE upon request.

**Cost or Savings to Any State Agency**

The emergency regulations will not result in any additional costs or savings to local educational agencies, state agencies, or federal funding to the state. Service providers or state agencies will be requested to provide documentation to foster youths. As a result, they may incur minimal cost in providing this service.

**Nondiscretionary Costs or Savings Imposed Upon Local Agencies**

Service providers or their agencies will be requested to make copies of documentation available to foster youths. As a result, they may incur minimal costs in providing this service.

An evaluation of the proposed regulations have determined they are not inconsistent/incompatible with existing regulations, pursuant to GC Section 11346.5(a)(3)(D).

4-26-17 [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 11. Special Programs
Subchapter 8. High School Proficiency Certificates
Article 1. Certificate of Proficiency

§ 11520. Definitions.

(a) “Certificate” means a certificate of proficiency awarded by the State Board of Education (SBE) as described in Education Code section 48412(a)(2).

(b) “Homeless Certification Form” means a form provided by the California Department of Education (CDE) that is to be completed by an authorized homeless services provider to verify that a youth is homeless as defined in Education Code section 48412. The Homeless Certification Form (issued 03/2016) is incorporated by reference in California Code of Regulations, title 5, section 11530. “Certification” means documentation from a services provider, or a county or state agency, certifying the examinee is a homeless youth or a foster youth.

(c) “Parent” as used in Education Code section 48410(e), relating to verified parental approval, means the natural parent, or adoptive parent or legal guardian, having legal custody of the pupil.

(d) “Testing accommodations” means any variation in the assessment environment or process that does not fundamentally alter what the test measures or affect the comparability of scores.


§ 11524. Waiver of Fees.

(a) The contractor selected to administer the examination shall not collect fees from individuals who are under 25 years of age, meet all other registration requirements, and
are verified to be a homeless youth by a homeless services provider or a foster youth as defined in Education Code section 48412, except for fees for additional services not related to regular test registration including, but not limited to, registration for a test administration after the regular registration deadline set by the contractor, request to change the testing date after the regular registration deadline set by the contractor, request for a transcript or duplicate certificate, or request to expedite services. The contractor shall not charge fees to individuals who are certified verified to be a homeless youth, or a foster youth for any other administrative services without prior approval of the CDE California Department of Education (CDE).

(b) The fee waiver for individuals who are under age 25 and are certified verified to be a homeless youth by a homeless services provider, or a foster youth as defined in Education Code section 48412 shall include only fees for services related to test administration. The fee waiver shall not include fees for services or documents required to verify the need for testing accommodations, test preparation, or other services not related to test administration.


§ 11525. Homeless Certification.

(a) To be eligible for a fee waiver, at the time of registration for a test administration, a homeless youth must submit all standard required registration materials to the contractor including documentation required for all testing accommodations that the individual may need and an original completed Homeless Certification Form.

(b) Only the Homeless Certification Form may be used to certify that the registrant is homeless. The Homeless Certification Form must include all of the following information:

(1) The full legal name of the registrant;
(2) The date of birth of the registrant;
(3) The signature of the registrant affirming, under penalty of perjury, a statement that he or she is homeless and under 25 years of age;
(4) The printed name of the homeless services provider;
(5) The title of the homeless services provider;
(6) The business address, phone number, and e-mail address of the homeless services provider;
(7) The signature of the homeless services provider affirming, under penalty of perjury, a statement that he or she is an authorized homeless services provider and that the registrant is homeless as defined in Education Code section 48412;
(8) The date that the Homeless Certification Form certification is completed by the homeless services provider; and
(9) The date the Homeless Certification Form certification expires.

(c) The Homeless Certification Form Certification is valid for a period of one year from the certification date and may be renewed annually until the certified homeless youth reaches 25 years of age. If the certified homeless youth reaches 25 years of age within one year from the certification date, the Homeless Certification Form certification will be valid only until one day before the certified homeless youth reaches 25 years of age.

(d) The homeless services provider or the provider’s agency shall retain a copy of all Homeless Certification Forms certification(s) issued to certified homeless youth(s) until each certified homeless youth reaches 28 years of age. The homeless services provider or the provider’s agency shall make copies of Homeless Certification Forms certification(s) available to the CDE upon request.

(e) The contractor shall retain all original Homeless Certification Forms certification(s) issued to certified homeless youth(s) until each homeless youth reaches 28 years of age. The contractor shall make original Homeless Certification Forms certification(s) available to the CDE within 10 business days upon request.

(f) The homeless services provider or the provider’s agency shall not charge any fees to homeless youths seeking certification of their status.


§ 11526. Foster Youth Certification
(a) To be eligible for a fee waiver, at the time of registration for a test administration, a foster youth must submit all standard required registration materials to the contractor including documentation required for all testing accommodations that the individual may need and certification of their foster youth status. This certification may be provided by the county or California Department of Social Services.

(b) Eligibility for the fee waiver is valid until the certified foster youth reaches 25 years of age.

(c) The contractor shall retain all original certification(s) issued to foster youth(s) until each foster youth reaches 28 years of age. The contractor shall make original certification documentation available to the CDE within 10 business days upon request.

(d) The service provider or the provider's agency shall not charge any fees to foster youths seeking verification of their status.

(e) For purposes of this Article, “Foster Youth” means either current or former foster youth as defined by Education Code Section 48412(h).

May 12, 2017

NOTICE OF PROPOSED EMERGENCY ACTION
California High School Proficiency Examination

Pursuant to the requirements of Government Code (GC) Section 11346.1(a)(1), the State Board of Education (SBE) is providing notice of proposed emergency action with regard to the above entitled emergency regulation.

SUBMISSION OF COMMENTS

GC Section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a Notice of the Proposed Emergency Action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the OAL, the OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in GC Section 11349.6.

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail, or fax, relevant to the proposed emergency regulatory action. Written comments submitted via U.S. mail, e-mail or fax must be received at the OAL within five days after the SBE submits the emergency regulations to the OAL for review.

Please reference submitted comments as regarding “California High School Proficiency Examination” addressed to:

Mailing Address: Reference Attorney
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95818

Patricia Alverson, Reg Coordinator
California Department of Education
Administrative Support & Regulations Adoption
1430 N Street, Suite 5319
Sacramento, CA 95814

E-mail Address: staff@oal.ca.gov
Fax No: 916-323-6826

regcomments@cde.ca.gov
916-319-0155
For the status of the SBE submittal to the OAL for review and the end of the five-day written submittal period, please consult the Web site of the OAL at http://www.oal.ca.gov under the heading “Emergency Regulations.”
### ECONOMIC IMPACT STATEMENT

**DEPARTMENT NAME**
CA Department of Education

**CONTACT PERSON**
Amy Tang-Paterno

**EMAIL ADDRESS**
atangpaterno@cde.ca.gov

**TELEPHONE NUMBER**
322-6630

**DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400**
High School Proficiency Certificates

**NOTICE FILE NUMBER**
Z

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**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 regulations clarify statute and would not impose additional private sector costs.

   **If any box in Items 1a through gh 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: ____________ 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:
   ______________________________________________________________________

---

**04/12/17, 4:04 P.M.**

PAGE 1
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:

   _____________________________________________________________
   _____________________________________________________________
   _____________________________________________________________

04/12/17, 4:04 P.M.
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:

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Total Cost $</th>
<th>Cost-effectiveness ratio: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative 1</td>
<td>Total Cost $</td>
<td>Cost-effectiveness ratio: $</td>
</tr>
<tr>
<td>Alternative 2</td>
<td>Total Cost $</td>
<td>Cost-effectiveness ratio: $</td>
</tr>
</tbody>
</table>

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:
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
       ____________________________________________________________________________
       Case of: _____________________________________________________________________ vs. _____________________________________________________________________
   ☐ c. 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.
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.

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

FISCIAL OFFICER SIGNATURE

[Signature]

DATE

March 29, 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

4/10/17

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

DATE
Economic and Fiscal Impact Statement

(REGULATIONS AND ORDERS) User entries from the STD. 399 (REV. 12/2013) Form.

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: High School Proficiency Certificates

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 boxes 1 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.

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.

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 box:** Signed by Amy Tang-Paterno dated March 29, 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 signature box:** Signed by [ink signature is unintelligible] dated April 10, 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 signature box:** [No signature or left blank]
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

ITEM 05
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), 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 spring 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 fall 2015, and permanent amendments to the regulations were approved on May 18, 2016. Under the amended CAASPP regulations, the second operational administration of the CAASPP took place in spring 2016.

Emergency regulations to maintain the effective and valid implementation of the CAASPP System were adopted by the State Board of Education (SBE) at its meeting on January 11, 2017. The emergency regulations were approved by the OAL and deemed effective as of February 2, 2017. At its March 8, 2017 meeting, the SBE also approved additional amendments to the CAASPP permanent regulations for adoption through the regular rulemaking process. However, because the effective date of the permanent regulations is expected to occur at the end of August, while the emergency regulations will expire on August 2, 2017, the readoption of the emergency regulations is necessary to prevent a lapse between the expiration of the emergency regulations and the effective date of the permanent regulations.
RECOMMENDATION

The CDE recommends that the SBE take the following actions:

- Approve the Finding of Emergency.
- Readopt the proposed emergency regulations.
- Direct the CDE to circulate the required Notice of Proposed Emergency Action, and then resubmit the emergency regulations to the OAL for readoption.
-Authorize the CDE to take any necessary action to respond to any direction or concern expressed by the OAL during its review of the revised Finding of Emergency and readoption of the proposed emergency 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 has replaced the Standardized Testing and Reporting Program, or STAR, 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 through 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, test security, reporting, and apportionment 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 on March 10, 2015 through July 31, 2015, and included the new computer-based assessments provided by the assessment consortium of which California is a member, Smarter Balanced Assessment Consortium (Consortium).

Subsequently, changes were again identified through a post-test evaluation conducted by the CAASPP testing contractor at the direction of the SBE and the CDE. The changes 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 California Alternate Assessments (CAAs), clarifications to language needed for the new online tests (not necessary for the paper-pencil tests), and minor changes related to formatting and to provide additional clarification. 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 for the 2015–16 school year;
they were also adopted through the regular rulemaking process and approved by the OAL on May 18, 2016. The CDE successfully oversaw the 2015–16 administration of the online CAASPP assessments January 19, 2016 through July 31, 2016.

As preparations for the third operational administration of the CAASPP assessments were already under way for the 2016–17 school year, a few changes to the regulations were approved by the OAL and deemed effective as of February 2, 2017.

Specifically, these amendments to the CAASPP regulations included the following:

- Change in procedures for using enrolled grade level data from California Longitudinal Pupil Achievement Data System (CALPADS), for purposes of assessment
- Addition of start and end dates of the CAASPP testing window
- Clarification of the testing window for the CAA for English language arts (ELA) and mathematics
- Addition of two new accessibility supports for the mathematics and ELA tests
- Addition of EC Section 856 to require local educational agencies to inform the CDE if they plan to exceed the alternate assessment 1 percent cap, as required by the new federal Every Student Succeeds Act

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

At its March 2017 meeting, the SBE approved the proposed permanent amendments to the CAASPP regulations and directed that the proposed regulations be circulated to the public for a 45-day comment period. That period started on March 25, 2017 and ended on May 8, 2017, with a public hearing the same day. The permanent regulations will be back before the SBE for review and approval at the July 2017 SBE meeting. In the interim, the emergency regulations, effective as of February 2, 2017, are back before the SBE for readoption at the May 2017 SBE meeting (http://www.cde.ca.gov/be/ag/ag/yr17/documents/mar17item10.doc).

At its January 2017 meeting, the SBE approved amendments to the CAASPP regulations on an emergency basis. The emergency regulations were approved by the OAL and deemed effective as of February 2, 2017, and are due to expire on August 2, 2017 (http://www.cde.ca.gov/be/ag/ag/yr17/documents/jan17item08.doc).

At its May 2016 meeting, the SBE approved the revised Finding of Emergency and approved the readoption of the emergency CAASPP regulations so the CAASPP regulations would continue to be in place pending the OAL approval of the revised
permanent regulations
(http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item10.doc).

At the March 2016 SBE meeting, the SBE approved the 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 18, 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. The SBE also 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).

At its July 2014 meeting, the SBE readopted the emergency regulations for CAASPP. The emergency readoption rulemaking file was submitted to the OAL on July 16, 2014. The readoption of the emergency regulations was approved by the OAL on July 23, 2014. In addition to readopting the emergency regulations, the SBE adopted the permanent rulemaking file. 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 adopted proposed emergency regulations for CAASPP for the first time. The emergency regulations were approved by the OAL and became effective on February 3, 2014. The SBE also 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 is attached.

**ATTACHMENT(S)**

Attachment 1: Finding of Emergency (2 pages)

Attachment 2: Emergency Regulations (8 pages)

Attachment 3: Notice of Proposed Emergency Action (2 pages)
Attachment 4: Economic and Fiscal Impact Statement (STD. 399) (5 pages)
FINDING OF EMERGENCY
READOPTION OF EMERGENCY REGULATIONS
California Assessment of Student Performance and Progress (CAASPP)

The State Board of Education (SBE) finds that an emergency continues to exist and that the emergency regulations adopted previously continue to be necessary to avoid serious harm to the public peace, health, safety, or general welfare, especially the welfare of pupils attending California’s public schools.

SPECIFIC FACTS DEMONSTRATING THE EXISTENCE OF AN EMERGENCY AND THE NEED FOR IMMEDIATE ACTION

Necessity for Readoption of Emergency Regulations

The proposed amendments to California Code of Regulations, Title 5, sections 851 to 856 must be readopted on an emergency basis in order to ensure that the 2016–17 administration, scoring and reporting of the California Assessment of Student Performance and Progress (CAASPP) tests continues in conformance with the requirements of Education Code Section 60640. The purpose of the proposed amendments is to ensure the correct, efficient, and standardized administration of the CAASPP online assessments according to required consortium, state, and federal guidelines and to maintain accuracy, reliability, and validity of measures and timely reporting of the test results, in so doing, prevent harm to the public peace, health, safety, and general welfare of pupils. Allowing the emergency regulations to expire prior to the adoption of these amendments through the regular rulemaking process when not all of the testing, scoring and reporting of the CAASPP results has yet been completed, will jeopardize the reliability and validity of the results, causing further harm to the general welfare. All of the circumstances justifying the initial adoption of the emergency regulations remain unchanged and the emergency justifying the original adoption of the emergency regulations still exists. Therefore the Finding of Emergency that was submitted to and approved by the Office of Administrative Law (OAL) with the adoption of the CAASPP emergency regulations effective February 2, 2017 is incorporated by reference herein, as though fully set forth in this document.

Showing of Substantial Progress

The California Department of Education (CDE) brought the emergency regulations to the SBE for approval at its January 2017 meeting. Because the SBE meets only every other month, the next meeting the regular rulemaking package could be made available for approval by the SBE was the March 2017 meeting. Commencement for permanent regulations rulemaking was approved by the SBE at this meeting, which included all of the emergency regulations, and a comment period held between March 25 and May 8, 2017. However, the last day to post documents to the SBE Web site regarding SBE agenda items for the May meeting is April 28, 2017, pursuant to the Bagley-Keene Open Meeting Act (act). Since this date occurs during the public comment period, the
CDE is unable to meet the provisions of the act. Hence, the CDE has no choice but to bring the regular rulemaking package back before the SBE at the July meeting for approval. Even if the permanent regulations are approved by the SBE at the July meeting, it will take at least a week before they can be submitted to the OAL and the OAL has 30 working days to review and approve the file. Since the emergency regulations expire on August 2, 2017, and the permanent rulemaking can only be made effective at the end of August, despite the SBE’s efforts to make substantial progress in the regular rulemaking process, these emergency regulations must be readopted if there is not to be a lapse in their effect. Any delay is due solely to the fact that the SBE meets only every other month and not due to the lack of diligence or progress with respect to the regular rulemaking process.

The following timeline illustrates the necessity for readoption of the emergency regulations in order for the CDE to meet the requirements of the Education Code.

<table>
<thead>
<tr>
<th>Action*</th>
<th>Estimated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>SBE approve agenda items for the commencement of the emergency regulations</td>
<td>January 11–12, 2017</td>
</tr>
<tr>
<td>Emergency regulations become effective</td>
<td>February 2, 2017</td>
</tr>
<tr>
<td>SBE approve agenda items for the commencement of the permanent rulemaking process</td>
<td>March 8–9, 2017</td>
</tr>
<tr>
<td>SBE public comment period for permanent regulations</td>
<td>March 25–May 8, 2017</td>
</tr>
<tr>
<td>CAASPP Public Hearing</td>
<td>May 8, 2017</td>
</tr>
<tr>
<td>SBE adopts permanent regulations or approves a 15-day comment period.</td>
<td>July 12–13, 2017</td>
</tr>
<tr>
<td>Submit rulemaking to OAL if SBE adopts regulations (OAL has 30 working days to review file)</td>
<td>July 20, 2017</td>
</tr>
<tr>
<td>Emergency regulations expire</td>
<td>August 2, 2017</td>
</tr>
<tr>
<td>OAL Approval – Regulations effective immediately (if there is a 15-day comment period, depending on comments received – could be beginning of November 2017)</td>
<td>On/about August 31, 2017</td>
</tr>
</tbody>
</table>

*These actions represent a small, but relevant, fraction of the detail of the adoption process.
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 2. Achievement Tests and Any Primary Language Test

§ 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 summative test. Testing shall be conducted within of 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.
Note: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
Sections 47651, 48645.1, 60603, 60605 and 60640, Education Code.

§ 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;
(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).

§ 853.7. 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 reading, 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.

Note: Sections 33031, 60605 and 60640, Education Code. Reference: Sections 306, 60605 and 60640, Education Code; and 34 C.F.R. Section 200.2.

§ 855. Available Testing Window and Selected Testing Period(s).

(a) Beginning in the 2015-16 school year, the CAASPP 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.

(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.

(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 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 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 in a particular grade in a particular subject using an alternate assessment aligned with alternate achievement 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.

June 30, 2017

NOTICE OF PROPOSED EMERGENCY ACTION
California Assessment of Student Performance and Progress (CAASPP)
Readoption of Emergency Regulations, Title 5, Sections

Pursuant to the requirements of Government Code section 11346.1(a)(1), the State Board of Education (SBE) is providing notice of proposed emergency action with regards to the above-entitled emergency regulation.

SUBMISSION OF COMMENTS

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a Notice of the Proposed Emergency Action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the OAL, the OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed emergency regulatory action. Written comments submitted via U.S. mail, e-mail or fax must be received at the OAL within five days after the SBE submits the emergency regulations to the OAL for review.

Please reference submitted comments as regarding “California Assessment of Student Performance and Progress” addressed to:

Mailing Address: Reference Attorney
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Patricia Alverson, Reg Coordinator
California Department of Education
Administrative Support & Regulations Adoption
1430 N Street, Suite 5319
Sacramento, CA 95814

E-mail Address: staff@oal.ca.gov
regcomments@cde.ca.gov

Fax No.: 916-323-6826 916-319-0155
For the status of the SBE submittal to the OAL for review, and the end of the five-day written submittal period, please consult the Web site of the OAL at http://www.oal.ca.gov under the heading “Emergency Regulations.”
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 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 _______________________________ 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: ________________________________ and 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: ________________________________
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:

2/28/2017, 3:15 p.m.
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(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:

02/28/2017, 3:15 p.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: __________________________
   ☐ c. Implements a mandate of the people of this State expressed in their approval of Proposition No. __________________________
   ☐ d. Issued only in response to a specific request from affected local entity(s).
   Local entity(ies) 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 __________________________

02/28/2017, 3:15 p.m.
FISCAL IMPACT STATEMENT (CONTINUED)

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

DATE

02/28/2017, 3:15 p.m.
Economic and Fiscal Impact Statement

(REGULATIONS AND ORDERS) *User entries from the STD. 399 (REV. 12/2013) Form.*

**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 (Explain below)
- Option H explanation: The regulations align to test guidelines and would not impose additional private sector costs.

---

### 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...
Selected option is 3: No fiscal impact exists

This regulation does not affect any federally funded State agency or program.

Fiscal Officer signature box: 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 signature box: Signed by [ink signature is unintelligible] 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 signature box: [No signature or left blank]
CALIFORNIA STATE BOARD OF EDUCATION
MAY 2017 AGENDA

SUBJECT
Amendment and a Revision of California State Board of Education Waiver Policy: Independent Study: Average Daily Attendance-to-Teacher Ratio.

SUMMARY OF THE ISSUE(S)
California Education Code Section 51745.6 was amended by Assembly Bill 858 in 2014, and again by AB 104 in 2015, to authorize use of a negotiated teacher-student ratio for students served through independent study, whether higher or lower than the statutory standard, provided in a collective bargaining agreement or a Memorandum of Understanding.

RECOMMENDATION
The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the revised Independent Student: Average Daily Attendance-to-Teacher Ratio Policy as provided in Attachment 1.

BRIEF HISTORY OF KEY ISSUES
The purpose of the average daily attendance (ADA)-to-teacher ratio requirement in California State Legislation is to ensure the students served through independent study receive access to instruction and support from appropriately certificated staff that is reasonably comparable to other students in the local educational agency (LEA) who are served in regular classroom programs. In the past, some LEAs offered independent study with high ADA-to-Teacher ratios which generated additional revenues.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION
The SBE has consistently supported proposed updating amendments in policy to reflect changes in statute.

FISCAL ANALYSIS (AS APPROPRIATE)
None
Attachment 1: California State Board of Education Waiver Policy: Independent Study
Average Daily Attendance-to-Teacher Ratio (4 Pages)
## California State Board of Education Policy

### Waiver Guidelines

**Independent Study: Average Daily Attendance-to-Teacher Ratio**

<table>
<thead>
<tr>
<th>POLICY #</th>
<th>01-03 To be assigned</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE</td>
<td>Revised April 2001 April 2017</td>
</tr>
</tbody>
</table>

### References

- California *Education Code* Section 33050 et seq. (General waiver authority)
- California *Education Code* Section 51745.6 (Ratio of independent study average daily attendance-to-certificated employees responsible for independent study)

### Historical Notes

None

### California *Education Code* Section 51745.6 [revised to show current language]

(a)(1) The ratio of average daily attendance for independent study pupils 18 years of age or less to school district full-time equivalent certificated employees responsible for independent study, calculated as specified by the department, shall not exceed the equivalent ratio of average daily attendance to full-time equivalent certificated employees providing instruction in other educational programs operated by the school district, unless a new higher or lower average daily attendance ratio for all other educational programs offered is negotiated in a collective bargaining agreement or a Memorandum of Understanding (MOU) is entered into that indicates an existing collective bargaining agreement contains an alternative average daily attendance ratio.

(2) The ratio of average daily attendance for independent study pupils 18 years of age or less to county office of education full-time equivalent certificated employees responsible for independent study, to be calculated in a manner prescribed by the department, shall not exceed the equivalent prior year ratio of average daily attendance to full-time equivalent certificated employees for all other educational programs operated by the high school or unified school district with the largest average daily attendance of pupils in that county or the collectively bargained alternative ratio used by that high school or unified school district in the prior year, unless a new higher or lower average daily attendance ratio for all other educational programs offered is negotiated in a collective bargaining agreement or an MOU is entered into that indicates an existing collective bargaining agreement contains an alternative average daily attendance ratio. The computation of the ratios shall be performed annually by the reporting agency at
the time of, and in connection with, the second principal apportionment report to the Superintendent.

(b) Only those units of average daily attendance for independent study that reflect a pupil-teacher ratio that does not exceed the ratios described in subdivision (a) shall be eligible for apportionment pursuant to Section 2575, for county offices of education, and Section 42238.05, for school districts. Nothing in this section shall prevent a school district or county office of education from serving additional units of average daily attendance greater than the ratios described in subdivision (a), except that those additional units shall not be funded pursuant to sections 2575 or 42238.05, as applicable. If a school district, charter school, or county office of education has an MOU to provide instruction in coordination with the school district, charter school, or county office of education at which a pupil is enrolled, the ratios that shall apply for purposes of this paragraph are the ratios for the local educational agency (LEA) providing the independent study program to the pupil pursuant to Section 51749.5.

(c) The calculations performed for purposes of this section shall not include either of the following:

1. The average daily attendance generated by special education pupils enrolled in special day classes on a full-time basis, or the teachers of those classes.

2. The average daily attendance or teachers in necessary small schools that are eligible to receive funding pursuant to Article 4 (commencing with Section 42280) of Chapter 7 of Part 24 of Division 3.

(d) The applicable average-daily-attendance-to-certificated-employee ratios described in subdivision (a) may, in a charter school, be calculated by using a fixed average-daily-attendance-to-certificated-employee ratio of 25 to 1, or by using a ratio of less than 25 pupils per certificated employee. A new higher or lower ratio for all other educational programs offered by a charter school may be negotiated in a collective bargaining agreement, or an MOU indicating that an existing collective bargaining agreement contains an alternative average daily attendance ratio may be entered into by a charter school. All charter school pupils, regardless of age, shall be included in the applicable average-daily-attendance-to-certificate-employee ratio calculations.

Background

The purpose of the average daily attendance (ADA)-to-teacher ratio requirement in state legislation is to ensure the students served through independent study receive access to instruction and support from appropriately certificated staff that is reasonably comparable to other students in the LEA (as used in this Policy, “LEA” also includes charter schools offering independent study for which their authorizing LEA is requesting
a waiver) who are served in regular classroom programs. The requirement was enacted specifically to stop perceived abuses where LEAs offered independent study with very high ADA-to-teacher ratios and, as a result, generated revenues to support other educational programs within those agencies.

In the event no collective bargaining unit agreement or MOU exists, a charter school must comply with EC 51745.6(d).

**Evaluation Guidelines**

The purpose of the waiver request of the entire EC Section 51745.6 may be to provide a quality educational program which is "reasonably comparable" to that provided to students within the same LEA who attend regular classrooms. Waivers may also be considered appropriate if the purpose of the higher ADA-to-teacher ratio is to redirect resources to pay for other services for the direct benefit of students in independent study, such as intensive counseling services provided by appropriately credentialed staff.

In order to evaluate any such waiver request, the State Board of Education (SBE) asks that those LEAs applying for such a waiver provide the following documentation. The SBE also asks that California Department of Education professional staff use this documentation in reviewing and making recommendations about the request. The waiver request should include all of the following:

1. Verification that all other requirements of the independent study option in the LEA are in current statutory compliance, in both operation and documentation.

2. Verification of the LEA’s current ADA-to-teacher ratio, as calculated under the current formula in statute (EC Section 51745.6).

3. The requested "new" maximum ADA-to-teacher ratio for the LEA's independent study program, including a description of the agency's independent study program and the rationale for the requested ratio. The rationale should explain how the proposed change would improve the quality of education offered to independent study students (e.g., what new or increased services would be provided with the additional revenue claimable through the waiver).

4. If the bargaining unit communicates an opposed position on the recommendation for the waiver, the following will occur: (a) CDE program office staff will contact the bargaining unit representative to determine the basis for the opposition to the waiver; (b) CDE program office staff will consider whether or not the opposition is general or specific to the waiver; (c) CDE program staff will consider the positions of the bargaining unit and the local board and will include a summary of the issues and the basis of the recommendations in the agenda item; and (d) CDE
program staff will propose a recommendation to approve or deny the waiver to the SBE.

In addition, the waiver request must provide assurances that the LEA will meet the following terms as a condition of approval of the waiver:

1. The waiver request is consistent with the general purpose of the law as described above.

2. The request for a new maximum ADA-to-teacher ratio for the independent study is not greater than 10 percent above the ratio that would be applicable absent the waiver, and this agreed "new maximum ratio" will be maintained throughout the period of the waiver.

3. The LEA will document that all additional monies received through the expanded ratio provided by this waiver were expended in direct support of the independent study instruction.
ITEM 07
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 26 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 1,664 LEAs. Attachment 1 represents the fifth 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(S)

Attachment 1: Consolidated Applications List (2016–17) – Regular Approvals (2 pages)
Consolidated Applications List (2016–17) – Regular Approvals

The following 26 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>
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<td>LEA Name</td>
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<td>Total 2015–16 Title I Entitlement</td>
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Total 2015–16 ConApp entitlement funds for above districts receiving regular approval: $8,360,522
ITEM 08
SUBJECT


SUMMARY OF THE ISSUE(S)

This rulemaking package proposes to amend sections of 5 CCR addressing issues related to California’s curriculum frameworks development and instructional materials review process. The CDE recommends State Board of Education (SBE) approval to initiate the state rulemaking process to amend sections 9512, 9513, 9510, 9518, 9529, and 9810 of Title 5 of the California Code of Regulations (5 CCR). Section 9512 currently includes references to federal and state statutes now repealed, and the proposed amendment would remove those unnecessary, and now erroneous and confusing references. Section 9513 stipulates an unnecessarily long minimum application period for Curriculum Framework and Evaluation Criteria Committee Members, Instructional Materials Reviewers, and Content Review Experts, which the CDE is proposing to reduce. Sections 9510, 9518, 9529, and 9810 incorporate by reference a 2000 edition of the SBE guidelines document Standards for Evaluating Instructional Materials for Social Content, which a proposed amendment would replace with the 2013 SBE-approved edition.

RECOMMENDATION

The California Department of Education (CDE) recommends the SBE take the following actions:

- Approve the Notice of Proposed Rulemaking (Notice)
- Approve the Initial Statement of Reasons (ISOR)
- Approve the proposed regulations
- Direct the CDE to commence the rulemaking process
• Authorize the CDE to take any necessary action to respond to any direction or concern expressed by the Office of Administrative Law during its review of the Notice, ISOR, and proposed regulations

BRIEF HISTORY OF KEY ISSUES

The CDE has combined these closely related proposals due to the nature of the changes and for the purpose of efficiency in government. The sections proposed for amendment and cause for consideration are as follows:

5 CCR Section 9512. Appointment of Instructional Materials Reviewers and Content Review Experts. This section currently includes references to statutes now repealed. This proposed amendment is needed in order to remove the now erroneous references.

5 CCR Section 9513. Application Process for Curriculum Framework and Evaluation Criteria Committee Members, Instructional Materials Reviewers, and Content Review Experts. This section currently stipulates an unnecessarily long 90-day minimum application period. This proposed amendment would stipulate an application period of “at least 45 days” and is needed in order to recruit participants in a more efficient and timely manner.

5 CCR Sections 9510, 9518, 9529, and 9810 each incorporate by reference a 2000 edition of the SBE guidelines document Standards for Evaluating Instructional Materials for Social Content. This document was updated by the SBE in 2013, and this proposed amendment will update the references accordingly.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The California Constitution, Article 9, Section 7.5, establishes that the SBE shall adopt instructional materials for use in grades one through eight (and, pursuant to Education Code (EC) Section 60200, kindergarten). Various EC sections, including EC sections 33031, 60005, 60200, and 60206, authorize the SBE to adopt appropriate regulations by which to conduct related instructional materials adoption activities.

The regulations that this rulemaking package proposes to amend were enacted in 2008.

On May 8, 2013, the SBE voted 9 to 0 to approve the 2013 edition of Standards for Evaluating Instructional Materials for Social Content.

FISCAL ANALYSIS (AS APPROPRIATE)

The proposed amendments to these regulations will not result in any additional costs or savings to local educational authorities, state agencies, or federal funding to the State.

An Economic and Fiscal Impact Statement is provided as Attachment 6.
ATTACHMENT(S)

Attachment 1: Notice of Proposed Rulemaking (6 pages)
Attachment 2: Initial Statement of Reasons (6 pages)
Attachment 3: Proposed Regulations 5 CCR Section 9512 (2 pages)
Attachment 4: Proposed Regulations 5 CCR Section 9513 (1 page)
Attachment 5: Proposed Regulations 5 CCR sections 9510, 9518, 9529, and 9810 (6 pages)
Attachment 6: Economic and Fiscal Impact Statement (STD. 399) (5 pages)
NOTICE OF PROPOSED RULEMAKING

AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING
Appointment of Instructional Materials Reviewers and Content Review Experts;
Application Process for Curriculum Framework and Evaluation Criteria Committee
Members, Instructional Materials Reviewers and Content Review Experts; and
Standards for Evaluating Instructional Materials for Social Content.

Notice published May 26, 2017

NOTICE IS HEREBY GIVEN that the State Board of Education (SBE) proposes to
adopt the Title 5 California Code of Regulations (5 CCR) 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 1:30 p.m. on July 11, 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 July 11, 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**

5 CCR Section 9512. Appointment of Instructional Materials Reviewers and Content Review Experts.

   Authority: Sections 33031, 60005, 60200 and 60206, Education Code.
   References: Sections 33530 and 60204, Education Code.


   Authority: Sections 33031, 60005, 60200 and 60206, Education Code.
   References: Sections 33530 and 60204, Education Code.

5 CCR Section 9510. Definitions.

   Authority: Sections 33031, 60005 and 60206, Education Code.
   References: Sections 33530, 60010, 60048, 60061, 60200, 60202, 60204 and 60605, Education Code.

5 CCR Section 9518. Social Content Standards for All Instructional Materials Adoptions.

   Authority: Sections 33031, 60005, 60048, 60200 and 60206, Education Code.
   References: Sections 60040–60044, 60048, 60200 and 60200.2, Education Code.

5 CCR Section 9529. New Editions of Adopted Instructional Materials.

   Authority: Sections 33031, 60005 and 60206, Education Code.
   References: Sections 60040–60044, 60061, 60222, and 60223, Education Code.
INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking package proposes to amend sections of 5 CCR addressing issues related to California’s curriculum frameworks development and subsequent instructional materials review process. The CDE has combined these closely related proposals due to the nature of the changes and for the purpose of efficiency in government. The sections proposed for amendment and cause for consideration are as follows:

5 CCR Section 9512. This section addresses the SBE appointment of Instructional Materials Reviewers and Content Review Experts but currently includes references to statutes now repealed, specifically the federal statute 20 USC Section 7801(23) and Education Code Section 44757.5. There are no statutory replacements or analogues for these repealed sections of statute. This proposed amendment is needed in order to remove the now erroneous and confusing statutory references.

5 CCR Section 9513. This section currently stipulates an unnecessarily long 90-day minimum application period for Curriculum Framework and Evaluation Criteria Committee Members, Instructional Materials Reviewers, and Content Review Experts. This proposed amendment will stipulate an application period of “at least 45 days” and is needed in order to recruit participants in a more efficient and timely manner.

5 CCR Sections 9510, 9518, 9529, and 9810 each incorporate by reference a specific 2000 edition of the SBE guidelines document Standards for Evaluating Instructional Materials for Social Content. This document was approved by the SBE in 2013, and this proposed amendment will update the references accordingly.

Anticipated Benefits of the Proposed Regulation

The proposed amendments to these regulations will allow the state to continue to conduct instructional materials adoptions, as required by the California Constitution, Article 9, Section 7.5. The proposed amendments will benefit the State by correlating appropriate referenced statutes and state documents, and by promoting efficiency in procedural timelines. The proposed amendments also will promote clarity and avoid public confusion by correcting or eliminating outdated references to repealed statutes and other documents. The proposed amendments to these regulations will have no adverse effect nor benefit on worker safety or the state’s environment. Further, these amendments will have no economic impact on business, the public, or any state agency.
**Determination of Inconsistency/Incompatibility with Existing State Regulations**

The CDE reviewed all related state regulations and found that none exist that are inconsistent or incompatible with these proposed amendments.

**INCORPORATION BY REFERENCE**


**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 local educational agencies: 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 amendments to existing regulations would not have an effect on any small business because they do not regulate or otherwise impose restrictions on businesses.
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 will benefit the State by correlating appropriate referenced statutes and state documents, and by promoting efficiency in procedural timelines.

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 these proposed regulations should be directed to:

David Almquist, Education Programs Consultant
Curriculum Frameworks and Instructional Resources Division
California Department of Education
1430 N Street, Room 3207
Sacramento, CA 95814
Telephone: 916-319-0444
E-mail: dalmquis@cde.ca.gov

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 regulation 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 David Almquist, Curriculum Frameworks and Instructional Resources Division, California Department of Education, 1430 N Street, Room 3207, Sacramento, CA, 95814; telephone, 916-319-0444. It is recommended that assistance be requested at least two weeks prior to the hearing.
INITIAL STATEMENT OF REASONS

INTRODUCTION

This rulemaking package proposes to amend sections of Title 5 of the California Code of Regulations (5 CCR) addressing issues related to California’s curriculum frameworks development and subsequent instructional materials review process. The California Department of Education (CDE) has combined in this package these closely related proposals due to the nature of the proposed changes and for the purpose of governmental efficiency. The sections proposed for amendment and cause for consideration are as follows:

5 CCR Section 9512. Appointment of Instructional Materials Reviewers and Content Review Experts. This section currently includes references to statutes now repealed. This proposed amendment is needed in order to remove the now erroneous and confusing references.

5 CCR Section 9513. Application Process for Curriculum Framework and Evaluation Criteria Committee Members, Instructional Materials Reviewers, and Content Review Experts. This section currently stipulates an unnecessarily long minimum application period. This proposed amendment is needed in order to conduct state business, specifically the recruitment of voluntary participants, in a more efficient and timely manner.

5 CCR Sections 9510, 9518, 9529, and 9810 each incorporate by reference a specific 2000 edition of the California State Board of Education (SBE) guidelines document Standards for Evaluating Instructional Materials for Social Content which was updated in 2013. This proposed amendment is needed in order to incorporate by reference the most recent SBE-adopted version of the document.

PROBLEM AGENCY INTENDS TO ADDRESS

5 CCR Section 9512. Appointment of Instructional Materials Reviewers and Content Review Experts. The purpose of this section is to establish the selection, appointment, and service of Instructional Materials Reviewers (IMRs) and Content Review Experts (CREs) appointed by the SBE. These appointees participate in the curriculum framework development process and instructional materials reviews conducted by the CDE, Instructional Quality Commission (Commission), and the SBE under authority prescribed in statute and pursuant to 5 CCR. This section addresses the appointment of these individuals and contains numerous qualification elements but currently includes references to statutes now repealed, specifically the federal statute 20 USC Section
7801(23), which defined the phrase “highly qualified” as part of the now repealed No Child Left Behind Act, and California Education Code (EC) Section 44757.5, which defined the phrase “research on how reading skills are acquired.” There are no statutory replacements or analogues for these repealed sections of statute. This proposed amendment is needed in order to remove the now erroneous and confusing statutory references. The remaining stipulated qualifications for IMRs and CREs in 5 CCR Section 9512 meet the requirements for service in these roles pursuant to EC Section 60200(b)(4) which requires only “…a majority of classroom teachers from a wide variety of affected grade levels and subject areas.” No substitutions of additional qualifications are needed since none are required by law, existing provisions in the regulation unaffected by this amendment would continue to impose significant qualification requirements (e.g., “a ‘professional’ credential,” “experience with, and expertise in, standards-based-education programs and practices in the content filed under consideration,” “a master degree or higher in that field,” etc.), and in practice the SBE simply selects the best qualified candidates. This proposed amendment of 5 CCR Section 9512 will also remove the word “Curriculum” from “Curriculum Commission” within 5 CCR Section 9512(a) in order to be consistent with 5 CCR Section 9510(c), which defines “Commission” for purposes of these regulations as “the Instructional Quality Commission as referenced in Education Code section 33530.”

5 CCR Section 9513. Application Process for Curriculum Framework and Evaluation Criteria Committee Members, Instructional Materials Reviewers, and Content Review Experts. This section currently stipulates an unnecessarily long minimum application period of 90 days. The proposed revision would stipulate an application period “of at least 45 days” upon which extensions may be made as necessary in order to recruit Curriculum Framework and Evaluation Criteria Committee Members (CFCCs), IMRs, and/or CREs. Therefore, this amendment does not actually shorten any period necessary to achieve recruitment goals. (Recruitment goals are established by the CDE in response to anticipated publisher participation in any given instructional materials subject matter adoption.) The application for these voluntary appointments is approved in advance by the Commission and the SBE and consists of a relatively short online form wherein applicants record their educational and professional credentials and experience. This proposed amendment is needed in order to conduct state business in a more efficient and timely manner. Nine years of experience since the introduction of this section has informed the CDE that the current 90-day recruitment period creates unnecessary delays in event operations planning, such as executing lodging and meeting space contracts. The authorizing statutes do not stipulate or require any specific minimum application period.

5 CCR Sections 9510, Definitions; 9518, Social Content Standards for All Instructional Materials Adoptions; 9529, New Editions of Adopted Instructional Materials; 9810, Social Content Standards. These sections currently incorporate by reference a specific edition of the SBE guidelines document Standards for Evaluating Instructional Materials for Social Content which has since been updated. These proposed amendments are needed in order to incorporate by reference the most recent SBE-adopted version of the
document. The existing language identifies a 2000 edition, approved by the SBE on January 13, 2000; however, on May 8, 2013, the SBE approved a revised 2013 edition.

**BENEFITS ANTICIPATED FROM REGULATORY ACTION**

5 CCR Section 9512. Appointment of Instructional Materials Reviewers and Content Review Experts. The proposed amendment to this section will avoid public confusion, promote clarity, and simplify and streamline an existing regulation by eliminating unnecessary references to repealed statutes.

5 CCR Section 9513. Application Process for Curriculum Framework and Evaluation Criteria Committee Members, Instructional Materials Reviewers, and Content Review Experts. The benefit of the amendment of this section to modify the recruitment window is the elimination of unnecessary inefficiencies in the processes for curriculum framework development and instructional materials review.

5 CCR Sections 9510, Definitions; 9518, Social Content Standards for All Instructional Materials Adoptions; 9529, New Editions of Adopted Instructional Materials; 9810, Social Content Standards. The benefit of the amendment of these sections is the deletion to the reference of a now out-of-date document and an updated reference to the current SBE-adopted version of the document *Standards for Evaluating Instructional Materials for Social Content*.

**SPECIFIC PURPOSE OF EACH SECTION – GOV. CODE SECTION 11346.2(b)(1)**

The specific purpose of each amendment, and the rationale for the determination that each amendment is reasonably necessary to carry out the purpose for which it is proposed, together with a description of the public problem, administrative requirement, or other condition or circumstance that each amendment is intended to address, is as follows:

General changes are made to the regulations to include grammatical edits.

Section 5 CCR Section 9512(a) is amended to delete the word “Curriculum” from the phrase “Curriculum Commission” in order to be consistent with 5 CCR Section 9510, Definitions. While other sections of 5 CCR have been updated to reflect the name change of “Curriculum Commission” to the “Instructional Quality Commission,” abbreviated as “Curriculum” pursuant to 5 CCR Section 9510, Definitions, this section has not yet been appropriately amended. This amendment is necessary in order to maintain consistency with authorizing statutes and existing state regulations and avoid confusion.

Section 5 CCR Section 9512(c) is amended to delete a reference to a definition of “highly qualified” purportedly found at 20 USC Section 7801(23). However, that federal statute no longer contains a definition of “highly qualified,” and there is no statutory
replacement or analogue for that phrase. There is no need to replace the reference to the federal statute with some other language because the existing and authorizing statutes do not require it, existing provisions in this regulation unaffected by this amendment continue to impose significant qualification requirements, and in practice the SBE simply selects the best qualified candidates. Thus, this amendment would simply streamline an existing regulation and eliminate a confusing and erroneous reference to statutory language that no longer exists.

Section 5 CCR Section 9512(f) is amended to delete a reference to EC Section 44757.5 and its purported definition of the phrase “research on how reading skills are acquired.” EC 44757.5 no longer exists, and there is no statutory replacement or analogue. There is no need to replace the reference to the repealed statute and definition because the existing and authorizing statutes do not require it, existing provisions in this regulation unaffected by this amendment continue to impose significant qualification requirements, and in practice the SBE simply selects the best qualified candidates. Thus, this amendment would simply streamline an existing regulation and eliminate a confusing and erroneous reference to statutory language that no longer exists.

Section 5 CCR Section 9513(a) is amended to change “at least 90 days” to “at least 45 days.” This timeline relates to the recruitment of CFCC members, IMRs, and CREs whose work is to assist with the development of curriculum frameworks and instructional materials reviews. The 45-day participant recruitment period is permitted by statute and is needed in order to conduct state business in a more efficient and timely manner, as the current 90-day recruitment period creates unnecessary delays in event operations planning.

Section 5 CCR Section 9510(t) is amended to incorporate by reference a replacement of the SBE guidelines document Standards for Evaluating Instructional Materials for Social Content “2000” edition with the “2013” edition. This amendment is necessary in order to remove an erroneous reference and incorporate the current version of the guidelines as approved by the SBE.

Section 5 CCR Section 9518 is amended to incorporate by reference a replacement of the SBE guidelines document Standards for Evaluating Instructional Materials for Social Content “2000 Edition, approved by the SBE on January 13, 2000” with “2013 Edition, approved by the SBE on May 8, 2013.” This amendment is necessary in order to remove an erroneous reference and incorporate the current version of the previous guidelines as approved by the SBE.

Section 5 CCR Section 9529(a)(2) is amended to incorporate by reference a replacement of the SBE guidelines document Standards for Evaluating Instructional Materials for Social Content “2000” edition with the “2013” edition. This amendment is necessary in order to remove an erroneous reference and incorporate the current version of the guidelines as approved by the SBE.
Section 5 CCR Section 9810 is amended to incorporate by reference a replacement of the SBE guidelines document Standards for Evaluating Instructional Materials for Social Content “2000 Edition, approved by the SBE on January 13, 2000” with “2013 Edition, approved by the SBE on May 8, 2013.” This amendment is necessary in order to remove an erroneous reference and incorporate the current version of the previous guidelines as approved by the SBE.

ECONOMIC IMPACT ASSESSMENT PER GOV. CODE SECTION 11346.3(b)

Creation or Elimination of Jobs within the State of California:

The proposed amendments to these regulations will have no impact on the creation or elimination of jobs within the State of California.

Creation of New or Elimination of Existing Businesses within the State of California:

The proposed amendments to these regulations will have no impact on the creation of new businesses or on existing businesses within the State of California.

Expansion of Businesses or Elimination of Businesses Currently Doing Business within the State of California:

The proposed amendments to these regulations will have no impact on the expansion or elimination of existing businesses within the State of California.

Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment:

The proposed amendments to these regulations will allow the state to continue to conduct the business of instructional materials adoptions, as required by the California Constitution, Article 9, Section 7.5. The proposed amendments to these regulations will have no adverse effect nor benefit on worker safety or the state’s environment. Further, these amendments will have no economic impact on business, the public, or any state agency.

INCORPORATED BY REFERENCE

OTHER REQUIRED SHOWINGS

Studies, Reports or Documents Relied Upon – Gov. Code. Section 11346.2(b)(3):

The SBE did not rely upon any technical, theoretical, or empirical studies, reports, or documents in proposing the amendments to these regulations.

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):

These proposed minor amendments will not have a significant adverse economic impact on any business.

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 amendments to these regulations have been determined to be the most efficient and effective means of implementing the law in the least burdensome manner.

An evaluation of the proposed regulations have determined they are not inconsistent/incompatible with existing regulations, pursuant to Gov. Section 11346.5(a)(3)(D).

03-07-17 [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 9. Instructional Materials
Subchapter 1. Elementary Instructional Materials
Article 2. Adoption of Curriculum Frameworks, Evaluation Criteria and Instructional Materials – Procedures

§ 9512. Appointment of Instructional Materials Reviewers and Content Review Experts.

(a) The SBE shall appoint Instructional Material Reviewers (IMRs) and Content Review Experts (CREs) to serve as advisors to the Curriculum Commission and SBE, in the review of instructional materials submitted for adoption. At least one CRE shall also be appointed to participate on each CFCC.

(b) The Commission shall make recommendations to the SBE on appointing IMRs and CREs according to the qualifications stated below. The SBE may also consider recommendations from CDE, SBE staff, members of the SBE and the public according to the qualifications stated below.

(c) A majority of IMRs, at the time of appointment, shall be teachers who teach students in kindergarten or grades 1-12 and have a “professional” credential under (5 CCR 80001) state law, and meet the definition of “highly qualified” (20 USC 7801(23)) under federal 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.

(d) Other IMRs may be administrators, parents, local school board members, teachers not described in the first sentence of subsection (c) above, and members of the public.
(e) When the instructional materials, or curriculum frameworks and evaluation criteria, considered for adoption are in a content field other than reading/English language arts and visual/performing arts, the CREs shall hold a doctoral degree in that field or related field.

(f) When the instructional materials, or curriculum frameworks and evaluation criteria, considered for adoption are (1) in the content field of reading/English language arts or visual/performing arts, the CREs shall have a master’s degree or higher in that field and 5 or more years of experience with, and expertise in, standards-based educational programs and practices in that field, or (2) a doctoral degree in the content field of reading/English language arts, a doctoral degree and expertise in “research on how reading skills are acquired” as defined in Education Code section 44757.5.

(g) The SBE shall appoint IMRs and CREs who are reflective of the various ethnic groups, types of school districts, and regions in California.

(h) IMRs and CREs shall receive training and information during publicly-noticed meetings from any of the following as recommended by the Commission and approved by the SBE:

1. Current and former CDE staff, Commissioners, SBE members and CREs;
2. Subject matter experts whose qualifications are consistent with those for CREs as set forth in this section.

(i) IMRs and CREs shall serve until the SBE acts to adopt or not adopt the submitted instructional materials. CREs who are appointed to serve on a CFCC shall serve until the CFCC makes its recommendations to the Commission and SBE.

(j) All IMRs and CREs operate under the guidance and at the pleasure of the SBE.

NOTE: Authority cited: Sections 33031, 60005, 60200 and 60206, Education Code.
Reference: Sections 33530 and 60204, Education Code.

03-07-17 [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 9. Instructional Materials

Subchapter 1. Elementary Instructional Materials

Article 2. Adoption of Curriculum Frameworks, Evaluation Criteria and Instructional Materials – Procedures


(a) At least 90 days before the scheduled date of appointment by the SBE, the CDE shall distribute application forms, approved as to form by the SBE, to become a CFCC member, an IMR, or a CRE to districts, county offices, Learning Resources Display Centers (LRDCs) and others upon request, as well as post the application forms on the CDE website, to ensure sufficient time for interested parties to complete and submit applications to the Commission.

(b) The CDE shall assist the Subject Matter Committee and the Commission in reviewing all the submitted applications to ensure applications are complete.

(c) All completed applications, with the exception of personal information, shall be available for viewing at the CDE and SBE during normal business hours and at every publicly-noticed meeting at which the applications are considered.

(d) Prior to the SBE taking any action to appoint applicants, a list of the applicants' names and respective employers, if applicable, shall be posted on the CDE website and provided to the SBE. Upon action by the SBE, the list shall be updated to indicate whether or not each applicant was appointed.

NOTE: Authority Cited: Sections 33031, 60005, 60200 and 60206, Education Code.

Reference: Sections 33530 and 60204, Education Code.

03-07-17 [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 9. Instructional Materials

Subchapter 1. Elementary Instructional Materials

Article 2. Adoption of Curriculum Frameworks, Evaluation Criteria and Instructional Materials – Procedures

§ 9510. Definitions.

For purposes of curriculum frameworks, evaluation criteria and instructional materials adoptions, the following definitions shall apply:

(a) “Adoption Report” is the final report reflecting the State Board of Education's (SBE) action on instructional materials submitted for adoption.

(b) “CDE” is the California Department of Education.

(c) “Commission” is the Instructional Quality Commission as referenced in Education Code section 33530.

(d) “Commission Advisory Report” is produced by the Commission to indicate whether each set of instructional materials submitted for adoption meets the content standards, curriculum frameworks, evaluation criteria, and social content standards for a particular adoption. The Commission Advisory Report shall include, at a minimum:

(1) a recommendation for or against the adoption of each set of instructional materials, and

(2) if applicable, a list of edits and corrections that should be made to the instructional materials as a condition of adoption.

(e) “Commissioner” is an individual appointed to the Commission, pursuant to Education Code section 33530.

(f) “Content Standards” are those adopted by the SBE, pursuant to Education Code section 60605, et seq.
(g) “Deliberations” means the time set forth in the Schedule of Significant Events when Content Review Experts (CREs) and Instructional Materials Reviewers (IMRs) assemble into review panels and meet in open publicly-noticed meetings to discuss and make recommendations regarding the instructional materials submitted for adoption.

(h) “Edits and corrections” are changes that must be made to submitted instructional materials to meet the social content standards, to ensure accuracy, or to achieve clarity and that are minimal in number, and include, but are not limited to:

1. Misquoted content standards;
2. Imprecise definitions;
3. Mislabeled pictures or objects;
4. Grammatical errors or misspellings;
5. Simple factual errors;
6. Computational errors.

(i) “Evaluation criteria” are adopted by the SBE for the evaluation of submitted instructional materials, pursuant to Education Code section 60005(c)(2).

(j) “Executive Committee” is a subcommittee of the Commission that is comprised of the chairperson and vice chairperson of the Commission and three other Commissioners chosen by the Commission, with the primary purpose of advising the Commission on issues related to internal governance of the Commission and its subcommittees and advisory groups.

(k) “Facilitator” is a Commissioner, former Commissioner, IMR or CDE employee assigned by the Commission to help each IMR/CRE review panel organize and reach consensus during deliberations. The SBE must approve the participation of any facilitator who is not a current Commissioner. Facilitators shall be trained by CDE staff, Commissioners, SBE members, or other parties approved by SBE, during publicly-noticed meetings prior to deliberations.

(l) “Free instructional materials” refer to instructional materials provided at no cost by a publisher to a county office of education, district board, elementary school, middle school or high school.
(m) “IMR/CRE Report of Findings” is compiled by CDE and contains the determinations of all the IMR and CRE review panels as to whether the instructional materials reviewed by each panel meet the content standards, curriculum frameworks, evaluation criteria, and social content standards for a particular adoption. The report shall include, at a minimum:

(1) a recommendation for or against the adoption of each set of instructional materials, and
(2) if applicable, a list of edits and corrections that should be made to the instructional materials as a condition of adoption.

(n) “Invitation to Submit Instructional Materials” (Invitation to Submit) is the document prepared by the CDE for each instructional materials adoption that:

(1) identifies the applicable content standards, curriculum framework and evaluation criteria for the adoption;
(2) sets out the statutes, regulations, and timelines that govern the adoption process; and
(3) invites publishers to participate in the process.

(o) “Learning Resources Display Center” (LRDC) is where instructional materials, curriculum frameworks and evaluation criteria that are submitted for adoption shall be available for public viewing, pursuant to Education Code section 60202.

(p) “Period of adoption” is the length of time established by the SBE, as set forth in the Schedule of Significant Events, that instructional materials adopted by the SBE shall be available for procurement, pursuant to Education Code section 60200(i).

(q) “Publisher” is any company, person, or entity that submits instructional materials for adoption.

(r) “Rewrites” are extensive changes that would need to be made to instructional materials in order for them to meet the content standards, curriculum frameworks, evaluation criteria or social content standards and include, but are not limited to:

(1) Revising a section, chapter or entire page;
(2) Adding new content;
(3) Moving materials from one grade level to another.
(s) “Schedule of Significant Events” is a timeline adopted by the SBE for each instructional materials adoption that sets out the dates for key events that will take place during the adoption. The Schedule of Significant Events is included in the Invitation to Submit document and is posted on the CDE website.


(u) “Standards and evaluation criteria maps” are templates prepared by the CDE and approved by the SBE for each adoption that must be completed by publishers submitting instructional materials for adoption and are designed to determine if instructional materials meet the content standards and evaluation criteria. The standards and evaluation criteria maps are available on the CDE website.

(v) “Subject Matter Committees” are subcommittees of the Commission composed of Commissioners, whose members are selected by the Commission, each with the primary purpose of assisting the Commission in making recommendations on matters related to a particular subject matter area and shall exist for the following subject matter areas:

   (1) Foreign Language
   (2) History-Social Science
   (3) Mathematics
   (4) Physical Education
   (5) reading/English Language Arts/English Language Development
   (6) Science
   (7) Visual/Performing Arts
   (8) Health


§ 9518. Social Content Standards for All Instructional Materials Adoptions.


Article 2.1. Acquisition of Adopted Instructional Materials

§ 9529. New Editions of Adopted Instructional Materials.

(a) Upon written request by a publisher, the CDE may approve a new edition of an adopted instructional material to replace the original adopted edition, provided that:

(1) Changes contained in the new edition are so minimal that both the new edition and the original adopted edition may be used together in a classroom environment. No additional content may be included in the new edition.

(2) All changes comply with the social content standards set forth in the publication entitled Standards for Evaluating Instructional Materials for Social Content, 2000-2013 Edition, as referenced in section 9518 above. The price of the new edition is equal to or lower than the price of the original adopted edition.

(b) Upgrades of technology-based materials that do not contain content changes can be made by publishers without CDE approval, unless the upgrade results in a new ISBN or identifier.


Subchapter 1. Social Content Review

Article 2. Social Content Review of Non-Adopted Instructional Materials

§ 9810. Social Content Standards.

The social content standards in the publication entitled Standards for Evaluating Instructional Materials for Social Content, 2000-2013 Edition, approved by the SBE on January 13, 2000, and maintained on the CDE Web site at
http://www.cde.ca.gov/ci/cr/cf/lc.asp, are incorporated in this section by reference and apply to non-adopted instructional materials in all subjects.

NOTE: Authority cited: Section 6005033031, Education Code. Reference: Sections 60040, 60041, 60042, 60043, 60044, 60048, 60200.5 and 60200.6, Education Code.

04-07-17 [California Department of Education]
ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)
STD. 589 (REV. 10/2010)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME
CA Dept of Education

CONTACT PERSON
Amy Tang-Paterno

EMAIL ADDRESS
atangpaterno@cde.ca.gov

PHONE NUMBER
322-6630

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 align to statute 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
   - [x] 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(a)]

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:
   ________________________ and 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:
   _______________________________________________________
   _______________________________________________________
   _______________________________________________________

---

PAGE 1
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:

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:
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. __________________________

[ ] c. 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 further define the Education Code Section 60227.
FISCAL IMPACT STATEMENT (CONTINUED)

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 upon the state as they concur with existing regulations and serve only to define specifics of instructional materials adoption pursuant to the Education Code.

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
March 29, 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
4/10/17

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

[Signature]

DATE
Economic and Fiscal Impact Statement

(REGULATIONS AND ORDERS) User entries from the STD. 399 (REV. 12/2013) Form.

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: Adoption of Curriculum Frameworks and Instructional Materials Procedure

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 align to statute and would not impose additional private sector costs.

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 6: Other. Explain.
- The regulation do not impose any additional costs as they further define the Education Code Section 60227.

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 upon the state as they concur with existing regulations and serve only to define specifics of instructional materials adoption pursuant to the Education Code.

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
Selected option is 3: No fiscal impact exists
This regulation does not affect any federally funded State agency or program.

Fiscal Officer signature box: Signed by Amy Tang-Paterno dated March 29, 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 signature box: Signed by [ink signature is unintelligible] dated April 10, 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 signature box: [No signature or left blank]
ITEM 09
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

SUBJECT
Follow-Up Adoptions – Approve Commencement of the Rulemaking Process for Amendments to the California Code of Regulations, Title 5, Section 9517.1.

SUMMARY OF THE ISSUE(S)

Education Code (EC) Section 60200, as amended last year, authorizes the State Board of Education (SBE) to conduct a second adoption (or a “follow-up adoption”) of instructional materials for grades kindergarten through 8 in a given subject area within an eight-year period. EC Section 60227, which was reenacted last year, specifies certain requirements for the follow-up adoption process. The attached proposed regulation is necessary in order for the California Department of Education (CDE) to conduct follow-up adoptions as directed by EC Section 60227. The CDE recommends SBE approval to commence the state rulemaking process of Title 5 of the California Code of Regulations (5 CCR) Section 9517.1.

RECOMMENDATION

The CDE recommends the SBE take the following actions:

- Approve the Notice of Proposed Rulemaking (Notice)
- Approve the Initial Statement of Reasons (ISOR)
- Approve the proposed regulations
- Direct the CDE to commence the rulemaking process
- Authorize the CDE to take any necessary action to respond to any direction or concern expressed by the Office of Administrative Law during its review of the Notice, ISOR, and proposed regulations

BRIEF HISTORY OF KEY ISSUES

Pursuant to EC 60200, the SBE is directed to adopt instructional materials "at least once but not more than twice every eight years" per subject. EC Section 60227
specifies certain requirements for conducting a secondary adoption (or “follow-up adoption”) within the eight-year cycle. That statute requires the CDE to notify publishers of a pending follow-up adoption and that publishers choosing to participate will be assessed a fee based upon the number of instructional materials programs the publisher indicates will be submitted for review and the number of grade levels proposed to be covered by each program. The law also allows the SBE to reduce the fee for defined "small publishers" applying for such a reduction. Revenue derived from these fees is budgeted as reimbursements for adoption costs. The proposed regulation, 5 CCR Section 9517.1, would establish the details for participation, including the fee amount.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The California Constitution, Article 9, Section 7.5 provides that the SBE shall adopt instructional materials for use in grades one through eight (and pursuant to EC Section 60200, kindergarten).

In 2014 and 2015, the SBE adopted instructional materials for mathematics and English language arts/English language development, respectively. The CDE and SBE are currently engaged in the instructional materials adoption process for history–social science, which will likely result in an SBE adoption of such materials in November 2017.

An earlier and substantially similar version of EC Section 60227 (which specifies requirements for follow-up adoptions) existed for some time until the statute sunset by its own terms and was therefore repealed in 2011. Consequently, the associated state regulations were repealed. However, EC Section 60227 was essentially reenacted when Governor Brown signed Assembly Bill 575 in September 2016. The proposed regulation, 5 CCR Section 9517.1, is substantially similar to the regulation governing follow-up regulations that had existed before the sunset and repeal of the earlier version of EC Section 60227.

The last follow-up adoption approved by the SBE occurred in 2005.

FISCAL ANALYSIS (AS APPROPRIATE)

The proposed regulation will not result in any additional costs or savings to local educational authorities, state agencies, or federal funding to the state. EC Section 60227 provides that: (1) no state general funds may be used for the cost of conducting a follow-up adoption; (2) a fee may be assessed against publishers that choose to participate in the follow-up adoption process; (3) the fee charged publishers shall offset the cost of conducting the follow-up adoption process and shall reflect CDE’s best estimate of the cost; and (4) revenue derived from the fees shall be budgeted as reimbursements and subject to review through the annual budget process.

An Economic and Fiscal Impact Statement is provided as Attachment 4.
ATTACHMENT(S)

Attachment 1: Notice of Proposed Rulemaking (5 pages)
Attachment 2: Initial Statement of Reasons (7 pages)
Attachment 3: Proposed Regulations 5 CCR Section 9512 (3 pages)
Attachment 4: Economic and Fiscal Impact Statement (STD. 399) (5 pages)
NOTICE OF PROPOSED RULEMAKING

AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING FOLLOW-UP ADOPTIONS.

Notice published May 26, 2017

NOTICE IS HEREBY GIVEN that the State Board of Education (SBE) proposes to adopt the Title 5 California Code of Regulations (5 CCR) 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 1:30 p.m. on July 10, 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 July 10, 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, 60200(b), 60200(o), and 60206, Education Code.
References: Sections 60200, 60201, 60202, 60204, 60206, 60221, 60222, and 60227, Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking package proposes to establish 5 CCR 9517.1 to facilitate follow-up instructional materials adoptions pursuant Education Code (EC) Section 60227.

Pursuant to EC 60200, the SBE is directed to adopt instructional materials "at least once but not more than twice every eight years" per subject. EC Section 60227 specifies certain requirements for conducting a secondary adoption (or “follow-up adoption”) within the eight-year cycle. That statute requires the CDE to notify publishers of a pending follow-up adoption and that publishers choosing to participate will be assessed a fee based upon the number of instructional materials programs the publisher indicates will be submitted for review and the number of grade levels proposed to be covered by each program. The law also allows the SBE to reduce the fee for defined "small publishers" applying for such a reduction. Revenue derived from these fees is budgeted as reimbursements for adoption costs. The proposed regulation, 5 CCR Section 9517.1, would establish the details for participation, including the fee amount.

In order for the CDE to comply with the requirements of EC sections 60200 and 60227, this proposed regulation must be established to provide both the mechanism and details for implementation.
**Anticipated Benefits of the Proposed Regulation**

This proposed regulation, along with the authority granted in EC sections 60200 and 60227, will allow publishers to submit instructional materials programs for potential SBE adoption without having to wait the full eight years before the next SBE adoption in the same subject matter, which will benefit California’s students and educators. The proposed regulation also fosters clarity and certainty by providing necessary details regarding the follow-up adoption process and associated cost for publishers deciding whether to participate.

**Determination of Inconsistency/Incompatibility with Existing State Regulations**

The CDE reviewed all related state regulations and found that none exist that are inconsistent or incompatible with the proposed regulation.

**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 regulation does 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 local educational agencies: 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. The proposed regulation does, however, specify a fee for publishers that choose to participate in the follow-up
adoption process. The fee is intended to offset the cost of conducting the follow-up adoption process and represents the CDE’s best estimate of such cost.

Effect on housing costs: None

Effect on small businesses: Publisher participation is voluntary and any cost/benefit analysis by potential participants will determine outcomes. The proposed regulation specifies details for defined “small publishers” to apply for a reduced fee for their participation.

**RESULTS OF THE ECONOMIC IMPACT ANALYSIS**

The SBE concludes that it is unlikely that this proposed regulation 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 fiscal impact of the publisher fee on business may be offset by the potential gains, and therefore individual publishers will determine whether or not they wish to participate.

**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 regulation at the scheduled hearing or during the written comment period.

**CONTACT PERSONS**

Inquiries concerning the content of this proposed regulation should be directed to:

David Almquist, Education Programs Consultant  
Curriculum Frameworks and Instructional Resources Division  
California Department of Education  
1430 N Street, Room 3207  
Sacramento, CA 95814
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 regulation 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 regulation, 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 regulation is 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 David Almquist, Curriculum Frameworks and Instructional Resources Division, California Department of Education, 1430 N Street, Room 5319, Sacramento, CA, 95814 at 916-319-0444. It is recommended that assistance be requested at least two weeks prior to the hearing.
INITIAL STATEMENT OF REASONS
Follow-up Adoptions

INTRODUCTION

The California Department of Education (CDE) is proposing the creation of a regulation in order to facilitate instructional materials follow-up adoptions as provided for in Education Code (EC) Section 60227. These regulations are necessary in order to establish and implement the details of the process for follow-up adoptions, including the amount of the fee required by statute.

The proposed amendments to regulations would create California Code of Regulations, Title 5 (5 CCR), Section 9517.1.

PROBLEM AGENCY INTENDS TO ADDRESS

The California Constitution, Article 9, Section 7.5, provides that the State Board of Education (SBE) shall adopt instructional materials for use in grades one through eight (and pursuant to EC Section 60200, kindergarten).

Pursuant to EC 60200, the SBE is directed to adopt instructional materials "at least once but not more than twice every eight years" per subject. EC Section 60227 specifies certain requirements for conducting a secondary adoption (or “follow-up adoption”) within the eight-year cycle. That statute requires the CDE to notify publishers of a pending follow-up adoption and that publishers choosing to participate will be assessed a fee based upon the number of instructional materials programs the publisher indicates will be submitted for review and the number of grade levels proposed to be covered by each program. The law also allows the SBE to reduce the fee for defined "small publishers" applying for such a reduction. Revenue derived from these fees is budgeted as reimbursements for adoption costs.

The statute, however, lacks detail regarding implementation of and participation in the follow-up adoption process. The proposed regulation, 5 CCR Section 9517.1, is needed to establish specifics for such implementation and participation, including the amount of the fee for publisher participation required by statute.

BENEFITS ANTICIPATED FROM REGULATORY ACTION

By providing necessary specifics regarding follow-up adoptions, the proposed regulation enables publishers to take advantage of such adoptions by submitting instructional materials for SBE adoption without having to wait a full eight-year cycle, thereby potentially expanding the availability of instructional materials and benefiting California’s students and educators. The proposed regulation also fosters clarity and certainty by setting forth more specific rules regarding the process and the associated fee for publishers deciding whether to participate.
SPECIFIC PURPOSE OF EACH SECTION – GOV. CODE SECTION 11346.2(b)(1)

The specific purpose of each adoption, and the rationale for the determination that each adoption is reasonably necessary to carry out the purpose for which it is proposed, together with a description of the public problem, administrative requirement, or other condition or circumstance that each adoption is intended to address, is as follows:

Proposed section 5 CCR Section 9517.1(a) is added to define “a follow-up adoption” for purposes of the regulation as any second adoption of basic instructional materials within the eight-year cycle per subject specified in EC Section 60200(b)(1). This subsection is necessary for the sake of clarity, because EC Section 60227 (the statute governing follow-up adoptions) and this proposed regulation include some provisions unique to follow-up adoptions (as distinct from primary adoptions that are governed by other regulations). Failing to define the term follow-up adoption in the regulations may result in unnecessary confusion.

Proposed section 5 CCR Section 9517.1(b) is added to state that follow-up adoptions must adhere to the requirements set forth in subsections (b)(1) through (b)(6). This addition promotes clarity by following a useful and familiar form for statutory and regulatory enumeration and organization.

Proposed section 5 CCR Section 9517.1(b)(1) is added to authorize the CDE to determine the extent of publisher interest in a contemplated follow-up adoption via survey. This section provides the CDE with a reasonable method to gauge the level of interest, which is important because EC Section 60227 directs CDE to recommend to the SBE that a follow-up adoption not be conducted if the CDE determines that there is little or no interest.

Proposed section 5 CCR Section 9517.1(b)(1)(A) is added to require that any CDE survey to gauge publisher interest in a contemplated follow-up adoption be posted on the CDE Web site and distributed to all publishers known to produce basic instructional materials in the subject. This addition is necessary in order to ensure appropriate notice of the survey to interested parties.

Proposed section 5 CCR Section 9517.1(b)(1)(B) is added to require that the CDE conduct the survey in a manner that it deems appropriate. This addition clarifies that CDE must consider the appropriateness of the manner in which it conducts any surveys to gauge publisher interest, while recognizing that CDE should have flexibility and discretion in determining the precise manner that a particular survey be conducted.

Proposed section 5 CCR Section 9517.1(b)(2) is added to stipulate that the CDE shall prepare the documents specified in Section 9517.1(b)(2)(A) through (b)(2)(C) for review by the Instructional Quality Commission (Commission) and approval by the SBE at a public meeting. This addition is necessary in order to establish the authority and oversight by which a particular follow-up adoption is conducted.
Proposed section 5 CCR Section 9517.1(b)(2)(A) is added to specify that one of the documents for the CDE to prepare for the Commission’s review and the SBE’s approval at a public meeting is a timeline of significant events related to the follow-up adoption. This addition will facilitate the establishment of a reasonable timeline to which all interested parties will adhere.

Proposed section 5 CCR Section 9517.1(b)(2)(B) is added to stipulate that the CDE will present to the Commission for review and the SBE for approval the applications for reviewers, including content review experts, and that such applications will mirror the initial subject matter adoption of the eight-year cycle. This addition is necessary in order to define who will review any publisher submissions during a follow-up adoption.

Proposed section 5 CCR Section 9517.1(b)(2)(C) is added to stipulate that the CDE will present to the Commission for review and the SBE for approval the notice of intent to hold a follow-up adoption. This addition is necessary in order to establish that the CDE, with approval of the SBE, will announce a follow-up adoption pursuant to terms specified in Section 9517.1(b)(3).

Proposed section 5 CCR Section 9517.1(b)(3) is added to stipulate the posting and distribution of the CDE notice of intent to hold a follow-up adoption and that the notice shall include information specified in Section 9517.1(b)(3)(A) and (B). This addition is necessary in order to establish the protocols of reasonable notification.

Proposed section 5 CCR Section 9517.1(b)(3)(A) is added to stipulate that the notice of intent to hold a follow-up adoption shall include a schedule of significant events. This addition is necessary in order to ensure that such a schedule is made public when notice of the intent to hold is first given.

Proposed section 5 CCR Section 9517.1(b)(3)(B) is added to stipulate that the notice of intent to hold a follow-up adoption contain a statement that each publisher choosing to participate will be charged a fee described in Sections 9517.1(b)(5) or (b)(6). This addition is necessary in order to ensure that interested parties have adequate notice of the cost considerations bearing on participating in the follow-up adoption process.

Proposed section 5 CCR Section 9517.1(b)(4) is added to stipulate that each publisher desiring to participate in the follow-up adoption shall submit to the CDE a timely statement of intent specifying the information described in Section 9517.1(b)(4)(A) and (b)(4)(B). This addition is necessary in order to identify publisher responsibility for commitment to the process and because EC Section 60227 provides that the CDE shall require publishers wishing to participate in the follow-up adoption to submit this information before CDE incurs substantial costs related to the adoption.

Proposed section 5 CCR Section 9517.1(b)(4)(A) provides that a publisher’s notice of intent to submit shall specify the number of programs that the publisher will submit. This addition is necessary because EC Section 60227 directs the CDE to gather such
information before it incurs substantial costs for the follow-up adoption and because the fee assessed the publisher that is described in Section 9517.1(b)(5) is based in part on this information.

**Proposed section 5 CCR** Section 9517.1(b)(4)(B) provides that a publisher’s notice of intent to submit shall also specify the number of grade levels by each program that the publisher will submit. This addition is necessary because **EC** Section 60227 directs the CDE to gather such information before it incurs substantial costs for the follow-up adoption and because the fee assessed the publisher that is described in Section 9517.1(b)(5) is based in part on this information.

**Proposed section 5 CCR** Section 9517.1(b)(5) is added to stipulate that, based on the information included in a publisher’s notice of intent to submit, the CDE shall assess a fee of $8,000 per grade level for each program submitted for review and that the fee is payable even if the publisher later withdraws from the review process. This addition is necessary in order to comply with **EC** Section 60227, which generally provides in pertinent part that: 1) CDE shall assess a fee against a publisher after the publisher declares its intent to participate and specifies the grade levels to be covered by each program and that such fee is payable even if the publisher subsequently chooses to withdraw; 2) the fees assessed shall offset the cost of conducting the follow-up adoption and reflect the best estimate of such cost; and 3) no general fund revenue shall be used for the cost of conducting the follow-up adoption. Based on its history of conducting instructional materials adoptions, CDE believes that the amount of the fee specified in **5 CCR** Section 9517.1(b)(5) is necessary to cover the cost of a follow-up adoption. Based upon the $300,000–$400,000 cost of a typical adoption, the CDE has determined that the amount of $8,000 per grade level will require a participation of a minimum of 36 grade levels submitted by publishers in order to proceed.

**Proposed section 5 CCR** Section 9517.1(b)(6) is added to stipulate that a “small publisher,” as defined in **EC** Section 60227, may request a reduction in the CDE-assessed participation fee by submitting documentation of their small business status as identified in Section 9517.1(b)(6)(A)–(C). This addition is necessary in order to comply with **EC** Section 60227 and its intent to create a level playing field between large and small publishers.

**Proposed section 5 CCR** Section 9517.1(b)(6)(A) is added to require publishers seeking small publisher status, and an associated fee reduction, to submit documentation which includes a statement of earnings for the most recent three fiscal years. This addition is necessary in order to validate the requirement contained in **EC** Section 60227(f)(3) that a qualifying “small publisher” must, among other things, have “average annual gross receipts of ten million dollars ($10,000,000) or less over the previous three years.”

**Proposed section 5 CCR** Section 9517.1(b)(6)(B) is added to require publishers seeking small publisher status, and an associated fee reduction, to submit
documentation indicating the number of people they employ. This addition is necessary in order to validate the requirement contained in EC Section 60227(f)(3) that a qualifying “small publisher” must, among other things, have 100 or fewer employees.

Proposed section 5 CCR Section 9517.1(b)(6)(C) is added to require publishers seeking small publisher status, and an associated fee reduction, to submit a statement indicating the publisher is not dominant in its field of operation for the particular subject matter under consideration. This addition is necessary in order to validate the statutory requirement contained in EC Section 60227(f)(3) that a “small publisher” must not be dominant in its field of operation.

Proposed section 5 CCR Section 9517.1(c) is added to ensure that the instructional materials approved by the SBE as part of the follow-up adoption are added to the existing list of materials that were adopted during the initial subject matter adoption of the eight-year cycle. This addition is necessary so that school districts are aware of new options available to them as a result of the follow-up adoption process and that all options are consolidated in one resource for ease of reference.

Proposed section 5 CCR Section 9517.1(d) is added to stipulate that follow-up adoptions shall be consistent with SBE-adopted content standards, curriculum frameworks, and evaluation criteria utilized in the primary adoption process during the eight-year cycle. This section also stipulates that the procedures of a follow-up adoption shall adhere to the same state regulations governing the initial subject matter adoption, namely:

- Section 9510. Definitions.
- Section 9512. Appointment of Instructional Materials Reviewers and Content Review Experts.
- Section 9514. Prohibited Communications.
- Section 9517. Procedures for Submitting Instructional Materials for Adoption.
- Section 9517.2. Textbook Weight Standards.
- Section 9518. Social Content Standards for All Instructional Materials Adoptions.
- Section 9521. Public Comments Regarding Content of Instructional Materials.
- Section 9522. Presentation of Public Testimony.
- Section 9523. Display of Instructional Materials for Public Inspection.
- Section 9524. Public Meetings Held by the Commission and the State Board of Education Regarding Instructional Materials.
- Section 9525. Post Adoption Edits and Corrections Procedures.
This addition is necessary in order to establish procedures for a follow-up adoption and create consistency with the applicable eight-year cycle’s initial subject matter adoption.

**ECONOMIC IMPACT ASSESSMENT PER GOV. CODE SECTION 11346.3(b)**

**Purpose:**

The California Constitution, Article 9, Section 7.5, establishes that the SBE shall adopt instructional materials for use in grades one through eight (and, pursuant to EC Section 60200, kindergarten). *EC* Section 60200 and 5 *CCR* sections 9510 through 9525 fully establish the process by which the CDE and the SBE conduct instructional materials adoptions. *EC* Section 60227 allows the CDE and SBE to conduct follow-up adoptions. These proposed regulations will establish the process and details of follow-up adoptions.

**Creation or Elimination of Jobs within the State of California:**

The proposed regulation may expand or create opportunities in California for jobs by facilitating instructional material follow-up adoptions which may stimulate interest in, demand for, and the sale of instructional materials.

**Creation of New or Elimination of Existing Businesses within the State of California:**

The proposed regulation may create opportunities in California for business by facilitating instructional material follow-up adoptions which may stimulate interest in, demand for, and the sale of instructional materials.

**Expansion of Businesses or Elimination of Businesses Currently Doing Business within the State of California:**

The proposed regulation may expand opportunities in California for business by facilitating instructional material follow-up adoptions which may stimulate interest in, demand for, and the sale of instructional materials.

**Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment:**

The proposed regulation facilitates follow-up adoptions of instructional materials for grades kindergarten through eight, which may benefit the level of instruction given to students in those grades. The proposed regulation will have no adverse effect nor benefit on worker safety or the state’s environment.
OTHER REQUIRED SHOWINGS

Studies, Reports or Documents Relied Upon – Gov. Code. Section 11346.2(b)(3):

The SBE did not rely upon any technical, theoretical, or empirical studies, reports, or documents in proposing the regulation.

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.

Facts 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):

By facilitating follow-up adoptions so that publishers do not need to wait for a new eight-year cycle to begin in order to have their instructional programs reviewed and approved, the proposed regulation expands opportunities for all publishers. Participation in the follow-up adoption process is voluntary and open to all publishers, and all publishers that choose to participate are initially assessed the same fee of $8,000 per grade level for each program. However, as authorized by EC Section 60227, the proposed regulation allows persons or entities that qualify as “small publishers” to apply for a reduction of the fee by timely submitting the information called for in 5 CCR Section 9517.1(b)(6). Even if no fee reduction is available or given in a particular case, the regular specified fee is estimated to be the amount necessary just to cover the costs of conducting the follow-up adoption process.

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 regulation has been determined to be the most efficient and effective means of implementing the law in the least burdensome manner.

03-01-17 [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. State Department of Education

Chapter 9. Instructional Materials

Subchapter 1. Elementary Instructional Materials

Article 2. Adoption of Curriculum Frameworks and Instructional Materials – Procedures

§ 9517.1. Follow-up adoptions.

(a) For the purposes of this section, a follow-up adoption means any adoption of basic instructional materials other than the primary adoption that occurs within the eight-year cycle established pursuant to Education Code section 60200.

(b) Any State Board of Education (SBE) follow-up adoption shall be conducted according to the following requirements:

(1) California Department of Education (CDE) staff may survey publishers to determine publisher interest in participating in a follow-up adoption.

(A) The survey shall be posted on the CDE Web site and distributed to all publishers known to produce basic instructional materials in that subject.

(B) The survey shall be conducted in a manner deemed appropriate by the CDE.

(2) CDE staff shall prepare the following documents for review by the Instructional Quality Commission and approval of the SBE at a public meeting:

(A) A Schedule of Significant Events specific to the follow-up adoption;

(B) Instructional Materials Reviewer (IMR) and Content Review Expert (CRE) applications for the follow-up adoption that are similar in content to the IMR and CRE applications used in the primary adoption in that subject area, as set forth in section 9513;

(C) A notice of intent to hold a follow-up adoption with the information specified in section 9517.1(b)(3)(A) and (B);
(3) A notice of intent to hold a follow-up adoption in a given subject area shall be posted on the CDE Web site and distributed to all publishers known to produce basic instructional materials in that subject. The notice shall include:

(A) A Schedule of Significant Events.

(B) A statement that each publisher choosing to participate will be charged a fee as described in section 9517.1(b)(5) or (6).

(4) Each publisher shall provide a statement of intent to submit to the CDE in accordance with the dates set forth in the Schedule of Significant Events that specifies the following:

(A) Number of programs that the publisher will submit.

(B) Number of grade levels covered by each program.

(5) Based on the information included in a publisher’s statement of intent to submit, the CDE shall assess a fee of $8,000 per grade level for each program submitted for review. The fee shall be payable by the publisher even if the publisher subsequently chooses to withdraw a program or reduce the number of grade levels submitted for review.

(6) A “small publisher” as defined in Education Code section 60227, may request a reduction of the fee by submitting documentation in accordance with the date set forth in the Schedule of Significant Events that includes the following:

(A) A statement of earnings for the most recent three fiscal years.

(B) Number of full-time employees excluding contracted employees.

(C) A statement verifying that the small publisher is not dominant in its field for the subject matter being submitted for follow-up adoption.

(c) Instructional materials approved by the SBE in a follow-up adoption shall be added to the existing adoption list for that subject and remain on the list until the established expiration date for that list pursuant to Education Code section 60200.

(d) Follow-up adoptions shall be based on the curriculum framework and evaluation criteria issued for the primary adoption. The following procedures for the adoption of instructional materials for the primary adoption, as set forth in sections 9510, 9512,
9513, 9514, 9517, 9517.2, 9518, 9519, 9521, 9522, 9523, 9524 and 9525, are also
applicable to follow-up adoptions.

NOTE: Authority cited: Sections 33031, 60200(b), 60200(o), and 60206, Education

01-16-09 [California Department of Education]
ECONOMIC IMPACT STATEMENT

STATE OF CALIFORNIA — DEPARTMENT OF FINANCE
ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)
STD. 399 (REV. 12/2013)

DEPARTMENT NAME
CA Dept of Education

CONTACT PERSON
Amy Tang-Paterno

EMAIL ADDRESS
atangpaterno@cde.ca.gov

TELEPHONE NUMBER
322-6630

DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400
Adoption of Curriculum Frameworks, Evaluation Criteria and Instructional Material Procedures (dated 03-16-17)

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 align to statute 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):

   ________________________

   Enter the number or percentage of total businesses impacted that are small businesses:

   ________________________

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:

   ________________________
ECONOMIC IMPACT STATEMENT (CONTINUED)

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:

________________________________________________________________________

PAGE 2
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(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:
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. ____________________________

   ☐ c. 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 further define statute.
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 upon the state as they concur with existing regulations and serve only to define specifics of instructional materials adoption pursuant to the Education Code.

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  April 18, 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  4/26/17

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

[Signature]  

DATE
Economic and Fiscal Impact Statement

(REGULATIONS AND ORDERS) *User entries from the STD. 399 (REV. 12/2013) Form.*

**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:** Adoption of Curriculum Frameworks, Evaluation Criteria and Instructional Materials Procedure (dated March 16, 2017)

**Notice File Number:** Z

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**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 align to statute and would not impose additional private sector costs.

---

**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 6: Other. Explain.
- The regulation do not impose any additional costs as they further define statute.

**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 upon the state as they concur with existing regulations and serve only to define specifics of instructional materials adoption pursuant to the *Education Code.*

**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 box:** Signed by Amy Tang-Paterno dated April 18, 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 signature box:** Signed by [ink signature is unintelligible] dated April 26, 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 signature box:** [No signature or left blank]
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

ITEM 10
SUBJECT

Request for Approval of Fresno County Charter Special Education Local Plan Area.

SUMMARY OF THE ISSUE

The Fresno County Superintendent is requesting approval for a charter school special education local plan area (SELPA) located in Central California. The Fresno County Charter (FCC) SELPA has designated the Fresno County Superintendent of Schools as the responsible local educational agency (LEA).

The State Superintendent of Public Instruction (SSPI) is referring the FCC SELPA local plan to the State Board of Education (SBE) for review and approval.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE approve the FCC SELPA subject to the following conditions:

1. The FCC SELPA will ensure that each charter LEA provides a full continuum of services to all students with exceptional needs. The CDE will evaluate the FCC SELPA by conducting:
   a. An annual review of FCC SELPA LEAs to ensure timely completion of initial, annual, and triennial individualized education programs (IEPs).
   b. An annual audit of complaints filed with the CDE against the FCC SELPA or the FCC LEAs.
   c. An annual review of the Office of Administrative Hearings (OAH) records regarding the FCC SELPA or member LEAs.

2. The charter SELPA will submit an Annual Budget and Service Plan by June 30, 2017, and every year thereafter.
BRIEF HISTORY OF KEY ISSUES

On December 16, 2016, the Fresno County Superintendent of Schools submitted a local plan to the CDE for approval to establish the FCC SELPA.

Central California is the only area in the state that currently has not established a charter SELPA. Charter schools in the Central Valley have had to join other charter SELPAs out of the area. The FCC SELPA will assist central California charter schools (that have successfully completed the FCC SELPA membership process) in meeting the obligations to provide special education and related services to enrolled students who are entitled to services under applicable state and federal laws and regulations. Charter SELPA membership also ensures compliance with the charter LEA obligations under California Education Code (EC) Section 56195, et. seq.

It is the goal of the FCC SELPA that all pupils with exceptional needs at the charter schools within the SELPA receive appropriate special education services. It is the intent of the FCC SELPA that special education programs be coordinated and operated in accordance with the governance structure outlined in the FCC Special Education Local Plan, see Attachment 1.

Edison Bethune Charter Academy and University High School have already submitted one-year notices to depart from current SELPAs and join the FCC SELPA starting July 1, 2017. There are additional charter schools that have expressed interest in joining the FCC SELPA.

The CDE has reviewed the FCC SELPA local plan, and it addresses all statutory requirements in EC Section 56205.

SUMMARY: PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

As required by EC Section 56100, each SELPA must submit a local plan for review and approval by the SBE. In January 2000, the SBE delegated local plan authority to the SSPI. This delegation allows the Special Education Division staff to review, approve, or deny local plans as specified in EC Section 56100.

When a proposed local plan exceeds the scope of that delegation, the SSPI refers the local plan to the SBE for review and approval. Approval of charter SELPAs falls outside of the SED delegation authority in two ways:

1) Charter SELPAs do not meet the SBE-adopted standard of size and scope because charter schools have no geographical boundaries (EC Section 56195.1[a]).

2) Charter SELPAs do not fall into any category of a traditional SELPA as specified by California EC 56195.1(a)(f). The SBE conducted a pilot project which created the option of charter-only SELPAs, and maintains the authority to approve a new charter SELPA with this governance structure. Once the SBE approves the FCC
SELPA to begin operation, the CDE will have the authority to approve or deny amendments to the FCC SELPA.

FISCAL ANALYSIS

The fiscal effects caused by a charter school leaving or entering a SELPA cannot be determined at this time because of unknown variables, such as which LEA charters will be members. In general, the funding effects for an increase or decline in average daily attendance due to the addition or loss of a charter school member is dependent on the growth status of the SELPAs that are receiving or losing members.

ATTACHMENTS

Attachment 1: Fresno County Charter Special Education Local Plan (23 pages)
GOVERNANCE AND ADMINISTRATION

PURPOSE

The Fresno County Charter Special Education Local Plan Area (Charter SELPA) is composed of Local Educational Agency Charter Members (Charter LEAs) located in Central California. The Fresno County Charter SELPA has designated the Fresno County Superintendent of Schools (FCSS) as the Responsible Local Agency (RLA).

As members of the Charter SELPA, each charter as identified by the County, District, School (CDS) code issued by the State Board of Education is considered an LEA for purposes of special education.

The Charter SELPA further recognizes its members as Single Charter Members or Organization Members. A Single Charter Member is defined as an entity with one Charter CDS code. An Organization Member is an entity with multiple Charters (multiple CDS codes). The title of Chief Executive Officer (CEO) may differ by organization, but the intent is that final decision making in the organization is vested in one leadership position.

The function of the Charter SELPA and participating agencies is to provide a quality educational program appropriate to the needs of each eligible child with a disability who is served by the Charter LEAs.

All such programs are operated in a cost effective manner consistent with the funding provisions of California Education Code (EC) §56700 et seq., the Federal Individuals with Disabilities Education Act (IDEA), all other laws and policies, and the procedures of the Charter SELPA.

CHANGES IN THE GOVERNANCE STRUCTURE

Any changes in the governance structure of the Charter SELPA, including the dividing of the SELPA into more than one operating entity, changing the designation of and/or responsibilities of the RLA, are subject to specific provisions of EC §§ 56140, 56195, et seq., 56195.7 et seq., and 56205 et seq.

1. Any local agency which is currently designated as an LEA participating in the Fresno County Local Plan for Special Education may elect to pursue an alternative option from those specified in EC §56195.1 by notifying the Fresno County Superintendent at least one year prior to the date the alternative plan would become effective (EC §56195.3(b)).

2. Any alternative plan of an LEA is subject to the approval of the county superintendent of the county or counties which would have school districts as participating agencies in the alternative plan. (EC §56195.1)

3. Approval of a proposed alternative plan by the Fresno County Superintendent may be based on the capacity of the Charter LEA(s) to ensure that special education programs and services are provided to all children with disabilities. (EC §56140(b))
4. If an alternative plan is disapproved by a county superintendent, the county office shall return the Charter Local Plan with comments and recommendations to the Charter LEA(s). The charter or charters participating in the alternative plan may appeal the decision to the State Superintendent of Public Instruction. (EC §56140 (b) (2))

5. Any alternative plan to be submitted by a charter or a group of charters currently participating in the Charter SELPA must meet the standards established by the State Board of Education (SBE) and not adversely affect the size and scope status of the current local plan geographic area.

6. Any changes in the designation of the RLA for the Charter SELPA must conform to the above code provisions and the administrative provisions for approval as specified in the Charter Local Plan.

Disagreements among the participating agencies of the Charter SELPA are attempted to be resolved through dispute resolution procedures. If not resolved, the matter would be presented to the Charter SELPA CEO Council for discussion and dispute resolution.

GOVERNANCE STRUCTURE OF THE CHARTER LOCAL PLAN

California EC §56200 (c) (2) requires that the Local Plan, "specify the responsibilities of each participating county office and district governing board in the policy-making process, the responsibilities of the superintendent of each participating district and county in the implementation of the plan, and the responsibilities of district and county administrators of special education in coordinating the administration of the plan." In accordance with this provision, the Charter SELPA has developed the following governance structure, policy development and approval process.

RESPONSIBILITIES OF EACH GOVERNING BOARD IN THE POLICY- MAKING PROCESS AND PROCEDURES FOR CARRYING OUT THE RESPONSIBILITY

Upon entry into the Charter SELPA, the governing board for each Charter LEA shall approve the Agreement for Participation, Representations and Warranties, and the Charter Local Plan for Special Education, including Board Policies and Administrative Regulations. The Charter SELPA Local Plan is initially approved by the Fresno County Board of Trustees, and any subsequent approvals shall be approved by the Charter SELPA CEO Council. Amendments to the Charter Local Plan to revise LEA membership (additions/deletions) shall be approved by the Charter SELPA CEO Council. Prior to Charter SELPA CEO Council approval, new LEA members and/or termination of LEA members shall be approved through the process as identified in Charter SELPA policies.

The Charter SELPA CEO Council will hold the required public hearings and approve the Annual Service Plan and the Annual Budget Plan. The Charter Local Plan shall be sent to all Charter LEAs. Notice of the public hearings shall be posted in each charter school at least 15 days prior to the hearing, as required by law.

As described within the Charter Local Plan and adopted policies of the Charter SELPA, the Boards of Education delegate the ongoing policy-making process, the Funding Allocation
Plan process, and administrative procedures for carrying out that responsibility to the governance structure of the Charter SELPA.

RESPONSIBILITIES OF CHIEF EXECUTIVE OFFICERS

CHARTER SPECIAL EDUCATION LOCAL PLAN AREA CHIEF EXECUTIVE OFFICERS’ COUNCIL

The Charter SELPA Chief Executive Officers’ (CEO) Council membership consists of the CEO or designee of each Charter LEA. Each Charter LEA has one vote. Organization Members that operate more than one Charter LEA may have a single representative for all Charter LEAs, but such representative shall have a number of votes equal to the number of Charter LEAs represented.

Charter SELPA CEO Council meetings are subject to California Open Meeting laws, specifically the Brown Act (Government Code §§54950-54963), which requires that Charter SELPA CEO Council members conduct business at properly noticed and agendized public meetings. A majority of the Charter LEAs present at a regularly scheduled and posted Charter SELPA CEO Council meeting shall constitute a quorum.

The Charter SELPA CEO Council will meet regularly with the SELPA Administrator/Designee to direct and supervise the implementation of the Charter Local Plan. The Charter SELPA CEO Council has exclusive authority to make and take all reasonable and appropriate steps to implement all decisions which may have a material effect on any and/or all Charter SELPA policies, practices, operations, organization, service, functions, and any other purpose for which the Charter SELPA is established. A minimum of two meetings per year will be held, generally in September and May.

The Charter SELPA CEO Council is responsible to approve Charter SELPA policies and administrative regulations.

The Charter SELPA CEO Council is responsible to approve the Charter SELPA Funding Allocation Plan, which is the framework for distribution of funds within the Charter SELPA.

Material changes to the Charter Local Plan, other than for membership changes, shall be approved by the Charter SELPA CEO Council and each Charter LEA’s Governing Board.

Charter School Admission Criteria:

It is the intent of the Charter SELPA to provide options for charter schools in terms of a SELPA membership. While it is always preferable for a charter school to participate with its geographic SELPA, the Charter SELPA has been developed to allow for a viable alternative for a SELPA membership. Therefore, there are specific criteria which must be met in order for a charter school to be considered for membership in the Charter SELPA.
Charter Special Education Local Plan Area Selection Committee

As outlined in Charter SELPA policies, a Charter SELPA Selection Committee has been established to approve the admission of new charters to the Charter SELPA. The Charter SELPA Selection Committee is comprised of the following:

- The SELPA Administrator/Designee
- One Charter CEO member of the Charter SELPA Executive Committee
- The SELPA/Special Education Financial Services Supervisor/Designee

The Charter SELPA Selection Committee will meet, review all documents, and approve or reject membership applications. Because of a high volume of applications to the Charter SELPA, the Charter SELPA Selection Committee may include more than one member of the Charter SELPA Executive Committee or Charter SELPA CEO Council and more than one Charter CEO selected by the SELPA Administrator/Designee in order to efficiently review the number of applications submitted. Meetings may take place through teleconference. For the purposes of this section, “teleconference” means a meeting where the members are in different locations, connected by electronic means, through either audio or video, or both.

The Charter SELPA Selection Committee will inform the Charter SELPA CEO Council members of their decision. The SELPA Administrator/Designee shall inform the charter school of the decision.

Any charter school may apply to the Charter SELPA Selection Committee to become a Charter LEA. The Charter SELPA will establish an annual timeline for submission of applications. Once granted membership, the Charter LEA will participate in the governance of the Charter SELPA in the same manner as all other Charter LEAs in the Charter SELPA. The timeline for submission may be amended by the SELPA Administrator/Designee for unique circumstances, including State Board of Education charter approvals.

The applicant member, not an expansion of an existing member, will be deemed a member of the Charter SELPA upon approval of the Charter SELPA Selection Committee and subsequent Charter Local Plan Membership amendment approved by the Charter SELPA CEO Council and the California Department of Education. The applicant Charter LEA’s Governing Board must also take action to approve membership.

The Charter SELPA Selection Committee shall review applications to determine if the applicants meet the requirements of the application process as established by the Charter SELPA. The Charter SELPA Selection Committee will inform the Charter SELPA CEO Council of their decision.

Applications for additional charter schools of a current Charter LEA shall be approved by the Charter SELPA, pursuant to Charter SELPA policies, and are not required to be reviewed by the Charter SELPA Selection Committee. Because they are current members, the Charter SELPA has significant documentation available to assess the new Charter LEA capacity.

The applicant member, an expansion of an existing member, will be deemed a member of the Charter SELPA after approval of the Charter SELPA, and subsequent Charter Local
Plan Membership amendment approved by the Charter SELPA CEO Council and the California Department of Education. The applicant Charter LEA’s Governing Board must also take action to approve membership.

**Charter Special Education Local Plan Area Membership Appeals Committee**

The Charter SELPA Membership Appeals Committee meets on an “as needed basis” to hear Charter SELPA Selection Committee appeals and membership termination appeals. The SELPA Administrator/Designee shall serve as an ex officio member of the Charter SELPA Membership Appeals Committee. An invitation to participate in the Charter SELPA Membership Appeals Committee shall be issued annually at the first Charter SELPA CEO Council meeting of the fiscal year.

Charter SELPA Membership Appeals Committee meetings are subject to California Open Meeting laws, specifically the Brown Act (Government Code §§54950-54963), which requires that SELPA Membership Appeals Committee members conduct business at properly noticed and agendized public meetings.

**CHARTER SPECIAL EDUCATION LOCAL PLAN AREA EXECUTIVE COMMITTEE**

**Responsibilities of the Charter Special Education Local Plan Area Executive Committee**

The Charter SELPA Executive Committee shall serve as an informal advisory body to the Charter SELPA. The Charter SELPA Executive Committee shall be comprised of all Charter SELPA CEO Council members who have an interest in participating as a committee member. Committee participation shall be at the discretion of individual members who shall be free to attend, or not attend, meetings as they choose. However, at no time shall a Charter SELPA Executive Committee meeting be conducted with a majority of Charter SELPA members.

Charter SELPA Executive Committee meetings shall occur from time to time on an informal basis as the Charter SELPA Executive Committee may determine. The Charter SELPA Executive Committee shall have no continuing subject matter jurisdiction. However, it is contemplated that the Charter SELPA Executive Committee shall from time to time consider and advise the Charter SELPA on administrative matters including, but not limited to, program operations, future strategic planning, procedural matters and fiscal considerations.

An invitation to participate in the Charter SELPA Executive Committee shall be issued annually at the first Charter SELPA CEO Council meeting for the fiscal year. The SELPA Administrator/Designee shall serve as an ex-officio member of the Charter SELPA Executive Committee.

Summaries of the Charter SELPA Executive Committee meetings shall be transmitted to the full membership of the Charter SELPA CEO Council.
Special Education Community Advisory Committee

Each Charter LEA shall select a parent representative to participate in the Special Education Community Advisory Committee (CAC) to serve staggered terms in accordance with EC §56191 for a period of at least two years. Selected parents will be the parent of a child with a disability. This group will advise the Charter SELPA on the implementation of the Charter Local Plan as well as provide local parent training options in accordance with the duties, responsibilities and requirements of EC §§56190-56194.

Because of the geographic diversity anticipated within the Charter SELPA, meetings may take place through teleconference. For purposes of this section, “teleconference” means a meeting where the members are in different locations, connected by electronic means, through either audio or video, or both.

Charter Special Education Local Plan Area Special Education Steering Committee

The Charter SELPA Special Education Steering Committee serves in an advisory capacity to the Charter SELPA. Each Charter LEA is entitled to select one representative for this committee. The Charter SELPA Special Education Steering Committee Representatives are the Charter LEA’s special education directors or special education program leads. They meet regularly for the purpose of advising the Charter SELPA and receiving and disseminating direct program/instructional information.

Charter Special Education Local Plan Area Special Education Fiscal Committee

The Charter SELPA Special Education Fiscal Committee meets twice per year. The designated fiscal representative from each Charter LEA is invited to attend. Charter CEOs and Special Education Administrative contacts are invited to attend as well. Meetings take place through teleconference. For the purposes of this section, “teleconference” means a meeting where the members are in different locations, connected by electronic means, through either audio or video, or both. The meeting serves as a communication tool to inform fiscal contacts of actions taken by Charter SELPA CEO Council that may have budgeting and financial reporting considerations.

FULL CONTINUUM OF SERVICES

Both State and Federal law provides that students with exceptional needs are entitled to a Free Appropriate Public Education (FAPE) that includes special education and related services to meet their unique needs in the Least Restrictive Environment (LRE). Each Charter LEA must ensure that all children served under its jurisdiction who have disabilities, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, evaluated and served. Therefore, a full continuum of services are available within the Charter SELPA.

Given this fact, the Charter Local Plan provides funding per the Charter SELPA Funding Allocation Plan to the Charter LEAs so that they may appropriately provide for all the students with special education needs attending their schools. This obligation can be met in
several ways, which may include, but not be limited to, the following:

- Hire appropriately credentialed special education staff.
- Contract with the Fresno County Superintendent of Schools.
- Contract with another LEA.
- Contract with Nonpublic Schools/Agencies.

These methods of providing necessary services may be used by a single Charter LEA. Several Charter LEAs could join together to provide the services.

**EVALUATION**

EC §56600 was written, in part, to ensure that SELPAs participate with all State efforts to provide for ongoing comprehensive evaluation of special education programs in order to refine and improve programs, policies, regulations, guidelines, and procedures on a continuing basis, and to assess the overall merits of these efforts.

The Charter SELPA submits all information required by the California Department of Education’s (CDE’s) Special Education Division in this effort, including statistical data, program information, and fiscal information related to the programs and services for children with disabilities in the Charter SELPA. The Charter SELPA Administration is responsible for collecting and reporting all data required by the CDE related to special education budgets and services.

The Charter SELPA Administration supports all Charter LEAs in the collection of data related to compliance, due process procedures, availability of services, key performance indicators and other data as needed.

**DATA COLLECTION AND DEVELOPMENT OF MANAGEMENT INFORMATION SYSTEMS**

The CDE requires of each SELPA the collection of specified data in such a manner as to be communicative with the CDE data collection system.

The Charter SELPA will implement a data collection and storage system that provides for the management and reporting of required data for State and Federal systems. The Charter SELPA continues to work with the State’s data collection system to collect and report all required data related to special education fiscal and program services, and to provide other pertinent information necessary for the operation of the Charter SELPA.

The Charter SELPA Administration supports all Charter LEAs in the Charter SELPA in their collection and reporting of required data.

The Charter SELPA Administration strives to support a system which is responsive to the data needs of Charter LEAs.
PROVISION FOR ONGOING REVIEW OF PROGRAMS

The State has in place a system for review of the special education programs in the Charter LEAs. It is the responsibility of the Charter SELPA to support the delivery of effective programs and services in its Charter LEAs to support a continuum of appropriate service options, to improve the quality of the programs offered, and to monitor them and participate in review processes, including the Key Performance Indicator, annual performance reports, the Procedural Safeguards, complaint processes and mediation and due process procedures, and other required State measures.

The Charter SELPA endeavors first to provide adequate information, resources and support to all its Charter LEAs so that they may deliver compliant, quality services. Further, the Charter SELPA Administration, under the direction of the Charter SELPA CEO Council and in conjunction with the CAC, and the informal advisement from the Charter SELPA Executive Committee, participates in all State review processes and any local review processes to ensure that appropriate and necessary services are offered for all children with disabilities and to support continuous improvement of those services.

The Charter SELPA ensures that adequate information related to all areas of compliance is available to all Charter LEAs.

Every Charter Member LEA ensures the availability of a full continuum of options, supplemental aids and services, and regionalized programs for all children with disabilities.

PROCESS FOR ALLOCATING PROGRAM SPECIALIST SERVICES THROUGHOUT THE REGION

The Charter SELPA employs Program Specialist(s). In addition, and in accordance with EC §56780, all coordination responsibilities for program specialist services as outlined are fully supported through the governance structure of the Charter SELPA. This includes the administrative staff, program specialist services, Charter Special Education Steering Committee, Charter SELPA Executive Committee, and Charter SELPA CEO Council. Openings for Program Specialist positions are advertised, and the selection processes conducted are consistent with FCSS hiring practices.

Duties of program specialists are those specified in EC §56368 and the Charter Local Plan:

A. Assist special education service providers, educational specialists, and designated instruction and service instructors in the planning and implementation of Individual Education Programs (IEPs) for students with disabilities.

B. Coordinate curricular resources in a manner to make them available and effective for personnel who are in need of these resources.

C. In conjunction with the SELPA Administrator/Designee, assess program effectiveness to promote the program for individuals with exceptional needs.

D. Participate in school staff development, research, program development, and innovation or special methods and approaches.
E. Provide coordination, consultation, and program development in areas to which the program specialist is assigned.

F. Under the direction of the SELPA Administrator/Designee, assure that pupils have a full educational opportunity, regardless of the district of residence in the Charter SELPA.

G. Participate in IEPs at the request of the Charter LEA or the parent.

H. Assist Charter LEAs with non-public, non-sectarian and state school placements when requested.

Safeguards for the assurance of appropriate use of regionalized funds are the responsibility of the SELPA Administrator and as approved by the governance structure. Program Specialist(s) are employed by the RLA and supervised by the SELPA Administrator/Designee.
Fresno County Charter SELPA Flowchart

CEO Council
Approves policies, administrative regulations, allocation plan, and material changes to Local Plan

FCSS Superintendent/Designee
Serves as Charter SELPA General Administrator

SELPA Administrator
(Provides admin support and recommendations to CEO Council with input from Executive Committee)

Membership Appeals Committee
(Formal committee that hears appeals for membership selection/termination)

Community Advisory Committee (CAC)
(Parent Advisory committee on special education issues – no binding authority; not subject to quorum or other requirements)

Executive Committee
(Informal advisory body to the Charter SELPA)

Fiscal Committee
(Communicates and informal fiscal contacts of CEO Council actions)

Steering Committee
(Advisory Committee to Director and Committee on general issues of importance to SELPA operation and services – no binding authority)

Selection Committee
(Approves admission of new charters to the Charter SELPA)
AGREEMENT FOR PARTICIPATION
FRESNO COUNTY CHARTER SELPA

The Fresno County Charter Special Education Local Plan Area (Charter SELPA) as authorized by the California State Board of Education (SBE) assists Central California charter schools that have successfully completed the Charter SELPA membership process and have signed this Agreement for Participation (Agreement) which are deemed Local Educational Agencies pursuant to EC §47641, in meeting their obligations to provide special education and related services (each term as defined in 20 United States Code (U.S.C.) Section 1401 and the applicable rules, regulations and interpretive guidance issued thereunder and collectively referred to as Services) to applying or enrolled students actually or potentially entitled to services under applicable State and Federal laws and regulations (Students). Charter SELPA Membership also ensures compliance with the Charter LEA obligations under EC §56195, et. seq.

It is the goal of the Charter SELPA that all charter pupils with exceptional needs within the Charter SELPA receive appropriate special education programs. It is the intent of the Charter SELPA that special education programs be coordinated and operated in accordance with the governance structure.

The respective Charter LEAs who are signatories hereto, the Fresno County Superintendent of Schools (FCSS), and the Charter SELPA, mutually agree as follows:

DEFINITIONS

LEA: Local Educational Agency. As described in EC §56026.3, this term shall refer to a specific LEA Member Charter School or Charter School development organization as appropriate.

AU: Administrative Unit. Federal Regulations use this term. California Education Code uses the term Responsible Local Agency (RLA). For purposes of this Agreement, FCSS shall be the AU for the Charter SELPA. The term AU and RLA are interchangeable.

RLA: Responsible Local Agency, as described in EC §56030. Federal Regulations use the term Administrative Unit or AU. For purposes of this Agreement, FCSS shall be the RLA for the Charter SELPA. The term AU and RLA are interchangeable.

Charter SELPA Administration: The Charter SELPA Administration includes the Charter SELPA staff charged with administering the program and fiscal compliance requirements. Staff may include, but is not limited to, the Administrator, Coordinators, Program Specialists, Program Managers, Accountants, and other positions as may be necessary.

Charter SELPA CEO Council: The Charter SELPA CEO Council is composed of a representative from each Charter LEA in the Charter SELPA at the Chief Executive Officer level. Organizations that operate more than one Charter School at their option may have a single representative for all LEAs operated, but such representative shall have a number of votes equal to the number of LEAs represented. This group would meet regularly with the County Superintendent of Schools/Designee to direct and supervise the implementation of the Charter Local Plan.
Charter SELPA Executive Committee: The Charter SELPA Executive Committee is comprised of representatives from the Charter SELPA CEO Council and shall include the Fresno County Superintendent and/or staff designees.

Efforts will be made to ensure the committee has broad representation in a variety of areas such as various geographical areas of the Charter SELPA, CMO representation, single charter, large charter, small charter, original founding members and new members. This committee serves as an informal advisory body to the Charter SELPA.

Charter Special Education Steering Committee: The Charter Special Education Steering Committee serves in an advisory capacity to the SELPA Administrator. Each Charter School is entitled to select one representative for this committee, either a teacher or an administrator. Representatives commit to a full year of service, which would include meeting regularly for the purpose of advising the SELPA Administrator and receiving and disseminating direct program/instructional information.

Special Education Community Advisory Committee: Each Charter LEA shall select a parent representative to participate in the Special Education Community Advisory Committee to serve staggered terms in accordance with EC §56191 for a period of at least two years. Selected parents will be the parent of a child with a disability. This group will advise the SELPA Administrator on the implementation of the Charter SELPA Local Plan for Special Education in Charter Schools (“Local Plan”) as well as provide local parent training options in accordance with the duties, responsibilities and requirements of EC §§56190-56194.

Because of the geographic diversity anticipated within the Charter SELPA, meetings may be conducted through the use of teleconferencing or video conferencing. For the purposes of this section, “teleconference” means a meeting where the members are in different locations, connected by electronic means, through either audio or video, or both.

Individualized Education Program (IEP): The IEP is a plan that describes the child's current abilities, sets annual goals and instructional objectives, and describes the educational services needed to meet these goals and objectives in accordance with EC §56032.

IEP Team: The IEP Team is a group of team members, as defined in EC §56341, who meet for the purpose of determining student eligibility for special education and developing, reviewing, or revising a pupil's IEP and recommendations for placement.

**CHARTER LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES AND DUTIES**

Each Charter LEA agrees that it is subject to the following responsibilities and duties under this Agreement, all adopted Charter SELPA policies and procedures, the Charter Local Plan, and governing State and Federal laws and regulations (collectively, LEA Member Obligations), compliance with which is a condition precedent to membership, and continuing membership, in the Charter SELPA, and these responsibilities and duties cannot be delegated to another entity.

The Charter LEA as a participant in the Charter Local Plan shall perform the following and be exclusively responsible for all costs, charges, claims and demands arising out of, or related to, its own pupils and its respective programs operated by the Charter LEA:
A. Adhere to the Charter Local Plan, Charter Policies and Procedures as adopted by the Charter SELPA CEO Council;

B. Select, compensate and determine the duties of the special education teachers, instructional aides, and other personnel as required to conduct the program specified in the Charter Local Plan, and in compliance with State and Federal mandates (Charter LEAs may contract for these services);

C. Conduct and/or contract those programs operated by the Charter LEA in conformance with the Charter Local Plan and the State and Federal mandates;

D. Organize and administer the activities of the IEP Teams, including the selection of the Charter LEA staff and who will serve as members of the IEP Team in conformance with EC Section 56341 and in compliance with the Charter Local Plan;

E. Organize and maintain the activities of the Resource Specialist Program in conformance with EC §56362; the designated instruction and service in conformance with EC §56363; and special classes and centers in conformance with EC §§56364.1 and 56364.2; and in compliance with the Charter Local Plan;

F. Provide facilities as required to house the programs conducted by the Charter LEA;

G. Provide for the acquisition and distribution of the supplies and equipment for the programs conducted by the Charter LEA;

H. Provide and/or arrange for such transportation services as may be required to provide the special education programs specified that are conducted by the Charter LEA;

I. Cooperate in the development of curricula for the classes and the development of program objectives with the Charter SELPA. Cooperate in the evaluation of the programs as specified in the Charter Local Plan with the Charter SELPA;

J. Cooperate in the development of the procedures and methods for communicating with the parents and/or legal guardians of the individuals served in conformance with the provisions of the Charter Local Plan with the Charter SELPA;

K. Provide for the documentation and reporting of assessment procedures used for the placement of individuals and the security thereof. Provide for the continuous review of placements and the assessment procedures employed to ensure their effectiveness and applicability, and ensure the continued implementation and compliance with eligibility criteria;

L. Provide for the integration of individuals educated under this agreement into the general education school programs and provide for evaluating the results of such integration according to specifications of the Charter Local Plan;

M. Conduct the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the Charter Local Plan;
N. Prepare and submit all required reports, including reports on student enrollment, program
expenditures, and program evaluation;

O. Designate a person to represent the Charter LEA on the Charter Special Education Steering Committee to monitor the implementation of the Charter Local Plan and make necessary recommendations for changes and/or modifications;

P. Designate a representative for the Charter LEA to serve on the Special Education Community Advisory Committee, in accordance with EC §§56192-56193 and pursuant to the procedures established in the Charter Local Plan;

Q. Designate the Charter LEA Superintendent/CEO or School Leader to represent the Charter LEA on the Charter SELPA CEO Council to supervise and direct the implementation of the Charter Local Plan;

R. Receive special education funding from the RLA in accordance with the Charter SELPA’s Funding Allocation Plan. It is understood that except as otherwise may be specifically agreed from time to time, the RLA shall have no responsibility for the operation of any direct educational program service of any kind.

S. Provide the Charter SELPA, on an annual basis, with the Charter LEA’s annual audit report, as conducted according to EC §47605(b)(5)(l). This submission shall be made annually, no later than January 31st. The Charter LEA further agrees to forward the Charter SELPA copies of the State Controller’s Office communications regarding the audit report corrective actions and a corrected audit report, if applicable. Should a Charter LEA be the subject of a Fiscal Crisis and Management Assistance Team (FCMAT) report (or other agency review) that indicates concern with inappropriate use of funds, financial insolvency concerns, or operational concerns, the Charter LEA shall notify the Charter SELPA and provide the Charter SELPA with a copy of the report.

T. Indemnify and hold harmless the Fresno County Office of Education (FCOE), the Fresno County Board of Education, the Fresno County Superintendent of Schools (FCSS), the Charter SELPA, and attorneys hereby collectively referred to jointly as “SELPA”, and all of their officers, directors, employees, agents, and representatives and attorneys against any and all claims, losses, penalties, fines, forfeitures, judgments, reasonable attorney’s fees, and related litigation costs, fees, and expenses and amounts actually and reasonably incurred in settlement that result from any act or omission by or on behalf of Member by SELPA under this Agreement, unless the act or omission constitutes gross negligence, willful misconduct, or breach of fiduciary duty by any officer, director, partner, agent, or employee of SELPA in connection with SELPA’s performance under this Agreement and the amounts would not have been covered under Members’ insurance that result from any act or omission constituting gross negligence or willful misconduct by any officer, director, or employee of the Charter SELPA in connection with the Charter SELPA’s performance under this agreement.

A Charter LEA Member contracting for external services, consistent with the definition, shall do so only with a duly licensed and authorized entity or individual. The contract for services executed by the Charter LEA and the external consultant or contractor shall include a clause stating the contractor or consultant agrees to defend and indemnify the Charter LEA, the Charter SELPA, RLA, the Superintendent, and other indemnified parties in response to any claim arising from the contractor’s or consultant’s actual or alleged failure to provide
services in conformity with these obligations.

With respect to external services and/or student placements, the Charter LEA shall affirmatively monitor, assess, and to the extent necessary, intervene or manage such external placements or services in conformity to ensure that the Charter LEA’s obligations to the student are still being met.

CHARTER SPECIAL EDUCATION LOCAL PLAN AREA DUTIES AND RESPONSIBILITIES

Charter LEAs shall comply with all State and Federal laws and regulations. Pursuant to the provisions of California Education Code, the Charter SELPA shall receive and distribute regionalized service funds, provide administrative support, and coordinate the implementation of the Charter Local Plan. In addition, the Charter SELPA shall perform such services and functions as required to accomplish the goals set forth in the Charter Local Plan. Such services include, but are not limited to, the following:

A. Act as agent for Charter LEAs as specified in the Charter Local Plan. Receive, compile and submit required enrollment reports and compute all special education apportionments as authorized under EC §56836 et seq. Receive data from each Charter LEA to compile and submit budgets for the programs and monitor the fiscal aspects of the program conducted. Receive the special education apportionments of regionalized services as authorized under EC §56836.02;

B. Coordinate with Charter LEAs in the development and implementation of a systematic method for referring and placing individuals with exceptional needs who reside within the Charter LEA, including the methods and procedures for communication with the parents and/or guardians of the individuals according to procedures in the Charter Local Plan;

C. Coordinate the development and implementation of curriculum and program objectives and provide for continuous evaluation of the special education programs in accordance with the Charter Local Plan;

D. Coordinate the organization and maintenance of the CAC as part of the responsibility of the Charter SELPA to coordinate the implementation of the Charter Local Plan pursuant to California Education Code. Provide for the attendance of designated members of the Charter SELPA’s staff at all regularly scheduled CAC meetings;

E. Coordinate community resources with those provided by Charter LEAs and the Charter SELPA, including providing such contractual agreements as may be required;

F. Organize and maintain the Charter Special Education Steering Committee to monitor the operations of the Charter Local Plan and make recommendations for necessary revisions, including, but not limited to, the following:

1. Monitoring the application of eligibility criteria throughout the Charter Local Plan area;

2. Coordinating the implementation of the transportation for special education pupils;
3. Coordinating the system of data collection, management, and evaluation;

4. Coordinating professional development and curriculum development for special education, including alternative dispute resolution;

5. Coordinating the identification, referral, assessment, instructional planning, and review procedures, including the communication with parents and/or legal guardians regarding rights and responsibilities for special education;

6. Developing interagency referral and placement procedures; and

7. Evaluating the effectiveness of special education programs.

G. Support the Charter SELPA CEO Council by attendance and participation of the County Superintendent/Designee and the SELPA Administrator at meetings;

H. Provide for regular in-service training for the Charter SELPA and Charter LEA staff responsible for the operation and conduct of the Charter Local Plan. Regular in-service training may also be provided to CAC representatives;

I. Provide the method and the forms to enable the Charter LEA to report to the Charter SELPA on student enrollment and program expenditures. Establish and maintain a pupil information system;

J. Provide reasonable assistance to the Charter LEA upon request from Charter LEA administration, or individual cases, including but not limited to the following:

   1. Complaint issues;
   2. Hearing issues; and
   3. Identification of appropriate programs for specific pupils.

K. Perform other services reasonable and necessary to the administration and coordination of the Charter Local Plan;

L. Receive special education funding and distribute funds in accordance with the Charter SELPA Funding Allocation Plan.

M. Schedule a public hearing at the Fresno County Office of Education for purposes of adopting the Annual Service Plan and Annual Budget Plan.

**PROVISIONS OF THE AGREEMENT**

A. Consistent with this Agreement, each Charter LEA shall have full and exclusive authority and responsibility for classifying employment positions within its respective Charter LEA.

B. No Charter LEA may enter into any agreement, Memorandum of Understanding (MOU) or other undertaking that would bind or limit independent decision making on the same or similar matters by any other Charter LEA.
C. The managerial prerogatives of any participating Charter LEA shall not be infringed upon by any other participating Charter LEA except upon mutual consent of an affected Charter LEA(s), or unless as otherwise set forth by this Agreement.

D. Any Charter LEA may terminate its Charter SELPA membership at the end of the fiscal year next occurring after having provided twelve months prior written notice as follows:

1. Prior initial written notice of intended termination to the Charter SELPA of at least one year, and

2. Final written notice of termination to the Charter SELPA no more than six months after the Charter LEA’s initial notice of intended termination.

The Fresno County Superintendent of Schools may terminate any Charter LEA’s Charter SELPA membership at the end of the fiscal year next occurring after having provided twelve months prior written notice as follows:

1. Prior initial written notice of intended termination to the Charter LEA of at least one year, and

2. Final written notice of termination to the Charter LEA no more than six months after the RLA’s initial notice of intended termination.

The Charter SELPA, notwithstanding anything contained herein to the contrary, in its sole discretion, may initiate and complete the termination process, as provided for herein, in accordance with standards and a reasonable summary timeline as determined by the Charter SELPA. The summary standards and timeline as determined by the Charter SELPA shall, at a minimum, provide a Charter LEA a reasonable opportunity for prior written notice and an opportunity to be heard. Specifically, the timeline and appeal process above does not preclude the Charter SELPA from initiating and completing the termination process in less than 12 months or by June 30th of the year immediately preceding the summary termination, if the member demonstrates the following:

1. Disregard of State and Federal requirements to provide services to students, and/or

2. Demonstrated systemic and material issues that would cause the Charter SELPA to make a finding of “going concern” based on leadership, programmatic and/or fiscal solvency that would cause the Charter SELPA to believe the Charter SELPA would be harmed by the continued membership of the LEA.

E. Funding received by a Charter LEA is subject to the elements of the Charter Funding Allocation Plan. The Charter Funding Allocation Plan is updated on an as-needed basis and approved by the Charter SELPA CEO Council. Funding may be subject to administrative fees, set-aside provisions, differentiated funding in year one and year two, and potential recapture provisions if funds are not spent. All of these details are outlined in the Charter Funding Allocation Plan document. By signing this document, participants agree to the provisions of the Charter Funding Allocation Plan.

F. In accordance with their needs, the Charter LEAs and the Charter SELPA shall continue to manage and operate programs in their respective Charter LEAs in accordance with EC
§56172.

G. The Charter SELPA CEO Council shall have the responsibility and right to monitor and correct any special education matter which affects the Charter SELPA. The Charter SELPA staff shall be responsible for coordinating and informing the appropriate governance committee(s) on any such matter.

H. The Charter LEAs and the Charter SELPA will maintain responsibility for program administration for the service they provide. All administrative requirements that govern that unit will be in effect regarding special education services. The Superintendent and/or Administrators of Special Education in each Charter LEA and in the Charter SELPA will be responsible for the daily operation of their respective programs.

I. The student program placement is and shall remain the responsibility of the respective Charter LEA. Student admission and transfer shall be determined in accordance with the respective Charter LEA, Charter SELPA, and the FCSS’ procedures established in accordance with the identification, assessment, instructional planning and placement set forth in the Charter Local Plan. Nothing contained herein shall be interpreted as providing automatic transfer rights to parents or students. The charter enrolling any pupil shall have the exclusive right to approve placement in any other agency. Each Charter LEA of service shall have the right to determine if such Charter LEA is able to provide a Free Appropriate Public Education for the pupil.

J. Supervision and other incidents of employment of special education staff will be the responsibility of the respective Charter LEA or the Charter SELPA. Each Charter LEA and the Charter SELPA shall have full exclusive and independent control over the development, change, implementation and application of all evaluation procedures of their respective Charter LEA or in the Charter SELPA as the case may be. All Charter LEAs shall have full and exclusive authority to recruit, interview, and hire special education staff as needed by such Charter LEA Member to provide continuity and service to their special education students.

K. The Charter SELPA CEO Council shall approve Charter SELPA policies, administrative regulations, the Charter Funding Allocation Plan and material changes to the Charter Local Plan. The Charter SELPA CEO Council shall meet the legal requirement of conducting a public hearing and adopting the Annual Service Plan and Annual Budget Plan.

WARRANTIES AND REPRESENTATIONS

As a condition of membership, each Charter LEA warrants and represents that at no time during such Charter LEA’s membership in the Charter SELPA shall any such Charter LEA, directly or indirectly, provide special education funding for the benefit of a for-profit entity. All funding provided through the Charter SELPA shall be treated as a restricted funding source to be expended only for special education and related services. Nothing contained herein shall be interpreted as prohibiting any Charter LEA from expending funds for certified agency or certified non-public school purposes for the benefit of children served, in accordance with the approved Master Contract as noted in EC.
STANDARD OF CONDUCT

Each Charter LEA, at all times, shall conduct itself in such a manner as to act in the best interests of all other Charter SELPA members. Charter LEAs shall not engage in any activity or enterprise which would tend to injure or expose the Charter SELPA or any of its members to any significant risk of injury or any kind. No Charter LEA shall undertake to independently act on behalf of the Charter SELPA or any of its members without express written authorization of the Charter SELPA.

RESERVATION OF RIGHTS

The RLA and Charter SELPA shall not be responsible for any Charter LEA or Charter SELPA obligations or duties of any kind or nature except as explicitly set forth in this agreement.

INDEMNIFICATION AND HOLD HARMLESS

To the fullest extent allowed by law, each Charter LEA agrees to defend, indemnify, and hold harmless the Charter SELPA and its individual other Members, the Fresno County Superintendent of Schools, and each of their respective directors, officers, agents, employees, and volunteers (the Indemnified Parties), from any claim or demand, damages, losses or expenses (including, without limitation, reasonable attorney fees) that arises in any manner from an actual or alleged failure by a Charter LEA Member to fulfill one or more of the Charter LEA Member’s obligations except to the extent that such suit arises from the RLA’s negligence. Further, the Charter SELPA shall be responsible for holding harmless and indemnifying the RLA for any costs of any kind or nature arising out of or related to this agreement other than as specifically contemplated herein, except to the extent that such cost arises from the RLA’s negligence.

FULL DISCLOSURE

Except as otherwise prohibited by law, upon request by the Charter SELPA or any of its members, a Charter LEA shall provide any requested information, documents, writings or information of any sort requested without delay.

DISPUTE RESOLUTION PROCESS POLICY

A. Rationale

In order to ensure the continual delivery of quality services to children with disabilities, a process for dispute resolution over the responsibility for service provision, governance activities, program transfer, or the distribution of funding must be in place.

B. Policy Statement

If a dispute arises over the responsibility for service provision, governance activities, program transfer, or the distribution of funding or if a Charter LEA, group of Charter LEAs, or FCSS believes that an action taken by the Charter SELPA CEO Council will create an
undue hardship on the member(s) or FCSS, or that the action taken exceeds the authority granted the Charter SELPA CEO Council within the Charter Local Plan and/or State or Federal statute, the aggrieved Charter LEA(s) or FCSS may request a review of the action at each level of the committee structure.

The following committees may review and provide recommendations to the Charter SELPA CEO Council:

1. Charter SELPA Steering Committee (limited to issues relating to service provisions)

2. Charter SELPA Executive Committee

The Alternative Dispute Resolution process and techniques are available in the Charter SELPA, and the Solutions Panel model could and would be applied upon request of any parties.

Upon exhaustion of the review procedure as provided for herein, any Charter LEA may appeal to an Ad Hoc Committee made up of the following:

1. County Superintendent’s Designee

2. Charter SELPA CEO

3. CEO of a Charter School selected by the County Superintendent’s designee and the Charter SELPA CEO. The CEO of a charter school does not have to be a member of the Charter SELPA.

The Ad Hoc Committee for resolving the conflict shall decide the matter at their discretion by a majority vote of Ad Hoc Committee members present and whose decision is final. No written record, findings of fact, nor conclusions of law shall be required of the Ad Hoc Committee. The decision of the Ad Hoc Committee shall be communicated with the parties involved and the Charter SELPA CEO Council at the next regularly scheduled meeting.

**Representations and Warranties**

1. Representations and Warranties:

As an inducement to, and in consideration for entering into this Agreement, the Charter SELPA and RLA specifically relies on the following express warranties and representations by Charter LEA which Charter LEA representative(s) who, by their signatures affixed below, declare that the following statements are true and correct:

For purposes of these representations and warranties, the Charter LEA may refer to an organization that manages and develops charter schools, but such representations and warranties shall only extend to the specific charter schools that are to be members of the Charter SELPA.

1. Except as set forth on attached Exhibit A, as of the date signed below:
a. To the knowledge of Charter LEA, neither Charter LEA nor any of its officers, employees, agents or representatives have any lawsuit or legal action of any kind, including bankruptcy, pending or threatened against them.

b. Charter LEA officers, employees, agents and/or representatives of the charter school adhere to California laws and regulations related to conflict of interest provisions. Exhibit A (Representations and Warranties):

1. Material Pending or Threatened Litigation, Claims and Assessments: Charter LEA hereby represents and warrants that it has no material pending or threatened litigation, claims and assessments (excluding unasserted claims and assessments) against the Charter LEA or any of its officers, agents, employees, or representatives. The term “material” used herein means items involving amounts exceeding $10,000 individually or in the aggregate.
CHAPTER IV POLICIES/PROCEDURES

The Charter SELPA has adopted Policies and Administrative Regulations as outlined on the list herein. The Policies set forth in full within this document are included to fulfill the Charter Local Plan document requirements.

Changes to Policies may be approved at any Charter SELPA CEO Council meeting, as long as Brown Act notice requirements have been met.

Fresno County Charter SELPA Policies and Administrative Regulations

1. Comprehensive Plan for Special Education CEOP AR
2. Identification and Evaluation of Individuals for Special Education CEOP AR
3. Individualized Education Program CEOP AR
4. Procedural Safeguards and Complaints for Special Education CEOP AR
5. Confidentiality of Student Records CEOP AR
6. Part C – Transition CEOP
7. Students with Disabilities Enrolled by their Parents in Private Schools CEOP
8. Compliance Assurances CEOP
9. Governance CEOP AR
10. Personnel Qualifications CEOP AR
11. Performance Goals and Indicators CEOP
12. Participation in Assessments CEOP AR
13. Supplementation of State and Federal Funds CEOP
14. Maintenance of Effort CEOP AR
15. Public Participation CEOP
16. Suspension/Expulsion CEOP AR
17. Access to Instructional Materials CEOP
18. Over Identification and Disproportionality CEOP
19. Prohibition of Mandatory Medicine CEOP
20. Data CEOP
21. Literacy CEOP
22. Admission of LEAs to the Charter SELPA CEOP AR
23. Behavioral Interventions for Special Education Students CEOP AR
25. Conflict of Interest CEOP
26. Termination of Membership CEOP
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

ITEM 11
CALIFORNIA STATE BOARD OF EDUCATION

MAY 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 1,860 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 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 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>1861</td>
<td>7/1/2017–6/30/2022</td>
<td>PACE Academy</td>
<td>Shasta</td>
<td>Enterprise Elementary</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1862</td>
<td>7/1/2017–6/30/2022</td>
<td>Uplift California</td>
<td>Santa Barbara</td>
<td>Cuyama Joint Unified</td>
<td>Nonclassroom-Based</td>
</tr>
<tr>
<td></td>
<td></td>
<td>High School</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1863</td>
<td>7/1/2016–6/30/2019</td>
<td>WISH Academy High School</td>
<td>Los Angeles</td>
<td>Los Angeles Unified</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1864</td>
<td>7/1/2017–6/30/2022</td>
<td>Redding Collegiate</td>
<td>Shasta</td>
<td>Enterprise Elementary</td>
<td>Nonclassroom-Based</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Academy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1865</td>
<td>7/1/2017–6/30/2022</td>
<td>RISE High</td>
<td>Los Angeles</td>
<td>Wiseburn Unified</td>
<td>Nonclassroom-Based</td>
</tr>
<tr>
<td>1866</td>
<td>7/1/2017–6/30/2022</td>
<td>Stella Elementary</td>
<td>Los Angeles</td>
<td>Los Angeles Unified</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Charter Academy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1867</td>
<td>7/1/2017–6/30/2022</td>
<td>Legacy Academy</td>
<td>Santa Clara</td>
<td>Santa Clara County Office of Education</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1868</td>
<td>7/1/2017–6/30/2022</td>
<td>KIPP K–8 Charter</td>
<td>San Mateo</td>
<td>Ravenswood City Elementary</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>
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</tr>
<tr>
<td>1869</td>
<td>3/1/2017–3/1/2022</td>
<td>Tree of Life International Charter School</td>
<td>Shasta</td>
<td>Cascade Union Elementary</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1870</td>
<td>7/1/2017–6/30/2022</td>
<td>Global Learning Charter School</td>
<td>Tulare</td>
<td>Visalia Unified</td>
<td>Classroom-Based</td>
</tr>
<tr>
<td>1871</td>
<td>7/1/2017–6/30/2022</td>
<td>Long Valley Charter School–Susanville</td>
<td>Lassen</td>
<td>Ravendale-Termo Elementary</td>
<td>Nonclassroom-Based</td>
</tr>
<tr>
<td>1872</td>
<td>7/1/2017–6/30/2019</td>
<td>School of Universal Learning–SOUL Charter School</td>
<td>San Diego</td>
<td>San Diego County Office of Education</td>
<td>Classroom-Based</td>
</tr>
</tbody>
</table>
ITEM 12
CALIFORNIA STATE BOARD OF EDUCATION

MAY 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 nonclassroom-based charter schools as provided in Attachment 1.

Advisory Commission on Charter Schools Recommendation

The ACCS met on April 5, 2017, and voted unanimously to approve the CDE recommendation that the SBE approve the determinations of funding and the periods specified for the 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 is one charter school that is in its first year of operation. The CDE recommends two years for the 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 40 charter schools that are requesting a determination of five years. The CDE recommends five years for three charter schools that meet the API requirement. The CDE recommends four years for 32 charter schools that do not meet the API requirement and have been in operation for three or more years, and three years for eight charter schools that have been in operation for less than three years. The CDE also recommends four years for one charter school that is requesting four years; three years for two charter schools requesting three years; and two years for two charter schools requesting two years.

The funding determination requests are provided in Attachments 2 through 50 of Agenda Item 01 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/accsnotice040517.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 (9 Pages)
## California Department of Education

**Determination of Funding Recommendation for Nonclassroom-based Charter Schools**

**Newly Operational 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>
<th>Funding Determination and Years Requested by Charter School</th>
<th>CDE Recommendation Funding Determination and Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>13-10132-0134379</td>
<td>Imperial County Office of Education</td>
<td>Imperial</td>
<td>Imperial Pathways Charter (1815)</td>
<td>2016–17</td>
<td>63.90%</td>
<td>80.75%</td>
<td>28:1</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 (5 CCR) Section 11963.4 requires the ratio of average daily attendance for independent study pupils to full-time certificated employees responsible for independent study to not exceed a pupil-teacher ratio of 25:1 or the equivalent ratio of pupils to full-time certificated employees for all other educational programs operated by the largest unified school district, as measured by average daily attendance (ADA), in the county or counties in which the charter school operates. Calexico Unified has the largest ADA in Imperial County with a pupil-teacher ratio of 34:1.

*5 CCR 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(^{\text{a}})</th>
<th>Percent Spent on Instruction and Instruction-Related Services(^{\text{a}})</th>
<th>Pupil-Teacher Ratio(^{\text{a}})</th>
<th>Funding Determination and Years Requested by Charter School</th>
<th>CDE Recommendation Funding Determination and Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>05-10058-0530154</td>
<td>Calaveras County Office of Education</td>
<td>Calaveras</td>
<td>Mountain Oaks (0527)</td>
<td>2001–02</td>
<td>43.80%</td>
<td>80.74%</td>
<td>24:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td><strong>100% for 4 Years (2017–18 through 2020–21)</strong></td>
</tr>
<tr>
<td>10-10108-0109991</td>
<td>Fresno County Office of Education</td>
<td>Fresno</td>
<td>Crescent View West Charter (0746)</td>
<td>2005–06</td>
<td>43.15%</td>
<td>80.32%</td>
<td>16.3:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td><strong>100% for 4 Years (2017–18 through 2020–21)</strong></td>
</tr>
<tr>
<td>10-62331-0127175</td>
<td>Orange Center</td>
<td>Fresno</td>
<td>California Virtual Academy @ Fresno (1492)</td>
<td>2012–13</td>
<td>41.97%</td>
<td>92.18%</td>
<td>18.44:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td><strong>100% for 4 Years (2017–18 through 2020–21)</strong></td>
</tr>
<tr>
<td>15-63628-0127183</td>
<td>Maricopa Unified</td>
<td>Kern</td>
<td>California Virtual Academy @ Maricopa (1490)</td>
<td>2012–13</td>
<td>41.28%</td>
<td>91.82%</td>
<td>19.15:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td><strong>100% for 4 Years (2017–18 through 2020–21)</strong></td>
</tr>
<tr>
<td>15-63628-0127209</td>
<td>Maricopa Unified</td>
<td>Kern</td>
<td>Insight School of California (1491)</td>
<td>2012–13</td>
<td>40.01%</td>
<td>80.20%</td>
<td>17.28:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td><strong>100% for 4 Years (2017–18 through 2020–21)</strong></td>
</tr>
<tr>
<td>16-63875-0101717</td>
<td>Armona Union Elementary</td>
<td>Kings</td>
<td>Crossroads Charter (0571)</td>
<td>2003–04</td>
<td>46.72%</td>
<td>80.64%</td>
<td>10.75:1</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>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 Certified Staff Compensation^</td>
<td>Percent Spent on Instruction and Instruction-Related Services^</td>
<td>Pupil-Teacher Ratio^</td>
<td>Funding Determination and Years Requested by Charter School</td>
<td>CDE Recommendation Funding Determination and Years</td>
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<tr>
<td>16-63958-0132860</td>
<td>Kit Carson Union Elementary</td>
<td>Kings</td>
<td>Kings Valley Academy (1766)</td>
<td>2015–16</td>
<td>40.51%</td>
<td>80.18%</td>
<td>15.9:1</td>
<td>100% for 4 Years (2017–18 through 2020–21)</td>
<td>*100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>18-64162-6010763</td>
<td>Ravendale-Termo Elementary</td>
<td>Lassen</td>
<td>Long Valley Charter (1549)</td>
<td>2013–14</td>
<td>48.29%</td>
<td>80.48%</td>
<td>17:1</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>19-64246-1996537</td>
<td>Antelope Valley Union High</td>
<td>Los Angeles</td>
<td>Desert Sands Charter (0411)</td>
<td>2001–02</td>
<td>40.07%</td>
<td>84.20%</td>
<td>21.2:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>**100% for 4 Years (2017–18 through 2020–21)</td>
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<tr>
<td>19-64725-0131938</td>
<td>Long Beach Unified</td>
<td>Los Angeles</td>
<td>Clear Passage Educational Center (1682)</td>
<td>2015–16</td>
<td>85.52%</td>
<td>82.99%</td>
<td>11.41:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>*100% for 3 Years (2017–18 through 2019–20)</td>
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<tr>
<td>19-64857-0112714</td>
<td>Palmdale Elementary</td>
<td>Los Angeles</td>
<td>Antelope Valley Learning Academy (0841)</td>
<td>2006–07</td>
<td>40.63%</td>
<td>82.20%</td>
<td>21.5:1</td>
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<td>**100% for 4 Years (2017–18 through 2020–21)</td>
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<tr>
<td>19-64881-0118075</td>
<td>Pasadena Unified</td>
<td>Los Angeles</td>
<td>Learning Works (1031)</td>
<td>2008–09</td>
<td>58.53%</td>
<td>80.28%</td>
<td>25:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>**100% for 4 Years (2017–18 through 2020–21)</td>
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<tr>
<td>19-65136-0114439</td>
<td>William S. Hart Union High</td>
<td>Los Angeles</td>
<td>Mission View Public (0888)</td>
<td>2007–08</td>
<td>41.47%</td>
<td>81.57%</td>
<td>20:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>**100% for 4 Years (2017–18 through 2020–21)</td>
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<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^</td>
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<td>Funding Determination and Years Requested by Charter School</td>
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<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>53.13%</td>
<td>80.73%</td>
<td>13:1</td>
<td>100% for 5 Years (2017‒18 through 2021‒22)</td>
<td>*100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>19-75309-0131540</td>
<td>Acton-Agua Dulce Unified</td>
<td>Los Angeles</td>
<td>Method Schools K-8 (1698)</td>
<td>2015–16</td>
<td>119.73%</td>
<td>127.80%</td>
<td>10:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>*100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>19-75309-0131557</td>
<td>Acton-Agua Dulce Unified</td>
<td>Los Angeles</td>
<td>Method Schools High (1697)</td>
<td>2015–16</td>
<td>165.20%</td>
<td>130.70%</td>
<td>5:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>*100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>19-75309-0132654</td>
<td>Acton-Agua Dulce Unified</td>
<td>Los Angeles</td>
<td>Community Collaborative Charter (1751)</td>
<td>2015–16</td>
<td>47.47%</td>
<td>84.44%</td>
<td>24.35:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>*100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>20-75606-0132936</td>
<td>Chawanakee Unified</td>
<td>Madera</td>
<td>Chawanakee Academy Charter (1763)</td>
<td>2015–16</td>
<td>51.37%</td>
<td>80.56%</td>
<td>25:1</td>
<td>100% for 2 Years (2017–18 through 2018–19)</td>
<td>#100% for 2 Years (2017–18 through 2018–19)</td>
</tr>
<tr>
<td>30-66464-0106765</td>
<td>Capistrano Unified</td>
<td>Orange</td>
<td>Capistrano Connections Academy (0664)</td>
<td>2004–05</td>
<td>40.90%</td>
<td>87.27%</td>
<td>22.4:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>~100% for 5 Years (2017–18 through 2021–22)</td>
</tr>
<tr>
<td>33-10330-0128397</td>
<td>Riverside County Office of Education</td>
<td>Riverside</td>
<td>Come Back Kids (1568)</td>
<td>2013–14</td>
<td>55.30%</td>
<td>98.22%</td>
<td>25:1</td>
<td>100% for 2 Years (2017–18 through 2018–19)</td>
<td>#100% for 2 Years (2017–18 through 2018–19)</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(^\wedge)</td>
<td>Percent Spent on Instruction and Instruction-Related Services(^\wedge)</td>
<td>Pupil-Teacher Ratio(^\wedge)</td>
<td>Funding Determination and Years Requested by Charter School</td>
<td>CDE Recommendation Funding Determination and Years</td>
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</tr>
<tr>
<td>33-67116-0109843</td>
<td>Menifee Union Elementary</td>
<td>Riverside</td>
<td>Santa Rosa Academy (0730)</td>
<td>2005–06</td>
<td>51.02%</td>
<td>80.87%</td>
<td>19:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>~100% for 5 Years (2017–18 through 2021–22)</td>
</tr>
<tr>
<td>34-67421-0132019</td>
<td>Robla Elementary</td>
<td>Sacramento</td>
<td>Paseo Grande Charter (1727)</td>
<td>2015–16</td>
<td>65.28%</td>
<td>80.23%</td>
<td>7.8:1</td>
<td>100% for 4 Years (2017–18 through 2020–21)</td>
<td>*100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>34-67447-3430717</td>
<td>San Juan Unified</td>
<td>Sacramento</td>
<td>Visions In Education (0248)</td>
<td>1999–00</td>
<td>46.90%</td>
<td>81.61%</td>
<td>25:1</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>34-67447-3430758</td>
<td>San Juan Unified</td>
<td>Sacramento</td>
<td>San Juan Choices Charter (0275)</td>
<td>1999–00</td>
<td>60.62%</td>
<td>82.25%</td>
<td>16:1</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>34-76505-0114272</td>
<td>Twin Rivers Unified</td>
<td>Sacramento</td>
<td>SAVA: Sacramento Academic and Vocational Academy (0878)</td>
<td>2007–08</td>
<td>53.79%</td>
<td>90.78%</td>
<td>13.53:1</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>36-67876-3630993</td>
<td>San Bernardino City Unified</td>
<td>San Bernardino</td>
<td>Provisional Accelerated Learning Academy (0335)</td>
<td>2000–01</td>
<td>41.39%</td>
<td>80.60%</td>
<td>23.85:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>**100% for 4 Years (2017–18 through 2020–21)</td>
</tr>
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<tr>
<td>36-75044-0114389</td>
<td>Hesperia Unified</td>
<td>San Bernardino</td>
<td>Mirus Secondary (0885)</td>
<td>2007–08</td>
<td>44.80%</td>
<td>80.66%</td>
<td>22.03:1</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>36-75051-0115089</td>
<td>Lucerne Valley Unified</td>
<td>San Bernardino</td>
<td>Sky Mountain Charter (0905)</td>
<td>2007–08</td>
<td>49.85%</td>
<td>105.72%</td>
<td>20.39:1</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>37-67983-0117887</td>
<td>Borrego Springs Unified</td>
<td>San Diego</td>
<td>Juan Bautista de Anza (1021)</td>
<td>2008–09</td>
<td>41.23%</td>
<td>80.07%</td>
<td>24:1</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>37-68049-0127118</td>
<td>Dehesa Elementary</td>
<td>San Diego</td>
<td>The Heights Charter (1488)</td>
<td>2012–13</td>
<td>47.80%</td>
<td>82.53%</td>
<td>16.97:1</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>37-68049-0132506</td>
<td>Dehesa Elementary</td>
<td>San Diego</td>
<td>Inspire Charter School – South (1748)</td>
<td>2015–16</td>
<td>47.53%</td>
<td>105.67%</td>
<td>22.77:1</td>
<td>100% for 3 Years (2017–18 through 2019–20)</td>
<td>#100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>37-73791-0109785</td>
<td>San Marcos Unified</td>
<td>San Diego</td>
<td>Bayshore Preparatory Charter (0723)</td>
<td>2005–06</td>
<td>48.96%</td>
<td>80.31%</td>
<td>20:1</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>39-68627-0127191</td>
<td>New Jerusalem Elementary</td>
<td>San Joaquin</td>
<td>California Virtual Academy @ San Joaquin (1489)</td>
<td>2012–13</td>
<td>42.46%</td>
<td>91.51%</td>
<td>17.30:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>**100% for 4 Years (2017–18 through 2020–21)</td>
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<tr>
<td>39-68627-0133116</td>
<td>New Jerusalem Elementary</td>
<td>San Joaquin</td>
<td>Insight @ San Joaquin (1762)</td>
<td>2015–16</td>
<td>53.19%</td>
<td>89.08%</td>
<td>9.89:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>*100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>43-69427-4330676</td>
<td>East Side Union High</td>
<td>Santa Clara</td>
<td>San Jose Conservation Corps Charter (0425)</td>
<td>2002–03</td>
<td>42.06%</td>
<td>83.49%</td>
<td>25:1</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>45-10454-0132647</td>
<td>Shasta County Office of Education</td>
<td>Shasta</td>
<td>Shasta County Independent Study Charter (1757)</td>
<td>2015–16</td>
<td>57.80%</td>
<td>80.23%</td>
<td>22:1</td>
<td>100% for 3 Years (2017–18 through 2019–20)</td>
<td>#100% for 3 Years (2017–18 through 2019–20)</td>
</tr>
<tr>
<td>49-70730-6120588</td>
<td>Harmony Union Elementary</td>
<td>Sonoma</td>
<td>Pathways Charter (0492)</td>
<td>2002–03</td>
<td>60.99%</td>
<td>86.54%</td>
<td>18.8:1</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>49-70961-4930319</td>
<td>Twin Hills Union Elementary</td>
<td>Sonoma</td>
<td>Orchard View (0310)</td>
<td>2000–00</td>
<td>51.58%</td>
<td>81.32%</td>
<td>19.4:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>~100% for 5 Years (2017–18 through 2021–22)</td>
</tr>
<tr>
<td>50-71043-6120828</td>
<td>Ceres Unified</td>
<td>Stanislaus</td>
<td>Whitmore Charter School of Personalized Learning (0504)</td>
<td>2002–03</td>
<td>61.91%</td>
<td>83.10%</td>
<td>25:1</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>50-71068-5030267</td>
<td>Denair Unified</td>
<td>Stanislaus</td>
<td>Denair Charter Academy (0357)</td>
<td>2001–02</td>
<td>54.59%</td>
<td>82.75%</td>
<td>25:1</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>
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</tr>
<tr>
<td>50-75564-5030176</td>
<td>Oakdale Joint Unified</td>
<td>Stanislaus</td>
<td>Oakdale Charter (0103)</td>
<td>1996–97</td>
<td>77.57%</td>
<td>96.55%</td>
<td>23:1</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>50-75572-5030317</td>
<td>Waterford Unified</td>
<td>Stanislaus</td>
<td>Connecting Waters Charter (0477)</td>
<td>2002-03</td>
<td>53.31%</td>
<td>85.32%</td>
<td>22:1</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>51-71407-0109793</td>
<td>Marcum-Illinois Union Elementary</td>
<td>Sutter</td>
<td>South Sutter Charter (0724)</td>
<td>2005–06</td>
<td>57.25%</td>
<td>100.80%</td>
<td>22.47:1</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>54-72256-0109751</td>
<td>Visalia Unified</td>
<td>Tulare</td>
<td>Visalia Charter Independent Study (0720)</td>
<td>2005–06</td>
<td>54.19%</td>
<td>82.55%</td>
<td>19.9:1</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>54-75523-0114348</td>
<td>Porterville Unified</td>
<td>Tulare</td>
<td>Butterfield Charter High (0867)</td>
<td>2007–08</td>
<td>57.78%</td>
<td>84.04%</td>
<td>12.36:1</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>55-72363-0100099</td>
<td>Jamestown Elementary</td>
<td>Tuolumne</td>
<td>California Virtual Academy @ Jamestown (0495)</td>
<td>2002–03</td>
<td>43.99%</td>
<td>87.94%</td>
<td>15.82:1</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>56-10561-0109900</td>
<td>Ventura County Office of Education</td>
<td>Ventura</td>
<td>Vista Real Charter High (0735)</td>
<td>2005–06</td>
<td>40.28%</td>
<td>81.53%</td>
<td>18.98:1</td>
<td>100% for 5 Years (2017–18 through 2021–22)</td>
<td>**100% for 4 Years (2017–18 through 2020–21)</td>
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<tr>
<td>58-10587-5830112</td>
<td>Yuba County Office of Education</td>
<td>Yuba</td>
<td>Yuba County Career Preparatory Charter (0092)</td>
<td>1995–96</td>
<td>52.22%</td>
<td>81.99%</td>
<td>23:1</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>

^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 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 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.

~Education Code (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.
CALIFORNIA STATE BOARD OF EDUCATION

May 2017 AGENDA

SUBJECT
Local Control Funding Formula: Recommendation of the California Collaborative for Educational Excellence Fiscal Agent

SUMMARY OF THE ISSUE(S)

California Education Code (EC) Section 52074 (c) requires the State Superintendent of Public Instruction (SSPI), with approval of the State Board of Education (SBE), to contract with a local educational agency (LEA), or consortium of LEAs, to serve as the fiscal agent for the California Collaborative for Educational Excellence (CCEE). In May 2014, the SBE approved the Riverside County Office of Education (RCOE) to be the first fiscal agent for the CCEE. This contract is effective until June 30, 2017. In March 2017, the CDE distributed a Request for Information (Attachment 1) to all County and District Superintendents and Charter School Administrators with an interest in serving as the fiscal agent for the CCEE with a projected start date of July 1, 2017.

RECOMMENDATION

The CDE recommends that the SBE approve the LEA selected by the SSPI to serve as the fiscal agent for the CCEE, and authorize the CDE, in consultation with SBE staff and the CCEE Executive Director, to take any necessary action consistent with the SBE’s direction to execute a contract with the CCEE fiscal agent. The proposed LEA will be identified in an Item Addendum.

BRIEF HISTORY OF KEY ISSUES

The CCEE (EC Section 52074) provides advice and assistance to LEAs (charter schools, school districts, and county offices of education) in achieving the goals set forth in their Local Control and Accountability Plans (LCAP) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=52074).

The CCEE is governed by a board consisting of the following five members:

- The Superintendent or his or her designee
The president of the state board or his or her designee

- A county superintendent of schools appointed by the Senate Committee on Rules

- A teacher appointed by the Speaker of the Assembly

- A superintendent of a school district appointed by the Governor

As designated in LCFF statute, the SSPI shall, with approval of the SBE, contract with an LEA, or consortium of LEAs, to serve as the fiscal agent for the CCEE.

The fiscal agent will, at the direction of the CCEE governing board, provide administrative support to the CCEE as necessary and appropriate to further the purposes of the CCEE (Attachments 1 and 2).

In March 2017, the CDE distributed a Request for Information (Attachment 1) to all County and District Superintendents and Charter School Administrators seeking potential candidate LEAs interested in serving as the fiscal agent for the CCEE. At the time that this item is being developed, the CDE has received four responses from LEAs interested in serving as fiscal agent of the CCEE. CDE staff will review the letters and conduct four follow-up interviews to gain additional information about capacity to serve as the fiscal agent in collaboration with the CCEE Executive Director and CCEE staff. Responses to the Request for Information and the interviews will provide a basis for the selection of the fiscal agent (Attachment 2).

With approval from the SBE and in consultation with SBE and CCEE staff, the SSPI will execute a contract with the selected fiscal agent. Contract language may address the following duties, responsibilities, procedures and processes:

- Serve as the employer of the individuals selected by the CCEE Governing Board and provide the necessary administrative/personnel support;

- Perform administrative functions at the direction of the CCEE Executive Director and staff with respect to independent contractors and vendors; including, but not limited to, contract drafting and maintenance of accounts payable and accounts receivable;

- Provide fiscal oversight of CCEE funds including monitoring of compliance with statutory programmatic requirements and, in conjunction with the CCEE Executive Director and staff, making budgetary reports to the CCEE Governing Board as required;

- Provide records management at the request of CCEE Executive Director or staff for all facets of CCEE administration, including both electronic and physical storage and maintenance; and

- Provide such other services or supports as necessary and appropriate to furthering the purposes of the CCEE.
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the May 2014 SBE meeting, the SBE approved the Riverside County Office of Education (RCOE) to be the fiscal agent for the CCEE and authorized the CDE to execute a contract with RCOE (Item 11). On July 1, 2014, the CDE executed a contract with RCOE to be the fiscal agent for the CCEE through March 31, 2017, which was later extended to June 30, 2017. The scope of work was also amended to include a transition period in which RCOE will transfer all pertinent files and CCEE related documents to the future fiscal agent.

FISCAL ANALYSIS (AS APPROPRIATE)

The 2013-14 Budget Bill (Assembly Bill 110) appropriated Proposition 98 local assistance funding in the amount of $10 million to support the CCEE, with up to $300,000 of this appropriation to be used for a statewide evaluation of the effectiveness of the CCEE in responding to the needs of LEAs.

The 2016-2017 Budget Bill (Senate Bill 826) and its trailer legislation (Senate Bill 828) appropriated $29.6 million to the CCEE to support the development of specific programs to further the CCEE’s objectives, with no less than $20 million used for providing professional development training to school districts, county offices of education, and charter schools around the LCFF evaluation rubrics and local control and accountability plans.

ATTACHMENT(S)

Attachment 1: March 22, 2017 Letter from Jeff Breshears, Director, Local Agency Systems Support Office, California Department of Education, regarding Letter of Interest to be the California Collaborative for Educational Excellence Fiscal Agent (2 Pages)

Attachment 2: Description of Criteria to Identify the California Collaborative for Educational Excellence Fiscal Agent (2 Pages)

Attachment 3: California Collaborative for Educational Excellence Education Code Section 52074 (2 Pages)

Attachment 4: Recommendation for selection of Local Educational Agency to serve as the Fiscal Agent of the California Collaborative for Educational Excellence. This Attachment will be provided as an Item Addendum.
March 22, 2017

Dear County and District Superintendents and Charter School Administrators:

LETTER OF INTEREST TO BE CALIFORNIA COLLABORATIVE FOR EDUCATIONAL EXCELLENCE FISCAL AGENT

California Education Code (EC) Section 52074, which was enacted along with the 2013-2014 legislation that created the Local Control Funding Formula (LCFF), established the California Collaborative for Educational Excellence (CCEE). The CCEE was established to provide advice and assistance to Local Educational Agencies (LEAs) in achieving the goals set forth in their Local Control and Accountability Plans (LCAP). The 2013-14 Budget Bill (Assembly Bill 114) initially appropriated Proposition 98 local assistance funding in the amount of $10 million to support the CCEE, with up to $300,000 of this appropriation to be used for a statewide evaluation of the effectiveness of the CCEE in responding to the needs of LEAs. The 2016-2017 Budget Bill and its trailer legislation recently appropriated $29.6 million to the CCEE to support the development of specific programs to further the CCEE’s objectives.

Pursuant to EC Section 52074(c), the State Superintendent of Public Instruction (Superintendent), with the approval of the State Board Education (SBE), must contract with an LEA, or a consortium of LEAs, to serve as the fiscal agent of the CCEE. The California Department of Education (CDE) is seeking Letters of Interest from LEAs or consortia of LEAs that desire to serve in this capacity. These Letters of Interest will be used to assist the Superintendent regarding the identification and selection of the fiscal agent of the CCEE.

Each Letter of Interest should include: confirmation of eligibility under EC 52074 (c), to serve as the fiscal agent; a description of relevant experience and capacity to draft and let contracts; and the ability to:

- Serve as the legal employer of individuals selected by the CCEE Governing Board, including providing administrative services at the direction of the CCEE Executive Director and staff such as contract drafting and execution, payroll processing, human resources services, and supporting compliance with applicable laws and regulations;

- Perform administrative functions at the direction of the CCEE Executive Director and staff with respect to independent contractors and vendors, including but not limited to contract drafting and maintenance of accounts payable and receivable;
• Provide fiscal oversight of CCEE funds including monitoring of compliance with statutory programmatic requirements and, in conjunction with the CCEE Executive Director and staff, making budgetary reports to the CCEE Governing Board as required;

• Provide records management at the request of CCEE Executive Director or staff for all facets of CCEE administration, including both electronic and physical storage and maintenance; and

• Provide such other services or supports as necessary and appropriate to furthering the purposes of the CCEE.

Any Letter of Interest should also indicate whether and how the CCEE would be provided with flexibility to operate differently than a typical division or department within the LEA or consortium of LEAs (e.g., whether CCEE employees would be required to be placed on an existing salary schedule from the Fiscal Agent; whether the CCEE would be required to follow the existing hiring procedures from the Fiscal Agent; whether CCEE would be required to follow the IT policy, including selection of laptops, from the Fiscal Agent).

The Fiscal Agent will be paid a fixed indirect rate of 5% in consideration for providing the services indicated above.

The executed contract with CDE will delineate the relationship between the Fiscal Agent and CCEE and will include the specific responsibilities of the Fiscal Agent.

Please submit your Letter of Interest by April 7, 2017. Agencies that do not submit a response by the specified deadline may be excluded from the selection process.

Applicants may submit the Letter of Interest by electronic mail (e-mail) to LCFF@cde.ca.gov with attention to “Local Agency Systems Support Office.”

Interviews via video conferencing will be conducted the week of April 17, 2017.

If you have any questions regarding this subject, please contact me by phone at 916-319-0303 or by e-mail at jbreshears@cde.ca.gov

Sincerely,
/s/
Description of Criteria to Identify the California Collaborative for Educational Excellence Fiscal Agent

On March 22, 2017, the State Superintendent of Public Instruction (SSPI) distributed a letter to all County and District Superintendents and Charter School Administrators to solicit responses from local educational agencies (LEAs) interested in serving as fiscal agent of the California Collaborative for Educational Excellence (CCEE). As referenced in the letter, the responses assisted the SSPI to select the fiscal agent of the CCEE.

The California Department of Education (CDE) requested information from LEAs that included the following components:

- Confirmation of eligibility under EC Section 52074,
- Description of experience and capacity to draft and let contracts
- Serve as the legal employer of individuals selected by the CCEE Governing Board, including providing administrative services such as contract drafting and execution, payroll processing, human resources services, and supporting compliance with applicable laws and regulations;
- Perform administrative functions respect to contract drafting and maintenance of accounts payable and receivable;
- Provide fiscal oversight of CCEE funds including monitoring of compliance with statutory programmatic requirements and, making budgetary reports to the CCEE Governing Board as required;
- Provide records management for all facets of CCEE administration, including both electronic and physical storage and maintenance; and
- Provide such other services or supports as necessary and appropriate to furthering the purposes of the CCEE.

CDE staff will review the letters and conduct video conference interviews during the week of April 17, 2017 with LEAs to gain additional information about capacity to serve as the fiscal agent. Interview questions were intended to gauge the capacity of the LEA according to the criteria identified in the RFI.

LEAs responding to RFI:

- Bellflower Unified School District
- Marin County Office of Education
- Tulare County Office of Education
• Wiseburn Unified School District
California Collaborative for Educational Excellence

Education Code Section 52074

(a) The California Collaborative for Educational Excellence is hereby established.

(b) The purpose of the California Collaborative for Educational Excellence is to advise and assist school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan adopted pursuant to this article.

(c) The Superintendent shall, with the approval of the state board, contract with a local educational agency, or consortium of local educational agencies, to serve as the fiscal agent for the California Collaborative for Educational Excellence. The Superintendent shall apportion funds appropriated for the California Collaborative for Educational Excellence to the fiscal agent.

(d) The California Collaborative for Educational Excellence shall be governed by a board consisting of the following five members:

1. The Superintendent or his or her designee.
2. The president of the state board or his or her designee.
3. A county superintendent of schools appointed by the Senate Committee on Rules.
4. A teacher appointed by the Speaker of the Assembly.
5. A superintendent of a school district appointed by the Governor.

(e) At the direction of the governing board of the California Collaborative for Educational Excellence, the fiscal agent shall contract with individuals, local educational agencies, or organizations with the expertise, experience, and a record of success to carry out the purposes of this article. The areas of expertise, experience, and record of success shall include, but are not limited to, all of the following:

1. State priorities as described in subdivision (d) of Section 52060.
2. Improving the quality of teaching.
3. Improving the quality of school district and schoolsite leadership.
4. Successfully addressing the needs of special pupil populations, including, but not limited to, English learners, pupils eligible to receive a free or reduced-price meal, pupils in foster care, and individuals with exceptional needs.

(f) The Superintendent may direct the California Collaborative for Educational Excellence to advise and assist a school district, county superintendent of schools, or charter school in any of the following circumstances:

1. If the governing board of a school district, county board of education, or governing body or a charter school requests the advice and assistance of the California Collaborative for Educational Excellence.
(2) If the county superintendent of schools of the county in which the school district or charter school is located determines, following the provision of technical assistance pursuant to Section 52071 or 47607.3 as applicable, that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district or charter school accomplish the goals described in the local control and accountability plan adopted pursuant to this article.

(3) If the Superintendent determines that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district, county superintendent of schools, or charter school accomplish the goals set forth in the local control and accountability plan adopted pursuant to this article.

(Amended by Stats. 2013, Ch. 357, Sec. 48. Effective September 26, 2013.)
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 March 8-9, 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 March 8-9, 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 March 8-9, 2017 meeting (19 Pages) may be viewed at the following link: http://www.cde.ca.gov/be/mt/ms/.
ITEM 15
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.

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.
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-01
General Waiver

SUBJECT
Request by Downey Unified School District for a waiver of portions of California Education Code Section 48661(a) to permit collocation of a Community Day School on the Columbus (Continuation) High School Campus.

Waiver Number: 31-1-2017

SUMMARY OF THE ISSUES
Request by the Downey Unified School District (USD) for a waiver of portions of California Education Code (EC) Section 48661(a) to permit collocation of a Community Day School (CDS) on the same site as Columbus (Continuation) High School (CHS).

Authority for Waiver: EC Section 33050

RECOMMENDATION
☐ Approval ☒ Approval with conditions ☐ Denial

The California Department of Education (CDE) recommends approval of the waiver request for this CDS, with the individual conditions and period of approval noted in Attachment 1.

This waiver provides for the CDS operated by the Downey USD, to be located on the same campus as CHS 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 that separate alternative facilities are not available. The governing board for the Downey USD is asking for similar authority as the board of
a smaller district. The Downey USD enrolls approximately 22,371 total students. The governing board voted unanimously to request this waiver.

The Downey USD has certified that there are no satisfactory alternative facilities in the district where the CDS might be located. The proposed site was selected based on the finding that there are no stand-alone facilities that exists in the district, and because it is a separate site from all traditional schools.

The district will have a number of measures in place to provide for successful separation of the two school populations and safety of all students at this site. The CHS and CDS will be separated by an adult school. There will be separate drop off sites for each school and separate bell schedules and break times. There will be fencing barriers around the CDS and each school will have its own restrooms. Vigilant adult supervision and separate staffing will provide that full attention will be paid to the students at each school. The administration will ensure that students from both schools will be separate at all times and will not intermingle. Social-emotional restorative justice practices are in place, providing safe and healthy school climates in each school. Also, mental health services, McKinney Vento personnel, school psychological services, and probation are currently located at the site.

The local governing board voted unanimously to support the waiver request. All of the local bargaining units and the School Site Council also took support positions. The District Behavior Support Committee also reviewed the waiver request and had no objections.

Based on the strong support from stakeholders, the proposed safety plan, and the presence of support personnel at the CHS site, the CDE supports the request for the waiver.

Demographic Information:

Downey USD has a population of 22,371 students and is located in an urban 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 on the same site as another school when the CDS could not be located separately, and the district has been able to provide for the separation of the CDS students from 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: Downey Unified School District General Waiver Request 31-1-2017 (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 &quot;permanent&quot; 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>
</table>

**Conditions:** This waiver provides for the CDS operated by Downey USD to be located on the same campus as Columbus (Continuation) High School 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).
Outcome Rationale: Due to the unique needs of a small population of students in the Downey Unified School District, a plan to establish a Community Day School (CDS) in Downey has been presented to the Board of Education and given approval to proceed. The CDS will serve 40 students ranging from grades 7-12. Since there are no satisfactory alternative facilities in the District where the CDS might locate, the CDS would need to co-locate the CDS on the Columbus High School (CHS) campus. The rationale behind this site is that there is no other stand-alone facility that exists in the District and because it is a separate site from all traditional schools which would allow for successful separation and safety of all students at this site through the following means:

a. Columbus High School and CDS will be separated by the Downey Adult School
b. There will be separate bell schedules and break times
c. There will be fencing barriers around the CDS
d. Separate restrooms will be provided
e. Vigilant adult supervision and separate staffing will be provided
f. Social emotional restorative justice practices are in place on both campuses providing safe and healthy school climates in each school
g. Separate drop off site for each school
h. Administration will ensure that students will be separate at all times and not intermingle.

Further reason for the co-location waiver request is the location of mental health services,
McKinney Vento personnel, school psychological services and probation currently at the site.

All of these factors make this site the best location to provide the district services necessary to maximize the effort to provide access to the core curriculum and improve student performance.

Student Population: 22371

City Type: Urban

Public Hearing Date: 1/25/2017
Public Hearing Advertised: Posted at the District office and on the District's web page.

Local Board Approval Date: 1/25/2017

Community Council Reviewed By: District Behavior Support Committee
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. Anthony Zegarra
Position: Principal
E-mail: azegarra@dusd.net
Telephone: 562-904-3552 x5180
Fax:

Bargaining Unit Date: 01/17/2017
Name: California School Employees Association
Representative: Pam Martinez
Title: President
Position: Support
Comments:

Bargaining Unit Date: 01/17/2017
Name: Columbus School Site Council
Representative: Patricia Renteria
Title: President
Position: Support
Comments:

Bargaining Unit Date: 01/17/2017
Name: Downey Educators Association
Representative: Jim Mogan
Title: President
Position: Support
Comments:
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-02
CALIFORNIA STATE BOARD OF EDUCATION
MAY 2017 AGENDA

☐ General Waiver

SUBJECT

Request by 16 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:

- Alpaugh Unified School District 9-1-2017
- Capistrano Unified School District 28-2-2017
- Galt Joint Union Elementary School District 23-2-2017
- Hueneme Elementary School District 25-1-2017
- Jurupa Unified School District 5-2-2017
- Kenwood School District 30-1-2017
- Lafayette Elementary School District 12-2-2017
- Lake Tahoe Unified School District 1-2-2017
- Maple Elementary School District 43-12-2016
- Morongo Unified School District 10-1-2017
- Orinda Union Elementary School District 21-2-2017
- Placentia-Yorba Linda Unified School District 24-1-2017
- Poway Unified School District 22-2-2017
- Rio School District 26-1-2017
- San Jacinto Unified School District 23-1-2017
- Santee School District 5-1-2017

☐ Action

☐ Consent

SUMMARY OF THE ISSUES

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 AUSD, CUSD, GJUESD, HESD, JUSD, KSD, LESD, LTUSD, MESD, MUSD, OUESD, PYLUSD, PUSD, RSD, SJUSD, and SSD will provide information to AUSD, CUSD, GJUESD, HESD, JUSD, KSD, LESD, LTUSD, MESD, MUSD, OUESD, PYLUSD, PUSD, RSD, SJUSD, and SSD families by July 6, 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 AUSD, CUSD, GJUESD, HESD, JUSD, KSD, LESD, LTUSD, MESD, MUSD, OUESD, PYLUSD, PUSD, RSD, SJUSD, and SSD 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 AUSD, CUSD, GJUESD, HESD, JUSD, KSD, LESD, LTUSD, MESD, MUSD, OUESD, PYLUSD, PUSD, RSD, SJUSD, and SSD currently offer extended-day (full day) kindergarten programs which exceed the maximum four-hour school day (*EC 46111 [a] *). The AUSD, CUSD, GJUESD, HESD, JUSD, KSD, LESD, LTUSD, MESD, MUSD, OUESD, PYLUSD, PUSD, RSD, SJUSD, and SSD 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 AUSD, CUSD, GJUESD, HESD, JUSD, KSD, LESD, LTUSD, MESD, MUSD, OUESD, PYLUSD, PUSD, RSD, SJUSD, and SSD 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:

AUSD has a student population of 370, and is located in a rural area in Tulare County.

CUSD has a student population of 50,000, and is located in an urban area in Orange County.

GJUESD has a student population of 3,650, and is located in a suburban area in Sacramento County.
HESD has a student population of 8,300, and is located in a suburban area in Ventura County.

JUSD has a student population of 587, and is located in a suburban area in Riverside County.

KSD has a student population of 152, and is located in a rural area in Sonoma County.

LESD has a student population of 3,633, and is located in a suburban area in Contra Costa County.

LTUSD has a student population of 3,951, and is located in a rural area in El Dorado County.

MESD has a student population of 292, and is located in a rural area in Kern County.

MUSD has a student population of 8,465, and is located in a rural area in San Bernardino County.

OUESD has a student population of 2,542, and is located in a suburban area in Contra Costa County.

PYLUSD has a student population of 25,500, and is located in an urban area in Orange County.

PUSD has a student population of 35,711, and is located in a suburban area in San Diego County.

RSD has a student population of 5,162, and is located in a suburban area in Ventura County.

SJUSD has a student population of 9,851, and is located in a rural area in Riverside County.

SSD has a student population of 6,871, and is located in a suburban area in San Diego 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 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 (7 pages).

Attachment 2: AUSD General Waiver Request 9-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: CUSD General Waiver Request 28-2-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: GJUESD General Waiver Request 23-2-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: HESD General Waiver Request 25-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: JUSD General Waiver Request 5-2-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: KSD General Waiver Request 30-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: LESD General Waiver Request 12-2-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: LTUSD General Waiver Request 1-2-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 10: MESD General Waiver Request 43-12-2016 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 11: MUSD General Waiver Request 10-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
Attachment 12: OUESD General Waiver Request 21-2-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 13: PYLUSD General Waiver Request 24-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 14: PUSD General Waiver Request 22-2-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 15: RSD General Waiver Request 26-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 16: SJUSD General Waiver Request 23-1-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 17: SSD General Waiver Request 5-1-2017 (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>9-1-2017</td>
<td>Alpaugh Unified School District</td>
<td><strong>Requested:</strong> July 1, 2016 to June 30, 2017</td>
<td>Alpaugh Teachers Association, Matthew Feldman President 12/07/2016 <strong>Support</strong></td>
<td>December 15, 2016</td>
<td>The public hearing notice was posted online and at the post office, the school district office, and the school office.</td>
<td>Alpaugh Pre-school/TK Parents, December 28, 2016, No Objection</td>
</tr>
<tr>
<td>28-2-2017</td>
<td>Capistrano Unified School District</td>
<td><strong>Requested:</strong> August 22, 2017 to June 7, 2018</td>
<td>Capistrano Unified Education Association, Sally White President 2/18/2017 <strong>Support</strong></td>
<td>February 22, 2017</td>
<td>The public hearing notice was posted at the school and three public places in the community.</td>
<td>Community Site Council, February 8, 2017, 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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<tr>
<td>23-2-2017</td>
<td>Galt Joint Union Elementary School District</td>
<td>Requested: August 18, 2016 to June 6, 2018</td>
<td>Galt Elementary Faculty Association, Kathy Lousch President 1/25/2017 Support</td>
<td>January 25, 2017</td>
<td>The public hearing notice was posted at the public hearing meeting site, the district office, and on the district Web site.</td>
<td>GJUESD District Advisory Committee February 7, 2017 No Objection</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recommended: August 18, 2016 to June 6, 2018</td>
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<td></td>
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</tr>
<tr>
<td>25-1-2017</td>
<td>Hueneme Elementary School District</td>
<td>Requested: January 25, 2017 to June 30, 2017</td>
<td>Hueneme Educators Association, Rosa Granado President 1/19/2017 Support</td>
<td>January 23, 2017</td>
<td>The public hearing notice was sent to all staff members via e-mail, posted on the district Web site, and posted in the city hall lobby.</td>
<td>District Advisory Committee January 17, 2017 No Objection</td>
</tr>
<tr>
<td></td>
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<td>Recommended: January 25, 2017 to June 30, 2017</td>
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<tr>
<td>5-2-2017</td>
<td>Jurupa Unified School District</td>
<td>Requested: August 10, 2016 to June 9, 2018</td>
<td>National Education Association-Jurupa, Rob Liddle President 1/10/2017 Support</td>
<td>Public Hearing Date: February 6, 2017</td>
<td>The public hearing notice was posted at the district kiosk, at all 23 schoolsites, in the board agenda and minutes, and on the district Web site.</td>
<td>Van Buren School Site Council January 23, 2017 No Objection</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recommended: August 10, 2016 to June 9, 2018</td>
<td></td>
<td>Board Approval Date: January 23, 2017</td>
<td></td>
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</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></td>
<td>Recommended: November 22, 2016 to June 9, 2018</td>
<td>Added bargaining unit information via e-mail sent on 2/16/2017.</td>
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</tr>
<tr>
<td>Date</td>
<td>School District</td>
<td>Requested:</td>
<td>Recommended:</td>
<td>Decision Date</td>
<td>Justification</td>
<td>Board Decision</td>
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<tr>
<td>1-2-2017</td>
<td>Lake Tahoe Unified School District</td>
<td>August 24, 2014 to June 19, 2018</td>
<td>August 24, 2016 to June 19, 2018</td>
<td>January 31, 2017</td>
<td>The public hearing notice was posted at all district schools, at the district office, and on the district Web site.</td>
<td>LTUSD Board of Education</td>
</tr>
<tr>
<td></td>
<td></td>
<td>South Tahoe Educators’ Association, Jodi Dayberry President 3/29/2014 Support</td>
<td></td>
<td></td>
<td></td>
<td>January 31, 2017 No Objection</td>
</tr>
<tr>
<td>43-12-2016</td>
<td>Maple Elementary School District</td>
<td>July 1, 2016 to August 28, 2018</td>
<td>July 1, 2016 to June 28, 2018</td>
<td>December 8, 2016</td>
<td>The public hearing notice was posted at the schoolsite and the district office.</td>
<td>Maple Elementary School Site Council</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maple Teachers Association, Diane Masi-Thompson President 12/2/2016 Support</td>
<td></td>
<td></td>
<td></td>
<td>October 17, 2016 No Objection</td>
</tr>
<tr>
<td>Date</td>
<td>District</td>
<td><strong>Requested</strong>: August 22, 2016 to June 30, 2018</td>
<td><strong>Recommended</strong>: August 22, 2016 to June 30, 2018</td>
<td><strong>Support</strong></td>
<td><strong>Support</strong> Changes</td>
<td><strong>Public Hearing Notice</strong></td>
</tr>
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<tr>
<td>10-1-2017</td>
<td>Morongo Unified School District</td>
<td>Morongo Teachers Association, Terri Weitz President 10/28/2016 Support</td>
<td>Changed from neutral to support via e-mail sent on 2/7/2017.</td>
<td>November 15, 2016</td>
<td>The public hearing notice was posted at the school district office, the special education office, and two schoolsites.</td>
<td>LCAP Committee November 17, 2016</td>
</tr>
<tr>
<td>21-2-2017</td>
<td>Orinda Union Elementary School District</td>
<td>California School Employees Association, Steve Waterman President 1/24/2017 Support</td>
<td>Orinda Education Association, Charles Shannon President 2/6/2017 Support</td>
<td>February 13, 2017</td>
<td>The public hearing notice was posted at five schoolsites, at the district office, at the public library, on the district Web site, and e-mailed to the public notice distribution list.</td>
<td>School Site Council September 14, 2016</td>
</tr>
<tr>
<td>Date</td>
<td>District</td>
<td>Requested:</td>
<td>Recommended:</td>
<td>Association</td>
<td>Date</td>
<td>Description</td>
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<tr>
<td>24-1-2017</td>
<td>Placentia-Yorba Linda Unified School District</td>
<td><strong>Requested:</strong> July 1, 2016 to June 30, 2018</td>
<td><strong>Recommended:</strong> July 1, 2016 to June 28, 2018</td>
<td>Association Placentia Linda Educators, Linda Manion President 12/6/2016 Support</td>
<td>December 13, 2016</td>
<td>The public hearing notice was posted at the district office and with the board agenda.</td>
</tr>
<tr>
<td>22-2-2017</td>
<td>Poway Unified School District</td>
<td><strong>Requested:</strong> June 30, 2017 to June 30, 2018</td>
<td><strong>Recommended:</strong> June 30, 2017 to June 30, 2018</td>
<td>Poway Federation of Teachers, Candy Smiley President 1/9/2017 Support</td>
<td>February 14, 2017</td>
<td>The public hearing notice was published in the local newspaper and posted in the front lobbies of the school district office and schools.</td>
</tr>
<tr>
<td>Date</td>
<td>School District</td>
<td>Requested:</td>
<td>Recommended:</td>
<td>Association,</td>
<td>President</td>
<td>Support:</td>
</tr>
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<tr>
<td>23-1-2017</td>
<td>San Jacinto Unified School District</td>
<td>August 8, 2016 to June 8, 2018</td>
<td>August 8, 2016 to June 8, 2018</td>
<td>San Jacinto Teachers Association, Theresa Gonter 12/15/2016</td>
<td>Support</td>
<td>Public Hearing Date: January 13, 2017</td>
</tr>
<tr>
<td>5-1-2017</td>
<td>Santee School District</td>
<td>August 21, 2017 to June 28, 2019</td>
<td>August 21, 2017 to June 28, 2019</td>
<td>Santee Teachers Association, Lori Meaux 11/7/2016</td>
<td>Support</td>
<td>December 6, 2016</td>
</tr>
</tbody>
</table>
Pursuant to EC 37202, TK programs operated by a district must be of equal length to any kindergarten programs operated by the same district, unless there is an approved State Board of Education waiver on file. 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: The Alpaugh Child Development Center operates in a small rural community and is a 3-4 year program. There is only one facility to house the pre-school/TK program. The 3 year old program operates in the morning, and the 4 year old TK program operates in the afternoon with a certificated teacher. Therefore, it is not possible to offer a TK program with same number of instructional minutes as the Kindergarten. The TK students are receiving a developmentally appropriate curriculum to meet the needs of the students in the program and the program is quite effective at preparing students for their educational career. This is a critical component of our 0-5 program designed to close the achievement gap.

Student Population: 48

City Type: Rural

Public Hearing Date: 12/15/2016
Public Hearing Advertised: On-line, Prominent notice

Local Board Approval Date: 12/15/2016

Community Council Reviewed By: Alpaugh Pre-school/TK Parents
Community Council Reviewed Date: 12/8/2016
Community Council Objection: N
Community Council Objection Explanation:  
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Robert Hudson  
Position: Superintendent  
E-mail: robh@alpaugh.k12.ca.us  
Telephone: 559-949-8413 x135  
Fax: 559-949-8173

Bargaining Unit Date: 12/07/2016  
Name: Alpaugh Teachers Association  
Representative: Matthew Feldman  
Title: President  
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: Outcome Rationale: The District would like to continue having the Kinoshita Elementary school transitional kindergarten (TK) day be shorter than the length of the regular kindergarten day at this school covering the 2017-2018 school years with a total of 180 days. Under the current structure, kindergarten students at Kinoshita Elementary School are in school from 7:45 a.m. to 2:05 p.m. on Monday, Wednesday, Thursday, and Friday; and, from 7:45 a.m. – 12:45 p.m. on Tuesday for a full school day and a teacher student ratio of 1 to 24. The standard TK hours across the district consist of an early start time of 8:00 a.m. – 11:53 a.m., and a late start time of 9:30 a.m. – 1:23 p.m. Monday through Friday for a half day schedule and a teacher student ratio for half the session of 1 to 15. The waiver would allow for TK at Kinoshita Elementary School have a varied schedule from kindergarten starting at 7:45 a.m. to 11:38 a.m., Monday through Friday; and, the late group is in school from 9:15 a.m. – 1:08 p.m. on Monday, Wednesday, Thursday, and Friday for a half day schedule. Tuesday’s schedule would be a half day from 7:45 a.m. to 11:38 a.m. for all children. The reason for the varied schedule is to maintain a TK program that is similar to the other TK classrooms at 11 elementary schools within the district. This early and late start schedule also provides continuity of services with lower teacher to child ratios for half of the session.
Student Population: 662

City Type: Urban

Public Hearing Date: 2/22/2017
Public Hearing Advertised: The public hearing was posted at the school and at three public places in the community.

Local Board Approval Date: 2/22/2017

Community Council Reviewed By: Community Site Council
Community Council Reviewed Date: 2/8/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Susan Holliday
Position: Associate Superintendent, Education Services
E-mail: seholliday@capousd.org
Telephone: 949-234-9203 x49203
Fax: 949-488-8136

Bargaining Unit Date: 02/18/2017
Name: Capistrano Unified Education Association
Representative: Sally White
Title: President
Position: Support
Comments:
Ed Code or CCR to Waive: Pursuant to EC Section 37202, [any transitional kindergarten (TK) programs operated by the district must be of equal length to any kindergarten programs operated by the same district]. If TK program instructional minutes are a different length then the kindergarten program instructional minutes, then a waiver must be submitted to the State Board of Education, unless the school is a charter school.

Outcome Rationale: The Galt Joint Union Elementary School District (GJUESD) is requesting that as part of its early primary program, it may maintain Kindergarten and Transitional Kindergarten (TK) classes at the same school site within the District for varying lengths of time. GJUESD was unaware of the requirement for a waiver to provide programs of differing lengths and is requesting a waiver for the current year, 2016-17 and next school year, 2017-18. GJUESD will continue to offer developmentally appropriate curriculum to TK students as well as Kindergarten students and will continue to strive to meet the individual needs of all students in our district. Although currently there is not sufficient space to offer full day Kindergarten and full day TK at all sites, the district will assess the availability of space and need on an annual basis for both full day kindergarten and TK at all sites.

Student Population: 3650

City Type: Small

Public Hearing Date: 1/25/2017
Public Hearing Advertised: The public hearing notice was posted at the public hearing meeting site, at the district office and on the district web site.

Local Board Approval Date: 1/25/2017

Community Council Reviewed By: GJUESD District Advisory Committee (DAC)
Community Council Reviewed Date: 2/7/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Donna Mayo-Whitlock
Position: Educational Services Director
E-mail: dwhitlock@galt.k12.ca.us
Telephone: 209-744-4545 x303
Fax:

Bargaining Unit Date: 01/25/2017
Name: Galt Elementary Faculty Association (GEFA)
Representative: Kathy Lousch
Title: GEFA President
Position: Support
Comments:
Ed Code or CCR to Waive: Per Education Code Section 37202, any Transitional Kindergarten program offered by a district must be of equal length to any Kindergarten program offered by that same district, unless a waiver has been approved by the State Board of Education (SBE) to offer different length programs.

Outcome Rationale: Currently, Bard Elementary School, Hueneme Elementary School and Williams Elementary School have Transitional Kindergarten and Extended-Day Kindergarten programs that have instructional days of different lengths. Approval of the waiver request will allow the three elementary schools to continue implementing their Transitional Kindergarten and Extended-Day Kindergarten programs at their current lengths for the remainder of the 2016/17 school year allowing for increased instructional time for students enrolled in Extended-Day Kindergarten.

Student Population: 8300

City Type: Suburban

Public Hearing Date: 1/23/2017
Public Hearing Advertised: Via email to all staff members, posted on district website for all families and community members, posted in City Hall lobby

Local Board Approval Date: 1/23/2017

Community Council Reviewed By: District advisory committee
Community Council Reviewed Date: 1/17/2017
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N  
Categorical Program Monitoring: N

Submitted by: Dr. Carlos Dominguez  
Position: Assistant Superintendent, Human Resources  
E-mail: cdominguez@huensd.k12.ca.us  
Telephone: 805-488-3588 x9104  
Fax:

Bargaining Unit Date: 01/19/2017  
Name: Hueneme Educators Association  
Representative: Rosa Granado  
Title: Hueneme Educators Association President  
Position: Support  
Comments:
California Department of Education  
WAIVER SUBMISSION - General

CD Code: 3367090  Waiver Number: 5-2-2017  Active Year: 2017

Date In: 2/8/2017 10:16:59 AM

Local Education Agency: Jurupa Unified  
Address: 4850 Pedley Rd.  
Jurupa Valley, CA 92509

Start: 8/10/2016  End: 6/9/2018

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: 33050

Ed Code or CCR to Waive: [TK programs operated by a district must be of equal length to any kindergarten programs operated by the same district] If the TK program instructional minutes are a different length that the kindergarten program instructional minutes, then a waiver must be submitted to the State Board of Education, unless the school is a charter school.

Outcome Rationale: Van Buren Elementary has adopted an extended day kindergarten totaling 300 minutes to provide more opportunities to succeed by maximizing social, emotional, physical, and academic growth. This structure will allow teachers to provide additional support for student struggling academically through the use of small group activities because early intervention is the best intervention. Extended day also allows for more opportunities for parents to volunteer. Tk is at 200 instructional minutes and is the first year of the two-year Kinder program. Curriculum and time frame is developmentally appropriate and modified for this age group.

Student Population: 587

City Type: Suburban

Public Hearing Date: 2/6/2017  
Public Hearing Advertised: District website, At District Kiosk, Board agenda, Board minutes, Print posted at all 23 school sites,  

Local Board Approval Date: 1/23/2017

Community Council Reviewed By: Van Buren School Site Council  
Community Council Reviewed Date: 1/23/2017  
Community Council Objection: N  
Community Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Rosa Santos Lee
Position: Director, Elementary Education
E-mail: rosa_lee@jusd.k12.ca.us
Telephone: 951-360-4172
Fax: 951-360-4195

Bargaining Unit Date: 01/10/2017
Name: National Education Association – Jurupa (NEA-J)
Representative: Rob Liddle
Title: President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - General

CD Code: 4970789  Waiver Number: 30-1-2017  Active Year: 2017

Date In: 1/26/2017 3:12:40 PM

Local Education Agency: Kenwood
Address: 230 Randolph Ave., P.O. Box 220
Kenwood, CA 95452

Start: 11/22/2016  End: 6/9/2018

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 (b)
Ed Code Authority: 33050 (a)

Ed Code or CCR to Waive: 33050 (a) Ed Code to Waive Except if a school has been closed by order of a city 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: We have 2 students enrolled in transitional kindergarten students at Kenwood School. In November, our kindergarten students begin an extended day program. This program creates a strong foundation for the kindergarten student as he/she moves to first grade. It is our belief that an extended day would be far too long for transitional kindergarten students. We believe that requiring our TK students to attend school for an extended day would not be in their best educational interest. Our TK program provides students with developmentally appropriate, experiential activities and is preparing them for the more academically rigorous second year of our kindergarten program. The TK students receive more than the required 180 instructional minutes per day.

Student Population: 152

City Type: Rural

Public Hearing Date: 1/12/2017
Public Hearing Advertised: The public hearing was posted in front of the school, in the school office, at the Post Office, and on the District Website.

Local Board Approval Date: 1/12/2017

Community Council Reviewed By: Community Council Reviewed by: Kenwood School District Board of Trustees
Community Council Reviewed Date: 1/12/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Suzanne Borgert
Position: Superintendent's Secretary
E-mail: suzanne@kenwoodschool.org
Telephone: 707-833-2500
Fax: 707-833-2181
California Department of Education
WAIVER SUBMISSION - General

CD Code: 0761713  Waiver Number: 12-2-2017  Active Year: 2017

Date In: 2/13/2017 2:58:46 PM

Local Education Agency: Lafayette Elementary School District
Address: 3477 School St.
Lafayette, CA 94549

Start: 8/21/2017  End: 6/30/2019

Waiver Renewal: Y  Previous Waiver Number: 06/02/2015  Previous SBE Approval Date: 3/6/2015

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:
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: In August of 2015, the Lafayette School District implemented an extended-day kindergarten schedule at all four of our elementary schools. The extended-day schedule has 4.5 hours of instruction per day for all kindergarten students. As an important component of extended-day kindergarten, our district is again requesting a waiver that will maintain the 3.5 hour schedule for all transitional kindergarten (TK) students. After extensive research and discussion, it is our belief that having TK students experience a 3.5 hour school day is a much better fit for the four year old child who typically has a shorter attention span and is still developing social and emotional skills on varying levels. The 3.5 hour day allows students time to grasp routines and participate in meaningful instruction without being overwhelmed by a longer instructional day. We strongly believe that TK students will experience much more success with this shortened schedule. Our TK program provides students with developmentally appropriate, experiential activities and is actively preparing them for the more academically rigorous second year of our kindergarten program. Therefore, the Lafayette School District respectfully requests renewal of our waiver.
Student Population: 3633
City Type: Small

Public Hearing Date: 2/8/2017
Public Hearing Advertised: Posted in 3 places and on the District website.

Local Board Approval Date: 2/8/2017

Community Council Reviewed By: Curriculum Council
Community Council Reviewed Date: 2/9/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Dawn Lynn Lanier
Position: Administrative Assistant
E-mail: dlanier@lafsd.org
Telephone: 925-927-3511
Fax: 925-927-3511

Bargaining Unit Date: 02/07/2017
Name: Lafayette Education Association
Representative: Carol Kerr
Title: Teacher
Position: Support
Comments:
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: The Lake Tahoe Unified School District is a district of 3951 ADA and four elementary schools, one middle school, one high school, and two continuation schools. The District currently maintains four Transitional Kindergarten classes at Tahoe Valley Elementary School. All TK students receive the equivalent number of instructional minutes.

Our teaching staff and administration believe that it is in the best interests of the TK students to have a shorter TK school day and is requesting to continue implementing a high quality TK program that provides a modified instructional day, modified curricula, and developmentally appropriate instructional practices. We are requesting a waiver to allow the Lake Tahoe Unified District to continue to offer a TK program, running from 9:10am-1:15pm. We are respectfully requesting a retroactive waiver and will apply for future waivers on an annual basis.

Student Population: 3951

City Type: Small

Public Hearing Date: 1/31/2017
Public Hearing Advertised: The Public Hearing Notice was posted at all District schools, the
District office, and on the District website.

Local Board Approval Date: 1/31/2017

Community Council Reviewed By: LTUSD Board of Education
Community Council Reviewed Date: 1/31/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Jame R. Tarwater
Position: Superintendent
E-mail: emunoz@ltusd.org
Telephone: 530-541-2850 x1029
Fax:

Bargaining Unit Date: 03/29/2014
Name: South Tahoe Educators' Association
Representative: Jodi Dayberry
Title: President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - General

CD Code: 1563610  Waiver Number: 43-12-2016  Active Year: 2016

Date In: 12/28/2016 10:06:08 AM

Local Education Agency: Maple Elementary School District
Address: 29161 Fresno Ave.
Shafter, CA 93263

Start: 7/1/2016  End: 8/28/2018

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: 33050

Ed Code or CCR to Waive: Ed Code or CCR to waive: the governing board of a school district shall maintain all the elementary day school established by it for an equal length of time during the school year.

Outcome Rationale: Outcome Rationale: Our kindergarten program has, for many years, operated on an "extended day" basis significantly in excess of the minimum requirements. The Board strongly felt that for transitional kindergarten, it was more developmentally appropriate to have a shorter school day for younger children.

Student Population: 292

City Type: Rural

Public Hearing Date: 12/8/2016
Public Hearing Advertised: Posted at school site and at district office in at least three locations.

Local Board Approval Date: 12/8/2016

Community Council Reviewed By: Maple Elementary School Site Council
Community Council Reviewed Date: 10/17/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Julie Boesch
Position: Superintendent
E-mail: jboesch@mapleschool.org
Telephone: 661-746-4439
Fax:

Bargaining Unit Date: 12/02/2016
Name: Maple Teachers Association
Representative: Diane Masi-Thompsett
Title: Representative (President)
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - General

CD Code: 3667777  Waiver Number: 10-1-2017  Active Year: 2017

Date In: 1/11/2017 9:55:22 AM

Local Education Agency: Morongo Unified
Address: 5715 Utah Trail
Twentynine Palms, CA 92277

Start: 8/22/2016  End: 6/30/2018

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: {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 school sites within the district for different lengths of time during the school day.

Outcome Rationale: Because Morongo Unified School District will offer an extended day (full day) kindergarten program for the 2016-2017 and 2017-2018 school year, which exceeds the maximum four-hour school day {EC46110} we are requesting flexibility in determining the length of our TK program in order to provide a modified instructional day, curricula, and developmentally appropriate instructional practices. Particularly since there is a concern that holding TK students in excess of the four hour minimum school day {pursuant to ES 48911}is not in the best educational interest of the TK students.

Student Population: 8465

City Type: Small

Public Hearing Date: 11/15/2016
Public Hearing Advertised: At the school district office, the Special Education office and 2 school sites.

Local Board Approval Date: 11/15/2016

Community Council Reviewed By: LCAP Committee
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: Ms. Sharon Flores
Position: Assistant Superintendent
E-mail: sharon_flores@morongo.k12.ca.us
Telephone: 760-367-9191 x4251
Fax: 760-367-2512

Bargaining Unit Date: 11/16/2016
Name: Morongo Teachers Association
Representative: Terri Weitz
Title: President
Position: Neutral
Comments:
Ed Code or CCR to Waive: ...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: EC Section 37202 requires that all students at a given grade level in a district receive “an equal length” of instructional time.

Orinda Union School District is requesting a renewal to waive EC Section 37202, the equity length of time requirement for transitional kindergarten and kindergarten programs. Orinda Union School District is requesting that, as part of our early primary program, we may continue to maintain kindergarten and transitional kindergarten (TK) classes within the District for different lengths of time during the school day.

Our kindergarten students attend a longer extended day of 265 minutes. This year, we have 50 transitional kindergarten (TK) students in our district. Our current transitional kindergarten students attend school from 8:00 a.m. to 11:30 am for a total of 210 minutes. Within this morning program, our TK teachers are able to implement a modified instructional day, modified curricula, and developmentally appropriate instructional practices. Our TK program provides students with developmentally appropriate, experiential activities that, through our evidence-based assessments, is preparing them for a more academically enriched and extensive learning experience in our kindergarten program. Approval of this renewal waiver request will enable us to continue to design a high quality transitional kindergarten program that will appropriately serve the needs of our students and families.

Student Population: 2542

City Type: Small
Public Hearing Date: 2/13/2017
Public Hearing Advertised: Posted on Friday, Feb. 10, 2017 at 5 school sites, the district office with the Board agenda, the Public Library, on the district website and emailed to the Public Notice distribution list.

Local Board Approval Date: 2/13/2017

Community Council Reviewed By: SSC's: Del Rey 01/31/2017; Glorietta 02/09/2017; Sleepy Hollow 01/27/2017; Wagner Ranch 02/02/2017
Community Council Reviewed Date: 1/31/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kathy Marshall
Position: Director of Curriculum and Instruction
E-mail: kmarshall@orinda.k12.ca.us
Telephone: 925-258-6204
Fax:

Bargaining Unit Date: 01/24/2017
Name: California School Employees Association
Representative: Steve Waterman
Title: Presidnet
Position: Support
Comments:

Bargaining Unit Date: 02/06/2017
Name: Orinda Education Association
Representative: Charles Shannon
Title: President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - General

CD Code: 3066647  Waiver Number: 24-1-2017  Active Year: 2017

Date In: 1/23/2017 10:32:37 AM

Local Education Agency: Placentia-Yorba Linda Unified
Address: 1301 East Orangethorpe Ave.
Placentia, CA 92870

Start: 7/1/2016  End: 6/30/2018

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: 33050

Ed Code or CCR to Waive: [...TK programs operated by a district must be of equal length to any kindergarten programs operated by the same district, unless there is an approved SBE waiver on file.]

Outcome Rationale: The Dual Immersion Kindergarten program is a new instructional program designed to promote college and career readiness. In order to maximize the students’ language immersion experiences and afford students a solid foundation in English and Spanish, a full day program has been modeled after the Dual Language programs successfully implemented in other districts. Concurrently, a pilot program for a full-day traditional kindergarten was established at the Dual Immersion site and may serve as a prototype for further expansion of this format. During the pilot process, the remainder of the TK and Kindergarten programs remain 200 minutes.

Student Population: 25500

City Type: Urban

Public Hearing Date: 12/13/2016
Public Hearing Advertised: District office and board agendas

Local Board Approval Date: 12/13/2016

Community Council Reviewed By: Board of Trustees
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: Ms. Kathy Chakan
Position: District Intervention Coach
E-mail: kchakan@pylusd.org
Telephone: 714-985-8493
Fax:

Bargaining Unit Date: 12/06/2016
Name: Association Placentia Linda Educators
Representative: Linda Manion
Title: President
Position: Support
Comments:
CD Code: 3768296  Waiver Number: 22-2-2017  Active Year: 2017

Date In: 2/16/2017 3:28:09 PM

Local Education Agency: Poway Unified
Address: 15250 Avenue of Science
San Diego, CA 92128

Start: 6/30/2017  End: 6/30/2018

Waiver Renewal: Y
Previous Waiver Number: 14-3-2016-W-06  Previous SBE Approval Date: 7/13/2016

Waiver Topic: Equity Length of Time
Ed Code Title: Equity Length of Time
Ed Code Section: 37202(a)
Ed Code Authority: 33050

Ed Code or CCR to Waive: Poway Unified would like to request renewal of a waiver to the 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 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: See attached.

Student Population: 35711

City Type: Suburban

Public Hearing Date: 2/14/2017
Public Hearing Advertised: The public hearing was published in local newspaper, front lobby of the school district and front lobby of schools.

Local Board Approval Date: 2/14/2017

Community Council Reviewed By: PUSD District Advisory Committee
Community Council Reviewed Date: 1/19/2017
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Cindy De Clercq
Position: Executive Director II
E-mail: cdeclercq@powayusd.com
Telephone: 858-521-2735 x2735
Fax: 858-485-1322

Bargaining Unit Date: 01/09/2017
Name: Poway Federation of Teachers
Representative: Candy Smiley
Title: President
Position: Support
Comments:
Ed Code or CCR to Waive: EC37202 and EC46111
(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: Please see attachment for circumstances

Student Population: 5162

City Type: Suburban

Public Hearing Date: 1/18/2017
Public Hearing Advertised: It was posted at each school site, district offices and website

Local Board Approval Date: 1/18/2017

Community Council Reviewed By: Board of Trustees
Community Council Reviewed Date: 1/18/2017
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Oscar Hernandez
Position: Asst. Superintendent
E-mail: ohernandez@rioschools.org
Telephone: 805-485-3111 x2118
Fax: 805-988-1599

Bargaining Unit Date : 1/18/2017
Name: Rio Teachers Association (RTA)
Representative: Name: Marisela Valdez
Title: President
Position: Support
Comments:
## California Department of Education
### WAIVER SUBMISSION - General

<table>
<thead>
<tr>
<th>CD Code: 3367249</th>
<th>Waiver Number: 23-1-2017</th>
<th>Active Year: 2017</th>
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</thead>
<tbody>
<tr>
<td>Date In: 1/20/2017 10:57:43 AM</td>
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<td></td>
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<tr>
<td>Local Education Agency: San Jacinto Unified</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address: 2045 South San Jacinto Ave. San Jacinto, CA 92583</td>
<td></td>
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<tr>
<td>Start: 8/8/2016</td>
<td>End: 6/8/2018</td>
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<tr>
<td>Waiver Renewal: N</td>
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<td>Previous Waiver Number:</td>
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<tr>
<td>Previous SBE Approval Date:</td>
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<tr>
<td>Waiver Topic: Equity Length of Time</td>
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<td>Ed Code Title: Equity Length of Time</td>
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<tr>
<td>Ed Code Section: 37202</td>
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<tr>
<td>Ed Code Authority: 33050</td>
<td></td>
<td></td>
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<tr>
<td>Ed Code or CCR to Waive: the governing board of a school district shall maintain all the elementary day schools established by it for an equal length of time during the school year.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outcome Rationale: Our Kindergarten program has, for many years, operated on an &quot;extended day&quot; basis significantly in excess of the minimum requirements. The Board strongly felt that for transitional kindergarten, it was more developmentally appropriate to have a shorter school day for the younger students.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Both Kindergarten and Transitional Kindergarten (AM) begin at 8:45 am. Transitional Kindergarten (PM) begins at 11:45 am.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kindergarten dismisses at 2:00 pm, Transitional Kindergarten (AM) dismisses at 12:20 pm and Transitional Kindergarten (PM) dismisses at 3:15 pm</td>
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<td>Schools Impacted: Hyatt Elementary and Record Elementary</td>
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<td>Student Population: 9851</td>
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<td>City Type: Rural</td>
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<td>Public Hearing Date: 1/13/2017</td>
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<tr>
<td>Public Hearing Advertised: Posted at all school sites and at the district website and press</td>
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<td>Local Board Approval Date: 1/17/2017</td>
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<td>Community Council Reviewed By: Board Members and Cabinet Members</td>
<td></td>
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<tr>
<td>Community Council Reviewed Date: 1/17/2017</td>
<td></td>
<td></td>
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<tr>
<td>Community Council Objection: N</td>
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</tbody>
</table>
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Sharon Raffiee  
Position: Executive Director  
E-mail: sraffiee@sanjacinto.k12.ca.us  
Telephone: 951-929-7700 x4236  
Fax:

Bargaining Unit Date: 12/15/2016  
Name: San Jacinto Teachers Association  
Representative: Theresa Gonter  
Title: President, SJTA  
Position: Support  
Comments:
California Department of Education  
WAIVER SUBMISSION - General

CD Code: 3768361  Waiver Number: 5-1-2017  Active Year: 2017

Date In: 1/9/2017 2:27:38 PM

Local Education Agency: Santee  
Address: 9625 Cuyamaca St.  
Santee, CA 92071

Start: 8/21/2017  End: 6/28/2019

Waiver Renewal: Y  
Previous Waiver Number: 17-12-2015-W-04  Previous SBE Approval Date: 5/11/2016

Waiver Topic: Equity Length of Time  
Ed Code Title: Equity Length of Time  
Ed Code Section: 37202(a)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: Pursuant to EC Section 37202 any TK programs operated by a district must be of equal length to any kindergarten programs operated by the same district. If TK program instructional minutes are a different length than the kindergarten program instructional minutes, then a waiver must be submitted to the State Board of Education.

Outcome Rationale: As a true transition for our students with birthdates between September 1 - December 1, we have elected to hold Transitional Kindergarten for 210 minutes daily versus the 307 minutes our kindergarten students receive daily. The community appreciates the instructional minutes for this program and our students have continued to flourish as they transition from TK to kindergarten.

Student Population: 111

City Type: Suburban

Public Hearing Date: 12/6/2016  
Public Hearing Advertised: Notices at community locations and in the Board of Education packet

Local Board Approval Date: 12/6/2016

Community Council Reviewed By: DAC  
Community Council Reviewed Date: 11/10/2016  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-03
The Durham Unified School District (DUSD) is requesting that the California State Board of Education (SBE) waive the instructional time requirement audit penalty for DUSD. DUSD was short instructional minutes for the 2014–15 school year. Per Education Code (EC) Section 46206(a), the SBE may waive the fiscal penalties set forth in this article for a school district or county office of education that fails to maintain the prescribed minimum length of instruction, upon the condition that the school or schools in which the minutes were lost maintain minutes of instruction equal to those lost, in addition to the minimum amount required, for twice the number of years that it failed to maintain the required minimum length of time.

Authority for Waiver: EC Section 46206(a)

RECOMMENDATION

☐ Approval  ☒ Approval with conditions  ☐ Denial

The California Department of Education (CDE) recommends that the SBE approve this waiver on the condition that the DUSD maintains increased instructional minutes for grades nine through twelve of at least the amount required by law plus 1,960 minutes for grades nine through twelve for a period of two years beginning in 2015–16 through 2016–17. As an additional condition of the waiver approval, the district must report the annual instructional minutes offered by the district in grades nine through twelve in its annual audit report.

SUMMARY OF KEY ISSUES

During an audit of instructional minutes for 2014–15 it was discovered that the DUSD failed to offer the required number of minutes for grades nine through twelve at Durham
High School.

The DUSD would like to use school years 2015–16 and 2016–17 to make up the shortfall of instructional minutes at Durham High School. The minimum number of required annual instructional minutes for grades nine through twelve in 2015–16 and 2016–17 is 64,800.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved similar requests with conditions. EC Section 42606 authorizes waivers to be granted for fiscal penalties due to a shortfall in instructional time. A waiver may be granted upon the condition that the school or schools, in which the minutes were lost, maintain minutes of instruction equal to those lost, in addition to the minimum amount required for twice the number of years that it failed to maintain the required minimum length of time.

Demographic Information: DUSD has a student population of 1,011 and is located in a rural area in Butte County.

FISCAL ANALYSIS (AS APPROPRIATE)

The 2014–15 penalty amount of $59,986 is calculated as follows (some differences due to rounding):

278.21 Average Daily Attendance (ADA) for all students in grades nine through twelve multiplied by $6,932.98 (transition rate) is equal to $1,928,824.

A shortfall of 1,960 instructional minutes divided by the 63,000 minute requirement is equal to 3.11 percent of minutes not offered.

$1,928,824 multiplied by the percentage of minutes not offered is equal to $59,986.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Durham Unified School District Specific Waiver Request 26-2-2017 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
## Summary Table

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>District’s Request</th>
<th>CDE Recommendation</th>
<th>Bargaining Unit Representatives Consulted Date, and Position</th>
<th>Local Board and Public Hearing Approval Date</th>
<th>Potential Annual Penalty Without Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>26-2-2017</td>
<td>Durham Unified School District</td>
<td><strong>Requested:</strong> 7/1/2014 to 6/30/2015</td>
<td>District requests waiving EC Section 46201(a) to avoid the audit penalty in exchange for offering increased instructional minutes in 2015–16 and 2016–17, consistent with EC Section 46206.</td>
<td><strong>Approval</strong> of waiver, consistent with EC Section 46206 with the following conditions: District: (1) maintains increased instructional minutes for grades nine through twelve of at least the amount required by law plus 1,960 minutes, for a period of two years beginning in 2015–16 through 2016–17, and (2) reports the annual instructional minutes offered in grades nine through twelve in its annual audit report.</td>
<td>Durham Unified Teachers Association, Davis Van Arsdale President 6/02/2016 Support</td>
<td>1/18/2017</td>
<td>$59,986.00</td>
</tr>
</tbody>
</table>

Created by California Department of Education
March 9, 2017
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 0461432  Waiver Number: 26-2-2017  Active Year: 2017

Date In: 2/22/2017 11:04:36 AM

Local Education Agency: Durham Unified
Address: 9420 Putney Dr.
Durham, CA 95938

Start: 7/1/2014  End: 6/30/2015

Waiver Renewal: N  Previous Waiver Number:  Previous SBE Approval Date:

Waiver Topic: Instructional Time Requirement Audit Penalty
Ed Code Title: Below 1982-83 Base Minimum Minutes
Ed Code Section: 46201
Ed Code Authority: 46206

Ed Code or CCR to Waive: 46201. (a) For each school district that received an apportionment pursuant to subdivision (a) of this section, as it read on January 1, 2013, and that reduces the amount of instructional time offered below the minimum amounts specified in subdivision (b), the Superintendent shall withhold from the school district’s local control funding formula grant apportionment pursuant to Section 42238.02, as implemented by Section 42238.03, for the average daily attendance of each affected grade level, the sum of that apportionment multiplied by the percentage of the minimum offered minutes at that grade level that the school district failed to offer.

(b) Commencing with the 2013–14 fiscal year:

(1) Thirty-six thousand minutes in kindergarten.

(2) Fifty thousand four hundred minutes in grades 1 to 3, inclusive.

(3) Fifty-four thousand minutes in grades 4 to 8, inclusive.

(4) Sixty-four thousand eight hundred minutes in grades 9 to 12, inclusive.

Outcome Rationale: Specifically, we are seeking a waiver for finding number 2015-002 on page 63 of the independent auditor’s report for fiscal year 2014-15 on the grounds that we substantially complied with the requirements and acted in good faith.

During the 2014-15 school year, Durham High School offered a total of 7 periods of instruction including an optional period during the first period of the day. The courses offered during that period consisted of Symphonic Band, Government/Economics, and Coed Physical Education. The audit concluded that these three courses do not represent a valid course offering because the courses for this period are not representative of the courses offered at other periods of the
day that range from 12 to 15 course options. According to Fiscal Management Advisory 86-06, page 13, “Instructional time is offered if each pupil has access to a substantial course and all pupils desiring access are accommodated.” Although the variety of courses offered during the first period are limited they do represent substantial courses as indicated by the enrollment in each course. Enrollment for 2014-15 was as follows:

- Symphonic Band – 65
- Coed Physical Education – 35
- Government/Economics – 18

Total enrollment at Durham High School for the 2014-15 school year was 287 students indicating that 41% of the population was enrolled in this period. Furthermore, both Symphonic Band and Coed Physical Education are open to all students grade 9 through 12, with no restrictions, and the district provides home to school transportation for all students attending this period in order to facilitate and encourage student participation.

Management Advisory 86-06, page 14, also states “The primary flexibility inherent in the term ‘instructional offering’ appears to be that students are not required to accept the offering by attending the full time offered. The ‘optional seventh period’, offered in many high schools, is typical of the type of time that may count for instructional time incentive purposes.” When considering this statement and the fact that the courses offered are both substantial in nature and available to all students in the school it becomes clear that the offering of instructional minutes for the disallowed period meets all of the key criteria.

Our corrective action for the 2015-16 fiscal year included the addition of a section during the first period of the day in the form of a Cyber High/Online Academy in order to increase enrollment and to vastly expand the education offering of elective courses and credit recovery for students needing these types of options. Although the enrollment in this section was 20 students, it meets the criteria of a substantial course and significantly increased the types of subjects offered for instruction.

For the 2016-17 school year, with the cooperation of our teaching staff, we made significant modifications to the bell schedule and master classroom schedule at the school site to ensure we strictly complied with the instructional minutes requirement such that we were also able to make up the minutes disallowed for the 2014-15 school year

Accordingly, it is our belief that we complied with the requirements for a valid offering of instructional minutes and the disallowed period be added back to the determination of our minimum instructional minutes for the 2014-15 school year and the penalty be eliminated or reduced. Incurring a penalty of $50,709.58 at this time would represent a significant hardship given our current financial position. Furthermore, in good faith, we took appropriate corrective action in the 2015-16 and 2016-17 fiscal years to both meet and exceed the minimum number of instructional minutes offered to our high school students. Attached you will find the calculations of instructional minutes for 2014-15 with the first period disallowed compared to the revised calculation with the new bell schedule for 2016-17.

Student Population: 1011
City Type: Rural

Local Board Approval Date: 1/18/2017

Audit Penalty YN: Y

Categorical Program Monitoring: N

Submitted by: Mr. Ron Sherrod
Position: Business Manager
E-mail: rsherrod@durhamunified.org
Telephone: 530-895-4675 x226
Fax: 530-895-4692

Bargaining Unit Date: 06/02/2016
Name: Durham Unified Teachers Association
Representative: Davis Van Arsdale
Title: Union President
Position: Support
Comments:
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-04
Califonia Department of Education  
Executive Office  
SBE-006 Specific (REV. 02/2014)  

CALIFORNIA STATE BOARD OF EDUCATION  
MAY 2017 AGENDA  

Specific Waiver  

SUBJECT  
Request by Maple Creek Elementary School District under the authority of the California Education Code Section 46206(a), to waive Education Code Section 46201(a), the audit penalty for offering less instructional time in the 2015–16 school year for students in grades four through eight (shortfall of 600 minutes) at district schools. 

Waiver Number: 2-2-2017  

SUMMARY OF THE ISSUE(S)  
The Maple Creek Elementary School District (MCESD) is requesting that the California State Board of Education (SBE) waive the instructional time requirement audit penalty for MCESD. MCESD was short instructional minutes for the 2015–16 school year. Per Education Code (EC) Section 46206(a), the SBE may waive the fiscal penalties for a school district or county office of education that fails to maintain the prescribed minimum length of instruction, upon the condition that the school or schools in which the minutes were lost maintain minutes of instruction equal to those lost, in addition to the minimum amount required, for twice the number of years that it failed to maintain the required minimum length of time. 

Authority for Waiver: EC Section 46206(a)  

RECOMMENDATION  
☐ Approval  ☑ Approval with conditions  ☐ Denial  

The California Department of Education (CDE) recommends that the SBE approve this waiver on the condition that the MCESD maintains increased instructional minutes at Maple Creek Elementary School for grades four through eight of at least the amount required by law plus 600 minutes for grades four through eight for a period of two years beginning in 2016–17 through 2017–18. As an additional condition of the waiver approval, the district must report the annual instructional minutes offered by the district in grades four through eight in its annual audit report. 

SUMMARY OF KEY ISSUES  

During an audit of instructional minutes for 2015–16 it was discovered that the MCESD failed to offer the required number of minutes for grades four through eight at Maple Creek Elementary School.
The MCESD would like to use school years 2016–17 and 2017–18 to make up the shortfall of instructional minutes at Maple Creek Elementary School. The minimum number of required annual instructional minutes for grades four through eight in 2016–17 and 2017–18 is 54,000.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved similar requests with conditions. EC Section 42606 authorizes waivers to be granted for fiscal penalties due to a shortfall in instructional time. A waiver may be granted upon the condition that the school or schools, in which the minutes were lost, maintain minutes of instruction equal to those lost, in addition to the minimum amount required for twice the number of years that it failed to maintain the required minimum length of time.

Demographic Information: MCESD has a student population of 11 and is located in a rural area in Humboldt County.

FISCAL ANALYSIS (AS APPROPRIATE)

The 2015–16 penalty amount of $450.10 is calculated as follows (some differences due to rounding):

0.98 Average Daily Attendance (ADA) for all students in grades four through six multiplied by $8,385.83 (transition rate) is equal to $8,218.11.

3.79 ADA for all students in grades seven and eight multiplied by $8,530.87 (transition rate) is equal to $32,332.00.

A shortfall of 600 instructional minutes divided by the 54,000 minute requirement is equal to 1.11 percent of minutes not offered.

$8,218.11 multiplied by the percentage of minutes not offered is equal to $91.22.

$32,332.00 multiplied by the percentage of minutes not offered is equal to $358.88.

The penalty amount of $91.22 for grades four through six added to the penalty amount of $358.88 for grades seven and eight is equal to $450.10.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Maple Creek Elementary School District Specific Waiver Request 2-2-2017 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
## Summary Table

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>Period of Request</th>
<th>District's Request</th>
<th>CDE Recommendation</th>
<th>Bargaining Unit Representatives Consulted Date, and Position</th>
<th>Local Board and Public Hearing Approval Date</th>
<th>Potential Annual Penalty Without Waiver</th>
</tr>
</thead>
</table>
| 2-2-2017      | Maple Creek Elementary School District | **Requested:** 7/1/2015 to 6/30/2016  
**Recommended:** 7/1/2015 to 6/30/2016 | District requests waiving *EC Section 46201(a)* to avoid the audit penalty in exchange for offering increased instructional minutes in 2016–17 and 2017–18, consistent with *EC Section 46206*. | **Approval** of waiver, consistent with *EC Section 46206* with the following conditions:  
District: (1) maintains increased instructional minutes for grades four through eight of at least the amount required by law plus 600 minutes, for a period of two years beginning in 2016–17 through 2017–18, and (2) reports the annual instructional minutes offered in grades four through eight in its annual audit report. | The district does not have a bargaining unit. | 1/20/2017 | $450.10 |

Created by California Department of Education  
February 13, 2017
Ed Code or CCR to Waive: 46202.

If a school district that does not participate in the program set forth in Sections 46200 to 46206, inclusive, as those sections read on January 1, 2013, offers less instructional time in a fiscal year than the amount of instructional time fixed for the 1982–83 fiscal year, the Superintendent shall withhold for that fiscal year, from the school district’s local control funding formula grant apportionment pursuant to Section 42238.02, as implemented by Section 42238.03, for the average daily attendance of each affected grade level, the amount of that apportionment multiplied by the percentage of instructional minutes fixed in the 1982–83 school year, at that grade level, that the school district failed to offer.

46206.
(a) The State Board of Education may waive the fiscal penalties set forth in this article for a school district or county office of education that fails to maintain the prescribed minimum length of time for the instructional school year, minimum number of instructional days for the school year, or both.

(b) For fiscal penalties incurred as a result of a shortfall on instructional time in the 2000–01 fiscal year or thereafter, a waiver may only be granted pursuant to subdivision (a) upon the condition that the school or schools in which the minutes, days, or both, were lost, maintain minutes and days of instruction equal to those lost and in addition to the amount otherwise prescribed in this article for twice the number of years that it failed to maintain the prescribed minimum length of time for the instructional school year, minimum number of instructional days for the school year following the year, or both, commencing not later than the school year following the year in which the waiver was granted and continuing for each succeeding school year until the condition is satisfied. Compliance with the condition shall be specifically verified in the report of the annual audit of the school district or county office of education for each year in which the additional time is to be maintained. If an audit report for a year in which the additional time is to be maintained does not verify that the time was provided, that finding shall be addressed as set forth in Section 41344.
(c) It is the intent of the Legislature that school districts and county offices of education make every effort to make up any instructional days and minutes lost during the school year in which the loss occurred, rather than seeking a waiver pursuant to the provisions of this section. 
(d) The State Board of Education may grant a waiver pursuant to subdivision (a) without the condition provided in subdivision (b) to any school district that maintained a single session kindergarten class in the 1982–83 school year for more than the maximum number of 240 minutes permitted by state law and that, due to the school district's growth and facilities limitations, is required to operate two sessions of kindergarten per day in the same classroom.

Outcome Rationale: For years Maple Creek District has been well above the required the instructional minutes for each grade level. The attached documents show that the District made adjustments as soon as possible to correct the problem and has plans to keep instructional minutes above the minimum required this year and for future years out.

This waiver is associated with an apportionment related audit penalty however my scanner prevents me from saving the document in a format that can be uploaded on this application.

Student Population: 11
City Type: Rural
Local Board Approval Date: 1/20/2017
Audit Penalty YN: N
Categorical Program Monitoring: N
Submitted by: Ms. Wendy Orlandi
Position: Superintendent
E-mail: worlandi@maplecreekschool.org
Telephone: 707-668-5596
Fax: 707-668-5596
Maple Creek School District has made adjustments to the daily schedule. The instructional minutes for grades four through eight have been increased so that they will have a minimum of 54,600 instructional minutes for 2016-2017 and 2017-2018 school years. The Superintendent will present the board with school calendar and school schedule that will include the minutes being instructed as well as the minutes required at the bottom of the schedule. This will be done annually to ensure that each year, each grade will meet or exceed the required minutes.

Daily Schedule
2016-2017 (August 29- December 16)
School begins: 8:45  90 minutes
Snack and Recess:
   TK-8th  10:15-10:45  90 minutes
Recess and Lunch:
   TK-8th  12:15- 1:00  120 minutes
Dismissal: 3:00
(21,540 minutes) 70 full days at 300 minutes and 3 minimum days at 180 minutes
2016-2017 (Jan 3-June 16)
School begins: 8:45  TK-3 grade 90 minutes/ 4-8 100 minutes
Snack and Recess:
   TK-3rd  10:15-10:45  TK-3 grade 90 minutes/ 4-8 94 minutes
   4th-8th  10:25-10:45
Recess and Lunch:
   TK-3rd  12:15- 1:00  120 minutes
   4th-8th  12:19-1:00
Dismissal: 3:00
(TK-3 31,740 minutes/ 4-8 33,238) 104 full days (TK-3 300 minutes per day/ 4-8 314 minutes per day) and 3 minimum days (TK-3 180 minutes per day/ 4-8 194 minutes per day)
(Required minutes Kindergarten 36,000/ 1-3 50,400)
(Required minutes 4th-8th 54,000)
School Year Total minutes for TK-3 53,280/ 4th-8th grade: 54,778

Daily Schedule 2017-2018
School begins: 8:45
Snack and Recess:
   TK-3rd  10:15-10:45  TK-3 grade 90 minutes/
   4th-8th  10:20-10:45
Recess and Lunch:
   TK-3rd  12:15- 1:00  TK-3 grade 90 minutes/
   4th-8th  12:20-1:00
Dismissal: 3:00
(TK-3 53,280 minutes/ 4-8 55,080) 174 full days and 6 minimum days
Minimum day TK-3 180 minutes/ 4-8 190 minutes
Total minutes for TK-3rd grade: 53,280 (required minutes Kindergarten 36,000/ 1-3 50,400)
Total minutes for 4th-8th grade: 55,080 (required minutes 4th-8th 54,000)
WAIVER ITEM W-05
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

☐ Specific Waiver

SUBJECT

Request by Montecito Union Elementary School District under the authority of the California Education Code Section 46206(a), to waive Education Code Section 46201(a), the audit penalty for offering less instructional time in the 2015–16 school year for students in grade one (shortfall of 45 minutes) at district schools.

Waiver Number: 16-1-2017

☐ Action

☐ Consent

SUMMARY OF THE ISSUE(S)

The Montecito Union Elementary School District (MUESD) is requesting that the California State Board of Education (SBE) waive the instructional time requirement audit penalty for MUESD. MUESD was short instructional minutes for the 2015–16 school year. Per Education Code (EC) Section 46206(a), the SBE may waive the fiscal penalties set forth in this article for a school district or county office of education that fails to maintain the prescribed minimum length of instruction, upon the condition that the school or schools in which the minutes were lost maintain minutes of instruction equal to those lost, in addition to the minimum amount required, for twice the number of years that it failed to maintain the required minimum length of time.

Authority for Waiver: EC Section 46206(a)

RECOMMENDATION

☐ Approval  ☒ Approval with conditions  ☐ Denial

The California Department of Education (CDE) recommends that the SBE approve this waiver on the condition that the MUESD maintains increased instructional minutes for grade one of at least the amount required by law plus 45 minutes for grade one for a period of two years beginning in 2016–17 through 2017–18. As an additional condition of the waiver approval, the district must report the annual instructional minutes offered by the district in grade one in its annual audit report.

SUMMARY OF KEY ISSUES

During an audit of instructional minutes for 2015–16 it was discovered that the MUESD failed to offer the required number of minutes for grade one.
The MUESD would like to use school years 2016–17 and 2017–18 to make up the shortfall of instructional minutes. The minimum number of required annual instructional minutes for grade one in 2016–17 and 2017–18 is 50,400.

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The SBE has approved similar requests with conditions. EC Section 42606 authorizes waivers to be granted for fiscal penalties due to a shortfall in instructional time. A waiver may be granted upon the condition that the school or schools, in which the minutes were lost, maintain minutes of instruction equal to those lost, in addition to the minimum amount required for twice the number of years that it failed to maintain the required minimum length of time.

**Demographic Information:** MUESD has a student population of 449 and is located in a suburban area in Santa Barbara.

**FISCAL ANALYSIS (AS APPROPRIATE)**

The 2015–16 penalty amount of $349 is calculated as follows (some differences due to rounding):

55.00 Average Daily Attendance (ADA) for all students in grade one multiplied by $7,058.19 (transition rate) is equal to $388,200.

A shortfall of 45 instructional minutes divided by the 50,400 minute requirement is equal to 0.09 percent of minutes not offered.

$388,200 multiplied by the percentage of minutes not offered is equal to $349.

**ATTACHMENT(S)**

Attachment 1: Summary Table (1 page)

Attachment 2: Montecito Union Elementary School District Specific Waiver Request 16-1-2017 (2 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>District’s Request</th>
<th>CDE Recommendation</th>
<th>Bargaining Unit Representatives Consulted Date, and Position</th>
<th>Local Board and Public Hearing Approval Date</th>
<th>Potential Annual Penalty Without Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>16-1-2017</td>
<td>Montecito Union Elementary School District</td>
<td><strong>Requested:</strong> 7/1/2015 to 6/30/2016</td>
<td>District requests waiving EC Section 46201(a) to avoid the audit penalty in exchange for offering increased instructional minutes in 2016–17 and 2017–18, consistent with EC Section 46206.</td>
<td><strong>Approval</strong> of waiver, consistent with EC Section 46206 with the following conditions: District: (1) maintains increased instructional minutes for grade one of at least the amount required by law plus 45 minutes, for a period of two years beginning in 2016–17 through 2017–18, and (2) reports the annual instructional minutes offered in grade one in its annual audit report.</td>
<td>Montecito Union Teachers Association, Barbara Gonzales President 12/01/2016 <strong>Support</strong></td>
<td>1/17/2017</td>
<td>$349.00</td>
</tr>
</tbody>
</table>

Created by California Department of Education
March 7, 2017
CD Code: 4269252  Waiver Number: 16-1-2017  Active Year: 2017

Date In: 1/18/2017 11:08:18 AM

Local Education Agency: Montecito Union Elementary
Address: 385 San Ysidro Rd.
Santa Barbara, CA 93108


Waiver Renewal: N
Previous Waiver Number:
Previous SBE Approval Date:

Waiver Topic: Instructional Time Requirement Audit Penalty
Ed Code Title: Below 1982-83 Base Minimum Minutes
Ed Code Section: 46201
Ed Code Authority: 46201

Ed Code or CCR to Waive: (a) For each school district that received an apportionment pursuant to subdivision (a) of this section, as it read on January 1, 2013 and that reduces the amount of instructional time offered below the minimum amounts specified in subdivision (b), the Superintendent shall withhold from the school district's local control funding formula grant apportionment pursuant to Section 42238.02, as implemented by Section 42238.03, for the average daily attendance of each affected grade level, the sum of that apportionment multiplied by the percentage of the minimum offered minutes at that grade level that the school district failed to offer.

46201(2) Fifty thousand four hundred minutes in grades 1 to 3, inclusive.

Outcome Rationale: The 2015-2016 audit revealed District oversight in not offering the required instructional minutes in the first grade. At the first grade level, the District had 50,355 minutes which is 45 minutes lower than the required 50,400 minutes required. The District has reviewed the school calendar and bell schedule to ensure that each grade will meet the minimum required minutes. The District has taken action to correct this oversight and the instructional time has been recalculated and reformatted.

Student Population: 449
City Type: Suburban
Local Board Approval Date: 1/17/2017
Audit Penalty YN: N
Categorical Program Monitoring: N
Submitted by: Ms. Tammy Murphy
Position: Superintendent
E-mail: tmurphy@montecitou.org
Telephone: 805-969-3249 x400
Fax: 805-969-9714
Bargaining Unit Date: 12/01/2016
Name: Montecito Union Teachers Association
Representative: Barbara Gonzales
Title: President
Position: Support
Comments:
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-06
General Waiver

SUBJECT
Request by two school districts to waive California Education Code sections specific to statutory provisions for the sale or lease of surplus property.

Waiver Numbers:
- Dos Palos Oro Loma Unified School District 14-2-2017
- Union Elementary School District 16-2-2017

SUMMARY OF THE ISSUES

The Dos Palos Oro Loma Unified School District is requesting a waiver of California Education Code (EC) sections 17473, 17474, and 17475, and portions of EC sections 17466 and 17472, which will allow the district to sell one piece of property using a “request for proposal” process, maximizing the proceeds of the sale.

The Union Elementary School District is requesting a waiver of California EC sections 17473, 17474, and 17475 and portions of EC sections 17466, 17469, and 17472, which will allow the district to lease one piece of property using a “request for proposal” process, thereby maximizing the proceeds of the sale.

Authority for Waiver: Education Code (EC) Section 33050

RECOMMENDATION

Approval with conditions

The California Department of Education recommends approval with the following conditions: that the final acceptance by the governing board of the Dos Palos Oro Loma Unified School District be made within 30 to 60 days of the meeting in which a proposal is received, and that the reasons for acceptance be discussed in public session and included in the minutes of the meeting.

The California Department of Education recommends approval with the following conditions: that the final acceptance by the governing board of the Union Elementary School District be made within 60 days of the meeting in which a proposal is received, and that the reasons for the acceptance be discussed in public session and included in the minutes of the meeting.
SUMMARY OF KEY ISSUES

Under provisions of EC sections 33050 through 33053, the districts are requesting that specific portions of the EC relating to the sale or lease of surplus property be waived.

The Dos Palos Oro Loma Unified School District states that the waiver will allow the district to maximize its return on the sale of the property to the greatest extent possible. The district anticipates that the location and certain qualities of the property will make it extremely attractive to developers; however, the district’s past experience with a public auction indicates that such a process will not allow the district to take advantage of the potential of the property. Thus, the district would like to sell the property via a Request for Proposals. The district has attempted one public bid and recently held an unsuccessfully public bid sale.

The Union Elementary School District proposes to use the Request for Proposals process to realize the asset potential of the school property. Approval of the proposed waiver would allow the district to ground lease property using a broker process, thereby maximizing the proceeds from such sale and/or lease.

Demographic Information:
The Dos Palos Oro Loma Unified School District has a student population of 2,366 and is located in a rural area of Merced County.

The Union Elementary School District has a student population of 5,753 and is located in an urban area of Santa Clara 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 State Board of Education has approved all previous waivers regarding the bidding process and the sale or lease of surplus property. The districts are requesting to waive the same or similar provisions for the sale or lease of surplus property.

FISCAL ANALYSIS (AS APPROPRIATE)

The flexibility in property disposition requested herein will allow the Dos Palos Oro Loma Unified School District to maximize revenue from the sale of the property.

The flexibility in property disposition requested herein will allow the Union Elementary School District to maximize revenue from the lease of the property.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)
Attachment 2: Dos Palos Oro Loma Unified School District General Waiver Request 14-2-2017 (4 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Union Elementary School District Waiver Request 16-2-2017 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
## Summary Table

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>School District</th>
<th>Property</th>
<th>Period of Request</th>
<th>Local Board Approval Date</th>
<th>Public Hearing Date</th>
<th>Bargaining Unit, Representatives Consulted, Date, and Position</th>
<th>Advisory Committee Consulted</th>
</tr>
</thead>
<tbody>
<tr>
<td>14-2-2017</td>
<td>Dos Palos Joint Unified</td>
<td>5609 Russell Avenue, Firebaugh</td>
<td>Requested: 1/1/2017 to 1/1/2019</td>
<td>1/19/2017</td>
<td>Public Hearing Advertised: 1/19/2017</td>
<td>Support: California School Employees Association #761, DPOLTA</td>
<td>The school site council of each school</td>
</tr>
<tr>
<td>16-2-2017</td>
<td>Union Elementary</td>
<td>Corporation Yard Property, San Jose</td>
<td>Requested: 5/10/2017 to 5/10/2019</td>
<td>1/19/2017</td>
<td>Public Hearing Advertised: 2/13/2017</td>
<td>Support: California School Employees Association</td>
<td>District Advisory Committee-Surplus Lands Consideration</td>
</tr>
</tbody>
</table>

Created by the California Department of Education
March 15, 2017
The Dos Palos Oro Loma Joint Unified School District desires to waive the following sections and portions of the *Education Code* lined out below:

**EC 17466.** Before ordering the sale or lease of any property the governing board, in a regular open meeting, by a two-thirds vote of all its members, shall adopt a resolution, declaring its intention to sell or lease the property, as the case may be. The resolution shall describe the property proposed to be sold or leased in such manner as to identify it [and shall specify the minimum price or rental and the terms upon which it will be sold or leased and the commission, or rate thereof, if any, which the board will pay to a licensed real estate broker out of the minimum price or rental. The resolution shall fix a time not less than three weeks thereafter for a public meeting of the governing board to be held at its regular place of meeting, at which sealed proposals to purchase or lease will be received and considered.]

**EC 17472.** At the time and place fixed in the resolution for the meeting of the governing body, all [sealed] proposals which have been received shall, in public session, [be opened], examined, and declared by the board. Of the proposals submitted [which conform to all terms and conditions specified in the resolution of intention to sell or to lease and] which are made by responsible bidders, the proposal which the Board determines represents the most desirable sale of the property shall be [is the highest, after deducting therefrom the commission, if any, to be paid a licensed real estate broker in connection therewith, shall be finally accepted, unless a higher oral bid is accepted or the board rejects all bids.]

**EC 17473.** [Before accepting any written proposal, the board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to purchase the property or to lease the property, as the case may be, upon the terms and conditions specified in the resolution, for a price or rental exceeding by at least 5 percent, the highest written proposal, after deducting the commission, if any, to be paid a licensed real estate broker in connection therewith, then the oral
bid which is the highest after deducting any commission to be paid a licensed real estate broker, in connection therewith, which is made by a responsible person, shall be finally accepted. Final acceptance shall not be made, however, until the oral bid is reduced to writing and signed by the offeror.]

[EC 17474. In the event of a sale on a higher oral bid to a purchaser procured by a licensed real estate broker, other than the broker who submitted the highest written proposal, and who is qualified as provided in Section 17468 of this code, the board shall allow a commission on the full amount for which the sale is confirmed. One-half of the commission on the amount of the highest written proposal shall be paid to the broker who submitted it, and the balance of the commission on the purchase price to the broker who procured the purchaser to whom the sale was confirmed.]

EC 17475. The final acceptance by the governing body may be made [either at the same session or] at any adjourned session of the same meeting held within 30 to 60 days [next] following.

Outcome Rationale: The waiver is required to assist the district with the disposing of certain surplus property.

Desired Outcome/ Rationale

The Dos Palos Oro Loma Joint Unified School District desires to have the requested Education Code sections waived because the waiver of these sections will allow the District to maximize its return on the sale of the Property to the greatest extent possible. The District anticipates that the location and certain qualities of the Property will make it extremely attractive to developers; however, the District’s past experience with a public auction indicates that such a process will not allow the District to take advantage of the potential of the Property. Thus, the District would like to sell the Property via a Request for Proposals.

The Property

The District owns certain real property located at 5609 Russell Avenue, Firebaugh California and consisting portions of APN 010-020-12 and 017-140-04 located within the unincorporated area of Firebaugh (“Property”);

Previous Bid Auctions

On December 12, 2016 the District adopted and approved a resolution approving the District’s Advisory Committee’s recommendations to sell the entire Oro Loma School Site, declaring the entire Oro Loma School site surplus, and authorizing the offer of the entire Oro Loma School site for sale pursuant to California law. The District offered the entire Oro Loma School Site site for sale to public agencies pursuant to the surplus property procedures set forth in Education Code sections 17464-17465 and 17485 et seq. and to public benefit non-profit organizations pursuant to Education Code section 17464.

After concluding all required negotiation and notice periods with applicable agencies and organizations (and receiving no offers to negotiate or interest from any of the agencies or organizations), completing title analyses, complying with posting and publication requirements, and preparing and disseminating extensive bid package documents, the District conducted a
public bid hearing for the sale of the entire Oro Loma School site on December 12, 2016. Despite sending a bid package, an addendum and contacting potential bidders, no written or oral bids were submitted. The public bid procedure did not attract any interest in the entire Oro Loma School site.

Therefore, despite good faith efforts, the District was not able to dispose of the entire Oro Loma School site under the surplus property bid procedures set forth in Education Code section 17466 et seq.

Subsequently, the District’s Board of Trustees adopted a resolution requesting a waiver of the competitive bidding procedures required under the Education Code and further requesting permission to issue an RFP for the sale of all, or a portion, of the Oro Loma School site. The State Board of Education approved the District’s waiver request on ___________, and the District subsequently issued an RFP regarding the sale of a portion of the Oro Loma School site. The District did have more success with this process and did receive interest in the Oro Loma School site. However, the proposed transaction was not able to be completed due to timing and the current financial climate.

The District let the previous waiver expire and again attempted to sell the Property pursuant to a competitive bid process. Despite sending a bid package, an addendum and contacting potential bidders, no written or oral bids were submitted at the District’s bid hearing on December 12, 2016. Now the District desires to obtain a waiver to try and sell the Property again through an RFP process.

Proposed Process for Selling the Property

Based on previous experience, consultations with experts, and on its knowledge of the surrounding community, the District has concluded that offering the Property for sale through a Request for Proposals, followed by further negotiations, will allow more flexibility and produce a better outcome.

In the current real estate market climate, a bid auction scenario is not able to attract serious and capable buyers to this Property. The District’s previous experience with a lack of interest from bidders has shown the District that it needs the ability to be flexible and work with potential buyers to create a valuable package. A waiver from the surplus property bid auction requirements will allow the District to do this. The District will work with a broker to develop a strategic plan for advertising and marketing the Property in order to solicit proposals from potential buyers interested in the Property.

Conclusion

The sale of the Property will allow the District to continue to provide a high-quality educational experience for its students. The District will work closely with consultants to ensure that the process by which the Property is sold is fair, open and competitive. As indicated above, such a process will produce a better result than a second attempt at a bid auction for both the District and the community.

Student Population: 2366

City Type: Rural
Public Hearing Date: 1/19/2017
Public Hearing Advertised: notice to newspaper, notice posted to each school, notice posted to three public places in the district.

Local Board Approval Date: 1/19/2017

Community Council Reviewed By: DPOLTA, CSEA #761, and each school site council on 01/10/2017.
Community Council Reviewed Date: 1/10/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. William Spalding
Position: Superintendent
E-mail: wspalding@dpol.net
Telephone: 209-392-0203
Fax:

Bargaining Unit Date: 01/10/2017
Name: CSEA #761
Representative: Jamie Sarginson
Title: CSEA #761 President
Position: Support
Comments:

Bargaining Unit Date: 01/10/2017
Name: DPOLTA
Representative: Marty Thompson
Title: DPOLTA President
Position: Support
Comments
California Department of Education
WAIVER SUBMISSION - General

CD Code: 4369708  Waiver Number: 16-2-2017  Active Year: 2017

Date In: 2/14/2017 5:49:30 PM

Local Education Agency: Union Elementary
Address: 5175 Union Ave.
San Jose, CA 95124

Start: 5/10/2017  End: 5/10/2019

Waiver Renewal: N
Previous Waiver Number:  Previous SBE Approval Date:

Waiver Topic: Sale or Lease of Surplus Property
Ed Code Title: Lease of Surplus Property
Ed Code Section: 17466, 17469, 17472, 17473, 17474, 17475
Ed Code Authority: 33050-33053

Ed Code or CCR to Waive: Section 17466: Before ordering sale or lease of any property the governing board, in a regular open meeting, by a two thirds vote of all its members, shall adopt a resolution, declaring its intention to sell or lease the property, as the case may be. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it [and shall specify the minimum price or rental and the terms upon which it will be sold or leased and the commission, or rate thereof, if any, which the board will pay to a licensed real estate broker out of the minimum price or rental. The resolution shall fix a time not less than three weeks thereafter for a public meeting of the governing board to be held at its regular place of meeting, at which sealed proposals to purchase or lease will be received and considered]

RATIONALE: The aforementioned language to be waived allows the District to avoid specifying a minimum bid at a public meeting and would allow the District to set its own terms and conditions and remove references to minimum bids and actions to be taken with “sealed’ bids. The District would instead negotiate proposals with various land developers and/or real estate agents/brokers – Individual negotiations would be confidential.

Section 17469: Notice of the adoption of the resolution [and of the time and place of holding the meeting] shall be given by posting copies of the resolution signed by the board or by a majority thereof in three public places in the district, [not less than 15 days before the date of the meeting, and by publishing the notice not less than once a week for three successive weeks before the meeting in a newspaper of general circulation published in the county in which the district or any part thereof is situated, if any such newspaper is published therein] ??

RATIONALE: Provides for more flexibility in the timing between adopting the resolution of intent to lease and selecting the desired proposal. Furthermore, District will work closely with consultants to ensure that the process by which the property is leased is fair, open, and competitive. The process the District will use will be designed to get the best result for the District, the schools, and the community.

Section 17472: [At the time and place fixed in the resolution for the meeting of the governing
Proposals which have been received shall, in a public session, be opened, examined, and declared by the Board. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell or to lease and which are made by responsible bidders, the proposal which is the highest after deducting there from the commission, if any, to be paid to a licensed real estate broker in connection therewith, shall be finally accepted, unless a higher oral bid is accepted or the Board rejects all bids.

RATIONALE: The aforementioned language to be waived allows the District to determine what constitutes the most “desirable” bid, set its own terms and conditions, and would remove the requirement that an oral bid be accepted.

Section 17473: Entire section pertaining to oral bids to be waived.

RATIONALE: Waiving this section would allow the District to eliminate the oral bidding process.

Section 17474: Entire section proposed to be waived.

RATIONALE: Waiving the section pertaining to oral bidding process eliminates technical language related to commissions paid to brokers who procure the winning oral bid.

Section 17475: The final acceptance by the governing body may be made.[either at the same session or at any adjourned session of the same meeting held within 60 10 days next following.]

RATIONALE: Proposed language change would allow the District more flexibility in timing of final acceptance.

Outcome Rationale:
The District proposes to use the Request for Proposals (RFP) process to realize the asset potential of the subject property. Approval of the proposed waiver would allow District to ground lease property using a broker process, thereby maximizing the proceeds from such sale and/or lease.

Student Population: 5753

City Type: Urban

Public Hearing Date: 2/13/2017
Public Hearing Advertised: In addition to posting on District Website as official public hearing: _X_ Notice in a newspaper _X__ Notice posted at each school _X_ Other: Posted @ District Office + District Website

Local Board Approval Date: 2/13/2017

Community Council Reviewed By: District Advisory Committee - Surplus Lands Consideration
Community Council Reviewed Date: 1/20/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Mr. Paulo Hernandez
Position: Real Estate Consultant
E-mail: paulo.h.jph@gmail.com
Telephone: 408-390-1397
Fax:

Bargaining Unit Date: 01/26/2017
Name: California School Employees Association (CSEA)
Representative: Rebecca Garcia
Title: President
Position: Support
Comments:
WAIVER ITEM W-07
General Waiver

SUBJECT
Request by Sanger Unified School District to waive California Education Code sections 15106 and 15270(a) to allow the district to exceed its bond indebtedness limits. Total bond indebtedness may not exceed 2.5 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 Number: 35-2-2017

SUMMARY OF THE ISSUES
The Sanger Unified School District’s bonded indebtedness ratio is 2.5 percent and is unable to issue the entirety of $60 million in bonds authorized in November 2016. Therefore, the district is requesting to increase the limit to 3.23 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 an elementary 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 $60 per $100,000 of taxable property for unified 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

Sanger Unified School District requests that its outstanding bonded indebtedness limit be increased to an amount not to exceed 3.23 percent through August 1, 2023. The District intends to issue $60 million of general obligation bonds approved by voters on November 8, 2016. In order to issue the $60 million, the District is requesting an increase in its debt limit to 3.23 percent of assessed valuation.

**Demographic Information:** Sanger Unified School District has a student population of 11,438 and is located in Fresno 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: Sanger Unified School District General Waiver Request 35-2-2017 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
### 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.

<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>
</table>
| 35-2-2017     | Sanger Unified School District | Requested: May 10, 2017 to August 1, 2023  
Recommended: May 10, 2017 to August 1, 2023 | Debt Limit 2.5%  
Tax Rate $60.00 | Debt Limit 3.23%  
Limited to Sale of Bonds Approved by Voters on the November 2016 (Measure A) Election  
Tax Rate $60.00 | Tax Rate $60.00 | California Teachers’ Association  
Christy Olson, SUTA President  
February 16, 2017  
Neutral | Public Hearing 1/24/2017  
Local Board Approval 1/24/2017  
The district advertised notice of the public hearing in the local newspaper | Citizens’ Oversight Committee 2/23/2017  
No objections | Yes |

Created by the California Department of Education  
March 15, 2017
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] 3.23 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] 3.23 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: The District was unified in 1965 from the combination of five independent elementary, junior high and high school districts located within the boundaries of the District. The City of Sanger, which is wholly within and near the center of the current District, is located fifteen miles southeast of the City of Fresno, a portion of which is included in the District. Other population centers in the District are the unincorporated communities of Del Rey and Centerville. The District is the fifth largest school district in the County and consists of twenty schools, including three charter schools, an alternative education school, a community day school and an adult school.

On June 8, 1993, over two-thirds of the registered voters of the District approved the authorization to issue bonds of the District in an aggregate principal amount of $26,800,000 (the “1993 Authorization”). The District issued all of the bond authorization through three series of bonds. There is no remaining authorization under the 1993 Authorization.

On June 6, 2006, over 55% of the registered voters of the District approved the authorization to issue bonds of the District in an aggregate principal amount of $30,800,000 (the “2006 Authorization”). The District issued all of the bond authorization through one series of bonds. There is no remaining authorization under the 2006 Authorization.

On November 6, 2012, over 55% of the registered voters of the District approved the
authorization to issue bonds of the District in an aggregate principal amount of $50,000,000 (the “2012 Authorization”). The District issued all of the bond authorization through three series of bonds. There is no remaining authorization under the 2012 Authorization.

On November 8, 2016, over 55% of the registered voters of the District approved the authorization to issue bonds of the District in an aggregate principal amount of $60,000,000 (the “2016 Authorization”). The District anticipates issuing the bonds in two installments: $40 million on or around June 1, 2017 and $20 million on or around February 1, 2019.

All together, the District has outstanding $78,634,481.65 in bonds outstanding. The District’s assessed valuation for 2016-17 is $3,804,594,657 and with unitary values, the total value is $3,886,424,950. The District’s bond limitation (2.50%) with unitary values is $18,526,142. The District anticipates needing a waiver of Education Code section 15102 in order to issue the $60 million in general obligation bonds approved by voters on November 8, 2016 as described above. The District is requesting the waiver to issue bonds using a 3.23% debt limit factor until August 1, 2023 when the bonding capacity is projected to return positive under the 2.50% cap (assuming the projected Election of 2016 bonds are included in the calculation).

Student Population: 11438

City Type: Suburban

Public Hearing Date: 1/24/2017
Public Hearing Advertised: Local Newspaper

Local Board Approval Date: 1/24/2017

Community Council Reviewed By: Citizens' Oversight Committee
Community Council Reviewed Date: 2/23/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Eduardo Martinez
Position: Associate Superintendent, Administrative Services
E-mail: eduardo_martinez@sanger.k12.ca.us
Telephone: 559-524-6521 x6525
Fax: 559-875-0311

Bargaining Unit Date: 02/16/2017
Name: California School Employees' Association
Representative: Jennifer Herring
Title: CSEA President
Position: Support
Comments:

Bargaining Unit Date: 02/16/2017
Name: California Teachers' Association
Representative: Christy Olson
Title: SUTA President
Position: Neutral
Comments:
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-08
GENERAL WAIVER

SUBJECT
Request by Saddleback Valley Unified School District to waive California Education Code Section 15282(a), relating to term limits for members of a Citizens’ Oversight Committee for all construction bonds in the district.

Waiver Number: 32-1-2017

SUMMARY OF THE ISSUES

The Saddleback Valley Unified School District (USD) is requesting a waiver of Education Code (EC) Section 15282(a) to allow the District to have members of the Citizens’ Oversight Committee (COC) continue for an additional two-year term.

Authority for Waiver: Education Code (EC) Section 33050

RECOMMENDATION

Approval

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve this request from the Saddleback Valley Unified School District to waive EC Section 15282(a) to allow the district to have three members of the COC continue for an additional two-year term.

SUMMARY OF KEY ISSUES

Under the provisions of EC sections 33050 through 33053, the Saddleback Valley USD is requesting that specific language of EC Section 15282(a) relating to term limits for members of a COC be waived. The purpose of the COC is to inform the public concerning the expenditure of bond revenues. The COC reviews reports on the proper expenditure of taxpayers’ money for school construction. The COC holds public meetings and advises the public as to whether the district is in compliance with all of the statutory requirements of the bond and school construction projects.

With the passage of Assembly Bill 1199 Chapter 73, Statutes of 2012 members of a local bond citizens’ oversight committee may now serve three consecutive two-year terms.
The extension of time would allow the continued participation of three members from the Saddleback Valley USD which will aid the district in their efforts to successfully complete the final phases of the building programs and would reserve continuity and enable these members to provide continual advice and guidance. The district has expended or encumbered 98% of the Measure B funds and the final project of modernizing Portola Hill Elementary School is now in design. All Measure B funds are expected to be expended by 2018.

Saddleback Valley USD advertised for members in the newspaper and received one application which the Governing Board used to fill one vacancy on the COC.

**Demographic Information:** The Saddleback Valley USD has a student population of 29,403 and is located in a suburban area of 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.**

**SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The SBE has approved all previous waivers regarding Citizens’ Oversight Committees. The district is requesting to waive the same provision of the term limits of members of the Citizens’ Oversight Committee.

The Saddleback Valley USD meets the criteria for the SBE Streamlined Waiver Policy, available at http://www.cde.ca.gov/re/lr/wr/documents/sbestreamlined.doc, achieving an Academic Performance Index (API) of 800 or above in the current scoring cycle. Therefore, these waivers have been scheduled for the consent calendar. The Saddleback Valley USD has a 2013 Growth API of 868.

**FISCAL ANALYSIS (AS APPROPRIATE)**

There is no statewide fiscal impact of waiver approval or denial.

**ATTACHMENT(S)**

Attachment 1: COC members requesting extension (1 page)

Attachment 2: Summary Table (1 page)

Attachment 3: Saddleback Valley Unified School District General Waiver Request 3-2-2014 (2 pages) (Original waiver request is signed and on file in the Waiver office.)
Saddleback Valley Unified School District
Citizens’ Oversight Committee Member Extension Request

Saddleback Valley USD

The following member was originally appointed July 2008 and the current term expired in July 2016. The SBE granted a waiver in May of 2014 to extend the term to July 2016.

Stuart Luce
Representing: Senior Citizen's Organization

The following members were originally appointed May 2004 and their current terms expired in April 2016. The SBE granted a waiver in May of 2014 to extend the term to July 2016.

Donald Froelich
Representing: Senior Citizen's Organization

Ernestine Jones
Representing: Business Community
### Information from Districts Requesting Waivers of Citizens’ Oversight Committee Term Limits

#### Summary Table

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>School District</th>
<th>Period of Request</th>
<th>Local Board Approval Date</th>
<th>Public Hearing Date</th>
<th>Bargaining Unit, Representatives Consulted, Date, and Position</th>
<th>Advisory Committee Consulted</th>
</tr>
</thead>
<tbody>
<tr>
<td>32-1-2017</td>
<td>Saddleback Valley Unified</td>
<td><strong>Requested:</strong> July 6, 2016 to June 30, 2018</td>
<td>January 19, 2017</td>
<td>January 19, 2017</td>
<td>California School Employees Association (CSEA), Chris Felde, President January 5, 2017 <strong>Neutral</strong></td>
<td>Bond Oversight Committee No objections</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Recommended:</strong> July 6, 2016 to June 30, 2018</td>
<td></td>
<td>Public Hearing Advertised: Advertised in local newspaper and posted at schools and District Office</td>
<td>Saddleback Valley Educators Association (SVEA), Denise Bradford, President January 23, 2017 <strong>Neutral</strong></td>
<td></td>
</tr>
</tbody>
</table>
CD Code: 3073635 Waiver Number: 32-1-2017 Active Year: 2017

Date In: 1/31/2017 11:19:30 AM

Local Education Agency: Saddleback Valley Unified
Address: 25631 Peter A. Hartman Way
Mission Viejo, CA 92691

Start: 7/6/2016 End: 6/30/2018

Waiver Renewal: Y
Previous Waiver Number: 3-2-2014-W-10 Previous SBE Approval Date: 5/21/2014

Waiver Topic: School Construction Bonds
Ed Code Title: Citizens Oversight Committee - Term Limits
Ed Code Section: 15282
Ed Code Authority: 33050

Ed Code or CCR to Waive: 15282 (a) The citizens' oversight committee shall consist of at least seven members to serve for a term of two years without compensation [and for no more than two consecutive terms].

Outcome Rationale: The Measure B Bond Citizens' Oversight Committee (COC) is the oversight body for $180 million in General Obligation bonds. Three (3) members, including the Chair, termed out in July, 2016. The District has encumbered 98 percent of the bond funds and expects to complete the bond in 2018. These current members of the COC have institutional memory of the bond process and all construction activity. Approval of this waiver will help preserve continuity and enable these experienced members to continue to provide advice and guidance to the COC and the District until the end of the bond. They have been consistent in their attendance and involvement with this Committee and have expressed their willingness to continue to serve.

Student Population: 28137

City Type: Suburban

Public Hearing Date: 1/19/2017
Public Hearing Advertised: Notice published in newspaper and notice posted at schools and District Office

Local Board Approval Date: 1/19/2017

Community Council Reviewed By: Bond Oversight Committee
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: Ms. Stella Escario-Doiron
Position: Chief of Facilities, Construction & Maintenance
E-mail: stella.escario-doiron@svusd.org
Telephone: 949-580-3250
Fax: 949-580-3374

Bargaining Unit Date: 01/05/2017
Name: California School Employees Association
Representative: Chris Felde
Title: President, CSEA
Position: Neutral
Comments:

Bargaining Unit Date: 01/05/2017
Name: Saddleback Valley Educators Association
Representative: Denise Bradford
Title: President, SVEA
Position: Neutral
Comments:
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-09
General Waiver

SUBJECT
Request by two local educational agencies 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 Numbers:
Castaic Union School District 31-3-2017
Eureka City Schools 3-2-2017

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 Castaic Union School District (USD) and the Eureka City Schools request 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

The California Department of Education (CDE) recommends the SBE approve the requests by the Castaic USD and the Eureka City Schools to waive EC Section 5020, and portions of sections 5019, 5021, and 5030, which require a districtwide election to approve a by-trustee-area method of election.

SUMMARY OF KEY ISSUES

Approval of the waiver requests 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 Castaic USD and the Eureka City Schools. The voters in the districts will continue to elect all board members—however, if the waiver requests are approved, all board members will be elected by trustee areas beginning with the next governing board elections.

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 districts 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 Castaic USD and the Eureka City Schools are taking actions to establish trustee areas and adopt by-trustee-area election methods. In order to establish the trustee areas and the methods of election as expeditiously as possible, the districts are requesting that the SBE waive the requirement that the trustee areas and the election methods be approved at districtwide elections. If the SBE approves the waiver requests, by-trustee-area election methods can be adopted in the districts upon review and approval of their County Committees without subsequent local elections to approve the changes.

Only the elections to establish trustee areas and the election methods will be eliminated by approval of the waiver requests—voters in the school districts will continue to elect all governing board members. Moreover, approval of the waivers will not eliminate any existing legal rights of currently seated board members.

The waiver requests have been reviewed by the CDE and it has been determined that there was no significant public opposition to the waivers at the public hearings held by the governing boards of the districts. 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 requests by the Castaic USD and the Eureka City Schools to waive EC Section 5020, and portions of sections 5019, 5021, and 5030, which require a districtwide election to approve a by-trustee-area method of election.

**Demographic Information:**

The Castaic USD has a student population of 2,247 and is located in an urban area of Los Angeles County.

The Eureka City Schools has a student population of 3,800 and is located in a rural area of Humboldt 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 Lawndale Elementary School District in Los Angeles County at the March 2017 SBE meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver requests will not have negative fiscal effects on any local or state agency. Failure to approve the request will result in additional costs to the Castaic USD and the Eureka City Schools for districtwide elections.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Castaic Union School District General Waiver Request 31-2-2017 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Eureka City Schools General Waiver Request 3-2-2017 (5 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>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>31-3-2017</td>
<td>Castaic Union School District</td>
<td>Requested: February 16, 2017 to February 17, 2018</td>
<td>Castaic Teachers Association, Suzanne Graff President 1/30/2017 Support</td>
<td>2/16/2017</td>
<td>The public hearing notice was posted on the district Web site, at the district office, at school sites, in a newspaper, and on the Internet.</td>
<td>Parent-Teacher Association/Parent Advisory Councils (PTA/PAC) at Castaic Elementary School (ES) (1/10/2017 and 2/7/2017); Live Oak ES (1/11/2017); Northlake ES (1/12/2017 and 2/2/2017); and Castaic Middle School (1/20/2017) No objections</td>
</tr>
<tr>
<td>3-2-2017</td>
<td>Eureka City Schools</td>
<td>Requested: November 18, 2016 to November 16, 2018</td>
<td>Eureka Teachers Association, David Demant President 1/24/2017 Support</td>
<td>2/2/2017</td>
<td>The public hearing notice was posted at all school sites and three postings at the District Office, per normal procedure for public hearings.</td>
<td>District English Learner Advisory Committee, 1/31/2017 No objections</td>
</tr>
</tbody>
</table>
Outcome Rationale: This waiver is requested to expedite the efforts of the Castaic Union School District ("District") to ensure compliance with the California Voting Rights Act (Elections Code section 14025 et seq.,("CVRA"). By granting this waiver, the District will be able to implement its new “by-trustee area” election system for its November 2017 elections to reduce any potential liability under the CVRA. Due to the fact that the CVRA grants a prevailing plaintiff the right to reasonable attorneys’ and expert witness fees, the District seeks to reduce the risk of costly litigation under the CVRA. By reducing the risk of such costly litigation in an expeditious and cost-efficient manner, the District will be able to ensure that cuts to necessary and valuable District student programs are not needed because of claims being brought under the CVRA.
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Steve Doyle
Position: Superintendent
E-mail: sdoyle@castaicusd.com
Telephone: 661-257-4500 x1501
Fax:

Bargaining Unit Date: 01/30/2017
Name: Castaic Teachers Association
Representative: Suzanne Graff
Title: CTA Chapter President
Position: Support
Comments:

Bargaining Unit Date: 01/25/2017
Name: CSEA Chapter #401
Representative: Danielle Hernandez
Title: CSEA Chapter 401 President
Position: Support
Comments:
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...
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 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or 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] [rearrangement of 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.

Outcome Rationale: The waiver is requested to expedite efforts by Eureka City Schools ("District") to ensure compliance with the California Voting Rights Act (Elections Code sections 14025 et seq "CVRA"). By granting this waiver, the District will be able to implement its new "by-trustee area" election system for its November 2018 elections to preclude any potential liability under the CVRA.

Student Population: 3800

City Type: Rural
Public Hearing Date: 2/2/2017
Public Hearing Advertised: At School Sites and 3 postings at the District Office, per normal procedure for Public Hearings.

Local Board Approval Date: 2/2/2017

Community Council Reviewed By: District English Learner Advisory Committee (DELAC)
Community Council Reviewed Date: 1/31/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Micalyn Harris
Position: Executive Assistant
E-mail: harrismicalyn@eurekacityschools.org
Telephone: 707-441-2414
Fax: 707-441-3326

Bargaining Unit Date: 01/24/2017
Name: California School Employees Association (CSEA)
Representative: Adrian Dobson
Title: President
Position: Neutral
Comments:

Bargaining Unit Date: 01/24/2017
Name: Eureka Teachers Association (ETA)
Representative: David Demant
Title: President
Position: Support
Comments:
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-10
## CALIFORNIA STATE BOARD OF EDUCATION

### MAY 2017 AGENDA

### General Waiver

<table>
<thead>
<tr>
<th>SUBJECT</th>
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</thead>
<tbody>
<tr>
<td>Request by Union Joint Elementary School District to waive portions of California Education Code sections 35780, 35782, and 35783 regarding district lapsation.</td>
</tr>
</tbody>
</table>

Waiver Number: 24-2-2017

<table>
<thead>
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<th>Action</th>
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</table>

| Consent |

### SUMMARY OF THE ISSUES

The Union Joint Elementary School District (JESD), with a current enrollment of seven, serves kindergarten through sixth grade students and operates under the jurisdiction of the Marin County Superintendent of Schools (County Superintendent). The district has been deficit-spending for a number of years and has almost exhausted its reserves. Both the County Superintendent and the Union JESD believe the only fiscal alternative for the district is to annex to an adjacent district. If the California State Board of Education (SBE) approves the waiver request, the Union JESD will lapse into an adjacent district for either the 2017–18 or 2018–19 school-year (the recipient district and effective date will be determined by a local analysis of what is in the best interests of affected students and districts).

**Authority for Waiver:** Education Code (EC) Section 33050

### RECOMMENDATION

- Approval
- Approval with conditions
- Denial

The California Department of Education (CDE) recommends that the SBE approve the request by the Union JESD to waive portions of EC sections 35780, 35782, and 35783 regarding district lapsation.

### SUMMARY OF KEY ISSUES

EC Section 35780 requires each county committee on school district organization (county committee) to “lapse” an elementary school district if that district’s average daily attendance (ADA) in first through eighth grade falls below six. Under this requirement, the county committee must dissolve the district and annex it to one or more adjacent districts. EC Section 35782 requires the county committee to initiate the lapsation process within 45 days of the end of the school year while EC Section 35783 requires county committee final action at least 30 days before the end of the school year.
The Union JESD has been under financial stress for a number of years. Changes to necessary small school (NSS) funding provisions under the Local Control Funding Formula resulted in the district becoming ineligible to receive NSS funding. Consequently, the district’s funding is not expected to exceed 2012–13 levels. Due to this funding issue, the district has been deficit spending for years and reserves are almost exhausted. Both the Union JESD and the County Superintendent agree that district expenditures cannot be reduced below current levels without jeopardizing student learning and safety; and further agree that the only remedy available is to annex Union JESD into an adjacent district.

Waiver of the listed portion of EC Section 35780 will require the Marin County Committee to lapse the Union JESD, regardless of district enrollment. Waiver of the time periods listed in EC sections 35782 and 35783 will provide the district, the County Superintendent, and the County Committee the flexibility to analyze all options available and determine the adjacent district most suitable and the school year most appropriate for the annexation.

In summary, SBE approval of the waiver request as described will require the Marin County Committee to lapse the Union JESD effective 2017–18 or 2018–19, and will provide the district and the county with the time and flexibility to determine which adjacent school district and which fiscal year are most appropriate for affected students and districts.

The CDE recommends that the SBE approve the request by the Union JESD to waive portions of EC sections 35780, 35782, and 35783 regarding district lapsation. There has been no local opposition to the waiver request reported and the CDE has determined that none of the grounds specified in EC Section 33051(a) that authorize denial of a waiver, exist.

Demographic Information:

The Union JESD has a student population of seven and is located in a rural area of Marin 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 similar waivers—most recently for lapsation of the Citrus South Tule Elementary School District in Trinity County at the January 2015 SBE meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver request will not have negative fiscal effects on any local or state agency.
ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: Union Joint Elementary School District General Waiver Request 24-2-2017 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
## 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>
</tr>
</thead>
<tbody>
<tr>
<td>24-2-2017</td>
<td>Union Joint Elementary School District</td>
<td>Requested: May 1, 2017, to June 30, 2018</td>
<td>The Union Joint Elementary School District has no bargaining units.</td>
<td>2/7/2017</td>
<td>Notice published in local newspaper (Press Democrat) on 1/26/2017 and posted at three places in the district.</td>
<td>Reviewed by the Union Reorganization Committee: 2/7/2017: No objections</td>
</tr>
</tbody>
</table>

The Union Joint Elementary School District has no bargaining units.

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Created by California Department of Education
February 21, 2017
Elimination of Conditions for Lapsation
Attachment 2
Page 1 of 2

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2165516  Waiver Number: 24-2-2017  Active Year: 2017

Date In: 2/16/2017  5:52:42 PM

Local Education Agency: Union Joint Elementary
Address: 5300 Red Hill Rd.
Petaluma, CA 94952

Start: 5/1/2017  End: 6/30/2018

Waiver Renewal: N
Previous Waiver Number:  Previous SBE Approval Date:

Waiver Topic: School District Reorganization
Ed Code Title: Lapsation of a Small District
Ed Code Section: 35780, 35782 and 35783
Ed Code Authority: 33050

Ed Code or CCR to Waive: 35780(a)A school district that has been organized for more than three years shall be lapsed as provided in this article [if the number of registered electors in the school district is less than six or if the average daily attendance of pupils in the school or schools maintained by the school district is less than six in grades 1 through 8 or is less than 11 in grades 9 through 12], except that for any unified district that has established and continues to operate at least one senior high school, the board of supervisors shall defer the lapsation of the school district for one year upon a written request of the governing board of the school district and written concurrence of the county committee. The board of supervisors shall make no more than three such deferments.

Education Code 35782 [Within 45 days before the close of each school year,] the county committee shall conduct a public hearing on the issues specified in Section 35780. Notice of the public hearing shall be given at least 10 days in advance of the hearing to each member of the governing board of the lapsed district immediately before its lapsation, to each of the governing boards that adjoin the lapsed district, and to the high school district of which the lapsed elementary district is a component.

Education Code 35783 After the hearing, [and at least 30 days before the end of the school year,] the county committee shall order the territory annexed to one or more adjoining districts as seems to the county committee to be in the best interest of the adjoining districts and the residents of the lapsed district.

Outcome Rationale: The passage of the new school funding formula in 2013-14 also made changes to education codes governing necessary small school funding. As a result of those changes, Union became ineligible to receive necessary small school block grant funding and revenues have been permanently frozen at 2012-13 levels which were subject to a deficit of approximately 20%. Union has been deficit spending since the cuts to school funding in 2009-10 and has almost exhausted their reserves. Expenditures cannot be reduced any further than they
are without jeopardizing student learning and safety. The County Superintendent of Schools conditionally approved the District's 2016-17 Adopted Budget because it does not meet the minimum reserves in 2018-19. The only remedy available to the District is to reorganize with an adjacent district in a timely enough fashion to allow for the continued public education of resident students.

Student Population: 7

City Type: Rural

Public Hearing Date: 2/7/2017
Public Hearing Advertised: Published in newspaper (Press Democrat) on 1/26/2017 and posted at three places in the district

Local Board Approval Date: 2/7/2017

Community Council Reviewed By: Union Reorganization Committee
Community Council Reviewed Date: 2/7/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kate Lane
Position: Senior Director, Business Services
E-mail: klane@marinschools.org
Telephone: 415-499-5822
Fax:
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-11
Specific Waiver

SUBJECT
Request by six 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:
- Alview-Dairyland Union Elementary School District 12-1-2017
- Big Pine Unified School District 15-1-2017
- Carpinteria Unified School District 1-3-2017
- Carpinteria Unified School District 2-3-2017
- Carpinteria Unified School District 3-1-2017
- Hornbrook Elementary School District 20-2-2017
- Junction Elementary School District 25-2-2017
- Sequoia Union Elementary School District 19-1-2017

SUMMARY OF THE ISSUE(S)
Specific authority is provided in California Education Code (EC) Section 52863 to allow the State Board of Education 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 Alview-Dairyland Union Elementary School District is requesting to renew a shared SSC for two small schools: Alview Elementary School (8 teachers serving 174 students in kindergarten through grade three) and Dairyland Elementary School (9 teachers serving 201 students in grades four through eight). The two schools share the same
administration and serve the same families in a rural area.

The Big Pine Unified School District is requesting to renew a shared SSC for two small schools: Big Pine Elementary School (10 teachers serving 126 students in kindergarten through grade eight) and Big Pine High School (4 teachers serving 37 students in grades nine through twelve). The Big Pine Unified School District has only two schools with very limited staffing. The schools are located on the same campus in a rural area.

The Carpinteria Unified School District is requesting to renew an SSC composition change for a very small school: Rincon (Continuation) High School (3 teachers serving 25 students in grades nine through twelve). The school serves credit-deficient students from Carpinteria High School and has very limited staffing. It is located in a small city.

The Carpinteria Unified School District is requesting to renew an SSC composition change for a very small school: Carpinteria Family School (3 teachers serving 73 students in kindergarten through grade five). The school is an alternative school and is located in a small city.

The Carpinteria Unified School District is requesting to renew an SSC composition change for a very small school: Summerland Elementary School (3 teachers serving 59 students in kindergarten through grade five). The principal of the school is shared with another school in the district. The school is located in a rural area.

The Hornbrook Elementary School District is requesting to renew an SSC composition change for a small school: Hornbrook Elementary School (4 teachers serving 52 students in kindergarten through grade eight). The school is located in a rural area.

The Junction Elementary School District is requesting an SSC composition change for a small school: Junction Elementary School (13.4 teachers serving 274 students in kindergarten through grade eight). Serving nine different grade levels and with multiple responsibilities, teachers and staff are stretched thin. The school is located in a rural area.

The Sequoia Union Elementary School District is requesting a shared SSC with composition change for two small schools: Sequoia Elementary Charter School (12 teachers serving 290 students in kindergarten through grade seven) and Sequoia Union Elementary School (2 teachers serving 44 students in the eighth grade). The two schools share the same administration and are located on the same campus 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: Alview-Dairyland Union Elementary School District Specific Waiver Request 12-1-2017 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Big Pine Unified School District Specific Waiver Request 15-1-2017 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Carpinteria Unified School District Specific Waiver Request 1-3-2017 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Carpinteria Unified School District Specific Waiver Request 2-3-2017 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Carpinteria Unified School District Specific Waiver Request 3-1-2017 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Hornbrook Elementary School District Specific Waiver Request 20-2-2017 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: Junction Elementary School District Specific Waiver Request 25-2-2017 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: Sequoia Union Elementary School District Specific Waiver Request 19-1-2017 (1 Page) (Original waiver request is signed and on file in the Waiver Office.)
<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</th>
<th>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>
</tr>
</thead>
<tbody>
<tr>
<td>12-1-2017</td>
<td>Alview-Dairyland Union Elementary School District for Alview Elementary School (2065177 6023865) and Dairyland Elementary School (2065177 6023923)</td>
<td>Shared SSC</td>
<td>Approval with conditions: the SSC must consist of one principal, three classroom teachers selected by peers, one other school representative selected by peers, and five parents/community members selected by parents.</td>
<td>Yes</td>
<td>Requested: 07/01/2017 to 06/30/2019</td>
<td>Alview-Dairyland Teachers Association Jennifer Paine President 11/16/2016 Support</td>
<td>Alview Elementary School and Dairyland Elementary School shared SSC 11/16/2016 Support</td>
<td>01/10/2017</td>
</tr>
<tr>
<td>15-1-2017</td>
<td>Big Pine Unified School District for Big Pine Elementary School (1463248 6008692) and Big Pine High School (1463248 1431352)</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>Requested: 08/01/2017 to 07/31/2019</td>
<td>Big Pine Educators Association Tim Steele President 01/10/2017 Support</td>
<td>District Advisory Council 01/12/2017 No Objection</td>
<td>01/11/2017</td>
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<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (LEA) for School(s) (County-District-School Code[s])</td>
<td>LEAs Request for a Schoolsite Council (SSC) Waiver</td>
<td>California Department of Education Recommendation</td>
<td>Previous Waiver Yes or No Period of Request/Period Recommended</td>
<td>Collective Bargaining Unit Position/Current Agreement</td>
<td>SSC/Advisory Committee Position</td>
<td>Local Board Approval Date</td>
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<td>1-3-2017</td>
<td>Carpinteria Unified School District for Rincon (Continuation) High School (4269146 4230595)</td>
<td>SSC composition change</td>
<td>Approval with conditions: the SSC must consist of one principal, two classroom teachers (selected by peers), two parents/community members (selected by parents), and one student (selected by peers).</td>
<td>Yes Requested: 02/28/2017 To 03/31/2019 Recommended: 02/28/2017 To 02/27/2019</td>
<td>Carpinteria Association of United School Employees Jay Hotchner President 01/27/2017</td>
<td>Rincon (Continuation) High School SSC 11/28/2016</td>
<td>02/28/2017</td>
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<td>2-3-2017</td>
<td>Carpinteria Unified School District for Carpinteria Family School (4269146 0102129)</td>
<td>SSC composition change</td>
<td>Approval with conditions: the SSC must consist of one principal, two classroom teachers (selected by peers), and three parents/community members (selected by parents).</td>
<td>Yes Requested: 03/31/2017 To 03/31/2019 Recommended: 03/31/2017 To 03/30/2019</td>
<td>Carpinteria Association of United School Employees Jay Hotchner President 01/27/2017</td>
<td>Carpinteria Family School SSC 01/27/2017</td>
<td>02/28/2017</td>
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<td>Waiver Number</td>
<td>Local Educational Agency (LEA) for School(s) (County-District-School Code[s])</td>
<td>LEAs Request for a Schoolsite Council (SSC) Waiver</td>
<td>California Department of Education Recommendation</td>
<td>Previous Waiver Yes or No Period of Request/Period Recommended</td>
<td>Collective Bargaining Unit Position/Current Agreement</td>
<td>SSC/Advisory Committee Position</td>
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<td>3-1-2017</td>
<td>Carpinteria Unified School District for Summerland Elementary School (4269146 6045322)</td>
<td>SSC composition change</td>
<td>Approval with conditions: the SSC must consist of one principal, two classroom teachers (selected by peers), and three parents (selected by parents).</td>
<td>Yes Requested: 02/28/2017 to 03/31/2019</td>
<td>Carpinteria Association of United School Employees Jay Hotchner President 12/05/2016</td>
<td>Summerland Elementary School SSC 11/28/2016 No Objection</td>
<td>12/13/2016</td>
<td></td>
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<tr>
<td>20-2-2017</td>
<td>Hornbrook Elementary School District for Hornbrook Elementary School (4770359 6050801)</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>Yes Requested: 02/10/2017 to 01/31/2019</td>
<td>California School Employees Association John McDonald Representative 01/26/2017</td>
<td>Hornbrook Elementary School SSC 01/25/2017 No Objection</td>
<td>02/09/2017</td>
<td></td>
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<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (LEA) for School(s) (County-District-School Code[s])</td>
<td>LEAs Request for a Schoolsite Council (SSC) Waiver</td>
<td>California Department of Education Recommendation</td>
<td>Previous Waiver Yes or No Period of Request/Period Recommended</td>
<td>Collective Bargaining Unit Position/Current Agreement</td>
<td>SSC/Advisory Committee Position</td>
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<td>25-2-2017</td>
<td>Junction Elementary School District for Junction Elementary School (4570045 6050397)</td>
<td>SSC composition change</td>
<td>Approval with conditions: the SSC must consist of one principal, two classroom teachers (selected by peers), one other school representative (selected by peers), and four parents/community members (selected by parents).</td>
<td>No Requested: 08/16/2016 to 08/16/2018</td>
<td>California Teachers Association Roger McCoy President 01/24/2017 Support</td>
<td>Junction Elementary School Site Advisory Team 01/24/2017</td>
<td>02/14/2017</td>
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<td>19-1-2017</td>
<td>Sequoia Union Elementary School District for Sequoia Elementary Charter School (5472116 6054340) and Sequoia Union Elementary School (5472116 0134973)</td>
<td>Shared SSC and composition change</td>
<td>Approval with conditions: the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).</td>
<td>No Requested: 08/01/2016 to 07/31/2017</td>
<td>Sequoia Union Elementary Teachers Association Janene Keller President 01/09/2017 Support</td>
<td>Sequoia Elementary Charter School SSC and Sequoia Union Elementary School SSC 02/14/2017</td>
<td>01/12/2017</td>
<td></td>
</tr>
</tbody>
</table>
Outcome Rationale: The Alview-Dairyland Union School District includes two school sites, Alview and Dairyland. The schools are segmented by the grade levels they serve. Alview serves students in grades K-3 while Dairyland serves 4-8 grades. Both of the school sites are governed by the same administration and serve the same families in the same geographical district boundaries. We would like to continue to have one school site council to function for our two rural schools. The local bargaining unit and current site council members, along with the governing board, have approved this waiver request.

Student Population: 375

City Type: Rural

Public Hearing Date: 1/10/2017
Public Hearing Advertised: Board Agenda--posted 72 hours prior to meeting

Local Board Approval Date: 1/10/2017

Community Council Reviewed By: School Site Council
Community Council Reviewed Date: 11/16/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Sheila Perry
Position: Vice Principal / Curriculum Director
E-mail: sperry@adusd.us
Telephone: 559-665-2394
Fax:

Bargaining Unit Date: 11/16/2016
Name: Alview-Dairyland Teachers Association
Representative: Jennifer Paine
Title: President, Bargaining Unit
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 1463248  Waiver Number: 15-1-2017  Active Year: 2017

Date In: 1/18/2017 10:51:20 AM

Local Education Agency: Big Pine Unified
Address: 500 South Main St.
Big Pine, CA 93513

Start: 8/1/2017  End: 7/31/2019

Waiver Renewal: Y
Previous Waiver Number: 1-5-2015-W-09  Previous SBE Approval Date: 9/2/2015

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 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 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: Big Pine Unified School District has 163 students with a TK-8 elementary school of 126 students and a high school of 37 students. There is one principal, a part-time superintendent and one main office. There are 14 teachers. All of the school buildings are located at the same address on a single campus. BPUSD has one set of goals that drive the improvement process for all. We are united in our efforts, and because of our size, there is not a differentiation between "school site" and district. We do not have enough staff or community members to form more than one site council.

Student Population: 163

City Type: Rural

Local Board Approval Date: 1/11/2017

Council Reviewed By: District Advisory Council
Council Reviewed Date: 1/12/2017
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N
Submitted by: Ms. Pamela Jones
Position: Superintendent
E-mail: pjones@bp.k12.ca.us
Telephone: 760-938-2005 x2452
Fax: 760-938-2310

Bargaining Unit Date: 01/10/2017
Name: Big Pine Educator's Association
Representative: Tim Steele
Title: President
Position: Support
Comments:

Bargaining Unit Date: 01/10/2017
Name: Classified School Employee Association
Representative: Carol Mason
Title: President
Position: Support
Comments:
Requesting reduced composition in members for a small school. (Statute requires 12 members for a high schoolsite council and 10 members for elementary schoolsite council).

The composition of the Rincon Continuation High School Site Council, to ensure parity between members, will be:

a.) the principal, two teachers
b.) two parents, one student or community member

Outcome Rationale: Rincon Continuation High School serves credit-deficient Carpinteria High School students grades nine through twelve and has an enrollment of 25 students. Rincon’s staff consists of three full-time teachers as well as a (part-time) academic counselor, office coordinator, and principal. A psychologist, resource teacher, and speech and language therapist are shared with other District secondary schools. Students are taught in three subject area classrooms.

We at Rincon Continuation School believe that all students can learn and succeed when provided with a learning environment that is student centered, offers a variety of instructional methods, and provides academic guidance and personal counseling services.

Due to the small staff size and parent population, Rincon wishes to continue with a site council composed of the principal, two teachers, two parents, and one student. Although the council is small, it takes an active role in reviewing student data, building the budget, and writing the annual Single School Plan for Student Achievement.
Rincon High School's current student population is 90 percent Hispanic and 10 percent white/non-Hispanic. As a small school we receive Title III LEP and Local Control Funding Formula funding. A separate budget and unique program needs prevent the school from developing a collaborative site council with neighboring schools.

Student Population: 25

City Type: Small

Local Board Approval Date: 2/28/2017

Council Reviewed By: Rincon Site Council
Council Reviewed Date: 11/28/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Barnaby Gloger
Position: Principal
E-mail: bgloger@cusd.net
Telephone: 805-450-5955
Fax:

Bargaining Unit Date: 01/27/2017
Name: CAUSE
Representative: Jay Hotchner
Title: President
Position: Neutral
Comments:
CD Code: 4269146 Waiver Number: 2-3-2017 Active Year: 2017

Date In: 3/1/2017 12:44:16 PM

Local Education Agency: Carpinteria Unified
Address: 1400 Linden Ave.
Carpinteria, CA 93013

Start: 3/31/2017 End: 3/31/2019

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: The composition of the Carpinteria Family School Site Council, to ensure parity between members, will be:
a.) the principal and two teachers
b.) three parents or community members

Outcome Rationale: Carpinteria Family School is one of two small elementary schools in the Carpinteria Unified School District located in Santa Barbara County. The Family School enrolls 73 students from throughout the district in grades Kindergarten through 5th. There are 3 staff member, an office coordinator, a part-time principal, and a music teacher that is shared with four elementary schools. Students are taught in three multi-graded classrooms.

Carpinteria Family School offers an educational alternative to students, teachers, and parents in the Carpinteria Unified School District. Parents, district staff, administration, and School Board created Carpinteria Family School with the belief that children come to school already immersed in their learning and have their own strengths and interests. The school seeks to support the individual and provide guidance and stimulation. Carpinteria Family School strives to be a leading educational force in open education.

Due to the small size of the staff and parent population, the school wishes to continue with a site council composition of the school principal, two teachers, and three parents or community members. Even though the composition of the council is reduced, the council takes an active role in reviewing student data, writing the single plan, and building a budget that is centered on student achievement.

Barnaby Gloger is the principal at Carpinteria Family School. The Family School’s population is 63 % Caucasian, 21% Hispanic, and 16% other. As a small school we receive only targeted students, unrestricted, and Title III funding. Having different budget and programs needs prevent the schools from developing a single site council with neighboring schools through the waiver process.
Student Population: 73

City Type: Small

Local Board Approval Date: 2/28/2017

Council Reviewed By: Carpinteria Family School Site Council
Council Reviewed Date: 1/27/2017
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Barnaby Gloger
Position: Principal
E-mail: bgloger@cusd.net
Telephone: 805-450-5955
Fax:

Bargaining Unit Date: 01/27/2017
Name: CAUSE
Representative: Jay Hotchner
Title: President
Position: Neutral
Comments:
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: Article II – Members - Section A: Composition
The School Site Council shall be composed of ten members for elementary schools and twelve members for secondary schools, elected by their peers, as follows:
* Classroom teachers
* Other school staff members
* Students - only at the high school level (Education Code 33133(c))
* Parents or community members
* School principal, or designee, shall be an ex officio member of the School Site Council. The ratio of parents and community members is equal to the ratio of school staff. At the high school level - students/community and staff must be equal in ratio. (Parent/community=3, students=3, and staff=6) At both elementary and secondary, the classroom teachers shall comprise the majority of persons represented as staff. (Education Code 33133, 52850)
Small schools who are unable to meet the composition requirement must apply for a Special Waiver for Site Council Composition from the CDE every two years.

Outcome Rationale: Summerland School is one of two small schools in the Carpinteria Unified School District located in Santa Barbara County. Summerland enrolls 59 students from kindergarten through fifth grade. There are three staff members, an office coordinator, several part time support staff and a music teacher who is shared with four elementary schools. There are three multi-grade classrooms.

Due to the small size of the staff and parent population, the school wishes to continue the site council composed of the school principal, two teachers, and three parents or community members. Even though the composition of the council is reduced, the council takes an active role in reviewing student data, writing the single plan, and building a budget that is centered on student achievement.
Michelle Fox is the principal at Summerland School and Aliso School. Summerland School’s population is 76% White/non Hispanic, 12% Hispanic, and 12% other. As a small school Summerland receives only unrestricted and targeted student funding. Aliso is 14% White/non Hispanic, 84% Hispanic, and 2% other. Aliso receives Title I, targeted students, unrestricted, Title III funding. The difference in budget and program needs of each school prevent the schools from developing a single site council through the waiver process.

Approved by Site Council on November 28, 2016

Student Population: 59

City Type: Small

Local Board Approval Date: 12/13/2016

Council Reviewed By: Summerland Site Council
Council Reviewed Date: 11/28/2016
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Sue Harrison
Position: Projects Administrator
E-mail: sharrison@cusd.net
Telephone: 805-450-5955
Fax:

Bargaining Unit Date: 12/05/2016
Name: CAUSE
Representative: Jay Hotchner
Title: President
Position: Neutral
Comments:
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4770359       Waiver Number: 20-2-2017       Active Year: 2017

Date In: 2/16/2017 8:59:25 AM

Local Education Agency: Hornbrook Elementary
Address: 15430 Oregon Rd.
Hornbrook, CA 96044

Start: 2/10/2017       End: 1/31/2019

Waiver Renewal: Y
Previous Waiver Number: 15-10-2015-W-08       Previous SBE Approval Date: 1/14/2016

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: School composition of a 4 member council.
The following composition is requested:
Principal/Teacher
One Teacher
Two Parents

Outcome Rationale: After much recruitment, our small, rural school is unable to get enough parent participation to meet the requirement of 5 parent members. Parents have declined participating in SSC because they are involved in a number of other volunteer roles that support the school and/or are working multiple jobs.

Student Population: 52

City Type: Rural

Local Board Approval Date: 2/9/2017

Council Reviewed By: Hornbrook Site Council Committee
Council Reviewed Date: 1/25/2017
Council Objection: N
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kelly Bear
Position: Superintendent/Principal
E-mail: kbeam@hornbroschool.org
Telephone: 530-475-3598
Fax: 530-475-0929

Bargaining Unit Date: 01/26/2017
Name: CSEA
Representative: John McDonald
Title: CSEA Representative
Position: Support
Comments:
WAIVER SUBMISSION - Specific

CD Code: 4570045  Waiver Number: 25-2-2017  Active Year: 2017

Date In: 2/21/2017 7:57:02 AM

Local Education Agency: Junction Elementary
Address: 9087 Deschutes Rd.
Palo Cedro, CA 96073

Start: 8/16/2016  End: 8/16/2018

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: Junction Elementary School District is a small, rural school district in Shasta County, in northern California. There are 274 students enrolled in this school district; therefore, we are requesting to reduce the number of School Site Council members. The legal requirement and composition of School Site Council members is not practicable in this situation. A well-functioning SSC is instrumental in driving student achievement via the Single Plan for Student Achievement. Hence, we are requesting to reduce the number of members in this academy’s site council membership so that we may have a fully functioning, effective School Site Council. We are proposing to reduce the composition to 8 members. The proposed composition would include: 4 staff, comprised of: 1 administrator, 1 classified staff, and 2 teachers, along with: 4 parents.

Student Population: 274

City Type: Rural

Local Board Approval Date: 2/14/2017

Council Reviewed By: School Site Advisory Team
Council Reviewed Date: 1/24/2017
Council Objection: N
Council Objection Explanation:
Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Janet Tufts
Position: Director/ Shasta COE
E-mail: jtufts@shastacoe.org
Telephone: 530-605-2810
Fax:

Bargaining Unit Date: 01/24/2017
Name: CTA
Representative: Roger McCoy
Title: CTA President
Position: Support
Comments:
California Department of Education  
WAIVER SUBMISSION - Specific

CD Code: 5472116   Waiver Number: 19-1-2017   Active Year: 2017

Date In: 1/19/2017 11:00:25 AM

Local Education Agency: Sequoia Union Elementary  
Address: 23958 Avenue 324  
Lemon Cove, CA 93244

Start: 8/1/2016   End: 7/31/2017

Waiver Renewal: N   Previous Waiver Number:

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: A schoolsite council shall be established at each school that participates in school-based program coordination.

Outcome Rationale: There are two schools that are housed on the same school site and under the same site administration

Student Population: 44  
City Type: Rural  
Local Board Approval Date: 1/12/2017  
Council Reviewed By: School Board  
Council Reviewed Date: 1/1/2017  
Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N  
Categorical Program Monitoring: N
Submitted by: Dr. Jeremy Powell  
Position: Superintendent/Principal  
E-mail: jpowell@sequoiaunion.org  
Telephone: 559-564-2106

Bargaining Unit Date: 01/09/2017  
Name: Sequoia Union Elementary Teachers Assc.  
Representative: Janene Keller  
Title: President  
Position: Support  
Comments:
WAIVER ITEM W-12
MAY 2017 AGENDA

Specific Waiver

SUBJECT

Request by Victor Valley Union High School District to waive California Education Code Section 56366.1(a), the requirement for state certification to allow an uncertified out-of-state nonpublic school, Judge Rotenberg Center located in Canton, Massachusetts, to provide services to a California student with disabilities.

Waiver Number: 40-12-2016

SUMMARY OF THE ISSUE(S)

The Victor Valley Union High School District (VVUHSD) contacted multiple in-state nonpublic schools and nonpublic agencies (NPS/As), and residential treatment centers to offer a free and appropriate public education (FAPE) to one high school student who has significant emotional/mental health needs. However, none of these placement options would accept the student, or could not meet the student’s comprehensive, unique needs. The uncertified out-of-state nonpublic school, Judge Rotenberg Center (JRC) located in Canton, Massachusetts, accepted the student. 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 JRC.

Authority for Waiver: Education Code (EC) Section 56101

RECOMMENDATION

☐ Approval ☒ Approval with conditions ☐ Denial

The California Department of Education (CDE) recommends approval of this waiver for the period requested, November 8, 2016, through November 8, 2017, with the following conditions: (1) The District must provide a copy of student’s IEP. EC 56001(e); EC 56345; EC 56346; EC 56380; (2) Current triennial psycho-educational assessments to establish eligibility for special education and the present levels of the student’s educational performance. 34 CFR 300.303(b)(2); EC 56320; EC 56320.1; EC 56381(a); EC 56381(b)(2)(A); (3) Evidence of student’s progress report toward the annual goals. 34 CFR 300.320; EC 56345 (a)(4). (4) Evidence of a signed Individual Student
Agreement between the JRC Nonpublic School (NPS) and the VVUHSD. EC 56366(a)(2)(A); (5) A current Master Contract between the JRC Nonpublic School (NPS) and the VVUHSD. 34 CFR 300.146(b); EC 56365(a); EC 56366; 5 CCR 3062. The VVUHSD shall maintain written evidence documenting implementation of the IEP, including, but not limited to, the following: monitoring student’s progress report and ensuring that the IEP is reviewed at least once a year or more frequently if necessary. In addition, the VVUHSD shall monitor the JRC and conduct an annual on-site review as a condition to the waiver pursuant the 2016–2017 master contract agreement between the VVUHSD and JRC, and EC 56157(c).

**SUMMARY OF KEY ISSUES**

The VVUHSD contacted 12 certified in-state NPS/As and residential treatment centers for possible placement to offer a FAPE to the student. These placement options would not accept the student, or could not meet the student’s unique needs as defined in the IEP. The JRC accepted the student on November 8, 2016. The student’s parents and the local educational agency agree the school is the appropriate placement for the student because it provides services for students’ emotional and mental health needs.

The placement is necessary to meet the unique needs of the student’s IEP and does not abrogate any right provided to individuals with exceptional needs and their parents or guardians under the federal Individuals with Disabilities Education Act; or affect the compliance of the VVUHSD with federal laws and regulations. In addition, before contracting with the nonpublic, nonsectarian school outside of this state, the VVUHSD documented its efforts to utilize public schools and to locate an appropriate nonpublic, nonsectarian school or agency program, or both, 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 one 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 VVUHSD may use state and federal special education funds for the placement of this student at the JRC. If this waiver is denied, the VVUHSD may only use local funds to support the student’s placement at JRC. The estimated yearly cost for placement is $221,358.00.

ATTACHMENT(S)

Attachment 1: Child Specific NPA or NPS Certification Summary Table (1 page)

Attachment 2: Victor Valley Union High School District Specific Waiver Request 40-12-2016 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
<table>
<thead>
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<th>Waiver Number</th>
<th>Local Educational Agency</th>
<th>Period of Request</th>
<th>Demographics</th>
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<td>Recommended: 11/8/2016 to 11/8/2017</td>
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California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 3667934 Waiver Number: 40-12-2016 Active Year: 2016

Date In: 12/21/2016 2:05:15 PM

Local Education Agency: Victor Valley Union High
Address: 16350 Mojave Dr.
Victorville, CA 92395


Waiver Renewal: N Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Special Education Program
Ed Code Title: Child Specific/ NPA or NPS Certification
Ed Code Section: 56366.1(a)
Ed Code Authority: 56101

Ed Code or CCR to Waive: Please waive the requirement that the agency be state certified as specified in California Education Code section 56366.1.

Outcome Rationale: The student's needs are such that his/her referral was rejected at 12 other residential treatment center/nonpublic schools. The student has significant emotional and behavioral difficulties and was approved for educationally related mental health assessment and placement on March 23, 2015. The student has been unsuccessful in regular school programs and was placed in multiple nonpublic schools programs (Bright Futures Academy, Mountain View Academy, and Altus Academy) and was unsuccessful. Denials for initial placement were received from Devereux Victoria Texas Campus, Cinnamon Hills, and Copper Hills. The student was later accepted to Devereux Georgia and placed on May 18, 2015, however, the student continued to exhibit significant challenges with oppositional and non-compliant behaviors, lack of motivation, poor peer interactions, verbally and physical aggressive behaviors. Due to an incident at Devereux Georgia facility, the parent removed the student against medical advice from Devereux. The IEP and parent agreed that continued placement in a residential facility was appropriate and necessary. Numerous referrals were sent and denied by Bayes Achievement Center - Texas, Texas NeuroRehab Center - Texas, Logan River Academy - Utah, Heartspring - Kansas, and Devereux - Texas and Florida. The student was subsequently accepted at Lakemary Residential Treatment Center and Nonpublic School and placed on August 11, 2016. The student attended Lakemary for a short period of time due to an incident involving threatening and intimidation behaviors exhibited by the student. Lakemary determined the student was not appropriate for their facility and requested that the student be removed and provided a 30-day notice.

The Desert/Mountain Special Education Local Plan Area (SELPA) and Desert/Mountain Children's Center (DMCC) exhausted its resources and placement options, and later sought recommendations from other local educational agencies and mental health providers. The SELPA and DMCC received information from Lakemary Residential Treatment Center, about
Judge Rotenberg Center (JRC). Cheryl Goldberg-Diaz, DMCC, reached out to JRC to obtain information regarding the programs and services offered and learned that JRC specializes in providing services with lower cognitive functioning and students on the Autism spectrum. Additionally, that the program utilizes a strong behavior management/modification focus/approach, and offers very individualized plans to meet the students’ needs in accordance to their IEPs.

Since the student's placement at JRC on November 18, 2016, the student has shown motivation and engagement academically. The placement at JRC is necessary to meet the unique needs of the student.

For more details, please refer to Tab 1 - Supplemental Information to Accompany a Request for a Specific Waiver to Obtain Services from a Noncertified Nonpublic School or Agency.

Student Population: 254

City Type: Suburban

Local Board Approval Date: 11/2/2016

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Margaret Akinnusi
Position: Coordinator, Special Education Services
E-mail: MAKinnusi@vvuhsd.org
Telephone: 760-955-3201 x10227
Fax: 760-245-4634
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-13
MAY 2017 AGENDA

☑ General Waiver

SUBJECT

Request by the Bassett Unified School District to waive California Code of Regulations, Title 5, Section 3043(d), which requires a minimum of 20 school days for an extended school year (summer school) for students with disabilities.

Waiver Number: 4-3-2017

SUMMARY OF THE ISSUES

The Bassett Unified School District (BUSD) requests to be allowed to provide instruction in fewer than the 20 days required by law for the extended school year (ESY). The BUSD proposes an alternate ESY schedule for students in prekindergarten through grade eight that will allow them to provide the minimum number of hours required, but in fewer days.

Authority for Waiver: California Education Code (EC) Section 33050

RECOMMENDATION

☐ Approval ☑ Approval with conditions ☐ Denial

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the request from the BUSD 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 students’ individualized education programs (IEPs) specify otherwise. In addition, 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 BUSD proposes to provide ESY services to students with disabilities using a 15-day schedule. This schedule will not provide less instructional time than the minimum school day by grade level for students in prekindergarten through grade eight, as required by EC sections 46112, 46113, and 46117. The BUSD proposal for a shortened
ESY period may reduce the number of absences that historically occur during the last weeks of the ESY period, and is expected to result in greater student success and better educational outcomes. The proposed ESY schedule includes a longer school day, which will likely help students experience a smoother transition from the regular school year to the ESY. The BUSD indicates this proposed schedule will allow the district to provide greater continuity for the delivery of instruction. Furthermore, fewer ESY days are expected to result in substantial savings in transportation, utilities, janitorial, and energy use costs to the BUSD.

The Bassett Teachers Association (BTA) opposes the ESY waiver because of concerns about breaks and meal periods for ESY students and staff, the availability of classroom aide services, and the total number of days of the high school ESY program being consistent with the general education summer school program.

The CDE contacted the BUSD for responses to the BTA’s objections. The BUSD provided the CDE with information about the following:

- Staffing levels will be sustained during the entire ESY period, and students and teachers will be provided with appropriate breaks and meal periods, including student access to the free or reduced price lunch program.

- The ESY program will include sufficient classroom aide coverage, and one-on-one aide service will be provided to those students who have IEPs that include the support of a one-on-one aide.

- The BUSD is not asking for a waiver for the high school ESY program as the program will meet the requirements for ESY.

The information that the BUSD provided to the CDE addresses the concerns of the BTA. However, the BTA remains opposed.

**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 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 students with disabilities.

ESY 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. The ESY must be provided for each individual with exceptional needs whose IEP requires it. Local educational agencies (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 (1 page)
Attachment 2: Bassett Unified School District General Waiver Request (2 pages)
4-3-2017 (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>
</table>
| 4-3-2017      | Bassett Unified School District (BUSD) | **Period Requested:**
June 12 to June 30, 2017  
(Per additional information provided by the BUSD to the SED) | Student population: 3,682  
Area: Suburban  
County: Los Angeles | 2/28/2017 | Bassett Teachers Association (BTA), Carla Mahaffey President 1/22/2016 **Oppose** | Notice posted in the Board Agenda | Board of Education, Special Education, Educational Services 2/28/2017 **No objection** |
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 extended school year (ESY) creates a shortened summer break for BUSD families and staff, this seems to be the cause of an increase in absences during the last weeks of ESY (summer school). When students are not present, their instructional needs cannot be met. This proposed model will also provide the similarity of the regular year full instructional day. Therefore, it will be less of a transition from a regular school year day to a shortened ESY day for our SPED students, who thrive on consistency, structure, and continuity. Although the amount of days will be shortened, student's Individual Education Plan (IEP) services will not be reduced. Furthermore, this model will result in a savings in energy usage, utilities, transportation and janitorial costs.

Student Population: 3682

City Type: Suburban

Public Hearing Date: 2/28/2017
Public Hearing Advertised: Board Agenda

Local Board Approval Date: 2/28/2017

Community Council Reviewed By: Board of Education, Special Education, Education Services
Community Council Reviewed Date: 2/28/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Rakhee Comar
Position: Director, Special Education
E-mail: rcomar@bassettusd.org
Telephone: 626-931-3000 x3059
Fax: 626-931-3062

Bargaining Unit Date: 03/01/2017
Name: Bassett Teachers Association
Representative: Carla Mahaffey
Title: President
Position: Oppose
Comments: Worried about violating ed. code. President does not feel knowledgeable in SPED law.
WAIVER ITEM W-14
General Waiver

Subject

Request by eight local educational agencies to waive California Code of Regulations, Title 5, Section 3043(d), which requires a minimum of 20 school days of attendance for an extended school year (summer school) for individuals with exceptional needs.

Waiver Numbers:

- Chico Unified School District 11-1-2017
- Fremont Union High School District 22-1-2017
- Hanford Elementary School District 32-2-2017
- Kings County Office of Education 14-1-2017
- National Elementary School District 11-2-2017
- Ocean Unified School District 15-2-2017
- Shasta County Office of Education 27-1-2017
- Tehama County Office of Education 20-1-2017

Summary of the Issues

Eight 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 with conditions

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the request from eight 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 Chico Unified School District (CUSD) proposes to provide ESY services to identified students with disabilities utilizing a 15-day schedule of five and a half hours of instruction per day, equaling 82.5 hours of ESY instruction. Parents, students, and staff supported the longer more intense instructional minutes. Fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food services, administration, and clerical costs to districts, and will also assist the CUSD to hire highly qualified special education teachers recurrently employed by the district.

The Fremont Union High School District (FUHSD) is proposing to provide ESY utilizing a 15-day schedule of 330 minutes, or five hours and 30 minutes each day. The 15-day schedule will provide the same amount of instructional hours as the standard 20-day schedule. The proposed ESY schedule will allow the FUHSD to provide more continuity for delivery of instruction. It would facilitate cost effective services within the classrooms, and reduce costs for transportation, electricity, custodial services, etc. Additionally, it would expand uninterrupted opportunities for school custodial staff to improve facilities before school re-opens for the next school year.

The Hanford Elementary School District requests to provide ESY services operating a 14-day schedule of five and three-quarter hours per day which would deliver 80.5 hours of ESY instruction. Under the proposed schedule, the program will not run into the hotter month of July when the temperatures rise above 110 degrees, causing a toll on both the students as well as the air conditioning system. The proposal will align with the general education summer enrichment program, allowing students in special education to interact with their peers in general education, and it will increase student enrollment and participation. Additionally, it will allow the special education teachers who teach the mild to moderate and moderate to severe student population to participate in the year-end professional development programs held during the months of July and August.

The Kings County Office of Education proposes to provide ESY services utilizing a 16-day schedule of five hours of instruction per day, which will provide 80 hours of instructional time. This schedule will provide greater opportunity for school facility improvements, family vacation time, and will allow staff additional time to pursue professional development and recharge before the following school year. Fewer ESY days will result in significant financial savings in energy usage, transportation, janitorial, and other costs associated with running the program.

The National City School District (NCSD) proposes to provide ESY services utilizing a 15-day schedule of approximately five and one-third hours of instruction per day, which will provide 80.25 hours of instructional time. The traditional four week ESY schedule would only allow families and staff a two week summer break due to the six week NCSD summer break schedule. Historically, the traditional ESY schedule made it difficult for the NCSD to hire quality ESY staff, and student attendance decreased significantly on the fourth week of instruction. The NCSD provided a 15-day ESY program in the 2015–16 school year and found that student enrollment remained consistent.
throughout.

The Oceanside Unified School District (OUSD) is proposing to provide a 16-day ESY schedule of five hours of instruction a day, for a total of 80 instructional hours. The OUSD has successfully implemented the 16-day ESY schedule over the last three years, and found the schedule allowed them to have more classroom time with the students, provide professional learning opportunities to their staff during the summer break, and reduce overall transportation costs. The schedule is supported by staff, parents, and union representation.

The Shasta County Office of Education (SCOE) proposes to provide ESY services utilizing a 15-day model of five and one-half hours of instruction per day, providing approximately 82 hours of instructional time. This schedule will align with other regional program operations providing intensive support in less time. It will reduce the travel time for students, and reduce costs for districts.

The Tehama County Office of Education proposes to provide ESY services utilizing a 15-day model. The preschool program will operate four instructional hours per day vs. three hours, and the kindergarten–adult program will operate five and one-half instructional hours per day vs. four hours. The hours per day, per program, will increase the ESY minutes of instruction, and will align better with the typical school day for all grade levels served. Fewer ESY instructional days will provide substantial savings in transportation, utilities, janitorial, food service, administration, and clerical costs.

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 students with disabilities.

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 (8 pages)
Attachment 2: Chico Unified School District General Waiver Request (2 pages)  
11-1-2017 (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Fremont Union High School District General Waiver Request  
22-1-2017 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Hanford Elementary School District General Waiver Request  
32-2-2017 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Kings County Office of Education General Waiver Request 14-1-2017  
(2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: National Elementary School District General Waiver Request  
11-2-2017 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

(2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 8: Shasta County Office of Education General Waiver Request 27-1-2017  
(2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: Tehama County Office of Education General Waiver Request  
20-1-2017 (2 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>
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<tbody>
<tr>
<td>11-1-2017</td>
<td>Chico Unified School District</td>
<td><strong>Requested:</strong> June 12, 2017 to June 30, 2017</td>
<td><strong>Student population:</strong> 11,990</td>
<td>12/14/2016</td>
<td>Chico Unified Teachers Association, Kevin Moretti President 1/22/2016 Support</td>
<td>Notice posted at the district office and online</td>
<td>School Site Council- SELPA for Butte County Office of Education 11/17/2016 No objection</td>
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<td><strong>Recommended:</strong> June 12, 2017 to June 30, 2017</td>
<td><strong>Area:</strong> Rural</td>
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<td><strong>County:</strong> Butte</td>
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<td><strong>15 days at 5.5 hours/day</strong></td>
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<td><strong>82.5 hours total</strong></td>
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<td>Waiver Number</td>
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<td>22-1-2017</td>
<td>Fremont Union High School District</td>
<td><strong>Requested:</strong> June 12, 2017 to June 30, 2017 (Per additional information provided by the district)</td>
<td><strong>Student population:</strong> 150</td>
<td>1/10/2017</td>
<td>Fremont Education Association, Jason Haskett President 10/27/2016 Support</td>
<td>Notice posted online (Per additional information provided by the district)</td>
<td>Community Advisory Committee 12/9/2016 (Per additional information provided by the district)</td>
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<td><strong>Recommended:</strong> June 12, 2017 to June 30, 2017</td>
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<td>Recommended: June 12, 2017 to June 29, 2017</td>
<td>14 days at 5.75 hours/day 80.5 hours total</td>
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<td>14-1-2017</td>
<td>Kings County Office of Education</td>
<td>Requested: June 15, 2017 to June 30, 2017</td>
<td>Student population: 294 Area: Rural County: Kings</td>
<td>1/11/2017</td>
<td>California School Employees Association, Rebekah Thompson President 12/15/2016 Support</td>
<td>Notice posted in a newspaper and Board agenda postings</td>
<td>Kings County School Board 1/11/2017 No objection</td>
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<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>
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<td>11-2-2017</td>
<td>National Elementary School District</td>
<td>Requested: June 16, 2017 to July 7, 2017 (Per additional information provided by the district)</td>
<td>Student population: 5,779 Area: Urban County: San Diego</td>
<td>Local Board 1/25/2017 Public Hearing 1/10/2017</td>
<td>California School Employees Association, Mona Ribada President of CSEA 1/10/2017 Support</td>
<td>Notice posted at the school library, 10 school sites, and the online board agenda</td>
<td>National City Elementary Teachers Association, National City School Board 1/25/2017 No Objection</td>
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Recommended:
June 16, 2017 to July 7, 2017
15 days at 5.35 hours/day
80.25 hours total
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| 27-1-2017     | Shasta County Office of Education             | Requested: June 7, 2017 to July 27, 2017 | **Student population:** 45  
**Area:** Rural  
**County:** Shasta | 12/14/2017 | California State Employees Association, Dan Coyne President 11/28/2016 **Support**  
Shasta California Teachers Association Karin Lindsey Acting President 11/28/2016 **Support** | Notice posted in a newspaper, school site, and parent communications | Program Advisory Committee 10/20/16 |
|               |                                              | Recommended: June 7, 2017 to July 27, 2017 | 15 days at 5.5 hours/day  
82.5 hours total |                     |                                             |                                           | **No objection** |

Student population: 45  
Area: Rural  
County: Shasta
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<th>Public Hearing Advertised</th>
<th>Advisory Committee or Site Council Consulted/ Date</th>
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</thead>
</table>
| 20-1-2017     | Tehama County Office of Education | Requested: June 19, 2016 to July 7, 2017 | **Student population:** 160  
**Area:** Rural  
**County:** Tehama | 1/18/2017 | California School Employees Association,  
Dawn Retzlaff President  
12/7/2016  
**Support**  
California Teachers Association,  
Dave Torgersrud President  
12/7/2016  
**Support** | Notice posted in a newspaper, online, and on the doors of the Tehama County Department of Education and Special School and Services buildings | Community Advisory Committee 12/9/2016 |

**Preschool**  
15 days at 4 hours/day  
60 hours Total  
Kindergarten–Adult  
15 days at 5.5 hours/day  
82.5 hours Total

**Kindergarten–Adult**  
15 days at 5.5 hours/day  
82.5 hours Total

Created by the California Department of Education  
February 21, 2017
Outcome Rationale: Due to fiscal considerations and regression of academic skills learned during 2016 school year, CUSD proposes to provide ESY services to identified special education students, utilizing a fifteen (15) school day, five and half (%>%) hours of instruction model rather than the traditional model of twenty (20) days with (4.0) hours of instruction. Parent, students and staff supported the longer more intense instructional minutes. Fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food services, administration and clerical costs. It also will assist in hiring highly quality special education teachers recurrently employed by the district.

Student Population: 11990

City Type: Rural

Local Board Approval Date: 12/14/2016

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. eric Snedeker
Position: Director of Special Education
E-mail: esnedek@ChicoUSD.org
Telephone: 530-891-3000 x135
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4369468    Waiver Number: 22-1-2017    Active Year: 2017

Date In: 1/19/2017 4:59:21 PM

Local Education Agency: Fremont Union High
Address: 589 West Fremont Ave.
Sunnyvale, Ca 94087

Start: 8/15/2016    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: 34 C.F.R. section 300.106
Ed Code Authority: 3043(d)

Ed Code or CCR to Waive: (d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.

Outcome Rationale: FREMONT UNION HIGH 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 330 minutes per day (15 days X 330 minutes per day = 4950 minutes), providing the same number of minimum hours as in a traditional 20-day model. The proposed model, which extends daily attendance time, results in sufficient time totals, but provides for a reduction in total days of attendance to 15 days, Monday through Friday, over a three-week period. The FREMONT UNION HIGH SCHOOL DISTRICT School District believes the proposed model will:

* provide more continuity for delivery of instruction and promotion of community based instruction and increase the opportunities for travel training. Additionally this would allow students and families the flexibility to plan extended vacation 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.

* expand uninterrupted opportunities for school custodial staff to improve facilities before school re-opens in the Fall.

Student Population: 150
City Type: Urban
Local Board Approval Date: 1/10/2017
Audit Penalty YN: N
Categorical Program Monitoring:
Submitted by: Ms. Nancy Sullivan
Position: Director of Educational & Special Services
E-mail: nancy_sullivan@fuhsd.org
Telephone: 408-522-2232
Fax: 408-749-8022

Bargaining Unit Date: 10/27/2016
Name: Fremont Education Association
Representative: Jason Heskett
Title: FEA President
Position: Support
Comments:
Outcome Rationale: We are located in the San Joaquin Valley in a rural community. In the later part of the summer, the heat can soar to above 110 degrees, causing the afternoons to be unbearable. These hot summer days can be difficult for students to actively participate in learning with such heat. Not to mention when the Air Quality Index is in the unhealthy range, especially for our students with significant disabilities and health conditions. In addition, the heat causes great strain on already overworked air conditioning units. Prior to a successful waiver application in last year, we saw a dramatic decrease in the number of students who began the program and remained during the duration of the program, mainly due to the heat and the length of the extended school year program. Both parents and students reported that the heat and the length of the program was too much for them to manage during the hot summer months. With the implementation of the waiver and program adjustment last year, we saw the number of student participation remain consistent and the level of participation remain steady. In addition, our ESY program aligned with general education enrichment program dates that are operated by the district, allowing our special education students opportunities in interact and mainstream with typical peers during our ESY program. Finally, qualified staff that teach our mild to moderate and moderate to severe student population is limited. With such a limited staff, they are often left with little opportunity to participate in district offered professional development that take place during the summer months, as they are teaching in the ESY program. This restricts professional development opportunities to our special education staff throughout the month of June and into the first week of July without the waiver. These professional development opportunities are opportunities our special education teacher so deeply desire. As such, the District is requesting that the waiver be approved to allow our ESY program to operate from June 12-June 29 from 8:00 a.m. to 1:45 p.m. This meets the required 80 hours of instruction. As well, allows the program not to run into the hotter month of July, align with the general education summer enrichment program, increase student participation to
remain during the duration of the program and provide special education teachers with the opportunity to take full advantage of professional development opportunities provided by the District throughout the months of July and early August.

Student Population: 387

City Type: Rural

Public Hearing Date: 2/22/2017
Public Hearing Advertised: Board Agenda (posted publically)

Local Board Approval Date: 2/22/2017

Community Council Reviewed By: Hanford Elementary School District Board of Trustees
Community Council Reviewed Date: 2/22/2017
Community Council Objection: N
Community Council Objection Explanation: 

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Karen McConnell
Position: Assistant Superintendent
E-mail: kmcconnell@hanfordesd.k12.ca.us
Telephone: 559-585-3617
Fax: 559-585-2650

Bargaining Unit Date: 02/13/2017
Name: California School Employees Association #344
Representative: Ron Riso
Title: President
Position: Support
Comments:

Bargaining Unit Date: 02/06/2017
Name: Hanford Elementary Teachers Association
Representative: April Silva
Title: President
Position: Support
Comments:
CD Code: 1610165 Waiver Number: 14-1-2017 Active Year: 2017
Date In: 1/18/2017 8:32:02 AM
Local Education Agency: Kings County Office of Education
Address: 1144 West Lacey Blvd.
Hanford, CA 93230
Start: 6/5/2017 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: 5 CCR 3043 (d)
Ed Code Authority: 33050

Ed Code or CCR to Waive: Extended school year services shall be provided, in accordance with 34 C.F.R. section 300.106, 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 disabilities 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 disabling condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the IEP team determines the need for such a program and includes extended school year in the IEP pursuant to subdivision (e). [(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.]

Outcome Rationale: The Kings County Office of Education proposes to provide Extended School Year program to identified special education students as agreed to in their IEP for sixteen days (16) days at five (5) hours of instruction per day. (Total of 80 hours instruction) in place of the traditional model of twenty (20) days with four (4) hours of instruction daily for a total of eighty (80) hours of instruction. This will provide opportunity for school facility improvements, family vacation time, and significant financial savings in energy usage, transportation, janitorial, and other costs associated with running the program. It also allows our staff additional time to pursue professional development, higher education goals, time to re-energize and prepare for the following school year.

Student Population: 294
City Type: Rural
Public Hearing Date: 1/11/2017
Public Hearing Advertised: Newspaper advertisement and board agenda postings

Local Board Approval Date: 1/11/2017

Community Council Reviewed By: Kings County School Board
Community Council Reviewed Date: 1/11/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Lisa Horne
Position: Program Director Special Education
E-mail: lisa.horne@kingscoe.org
Telephone: 559-589-7092
Fax:

Bargaining Unit Date: 12/15/2016
Name: CSEA
Representative: Rebekah Thompson
Title: President CSEA
Position: Support
Comments:
Extended School Year
Attachment 6
Page 1 of 2

California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 3768221     Waiver Number: 11-2-2017     Active Year: 2017
Date In: 2/13/2017 1:41:15 PM

Local Education Agency: National Elementary
Address: 1500 N Ave.
National City, CA 91950

Start: 6/15/2017     End: 7/14/2017

Waiver Renewal: Y
Previous Waiver Number: 5-2-2016-W-02     Previous SBE Approval Date: 5/10/2016

Waiver Topic: Special Education Program
Ed Code Title: Extended School Year (Summer School)
Ed Code Section: Title 5, Section 33043(d)
Ed Code Authority: 33050

Ed Code or CCR to Waive: California Code of Regulations (CCR), Title 5, Section 3043(d) requires that a District provide extended school year services (between the close of one academic year and the beginning of the next) to a student who has unique needs and requires special education and related services in excess of the regular academic year. CCR, Title 5 Section 3043(d) requires that the program be provided for a minimum of 20 instructional days, typically for four hours each day for a total of 80 hours of instruction. Students who participate, in Extended School Year benefit from having consistent time of instructional day as it supports the structure of their programs, maintains educational benefit and provides a learning environment that address regression and recoupment of identified students with disabilities.

Outcome Rationale: The National City School District calendar provides approximately six weeks of summer break. A four week extended school year only provides families and staff two weeks summer break. Historically it has been difficult to find quality staff that are specialized to meet the instructional needs of these students and on the fourth week of instruction student attendance has historically decreased significantly. During the 2015-16 Extended School Year, of (15)-5.35 hour days enrollment stayed consistent throughout.

Student Population: 5779

City Type: Urban

Public Hearing Date: 1/10/2017
Public Hearing Advertised: Posted in school Library, at school 10 sites and on-line in Board Agenda items

Local Board Approval Date: 1/25/2017

Community Council Reviewed By: National City Elementary Teacher's Association, National

Revised: 5/4/2017 9:55 AM
City School Board

Community Council Reviewed Date: 1/25/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Meghann O'Connor
Position: Director of Student Support Services
E-mail: moconnor@nsd.us
Telephone: 619-336-7740
Fax: 619-336-7551

Bargaining Unit Date: 01/10/2017
Name: CA School Employees Assn.
Representative: Mona Ribada
Title: President of CSEA
Position: Support
Comments:

Bargaining Unit Date: 01/10/2017
Name: National City Elementary Teachers Association
Representative: Irma Sanchez
Title: Special Education Unit Representative
Position: Support
Comments:
Extended School Year
Attachment 7
Page 1 of 2

California Department of Education
WAIVER SUBMISSION - General

CD Code: 3773569 Waiver Number: 15-2-2017 Active Year: 2017

Date In: 2/14/2017 12:25:05 PM

Local Education Agency: Oceanside Unified
Address: 2111 Mission Ave.
San Diego, CA 92126

Start: 6/19/2017 End: 7/13/2017

Waiver Renewal: Y
Previous Waiver Number: 23-2-2016-W-02 Previous SBE Approval Date: 5/12/2016

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: To waive the minimum 20 days for an extended school year (ESY) for special education students.

Outcome Rationale: The district is interested in continuing to modify the traditional model of 20 days of 4 hours each, equaling 80 hours of Extended School Year instruction to a model of 16 days of 5 hours each, equaling 80 hours of instruction. The District is committed to providing rigorous, high quality instruction and integrated service delivery for the identified students to meet their IEP goals.

Student Population: 18899

City Type: Suburban

Public Hearing Date: 1/17/2017
Public Hearing Advertised: Notice posted at each school, district website, all district buildings, local public libraries

Local Board Approval Date: 1/17/2017

Community Council Reviewed By: Extended Cabinet
Community Council Reviewed Date: 1/16/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Revised: 5/4/2017 9:55 AM
Submitted by: Ms. Courtney Cook
Position: Director of Special Education
E-mail: courtney.cook@oside.us
Telephone: 760-966-7864
Fax:

Bargaining Unit Date: 01/17/2017
Name: California School Employee Association
Representative: Collette Leyva
Title: President
Position: Support
Comments:

Bargaining Unit Date: 01/17/2017
Name: Oceanside Teachers Association
Representative: Jennifer Skellet
Title: President
Position: Support
Comments:
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 4510454 Waiver Number: 27-1-2017 Active Year: 2017

Date In: 1/25/2017 6:06:17 PM

Local Education Agency: Shasta County Office of Education
Address: 1644 Magnolia Ave.
Redding, CA 96001


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: Title 5
Ed Code Authority: 33050

Ed Code or CCR to Waive: Title 5, 3043 (d) [An extended year program shall be provided for a minimum of 20 instructional days, including holidays]

Outcome Rationale: Shasta County Office of education:
Provide within 15 days of increased minutes, the time equal to the normally provided 20 days as required by CCR, Title 5, Section 4043 (d). Services are to be provided in a 15 day period, 5.5 hours per day, to align with other regional program operations providing intensive support in less time, reduce the travel time for students and costs for districts.

Student Population: 45
City Type: Rural

Public Hearing Date: 12/14/2016
Public Hearing Advertised: school site, newspaper, parent communications

Local Board Approval Date: 12/14/2016

Community Council Reviewed By: Program Advisory Committee, Community Advisory Committee, School Site Council
Community Council Reviewed Date: 10/20/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N
Submitted by: Ms. Gina Murphy
Position: Principal
E-mail: gmurphy@shastacoe.org
Telephone: 530-410-6088 x2277
Fax:

Bargaining Unit Date: 11/28/2016
Name: CSEA
Representative: Dan Coyne
Title: President
Position: Support
Comments:

Bargaining Unit Date: 11/28/2016
Name: Shasta CTA
Representative: Karin Lindsey
Title: President
Position: Support
Comments:
Extended School Year
Attachment 9
Page 1 of 2

California Department of Education
WAIVER SUBMISSION - General

CD Code: 5210520 Waiver Number: 20-1-2017 Active Year: 2017

Date In: 1/19/2017 11:31:28 AM

Local Education Agency: Tehama County Department of Education
Address: 1135 Lincoln St.
Red Bluff, CA 96080

Start: 6/19/2017 End: 7/7/2017

Waiver Renewal: Y
Previous Waiver Number: 12-11-2015-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: California Code of Regulation (CCR), Title 5, Section 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 disabilities 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 disabling condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the IEP team determines the need for such a program and includes extended school year in the IEP pursuant to subdivision (e).

(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.

Outcome Rationale: The TEHAMA CO. DEPT. OF EDUCATION, Special Schools and Services Department, operates the ESY program(s) on behalf of the districts in the SELPA that have students that meet the eligibility criteria for participation in an Extended School Year (ESY) program.

The TEHAMA CO. DEPT. OF EDUCATION, Special Schools and Services Department, is requesting a waiver to allow the County run (ESY) program to run for 15 days, including any holidays, instead of 20 days. The preschool program will run for 4 hours vs. 3 hours, resulting in the same number of hours, and the K-Adult program will run 5.5 hours vs. 4 hours which will provide an additional 2.5 hours of instruction. The longer the ESY school day will align better with the typical school day for all grade levels served.

Given the current fiscal crisis in California, fewer ESY days will result in substantial savings in
transportation, utilities, janitorial, food service, administration and clerical costs. Student Population: 160

City Type: Rural

Public Hearing Date: 1/18/2017
Public Hearing Advertised: newspaper, online and on door of TCDE and Special Schools and Services buildings

Local Board Approval Date: 1/18/2017

Community Council Reviewed By: Community Advisory Committee
Community Council Reviewed Date: 12/9/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Angelika Deno
Position: administrator/program specialist
E-mail: adeno@tehamaschools.org
Telephone: 530-527-8636
Fax: 530-529-4134

Bargaining Unit Date: 12/07/2016
Name: California School Employees Association
Representative: Dawn Retzlaff
Title: President
Position: Support
Comments:

Bargaining Unit Date: 12/07/2016
Name: California Teacher Association
Representative: Dave Torgersrud
Title: President
Position: Support
Comments:
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

☐ Specific Waiver

SUBJECT
Request by three school districts under the authority of California Education Code Section 49548 to waive Education Code Section 49550, the State Meal Mandate during the Summer School Session.

Waiver Numbers:
- Eastern Sierra Unified School District 27-2-2017
- Lassen Union High School District 34-2-2017
- Mark West Union Elementary School District 29-2-2017

☐ Action

☐ Consent

SUMMARY OF THE ISSUE(S)

California Education Code (EC), Section 49550, known as the State Meal Mandate, requires that public school districts and county offices of education provide a meal to needy students every school day. EC, Section 49548 requires that the State Board of Education (SBE) grant requests for waivers to EC, Section 49550 during summer school sessions if the requestor meets one of the three conditions outlined in the Summary of Key Issues.

Three districts have requested summer school meal waivers based upon meeting one of the three conditions.

Authority for Waiver: EC, Section 49548

RECOMMENDATION

☐ Approval  ☐ Approval with conditions  ☐ Denial

The California Department of Education (CDE) recommends that these three requests for a waiver to the State Meal Mandate be approved, as they all meet one of the statutory criteria for being granted a waiver during the 2017 summer school session.

These three requests represent a decrease from years past, when hundreds of summer school meal waiver requests were submitted. The Nutrition Services Division has placed an emphasis on ensuring that schools are provided with the guidance they need to offer meals whenever possible.
SUMMARY OF KEY ISSUES

Under EC, Section 49548, school sites operating a summer school session shall be granted a waiver to EC, Section 49550 so that meals do not have to be served if they meet one of the following conditions:

CONDITION ONE

Elementary schools shall be granted a waiver if a Summer Food Service Program (SFSP) for children site is available within one-half mile of the school site. Middle schools, junior high schools, and high schools shall be granted a waiver if a SFSP site is available within one mile of the school site. Additionally, one of the following conditions must exist:

- The hours of operation of the SFSP site commence no later than one-half hour after the completion of the summer school session day.
- The hours of operation of the SFSP site conclude no earlier than one hour after the completion of the summer school session day.

For purposes of this section of law, “elementary school” means a public school that maintains kindergarten or any of grades first through eighth inclusive.

CONDITION TWO

Serving meals during the summer school session would result in a financial loss to the school district, documented in a financial analysis performed by the school district, in an amount equal to one-third of the net cash resources (NCR) as defined in Title 7, Code of Federal Regulations, Section 210.2, which, for purposes of this section of law, shall exclude funds that are encumbered. If there are no NCR, the financial loss must be greater than or equal to the operating costs of one month as averaged over the summer school sessions.

The financial analysis must include a projection of future meal program participation based on either of the following:

- The meal service period beginning after the commencement of the summer school session day and concluding before the completion of the summer school session day. In other words, districts must project profit or loss based on serving a breakfast or a lunch during school hours and not before or after the school day.
- The school site operating as an open Summer Seamless Option or SFSP site, and providing adequate notification thereof, including flyers and banners, in order to fulfill community needs under the SFSP.

CONDITION THREE

Summer school sites that operate two hours or less including breaks and recess shall be granted a waiver.
The districts listed in Attachment 1 have requested a waiver of EC Section 49550 for the summer of 2017 and have certified their compliance with all required conditions necessary to obtain a waiver.

Summary/Recommendation

The CDE has reviewed the waiver requests from the districts and recommends approval based on meeting the conditions (One, Two, or Three) listed in the fifth column on Attachment 1.

Authority for Waiver: EC, Section 49548

Bargaining unit(s) consulted on date(s): Not required

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waivers may reduce the draw on Proposition 98 funds at the state level. Local district finances may be affected.

ATTACHMENT(S)

Attachment 1: Districts Meeting Statutory Waiver Conditions (1 page)

Attachment 2: Eastern Sierra Unified School District Specific Waiver Request 27-2-2017 (1 page) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Lassen Union High School District Specific Waiver Request 34-2-2017 (1 page) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Mark West Union Elementary School District Specific Waiver Request 29-2-2017 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
## Districts Meeting Statutory Waiver Conditions

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>School Site</th>
<th>Effective Period of Request(s)</th>
<th>Local Board Approval Date</th>
<th>Condition Being Met</th>
</tr>
</thead>
</table>
| 27-2-2017     | Eastern Sierra Unified School District | Antelope Elementary School  
Bridgeport Elementary School  
Edna Beaman Elementary School  
Lee Vining Elementary School | Requested: 7/1/2017 to 8/11/2017  
Recommended: 7/1/2017 to 8/11/2017 | 2/15/2017 | Two |
Recommended: 6/2/2017 to 6/30/2017 | 2/22/2017 | Two |
| 29-2-2017     | Mark West Union Elementary School District | Mark West School                                                 | Requested: 7/10/2017 to 7/28/2017  
Recommended: 7/10/2017 to 7/28/2017 | 3/7/2017 | Three |
California Department of Education
WAIVER SUBMISSION - Specific

CD Code: 2673668                                Waiver Number: 27-2-2017                                Active Year: 2017

Date In: 2/22/2017 3:39:17 PM

Local Education Agency: Eastern Sierra Unified School District
Address: 231 Kingsley St.
Bridgeport, CA 93517

Start: 7/1/2017                                End: 8/11/2017

Waiver Renewal: Y
Previous Waiver Number: 19-1-2016-W-14            Previous SBE Approval Date: 5/16/2016

Waiver Topic: State Meal Mandate
Ed Code Title: Summer School Session
Ed Code Section: 49550
Ed Code Authority: 49548

Ed Code or CCR to Waive: Operating food services would be a severe financial hardship due to rural, remote schools and small summer school populations.

Outcome Rationale: Operating food services would be a severe financial hardship due to rural, remote schools and small summer school populations.

Student Population: 399

City Type: Rural

Local Board Approval Date: 2/15/2017

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Mollie Nugent
Position: Business Manager
E-mail: mnugent@esusd.org
Telephone: 760-932-7443 x1004
Fax: 760-932-7140
CD Code: 1864139        Waiver Number: 34-2-2017        Active Year: 2017

Date In: 2/24/2017 3:38:21 PM

Local Education Agency: Lassen Union High
Address: 1000 Main St.
Susanville, CA 96130

Start: 6/1/2017   End: 9/1/2017

Waiver Renewal: Y
Previous Waiver Number: 12-2-2016-W-14   Previous SBE Approval Date: 5/12/2016

Waiver Topic: State Meal Mandate
Ed Code Title: Summer School Session
Ed Code Section: 49550
Ed Code Authority: 49548

Ed Code or CCR to Waive: 49550  (a) Notwithstanding any other provision of law, each school
district or county superintendent of schools maintaining any kindergarten or any of grades 1 to
12, inclusive, shall provide for each needy pupil one nutritionally adequate free or reduced-price
meal during each schoolday, except for family day care homes that shall be reimbursed for 75
percent of the meals served.
(b) In order to comply with subdivision (a), a school district or county office of education may
use funds made available through any federal or state program the purpose of which includes
the provision of meals to a pupil, including the federal School Breakfast Program, the federal
National School Lunch Program, the federal Summer Food Service Program, the federal
Seamless Summer Option, or the state meal program, or may do so at the expense of the
school district or county office of education.

Outcome Rationale: During the regular school year, Lassen Union HIgh has an 8% participation
rate in the School Meal Program. Our summer school enrollment has been much lower than
projected. The number of students participating in Summer School Session in 2015/16 was 28.
Trends show that it is very unlikely for more than 2 students to participate in the meal program,
making it fiscally unfeasible to operate. The summer session is only 3 and a half hours long,
and releases before the typically scheduled lunch time, meaning that it is likely that the students
who may have participated will leave prior to lunch.

Student Population: 807
City Type: Rural
Local Board Approval Date: 2/22/2017
Audit Penalty YN: N
Categorical Program Monitoring: N
Submitted by: Ms. Cori Shields
Position: CBO
E-mail: cori.shields@lassenhigh.org
Telephone: 530-251-1194 Fax: 530-251-0473
California Department of Education  
WAIVER SUBMISSION - Specific

CD Code: 4970805  Waiver Number: 29-2-2017  Active
Year: 2017

Date In: 2/23/2017 11:37:19 AM

Local Education Agency: Mark West Union Elementary
Address: 305 Mark West Springs Rd.
Santa Rosa, CA 95404

Start: 7/10/2017   End: 7/28/2017

Waiver Renewal: N
Previous Waiver Number:
Previous SBE Approval Date:

Waiver Topic: State Meal Mandate
Ed Code Title: Summer School Session
Ed Code Section: 49550
Ed Code Authority: 49548

Ed Code or CCR to Waive: E.C. 49550

Outcome Rationale: The summer session is being operated with only 2.0 hours per day of
instruction. Therefore, we are requesting that the mandate for serving meals be waived based
on Condition 3.

Student Population: 70
City Type: Suburban

Local Board Approval Date: 2/22/2017
Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Ms. Renee Loeza
Position: Business/Personnel Technician
E-mail: rloeza@mwusd.org
Telephone: 707-524-2977
Fax: 707-524-2976
### DISTRICT INFORMATION

<table>
<thead>
<tr>
<th>Site Name: Mark West School</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer School day at this site begins: 8:15 a.m. and ends: 10:15 a.m.</td>
</tr>
<tr>
<td>Total Time: 2.0 hours (Hrs/Min)</td>
</tr>
<tr>
<td>Meals offered during regular school year: Breakfast [ ] Lunch [x]</td>
</tr>
<tr>
<td>Meal time at this site for the summer session begins: 10:15 a.m. and ends: 10:45 a.m.</td>
</tr>
<tr>
<td>Check which condition below meets your circumstances:</td>
</tr>
<tr>
<td>Condition ONE [ ] Condition TWO [ ] Condition THREE [x]</td>
</tr>
</tbody>
</table>

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<tr>
<th>Site Name:</th>
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<tr>
<td>Summer School day at this site begins: and ends:</td>
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<tr>
<td>Total Time: (Hrs/Min)</td>
</tr>
<tr>
<td>Meals offered during regular school year: Breakfast [ ] Lunch [ ]</td>
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<td>Meal time at this site for the summer session begins: and ends:</td>
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<tr>
<td>Condition ONE [ ] Condition TWO [ ] Condition THREE [ ]</td>
</tr>
</tbody>
</table>

Summer meal waiver requests, including all required attachments, must be received in the California Department of Education’s online waiver system no later than 60 days prior to the last regular meeting of the State Board of Education before the commencement of the summer school session for which the waiver is sought. Therefore, please have your completed summer school meal waiver request submitted by March 9, 2017 at the latest.

If you have questions regarding the attachments to the waiver or how to meet the waiver criteria, please contact Donna Reedy, School Nutrition Programs Analyst, Nutrition Services Division, at dreedy@cde.ca.gov.
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-16
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

Specific Waiver

SUBJECT
Request by San Marino Unified School District under the authority of California Education Code Section 49548 to waive Education Code Section 49550, the State Meal Mandate during the Summer School Session for San Marino High School.

Waiver Number: 30-2-2017

SUMMARY OF THE ISSUE(S)

California Education Code (EC), Section 49550, known as the State Meal Mandate, requires that public school districts and county offices of education provide a meal to needy students every school day. EC, Section 49548 requires that the State Board of Education (SBE) grant requests for waivers to EC, Section 49550 during summer school sessions if the requestor meets one of the three conditions outlined in the Summary of Key Issues.

The San Marino Unified School District (SMUSD) is requesting a waiver to the State Meal Mandate for its 2017 summer school session based upon meeting Condition Two, financial loss incurred due to providing meals during summer school.

Authority for Waiver: EC, Section 49548

RECOMMENDATION

☐ Approval ☐ Approval with conditions ☒ Denial

The California Department of Education (CDE) recommends that the SBE deny this waiver because the SMUSD has not demonstrated that it meets Condition Two.

SUMMARY OF KEY ISSUES

Under EC, Section 49548, school sites operating a summer school session shall be granted a waiver to EC, Section 49550 so that meals do not have to be served if they meet one of the following conditions:
CONDITION ONE

Elementary schools shall be granted a waiver if a Summer Food Service Program (SFSP) for children site is available within one-half mile of the school site. Middle schools, junior high schools, and high schools shall be granted a waiver if a SFSP site is available within one mile of the school site. Additionally, one of the following conditions must exist:

- The hours of operation of the SFSP site commence no later than one-half hour after the completion of the summer school session day.
- The hours of operation of the SFSP site conclude no earlier than one hour after the completion of the summer school session day.

For purposes of this section of law, “elementary school” means a public school that maintains kindergarten or any of grades first through eighth inclusive.

CONDITION TWO

Serving meals during the summer school session would result in a financial loss to the school district, documented in a financial analysis performed by the school district, in an amount equal to one-third of the net cash resources (NCR) as defined in Title 7, Code of Federal Regulations (7 CFR), Section 210.2, which, for purposes of this section of law, shall exclude funds that are encumbered. If there are no NCR, the financial loss must be greater than or equal to the operating costs of one month as averaged over the summer school sessions.

The financial analysis must include a projection of future meal program participation based on either of the following:

- The meal service period beginning after the commencement of the summer school session day and concluding before the completion of the summer school session day. In other words, districts must project profit or loss based on serving a breakfast or a lunch during school hours and not before or after the school day.
- The school site operating as an open Summer Seamless Option or SFSP site, and providing adequate notification thereof, including flyers and banners, in order to fulfill community needs under the SFSP.

CONDITION THREE

Summer school sites that operate two hours or less including breaks and recess shall be granted a waiver.

The SMUSD requests a waiver from the State Meal Mandate, which requires that it provide a meal to every needy student attending summer school at San Marino High School. The SMUSD’s waiver request is based on meeting Condition Two, which requires the SMUSD to document that serving meals to needy children during the
summer school session would result in financial loss to the SMUSD. The SMUSD must provide a financial analysis to substantiate that the SMUSD will incur a financial loss equal to or greater than one-third of its Cafeteria Fund’s NCR.

The SMUSD’s NCR was reportedly $23,494 with one-third totaling $7,831. The SMUSD reported the following projected fiscal information related to providing meals to students during its summer session:

<table>
<thead>
<tr>
<th>San Marino Unified School District Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Revenue:</td>
</tr>
<tr>
<td>$27,684</td>
</tr>
<tr>
<td>Program Expenses:</td>
</tr>
<tr>
<td>$30,026</td>
</tr>
<tr>
<td>Program Income/(Loss):</td>
</tr>
<tr>
<td>($2,342)</td>
</tr>
</tbody>
</table>

The SMUSD’s financial analysis indicates a projected loss of $2,342, which is less than one-third ($7,831) of its reported NCR balance of $23,494.

The SMUSD contends that its revenue projection is inflated because it was based upon average daily participation in the National School Lunch Program (NSLP) during the regular school year. A SMUSD representative stated that students do not participate in the NSLP during the summer session because the SMUSD’s summer school schedule only includes a 10-minute meal break.

The CDE agrees that such a short meal break would have a dramatic impact on NSLP participation (and therefore revenue), as it does not provide students with sufficient time to receive and consume a meal. The CDE has advised the SMUSD to expand the meal break to a reasonable amount of time for students to participate in the NSLP. The CDE cited a January 25, 2013, letter to schools, in which State Superintendent of Public Instruction Tom Torlakson wrote:

> [T]he California Department of Education recommends that each student has no less than 10 minutes for breakfast and no less than 20 minutes for lunch after being served. . . Research indicates that inadequate time to eat discourages students from buying and eating complete lunches. . . When they do not have enough time to consume a complete lunch, students throw away a large portion of the meal, buy snacks instead, or skip lunch entirely.

The CDE also provided the SMUSD with NSLP regulations, which state that the U.S. Department of Agriculture “encourages schools to provide sufficient lunch periods that are long enough to give all students adequate time to be served and to eat their lunches.” (7 CFR, Section 210.10[[1]][[2]]). In addition, the CDE directed the SMUSD to the CDE’s Ensuring Adequate Time to Eat Web page at http://www.cde.ca.gov/ls/nu/sn/timetoeat.asp#letter as a resource on providing adequate time to increase meal participation.

The meal break schedule is within the control of the SMUSD. The CDE contends that if the SMUSD provided students with adequate time to receive and consume a meal, participation would be proportional to that during the regular school year, and that there may even be a small financial gain.
California Department of Education Projection

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Revenue:</td>
<td>$27,684</td>
</tr>
<tr>
<td>Program Expenses:</td>
<td>$26,210</td>
</tr>
<tr>
<td>Program Income/(Loss):</td>
<td>$1,474</td>
</tr>
</tbody>
</table>

Summary/Recommendation

The SMUSD contends that its revenue projection is inflated due to applying school year meal participation percentages to its summer school enrollment, but the SMUSD itself has created the potential for low participation (and revenues) by making its meal period so prohibitively brief that students are unable to receive and consume a meal. Therefore, the CDE used a projection based upon school year meal participation percentages and encourages the SMUSD to provide its students with adequate time to receive the nutritious meals mandated by EC, Section 49550.

The CDE recommends denial based upon on not meeting Condition Two.

Authority for Waiver: EC, Section 49548

Bargaining unit(s) consulted on date(s): Not required

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waivers may reduce the draw on Proposition 98 funds at the state level. Local district finances may be affected.

ATTACHMENT(S)

Attachment 1: Districts Not Meeting Statutory Waiver Conditions (1 page)

Attachment 2: San Marino Unified School District Specific Waiver Request 30-2-2017 (1 page) (Original waiver request is signed and on file in the Waiver Office.)
# Districts Not Meeting Statutory Waiver Conditions

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>District</th>
<th>School Site</th>
<th>Period of Request</th>
<th>Local Board Approval Date</th>
<th>Condition Not Being Met</th>
</tr>
</thead>
</table>
| 30-2-2017     | San Marino Unified School District | San Marino High School | **Requested:** 6/5/2017 to 7/14/2017  
**Not Recommended:** 6/5/2017 to 7/14/2017 | 2/14/2017           | Two                                                   |

Created by the California Department of Education  
March 7, 2017
CD Code: 1964964        Waiver Number: 30-2-2017        Active Year: 2017

Date In: 2/23/2017 7:47:35 PM

Local Education Agency: San Marino Unified
Address: 1665 West Dr.
San Marino, CA 91108

Start: 6/5/2017        End: 7/14/2017

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Meal Mandate
Ed Code Title: Summer School Session
Ed Code Section: 49550
Ed Code Authority: 49548

Ed Code or CCR to Waive: State Meal Mandate

Outcome Rationale: Operating Summer School would create financial loss for the District. The District is a small affluent one and would not have the participation.

Student Population: 3089

City Type: Small

Local Board Approval Date: 2/14/2017

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Carolle Thompson
Position: Food Service Director
E-mail: cthompson@smusd.us
Telephone: 626-299-7000 x1323
Fax:
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-17
CALIFORNIA STATE BOARD OF EDUCATION
MAY 2017 AGENDA

General Waiver

SUBJECT
Request by three local educational agencies to waive the State Testing Apportionment Information Report deadline as stipulated in the California Code of Regulations, Title 5, Section 11517.5(b)(1)(A), regarding the California English Language Development Test; or Title 5, Section 862(b)(2)(A), regarding the California Assessment of Student Performance and Progress System.

Waiver Numbers:
Corona-Norco Unified 19-2-2017
Dixie Elementary School District 11-11-2016
Oak Valley Union Elementary 29-1-2017

SUMMARY OF THE ISSUES
State regulations for the California English Language Development Test (CELDT), and the California Assessment of Student Performance and Progress (CAASPP) System each include, as a condition to be eligible for apportionment reimbursement, an annual deadline for the return of a certified State Testing Apportionment Information Report for prior year testing.

The local educational agencies (LEAs) filing for this waiver request missed the regulatory deadline for one or more State Testing Apportionment Information Report(s) for the 2014–15 or 2015–16 school years.

Authority for Waiver: Education Code (EC) Section 33050

RECOMMENDATION

Approval with conditions

The California Department of Education (CDE) recommends that the state regulatory deadline for submission of the State Testing Apportionment Information Reports be waived for the LEAs and school year(s) shown on Attachment 1.
SUMMARY OF KEY ISSUES

Each fall, the CDE develops separate State Testing Apportionment Information Reports for the CELDT and CAASPP compiled from data produced by the testing contractors. Standardized Testing and Reporting reports were developed and distributed from 1998 to 2013. The reports include the amount to be apportioned to the LEA based on the number of pupils tested during the previous school year. The CDE distributes the reports to the LEAs. State regulations require each LEA to certify the accuracy of the report by returning a signed report to the CDE by the regulatory deadline.

The LEAs filing for this waiver request missed the regulatory deadline for one or more State Testing Apportionment Information Report(s) for the 2014–15 or 2015–16 school years.

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

Demographic Information:

Corona-Norco Unified has a student population of 7834 and is located in an urban area of Riverside County.

Dixie Elementary School District has a student population of 1972 and is located in a suburban area of Marin County.

Oak Valley Union Elementary has a student population of 555 and is located in a rural area of Tulare County.

Because this is a general waiver, if the State Board of Education (SBE) decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a), available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved all previous LEA requests to waive the State Testing Apportionment Information Report deadline since deadlines for submission of the State Testing Apportionment Information Reports were added to the California Code of Regulations. The SBE Waiver Policy 08-#: State Testing Apportionment Informational Report Deadline is available at http://www.cde.ca.gov/re/lr/wr/documents/statetesting.doc.

FISCAL ANALYSIS (AS APPROPRIATE)

If these waivers are approved, these three LEAs will be reimbursed for the costs of the CELDT and/or the CAASPP System for the 2014–15 or 2015–16 school years. Total
costs are indicated on Attachment 1, and the waiver request from the LEA is included as Attachments 2, 3, and 4.

**ATTACHMENT(S)**

Attachment 1: Local Educational Agencies Requesting Waiver of State Testing Apportionment Information Report Deadline–May 2017 (1 Page)

Attachment 2: Corona-Norco Unified General Waiver Request 19-2-2017 (2 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Dixie Elementary School District General Waiver Request 11-11-2016 (2 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Oak Valley Union Elementary General Waiver Request 29-1-2017 (2 Pages). (Original waiver request is signed and on file in the Waiver Office.)
Local Educational Agencies Requesting Waiver of State Testing Apportionment Information Report Deadline – May 2017

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>Local Educational Agency</th>
<th>Period of Request</th>
<th>Test Report(s) Missing</th>
<th>Report(s) Submitted</th>
<th>School Year(s)</th>
<th>Reimbursement Amount</th>
<th>Union Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-2-2017</td>
<td>Corona-Norco Unified</td>
<td>Requested: July 1, 2016 to December 31, 2016</td>
<td>California English Language Development Test (CELDT)</td>
<td>Yes</td>
<td>2014-15</td>
<td>$39,170.00</td>
<td>Support</td>
</tr>
<tr>
<td>29-1-2017</td>
<td>Oak Valley Union Elementary</td>
<td>Requested: July 1, 2016 to December 31, 2016</td>
<td>California English Language Development Test (CELDT)</td>
<td>Yes</td>
<td>2014–15</td>
<td>$895.00</td>
<td>Support</td>
</tr>
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</table>

Created by the California Department of Education
February 22, 2017
California Department of Education  
WAIVER SUBMISSION - General

CD Code: 3367033  
Waiver Number: 19-2-2017  
Active Year: 2017

Date In: 2/15/2017 2:44:46 PM

Local Education Agency: Corona-Norco Unified  
Address: 2820 Clark Ave.  
Norco, CA 92860

Start: 7/1/2016  
End: 12/31/2016

Waiver Renewal: N  
Previous Waiver Number:  
Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report  
Ed Code Title: CELDT  
Ed Code Section: CCR, Title 5, Section 11517.5 (b)(1)(A)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: All three regulations for the State Testing Apportionment Information Report were amended in 2005 to include an annual deadline of December 31 of each year (highlighted below) for the return of the Apportionment Information Report for prior year testing for STAR, CAHSEE, and CELDT to receive reimbursement.

If an LEA misses this deadline, they need to complete the entire local process to request a waiver of this deadline, and the State Board of Education must approve the waiver before the LEA can be reimbursed for the local costs associated with the assessments.

Outcome Rationale: There was a transition in personnel and the form was never submitted by current Assessment Data Coordinator. Funds are needed to continue providing resources to the district's EL population.

Student Population: 7834

City Type: Urban

Public Hearing Date: 2/7/2017  
Public Hearing Advertised: Local Newspaper, Board Agendas, District Website, District Display Bulletin Board

Local Board Approval Date: 2/7/2017

Community Council Reviewed By: School Board, CNTA, & DELAC  
Community Council Reviewed Date: 2/3/2017  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Dr. Patricio Vargas
Position: Director Assessment, Accountability, and Ed Tech
E-mail: pvargas@cnusd.k12.ca.us
Telephone: 951-736-5143
Fax: 951-736-5141

Bargaining Unit Date: 1/26/2017
Name: Corona-Norco Teachers Association
Representative: Julie Cooley
Title: President
Position: Support
Comments:
Attachment 3
Page 1 of 2

California Department of Education
WAIVER SUBMISSION - General

CD Code: 2165318 Waiver Number: 11-11-2016 Active Year: 2016

Date In: 11/15/2016 11:34:12 AM

Local Education Agency: Dixie Elementary School District
Address: 380 Nova Albion Way
San Rafael, CA 94903

Start: 11/15/2016 End: 11/15/2017

Waiver Renewal: N Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report
Ed Code Title: CAASPP
Ed Code Section: CCR, Title 5, Section 862(b)(2)(A)
Ed Code Authority: CCR, Title 5, Section 862(b)(2)(A)

Ed Code or CCR to Waive: CCR, Title 5, [Section 862(b)(2)(A) ...postmarked by March 1]

Outcome Rationale: Dixie School District is a TK-8 elementary district of 1,972 ADA and participates annually in the California Assessment of Student Performance and Progress (CAASPP).

As mandated by the California Department of Education, the Dixie School District is required to submit a signed California Assessment of Student Performance and Progress 2014-15 Apportionment Information Report. Submission of this report is required by March 1, 2016.

The Dixie School District did not meet the submission deadline. As instructed by the California Department of Education, we are now filing a waiver to request approval from the State Board of Education to submit the CAASPP 2014-15 Apportionment Information Report. Submission of this report will aide our district in obtaining reimbursement for expenditures associated with state testing.

Student Population: 1972

City Type: Suburban

Public Hearing Date: 11/8/2016
Public Hearing Advertised: The public hearing notice was posted at the Dixie School District Office, Dixie Elementary School, Mary E. Silveira Elementary School, Vallecito Elementary School and Miller Creek Middle School.

Local Board Approval Date: 11/8/2016
Community Council Reviewed By: Administration 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: Ms. Judith Arrow
Position: Assistant Superintendent, Educational Services
E-mail: jarrow@dixieschooldistrict.org
Telephone: 415-492-3703
Fax:

Bargaining Unit Date: 10/20/2016
Name: Dixie Teachers Association
Representative: Tara Costello
Title: Dixie Teachers Association President
Position: Support
Comments:
California Department of Education  
WAIVER SUBMISSION - General

CD Code: 5472017  
Waiver Number: 29-1-2017  
Active Year: 2017

Date In: 1/26/2017 12:16:15 PM

Local Education Agency: Oak Valley Union Elementary  
Address: 24500 ROAD 68  
Tulare, CA 93274

Start: 7/1/2016  
End: 12/31/2016

Waiver Renewal: N  
Previous Waiver Number:  
Previous SBE Approval Date:  

Waiver Topic: State Testing Apportionment Report  
Ed Code Title: CELDT  
Ed Code Section: CCR, Title 5, Section 11517.5(b)(1)(A)  
Ed Code Authority: 33050 Initial and Annual Assessments


Outcome Rationale: Outcome Rationale: Oak Valley Union Elementary School District failed to file the "Apportionment Information Report and Certification CELDT 2016-2017 Report" to CDE by December 31, 2016 deadline. This was due to our CELDT Coordinator being on maternity leave, whom was the only person that received the Apportionment Reports e-mails. Oak Valley Union Elementary School District will need to file a General Waiver, specific to the "Apportionment Information Report and Certification CELDT 2016-2017 Report", with the California Department of Education in order to file late and collect the $895.00. Being a "rural" school district with 31% English Learners, this funding is needed to offset cost of accessing EL students. In attachments see a copy of Apportionment Info Report and Certification CELDT 2016-2017 Report that was mailed to Kerri Wong, Fiscal Support Office.

Student Population: 555

City Type: Rural

Public Hearing Date: 1/17/2017  
Public Hearing Advertised: Notice posted in office

Local Board Approval Date: 1/17/2017

Community Council Reviewed By: School Governing Board  
Community Council Reviewed Date: 1/17/2017  
Community Council Objection: N  
Community Council Objection Explanation:
Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Mireya Sanchez
Position: Bilingual Aid and CELDT Coordinator
E-mail: mireya.sanchez@oakvalleyschool.org
Telephone: 559-688-2908
Fax: 559-688-8023
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-18
**CALIFORNIA STATE BOARD OF EDUCATION**

**MAY 2017 AGENDA**

- **General Waiver**

<table>
<thead>
<tr>
<th>SUBJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request by twenty local educational agencies to waive portions of <em>Education Code</em> Sections 47605 and 47605.1 for twenty-seven charter schools which concern Nonclassroom-Based Charter School Resource Center Location.</td>
</tr>
</tbody>
</table>

**Waiver Numbers:**
- Blochman Union Elementary School District 1-12-2016
- Blochman Union Elementary School District 2-12-2016
- Borrego Springs Unified School District 30-12-2016
- Borrego Springs Unified School District 34-12-2016
- Camptonville Elementary School District 7-12-2016
- Dehesa Elementary School District 27-12-2016
- Dehesa Elementary School District 33-12-2016
- Gorman Joint School District 1-1-2017
- Helendale Elementary School District 28-12-2016
- Helendale Elementary School District 31-12-2016
- Jamul-Dulzura Union Elementary School District 42-12-2016
- Julian Union Elementary School District 12-12-2016
- Kit Carson Union Elementary School District 21-1-2017
- Mattole Unified School District 16-12-2016
- Mountain Empire Unified School District 18-12-2016
- Mountain Empire Unified School District 20-12-2016
- Mountain Empire Unified School District 21-12-2016
- Oro Grande Elementary School District 17-12-2016
- Raisin City Elementary School District 13-1-2017
- Ravendale-Termo Elementary School District 23-12-2016
- Robla Elementary School District 4-2-2017
- Stone Corral Elementary School District 33-1-2017
- Waterford Unified School District 9-12-2016
- Westside Elementary School District 8-2-2017
- Whitmore Union Elementary School District 38-12-2016
- Whitmore Union Elementary School District 37-12-2016

- **Action**

- **Consent**
SUMMARY OF THE ISSUES

Twenty local educational agencies (LEAs) are requesting waivers, on behalf of their charter schools, to allow these nonclassroom-based charter schools' resource centers to operate outside of the boundaries of the school district, as identified in Attachment 1.

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 requests from the LEAs for each charter school identified in Attachment 1, consistent with the SBE’s Waiver Policy “Nonclassroom-Based Charter School Resource Center Location,” Policy #17-01 approved by the SBE on March 9, 2017, with the following conditions:

1. Require each 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), each waiver shall expire on June 30, 2018, and shall not be retroactive.

3. Require each charter school to submit the transition plan to the authorizing school district and to all school districts identified in Attachment 1 where the resource centers are located, within 30 days after approval of the waiver.

4. Require each charter school to provide a status update to parents.

SUMMARY OF KEY ISSUES

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 nonclassroom-based 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.

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. The policy adopted by the SBE sets
forth guidelines for the processing of the waiver applications and to facilitate management of the SBE’s agenda. Consistent with Anderson, waivers shall apply only to existing, noncomplying resource centers of nonclassroom-based charter schools.

Consistent with the SBE’s policy, the LEAs and the charter schools submitted the following additional information, as detailed in Attachment 1:

1. The address of each resource center, school district in which each resource center is located, date each resource center was established, and the number of students attending each resource center.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC Section 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


FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Summary Table: Nonclassroom-Based Charter School Resource Center Location (20 Pages).

Attachment 2: Blochman Union Elementary School District General Waiver Request for Family Partnership Home Study Charter (#0763) 1-12-2016 (5 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Additional Correspondence from Blochman Union Elementary School District Regarding the General Waiver Request for Family Partnership Home Study Charter (#0763) 1-12-2016 (6 Pages).

Attachment 4: Blochman Union Elementary School District General Waiver Request for Trivium Charter (#1319) 2-12-2016 (2 Pages). (Original waiver request is signed and on file in the Waiver Office.)
Attachment 5:  Additional Correspondence from Blochman Union Elementary School District Regarding the General Waiver Request for Trivium Charter (#1319) 2-12-2016 (4 Pages).

Attachment 6:  Borrego Springs Unified School District General Waiver Request for Diego Springs Academy (#1692) 34-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7:  Additional Correspondence from Borrego Springs Unified School District Regarding the General Waiver Request for Diego Springs Academy (#1692) 34-12-2016 (3 Pages).

Attachment 8:  Borrego Springs Unified School District General Waiver Request for Juan Bautista de Anza (#1021) 30-12-2016 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9:  Additional Correspondence from Borrego Springs Unified School District Regarding the General Waiver Request for Juan Bautista de Anza (#1021) 30-12-2016 (1 Page).

Attachment 10: Camptonville Elementary School District General Waiver Request for Camptonville Academy (#0165) 7-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 11:  Additional Correspondence from Camptonville Elementary School District Regarding the General Waiver Request for Camptonville Academy (#0165) 7-12-2016 (3 Pages).

Attachment 12: Dehesa Elementary School District General Waiver Request for Diego Hills Charter (#1088) 33-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 13:  Additional Correspondence from Dehesa Elementary School District Regarding the General Waiver Request for Diego Hills Charter (#1088) 33-12-2016 (12 Pages).

Attachment 14: Dehesa Elementary School District General Waiver Request for The Heights Charter (#1488) 27-12-2016 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 15:  Additional Correspondence from Dehesa Elementary School District Regarding the General Waiver Request for The Heights Charter (#1488) 27-12-2016 (3 Pages).

Attachment 16: Gorman Joint School District General Waiver Request for Gorman
Attachment 17: Additional Correspondence from Gorman Joint School District Regarding the General Waiver Request for Gorman Learning Center (#0285) 1-1-2017 (3 Pages).

Attachment 18: Helendale Elementary School District General Waiver Request for Alta Vista South Public Charter School (#1691) 28-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 19: Additional Correspondence from Helendale Elementary School District Regarding the General Waiver Request for Alta Vista South Public Charter School (#1691) 28-12-2016 (12 Pages).

Attachment 20: Helendale Elementary School District General Waiver Request for Empire Springs Charter (#1592) 31-12-2016 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 21: Additional Correspondence from Helendale Elementary School District Regarding the General Waiver Request for Empire Springs Charter (#1592) 31-12-2016 (2 Pages).

Attachment 22: Hickman Community Charter School District General Waiver Request for Hickman Charter (#00D4) 18-2-2017 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)


Attachment 24: Jamul-Dulzura Union Elementary School District General Waiver Request for Greater San Diego Academy (#0261) 42-12-2016 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 25: Additional Correspondence from Jamul-Dulzura Union Elementary School District Regarding the General Waiver Request for Greater San Diego Academy (#0261) 42-12-2016 (2 Pages).

Attachment 26: Julian Union Elementary School District General Waiver Request for Harbor Springs Charter (#1589) 12-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 27: Additional Correspondence from Julian Union Elementary School District Regarding the General Waiver Request for Harbor Springs
Charter (#1589) 12-12-2016 (4 Pages).

Attachment 28: Kit Carson Union Elementary School District General Waiver Request for Kings Valley Academy (#1766) 21-1-2017 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 29: Additional Correspondence from Kit Carson Union Elementary School District Regarding the General Waiver Request for Kings Valley Academy (#1766) 21-1-2017 (3 Pages).

Attachment 30: Mattole Unified School District General Waiver Request for Mattole Valley Charter (#0159) 16-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 31: Additional Correspondence from Mattole Unified School District Regarding the General Waiver Request for Mattole Valley Charter (#0159) 16-12-2016 (14 Pages).

Attachment 32: Mountain Empire Unified School District General Waiver Request for Pivot Charter School – San Diego (#1266) 20-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 33: Additional Correspondence from Mountain Empire Unified School District Regarding the General Waiver Request for Pivot Charter School – San Diego (#1266) 20-12-2016 (1 Page).

Attachment 34: Mountain Empire Unified School District General Waiver Request for San Diego Neighborhood Homeschools (#1077) 18-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 35: Additional Correspondence from Mountain Empire Unified School District Regarding the General Waiver Request for San Diego Neighborhood Homeschools (#1077) 18-12-2016 (1 Page).

Attachment 36: Mountain Empire Unified School District General Waiver Request for San Diego Virtual (#1264) 21-12-2016 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 37: Additional Correspondence from Mountain Empire Unified School District Regarding the General Waiver Request for San Diego Virtual (#1264) 21-12-2016 (1 Page).

Attachment 38: Oro Grande Elementary School District General Waiver Request for Mojave River Academy (#0762) 17-12-2016 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)
Attachment 39: Additional Correspondence from Oro Grande Elementary School District Regarding the General Waiver Request for Mojave River Academy (#0762) 17-12-2016 (2 Pages).

Attachment 40: Raisin City Elementary School District General Waiver Request for Ambassador Phillip V. Sanchez Public Charter (#1335) 13-1-2017 (5 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 41: Additional Correspondence from Raisin City Elementary School District Regarding the General Waiver Request for Ambassador Phillip V. Sanchez Public Charter (#1335) 13-1-2017 (6 Pages).

Attachment 42: Ravendale-Tempo Elementary School District General Waiver Request for Long Valley Charter (#1549) 23-12-2016 (2 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 43: Additional Correspondence from Ravendale-Tempo Elementary School District Regarding the General Waiver Request for Long Valley Charter (#1549) 23-12-2016 (1 Page).

Attachment 44: Robla Elementary School District General Waiver Request for Paseo Grande Charter (#1727) 4-2-2017 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 45: Additional Correspondence from Robla Elementary School District Regarding the General Waiver Request for Paseo Grande Charter (#1727) 4-2-2017 (3 Pages).

Attachment 46: Stone Corral Elementary School District General Waiver Request for Crescent Valley Public Charter (#1269) 33-1-2017 (5 Pages). (Original waiver request is signed and on file in the Waiver Office.)


Attachment 48: Waterford Unified School District General Waiver Request for Connecting Waters Charter (#0477) 9-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 49: Additional Correspondence from Waterford Unified School District Regarding the General Waiver Request for Connecting Waters Charter (#0477) 9-12-2016 (6 Pages).

Attachment 50: Westside Elementary School District General Waiver Request for
Crescent View South Charter (#1138) 8-2-2017 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 51: Additional Correspondence from Westside Elementary School District Regarding the General Waiver Request for Crescent View South Charter (#1138) 8-2-2017 (9 Pages).

Attachment 52: Whitmore Union Elementary School District General Waiver Request for New Day Academy – Shasta (#1796) 38-12-2016 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 53: Additional Correspondence from Whitmore Union Elementary School District Regarding the General Waiver Request for New Day Academy – Shasta (#1796) 38-12-2016 (2 Pages).

Attachment 54: Whitmore Union Elementary School District General Waiver Request for Northern Summit Academy (#1649) 37-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 55: Additional Correspondence from Whitmore Union Elementary School District Regarding the General Waiver Request for Northern Summit Academy (#1649) 37-12-2016 (5 Pages).
## Nonclassroom-Based Charter School Resource Center Location

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>Local Educational Agency (Charter Authorizer)</th>
<th>Charter School (Charter Number / CDS Code)</th>
<th>Address of Resource Center</th>
<th>School District Where Resource Center is Located</th>
<th>Date Resource Center Was Established</th>
<th>Number of Students Attending Resource Center</th>
<th>Need for Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-12-2016</td>
<td>Blochman Union Elementary School District</td>
<td>Family Partnership Home Study Charter (0763 / 42-69112-0111773)</td>
<td>320 Alisal Road, Suite 206, Solvang, CA</td>
<td>Solvang Elementary School District / Santa Ynez Valley Union High School District</td>
<td>2010</td>
<td>52</td>
<td>Immediate closure would cause academic harm and disruption to students being served; and fiscal impact of lease agreements, salary, and benefits.</td>
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<tr>
<td>1-12-2016</td>
<td>Blochman Union Elementary School District</td>
<td>Family Partnership Home Study Charter (0763 / 42-69112-0111773)</td>
<td>1157 East Clark Avenue, Orcutt, CA</td>
<td>Santa Maria Joint Union High School District / Orcutt Union Elementary School District</td>
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<td>66</td>
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<td>Blochman Union Elementary School District</td>
<td>Family Partnership Home Study Charter (0763 / 42-69112-0111773)</td>
<td>1331 East Foster Road, Santa Maria, CA</td>
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<td>Waiver Number</td>
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<td>Blochman Union Elementary School District</td>
<td>Family Partnership Home Study Charter (0763 / 42-69112-0111773)</td>
<td>2880 Santa Maria Way, Santa Maria, CA</td>
<td>Santa Maria Joint Union High School District / Orcutt Union Elementary School District</td>
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<td>2-12-2016</td>
<td>Blochman Union Elementary School District</td>
<td>Trivium Charter (1319 / 42-69112-0124255)</td>
<td>1026 Sierra Madre, Santa Maria, CA</td>
<td>Santa Maria-Bonita Unified School District / Santa Maria Joint Union High School District</td>
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<td>4597 Hollister Avenue, Santa Barbara, CA</td>
<td>Santa Barbara Unified School District / Hope Elementary School District</td>
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<td>34-12-2016</td>
<td>Borrego Springs Unified School District</td>
<td>Diego Springs Academy (1692 / 37-67983-0131144)</td>
<td>310 Broadway, Chula Vista, CA</td>
<td>Sweetwater Union High School District / Chula Vista Elementary School District</td>
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<td>625</td>
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<td>30-12-2016</td>
<td>Borrego Springs Unified School District</td>
<td>Juan Bautista de Anza (1021 / 37-67983-0117887)</td>
<td>1721 Main Street, Suite 104, Ramona, CA</td>
<td>Ramona City Unified School District</td>
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<td>Waiver Number</td>
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<td>7-12-2016</td>
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<td>Camptonville Academy (0165 / 58-72728-6115935)</td>
<td>321 16th Street, Marysville, CA</td>
<td>Marysville Joint Unified School District</td>
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<td>450</td>
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<td>7-12-2016</td>
<td>Camptonville Elementary School District</td>
<td>Camptonville Academy (0165 / 58-72728-6115935)</td>
<td>922 G Street, Marysville, CA</td>
<td>Marysville Joint Unified School District</td>
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<td>Dehesa Elementary School District</td>
<td>Diego Hills Charter (1088 / 37-68049-0119990)</td>
<td>4585 College Avenue, Suites 4A–4C, San Diego, CA</td>
<td>San Diego Unified School District</td>
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<td>1360</td>
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<td>Waiver Number</td>
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<td>8073 Broadway, Lemon Grove, CA</td>
<td>Grossmont Union High School District / Lemon Grove School District</td>
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<td>27-12-2016</td>
<td>Dehesa Elementary School District</td>
<td>The Heights Charter (1488 / 37-68049-0127118)</td>
<td>2710 Alpine Boulevard, Suite E, Alpine, CA</td>
<td>Alpine Union Elementary School District / Grossmont Union High School District</td>
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<td>236</td>
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<td>1-1-2017</td>
<td>Gorman Joint School District</td>
<td>Gorman Learning Center (0285 / 19-64584-1996305)</td>
<td>16530 Lost Canyon Road, Santa Clarita, CA</td>
<td>Sulphur Springs School District / William S. Hart Union High School District</td>
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<td>500</td>
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<td>1-1-2017</td>
<td>Gorman Joint School District</td>
<td>Gorman Learning Center (0285 / 19-64584-1996305)</td>
<td>43301 Division Street, Lancaster, CA</td>
<td>Antelope Valley Union High School District / Lancaster Elementary School District</td>
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<td>28-12-2016</td>
<td>Helendale Elementary School District</td>
<td>Alta Vista South Public Charter (1691 / 36-67736-0131151)</td>
<td>689 West Second Street, San Bernardino, CA</td>
<td>San Bernardino City Unified School District</td>
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<td>515</td>
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<td>28-12-2016</td>
<td>Helendale Elementary School District</td>
<td>Alta Vista South Public Charter (1691 / 36-67736-0131151)</td>
<td>3505 E. Highland Avenue, Highland, CA</td>
<td>San Bernardino City Unified School District</td>
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<td>150</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<td>31-12-2016</td>
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<td>Empire Springs Charter (1592 / 36-67736-0128439)</td>
<td>8968 Archibald Avenue, Rancho Cucamonga, CA</td>
<td>Cucamonga Elementary School District / Chaffey Joint Union High School District</td>
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<td>18-2-2017</td>
<td>Hickman Community Charter School District</td>
<td>Hickman Charter (D4 / 50-71100-6112627)</td>
<td>1700 McHenry Avenue, Suite 82, Modesto, CA</td>
<td>Sylvan Union Elementary School District / Modesto City High School District</td>
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<td>42-12-2016</td>
<td>Jamul-Dulzura Union Elementary School District</td>
<td>Greater San Diego Academy (0261 / 37-68155-6117303)</td>
<td>7200 Parkway Drive, Suite 113, La Mesa, CA</td>
<td>La Mesa-Spring Valley School District / Grossmont Union High School District</td>
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<td>185</td>
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<td>Julian Union Elementary School District</td>
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<td>700 East Bobier Street, Vista, CA</td>
<td>Vista Unified School District</td>
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<td>Julian Union Elementary School District</td>
<td>Harbor Springs Charter (1589 / 37-68163-0128421)</td>
<td>1615 Mater Dei Drive, Seton Hall, Chula Vista, CA</td>
<td>Chula Vista Elementary School District / Sweetwater Union High School District</td>
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<td>Kit Carson Union Elementary School District</td>
<td>Kings Valley Academy (1766 / 16-63958-0132860)</td>
<td>312 West Seventh Street, Hanford, CA</td>
<td>Hanford Joint Union High School District / Hanford Elementary School District</td>
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<td>Mattole Valley Charter (#159) (0159 / 12-75382-1230135)</td>
<td>5 Cemetery Road, Briceland, CA</td>
<td>Southern Humboldt Joint Unified School District</td>
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<td>1155 Redway Drive, Suites 1 and 4, Redway, CA</td>
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<td>1200 Ross Road, Rooms 1–4, Fortuna, CA</td>
<td>Fortuna Elementary School District / Fortuna Union High School District</td>
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<td>34</td>
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<td>Cutten Elementary School District</td>
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<td>Mattole Unified School District</td>
<td>Mattole Valley Charter (#159) (0159 / 12-75382-1230135)</td>
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<td>Eureka City Schools District</td>
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<td>20-12-2016</td>
<td>Mountain Empire Unified School District</td>
<td>Pivot Charter School – San Diego (1266 / 37-68213-0123240)</td>
<td>1030 La Bonita Drive, Suite 100, San Marcos, CA</td>
<td>San Marcos Unified School District</td>
<td>2010</td>
<td>73</td>
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<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
<td>Charter School (Charter Number / CDS Code)</td>
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<tr>
<td>18-12-2016</td>
<td>Mountain Empire Unified School District</td>
<td>San Diego Neighborhood Homeschools (1077 / 37-68213-0119560)</td>
<td>660 Bay Boulevard, Suite 211, Chula Vista, CA</td>
<td>Sweetwater Union High School District / Chula Vista Elementary School District</td>
<td>2009</td>
<td>121</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
</tr>
<tr>
<td>18-12-2016</td>
<td>Mountain Empire Unified School District</td>
<td>San Diego Neighborhood Homeschools (1077 / 37-68213-0119560)</td>
<td>3548 Seagate Way, Suite 140, Oceanside, CA</td>
<td>Oceanside Unified School District</td>
<td>2009</td>
<td>121</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
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<tr>
<td>21-12-2016</td>
<td>Mountain Empire Unified School District</td>
<td>San Diego Virtual (1264 / 37-68213-0123224)</td>
<td>296 H Street, Suite 200, Chula Vista, CA</td>
<td>Sweetwater Union High School District / Chula Vista Elementary School District</td>
<td>2013</td>
<td>190</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>Waiver Number</td>
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<tr>
<td>21-12-2016</td>
<td>Mountain Empire Unified School District</td>
<td>San Diego Virtual (1264 / 37-68213-0123224)</td>
<td>1930 Watson Way, Suite S, Vista, CA</td>
<td>Vista Unified School District</td>
<td>2014</td>
<td>45</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<tr>
<td>21-12-2016</td>
<td>Mountain Empire Unified School District</td>
<td>San Diego Virtual (1264 / 37-68213-0123224)</td>
<td>7950 University Avenue, Suite 410, La Mesa, CA</td>
<td>Grossmont Union High School District / La Mesa-Spring Valley Union School District</td>
<td>2013</td>
<td>150</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>17-12-2016</td>
<td>Oro Grande Elementary School District</td>
<td>Mojave River Academy (0762 / 36-67827-0111807)</td>
<td>851 South Mt. Vernon, Colton, CA</td>
<td>Colton Joint Unified School District</td>
<td>2006</td>
<td>185</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<tr>
<td>Waiver Number</td>
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<tr>
<td>17-12-2016</td>
<td>Oro Grande Elementary School District</td>
<td>Mojave River Academy (0762 / 36-67827-0111807)</td>
<td>2151 West Main Street, Barstow, CA</td>
<td>Barstow Unified School District</td>
<td>2006</td>
<td>132</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<td>17-12-2016</td>
<td>Oro Grande Elementary School District</td>
<td>Mojave River Academy (0762 / 36-67827-0111807)</td>
<td>8922 Beech Avenue, Fontana, CA</td>
<td>Fontana Unified School District</td>
<td>2015</td>
<td>34</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<td>17-12-2016</td>
<td>Oro Grande Elementary School District</td>
<td>Mojave River Academy (0762 / 36-67827-0111807)</td>
<td>9723 Sierra Vista Road, Phelan, CA</td>
<td>Snowline Joint Unified School District</td>
<td>2016</td>
<td>21</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<td>Waiver Number</td>
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<td>17-12-2016</td>
<td>Oro Grande Elementary School District</td>
<td>Mojave River Academy (0762 / 36-67827-0111807)</td>
<td>11497 Bartlett Avenue, Adelanto, CA</td>
<td>Adelanto Elementary School District</td>
<td>2006</td>
<td>64</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<tr>
<td>17-12-2016</td>
<td>Oro Grande Elementary School District</td>
<td>Mojave River Academy (0762 / 36-67827-0111807)</td>
<td>12384 Palmdale Road, Victorville, CA</td>
<td>Victor Valley Union High School District / Adelanto Elementary School District</td>
<td>2014</td>
<td>263</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<tr>
<td>17-12-2016</td>
<td>Oro Grande Elementary School District</td>
<td>Mojave River Academy (0762 / 36-67827-0111807)</td>
<td>14466 Main Street, Hesperia, CA</td>
<td>Hesperia Unified School District</td>
<td>2016</td>
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<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<td>Waiver Number</td>
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<td>17-12-2016</td>
<td>Oro Grande Elementary School District</td>
<td>Mojave River Academy (0762 / 36-67827-0111807)</td>
<td>16519 Victor Street, Victorville, CA</td>
<td>Victor Valley Union High School District / Victor Elementary School District</td>
<td>2006</td>
<td>193</td>
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<tr>
<td>13-1-2017</td>
<td>Raisin City Elementary School District</td>
<td>Ambassador Phillip V. Sanchez Public Charter (1335 / 10-62380-0124982)</td>
<td>830 Fresno Street, Fresno, CA</td>
<td>Fresno Unified School District</td>
<td>2013</td>
<td>315</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<tr>
<td>13-1-2017</td>
<td>Raisin City Elementary School District</td>
<td>Ambassador Phillip V. Sanchez Public Charter (1335 / 10-62380-0124982)</td>
<td>5659 E. Kings Canyon Road, #101, Fresno, CA</td>
<td>Clovis Unified School District</td>
<td>2011</td>
<td>450</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<tr>
<td>Waiver Number</td>
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<tr>
<td>23-12-2016</td>
<td>Ravendale-Termo Elementary School District</td>
<td>Long Valley Charter (1549 / 18-64162-6010763)</td>
<td>629 East Main Street, Susanville, CA</td>
<td>Susanville Elementary School District / Lassen Union High School District</td>
<td>2012</td>
<td>121</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; and impact ability to meet financial obligations and lease agreements.</td>
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<tr>
<td>4-2-2017</td>
<td>Robla Elementary School District</td>
<td>Paseo Grande Charter (1727 / 34-67421-0132019)</td>
<td>2444 Marconi Avenue, Sacramento, CA</td>
<td>San Juan Unified School District</td>
<td>2015</td>
<td>200</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardships for the staff; impact ability to meet financial obligations and lease agreements; and become insolvent and filing for bankruptcy.</td>
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<tr>
<td>33-1-2017</td>
<td>Stone Corral Elementary School District</td>
<td>Crescent Valley Public Charter (1269 / 54-72140-0123273)</td>
<td>116 East Main Street, Suite 200, Visalia, CA</td>
<td>Visalia Unified School District</td>
<td>2012</td>
<td>575</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
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<tr>
<td>33-1-2017</td>
<td>Stone Corral Elementary School District</td>
<td>Crescent Valley Public Charter (1269 / 54-72140-0123273)</td>
<td>2161 East Prosperity Avenue, Tulare, CA</td>
<td>Tulare Joint Union High School District / Tulare City School District</td>
<td>2013</td>
<td>350</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no &quot;out clauses&quot; for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>9-12-2016</td>
<td>Waterford Unified School District</td>
<td>Connecting Waters Charter (0477 / 50-75572-5030317)</td>
<td>1635 Tully Road, Modesto, CA</td>
<td>Modesto City Elementary School District</td>
<td>2016</td>
<td>51</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
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<td>9-12-2016</td>
<td>Waterford Unified School District</td>
<td>Connecting Waters Charter (0477 / 50-75572-5030317)</td>
<td>2000 West Briggsmore Avenue, Suite A, Modesto, CA</td>
<td>Modesto City Elementary School District</td>
<td>2013</td>
<td>230</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
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<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
<td>Charter School (Charter Number / CDS Code)</td>
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<tr>
<td>8-2-2017</td>
<td>Westside Elementary School District</td>
<td>Crescent View South Charter (1138 / 10-62547-0120535)</td>
<td>955 East Shaw Avenue, Suite B, Clovis, CA</td>
<td>Clovis Unified School District</td>
<td>2014</td>
<td>460</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>8-2-2017</td>
<td>Westside Elementary School District</td>
<td>Crescent View South Charter (1138 / 10-62547-0120535)</td>
<td>4348 West Shaw Avenue, #5, Fresno, CA</td>
<td>Fresno Unified School District</td>
<td>2011</td>
<td>420</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
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<tr>
<td>38-12-2016</td>
<td>Whitmore Union Elementary School District</td>
<td>New Day Academy – Shasta (1796 / 45-70169-0134031)</td>
<td>2570 South Bonnyview Drive, Redding, CA</td>
<td>Redding Elementary School District / Shasta Union High School District</td>
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<td>100</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
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<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
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<td>37-12-2016</td>
<td>Whitmore Union Elementary School District</td>
<td>Northern Summit Academy (1649 / 45-70169-0129957)</td>
<td>2877 Childress Drive, Anderson, CA</td>
<td>Anderson Union High School District / Cascade Union Elementary School District / Cottonwood Union Elementary School District</td>
<td>2014</td>
<td>113</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
</tr>
</tbody>
</table>

Created by California Department of Education
April 28, 2017
(a) 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.

(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:

Education Code Section 47605.1.

(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.
Outcome Rationale: Blochman Union School District ("District") is the authorizing district for Family Partnership Home Study Charter School ("FPCS"). The District has been the authorizing district for FPCS since 2006. FPCS has renewed their charter petition with the District for another five year term which ends on June 30, 2021.

FPCS provides students and parents with three distinct nonclassroom-based personalized instructional programs: Independent Study, Montessori, and Blended Study. FPCS is striving to provide students with individualized learning experiences designed to produce positive student outcomes through the use of curriculum and resources aligned to Common Core state standards. Our educational design is enhanced through the use of computer assisted instruction with hands-on guidance from highly qualified and trained teachers. Ongoing student benchmark assessments identify individual student strengths and challenges so that instruction can best serve each student's unique needs. Our Smarter Balanced Assessment results indicate that 42% of FPCS students met the English Language Arts standard. Our ELA scores demonstrate FPCS students perform approximately 13% above the California state average. In Mathematics, FPCS is parallel to California Smarter Balance Assessment results. In 2015-16, FPCS recognized the graduation of 79 seniors from our WASC accredited high school program.

The District provides supervisory oversight and performance monitoring services for FPCS, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The District affirms that at all times that FPCS has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education in 2002 (attached).

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, Family Partnership Home Study Charter School has a total of 8 resource centers, 6 are located within Santa Barbara County that could potentially be affected by the appellate court ruling, and 2 are located in adjacent San Luis Obispo County not affected by appellate court ruling. but will be affected if the resource centers in Santa Barbara County were forced to close as the student population in Santa Barbara County could be reduced, thus impacting the ability of Family Partnership Home Study Charter to maintain a majority of students who reside in Santa Barbara County as required by Education Code Section 47605.1(c). This waiver is necessary to allow the continued operation of Family Partnership Home Study Charter School's existing resource centers.

Our 6 Santa Barbara County resource centers, serve and employ the following:

- 10 FT credentialed advisors
- 3 PT credentialed advisors
- 201 students
- 5 administrators/classified support
- 5 instructional assistants
- 1.5 clerical
- 1 tutor

Our 2 San Luis Obispo County resource centers, serve and employ the following:
Our student enrollment school-wide is currently 395 students. The majority of our students reside in Santa Barbara County and are served through access to resources and direct instruction available at the six resource centers located in this county. All of our students engage in learning activities independent of attendance at the resource centers but student success is facilitated and augmented through the convenience of ready access to resource materials, access to leading-edge information technology, and instruction provided by highly qualified, credentialed advisors that is available to each student on a daily basis at each distinctive resource center.

Should FPCS be forced to close our resource centers, the impact would extend beyond the grievous disruption to students and families in both counties. The closures would result in serious fiscal ramifications for the school and community at large. Depending upon when cessation of operations would be mandated, current lease agreements could extend well beyond cessation date bestowing much debt upon the charter school. In addition, the loss of revenue would also entail a reduction in workforce necessitating the lay-off of most of the school’s staff.

Please see attached for fiscal impact information.

Student Population: 395

City Type: Small

Public Hearing Date: 11/15/2016
Public Hearing Advertised: District website and three physical locations

Local Board Approval Date: 11/15/2016

Community Council Reviewed by: Family Partnership Charter School Board of Directors
Community Council Reviewed Date: 11/8/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Douglas Brown
Position: Superintendent/Principal
E-mail: dbrown@sbc eo.org
Telephone: 805-937-1148 x114
Fax: 805-973-2291
Bargaining Unit Date: 11/04/2016
Name: Family Partnership Charter Teacher's Association
Representative: Michael Brajkovich
Title: Union Representative
Position: Support Comments:
FAMILY PARTNERSHIP CHARTER SCHOOL FISCAL IMPACT:

LEASE INFORMATION FOR SANTA BARBARA COUNTY Resource

<table>
<thead>
<tr>
<th>Monthly</th>
<th>Lease dates: 8/1/16 to 6/30/17</th>
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<tr>
<td>1331 E Foster Rd</td>
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<tr>
<td>Santa Maria</td>
<td>Childrens House Montessori</td>
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<tr>
<td>1157 E Clark</td>
<td>$3,994.00</td>
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<td>Ave J, Orcutt</td>
<td>Minson Co</td>
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<tr>
<td>320 Alisal Rd.,</td>
<td>$2,200.00</td>
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<tr>
<td>Solvang</td>
<td>Lease dates: 6/11/16 to 7/31/19</td>
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<td>Suite 206</td>
<td>Properties</td>
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<td>Solvang</td>
<td>6/1/17</td>
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<tr>
<td>625 s</td>
<td>$1,291.00</td>
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<tr>
<td>McClelland Suite</td>
<td>G.A Hancock</td>
</tr>
<tr>
<td>A, Santa Mana</td>
<td>Lease dates: 7/1/16 to 6/30/17</td>
</tr>
<tr>
<td>2880 Santa</td>
<td>Mission Creek</td>
</tr>
<tr>
<td>Mana Way</td>
<td>Plaza</td>
</tr>
<tr>
<td>Santa Mana</td>
<td>6/30/17</td>
</tr>
<tr>
<td>4949 Foxen Canyon Rd</td>
<td>so Blechman Union School</td>
</tr>
<tr>
<td>Santa Maria</td>
<td>District</td>
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LEASE INFORMATION FOR SAN LUIS OBISPO COUNTY:

<table>
<thead>
<tr>
<th>Monthly</th>
<th>San Luis Coastal Unified School District</th>
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<tbody>
<tr>
<td>1981 Vicente Dr</td>
<td>$3715.20</td>
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<tr>
<td>San Luis Obispo</td>
<td>San Luis Coastal Unified School District</td>
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<tr>
<td>1130 Napa Ave.</td>
<td>$6406.92</td>
</tr>
<tr>
<td>Morro Bay</td>
<td>San Luis Coastal Unified School District</td>
</tr>
</tbody>
</table>

If our Charter School was to close as of Dec 2016 our fiscal impact would total:

Fiscal Impact on leases to 6/2017: approx $191,140

Fiscal Impact on lease to 6/2019: approx 595,856

OPERATIONAL EXPENDITURES:

Salaries and Benefits approx: $2,153,552
Materials and Supplies approx.: $158,146
Services and Other Operating Expenditures approx.: $508,692

*Fiscal Impact on overall operational expenditures would total approx: $3,107,388
Response to Request for Additional Information by the California Department of Education

Our student enrollment school-wide is currently 420 students. The majority of our students reside in Santa Barbara County and are served through access to resources and direct instruction available at the six resource centers located in this county (one within Blechman Union and five outside of Blechman Union but within County boundaries). All of our students engage in learning activities independent of attendance at the resource centers but student success is facilitated and augmented through the convenience of ready access to resource materials, access to leading-edge information technology, and instruction provided by highly qualified, credentialed advisors that is available to each student on a daily basis at each distinctive resource center.

Should FPCS be forced to close our resource centers, the impact would extend beyond the grievous disruption to students and families in both counties. The closures would result in serious fiscal ramifications for the school and community at large. Depending upon when cessation of operations would be mandated, current lease agreements could extend well beyond cessation date bestowing much debt upon the charter school. In addition, the loss of revenue would also entail a reduction in workforce necessitating the lay-off of most of the school's staff. The fiscal impact from closure of the resource centers is outlined as follows:

Resource Centers in Santa Barbara County Subject to the Waiver Request (outside of Blechman boundaries)

<table>
<thead>
<tr>
<th>Address of Facilities</th>
<th>Monthly Lease</th>
<th>Date of Establishment</th>
<th>District(s) in which located</th>
<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>1331 E. Foster Rd, Santa Maria, CA</td>
<td>$2,646.19</td>
<td>September 9, 2007</td>
<td>Santa Maria Joint Union High School District; Orcutt Union School District</td>
<td>56</td>
<td>This resource center serves our k-5 students. The students receive 3 full days of instruction and half a day on Fridays. This center also is used for the provision of special education services including but not limited to speech</td>
</tr>
</tbody>
</table>
In addition, the resource center has a playground. Despite having a playground, the resource center does not have the capacity, the number of students, nor resources to function as an operating standalone charter. The resource center has only 3 classrooms and no space for expansion. Granting the waiver would allow us time to consider legal options for transition. There is a total of 9 employees that work at this resource center.

<table>
<thead>
<tr>
<th>Address</th>
<th>Amount</th>
<th>Date</th>
<th>District</th>
<th>Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>1157 E. Clark Ave. J, Orcutt</td>
<td>$3,994.00</td>
<td>September 1, 2013</td>
<td>Santa Maria Joint Union High School District; Orcutt Union School District</td>
<td>66</td>
</tr>
</tbody>
</table>

Students at this resource center receive independent study support and small group instruction. The resource center also receives special therapy.
<table>
<thead>
<tr>
<th>320 Alisal Rd., Suite 206 Solvang</th>
<th>$2,200.00</th>
<th>October 10, 2010</th>
<th>Solvang School District; Santa Ynez Valley Union High School District</th>
<th>52</th>
</tr>
</thead>
</table>

education services. The lease of this resource center expires in 2 years (2019) which is why it is imperative that we are granted the waiver. Granting the waiver would allow us time to address the fiscal matters as well as legal options for a transitional and compliant plan. If the resource center were to close, the school would be faced with lease penalties and the teachers would be paid without a location for them to perform their duties. There is a total of 4 employees that work at this resource center.
not limited to speech therapy. Students receive independent study support as well as small group discussion. This resource center is located in a rural small town and it does not have the capacity nor resources to function as an operating standalone charter. Granting the waiver would allow us time to consider legal options for transition. There is a total of 5 employees that work at this resource center.

| 625 S. McClelland Suite A, Santa Maria | $1,291.00 | May 23, 2011 | Santa Maria Bonita School District; Santa Maria Joint Union High School District | 0 | This resource center is the administration office. There are only 4 office spaces and a small center space to hold governing council meetings. Furthermore, the city does not allow this
This center does not have the capacity nor resources to function as an operating standalone charter. There is a total of 5 employees that work at this resource center.

<table>
<thead>
<tr>
<th>Address</th>
<th>Cost</th>
<th>Date</th>
<th>School District</th>
<th>Students</th>
</tr>
</thead>
</table>
| 2880 Santa Maria Way, Santa Maria | $3439.25 | June 16, 2015 | Santa Maria Joint Union High School District; Santa Maria Bonita School District | 40       | Students at this particular center receive 3 days of full instruction and study hall lab day on Fridays. Students with special education needs also receive services at this resource center. Speech counseling is also provided. With 40 students attending, the center is extremely crowded and does not have the capacity to function as an operating standalone charter.
Receiving a waiver would help tremendously to come into compliance and make the necessary adjustments with the facility. There is a total of 4 employees at this resource center.
Waiver Topic: Charter School Program

Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code 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.

(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.]

Education Code Section 47605.1:

(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.]
Outcome Rationale: Trivium Charter School is an academically successful charter school serving diverse needs of students in an alternative education setting in Santa Barbara County and adjacent counties. Our students test scores exceed our local district and local area schools and we have had clean audits since inception. Our charter was first approved in March 2011 and has been successfully serving students for more than 5 years. In order to continue serving our students, we are requesting a waiver from the recently re-defined geographic limitations on in-county resource center locations. It is clear that the academic needs of our students are being met. We develop a Personalized Learning Path for each and every student who enrolls which allows students to thrive academically, socially and emotionally. Trivium services 700 students and employs over 40 teachers with a total staff count (part-time and full-time) of 96 individuals. Trivium has current leases with 5 learning centers which allows us to serve students close to where the students reside.

The Blochman Union School District has provided supervisory oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Blochman Union School District affirms that at all times the Charter School has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002. On October 16, 2016, the 3rd District Court of Appeals ruled in Anderson Union High School District v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has three (3) resource centers located within Santa Barbara County that are affected by the ruling. This waiver is necessary to allow the continued operation of Trivium’s existing resource centers which serve approximately 700 students.

Student Population: 700

City Type: Small

Public Hearing Date: 11/15/2016
Public Hearing Advertised: District website and three physical locations

Local Board Approval Date: 11/15/2016

Community Council Reviewed by: Trivium Charter School of Directors
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: Mr. Douglas Brown
Position: Superintendent/Principal
E-mail: dbrown@sbceo.org
Telephone: 805-937-1148 x114
Fax: 805-973-2291
Blochman Union School District, Authorizer for Trivium Charter School

Response to Request for Additional Information Regarding Waiver Request for three (3) Learning Centers – Santa Maria, Lompoc, and Santa Barbara

<table>
<thead>
<tr>
<th>Address of learning center subject to the waiver</th>
<th>Santa Maria, CA 93454</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) where learning center is located</td>
<td>Santa Maria-Bonita Unified School District And Santa Maria Joint Union High School District</td>
</tr>
<tr>
<td>Date of Establishment</td>
<td>August 2011</td>
</tr>
<tr>
<td># of students served</td>
<td>151</td>
</tr>
<tr>
<td># of staff employed at this center</td>
<td>Teachers: 9 Support staff: 6</td>
</tr>
</tbody>
</table>

Justification for Waiver

Trivium Charter is requesting this waiver to become compliant to the recent court ruling affecting learning center locations for Independent Study Charter Schools.

Trivium serves students at this location for small and large group learning instruction which includes A-G approved courses, science instruction and experiments including mandatory wet labs, history, English, logic, classical studies and a variety of elective courses. Students also access in-person and virtual tutoring while at this learning center.

Trivium uses this learning center to provide special education instruction in a group learning environment (push-in services) and a one-to-one or small group environment (pull-out services) and state testing.

Trivium holds a parent education and engagement series at this learning center including their LCAP stakeholder meetings. Parents and teachers have access to a resource library at this location to check out materials for student instruction. In addition, parents have access to a homeschool advisor at this center to enable them to become a more effective home teacher and receive general support for delivering the Independent Study courses while meeting the needs of their unique child.

Trivium teachers and staff members participate in large and small staff development meetings at this center including instructional best practices, technology training, student progression best practices, and compliance training such as sexual harassment and mandatory reporting. Trivium teachers meet at this learning center for professional growth, to plan lessons, share best practices and monitor student progress and services. Teachers
and all support staff work together at this center to plan student events such as a science fair, Classical showcase, and history re-enactments.

Trivium is bound by a lease at this location and needs time to comply with the new ruling while still allowing them to honor their lease agreement.

Trivium needs time to establish SELPA membership.

The Trivium program is well established and appeals to families who desire an alternative school setting. The Santa Maria center has the second highest proportion of foster and former foster (recently adopted) out of the centers. This center has our second highest proportion of low socio-economic students. This center has 10% of students who have parents with alternative work schedules in the military, law enforcement, and fire. Our schedule at this center is a large draw to these parents in addition to the Personalized Learning platform we build for each student.

### Sponsoring District

The Blochman Union Teachers’ Association supported the waiver request on 3/21/17

<table>
<thead>
<tr>
<th>Address of learning center subject to the waiver</th>
<th>Lompoc Unified School District</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) where learning center is located</td>
<td>Lompoc Unified School District</td>
</tr>
<tr>
<td>Date of establishment</td>
<td>August 2011</td>
</tr>
<tr>
<td># of students served</td>
<td>128</td>
</tr>
<tr>
<td># of staff employed at this center</td>
<td>Teachers: 7</td>
</tr>
<tr>
<td></td>
<td>Support staff: 5</td>
</tr>
<tr>
<td>Justification for Waiver</td>
<td>Trivium Charter is requesting this waiver to become compliant to the recent court ruling affecting learning center locations for Independent Study Charter Schools.</td>
</tr>
<tr>
<td></td>
<td>Trivium serves students at this location for small and large group learning instruction which includes A-G approved courses, science instruction and experiments including mandatory wet labs, history, English, logic, classical studies and a variety of elective courses. Students also access in-person and virtual tutoring while at this learning center.</td>
</tr>
<tr>
<td></td>
<td>Trivium uses this learning center to provide special education instruction in a group learning environment (push-in services) and a one-to-one or small group environment (pull-out services) and state testing. Trivium provides ELL instruction at this center.</td>
</tr>
</tbody>
</table>
Trivium holds a parent education and engagement series at this learning center including their LCAP stakeholder meetings. Parents and teachers have access to a resource library at this location to check out materials for student instruction. In addition, parents have access to a homeschool advisor at this center to enable them to become a more effective home teacher and receive general support for delivering the Independent Study courses while meeting the needs of their unique child.

Trivium teachers meet at this learning center in small groups for professional growth, to plan lessons, share best practices and monitor student progress and services. Teachers and all support staff work together at this center to plan student events such as a science fair, Classical showcase, and history re-enacts.

Trivium is bound by a lease at this location and needs time to comply with the new ruling while still allowing them to honor their lease agreement.

Trivium needs time to establish SELPA membership.

The Trivium program is well established in our area and appeals to families who desire an alternative school setting. This center serves a high proportion of students who parent(s) have alternative work schedules specifically as military, law enforcement, fire, prison employees, and social services. Fully 32% of the currently enrolled students have parents working in these professions. The Lompoc center has graduated foster and former foster youth and has their highest proportion of low socio-economic students. Our schedule at this center is a large draw to these parents in addition to the Personalized Learning platform we build for each student.

| Sponsoring District | The Blochman Union Teachers’ Association supported the waiver request on 3/21/17 |

| Address of learning center subject to the waiver | 4597 Hollister Ave. Santa Barbara, CA 93110 |
| School District(s) where learning center is located | Santa Barbara Unified School District |
| Date of Establishment | August 2014 |
| # of students served | 95 |
| # of staff employed at this center | Teachers: 6 Support staff: 5 |
### Justification for Waiver

Trivium Charter is requesting this waiver to become compliant to the recent court ruling affecting learning center locations for Independent Study Charter Schools.

Trivium serves students at this location for small and large group learning instruction which includes A-G approved courses, science instruction and experiments including mandatory wet labs, history, English, logic, classical studies and a variety of elective courses. Students also access in-person and virtual tutoring while at this learning center.

Trivium uses this learning center to provide special education instruction in a group learning environment (push-in services) and a one-to-one or small group environment (pull-out services) and state testing.

Trivium holds a parent education and engagement series at this learning center including their LCAP stakeholder meetings. Parents and teachers have access to a resource library at this location to check out materials for student instruction. In addition, parents have access to a homeschool advisor at this center to enable them to become a more effective home teacher and receive general support for delivering the Independent Study courses while meeting the needs of their unique child.

Trivium teachers meet at this learning centers for professional growth, to plan lessons, share best practices and monitor student progress and services. Teachers and all support staff work together at this center to plan student events such as a science fair, Classical showcase, and history re-enactments.

Trivium is bound by a lease at each location and needs time to comply with the new ruling while still allowing them to honor their lease agreement.

Trivium needs time to establish SELPA membership.

Santa Barbara is their smallest center but has their largest proportion of foster youth or former foster youth (who were recently adopted from the foster care system).

### Sponsoring District

The Blochman Union Teachers’ Association supported the waiver request on 3/21/17
(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.

(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:]

Education Code Section 47605.1:

(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 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 school chooses to locate.

(2) The site is needed for temporary use during a construction or expansion project).

Outcome Rationale: Diego Springs Academy (Diego Springs) has been authorized by Borrego Springs Unified School District (BSUSD) since 2014, having received a five-year term from July 1, 2014 to June 30, 2019. Diego Springs is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12.

Diego Springs is specifically designated as an Alternative School Accountability Model (ASAM) serving high-risk pupils and drop-outs. The State recognizes that Diego Springs' population has an extremely high turnover rate. As such, Diego Springs may serve an entirely new group of students every 12 months.

Diego Springs primarily serves 9th-12th grade students who are considered "highly at-risk". This includes students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program, and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement, Diego Springs continues to help these students succeed and graduate from high school.

Diego Springs serves approximately 625 students annually with 86% of the population eligible for free- and reduced-price meals (Socioeconomically Disadvantaged). The population includes 62% English Learner population and 10% SPED students. Many of Diego Springs' students have previously dropped out of high school and enroll at Diego Springs with an average of 50 credits deficient.

Diego Springs students with special needs are served in accordance with their Individualized Education Programs ("IEPs," including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one instruction, along with accommodations and modifications. Diego Springs is part of the El Dorado County Charter SELPA.

Diego Springs also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(g). Diego Springs' year-round program emphasizes attainment of basic skill competencies, enhancing opportunities for academic and occupational training, and providing exposure to the job market and employment. Activities may include instruction leading to completion of secondary school, tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth.

The Borrego Springs Unified School District has provided supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. To the best of BSUSD's knowledge, Diego Springs has operated its resource centers
consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code Section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Diego Springs has one (1) resource center located within San Diego County that may be affected by the ruling. This waiver is necessary to protect the continued operation of Diego Springs' existing resource centers where special education services, English Language Development, and intervention services are provided. Diego Springs operates a total of two resources centers, one within the Borrego Springs School District boundaries, and one outside the District boundaries, but within San Diego County.

The ruling impacts approximately 625 students annually with 86% of the population Socioeconomically Disadvantaged, 62% English Learners and 10% SPED students. Also impacted are the 38 Diego Springs employees.

Diego Springs current staffing includes, but is not limited to, Certificated Teachers. Special Education Teachers, Counselor, School Psychologist, Tutors, Student Relation Technician, Student Relations Manager, Registrar, Student Retention Support Specialist, Principal, Assistant Principal, Community Liaison, Instructional Specialists for Professional Development and Teacher Training, Program Specialist, Curriculum Instructional Specialist, Career Technical Education Instructional Specialist, and an Online Instructional Specialist.

As a non-classroom based charter school Diego Springs is not eligible for Proposition 39 funding so each initial build out and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination "out clause" allowing the schools to release them of their long term financial liability. Furthermore, despite Diego Springs' high free and reduced-price lunch ratio, it is not eligible for rental reimbursement under SB 740 as a nonclassroom based charter school.

Diego Springs created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).

The impact of the court's ruling in Shasta may result in the closing of these resource centers impacting 625 highly at-risk students who are now engaged in school and on a path towards graduation and the employment of 38 school employees. The result may cause Diego Springs to become insolvent and force it to file for bankruptcy. In addition to the impact on students being displaced, staff's loss of employment and school closure costs, local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through Diego Springs' educational program. On average each high school dropout costs the state of California $209,200. The dropout recovery of Diego Springs' educational program has a potential savings of $130,750,000 for the state California. For many of these students, Diego Springs' program is their best opportunity to obtain a high school diploma.

1Source: Levin. et. al.
This waiver is necessary to protect the continued operation of Diego Springs’ existing resource centers that provide the services and resources required under Education Code Section 51746, intervention support for all students, and direct instruction opportunities for all students. These resource centers also provide a location for Federally mandated special education services to students who qualify under the Individuals with Disabilities in Education Act (“IDEA”), UCOP approved A-G coursework including hands on science labs with equipment and manipulatives and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

Student Population: 625

City Type: Rural

Public Hearing Date: 12/14/2016

Local Board Approval Date: 12/14/2016

Community Council Reviewed by: Diego Springs Academy Board of Directors
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: Mr. Mark Stevens
Position: Superintendent

E-mail: mstevens@bsusd.net
Telephone: 760-767-5357
Fax: 760-767-9004

Bargaining Unit Date: 12/09/2016
Name: Borrego Springs Charter #464 California School Employees Association
Representative: Lisa Zierath,
Title: President
Position: Neutral
Comments:
Authorizer: Borrego Springs Unified School District
Charter School: Diego Springs Academy (a designated ASAM school)

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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>Address</th>
<th>School District(s) of location</th>
<th>Established date</th>
<th>Total staff impacted</th>
<th>Total annual students served impacted (est.)</th>
<th>Average student age</th>
<th>Average credit deficient (at time of enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>310 Broadway, Chula Vista, CA 91910</td>
<td>Sweetwater Union High School District</td>
<td>July 2014</td>
<td>38</td>
<td>625</td>
<td>18.4 years old</td>
<td>86 credits (Over one full school year behind)</td>
</tr>
</tbody>
</table>

Student demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically</td>
<td>86%</td>
<td>59%</td>
</tr>
<tr>
<td>Disadvantaged</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>62%</td>
<td>52%</td>
</tr>
<tr>
<td>SPED</td>
<td>9%</td>
<td>12%</td>
</tr>
</tbody>
</table>

The resource center is an ASAM program that primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population when compared to the local school district demographics with the average student age of 18.4 years old. A typical student is approximately 86 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the
regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Certificated Teachers
- Special Education Teachers
- Counselors
- School Psychologist
- Tutors
- Student Relation Technicians
- Student Relations Managers
- Registrars
- Student Retention Support Specialist
- Principal
- Assistant Principal
- Community Liaison
- Instructional Specialist for Professional Development and Teacher Training,
- Instructional Specialist Career Technical Education
- Instructional Specialist Education Technology
- English Learner and Special Education Clerks

**Resource Center Specific Programs**

- WIOA with Access and Metro (case management services, career services, professional skills classes)
- WIOA with American Job Center provider ResCare and KRA (career center services)
- Plaza Communitaria program with Access Inc. and the Mexican Consulate to provide TESOL classes and computer classes for students and parents
- Media Arts Lab offering CTE classes
- CISCO Information Technology lab offering CTE classes
- Staff and Student Yoga (PE credits for students)
- ourSOLES (Students of Empowerment Leadership and Service) leadership seminar in conjunction with San Diego State University student and faculty mentors
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Daily Snacks/Food
- Computer and internet access
- Job placement assistance
- Child care with local partnership

This document was provided to the California Department of Education (CDE) from Borrego Springs Unified School District, San Diego County. This document is posted to the CDE Web site to meet the legal requirement of California Education Code Section 33009.5. For more information or questions about the content of this material or to obtain alternative versions, you may contact the Charter Schools Division by e-mail at charters@cde.ca.gov or by phone at 916-322-6029.
• Free tutoring
• Music programs
• Reading program
• Professional Skills
• Sports – Soccer and Cross Country
• Academic Exploration and NWEA MAP assessments
• Edge Program to help students improve English skills
• ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
• Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $2.065 million annual loss of income affecting the local community. The resource center also has long term financial obligations which may impact the charter school’s overall ability to remain financially solvent.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facilities and Equipment liability</td>
<td>$577,000</td>
</tr>
<tr>
<td>Net Capital assets</td>
<td>$258,000</td>
</tr>
<tr>
<td>Total</td>
<td>$835,000</td>
</tr>
</tbody>
</table>

The long term financial obligations and community impact related to the resource center is approximately $2.9 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
California Department of Education  
WAIVER SUBMISSION - General

CD Code: 3767983 Waiver Number: 30-12-2016 Active Year: 2016

Date In: 12/15/2016 3:38:49 PM

Local Education Agency: Borrego Springs Unified School District
Address: 2281 Diegueno Rd.
Borrego Springs, CA 92004

Start: 7/1/2016 End: 7/1/2018

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Other Waivers
Ed Code Title: Other Waivers
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: 

*Education Code* 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.

(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]:

*Education Code* Section 47605.1:

(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]:
Outcome Rationale: Juan Bautista De Anza Charter School (“Juan Bautista”) has been authorized by Borrego Springs Unified School District (the “District”) since 2008. Juan Bautista is a non-classroom based/independent study charter school program offering independent study programs for grades K-12.

Juan Bautista provides an independent study blended model using a rigorous University of California “A-G” approved curriculum. Fuel Education provides online courses in all subject areas, excellent AP courses, and a new career track component. In addition, Juan Bautista offers a College Bound Club, Horse Wisdom/Leadership classes, and fifteen cultural literacy field excursions to museums, performances, and historical sites each year. A Learning Style Inventory (“LSI”) is given to each student to enhance the self-paced highly individualized program. Our parents become learning coaches and are given the tools and training to assist and monitor their children’s online learning. Juan Bautista is fully WASC accredited.

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School (“Shasta Ruling”) that, pursuant to Education Code Section 47605, independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Juan Bautista operates one resource center, the Ramona Learning Center, outside District boundaries but within San Diego County affected by the Shasta Ruling. This waiver is sought to protect the continued operation of Juan Bautista by allowing Juan Bautista to operate facilities outside District boundaries but within San Diego County.

This waiver is necessary to provide the services and resources required under Education Code Section 51746, intervention support for all students, and a location for federally mandated special education services to allow the provision of a free appropriate public education (“FAPE”) to students who qualify under the Individuals with Disabilities in Education Act (“IDEA”) in addition to state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

The Shasta Ruling impacts approximately 63 students, 60% of which are socioeconomically disadvantaged. This ruling will also have an impact on the 7 Juan Bautista employees.

Student Population: 63

City Type: Rural

Public Hearing Date: 12/14/2016
Public Hearing Advertised: Notice posted at the Borrego Springs Unified School District main office and website

Local Board Approval Date: 12/14/2016

Community Council Reviewed By: Juan Bautista Board of Directors
Community Council Reviewed Date: 12/3/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N
Bargaining Unit Date: 12/09/2016
Name: Borrego Springs Charter #464 California School Employees Association
Representative: Lisa Zierath,
Title: President
Position: Neutral
Comments:

Submitted by: Mr. Mark Stevens
Position: Superintendent
E-mail: mstevens@bsusd.net
Telephone: 760-767-5357
Fax: 760-767-9004
<table>
<thead>
<tr>
<th>Address of Facility</th>
<th>District(s) in which located</th>
<th>Date of Establishment</th>
<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>1721 Main Street, Suite 104 Ramona, CA 92065</td>
<td>School District</td>
<td>Established in the 8/31/2015.</td>
<td>Number of Students attending: 63</td>
<td>Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.</td>
</tr>
</tbody>
</table>
California Department of Education  
WAIVER SUBMISSION – General

CD Code: 5872728  Waiver Number: 7-12-2016  Active Year: 2016

Date In: 12/6/2016 1:57:00 PM

Local Education Agency: Camptonville Elementary Address: 16585 School St.
Camptonville, CA 95922

Start: 7/1/2016  End: 7/1/2018

Waiver Renewal: N  Previous Waiver Number:  Previous SBE Approval Date:

Waiver Topic: Charter School  
Ed Code Title: Geographic Limitations-Non Classroom Based  
Ed Code Section: Portions of EC Sections 47605 and 47605.1  
Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code Section 47605:

(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.

(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:] 

Education Code Section 47605.1:

(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 to 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:]
(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 education 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.

Outcome Rationale: Outcome Rational:
Camptonville Academy (aka CORE @ The Camptonville Academy) has been authorized by Camptonville Elementary School District since 1998. Camptonville Academy is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12.

Camptonville Academy Program Generally:
Camptonville Academy serves approximately 460 students in kindergarten through twelfth grades, serving students throughout Yuba County and its adjacent counties. The primary method of instructional delivery is based on a personalized learning model in which a custom educational program is designed in close collaboration with parents and students. Part of the designed program includes resource center support components. Those supports include academic intervention, tutoring, counseling, small group classes, labs, clubs, trainings, workshops, assemblies and many additional resources.

Out-of-District Facilities:
On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School ("Shasta Ruling") that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Camptonville Academy has one (1) facility within the District boundaries, two (2) resource centers outside District boundaries but within Yuba County. The two (2) resource centers outside District boundaries but within Yuba County are affected by the Shasta Ruling. This waiver is necessary to protect the continued operation of the Charter's existing resource centers and facilities where quality services are accessible for students, many of which are significantly at risk or have special needs.
Students/ Employees Affected:

The Shasta Ruling impacts approximately 460 students·52% Socioeconomically Disadvantaged, and 10 % SPED population. In the Charter’s personalized learning model of education, all enrolled students benefit from one or more of the resource centers through participation in academic intervention, tutoring, counseling, small group classes, labs, clubs, trainings, workshops, assemblies and many additional resources.

This ruling will also have an impact on the 44 Camptonville Academy employees who utilize the resource center to deliver instruction, monitor progress, and collaborate with staff, students, and parents.

Financial Cost:
Camptonville Academy owns two facilities, a 4,500 sq. ft. resource center paid-in-full, and another 15,000 sq. ft. resource center under a 40-year mortgage. Camptonville Academy worked for seven years to strategically plan and build a new resource center, specifically designed for the personalized learning model of education. The Charter and District had been relying on California Department of Education (COE), as well as guidance from the California County Superintendents of Schools, which had interpreted Education Code 47605 to be permissive regarding resource centers outside of District boundaries, but within County. Camptonville Academy purchased property in Marysville, and received Final School Site Approval from COE prior to construction. As a non-classroom based charter school, Camptonville Academy is not eligible for Proposition 39 funding so each initial build out and start up was directly funded by the charter. The state-of-the-art facility had community support from the City of Marysville, Yuba County, Yuba County Office of Education, and the additional 2.5 million needed for the project was financed through USDA Rural Development, Community Facilities Loan Program.

The impact of the Shasta court's ruling could result in the Charter closing two its facilities, and the potential loss of equal access to necessary supports and quality academic, college, and career programs for all 460 students currently enrolled, as well as the cancelling of dual enrollment and Aerospace ROP courses that are available to all students in the Yuba-Sutter region. All 44 school employees utilize one of the two facilities as the primary location for educational and support services. The result has the potential to cause Camptonville Academy to become insolvent and force it to file for bankruptcy.

This waiver is necessary to allow the continued operation of the Charter’s existing resource centers that provides the services and resources required under Education Code Section 51746 intervention support for all students, direct instruction opportunities for all students, but also provides a location for federally mandated special education services to allow the provision of a free appropriate public education (“FAPE”) to students who qualify under the Individuals with Disabilities in Education Act (“IDEA”) and state mandated testing as required of charter schools pursuant to Education Code Section 47605 (c).

District Oversight

The District provides supervisory oversight for Camptonville Academy as required by Education Code Section 47604.32. The District affirms that at all times the Charter has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachments).
Student Population: 460

City Type: Rural

Public Hearing Date: 11/16/2016
Public Hearing Advertised: Notice posted at least 72 hours in advance at the District main office, all Charter resource centers, and website.

Local Board Approval Date: 12/5/2016

Community Council Reviewed By: Camptonville Academy Board of Directors
Community Council Reviewed Date: 11/10/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Sandra Ross
Position: Superintendent
E-mail: sross@cville.k12.ca.us
Telephone: 530-288-3277
Fax: 530-288-0805

Name of Bargaining Unit: Camptonville Teacher’s Association
Representative: Sara Spiers, CTA President
Date Consulted: November 14, 2016
Position: Support
March 23, 2017

Charter Schools Division
Waiver Request #7-12-2016

Additional Documentation for Waiver Request #7-12-2016 / Nonclassroom-Based Charter School Resource Center Location Waiver Request

Camptonville Academy (aka CORE @ The Camptonville Academy) has been authorized by Camptonville Elementary School District since 1998. Camptonville Academy is a non-classroom based/independent study charter school program offering personalized learning education for grades K-12.

The public charter school serves approximately 460 students throughout Yuba County and its adjacent counties. The primary method of instruction is based on a personalized learning model in which a custom educational program is designed in close collaboration with parents and students. Part of the designed program includes resource center support components. Those supports include academic intervention, tutoring, counseling, small group classes, labs, clubs, trainings, workshops, assemblies and many additional resources.

Camptonville Academy has two resource centers subject to the waiver request. Both resource centers are outside of the boundaries of the district authorizer (Camptonville Elementary School District), but remain within the same county (Yuba County):

1. **Lakeside Resource Center**
   321 16th St., Marysville CA 95901
   Established in September 2013
   Located within Marysville Joint Unified School District (MJUSD)
   Students served by the center: approximately 450

**Specific Need:**
The Lakeside Resource Center is a 15,000 sq. ft. facility developed and owned (40-year mortgage) by Camptonville Academy. Camptonville Academy worked for seven years to strategically plan and build a new resource center, specifically designed for the personalized learning model of education. The school obtained broad community support, received Final School Site Approval from CDE prior to construction, and 2.5 million in financing through USDA Rural Development, Community Facilities Loan Program.
The state-of-the-art resource center houses a full range of programs and supports necessary to deliver a high quality personalized learning program to all K-12 students. The center houses a reading intervention program, tutoring, counseling, small group classes, labs, clubs, trainings, workshops, and assemblies. For high school, the resource center is needed to deliver the instruction and lab components necessary to meet UC a-g and CTE course requirements.

Currently, all special education services needed to provide a free and appropriate public education (FAPE) to students who qualify under the Individuals with Disabilities in Education Act (IDEA) are delivered at this resource center.

The Lakeside Resource Center has a library and computer lab available to all students. The space is also utilized to fulfill mandated testing requirements.

All 44 school employees utilize the resource center to deliver educational and support services.

The waiver is needed to continue operation of the resource center during a transition to full compliance in reference to the 3rd District Court of Appeals ruling AUHSD v. Shasta Secondary Home School. Closing of the facility would be a loss of equal access to necessary supports and quality academic, college, and career programs for all enrolled charter school students.

2. Marysville Resource Center
922 G St., Marysville CA 95901
Established in May 2003
Located within Marysville Joint Unified School District (MJUSD)
Students served by the center: approximately 60

Specific Need:
The Marysville Resource Center is a 4,500 sq. ft. facility owned by the charter school (paid-in-full). The center is providing access to individual tutoring, math intervention program (3rd grade – HS), and STEM program (7th-8th) for approximately 60 students. It is also used for parent/teacher meetings and staff collaboration.

In addition, all high school Aerospace courses, which are part of a developed CTE pathway, are taught at the center. The center houses the FAA approved flight simulator, UAV maker space, and additional aerospace equipment needed for course instruction. The Aerospace courses are open to all students in the Yuba-Sutter-Colusa region in partnership with Tri-County ROP. Also in partnership with Tri-County ROP, the resource center is now hosting an Adult-Ed. course Commercial UAVs, which is being taught live at the center and broadcasted to two additional locations.
The waiver is needed to continue operation of the resource center during a transition to full compliance in reference to the 3rd District Court of Appeals ruling AUHSD v. Shasta Secondary Home School. Closing the facility would be a loss of equal access to necessary supports and quality innovative academic, college, and career programs for enrolled charter school students as well as other students in the region.
California Department of Education  
WAIVER SUBMISSION - General

CD Code: 3768049  Waiver Number: 33-12-2016  Active Year: 2016

Date In: 12/15/2016 7:26:47 PM

Local Education Agency: Dehesa Elementary School District  
Address: 4612 Dehesa Rd.  
El Cajon, CA 92019

Start: 7/1/2016  End: 7/1/2018

Waiver Renewal: N  
Previous Waiver Number:  
Previous SBE Approval Date:

Waiver Topic: Charter School Program  
Ed Code Title: Geographic Limitations - Non-classroom Based  
Ed Code Section: Portions of Ed. Code Sections 47605(a) and 47605.1  
Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code 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.

(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.)

Education Code Section 47605.1:  
(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 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 school chooses to locate.  
(2) The site is needed for temporary use during a construction or expansion project].
Outcome Rationale: Diego Hills Public Charter School (Diego Hills) was authorized by Dehesa School District (DSD) in 2009 and received a five-year renewal term from July 1, 2014 to June 30, 2019. Diego Hills is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12.

Diego Hills is specifically designated as an Alternative School Accountability Model (ASAM) serving high-risk pupils and drop-outs. The State recognizes that our school's population has an extremely high turnover rate and can serve an entirely new group of students every 12 months.

Diego Hills primarily serves 9th-12th grade students who are considered "highly at-risk". The term highly at-risk encompasses students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program, and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement, Diego Hills continues to help these students succeed and graduate from high school.

Diego Hills serves approximately 2,200 students annually with 71% of the population eligible for free- and reduced-price meals (Socio-economically Disadvantaged). The population includes 35% English Learner population and 12% SPED students. Many of Diego Hills's students have previously dropped out of high school and enroll at Diego Hills with an average of 50 credits deficient.

Diego Hills has an English Learner Advisory Committee (ELAC) composed of parents, students, and teachers fanned to address the needs of EL students. The ELAC committee has provided professional development on teaching EL students in an independent study setting, created an EL study hall, implemented EL instructional rubrics, and helped guide the allocation of educational resources towards English Learners.

Diego Hills students with special needs are served in accordance with their Individualized Education Programs including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one instruction, along with accommodations and modifications. Diego Hills is part of the El Dorado County Charter SELPA.

Diego Hills's students receive academic instruction from highly qualified (HQ) teachers in the core content areas of ELA, science, math and social studies. HQ teachers will also be provided to students in the areas of foreign language, art, and in Career Tech Education (CTE) courses.

At Diego Hills each course is designed for the students and reviewed with the student by a supervising teacher in both the one-on-one and small group settings. Diego Hills's approach to Personalized Learning includes ample student support through individual tutorials, small group pull-out sessions, small group tutorials, career technical education pathways and courses, labs, online classes and technology based learning opportunities and tutorials.

Diego Hills also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(9). Diego Hills's year-round program emphasizes attainment of basic skill competencies, enhancing opportunities for
academic and occupational training, and providing exposure to the job market and employment. Activities may include instruction leading to completion of secondary school, tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth.

DSD has provided supervisorial oversight and performance monitoring services for Diego Hills, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. To the best of DSD’s knowledge, Diego Hills has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code Section 47605(a) independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Diego Hills has two (2) resource centers located within San Diego County that may be affected by the ruling and if these centers were to close, it would also jeopardize two (2) resource centers in the adjacent Riverside County as the student population in San Diego County could be reduced, thus impacting the ability of Diego Hills to maintain a majority of students who reside in San Diego County as required by Education Code Section 47605.1(c). This waiver is necessary to protect the continued operation of Diego Hills’s existing resource centers where special education services, English Language Development, and intervention services are provided.

The ruling impacts approximately 2,200 students annually with 71% of the population Socioeconomically Disadvantaged, 35% English Learners and 12% SPED students. Also impacted are the 109 Diego Hills employees.

Diego Hills current staffing includes, but is not limited to Certified Teachers, Special Education Teachers, Counselors, School Psychologists, Tutors, Student Relations Technicians, Student Relations Managers, Registrars, Student Retention Support Specialists, Principals, Assistant Principals, Community Liaison, Instructional Specialists for Professional Development and Teacher Training, Program Specialist, Curriculum Instructional Specialist, Career Technical Education Instructional Specialist, and an Online Instructional Specialist.

Since 2009, Diego Hills has opened and operates five resource centers (one inside the Dehesa School District boundaries, two inside San Diego County but outside District boundaries, and two in adjacent Riverside County). As a non-classroom based charter school, Diego Hills is not eligible for Proposition 39 funding so each initial build out and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination “out clause” allowing the schools to release them of their long term financial liability. Furthermore, despite Diego Hills’s high free- and reduced-price lunch ratio, it is not eligible for rental reimbursement under SB 740 as a nonclassroom based charter school.

Diego Hills created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).
The impact of the court’s ruling in Shasta may result in the closing of these resource centers impacting 2,200 highly at risk students who are now engaged in school and on a path towards graduation, employment of 109 school employees and the inability to meet the millions of dollars in long term leases and other financial obligations. The result may cause Diego Hills to become insolvent and force it to file for bankruptcy. In addition to the impact on students being displaced, the staff’s loss of employment and the school closure cost, local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through Diego Hills’ educational program. On average each high school dropout costs the state of California $209,200 (Source: Levin, et. Al.) The dropout recovery of Diego Hills’s educational program has a potential savings of $460,240,000 for the state California. For many of these students Diego Hills’s program is their last hope of obtaining a high school diploma.

The waiver is necessary to protect the continued operation of Diego Hills’s existing resource centers that provide the services and resources required under Education Code Section 51746, intervention support for all students, direct instruction opportunities for all students, and also provides a location for Federally mandated special education services to allow the provision of a free appropriate public education (“FAPE”) to students who qualify under the Individuals with Disabilities in Education Act (“IDEA”), UCOP approved A G coursework, including hands on science labs with equipment and manipulatives and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

Please note, Diego Hills’ employees are not organized into bargaining units, but the DSD consulted with the employees’ exclusive representatives prior to the submission of this waiver request, and they are not opposed to the waiver.

Student Population: 2200

City Type: Rural

Public Hearing Date: 12/8/2016

Local Board Approval Date: 12/8/2016

Community Council Reviewed by: Diego Hills Public Charter School Board of Directors
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: Mr. Eric Stevens
E-mail: stevens@girardedwards.com
Telephone: 916-706-1255
Fax:

Bargaining Unit Date: December 1, 2016
Name: Dehesa Teacher’s Association (“DTA”)
Representative: Nicole Suetos, President and Mynor Pinillos, Vice President
Position: Support
Nonclassroom-Based Charter School Resource Center Location
Attachment 13
Page 1 of 12

Authorizer: Dehesa Elementary School District
Charter School: Diego Hills Public Charter School (a designated ASAM school)
Total Resources Centers Impacted: Four

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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>Address</th>
<th>School District(s) of location</th>
<th>Established date</th>
<th>Total staff impacted</th>
<th>Total annual students served impacted (est.)</th>
<th>Average student age</th>
<th>Average credit deficient (at time of enrollment)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>4585 College Avenue, Suites 4A-4C, San Diego, CA 92115</td>
<td>San Diego Unified School District</td>
<td>November 2009</td>
<td>70</td>
<td>1,360</td>
<td>18 years old</td>
<td>59 credits (One full school year behind)</td>
</tr>
</tbody>
</table>

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center is an ASAM program primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged, EL/RFEP and SPED population when compared to the local school district demographics with the average student age of 18 years old. A typical student is approximately 59 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These
students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Certificated Teachers
- Special Education Teachers
- Counselors
- School Psychologist
- Tutors
- Student Relation Technicians
- Student Relations Managers
- Registrars
- Student Retention Support Specialist
- Principal
- Assistant Principal
- Community Liaison
- Special Education Paraprofessionals
- English Learner and Special Education Clerks
- Administrative Assistant

**Resource Center Specific Programs**

- Access Inc./ WIOA partnership
- Family Health Centers Mobile Medical Unit – comes to DH 1 x month
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
- FIDM – fashion club. Mutual field trips.
- Military recruiters – Air Force, Army, Navy. Conduct ASVAB multiple times a year
- Grossmont/Cuyamaca College – comes on campus for 4 consecutive weeks to help students with placement testing and enrollment in community college
- San Diego Youth Services – multiple trainings on suicide prevention, anti-bullying campaigns and mental health services
- African Alliance – provides translating services for Somali students
- La Mesa Sunrise Rotary Club – active members. Rotary provides an annual scholarship and other support for our students
- Young Lives – provides free childcare to our students 1 x week
- Cornerstone – MOU for referral services for mental health services
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Free eye glasses
- Art programs
- Daily Snacks/Food
- Computer and internet access
- Job placement assistance
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer, Cross Country and Basketball
- Assistance with College Sports recruiters
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
- Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $4.3 million annual loss of income affecting the local community. The resource center also has long term financial obligations of $580,000 which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $4.8 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>8073 Broadway, Lemon Grove, CA 91945</td>
</tr>
</tbody>
</table>
| School District(s) of location | Grossmont Union High School District  
Lemon Grove Elementary |
| Established date | October 2015 |
| Total staff impacted | 14 |
| Total annual students served impacted (est.) | 125 |
| Average student age | 17.8 years old |
| Average credit deficient (at time of enrollment) | 67 credits (Over one full school year behind) |

<table>
<thead>
<tr>
<th>Student demographics</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td>Resource Center %</td>
</tr>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>86%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>40%</td>
</tr>
<tr>
<td>SPED</td>
<td>17%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged, EL/RFEP and SPED population when compared to the local school district demographics with the average student age of 17.8 years old. A typical student is approximately 67 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who
understand the needs of the center's population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student's needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutors
  - Student Relation Technician
  - Counselor
  - Student Relations Manager
  - Student Retention Support Specialist

- Part-Time Staff Dedicated to Resource Center
  - School Psychologist
  - Registrar
  - Principal
  - Assistant Principal
  - Community Liaison
  - Special Education Paraprofessional
  - Instructional Specialist for Professional Development and Teacher Training

**Resource Center Specific Programs**

- Access Inc./ WIOA partnership
- Family Health Centers Mobile Medical Unit – comes to DH 1 x month
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
- FIDM – fashion club. Mutual field trips.
- Military recruiters – Air Force, Army, Navy. Conduct ASVAB multiple times a year
- Grossmont/Cuyamaca College – comes on campus for 4 consecutive weeks to help students with placement testing and enrollment in community college
- San Diego Youth Services – multiple trainings on suicide prevention, anti-bullying campaigns and mental health services
- African Alliance – provides translating services for Somali students
- La Mesa Sunrise Rotary Club – active members. Rotary provides an annual scholarship and other support for our students
- Young Lives – provides free childcare to our students 1 x week
- Cornerstone – MOU for referral services for mental health services
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Free eye glasses
- Art programs
- Daily Snacks/Food

This document was provided to the California Department of Education (CDE) from Dehesa Elementary School District, San Diego County. This document is posted to the CDE Web site to meet the legal requirement of California Education Code Section 33009.5. For more information or questions about the content of this material or to obtain alternative versions, you may contact the Charter Schools Division by e-mail at charters@cde.ca.gov or by phone at 916-322-6029.
- Computer and internet access
- Job placement assistance
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer, Cross Country and Basketball
- Assistance with College Sports recruiters
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
- Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in an $900,000 annual loss of income affecting the local community. The resource center also has long term financial obligations of $1 million which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1.9 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

**Resource center**

<table>
<thead>
<tr>
<th>Address</th>
<th>16667 Lakeshore Drive, Lake Elsinore, CA 92530</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) of location</td>
<td>Lake Elsinore Unified School District</td>
</tr>
<tr>
<td>Established date</td>
<td>November 2015</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>8</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>75</td>
</tr>
<tr>
<td>Average student age</td>
<td>17.5 years old</td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>70 credits (One full school year behind)</td>
</tr>
</tbody>
</table>

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>73%</td>
<td>65%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>13%</td>
<td>29%</td>
</tr>
<tr>
<td>SPED</td>
<td>8%</td>
<td>12%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged population when compared to the local school district demographics with the average student age of 17.5 years old. A typical student is approximately 70 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the
students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutor
  - Student Relation Technician
- Part-Time Staff Dedicated to Resource Center
  - Counselor
  - School Psychologist
  - Student Relations Manager
  - Registrar
  - Student Retention Support Specialist
  - Principal
  - Assistant Principal

**Resource Center Specific Programs**

- WIOA with Planet Youth (career services, professional skills classes)
- WIOA with Planet Youth (career services, professional skills classes, resume building workshops)
- Riverside/ WIOA partnership
- Altura Credit Union – financial workshops for students
- Mt San Jacinto College – financial aid, career and transfer, student relation, assessment services
- Rancho Damacitas Children & Family Services
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Daily Snacks/Food
- Computer and internet access
- Job placement assistance
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer and Cross Country
- Academic Exploration and NWEA MAP assessments
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- Read 180 program
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For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $400,000 annual loss of income affecting the local community. The resource center also has long term financial obligations of $800,000 which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1.2 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

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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.

**Resource center**

<table>
<thead>
<tr>
<th>Address</th>
<th>39665 Avenida Acacias, Murrieta, CA 92653</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) of location</td>
<td>Murrieta Valley Unified School District</td>
</tr>
<tr>
<td>Established date</td>
<td>November 2014</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>25</td>
</tr>
<tr>
<td>Total annual students served</td>
<td>420</td>
</tr>
<tr>
<td>Average student age</td>
<td>17.6 years old</td>
</tr>
<tr>
<td>Average credit deficient (est.)</td>
<td>60 credits (Approximately one full school year behind)</td>
</tr>
</tbody>
</table>

**Student demographics**

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<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>84%</td>
<td>32%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>15%</td>
<td>10%</td>
</tr>
<tr>
<td>SPED</td>
<td>13%</td>
<td>13%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population when compared to the local school district demographics with the average student age of 17.6 years old. A typical student is approximately 60 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the
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  - School Psychologist
  - Student Relations Manger
  - Registrar
  - Student Retention Support Specialist
  - Principal
  - Assistant Principal
  - Community Liaison

**Resource Center Specific Programs**

- WIOA with Planet Youth (career services, professional skills classes, resume building workshops)
- Murrieta WDB – WIOA and YEOP provider, professional skills classes
- Riverside County / WIOA partnership
- Altura Credit Union – financial workshops for students
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- Free counseling
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- Job placement assistance
- Free tutoring
- YouFit Gym
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer and Cross Country
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- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
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Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $1.78 million annual loss of income affecting the local community. The resource center also has long term financial obligations of $370,000 which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $2.15 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
California Department of Education
WAIVER SUBMISSION - General


Date In: 12/15/2016 1:42:13 PM

Local Education Agency: Dehesa Elementary School District
Address: 4612 Dehesa Rd. El Cajon, CA 92019

Start: 7/1/2016    End: 7/1/2018

Waiver Renewal: N
Previous Waiver Number:    Previous SSE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations – Non-classroom Based
Ed Code Section: Portions of Ed. Code Sections 47605(a) and 47605.1
Ed Code Authority: 33050

Education Code 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.

(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.]

Education Code Section 47605.1:
(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 and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exist:
(1) The 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 school chooses to locate. (2) The site is needed for temporary use during a construction or expansion project.]
Outcome Rationale: The Heights Charter ("The Heights") was authorized by the Dehesa Elementary School District ("District") in 2012. The Heights is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-8.

The Heights provides students with a rigorous, standards-based program within a small school nurturing environment that incorporates strong family and community ties. To this end, The Heights offers a non-traditional K-8 independent study program.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School ("Shasta Ruling") that, pursuant to Education Code Section 47605, independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, The Heights has one (1) resource center outside District boundaries but within San Diego County affected by the Shasta Ruling. This waiver is necessary to protect the continued operation of The Heights' existing resource center services.

The Shasta Ruling impacts approximately 229 students, 20.1% are Socio-economically disadvantaged, and 11.1% qualify for Special Education services. This ruling will also have an impact on the 28 The Heights employees.

As a non-classroom based charter school, The Heights is not eligible for Proposition 39 funding or reimbursement of lease costs under SB 740. All lease obligations are paid directly by The Heights.

The impact of the Shasta court's ruling could result in the closing of its resource center, and the loss of 229 students, employment of approximately 28 school employees, and the inability of The Heights to meet the financial obligations related to that facility. The result has the potential to cause The Heights to become insolvent and force it to file for bankruptcy.

This waiver is necessary to allow the continued operation of The Heights' existing resource center that provides the services and resources required under Education Code Section 51746, intervention support for all students, direct instruction opportunities for all students, but also provides a location for federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA") and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

The District provides supervisory oversight for The Heights as required by Education Code Section 47604.32. To the best of Director's knowledge, the District affirms that at all times The Heights has operated its resource center consistent with the advice and written guidance issued by the California Department of Education since 2012 (see Attachments).

Please note, The Heights' employees are not organized into bargaining units, but the District consulted with its employees' exclusive representatives prior to the submission of this waiver request, and they are not opposed to the waiver.
Student Population: 229

City Type: Rural

Public Hearing Date: 12/8/2016

Local Board Approval Date: 12/8/2016

Community Council Reviewed By: The Heights Charter Board of Directors Community Council
Reviewed Date: 11/29/2016
Community Council Objection: N Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Eric Stevens
Position: Attorney for Dehesa Elementary Sch. Dist.
E-mail: stevens@girardedwards.com
Telephone: 916 706 1255 Fax:

Bargaining Unit Date: 12/01/2016
Name: Dehesa Teacher's Association (OTA)
Representative: Nicole Suetos
Title: President
Position: Neutral Comments:
Dehesa Elementary School District on behalf of The Heights Charter

California State Board of Education

WAIVER SUBMISSION "ADDITIONAL INFORMATION" REQUESTED - General

Local Education Agency: Dehesa Elementary School District

Address: 4612 Dehesa Road

El Cajon, CA 92019-2922

<table>
<thead>
<tr>
<th>Address of Facility</th>
<th>Districts in which this is located</th>
<th>Date of Establishment</th>
<th>Number of students served</th>
<th>Need for Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>We have one K-8th grade non-classroom based resource center located at 2710 Alpine Blvd., Suite E, Alpine, CA 91901</td>
<td>We are located in the Alpine Union School District which is K-8. Additionally, we are located in Grossmont Union High School District, but our charter serves students for K-8 only.</td>
<td>September 4, 2012</td>
<td>236 students from 10 neighboring different cities and towns are served by our charter. These 236 students include 28 students with disabilities and 30 students that are socio-economically disadvantaged, not including a small percentage of EL students.</td>
<td>I. We provide intervention support for all students, direct instruction opportunities for all students including Native American and EL students, but we also provide federally mandated special education services to students who qualify under the Individuals with Disabilities Education Act (IDEA). In fact, our students with disabilities increased 30 points on their spring 2016 CAASPP scores as documented by the CA Dashboard. Additional services provided to students include labs, tutoring, small group instruction, workshops, hands on academic learning activities, access to</td>
</tr>
</tbody>
</table>
teaching resources, and technology.

2. We serve students in 10 different neighboring cities and towns from as far east as the Campo Indian Reservation, and other rural areas. Additionally, we have Students with Disabilities travel from other towns with their parents to access our program because we have had such a significant success rate.

3. We will have 28 employees that no longer have employment. Most of these individuals have left jobs elsewhere to work at our Resource Center and this will cause a financial hardship both to them and their families, as well as our students and their families.

4. We lease over 11,000 square feet for our Resource Center which the students and parents access. Closure would cause us to become insolvent and not only go bankrupt because of broken leases, but it would also waste funding that was spent.
modifying the space to accommodate all students’ needs including those with physical limitations and handicaps. We would not be able to meet our financial obligations.
California Department of Education  
WAIVER SUBMISSION · General

CD Code 1964584 Waiver Number: 1-1-2017 Active Year: 2017

Date In: 1/4/2017 11.23:39 AM

Local Education Agency: Gorman Joint Unified School District  
Address: 49847 Gorman School Rd.  
Gorman, CA 93243

Start: 7/1/2016 End: 7/1/2018 Waiver Renewal: N

Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program  
Ed Code Title: Geographic Limitations - Non-classroom Based Ed Code Section: 47605(a)(1), 47605(a)(5) and 47605 1(d)  
Ed Code Authority: 33050

Ed Code or CCR to Waive:

*Education Code* 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.

[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:]

*Education Code* Section 47605.1:

(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:}
(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 school sites at which education 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.

Outcome Rationale: Outcome Rational:

The Gorman Joint District has provided supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Gorman Joint District affirms that at all times the Charter School has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment ).

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has 2 resource centers located within Los Angeles County that are affected by the ruling. This waiver is necessary to allow the continued operation of German's existing resource centers. Our resource center in Santa Clarita serves 473 students and 27 staff members. In Lancaster we serve 714 students and 29 staff members. The fiscal impact on our 2 resource centers are as follows:

Lancaster operational cost including salaries and benefits- $205,087.15 per month.
Santa Clarita operational cost including salaries and benefits- $249,999.07 per month.

Lease information:
Lancaster - Current lease started 9/11/2014, terminates 9/10/2019
Santa Clarita- Current lease started 6/16/2016, terminates 6/15/2026

Student Population: 2429

City Type: Urban

Public Hearing Date: 11116/2016
Public Hearing Advertised: Website and Board Meeting posting

Local Board Approval Date: 12/13/2016
Community Council Reviewed By: Gorman Joint School District, Superintendent
Community Council Reviewed Date: 11/3/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Johannis Andrews
Position: Superintendent/Principal
E-mail: jandrews@lws.lacoe.edu
Telephone: 661-248-6441 x123
Fax: 661-248-0604

Bargaining Unit Date: 3/24/2017
Name: Gorman Elementary Teachers Association
Representative: Casey Stanford, President
Title: President
Position: Supportive on the waiver but neutral with the employees of Gorman Learning
Local Education Agency: Gorman Joint School District
Address: 49847 Gorman School Road, P.O. Box 104, Gorman, CA 93243

Start: 7/1/2016    End: 7/1/2018

Waiver Renewal: N

Waiver Topic: Geographic Restrictions on Resource Center Locations for Nonclassroom-Based Charter Schools
Ed Code Title: Charter School Locations
Ed Code Section: Portions of EC Sections 47605 (a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Bracketed Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:

**Education Code 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.

(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:]

**Education Code Section 47605.1:**

(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:]


(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 education 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.

Outcome Rational:

The Gorman Joint District has provided supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Gorman Joint District affirms that at all times the Charter School has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSO v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has 2 resource centers located within Los Angeles County that are affected by the ruling. This waiver is necessary to allow the continued operation of German's existing resource centers. Our resource center in Santa Clarita serves 473 students and 27 staff members. In Lancaster we serve 714 students and 29 staff members.
The fiscal impact on our 2 resource centers are as follows:
Lancaster operational cost including salaries and benefits- $205,087.15 per month. Santa Clarita operational cost including salaries and benefits- $249,999.07 per month. Lease information:

Student Population: 2429
City Type: City
Public Hearing Date: December 13, 2016
Local Board Approval Date: November 16, 2016

Community Council Reviewed by: Gorman Learning Center Board of Directors
Community Council Reviewed Date: November 16, 2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Contact Person Name: Denice Burchett
Position: Executive Director, Gorman Learning Center
E-mail: dburchett@gormanlc.org
Telephone: 909-307-6312
Fax: 909-793-5964

District or County Certification: The district or county office of education Superintendent or designee must certify to the accuracy of the information and date the request.
<table>
<thead>
<tr>
<th>Address of Facility</th>
<th>District(s) in which located</th>
<th>Date of Establishment</th>
<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
</table>
| 43301 Division St., Lancaster, CA 93535 | Antelope Valley Union High School District, Lancaster School District | The Antelope Valley Resource Center was established in the 2008-09 school year. | Daily Student Number: Average 250 students Total Number of Students Serviced on a weekly basis: 725 | 1. The Antelope Valley Resource Center offers labs for students in Biology and Chemistry. Title I tutors utilize space within the resource center. Special Education services are provided at the resource center as well. The Antelope Valley Resource Center is also a California Assessment of Student Performance and Progress (CAASPP) testing site for students. In addition to providing many enrichment classes in all subjects, the resource center also offers many group activities such as: drama, music, dance, Associated Student Body (ASB), leadership programs, and Physical Education.  
2. If the Antelope Valley Resource Center were to close prematurely there would be a number of costs which would continue. The Lease for the building would need to continue to December 2019 with a rate increase each year or Gorman would need to orchestrate a buyout from the lease at full value. The Rates are as follows: $22,682/month as of Dec. 2016, $23,555/month as of Dec. 2017, and $25,472/month as of Dec. 2018. These rates mean a full payout of the lease would be estimated at $792,462.00. Also full time employee costs of $7,500 per month would be paid until relocated. Severance packages costs of approximately $85,000.00 would need to be paid for a one month severance of all facilitator/staff positions. Copier Equipment lease pay off of $16,081.50. Phone and Internet system lease payoff of $31,500.00. Possible loss of revenue may occur if students without a resource center changed schools. If this occurred estimated Annual Revenue loss is $2,970,450.00.  
3. The Antelope Valley Resource Center serves many students who live long distances from other schools. The Resource Center’s schedule enables students to attend enrichment courses once or twice a week for several hours. Some students commute from up to an hour away.  
4. The Resource Center serves as a Hearing and Vision screening site as well.  
5. Superintendent has attended the Gorman Learning Board Meetings and the Board is taking steps to comply to the court order. Gorman |
<p>| Learning Center Board is planning on seeking a new charter with San Bernardino City Unified School District, Redlands Unified School District or consolidate Santa Clarita Resource Center with Antelope Valley Resource Center by June of 2018. |</p>
<table>
<thead>
<tr>
<th>Address of Facility</th>
<th>District(s) in which located</th>
<th>Date of Establishment</th>
<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
</table>
| 16530 Lost Canyon Road Santa Clarita, CA 91387 | Sulphur Springs School District  
Approximate daily attendance is 185 students. | 1. The Santa Clarita Resource Center offers labs for students in Biology and Chemistry. Title I tutors utilize space within the resource center. Special Education services are provided at the resource center as well. The Santa Clarita Resource Center is also a California Assessment of Student Performance and Progress (CAASPP) testing site for students. The resource center also offers many group activities such as: drama, music, dance, Associated Student Body (ASB), leadership programs, and Physical Education. The Santa Clarita Resource Center also offers select sports team activities.  
2. Terminating the lease early would result in a possible settlement payout of $4.8 million. Cost of one month of severance for all facilitators/staff is an estimated $115,000.00. Pay for one full time employee per month till relocated is an estimated $7,683.00. Cost of ending contract for Internet and Phones is an estimated $375.00. To pay off the Copier Lease is an estimated $26,825.00. Possible loss of Revenue due to students leaving Gorman is an estimated $1,697,400.00.  
3. The Santa Clarita Resource Center serves as a Hearing and Vision screening site.  
4. Superintendent has attended the Gorman Learning Board Meetings and the Board is taking steps to comply to the court order. Gorman Learning Center Board is planning on seeking a new charter with San Bernardino City Unified School District, Redlands Unified School District or consolidate Santa Clarita Resource Center with Antelope Valley Resource Center by June of 2018. |
(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.

(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]:

Education Code Section 47605.1:

(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]:
Outcome Rationale: Alta Vista South Public Charter School (Alta Vista South) has been authorized by Helendale School District (HSD) since 2014 receiving a five-year term from July 1, 2014 to June 30, 2019. Alta Vista South is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12.

Alta Vista South is specifically designated as an Alternative School Accountability Model (ASAM) serving high-risk pupils and drop-outs. The State recognizes that our school’s population has an extremely high turnover rate and can serve an entirely new group of students every 12 months.

Alta Vista South primarily serves 9th-12th grade students who are considered “highly at-risk”. The term highly at-risk encompasses students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program, and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement, Alta Vista South continues to help these students succeed and graduate from high school.

Alta Vista South serves approximately 950 students annually with 89% of the population eligible for free and reduced-price meals (Socioeconomically Disadvantaged). The population includes 34% English Learner population and 9% SPED students. Many of Alta Vista South’s students have previously dropped out of high school and enroll at Alta Vista South with an average of 50 credits deficient.

Alta Vista South has an English Learner Advisory Committee (ELAC) composed of parents, students, and teachers formed to address the needs of EL students. The ELAC committee has provided professional development on teaching EL students in an independent study setting, created an EL study hall, implemented EL instructional rubrics, and helped guide the allocation of educational resources towards English Learners.

Alta Vista South students with special needs are served in accordance with their Individualized Education Programs (“IEPs,”) including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one instruction, along with accommodations and modifications. Alta Vista South is part of the El Dorado County Charter SELPA.

Alta Vista South’s students receive academic instruction from highly qualified (HQ) teachers in the core content areas of ELA, science, math and social studies. HQ teachers will also be provided to students in the areas of foreign language, art, and in Career Tech Education (CTE) courses.

At Alta Vista South each course is designed for the students and reviewed with the student by a supervising teacher in both the one-on-one and small group settings. Alta Vista South’s approach to Personalized Learning includes ample student support through individual tutorials, small group pull-out sessions, small group tutorials, career technical education pathways and courses, labs, online classes and technology based learning opportunities and tutorials.

Alta Vista South also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(g). Alta Vista South’s year-round program emphasizes attainment of basic skill competencies, enhancing opportunities for
academic and occupational training, and providing exposure to the job market and employment. Activities may include instruction leading to completion of secondary school, tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth.

The Helendale School District has provided supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Helendale School District affirms that at all times the Charter School has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Alta Vista South has two (2) resource centers located within San Bernardino County that may be affected by the ruling and if these centers were to close, it would also jeopardize two (2) resource centers in the adjacent Riverside County as the student population in San Bernardino County could be reduced, thus impacting the ability of Alta Vista South to maintain a majority of students who reside in San Bernardino County as required by Education Code Section 47605.1(c). This waiver is necessary to protect the continued operation of Alta Vista South’s existing resource centers where special education services, English Language Development, and intervention services are provided.

The ruling impacts approximately 950 students annually with 89% of the population Socioeconomically Disadvantaged, 34% English Learners and 9% SPED students. Also impacted are the 59 Alta Vista South employees.

Alta Vista South provides support including, but not limited to, Certificated Teachers, Special Education Teachers, Counselors, School Psychologist, Tutors, Student Relation Technicians, Student Relations Managers, Registrars, Student Retention Support Specialist, Principal, Assistant Principal, Community Liaison, Instructional Specialist for Professional Development and Teacher Training, Program Specialist, Instructional Specialist Career Technical Education and an Instructional Specialist Online.

Since 2014, Alta Vista South has opened and operates five resource centers (one inside the boundaries of Helendale School District, two outside of the District but within San Bernardino County, and two in adjacent, Riverside County). As a non-classroom based charter school, Alta Vista South is not eligible for Proposition 39 funding so each initial build out and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination “out clause” allowing the schools to release them of their long term financial liability. Furthermore, despite Alta Vista South’s high free and reduced lunch ratio, it is not eligible for rental reimbursement under SB 740 as a nonclassroom based charter school.

Alta Vista South created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).
The impact of the court’s ruling in Shasta may result in the closing of these resource centers impacting 950 highly at-risk students who are now engaged in school and on a path towards graduation, employment of 59 school employees and the inability to meet the millions of dollars in long-term leases and other financial obligations. The result may cause Alta Vista South to become insolvent and force it to file for bankruptcy. In addition to the impact on students being displaced, staff’s loss of employment and school closure costs, local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through Alta Vista South’s educational program. On average each high school dropout costs the state of California $209,200. The dropout recovery of Alta Vista South’s educational program has a potential savings of $198,740,000 for the state California. For many of these students Alta Vista South’s program is their last hope of obtaining a high school diploma.

1Source: Levin, et al.

This waiver is necessary to protect the continued operation of Alta Vista South’s existing resource centers that provide the services and resources required under Education Code Section 51746, intervention support for all students, direct instruction opportunities for all students, and also provides a location for Federally mandated special education services to allow the provision of a free appropriate public education (“FAPE”) to students who qualify under the Individuals with Disabilities in Education Act (“IDEA”), UCOP approved A-G coursework including hands on science labs with equipment and manipulatives and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

Student Population: 950

City Type: Rural

Public Hearing Date: 12/14/2016
Public Hearing Advertised: Notice posted at the Helendale School District Main Office, the Alta Vista South Main Office, Alta Vista South Resource Center and Website

Local Board Approval Date: 12/14/2016

Community Council Reviewed By: Alta Vista South Charter School Board of Directors
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: Mr. Ross Swearingen
Position: Superintendent
E-mail: rswareningen@helendalesd.com
Telephone: 760-952-1180
Fax:

Bargaining Unit Date: 3/23/2017
Name: Helendale Professional Teachers Association
Representative: Heather Lewis
Title: Co-President
Position: Neutral
**Nonclassroom-Based Charter School Resource Center Location**

**Attachment 19**

**Page 1 of 12**

**Authorizer:** Helendale Elementary School District  
**Charter School:** Alta Vista South Public Charter School (a designated ASAM school)  
**Total Resources Centers Impacted:** Four

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.

| Resource center |  |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Address         | 3505 E. Highland Avenue, Highland, CA 92346 |
| School District(s) of location | San Bernardino City Unified School District |
| Established date | August 2014 |
| Total staff impacted | 12 |
| Total annual students served impacted (est.) | 150 |
| Average student age | 16.9 years old |
| Average credit deficient (at time of enrollment) | 77 credits (One full school year behind) |

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>91%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>33%</td>
</tr>
<tr>
<td>SPED</td>
<td>8%</td>
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</tbody>
</table>

The resource center is an ASAM program primarily serves 9-12 grade students who are high-risk and dropouts. The center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population with an average student age of 16.9 years old. A typical student is approximately 77 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

   The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular
school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutors
  - Student Relation Technician
  - Counselor
- Part-Time Staff Dedicated to Resource Center
  - School Psychologist
  - Registrar
  - Principal
  - Community Liaison
  - Student Relations Manager
  - Student Retention Support Specialist
  - Special Education Paraprofessional
  - Instructional Specialist for Professional Development and Teacher Training

**Resource Center Specific Programs**

- Vocademy partnership – providing students access to hands on training with traditional and state-of-the-art industrial art tools. College readiness and true career technical readiness. Offering a wide range of modern, state-of-the-art, and traditional hands-on skills classes that include: wood shop and CNC, welding and fabrication, sewing, costume and prop making, 3D printing and scanning, home construction, CADCAM and Graphics, laser cutting/engraving, electronics and robotics.
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
- Health care services
- Child care services
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Free eye glasses
- Art programs
- Daily Snacks/Food
- Computer and internet access
• Free tutoring
• Music programs
• Reading program
• Professional Skills
• Sports – Soccer and Cross Country
• Assistance with College Sports recruiters
• Academic Exploration and NWEA MAP assessments
• Edge Program to help students improve English skills
• ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
• Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $720,000 annual loss of income affecting the local community. The resource center also has long term financial obligations of $280,000 which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

<table>
<thead>
<tr>
<th>Resource center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
</tr>
<tr>
<td>School District(s) of location</td>
</tr>
<tr>
<td>Establishment date</td>
</tr>
<tr>
<td>Total staff impacted</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
</tr>
<tr>
<td>Average student age</td>
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<tr>
<td>Average credit deficient (at time of enrollment)</td>
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### Student demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
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</tr>
<tr>
<td>EL/RFEP</td>
<td>43%</td>
</tr>
<tr>
<td>SPED</td>
<td>12%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged, EL/RFEP and SPED population with the average student age of 17.2 years old. A typical student is approximately 77 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding
areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutors
  - Student Relation Technician
  - Counselor
  - Registrar
  - Student Retention Support Specialist
- Part-Time Staff Dedicated to Resource Center
  - School Psychologist
  - Registrar
  - Principal
  - Community Liaison
  - Student Relations Manager
  - Special Education Paraprofessional
  - Instructional Specialist for Professional Development and Teacher Training

**Resource Center Specific Programs**

- Vocademy partnership – providing students access to hands on training with traditional and state-of-the-art industrial art tools. College readiness and true career technical readiness. Offering a wide range of modern, state-of-the-art, and traditional hands-on skills classes that include: wood shop and CNC, welding and fabrication, sewing, costume and prop making, 3D printing and scanning, home construction, CADCAM and Graphics, laser cutting/engraving, electronics and robotics.
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
- Health care services
- Child care services
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Free eye glasses
- Art programs
- Daily Snacks/Food
- Computer and internet access
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer and Cross Country
- Assistance with College Sports recruiters
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
- Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in an $1.7 million annual loss of income affecting the local community. The resource center also has long term financial obligations of $450,000 which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $2.15 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>7680 Casa Blanca Street, Riverside, CA 92504</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) of location</td>
<td>Riverside Unified School District</td>
</tr>
<tr>
<td>Establishment date</td>
<td>July 2015</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>15</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>230</td>
</tr>
<tr>
<td>Average student age</td>
<td>17.2 years old</td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>86 credits (More than one full school year behind)</td>
</tr>
</tbody>
</table>

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>83%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>35%</td>
</tr>
<tr>
<td>SPED</td>
<td>7%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population with the average student age of 17.2 years old. A typical student is approximately 86 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding
areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutors
  - Student Relation Technician
  - Counselor
- Part-Time Staff Dedicated to Resource Center
  - School Psychologist
  - Registrar
  - Principal
  - Community Liaison
  - Student Relations Manager
  - Student Retention Support Specialist
  - Special Education Paraprofessional
  - Instructional Specialist for Professional Development and Teacher Training

**Resource Center Specific Programs**

- Vocademy partnership – providing students access to hands on training with traditional and state-of-the-art industrial art tools. College readiness and true career technical readiness. Offering a wide range of modern, state-of-the-art, and traditional hands-on skills classes that include: wood shop and CNC, welding and fabrication, sewing, costume and prop making, 3D printing and scanning, home construction, CADCAM and Graphics, laser cutting/engraving, electronics and robotics.
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
- Health care services
- Child care services
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Free eye glasses
- Art programs
- Daily Snacks/Food
- Computer and internet access
- Free tutoring
- Music programs
- Reading program
- Professional Skills

This document was provided to the California Department of Education (CDE) from Helendale Elementary School District, San Bernardino County. This document is posted to the CDE Web site to meet the legal requirement of California Education Code Section 33009.5. For more information or questions about the content of this material or to obtain alternative versions, you may contact the Charter Schools Division by e-mail at charters@cde.ca.gov or by phone at 916-322-6029.
• Sports – Soccer and Cross Country
• Assistance with College Sports recruiters
• Academic Exploration and NWEA MAP assessments
• Edge Program to help students improve English skills
• ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
• Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $1 million annual loss of income and an additional $40,000 in annual property lease income affecting the local community.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>1635-1695 Spruce Street, Riverside, CA 92507</td>
</tr>
<tr>
<td>School District(s) of location</td>
<td>Riverside Unified School District</td>
</tr>
<tr>
<td>Establishment date</td>
<td>July 2015</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>8</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>210</td>
</tr>
<tr>
<td>Average student age</td>
<td>17.3 years old</td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>89 credits (More than one full school year behind)</td>
</tr>
</tbody>
</table>

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population with the average student age of 17.3 years old. A typical student is approximately 89 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.
areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutors
  - Counselor
- Part-Time Staff Dedicated to Resource Center
  - School Psychologist
  - Registrar
  - Principal
  - Community Liaison
  - Student Relation Technician
  - Student Retention Support Specialist
  - Special Education Paraprofessional
  - Instructional Specialist for Professional Development and Teacher Training

**Resource Center Specific Programs**

- Vcademy partnership – providing students access to hands on training with traditional and state-of-the-art industrial art tools. College readiness and true career technical readiness. Offering a wide range of modern, state-of-the-art, and traditional hands-on skills classes that include: wood shop and CNC, welding and fabrication, sewing, costume and prop making, 3D printing and scanning, home construction, CADCAM and Graphics, laser cutting/engraving, electronics and robotics.
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- Read 180 program
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Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $660,000 annual loss of income affecting the local community. The resource center also has long term financial obligations of $440,000 which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1.1 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
California Department of Education
WAIVER SUBMISSION - General

CD Code: 3667736 Waiver Number: 31-12-2016 Active Year: 2016

Date In: 12/15/2016 4:00:54 PM

Local Education Agency: Helendale Elementary School District
Address: 15350 Riverview Rd.
Helendale, CA 92342

Start: 7/1/2016 End: 7/1/2018

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Other Waivers
Ed Code Title: Other Waivers
Ed Code Section: Portions of EC Sections 47605 (a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code 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.

....

(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]: (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 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 school chooses to locate.

(2) The site is needed for temporary use during a construction or expansion project].
Outcome Rationale: Empire Springs Charter School (ESCS) was authorized by the Helendale School District in July 2013. The current petition term expires in June 2018. ESCS promotes optimum learning by collaboratively developing a personalized learning program for each student. ESCS students are provided personalized instruction suitable to their learning style, whether that is parent-directed homeschool, dual-immersion opportunities, or a combination of any and all of these options.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has one resource center located within San Bernardino County that is affected by the ruling. This waiver is necessary to allow the continued operation of Empire Spring’s existing resource center as detailed below:

Rancho Cucamonga Personalized Learning Center
8968 Archibald Avenue, Rancho Cucamonga, CA 91730
Lease Expiration Date: 7/8/2017
Student Population: 282 total K-12 students use the facility at least one day per week.
Number of employees at location: 22
Programs Offered:
Discovery CoLLABorative: 75 K-8 students. The program combines personalized mastery-learning homestudy days with thematic discovery experiences.
u-LAB: 14 high school students participate in a variety of flexible university style lab courses each week to supplement their home instruction.
Rancho Cucamonga Homeschool Learning Center: 193 K-12 homeschool program students participate in a variety of enrichment workshops each week to supplement their home instruction.
Special Education Services and EL Services: ESCS provides special education services at the Rancho Cucamonga Personalized Learning Center as required by each student’s IEP. ESCS currently provides 44 students with services at the center. In addition, ESCS also provides ELD instruction as needed.

ESCS currently enrolls 930 students throughout all programs. ESCS leases a facility which provides three distinct programs to the students in the geographic area within San Bernardino County. A sudden closure of this facility would displace hundreds of students and detrimentally affect their education. Additionally, this lease does not expire until 2017. The court’s ruling would thus cost the school millions of dollars in lease fees for facilities ESCS cannot use for student instruction, essentially bankrupting the school.

The Helendale School District (HSD) provides supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. To the best of HSD’s knowledge, ESCS has operated its resource centers consistent with the advice and written guidance provided by the California Department of Education (“CDE”) as provided in the letter dated November 14, 2002 from Janet Sterling,
Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).

Approval of this waiver will allow ESCS time to reorganize, apply for additional charters, WASC accreditations, SELPA membership, and/or allow leases to expire reducing fiscal liability, and other necessary tasks to restructure and continue serving students in ESCS’s geographical territory.

Student Population: 950

City Type: Rural

Public Hearing Date: 12/14/2016

Local Board Approval Date: 12/8/2016
Community Council Reviewed By: Empire Springs Board of Directors
Community Council Reviewed Date: 12/8/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Ross Swearingen
Position: Superintendent
E-mail: rswearingen@helendalesd.com
Telephone: 760-952-1180
Fax:

Bargaining Unit Date: 3/23/2017
Name: Helendale Professional Teachers Association
Representative: Heather Lewis
Title: Co-President
Position: Neutral
HELENDALE SCHOOL DISTRICT
On behalf of:

EMPIRE SPRINGS CHARTER SCHOOL
Response to Request for Additional Information

1. Rancho Cucamonga Personalized Learning Center
8968 Archibald Avenue, Rancho Cucamonga, CA 91730
School District in Which Center is Located: Cucamonga School District
Date Resource Center was Established at Above Address:
September, 2016 (Former address was four miles away and began in August, 2014)
Student Population: 282 total K-12 students use the facility at least one day per week.
Number of employees at location: 22

Programs Offered at This Resource Center:

Discovery ColLABorative: 75 K-8 students. The program combines personalized mastery-learning homestudy days with thematic discovery experiences.

u-LAB: 18 high school students participate in a variety of flexible university style lab courses each week to supplement their home instruction.

Rancho Cucamonga Homeschool Learning Center: 193 K-12 homeschool program students participate in a variety of enrichment workshops at the resource center each week to supplement their home instruction.

Special Education Services and EL Services: ESCS provides special education services at the Rancho Cucamonga Personalized Learning Center as required by each student’s IEP. IEP meetings are held at this location. ESCS currently provides 44 students with services at the center. In addition, ESCS also provides ELD instruction daily for 11 students.

Justification for Waiver for Rancho Cucamonga Student Center:

- We provide center-based services to 282 students who could not be reasonably or effectively served without a regional center.
- The center allows our homeschooled students in south San Bernardino County with access to MTSS
interventions, special education services, ELD classes, science wet labs and enrichment courses. In addition, the center allows us to provide IEP meetings in a more convenient location for parents residing in South San Bernardino County.

- We use the center, with its CIPA compliant internet, to provide online state-mandated assessments and internal benchmark and diagnostic assessments for 282 students.
- We provide SAI instruction for students with disabilities, as well as speech services, occupational therapy, and psychology as required by each student’s IEP. Currently, the services for 44 special education students would be displaced without this center.
- We have 11 students in South San Bernardino who require daily English Language Development, which we provide at the center.
- It would cost our school more than $22,000 to break the lease early should the waiver not be approved. Our lease includes two options to continue leasing which if not exercised will cost us over $250,000 in upfront costs that we spent to open the center. In addition, we estimate that the loss of ADA would be at least 240 students if the center should close, causing a reduction in overall revenue of almost $2 mm/year.
California Department of Education
WAIVER SUBMISSION - General

CD Code: 5071100   Waiver Number: 18-2-2017   Active Year: 2017

Date In: 2/15/2017 2:41:28 PM

Local Education Agency: Hickman Community Charter
Address: 13306 Fourth St.
Hickman, CA 95323

Start: 2/13/2017   End: 2/13/2019

Waiver Renewal: N   Previous Waiver Number:
Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:

Education Code section 47605:

(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.

(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:]

Education Code Section 47605.1:

(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:]
(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 education 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.

Outcome Rationale: Hickman Charter School is one of three schools of Hickman Community Charter District, an all-charter district located in Stanislaus County, CA. Hickman Charter School is located in east Stanislaus County's rural community of Hickman, California. At HCS students are instructed by their parents at home with the support of an education coordinator and the many resources of the Hickman Charter School including enrichment classes.

HCS’s charter was originally approved in 1994. The district charter was approved in 2000 and since has been renewed three times with the latest five year renewal coming in 2015. Hickman Charter School’s latest CAASPP assessment data placed it in 74th percentile compared to all K-8 schools in California. HCS also outpaced both the state and county averages for all its significant subgroups. HCS received the 2014 California Distinguished School recognition for its practices of parental involvement and education supports.

The Hickman Community Charter District has provided supervisorial oversight and performance monitoring for Hickman Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Hickman Community Charter District affirms that at all times the Charter School has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has one resource center located within Stanislaus County that is affected by the ruling. This waiver is necessary to allow the continued operation of Hickman Charter School’s existing resource center. Hickman Charter School’s Modesto Resource Center located in McHenry Village Shopping Center services nearly 150 students in any given year. One employee permanently staffs the resource center with up to three others meeting with parents there at any given time. The resource center provides a place for our
Modesto area families to meet with their Education Coordinators. The lease of the resource center was renewed in September of 2016 for a two year term that expires in 2018.

Student Population: 575

City Type: Rural

Public Hearing Date: 2/13/2017

Local Board Approval Date: 2/13/2017

Community Council Reviewed By: Hickman Board of Trustees
Community Council Reviewed Date: 2/13/2017
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Paul Gardner
Position: Superintendent
E-mail: pgardner@hickmanschools.org
Telephone: 209-874-1816 x200
Fax: 209-874-1415

Bargaining Unit Date: 02/07/2017
Name: Hickman Association of Teachers
Representative: Laura Finneman
Title: Association President
Position: Support
Comments:
Hickman Community Charter
Waiver #18-2-2017
Supplemental Information

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.

Hickman Charter School Modesto Resource Center is located within the Sylvan Union School District and the Modesto High School District boundaries at 1700 McHenry Avenue, Suite 82, Modesto, CA 95350. The resource center was established on September 1, 2005 and serves approximately 150 K-8 students per year.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The Modesto Resource Center provides meeting space for area families to work with their Education Coordinators (EC's) to plan instruction and monitor progress. Curriculum, equipment, and materials are checked out at the site and online benchmark assessments are conducted there. One EC continually staffs the office with as many as three others meeting with families at the Resource Center at any given time. Finally, the space is leased through September 1, 2018 at a monthly lease payment of $1951.61. Should the waiver not be approved, Hickman Charter School will be required to pay the remaining lease payments at the rate listed above.

Hickman Community Charter District is beginning a construction project in June of 2017 to expand and replace some of the Hickman Charter School facilities within our district boundaries. We will modify those plans to provide workspace for our staff member and resources displaced by the closing of the Modesto Resource Center. That project is scheduled to be completed by the Spring of 2018. The State Board of Education's approval of our waiver through June of 2018 will provide us with some additional time to allow for construction delays and moving.

Hickman Charter School's Modesto Resource Center is a leased property. That lease expires in September of 2018. We will immediately attempt to renegotiate the lease term to expire June 30, 2018.

Finally, we will begin communicating the closing date of our resource center with our school community later this year. This will give families ample time to consider how the closing of the resource center might influence their decision to continue with Hickman Charter School in 2018-19.
California Department of Education  
WAIVER SUBMISSION - General

CD Code: 3768155  Waiver Number: 42-12-2016  Active Year: 2016

Date In: 12/26/2016 11:07:52 AM

Local Education Agency: Jamul-Dulzura Union Elementary  
Address: 14581 Lyons Valley Rd.  
Jamul, CA 91935

Start: 7/1/2016  End: 6/15/2018

Waiver Renewal: N  Previous Waiver Number:  Previous SBE Approval Date:

Waiver Topic: Charter School Program

Ed Code Title: Geographic Limitations- Non-classroom Based  
Ed Code Section: Portions of Ed. Code Sections 47605(a) and 47605.1

Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code 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.

(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.]

Education Code Section 47605.1:

(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 and the Superintendent is notified of the location of the charter school before it commences operations, and either of the following circumstances exist: (1) The 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 school chooses to locate. (2) The site is needed for temporary use during a construction or expansion project.]

[Note: The text continues with additional details not fully transcribed here.]
Outcome Rationale. Greater San Diego Academy is a non-classroom based independent study charter school authorized by the Jamul-Dulzura Union School District (JDUSD) on July 26, 1999.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Greater San Diego Academy has one resource center that would be greatly impacted by this ruling. This waiver is necessary to allow the continued operation of Greater San Diego Academy’s existing resource centers.

Students are served at two resource centers, one of which is located outside of JDUSD boundaries but within San Diego County in La Mesa (La Mesa Resource Center). The La Mesa Resource Center provides special education services, small group tutoring, enrichment classes, and efficient access to textbooks, supplemental materials, and credentialed teachers.

The La Mesa resource center is a centralized location with easy access to public transportation. Two day per week instruction is provided in both ELA and Math, as well as enrichment opportunities for students in grades K-8. It also is the center of the high school support program which enables students to get support from highly qualified teachers in specific subject areas, complete A-G requirements such as hands-on science labs, and use school computers to complete work.

JDUSD has been very active in the Greater San Diego Academy’s development and oversight. JDUSD staff and charter staff work closely to ensure efficient charter operations. To the best of District’s knowledge, GSDA has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002. (See attachments.)

Greater San Diego Academy serves approximately 250 students from all over San Diego County. Approximately 180 students utilize the La Mesa Resource Center. Without a centralized resource center, many of the students would not have access to the additional academic and enrichment classes that support their academic performance and overall educational experience.

Additionally, the current lease on the La Mesa resource center expires on October 31, 2017. Therefore, the Greater San Diego Academy would remain liable for the remaining amounts due on the lease if the center were to close prior to the lease’s expiration. Sudden closure of this center would displace approximately 180 students, including 16 staff members, who rely on this resource center. This sudden closure would result in both academic hardships for these students, employment hardship for the staff and financial hardship for the charter school. We are requesting a waiver through the end of the 2017-18 school year in order to meet the school’s financial obligations while maintaining a continuity of academic supports for the duration of the school year.

Please note, Greater San Diego Academy’s employees are not organized into bargaining units, but the JDUSD consulted with its employees’ exclusive representatives prior to the submission of this waiver request and they are in support of the waiver.

Student population: 247

City Type: Small

Public Hearing Date: 12/13/2016
Public Hearing Advertised: Public notice posted at three public places
Local Board Approval Date: 12/13/2016

Community Council Reviewed By: Greater San Diego Academy Charter Council
Community Council Reviewed Date: 11/30/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Nadine Bennett
Position: Superintendent
E-mail: nbennett@jdusd.org
Telephone: 619-669-7702
Fax:

Bargaining unit consulted on date: 11/21/2016
Name of bargaining unit: Jamul Dulzura United Teachers Association
Representative: Diane Hulbert
Title: President
Position: Support
Jamul-Dulzura Union Elementary
Waiver #42-12-2016
Supplemental Information

Address of Resource Center subject to waiver request:
7200 Parkway Dr, Suite 113
La Mesa, CA 91942

District in which center is located:
La Mesa-Spring Valley School District (Elementary)
Grossmont Union High School District (High School)

Date Established:

Current Enrollment for La Mesa Resource Center:
185

Name of Bargaining Unit:
Jamul Dulzur School Teachers Association (JDUTA)

Representative Name & Title:
Diane Hulbert, President

Date Bargaining Unit was consulted:
11/21/16

Position of the bargaining unit:
Support

Discussion of the need for waiver:

Greater San Diego Academy is a non-classroom based independent study charter school authorized by the Jamul-Dulzura Union School District (JDUSD) on July 26, 1999.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Greater San Diego Academy has one resource center that would be greatly impacted by this ruling. This waiver is necessary to allow the continued operation of Greater San Diego Academy’s existing resource centers.

Students are served at two resource centers, one of which is located outside of JDUSD boundaries but within San Diego County in La Mesa (La Mesa Resource Center). The La
Mesa Resource Center provides special education services, small group tutoring, enrichment opportunities, and efficient access to textbooks, supplemental materials, and credentialed teachers.

The La Mesa resource center is a centralized location with easy access to public transportation. Two day per week support is provided in both ELA and Math, as well as enrichment opportunities for students in grades K-8. It also is the center of the high school support program which enables students to get support from highly qualified teachers in specific subject areas, complete A-G requirements such as hands-on science labs, and use school computers to complete work.

JDUSD has been very active in the Greater San Diego Academy’s development and oversight. JDUSD staff and charter staff work closely to ensure efficient charter operations. To the best of District’s knowledge, GSDA has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002.

Greater San Diego Academy serves approximately 250 students from all over San Diego County. Approximately 180 students utilize the La Mesa Resource Center. Without a centralized resource center, many of the students would not have access to the additional academic and enrichment classes that support their academic performance and overall educational experience.

Additionally, the current lease on the La Mesa resource center expires on January 31, 2018. Therefore, the Greater San Diego Academy would remain liable for the remaining amounts due on the lease if the center were to close prior to the lease’s expiration. Sudden closure of this center would displace approximately 180 students, including 16 staff members, who rely on this resource center. This sudden closure would result in both academic hardships for these students, employment hardship for the staff and financial hardship for the charter school. We are requesting a waiver through the end of the 2017-18 school year in order to meet the school’s financial obligations while maintaining a continuity of academic supports for the duration of the school year. We are working on a transition plan that would be implemented by the end of the 2017-18 school year. Our transition plan will include relocating students from our La Mesa resource center to our resource center in Jamul.

Please note, Greater San Diego Academy’s employees are not organized into bargaining units, but the JDUSD consulted with its employees’ exclusive representatives prior to the submission of this waiver request, and they are in support of the waiver.
California Department of Education  
Waiver Submission - General  

CD Code: 3768163  Waiver Number: 12-12-2016  Active Year: 2016  

Date In: 12/9/2016 2:40:26 PM  

Local Education Agency: Julian Union Elementary School District  
Address: 1704 Cape Hom  
Julian, CA 92036  

Start: 7/1/2016  End: 6/30/2018  

Waiver Renewal: N  
Previous Waiver Number:  
Previous SBE Approval Date:  

Waiver Topic: Charter School Program  
Ed Code Title: Geographic Limitations - Non-classroom Based  
Ed Code Section: Portions of Ed. Code Sections 47605(a)(1) and 47605.1  
Ed Code Authority: 33050  

Ed Code or CCR to Waive: Education Code 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.  

(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.]

Education Code Section 47605.1:  

(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 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 school chooses to locate.

(2) The site is needed for temporary use during a construction or expansion project.

Outcome Rationale: WAIVER REQUESTED ON BEHALF OF HARBOR SPRINGS CHARTER SCHOOL:

Harbor Springs Charter School (HSCS) was authorized by the Julian Union Elementary School District in August 2013. The current petition term expires in June 2018. HSCS promotes optimum learning by collaboratively developing a personalized learning program for each student. HSCS students are provided personalized instruction suitable to their learning style, whether that is parent-directed homeschool, dual-immersion opportunities, or a combination of any and all of these options.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has two resource centers located with San Diego County that are affected by the ruling. This waiver is necessary to allow the continued operation of Harbor Spring's existing resource centers as more detailed below:

Otay Ranch Student Center
1615 Mater Dei Dr., Seton Hall, Chula Vista, CA 91913
Lease Expiration Date: 6/30/2019
Student Population: 497 total K-8th grade students use the facility at least one day per week.
Number of employees at location: 40
Programs Offered:

- Otay Arts Academy: 421 K-8 students. The program combines personalized mastery-learning home study days with arts-focused experiences.

- Otay Homeschool Learning Center: 59 homeschool program students participate in a variety of enrichment workshops each week to supplement their home instruction.

Special Education Services and EL Services: HSCS provides special education services at the Otay Ranch Student Center as required by each student’s IEP. HSCS currently provides 53 students with services at the center. In addition, HSCS also provides ELD instruction as needed.

Vista Student Center
700 E. Bobier Street, Vista, CA 92084
Lease Expiration Date: 7/31/2021
Student Population: 164 K-8th grade students use the facility at least one day per week.
Number of Employees at Location: 10
Programs Offered:

- La Fuente Academy: 118 K-8 students. The program combines personalized mastery-learning home study days with dual-immersion Spanish and English experiences.
Vista Homeschool Learning Center: 29 homeschool program students participate in a variety of enrichment workshops each week to supplement their home instruction at the Vista Student Center.

Special Education Services and EL Services: HSCS provides special education services at the Vista Student Center as required by each student's IEP. HSCS currently provides 21 students with services at the center. In addition, HSCS also provide ELD instruction as needed.

HSCS currently enrolls 763 students throughout all programs. HSCS leases two facilities which each provide three distinct programs to the students in those geographic areas within San Diego County. Any sudden closure of these facilities would displace hundreds of students and detrimentally affect their education. Additionally, these leases do not expire until 2021. The court's ruling would thus cost the school millions of dollars in lease fees for facilities HSCS cannot use for student instruction, essentially bankrupting the school.

The Julian Union School District (JUSD) provides supervisory oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. To the best of JUSD's knowledge, HSCS has operated its resource centers consistent with the advice and written guidance provided by the California Department of Education ("CDE") as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).

Approval of this waiver will allow HSCS time to reorganize, apply for additional charters, WASC accreditation, SELPA membership, and/or allow leases to expire reducing fiscal liability, and other necessary tasks to restructure and continue serving students in HSCS's geographical territory.

Please note, HSCS employees are not organized into bargaining units, but Julian Union Elementary School District consulted with its employees' exclusive representatives prior to the submission of this waiver request, and they are not opposed to the waiver.

Student Population: 2598

City Type: Rural

Public Hearing Date: 11/9/2016
Public Hearing Advertised. JUSD and Charter School main office and resource centers.

Local Board Approval Date: 11/9/2016

Community Council Reviewed By: Harbor Springs Board of Directors
Community Council Reviewed Date: 11/4/2016
Community Council Objection: N Community
Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Mr. Eric Stevens
E-mail: stevens@grardedwards.com
Telephone: 916-706-1255
Fax:

Bargaining Unit Date: 11/07/2016
Name: Julian Union Teacher’s Association
Representative: David Pierce
Title: President
Position: Support
Comments:
JULIAN ELEMENTARY UNION HIGH SCHOOL DISTRICT  
On behalf of:  
HARBOR SPRINGS CHARTER SCHOOL  
Response to Request for Additional Information

1. Otay Ranch Student Center  
1615 Mater Dei Dr., Seton Hall, Chula Vista, CA  91913  
School Districts in Which Center is Located: Chula Vista Elementary School District and Sweetwater Union High School District.  
Date Resource Center Was Established Operations at Above Address: April 1, 2014  
Lease Expiration Date: 6/30/2019  
Student Population: 497 total K-8th grade students use the facility at least one day per week.  
Number of employees at location: 41  

Programs Offered at This Resource Center:  

Otay Ranch Academy for the Arts:  
421 K-8 students. The program combines personalized mastery-learning homestudy days with arts-focused experiences.  

Otay Homeschool Learning Center:  
59 homeschool program students participate in a variety of enrichment workshops each week to supplement their home instruction. We offer our mobile science lab at this location for our homeschooled high school students, and we provide space for MTSS interventions for struggling homeschooled students.  

Special Education Services and EL Services:  
HSCS provides special education services at the Otay Ranch Student Center as required by each student’s IEP. HSCS currently provides 61 students with services at the center. IEP meetings are held at this location. In addition, HSCS also provides daily ELD instruction to 93 students.  

Justification for Waiver for Otay Ranch Student Center:  
- We are completing our charter petition to submit to Chula Vista Elementary District by April 15, but we need time to work through the approval and/or appeal process.
● We provide center-based services to 497 students who could not be reasonably or effectively served without a center. Our center allows us to provide a continuum of services to meet the needs of our many diverse learners who can’t be successful with independent study alone.

● The center allows our homeschooled students in south San Diego County with access to MTSS interventions, special education services, ELD classes, science wet labs and enrichment courses. In addition, the center allows us to provide IEP meetings in a more convenient location for parents residing in south San Diego County.

● We use the center, with its CIPA compliant internet, to provide online state-mandated assessments and internal benchmark and diagnostic assessments for 497 students.

● We provide SAI instruction for students with disabilities, as well as speech services, occupational therapy, and psychology as required by each student’s IEP. Currently, 61 special education students would be displaced without this center.

● We have 111 students in south San Diego who require daily English Language Development, which we provide at the center.

● It would cost our school $816,270 to break the lease early should the waiver not be approved. In addition, we estimate that the loss of ADA would be at least 400 students if the center should close, causing a reduction in overall revenue of more than $3 mm/year.

2. **Vista Student Center**  
700 E. Bobier Street, Vista, CA 92084  
**School District in Which Center is Located:** Vista Unified School District  
**Date Program Began Operations at Above Address:** September, 2016  
(Former address was two miles away within Vista Unified School District’s boundaries and began in August, 2014)  
**Lease Expiration Date:** 7/31/2021  
**Student Population:** 164 K-8th grade students use the facility at least one day per week.  
**Number of Employees at Location:** 13
Programs Offered at This Resource Center:

La Fuente Academy:
118 K-8 students. The program combines personalized mastery-learning homestudy days with dual-immersion Spanish and English experiences.

Vista Homeschool Learning Center:
29 homeschool program students participate in a variety of enrichment workshops each week to supplement their home instruction at the Vista Student Center.

Special Education Services and EL Services:
HSCS provides special education services at the Vista Student Center as required by each student’s IEP. HSCS currently provides 31 students with services at the center. In addition, HSCS also provide ELD instruction as needed for 23 students.

Justification for Waiver for Vista Student Center:
- We submitted a charter petition to Vista Unified School District in February, and a public hearing for our charter petition was held on March 14th with the vote to occur on April 20th. However, approval is not guaranteed and we may need time to work through the appeal process.
- We provide center-based services to 164 students who could not be reasonably or effectively served without a center. Our center allows us to provide a continuum of services to meet the needs of our many diverse learners who can’t be successful with independent study alone.
- The center allows our homeschooled students in north San Diego County with access to MTSS interventions, special education services, ELD classes, science wet labs and enrichment courses. In addition, the center allows us to provide IEP meetings in a more convenient location for parents residing in north San Diego County.
- We use the center, with its CIPA compliant internet, to provide online state-mandated assessments and internal benchmark and diagnostic assessments for 164 students.
- We provide at this center SAI instruction for students with disabilities, as well as speech services, occupational therapy, and psychology as required by
each student’s IEP. Currently, 14 special education students would be displaced without this center.

- We have 23 students in north San Diego who require daily English Language Development, which we provide at the center.
- It would cost our school $968,400 to break the lease early should the waiver not be approved. In addition, we estimate that the loss of ADA would be at least 140 students if the center should close, causing a reduction in overall revenue of more than $1 mm/year.
California Department of Education
WAIVER SUBMISSION - General

CD Code: 1663958 Waiver Number: 21-1-2017 Active Year: 2017

Date In: 1/19/2017 12:19:05 PM

Local Education Agency: Kit Carson Union Elementary
Address: 9895 Seventh Ave
Hanford, CA 93230

Start: 7/1/2016 End: 7/1/2018

Waiver Renewal: N Previous Waiver Number:
Previous SBE Approval Date:

Waiver Topic: Other Waivers
Ed Code Title: Other Waivers
Ed Code Section: Portions of Education Code sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code 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.

(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 exist]:

Education Code Section 47605.1.

(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]:
Outcome Rationale: Kings Valley Academy (Kings Valley) has been authorized by Kit Carson Union School District began in 2015 receiving a five-year term from July 1, 2015 to June 30, 2020. Kings Valley is a non-classroom based/Independent study charter school program offering personalized learning education programs for grades K-12.

Kings Valley is specifically designated as an Alternative School Accountability Model (ASAM) serving high-risk pupils and drop-outs. The State recognizes that our school’s population has an extremely high turnover rate and can serve an entirely new group of students every 12 months.

Kings Valley primarily serves 9th-12th grade students who are considered “highly at-risk.” The term highly at-risk encompasses students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement. Kings Valley continues to help these students succeed and graduate from high school.

Kings Valley serves approximately 500 students annually with 88% of the population eligible for free and reduced-price meals (Socioeconomically Disadvantaged). The population includes 33% English Learner population and 6% SPED students. Many of Kings Valley’s students have previously dropped out of high school and enroll at Kings Valley with an average of 50 credits deficient.

Kings Valley has an English Learner Advisory Committee (ELAC) composed of parents, students and teachers formed to address the needs of EL students. The ELAC committee has provided professional development on teaching EL students in an independent study setting created an EL study hall, implemented EL instructional rubrics, and helped guide the allocation of educational resources towards English Learners.

Kings Valley students with special needs are served in accordance with their Individualized Education Programs ("IEPs," including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one Instruction, along with accommodations and modifications. Kings Valley is part of the El Dorado County Charter SELPA.

Kings Valley’s students receive academic instruction from highly qualified (HQ) teachers in the core content areas of ELA, science, math and social studies. HQ teachers will also be provided to students in the areas of foreign language, art, and in Career Tech Education (CTE) courses.

At Kings Valley each course is designed for the students and reviewed with the student by a Supervising teacher in both the one-on-one and small group settings. Kings Valley’s approach to Personalized Learning includes ample student support through individual tutorials, small group pull-out sessions, small group tutorials, career technical education pathways and courses, labs, online classes and technology-based learning opportunities and tutorials.

Kings Valley also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(g). Kings Valley’s year-round program emphasizes attainment of basic skill competencies, enhancing opportunities for academic and occupational training, and providing exposure to the job market and employment.
Activities may include instruction leading to completion of secondary school tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth.

The Kit Carson Union School District has provided supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Kit Carson Union School District affirms that at all times Kings Valley has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently Kings Valley has one (1) resource center located within Kings County that may be affected by the ruling. This waiver is necessary to protect the continued operation of Kings Valley's existing resource centers where special education services, English Language Development, and intervention services are provided. Kings Valley operates a total of two resources centers, one within Kit Carson Union School District boundaries, and one outside the District boundaries, but within Kings County.

The ruling impacts approximately 500 students annually with 88% of the population Socioeconomically Disadvantaged, 33% English Learners and 6% SPED students. Also impacted are the 36 Kings Valley employees.

Kings Valley provides support including, but not limited to, Certificated Teachers, Special Education Teachers, Counselors, School Psychologists, Tutors, Student Relation Technicians, Student Relations Managers, Registrars, Student Retention Support Specialists, Principals, Instructional Specialist for Professional Development and Teacher Training, Program Specialist, Career Technical Education Instructional Specialist, and an Online Instructional Specialist.

As a non-classroom based charter school, Kings Valley is not eligible for Proposition 39 funding so each initial build and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination "out clause" allowing the schools to release them of their long term financial liability. Furthermore, despite Kings Valley's high free and reduced-price lunch ratio, it is not eligible for rental reimbursement under SB 740 as a nonclassroom based charter school.

Kings Valley created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).

The impact of the court's ruling in Shasta may result in the closing of these resource centers impacting 500 highly at-risk students who are now engaged in school and on a path towards graduation, employment of 36 school employees and the inability to meet the millions of dollars in long-term leases and other financial obligations. The result may cause Kings Valley to become insolvent and force it to file for bankruptcy in addition to the impact on students being displaced, staff's loss of employment and school closure costs. Local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through Kings Valley's educational program.
On average each high school dropout costs the state of California $209,200. The dropout recovery of Kings Valley's educational program has a potential savings of $104,600,000 for the state California. For many of these students Kings Valley's program is their last hope of obtaining a high school diploma. 1Source. Levin, et al.

This waiver is necessary to protect the continued operation of Kings Valley's existing resource centers that provides the services and resources required under Education Code Section 51746 intervention support for all students, direct instruction opportunities for all students, and also provides a location for Federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA"), UCOP approved A-G coursework including hands on science labs with equipment and manipulatives and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

Student Population: 500
City Type: Rural
Public Hearing Date: 1/18/2017
Public Hearing Advertised Notice Posted at the Kit Carson Union Elementary School District Office and Kings Valley Academy main office, resource center and website

Local Board Approval Date 1/18/2017

Community Council Reviewed By: Kings Valley Academy Board of Directors
Community Council Reviewed Date: 11/28/2016
Community Council Objection: N Community
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Todd Barlow
Position: Superintendent/Principal
E-mail: tbarlow@kitcarsonschool.com
Telephone: 559-582-2843

- Bargaining unit consulted on date: 2/6/2017
- Name of bargaining unit: Kit Carson Educator's Association
- Representative First Name: Richard
- Representative Last Name: McClelland
- Representative Title: President
- The position of the bargaining unit: Support
Authorizer: Kit Carson Union School District
Charter School: Kings Valley Academy (a designated ASAM school)

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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>Address</th>
<th>School District(s) of location</th>
<th>Established date</th>
<th>Total staff impacted</th>
<th>Total annual students served impacted (est.)</th>
<th>Average student age</th>
<th>Average credit deficient (at time of enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>312 W. Seventh Street, Hanford, CA 93230</td>
<td>Hanford Joint Union High School District</td>
<td></td>
<td>36</td>
<td>475</td>
<td>17.4 years old</td>
<td>66 credits (One full school year behind)</td>
</tr>
</tbody>
</table>

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>88%</td>
<td>62%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>33%</td>
<td>33%</td>
</tr>
<tr>
<td>SPED</td>
<td>6%</td>
<td>9%</td>
</tr>
</tbody>
</table>

The resource center is an ASAM program that primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged population when compared to the local school district demographics with the average student age of 17.4 years old. A typical student is approximately 66 credits deficient upon enrollment at the resource center. For many, dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the
regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their students’ needs.

**Resource Center Instructional Support Staff**

- Certificated Teachers
- Special Education Teachers
- Learning Center Coordinator
- Counselors
- School Psychologist
- Tutors
- Student Relation Technicians
- Student Relations Managers
- Registrar
- Student Retention Support Specialist
- Principal
- Assistant Principal
- Special Education Paraprofessional
- Career Technical Education Teacher
- Literacy Teacher
- Online Teacher
- English Language Development Clerk
- Special Education Clerk
- Administrative Assistant

**Resource Center Specific Programs**

- WIOA with Kings County JTO (services, career services, professional skills classes)
- Career Technical Education – Public Safety, Early Childhood Development
- CenCal Mentoring
- Get Lit – Words Ignite
- Counseling
- Online education
- Student leadership
- Senior seminars
- Special Education services to students with 504 and IEPs
- EL instruction and custom curriculum
- Speech and language services
- Nutrition program
- Daily snacks/food
- Computer and internet access
- Job placement assistance
- Tutoring
• Sports – soccer, cross country and basketball
• Academic exploration and NWEA MAP assessments
• Edge program to help students improve English skills
• ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
• Edmentum Plato courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $2.3 million annual loss of income affecting the local community. The resource center also has long term financial obligations of $1.3 million which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $3.6 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
California Department of Education
Waiver Submission – General

CD Code: 1275382 Waiver Number: 16-12-2016 Active Year: 2016

Date In: 12/13/2016 10:27:05 AM

Local Education Agency: Mattole Unified
Address: 29289 Chambers Rd.
Petrolia, CA 95558

Start: 7/1/2016 End: 7/1/2018

Waiver Renewal: N
Previous Waiver Number: Previous SSE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code 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.

(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:]

Education Code Section 47605.1:

(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:]
(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 school sites 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 school sites at which education 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.

Outcome Rationale: Outcome Rational:

Mattole Valley Charter School ("MVCS") has been authorized by the Mattole Unified School District ("District") since 1998. MVCS is a non-classroom based charter school program offering grades TK-12.

The Mattole Valley Charter School Program Generally

MVCS serves students seeking a non-traditional educational setting, students and families desiring a more flexible school schedule, students who are more successful in small learning environments, and students who have been identified as having special educational needs, perhaps because they are highly gifted, have learning disabilities, emotional challenges or are academically low achieving. Many students live in very rural areas and have limited educational choices. MVCS believes in honoring individual education choices; therefore it is committed to providing an innovative public education environment for students, their parents, and teachers by empowering them to collaboratively create learning opportunities which will develop responsible and contributing members of society. MVCS believes in giving students, parents and teachers the freedom to make responsible and effective decisions and implement educational plans, by providing them with multiple tools, resources and programs. MVCS believes that the selection of educational plans and opportunities is the right of parents and students with the support of their teacher.

Students who attend MVCS are educated through individualized learning programs, cooperative classes, learning centers, supplemental learning projects, and distance learning via current technology. Some students participate in an independent study model in which parents provide most of the instruction with the credentialed teacher acting as advisor and meeting with the family a minimum of once per learning period, typically in the student's home. Others participate in more of a hybrid independent study model in which students meet with credentialed teachers more than once per learning period and attend individual small-group classes held at various learning centers or vendor sites with the parent and teacher sharing instructional activities.

Out-of-District Facilities
On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School ("Shasta Ruling") that pursuant to Education Code Section 47605(a) independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, MVCS has one (1) facility within the District's boundaries and eight (8) resource centers outside District boundaries but within Humboldt County. This waiver is necessary to allow the continued operation of MVCS's existing resource centers where a large number of students served are significantly at risk or have special needs, such as special education services, English Language Development, credit recovery, counseling, and intervention services.

Students/ Employees Affected

The Shasta Ruling has the potential to impact approximately 681 students: 67% Socioeconomically Disadvantaged, and 11% SPED population. MVCS has a total of 421 unduplicated students with a 61.82% unduplicated percent. This ruling will also have an impact on 128 MVCS employees.

Financial Cost

As a non-classroom based charter school, MVCS is not eligible for Proposition 39 funding so all leased facilities are directly funded by MVCS.

The impact of the Shasta court's ruling could result in the closing of its facilities, and the loss of 681 students, employment of approximately 128 school employees, and the inability of MVCS to meet the financial obligations related to each facility. The result has the potential to cause MVCS to become insolvent and force it to file for bankruptcy.

This waiver is necessary to protect the continued operation of MVCS's existing resource centers that provides the services and resources required under Education Code Section 51746, intervention support for all students, but also provides a location for federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA"), state mandated testing as required of charter schools pursuant to Education Code Section 47605(c), and wet lab requirements for UC/CSU admissions requirements.

District Oversight

The District provides supervisory oversight for MVCS as required by Education Code Section 47604.32. The District affirms that at all times MVCS has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachments).

Student Population. 691

City Type: Rural

Public Hearing Date: 12/8/2016
Public hearing advertised: Notice posted at the District main office, Charter School main office, District website, two local stores and Charter School resource centers.

Local Board Approval Date: 12/8.2016

Community Council Reviewed By: Mattole Valley Charter School Council
Community Council Reviewed Date: 12/2/2016
Community Council Objection: N
Community Council Objection Explanation: 

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Shari Lovett
Position: Assistant Superintendent
E-mail: slovett@mattolevalley.org
Telephone: 707-445-2660 x10
Fax:

Bargaining unit consulted on date: 1/30/2017
Name of bargaining unit: Mattole Valley Teachers Association
Representative First Name: Malia
Representative Last Name: Freelund
Representative Title: Teacher, Union Representative
The position of the bargaining unit: Support
Mattole Unified School District (MUSD), on behalf of Mattole Valley Charter School (MVCS) #159, is requesting a waiver from the California State Board of Education. This waiver is regarding nonclassroom-based charter school resource center locations. MUSD is requesting the waiver for the 2016-2017 and 2017-2018 school years. This waiver is necessary in order to allow Mattole Valley Charter School time to comply with the Anderson court decision and will help to minimize disruption to students and their educational programs. Time is especially needed as MVCS has a high needs population with an unduplicated count of 62.4% and special education percentage of 12.1%. As this is Mattole Valley Charter School’s nineteenth year of operation, it will take considerable time and effort to develop and carry out a plan in order to transition into compliance with the court ruling. Mattole Valley Charter School has begun working on a transition plan. Carrying out this plan will take time as will the student, family, community and staff outreach necessary when the education of so many are affected. It should also be noted that Humboldt County is a large, rural county that is sparsely populated. The county spans 4,052 square miles, but only has a population of 134,493. Because vast geographic spaces separate small communities, it is necessary for Mattole Valley Charter School to have multiple facilities in order to adequately serve students. For example, the facility in Redway is over two hours away from the facility in Willow Creek.

Each learning center is unique to the community in which it is located. In fact, these learning centers were created because a grassroots group of individuals within the community had a vision for the type of education they wanted for the youth in their lives. This type of educational experience was not currently being offered for these students. These are not centers that Mattole Valley Charter School created, but rather the School was approached by particular communities who had innovative ideas or educational philosophies. For example, one of our learning centers has a Montessori philosophy, not because that is what Mattole Valley Charter School wanted, but because that is what the parents in the community desired for their children. Another learning center has an art education focus. In fact, that learning center is located in a non-profit art gallery. Again, this is because that is what is desired in that particular location. Each learning center has a unique personality that represents the community and they are whole-heartily supported by the community.

All of the learning centers of Mattole Valley Charter School are also supported by Mattole Unified School District. MVCS and MUSD have a special and uncommon relationship. Mattole Valley Charter School was started by Mattole Unified School District because the District understood that providing appropriate educational options in our distinct environment is very difficult. With our narrow, country roads and inclement weather, many students are required to travel long distances in dangerous conditions to reach a school. In the Mattole Unified School District, some students have to travel two hours to reach the nearest school. This happens all over Humboldt County. The learning centers of Mattole Valley Charter School bring the educational facility into the remote locations where the students live. Mattole Valley Charter School offers this to students in remote areas because there is a great need in our rural county. Without MVCS as an option, rural students have few opportunities to participate in laboratory sciences, receive support and intervention service or receive special education services. Mattole Valley Charter School needs time to thoughtfully transition into compliance. In doing so, each center within this waiver will have time to communicate with their stakeholder groups on how they will be able to continue to meet their unique needs.
<table>
<thead>
<tr>
<th>Learning Center/Resource Center</th>
<th>District(s) in which facility is located</th>
<th># of Students Served</th>
<th>Year Established</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Coast Learning Academy</td>
<td>Cutten Elementary School District (elementary)</td>
<td>92</td>
<td>2000</td>
<td>Including North Coast Learning Academy in the waiver is crucial because closing it at this time would result in 92 students being left without the access to the education in the manner in which they've been served for the entirety of this school year, and for some, for the entirety of their school career. This would be extremely detrimental to students and families. Closing this center would also result in a minimum of 10 adults losing their employment. North Coast Learning Academy serves as a meeting space for teachers to meet with students for small group or one-on-one instruction. Special education services are provided at this location for students with IEPs, including but not limited to resource and speech services. Counseling and intervention services for students with academic and behavioral needs are also provided at this location. State testing, including CAASPP, CSTs, CELDT and physical fitness testing, are all administered at this facility. This learning center serves students who are English learners, as well as homeless youth and students who qualify for free or reduced lunch. North Coast Learning Academy serves students who are more successful with very small teacher to student ratios. These students tend to need lots of support in all areas.</td>
</tr>
<tr>
<td>2020 Campton Rd, Eureka, CA 95503</td>
<td>Eureka City Schools (high school)</td>
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<tr>
<td>-serves TK-5th grade in central Humboldt County</td>
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<tr>
<td>learning Center/Resource Center</td>
<td>District(s) in which facility is located</td>
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</tr>
<tr>
<td>Lost Coast High Learning Center</td>
<td>Eureka City Schools</td>
<td>57</td>
<td>2013</td>
<td>If this center were forced to close mid-year, the school would be subject to significant debt due to current leases and contracts. The current facility lease terminates on June 19, 2017 - $4,750/month (includes utilities). At this facility, the internet service ($325.20/month) is contracted through June 30, 2017. This facility also has lease for a copier ($175/month). The lease terminates on November 11, 2020. Because this facility is one of three within one school district (Eureka City Schools), Mattole is confident in the ability to transition the three facilities over to one charter by the 2018-2019 school year, whether by Eureka City Schools or the Humboldt County Office of Education being the authorizing entity. At this time, however, there is not a building within the Eureka area large enough to accommodate all three learning centers. It is imperative that Lost Coast High Learning Center is included in the waiver because closing it at this time would result in 57 students being left without the access to the education in the manner in which they've been served for the entirety of this school year, and for some, for the entirety of their school career. This would be extremely detrimental to students and families. Closing this center would also</td>
</tr>
<tr>
<td>learning Center/Resource Center</td>
<td>District(s) in which facility is located</td>
<td># of Students Served</td>
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<tr>
<td>Lost Coast High Learning Center</td>
<td>Distances in which facility is located</td>
<td># of Students Served</td>
<td>Year Established</td>
<td>Need for the Waiver</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>result in a minimum of 7 adults losing their employment. The learning center serves so few students that it could not be fiscally viable as its own charter.</td>
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<td></td>
<td>Lost Coast High Learning Center serves as a meeting space for teachers to meet with students for small group or one-on-one instruction. Special education services are provided at this location for students with IEPs. Counseling and intervention services for students with academic and behavioral needs are also provided at this location. State testing, including CAASPP, CSTs, CELDT and physical fitness testing, are all administered at this facility. This learning center serves students who are English learners, as well as homeless youth and students who qualify for free or reduced lunch. This learning center also has a laboratory facility that allows students to participate in wet labs for college preparatory science. Lost Coast High Learning Center is also a satellite facility for College of the Redwoods, a Humboldt County community college. This allows students who would otherwise be unable to travel to the college to take college courses.</td>
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<td></td>
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<td></td>
<td>If this center were forced to close mid-year, the school would be subject to significant debt due to</td>
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</tbody>
</table>

This document was provided to the California Department of Education (CDE) from Mattole Unified School District, Humboldt County. This document is posted to the CDE Web site to meet the legal requirement of California Education Code Section 33009.5. For more information or questions about the content of this material or to obtain alternative versions, you may contact the Charter Schools Division by e-mail at charters@cde.ca.gov or by phone at 916-322-6029.
<table>
<thead>
<tr>
<th>learning Center/Resource Center</th>
<th>District(s) in which facility is located</th>
<th># of Students Served</th>
<th>Year Established</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Campus House 1539 F St, Arcata, CA 95521</td>
<td>Arcata Elementary School District (elementary) Northern Humboldt High School District (high school)</td>
<td>34</td>
<td>2004</td>
<td>Campus House must be included in the waiver because closing it at this time would result in 34 students being left without the access to the education in the manner in which they've been served for the entirety of this school year, and for some, for the entirety of their school career. This would be extremely detrimental to students and families. Closing this center would also result in a minimum of 6 adults losing their employment. The learning center serves so few students that it could not be fiscally viable as its own charter.</td>
</tr>
<tr>
<td>learning Center/Resource Center</td>
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<td>---------------------------------</td>
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<tr>
<td>Campus House</td>
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<td></td>
<td>Campus House is directly across the street and, therefore has a unique relationship with Humboldt State University. Humboldt State University students serve as tutors for the students who meet at this learning center. Also, students who meet at this center are able to go onto the Humboldt State University campus to take classes. The students who meet at this learning center have a college preparatory focus. Without this learning center, students would miss out on these valuable opportunities. Campus House serves as a meeting space for teachers to meet with students for small group or one-on-one instruction. Special education services are provided at this location for students with IEPs. Counseling and intervention services for students with academic and behavioral needs are also provided at this location. State testing, including CAASPP, CSTs, and physical fitness testing, are all administered at this facility. This learning center serves students who qualify for free or reduced lunch. This learning center also has a laboratory facility that allows students to participate in wet labs for college preparatory science. If this center were forced to close mid-year, the school would be subject to significant debt due to</td>
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<tr>
<td>learning Center/Resource Center</td>
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</tr>
<tr>
<td>Creekside Arts and Education Learning Center</td>
<td>Klamath/Trinity Unified School District</td>
<td>45</td>
<td>2009</td>
<td>It is necessary for Creekside Arts and Education Learning Center to be included in the waiver because closing it at this time would result in 45 students being left without the access to the education in the manner in which they’ve been served for the entirety of this school year, and for some, for the entirety of their school career. This would be extremely detrimental to students and families. Closing this center would also result in a minimum of 6 adults losing their employment. The learning center serves so few students that it could not be fiscally viable as its own charter. Also, this learning center is in a remote location, approximately one hour from the county seat and many parts of this community are unable to access internet services. Creekside Arts and Education Learning Center has a focus on art education. This learning center operates within a non-profit art gallery. This location allows students and teachers to be inspired and creative while participating in a self-paced educational</td>
</tr>
<tr>
<td>Address of Facility</td>
<td>District(s) in which facility is located</td>
<td># of Students Served</td>
<td>Year Established</td>
<td>Need for the Waiver</td>
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current leases and contracts. The current facility lease terminates on June 30, 2018 - $2,000/month. At this facility, the internet service of $330.20/month is contracted through June 30, 2017. The security system contract of $73.50/month terminates on June 30, 2017. Creekside Arts and Education Learning Center 75 The Terrace, Willow Creek, CA 95573 -serves K-5th grade in eastern Humboldt County
<table>
<thead>
<tr>
<th>learning Center/Resource Center</th>
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</tr>
</thead>
</table>
| Willowbrook High learning Center | Fortuna Elementary SD (elementary)  
1200 Ross Rd, Rooms 1-4, Fortuna, CA 95540  
serves 9th.12th grade in the Eel River Valley | 10 | 2003 | Willowbrook High Learning Center needs to be included in the waiver because closing it at this time would result in 10 students being left without the access to the education in the manner in which they've been served for the entirety of this school year, and for some, for the entirety of their school career. This would be extremely detrimental to students and families. Closing this center would also result in a minimum of 3 adults losing their experience. Creekside serves as a meeting space for teachers to meet with students for small group or one-on-one instruction. Special education services are provided at this location for students with IEPs, including but not limited to resource and speech services. Counseling and intervention services for students with academic and behavioral needs are also provided at this location. State testing, including CAASPP, CSTs, and physical fitness testing, are all administered at this facility. This learning center serves students who qualify for free or reduced lunch. If this center were forced to close mid-year, the school would be subject to significant debt due to current leases and contracts. The current facility lease terminates on June 30, 2017 - $1,000/month (includes utilities). |
<table>
<thead>
<tr>
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</table>

The learning center serves so few students that it could not be fiscally viable as its own charter. However, it should be noted that this learning center will be closed on June 30, 2017 so does not need to be included in a waiver for the 2017-2018 school year.

Willowbrook High Learning Center serves as a meeting space for teachers to meet with students for small group or one-on-one instruction. Special education services are provided at this location for students with IEPs. Counseling and intervention services for students with academic and behavioral needs are also provided at this location. State testing, including CAASPP, CSTs, CELDT and physical fitness testing, are all administered at this facility.

This learning center serves students who are English learners, as well as those who qualify for free or reduced lunch.

If this center were forced to close mid-year, the school would be subject to significant debt due to current leases and contracts. The current facility lease terminates on June 30, 2017 - $1,300/month plus utilities fees of $600/month. At this facility, the internet and phone service of $340/month is contracted through June 30, 2017.
<table>
<thead>
<tr>
<th>learning Center/Resource Center</th>
<th>District(s) in which facility is located</th>
<th># of Students Served</th>
<th>Year Established</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginnings Learning Center</td>
<td>Southern Humboldt Unified School District</td>
<td>49</td>
<td>1999</td>
<td>Beginnings Learning Center being included in the waiver is vital because closing it at this time would result in 49 students being left without the access to the education in the manner in which they've been served for the entirety of this school year, and for some, for the entirety of their school career. This would be extremely detrimental to students and families. Also, this facility offers a lunch program as part of the National School Lunch Program. Without this, many students would not have access to a healthy lunch. Closing this center would result in a minimum of 5 adults losing their employment. The learning center serves so few students that it could not be fiscally viable as its own charter. Also, this learning center is in a remote location, approximately two hours from the county seat and many areas in this community are unable to access internet services. The students and teachers who meet at Beginnings Learning Center focus on environmental Education and the very remote, rural setting is conducive to this focus. Beginnings serves as a meeting space for teachers to meet with students for small group or one-on-one instruction. Special education services are provided at this location for students with IEPs, including but not limited to resource and speech</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address of Facility</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5 Cemetery Rd, Briceland, CA 95560</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-serves 1st-6th grade in southwestern Humboldt County</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Redway Learning Center

- **Address of Facility**: 1155 Redway Drive, Suites 1 and 4, Redway, CA 95560
- **Serves**: TK-5th grade in southern Humboldt County
- **District(s) in which facility is located**: Southern Humboldt Unified School District
- **# of Students Served**: 37
- **Year Established**: 2003
- **Need for the Waiver**: It is essential for Redway Learning Center to be included in the waiver because closing it at this time would result in 37 students being left without the access to the education in the manner in which they've been served for the entirety of this school year, and for some, for the entirety of their school career. This would be extremely detrimental to students and families. Closing this center would also result in a minimum of 8 adults losing their employment. The learning center serves so few students that it would not be fiscally viable as its own charter. Also, this learning center is in a remote location.

Counseling and intervention services for students with academic and behavioral needs are also provided at this location. State testing, including CAASPP, CSTs, and physical fitness testing, are all administered at this facility. This learning center serves students who qualify for free or reduced lunch and offers a lunch program as part of the National School Lunch Program. Beginnings Learning Center also serves as a community gathering place.

If this center were forced to close mid-year, the school would be subject to significant debt due to current leases and contracts. At this facility, the internet service of $200/month is contracted through June 30, 2017.
<table>
<thead>
<tr>
<th>learning Center/Resource Center</th>
<th>District(s) in which facility is located</th>
<th># of Students Served</th>
<th>Year Established</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cutten Resource Center</td>
<td>Cutten Elementary School District (elementary)</td>
<td>69</td>
<td>1999</td>
<td>Cutten Resource Center should be included in the waiver because it is crucial to the operation of Mattole Valley Charter School as an entity. Closing it</td>
</tr>
<tr>
<td>learning Center/Resource Center</td>
<td>District(s) in which facility is located</td>
<td># of Students Served</td>
<td>Year Established</td>
<td>Need for the Waiver</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-----------------------------------------</td>
<td>---------------------</td>
<td>-----------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>-offices for business, technology, counseling, special education departments for MVCS</td>
<td>Eureka City Schools (high school)</td>
<td></td>
<td></td>
<td>at this time would result in 69 students being left without the access to the education in the manner in which they've been served for the entirety of this school year, and for some, for the entirety of their school career. This would be extremely detrimental to students and families. Closing this center would also result in the loss of office space for 21 staff members, including special education, curriculum specialists, counseling, technology, administrative and business staff. The resource center serves so few students that it would not be fiscally viable as its own charter.</td>
</tr>
<tr>
<td>-resource library for curriculum, materials and technology for MVCS</td>
<td></td>
<td></td>
<td></td>
<td>Cutten Resource Center serves as a meeting space for teachers to meet with students for small group or one-on-one instruction. Special education services are provided at this location for students with IEPs, including resource and speech services. Counseling and intervention services for students with academic and behavioral needs are also provided at this location. State testing, including CAASPP, CSTs, CELDT and physical fitness testing, are all administered at this facility. This learning center serves students who are English learners, as well as homeless youth and students who qualify for free or reduced lunch. This facility provides resource materials for all students, families and staff to use and is the home of all curriculum, media and</td>
</tr>
<tr>
<td>learning Center/Resource Center Address of Facility</td>
<td>District(s) in which facility is located</td>
<td># of Students Served</td>
<td>Year Established</td>
<td>Need for the Waiver</td>
</tr>
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<td>---------------------------------------------------</td>
<td>-----------------------------------------</td>
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</tr>
</tbody>
</table>

This center is where administrative, business, technology, special education, and counseling staff have their offices. Cutten Resource Center is also the location for staff development.

If this center were forced to close mid-year, the school would be subject to significant debt due to current leases and contracts. The current facility lease terminates on July 31, 2018 - $4,628/month. At this facility, the internet service of $373/month is contracted through June 30, 2017. This facility also has a lease for two copiers ($440/month for both copiers). This lease terminates on August 10, 2021.

Because this facility is one of three within one school district (Eureka City Schools), Mattole is confident in the ability to transition the three facilities over to one charter by the 2018-2019 school year, whether by Eureka City Schools or the Humboldt County Office of Education being the authorizing entity. At this time, however, there is not a building within the Eureka area large enough to accommodate all three learning centers.
California Department of Education
Waiver Submission: General

CD Code: 3768213 Waiver Number: 20-12-2016 Active Year: 2016

Date in: 12/14/2016 11:48:16 AM

Local Education Agency: Mountain Empire Unified School District
Address: 3305 Buckman Springs Rd.
Pine Valley, CA 91962

Start: 7/1/2016 End: 7/1/2017

Waiver Renewal: N Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Portions of California Education Code Sections 47605(a)(1), 47605(a)(5) and 47505.1(d) as follows:

Education Code 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.

(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:]

Education Code Section 47605.1:

(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:
Outcome Rationale: Outcome Rational:

Pivot Charter School has been authorized by the Mountain Empire Unified School District ("District") since 2011. Pivot Charter School is a non-classroom based/independent study charter school program offering personalized learning education programs for grades TK-12.

Pivot Program Generally
When Pivot Charter Schools were formed, the intent was not to try to recreate the already established wheel of education and try to do it better than others. It was not to the intent to use an online curriculum so Pivot could have thousands of students who did not have to come to a brick and mortar school. The intent of Pivot was to do things differently for students who wanted and needed "different". The Pivot Carter Schools use an online curriculum as the primary, yet not sole, method of instructional delivery so that our exceptional credentialed teachers can spend their time doing what they do best; helping students learn and understand what they are learning. Students are able to move at a pace commensurate with their developmental abilities or based on their graduation plans. And throughout their academic efforts they constantly receive feedback, kind motivation, ideas and instruction. Teachers encourage students to delve deeper into their content through projects and hands on experiences. They tutor small groups to ensure that they are making successful progress in all their courses. They work with the entire family, supporting not only their academic but also their social-emotional lives. They "meet students where they are at" to inspire their individual and collective potential. Students are surrounded by genuine caring motivation and accountability.

Students can either come to the resource center for activities, to work on their academics, to engage in projects or get tutoring five days a week for three hours a day. Or they can come two afternoons a week. Or they can come one day a week. And those students who are independent and only need the support of their assigned credentialed teacher once in a while, can work virtually or come to the resource center as needed or receive assistance via video conferencing. Whether a student chooses to attend programs offered at the resource centers five days a week or two days a week or work from wherever their lives take them, they engage in a rigorous online curriculum which we feel is balanced by the program supplemented at the resource centers with Fun Fridays, field trips, project based activities, clubs, and social activities like barbecues and camping trips.

Pivot Charter Schools continue to add elective and Career Technical courses and expand programmatic offerings such as Collaborations, Genius Hours, and even a prom. It is amazing to fathom how many students Pivot Charter Schools has helped succeed and reach their goals whether that was to return to a traditional school setting, head to a four or two year college enter the workforce or participate in an accountable and engaging home school blended program for grades TK-5.

Out-of-District Facility

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School ("Shasta Ruling") that pursuant to Education Code Section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Pivot
Charter School has zero (0) facilities within the District's boundaries and one (1) resource center outside District boundaries but within San Diego County. This waiver is necessary to allow the continued operation of P1vot's existing resource center where students are served.

Students / Employees Affected

The Shasta Ruling has the potential to impact approximately 115 students: 25.5% Socioeconomically Disadvantaged, 7% English Learners, 12% homeless and 12% SPED population. This ruling will also have an impact on the 7 Pivot employees.

Financial Cost
As a non-classroom based charter school, Pivot is not eligible for Proposition 39 funding so all leased facilities are directly funded by Pivot. The impact of the Shasta court's ruling could result in the closing of its facility, and the loss of roughly 115 students, employment of approximately 7 school employees, and possibly the inability of Pivot to meet the financial obligations related to the facility. The result has the potential to cause Pivot to become insolvent and force it to file for bankruptcy.

This waiver is necessary to protect the continued operation of Pivot's existing resource center that provides the services and resources required under Education Code Section 51746, intervention support for all scholars, but also provides a location for federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA") and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

District Oversight

The District provides supervisory oversight for Pivot as required by Education Code Section 47604.32. The District affirms that at all times Pivot has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2012.

Please note, Pivot Charter School employees are not organized into bargaining units, but Mountain Empire Unified School District consulted with its employees' exclusive representatives prior to the submission of this waiver request, and they are not opposed to the waiver.

Student Population: 105

City Type: Suburban

Public Hearing Date: 12/6/2016
Public Hearing Advertised: The public hearing was posted online (the MEUSD website) and in a publicly accessible location 72 hours prior to the special Board meeting and Public hearing.

Local Board Approval Date: 12/6/2016

Community Council Reviewed By: Pivot Board of Directors
Community Council Reviewed Date: 11/12/2016
Community Council Objection: N
Community Council Objection Explanation:
Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Dr. Kathy Granger
Position: Superintendent
E-mail: kathy.granger@meusd.k12.ca.us
Telephone: 619-473-9022 x1129
Fax: 619-473-9728

Bargaining Unit Date: 12/5/2016
Name: Mountain Empire Teachers Association (META)
Representative: Christie Dougherty
Title: President
Position: Neutral
Comments:
<table>
<thead>
<tr>
<th>Address of Facility</th>
<th>District(s) in which located</th>
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</tr>
</thead>
</table>
| 1030 La Bonita Drive, Suite 100  
San Marcos, CA 92070 | San Marcos Unified School District | Operating since 2010 | 73 | Pivot Charter School San Diego has been operating since 2010. Because of its Independent Study/Montessori based program, Pivot Charter School San Diego is in preparation to petition the local school district (San Marcos Unified) for authorization. This process will take us into the 2017-18 school year. For this reason we request consideration for a waiver ending June 30, 2018 to give the charter school time to go through the petition process with the local school district, close the existing charter school, reopen as a newly authorized charter and bring their geographic location in compliance with current law. This process will allow for the continuity and transition of the instructional program for their current students without a major disruption to their education. |
California Department of Education  
WAIVER SUBMISSION - General  

CD Code: 3768213  
Waiver Number: 18-12-2016  
Active Year: 2016  

Date In: 12/13/2016 4:38:32 PM  

Local Education Agency: Mountain Empire Unified School District  
Address: 3305 Buckman Springs Rd. Pine Valley, CA 91962  

Start: 7/1/2016  
End: 7/1/2017  

Waiver Renewal: N  
Previous Waiver Number:  
Previous SBE Approval Date:  

Waiver Topic: Charter School Program  
Ed Code Title: Geographic Limitations- Non-classroom Based  
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1  
Ed Code Authority: 33050  

Ed Code or CCR to Waive: Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:  

Education Code 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.  

(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.] Education Code Section 47605.1:
(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:

Outcome Rationale: San Diego Neighborhood Homeschool ("SDNH") was first authorized by the Mountain Empire Unified School District ("District") on January 14, 2009. Since that time, SDNH has offered a unique non-classroom based/independent study charter school program for grades TK-12 through a personalized learning education program that is tailored to the specific needs of each of its students. This provides SDNH's students and their families, the option to navigate through the school's curriculum in a manner that is suitable for the needs of the student and that fits with their own schedule, personal style and beliefs. It also allows parents and guardians to directly supervise and participate in their child's learning.

While SDNH students primarily receive their education at home, the school has two (2) resource centers where students and parents receive one-on-one instruction and guidance from SDNH's credentialed teachers. SDNH also provides special education services and intervention support service under Education Code Section 51746 at the resource centers, as well as conducting the state mandated testing required of charter schools under Education Code Section 47605(c). In other words, the resource centers are a key component of the educational programs and services that SDNH offers to its students.

SDNH's current resource centers are located outside the District's boundaries, but within the same county. Approximately 78 students attend educational programs or receive support services at the SDNH's Oceanside Resource Center, located in northern San Diego County, and another 75 students at the Chula Vista Resource Center, in southern San Diego County.

Out-of-District Facility

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School ("Shasta Ruling") that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county, pursuant to Education Code Section 47605(a).

This ruling directly impacts SDNH, its educational programs, and its students and families because the school maintains two (2) resource centers located outside District boundaries, but within San Diego County. On behalf of SDNH, the District seeks a waiver from the State Board of Education ("SSE") pursuant to Education Code section 33050, which authorizes the SSE to waive "all or part of any section of [the Education Code]." The District requests that the SBE waive the sections of the Education Code cited above in light of the Shasta Ruling. This waiver is necessary for SDNH to continue providing its unique educational programs for the duration of the school year from the resource centers where its students are currently served. The waiver is also necessary to provide the charter school additional time to adjust its educational programs, its operations, and the locations of its resource centers, so that SDNH can continue serving its students beyond the current school year.

Students / Employees Affected
The Shasta Ruling has the potential to impact approximately 153 students enrolled in SDNH, including: 65% Socioeconomically Disadvantaged students, 19% English Learners, and 2% SPED population.

This ruling may also impact the 7 employees of SONH.

Financial Cost
As a non-classroom based charter school, SONH is not eligible for Proposition 39 funding. This means that SONH was required to lease space from private entities for its resource center facilities. The facilities are leased at market rates and directly funded by the school. If SONH were required to close its resource centers mid-school year to comply with the Shasta Ruling, the school would have to seek termination of its current leases (which may result in penalties or costs imposed by its landlords), and it would have to locate new facilities within the District's boundaries in order to continue operating for the duration of the school year. This would impact the school's entire student body and their families, and it would also impact all of SDNH's employees and vendors.

In the event that SDNH found new facilities within the District's boundaries, there is uncertainty whether its current students would continue to attend the school at its new location(s). The school's current resource centers are located in the northern and southern areas of San Diego County, and the District's boundaries are within eastern San Diego County. SDNH's students may therefore transfer to schools that are closer to home, with the potential loss of roughly 153 students. A decrease in enrollment may create hardship for SDNH to meet its financial obligations, including its facilities costs, educational program expenses, and employee salaries for approximately 7 school employees.

Alternatively, if SDNH were unable to find adequate facilities for its school within the District's boundaries, the school may be forced to close mid-school year in light of the Shasta Ruling. This would immediately impact the entire student body and their families, and it would also impact all of SDNH's employees and vendors. The waiver requested by the District is therefore necessary to protect the continued operation of SDNH for the duration of this school year, and beyond. Even though SDNH is a non-classroom based/independent study charter school, the resource centers are a key component of the educational programs and services that SDNH offers to its students, including the services and resources required under Education Code Section 51746, federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA"), and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c). The location of the existing resource centers is essential for SDNH to continue to provide its educational programs and services to its students, and ultimately to running its school. The waiver would not only protect SDNH from having to close its current resource centers mid-school year, but it would also provide the charter school additional time to adjust its educational programs, its operations, and the locations of its resource centers, so that SDNH can continue serving its students during future school years. The waiver would further provide SDNH students and families time to plan for transportation to the new resource centers.

District Oversight

The District provides supervisory oversight for San Diego Neighborhood Homeschool as required by Education Code Section 47604.32. The District affirms that at all times San Diego Neighborhood Homeschool has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2012.
Please note, San Diego Neighborhood Homeschool employees are not organized into bargaining units, but Mountain Empire Unified School District consulted with its employees' exclusive representation prior to the submission of this waiver request and they are not opposed to the waiver.

Student Population: 153

City Type: Urban

Public Hearing Date: 12/6/2016
Public Hearing Advertised: The public hearing was agendized and published as a special Board meeting. The agenda was available online and was posted in a publically accessible place 72 hours prior to the meeting.

Local Board Approval Date: 12/6/2016

Community Council Reviewed By: San Diego Neighborhood Homeschool Board of Directors
Community Council Reviewed Date: 12/1/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Kathy Granger
Position: Superintendent
E-mail: kathy.granger@meusd.k12.ca.us
Telephone: 619-473-9022 x1129
Fax:

Bargaining Unit Date: 12/5/2016
Name: Mountain Empire Teachers Association (META)
Representative: Christie Dougherty
Title: President
Position: Neutral
Comments:
<table>
<thead>
<tr>
<th>Address of Facility</th>
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<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Oceanside Site</strong></td>
<td>Oceanside Unified School District</td>
<td>Opened 01/2009</td>
<td>XX students</td>
<td>San Diego Neighborhood Homeschool is in the process of becoming a totally virtual school with an administrative office located in Mountain Empire USD and no other resource centers located in the county of San Diego. This process will take us into the 2017-18 school year. For this reason we request consideration for a waiver ending June 30, 2018 to give the charter school time to go through the reorganization process, close the existing resource centers, and transition to a totally virtual environment to be in compliance with current law. This process will allow for the continuity and transition of the instructional program for their current students without a major disruption to their education.</td>
</tr>
<tr>
<td><strong>Chula Vista Site</strong></td>
<td>Chula Vista Elementary School District</td>
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</tbody>
</table>

This document was provided to the California Department of Education (CDE) from Mountain Empire Unified School District, San Diego County. This document is posted to the CDE Web site to meet the legal requirement of California Education Code Section 33009.5. For more information or questions about the content of this material or to obtain alternative versions, you may contact the Charter Schools Division by e-mail at charters@cde.ca.gov or by phone at 916-322-6029.
California Department of Education
WAIVER SUBMISSION - General

CD Code: 3768213  Waiver Number: 21-12-2016  Active Year: 2016

Date In: 12/14/2016 11:57:34 AM

Local Education Agency: Mountain Empire Unified School District
Address: 3305 Buckman Springs Rd.
Pine Valley, CA 91962

Start: 7/1/2016  End: 7/1/2017

Waiver Renewal: N  Previous Waiver Number:  
Previous SBE Approval Date: 

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:

Education Code 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.

(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:]

Education Code Section 47605.1:

(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:]
Outcome Rationale: San Diego Virtual Charter School has been authorized by the Mountain Empire Unified School District ("District") since 2010. San Diego Virtual Charter School is a non-classroom based/independent study charter school program offering personalized learning education programs for grades TK-12.

San Diego Virtual Charter School Program Generally

San Diego Virtual is a growing and innovative independent study public charter school, open to students residing in San Diego and neighboring counties. San Diego Virtual attracts students seeking an alternative educational program for a variety of personal and educational reasons.

San Diego Virtual recognizes that in education, one size does not fit all. San Diego Virtual is designed and organized to serve students and families who have chosen an independent study program that can meet an individual scholar's unique needs. San Diego Virtual educates students who have a wide range of learning styles and allows for flexibility in pacing and curriculum options aligned with Common Core standards.

Out-of-District Facility

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School ("Shasta Ruling") that pursuant to Education Code Section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, San Diego Virtual Charter School has one (1) facility within the District's boundaries and three (3) resource centers outside District boundaries but within San Diego County. This waiver is necessary to allow the continued operation of San Diego Virtual's existing resource centers where students are served.

Students / Employees Affected

The Shasta Ruling has the potential to impact approximately 433 students: 61% Socioeconomically Disadvantaged, 25% English Learners, and 12% SPED population.

This ruling will also have an impact on the 32 San Diego Virtual School employees. Financial Cost

As a non-classroom based charter school, San Diego Virtual is not eligible for Proposition 39 funding so all leased facilities are directly funded by San Diego Virtual.

The impact of the Shasta court's ruling could result in the closing of its facility, and the loss of roughly 100 students, employment of approximately 5 school employees, and possibly the inability of San Diego Virtual to meet the financial obligations related to the facility. The result has the potential to cause San Diego Virtual to become insolvent and force it to file for bankruptcy.

This waiver is necessary to protect the continued operation of San Diego Virtual's existing resource centers that provides the services and resources required under Education Code Section 51746, intervention support for all scholars, but also provides a location for federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA") and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

District Oversight
The District provides supervisorial oversight for San Diego Virtual as required by Education Code Section 47604.32. The District affirms that at all times San Diego Virtual has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2012.

Please note, San Diego Virtual employees are not organized into bargaining units, but Mountain Empire Unified School District consulted with its employees’ exclusive representatives prior to the submission of this waiver request, and they are not opposed to the waiver.

Student population: 433

City type: Urban
Public Hearing Date: 12/6/2016
Public Hearing Advertised: The public hearing was posted online (the MEUSD website), the Charter School offices, and in a publically accessible location 72 hours prior to the special Board meeting and Public hearing.

Local Board Approval Date: 12/6/2016

Community Council Reviewed By: San Diego Virtual Board of Directors
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: Dr. Kathy Granger
Position: Superintendent
E-mail: kathy.granger@meusd.k12.ca.us
Telephone: 619-473-9728 x1129
Fax: 619-473-9728

Bargaining Unit Date: 12/5/2016
Name: Mountain Empire Teachers Association (META)
Representative: Christie Dougherty
Title: President
Position: Neutral
Comments:
<table>
<thead>
<tr>
<th>Address of Facility</th>
<th>District(s) in which located</th>
<th>Date of Establishment</th>
<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vista Site</strong></td>
<td>Vista Unified School District</td>
<td>Opened 10/2014</td>
<td>45 students</td>
<td>San Diego Virtual School is in the process of becoming a totally virtual school with an administrative office located in Mountain Empire USD and no other resource centers located in the county of San Diego. This process will take us into the 2017-18 school year. For this reason we request consideration for a waiver ending June 30, 2018 to give the charter school time to go through the reorganization process, close the existing resource centers, and transition to a totally virtual environment to be in compliance with current law. This process will allow for the continuity and transition of the instructional program for their current students without a major disruption to their education.</td>
</tr>
<tr>
<td>1930 Watson Way, Suite S Vista, CA. 92081</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Chula Vista Site</strong></td>
<td>Sweetwater Union High School District</td>
<td>Opened 8/2013</td>
<td>190 students</td>
<td></td>
</tr>
<tr>
<td>296 H St. suite 200 Chula Vista, CA. 91910</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>La Mesa Site</strong></td>
<td>Grossmont Union High School District &amp; La Mesa Spring Valley Union School District</td>
<td>Opened 8/2013</td>
<td>150 students</td>
<td></td>
</tr>
<tr>
<td>7950 University Ave, Suite 410 La Mesa, CA. 91942</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
California Department of Education
WAIVER SUBMISSION- General

CD Code: 3667827 Waiver Number: 17-12-2016 Active Year: 2016

Date In: 12/13/2016 11:03:30 AM

Local Education Agency: Oro Grande Elementary School District
Address: 19175 Third St.
Oro Grande, CA 92368

Start: 7/1/2016 End: 7/1/2018

Waiver Renewal: N
Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section Portions of EC Sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code 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.

(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:]

Education Code Section 47605.1:

(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:]


Outcome Rationale: The Mojave River Program

Mojave River operates an academically rich, individualized, educational program for students in grades K-12 who are seeking an alternative academic program. Mojave River is a school of choice where parents, students, teachers, and the community work together to educate one student at a time. Mojave River accomplishes its mission by providing a rigorous, independent study based, individualized program of academic study based on the adopted California State Frameworks, and aligned with the California Content Standards. Mojave River provides students with opportunities to apply their learning in meaningful ways through projects and demonstrations. The goal of Mojave River is to produce students who are self-motivated competent, life-long learners and contributors to society.

Out-of-District Facilities

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School ("Shasta Ruling") that pursuant to Education Code Section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Mojave River has one (1) facility within the District’s boundaries and eight (8) resource centers outside District boundaries but within San Bernardino County. This waiver is necessary to allow the continued operation of Mojave River's existing resource centers where a large number of students served are significantly at risk or have special needs, such as special education services, English Language Development, credit recovery, counseling, and intervention services.

Students/ Employees Affected

The Shasta Ruling has the potential to impact approximately 863 students: 71% socioeconomically Disadvantaged, 21% English Learners, and 4.5% SPED population.

This ruling will also have an impact on the 57 Mojave River employees at those sites.

Financial Cost

As a non-classroom based charter school, Mojave River is not eligible for Proposition 39 funding so all leased facilities are directly funded by Mojave River. The impact of the Shasta court's ruling could result in the closing of its facilities, and the loss of 863 students, employment of approximately 57 school employees, and the inability of Mojave River to meet the financial obligations related to each facility. The result has the potential to cause Mojave River to become insolvent and force it to file for bankruptcy.

This waiver is necessary to protect the continued operation of Mojave River’s existing resource centers that provide the services and resources required under Education Code Section 51746, intervention support for all students, but also provides a location for federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA") and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).
District Oversight

The Oro Grande School District provides supervisory oversight for Mojave River as required by Education Code Section 47604.32. The District affirms that at all times Mojave River has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002.

Student population: 1588
City type: rural

Public hearing date: 12/7/2016
Public hearing advertised: notice posted at the District main office and Charter School main office and online.

Local Board Approval Date: 12/7/2016

Community Council Reviewed By: Mojave River Academy Inc., Board of Directors
Community Council Reviewed Date: 12/7/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N

Submitted by: Mr. William Flynn
Position: Assistant Superintendent Charter Services
Email: bill.flynn@orogrande.org
Telephone: 760-243-5884 x189
Fax: 760-843-3766

Name of Bargaining Unit: Oro Grande Elementary School Teachers Association
Representative Name and Title: Suzy Watts, President
Date the bargaining unit was consulted: January 27, 2017
Position of the bargaining unit: Support
Oro Grande School District  
Nonclassroom-Based Charter School Resource Center Location Waiver Request  
On Behalf of  
Mojave River Academy  
Additional Information

Bargaining Unit – Mojave River Academy does not have a collective bargaining unit. The Oro Grande School District bargaining unit was consulted regarding the waiver request.

- Name of Bargaining Unit: **Oro Grande Elementary School Teachers Association**
- Representative Name and Title: **Suzy Watts, President**
- Date the bargaining unit was consulted: **January 27, 2017**
- Position of the bargaining unit: **Support**

Mojave River Academy in-county-out-of-district Resource Centers

<table>
<thead>
<tr>
<th>Address</th>
<th>District(s)</th>
<th>Established</th>
<th># of Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>11497 Bartlett Avenue, Adelanto, CA 92301</td>
<td>Adelanto Elementary</td>
<td>December 2006</td>
<td>64</td>
</tr>
<tr>
<td>2151 W Main Street, Barstow, CA 92311</td>
<td>Barstow Unified</td>
<td>August 2006</td>
<td>132</td>
</tr>
<tr>
<td>851 South Mt. Vernon, Colton, CA 92324</td>
<td>Colton Joint Unified</td>
<td>August 2006</td>
<td>185</td>
</tr>
<tr>
<td>8922 Beech Avenue, Fontana CA 92335</td>
<td>Fontana Unified</td>
<td>August 2015</td>
<td>34</td>
</tr>
<tr>
<td>14466 Main St, Hesperia CA 92345</td>
<td>Hesperia Unified</td>
<td>January 2016</td>
<td>34</td>
</tr>
<tr>
<td>9723 Sierra Vista Rd, Phelan CA 92371</td>
<td>Snowline Joint Unified</td>
<td>March 2016</td>
<td>21</td>
</tr>
<tr>
<td>16519 Victor Street, Victorville CA 92395</td>
<td>Victor Valley Union High,</td>
<td>August 2006</td>
<td>193</td>
</tr>
<tr>
<td></td>
<td>Victor Elementary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12384 Palmdale Rd, Victorville CA 92392</td>
<td>Victor Valley Union High,</td>
<td>August 2014</td>
<td>263</td>
</tr>
<tr>
<td></td>
<td>Adelanto Elementary</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Need for Waiver:**
When the Mojave River Academy ("MRA") charter started in the small rural community of Oro Grande it quickly became clear that many students beyond the district boundaries were attending and benefiting from the program. Because the program focuses on credit recovery and generally students that have struggled in traditional school, we serve a high percentage of socioeconomically disadvantaged students. Our students often struggle with transportation costs. Combined with the geographically large and spread out nature of the High Desert and San Bernardino County at large, it became clear MRA needed to establish Resource Centers in the communities where our students lived. Each of the MRA Resource Centers serves a small, but diverse population of students. Nearly all are socioeconomically disadvantaged students.
disadvantaged minority students. They receive tutoring, conduct science labs, access and check out technology, take local and state assessments, meet with Teachers, conduct IEP meetings and receive appropriate special education services at each center. As everyone would agree, each of our in-county-out-of-district Resource Centers was established at a time when the accepted interpretation of the education code allowed for such centers. Clearly the Anderson court decision has changed that interpretation. MRA and the Oro Grande School District are committed to coming into compliance with the new interpretation. MRA and OGSD already have a transition plan in process, which will bring each center into compliance. However, putting together and fully implementing new charters and other such changes is a time consuming process. We anticipate full implementation of the plan will fall into the 2017/2018 school-year. During this transition period MRA does not wish to negatively impact the students and families who are receiving such tremendous benefit from the program, by having to close sites prior to the completion of the plan. Additionally, near term closure of any site would not end MRA’s financial obligations regarding each facility, nor the staff who work at each center.
California Department of Education
Waiver Submission – General

CD Code 1062380 Waiver Number 13-1-2017 Active Year: 2017

Date In: 1/13/2017 12:05.29 PM

Local Education Agency: Raisin City Elementary
Address: 6425 West Bowles Ave.
Raisin City, CA 93652

Start: 7/1/2016 End: 7/1/2018

Waiver Renewal: N Previous Waiver Number. Previous SBE Approval Date.

Waiver Topic: Charter School Program
Ed Code Title- Geographic Limitations - Non-classroom Based
Ed Code Section Portions of EC 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive:
Education Code 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]

(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]:

Education Code Section 47605.1:

(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).
Outcome Rationale: Ambassador Phillip V. Sanchez Public Charter (AlVIS Sanchez) has been authorized by Raisin City Elementary School District since 2011 and received a five-year renewal term from July 1, 2016 to June 30, 2021AlVIS. Sanchez is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12

AMB. Sanchez is specifically designated as an Alternative School Accountability Model (ASAM) Serving high-risk pupils and dropouts. The State recognizes that our schools population has an extremely high turnover rate and can serve an entirely new group of students every 12 months.

AMB. Sanchez primarily serves 9th-12th grade students who are considered "highly at-risk". The term highly at-risk encompasses students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program, and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement, AMB. Sanchez continues to help these students succeed and graduate from high school.

AMB. Sanchez serves approximately 900 students annually with 83% of the population eligible for free and reduced-price meals (Socioeconomically Disadvantaged). The population includes 31% English Learner population and 6% SPED students. Many of AMB. Sanchez’s students have previously dropped out of high school and enroll at AMB. Sanchez with an average of 50 credits deficient.

AMB. Sanchez has an English Learner Advisory Committee (ELAC) composed of parents, students and teachers formed to address the needs of EL students. The ELAC committee has provided professional development on teaching EL students in an independent study setting, created an EL study hall, implemented EL instructional rubrics, and helped guide the allocation of educational resources towards English Learners.

AMB. Sanchez students with special needs are served in accordance with their Individualized Education Programs ("IEPs,”) including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one instruction, along with accommodations and modifications. AMB. Sanchez is part of the El Dorado County Charter SELPA.

AMB. Sanchez s students receive academic instruction from highly qualified (HQ) teachers in the core content areas of ELA, science, math and social studies. HQ teachers will also be provided to students in the areas of foreign language, art, and in Career Tech Education (CTE) courses.

At AMB. Sanchez each course is designed for the students and reviewed with the student by a supervising teacher in both the one-on-one and small group settings. AMB. Sanchez’s approach to Personalized Learning includes ample student support through individual tutorials, small group pull-out sessions, small group tutorials, career technical education pathways and courses, labs, online classes and technology based learning opportunities and tutorials.
AMB. Sanchez also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(g). AMB. Sanchez’s year-round program emphasizes attainment of basic skill competencies enhancing opportunities for academic and occupational training, and providing exposure to the job market and employment. Activities may include instruction leading to completion of secondary school, tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth.

The Raisin City Elementary School District has provided supervisory oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Raisin City Elementary School District affirms that at all times AMB. Sanchez has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, AMB. Sanchez has two (2) resource centers located within Fresno County that may be affected by the ruling. This waiver is necessary to protect the continued operation of AMB. Sanchez’s existing resource centers where special education services, English Language Development, and intervention services are provided.

The ruling impacts approximately 900 students annually with 83% of the population Socioeconomically Disadvantaged, 31% English Learners and 6% SPED students. Also impacted are the 43 AMB. Sanchez employees

AMB. Sanchez provides support including, but not limited to, Certificated Teachers, Special Education Teachers, Counselors, School Psychologist, Tutors, Student Relation Technicians, Student Relations Managers, Registrars, Student Retention Support Specialist, Principal, Assistant Principal, Community Liaison, Instructional Specialist for Professional Development and Teacher Training, Program Specialist, Instructional Specialist Career Technical Education and an Instructional Specialist Online

Since 2011, AMB. Sanchez has opened and operates three resource centers (one inside the boundaries of Raisin City Elementary School District and two outside the boundaries of the District, but within the County). As a non-classroom based charter school, AMB. Sanchez is not eligible for Proposition 39 funding so each initial build out and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination “out clause” allowing the schools to release them of their long term financial liability. Furthermore, despite AMB. Sanchez’s high free and reduced-price lunch ratio, it is not eligible for rental reimbursement under SB 740 as a non-classroom based charter school

AMB. Sanchez created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janel Sterling, Director, School Fiscal Services Division updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).
The impact of the court's ruling in Shasta may result in the closing of these resource centers impacting 900 highly at-risk students who are now engaged in school and on a path towards graduation, employment of 43 school employees and the inability to meet the millions of dollars in long-term leases and other financial obligations. The result may cause AMB Sanchez to become insolvent and force it to file for bankruptcy. In addition to the impact on students being displaced, staff's loss of employment and school closure costs, local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through AMB. Sanchez's educational program On average each high school dropout costs the state of California £209,200.1 The dropout recovery of AMB Sanchez's educational program has a potential savings of $188,280,000 for the state California. For many of these students AMB. Sanchez's program is their last hope of obtaining a high school diploma.

This waiver is necessary to protect the continued operation of AMB. Sanchez's existing resource centers that provides the services and resources required under Education Code Section 51746, intention support for all students, direct instruction opportunities for all students, and also provides a location for Federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA"). UCOP approved A-G coursework including hands-on science labs with equipment and manipulatives and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c

Student Population: 900

Cty Type: Rural

Public Hearing Date: 1/9/2017
Public Hearing Advertised: Notice was posted at the Raisin City Elementary School District Office and Ambassador Phillip V. Sanchez Public Charter School Main Office, resource centers and website

Local Board Approval Date: 1/9/2017

Community Council Reviewed By: Ambassador Phillip V. Sanchez Charter School Board of Directors
Community Council Reviewed Date: 11128/2016
Community Council Objection: N Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Juan Sandoval
Position. Superintendent
E-mail: jsandoval@raisincity.k12.ca.us
Telephone: 559-233-0128 x040
Fax: 559-486-0891

Name of Bargaining Unit: Raisin City Teachers Association Representative
Name and Title: is Kim Cooper, President
Date the bargaining unit was consulted: April 3, 2017
Position of the bargaining unit: Support
Authorizer: Raisin City Elementary School District
Charter School: Ambassador Phillip V. Sanchez Public Charter School (a designated ASAM school)

Total Resources Centers Impacted: Two

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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>Address</th>
<th>School District(s) of location</th>
<th>Established date</th>
<th>Total staff impacted</th>
<th>Total annual students served impacted (est.)</th>
<th>Average student age</th>
<th>Average credit deficient (at time of enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>830 Fresno Street, Fresno, CA 93701</td>
<td>Fresno Unified School District</td>
<td>August 2013</td>
<td>16</td>
<td>315</td>
<td>17.1 years old</td>
<td>74 credits (Over one full school year behind)</td>
</tr>
</tbody>
</table>

Student demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically</td>
<td>96%</td>
<td>86%</td>
</tr>
<tr>
<td>Disadvantaged</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>42%</td>
<td>38%</td>
</tr>
<tr>
<td>SPED</td>
<td>7%</td>
<td>10%</td>
</tr>
</tbody>
</table>

The resource center is an ASAM program primarily serves 9-12 grade students who are high-risk and dropouts. The resource center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population with to the local school district. The centers typical student is an average age of 17.1 years old and is approximately 74 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students
drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutors
  - Learning Center Coordinator
  - Student Retention Support Specialist
  - Student Relation Technician
  - Career Technical Education Teacher
  - Special Education Paraprofessional
  - Registrar
  - Counselor
- Part-Time Staff Dedicated to Resource Center
  - School Psychologist
  - Principal
  - Assistant Principal
  - Community Liaison

**Resource Center Specific Programs**

- WIOA Partnership with ResCare (career services, professional skills classes)
- WIOA Partnership Fresno Economic Opportunities Commission
- Career Technical Education
- CenCal Mentoring
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
- Special ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and language services
- Nutrition program
- Free counseling
- Art programs
- Daily snacks/food
- Computer and internet access
- Job placement assistance
- Free tutoring
- Music programs
- Reading program
- Professional skills
- Sports – Soccer, cross country and basketball
- Assistance with college sports recruiters
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
- Edmentum Plato courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $1 million annual loss of income affecting the local community. The resource center also has long term financial obligations which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1.3 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

**Resource center**

<table>
<thead>
<tr>
<th>Address</th>
<th>5659 E. Kings Canyon Road, #101, Fresno, CA 93727</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) of location</td>
<td>Clovis Unified School District</td>
</tr>
<tr>
<td>Establishment date</td>
<td>July 2011</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>27</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>450</td>
</tr>
<tr>
<td>Average student age</td>
<td>17.1 years old</td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>69 credits (One full school year behind)</td>
</tr>
</tbody>
</table>

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>87%</td>
<td>44%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>34%</td>
<td>12%</td>
</tr>
<tr>
<td>SPED</td>
<td>6%</td>
<td>8%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The resource center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population with to the local school district. The average student age is 17.1 years old and is approximately 69 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding...
areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Learning Center Coordinator
  - Tutors
  - Student Retention Support Specialist
  - Student Relation Technician
  - Career Technical Education Teacher
  - Special Education Paraprofessional
  - Registrar
  - Counselor
- Part-Time Staff Dedicated to Resource Center
  - School Psychologist
  - Principal
  - Assistant Principal
  - Community Liaison
  - Instructional Specialist for Professional Development and Teacher Training

**Resource Center Specific Programs**

- WIOA Partnership with ResCare (career services, professional skills classes)
- WIOA Partnership Fresno Economic Opportunities Commission
- CenCal Mentoring
- Career Technical Education
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and language services
- Free counseling
- Nutrition program
- Art programs
- Daily snacks/food
- Computer and internet access
- Job placement assistance
- Free tutoring
- Music programs
- Reading program
- Professional skills
- Sports program – soccer, cross country and basketball
• Assistance with college sports recruiters
• Academic Exploration and NWEA MAP assessments
• Edge Program to help students improve English skills
• ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
• Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in an $1.9 million annual loss of income affecting the local community. The resource center also has long term financial obligations which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $2.04 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
California Department of Education
Waiver Submission: General

CD Code: 1864162  Waiver Number: 23-12-2016  Active Year: 2016

Date In: 12/15/2016 10:26:08 AM

Local Education Agency: Ravendale-Termo Elementary School District
Address: 709-855 Termo-Grasshopper Rd.
Termo, CA 96132

Start: 7/1/2016  End: 7/1/2018

Waiver Renewal: N  Previous Waiver Number:
Previous SSE Approval Date:

Waiver Topic. Charter School Program
Ed Code Title: Geographic Limitations- Non-classroom Based
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1(d) Ed Code Authority: 33050

Ed Code or CCR to Waive. Education Code 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.
(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:]

Outcome Rationale: Long Valley Charter School has been in existence since 2001 operating under three different authorizers over that that it has been authorized by Ravendale-Termo Elementary School District since 7/1/2013. The school provides classroom-based instruction to students in an
underserved area of Lassen County after closure of the Doyle School by the Fort Sage School District. Because of parent demand for an alternative model, a resource center was established in Susanville in 2006.

The Ravendale Termo Elementary School District has provided supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Ravendale-Termo Elementary School District affirms that at all times the Charter School has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has one resource center located within Lassen County that is affected by the ruling. This waiver is necessary to allow the continued operation of Long Valley Charter School's existing resource center. This location serves approximately 125 K-12 students and 9 employees. Further, the resource center is leased to 6/30/2017. Long Valley Charter School has engaged in a purchase agreement for a building one block from the current leased location.

Long Valley Charter School's current charter expires 6/30/18 at which time it intends to bring all locations into compliance with the ruling.

Student Population: 350

City Type: Rural

Public Hearing Date: 11/16/2016

Local Board Approval Date: 11/8/2016

Community Council Reviewed By: Long Valley Charter School Board of Directors
Community Council Reviewed Date: 11/8/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N
Submitted by: Ms. Sherri Morgan
Position: Executive Director, Long Valley Charter School
E-mail: smorgan@longvalleycs.org
Telephone: 530-827-2395
Fax

Bargaining Unit Date: Ravendale-Termo Elementary doesn't have a Collective Bargaining Agreement with 1 teacher
Name: N/A
Representative: N/A
Title: N/A
Position: N/A
Comments: The school district is really small and only employs one teacher and two classified staff members. The district doesn't actually employ an administrator. The district has contracted with Susanville School District for administrative services and financial oversight.
<table>
<thead>
<tr>
<th>Address of Facility</th>
<th>District(s) in which located</th>
<th>Date of Establishment</th>
<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>629 E. Main Street</td>
<td>Susanville Elementary School District &amp; Lassen Union High School District</td>
<td>Established in 2006</td>
<td>Currently serves 121 TK-12</td>
<td>A disruption in the operation of this resource center, especially this late in the school year would cause distress to students and their families, negatively affecting mandated services and potentially, student performance in testing. A waiver would support a smooth transition for students and their families while Long Valley Charter School enacts a legally-compliant solution with its governing board and authorizer. Currently, the Ravendale-Termo Elementary School District shares a superintendent with Susanville Elementary School District. As such, supervisorial oversight of the charter is accomplished without difficulty.</td>
</tr>
</tbody>
</table>
CD Code: 3467421  Waiver Number: 4-2-2017  Active Year: 2017

Date In: 2/7/2017 10:13:35 AM

Local Education Agency: Robla Elementary
Address: 5248 Rose St.
Sacramento, CA 95838

Start: 7/1/2016  End: 7/1/2018

Waiver Renewal: N  Previous Waiver Number:  Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: Portions of EC 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:

Education Code 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.

(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]:

Education Code Section 47605.1:

(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]:
Outcome Rationale: Paseo Grande Charter School (Paseo Grande) has been authorized by Robla Elementary School District since 2014 receiving a three-year term from July 1, 2015 to June 30, 2018. Paseo Grande is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12.

Paseo Grande is specifically designated as an Alternative School Accountability Model (ASAM) serving high-risk pupils and drop-outs. The State recognizes that our school’s population has an extremely high turnover rate and can serve an entirely new group of students every 12 months.

Paseo Grande primarily serves 9th-12th grade students who are considered “highly at-risk”. The term highly at-risk encompasses students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program, and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement, Paseo Grande continues to help these students succeed and graduate from high school.

Paseo Grande serves approximately 200 students annually with 79% of the population eligible for free and reduced-price meals (Socioeconomically Disadvantaged). The population includes 25% English Learner population and 10% SPED students. Many of Paseo Grande’s students have previously dropped out of high school and enroll at Paseo Grande with an average of 50 credits deficient.

Paseo Grande has an English Learner Advisory Committee (ELAC) composed of parents, students and teachers formed to address the needs of EL students. The ELAC committee has provided professional development on teaching EL students in an independent study setting, created an EL study hall, implemented EL instructional rubrics, and helped guide the allocation of educational resources towards English Learners.

Paseo Grande students with special needs are served in accordance with their Individualized Education Programs (“IEPs,”) including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one instruction, along with accommodations and modifications. Paseo Grande is part of the El Dorado County Charter SELPA.

Paseo Grande’s students receive academic instruction from highly qualified (HQ) teachers in the core content areas of ELA, science, math and social studies. HQ teachers will also be provided to students in the areas of foreign language, art, and in Career Tech Education (CTE) courses.

At Paseo Grande each course is designed for the students and reviewed with the student by a Supervising teacher in both the one-on-one and small group settings. Paseo Grande’s approach to Personalized Learning includes ample student support through individual tutorials, small group pull-out sessions, small group tutorials, career technical education pathways and courses, labs, online classes and technology-based learning opportunities and tutorials.

Paseo Grande also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(g). Paseo Grande’s year-round program emphasizes attainment of basic skill competencies, enhancing opportunities for
academic and occupational training, and providing exposure to the job market and employment. Activities may include instruction leading to completion of secondary school, tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth. The Robla Elementary School District has provided supervisory oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Robla Elementary School District affirms that at all times Paseo Grande has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Paseo Grande has one (1) resource center located within Sacramento County that are affected by the ruling. This waiver is necessary to protect the continued operation of Paseo Grande’s existing resource centers where special education services, English Language Development, and intervention services are provided. Paseo Grande operates a total of two resources centers, one within Robla Elementary School District boundaries, and one outside the District boundaries, but within Sacramento County.

The ruling impacts approximately 200 students annually with 79% of the population Socioeconomically Disadvantaged, 25% English Learners and 10% SPED students. Also impacted are the 7 Paseo Grande employees.

Paseo Grande provides support including, but not limited to, Certificated Teachers, Special Education Teacher, Counselor, Student Relation Technician/Registrar, Principal, and Program Specialist.

As a non-classroom based charter school, Paseo Grande is not eligible for Proposition 39 funding so each initial build out and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination “out clause” allowing the schools to release them of their long term financial liability. Furthermore, despite Paseo Grande’s high free and reduced-price lunch ratio, it is not eligible for rental reimbursement under SB 740 as a nonclassroom based charter school.

Paseo Grande created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).

The impact of the court’s ruling in Shasta may result in the closing of these resource centers impacting 200 highly at-risk students who are now engaged in school and on a path towards graduation, employment of 7 school employees and the inability to meet the millions of dollars in long-term leases and other financial obligations. The result may cause Paseo Grande to become insolvent and force it to file for bankruptcy. In addition to the impact on students being
displaced, staff’s loss of employment and school closure costs, local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through Paseo Grande’s educational program. On average each high school dropout costs the state of California $209,200. 1 The dropout recovery of Paseo Grande’s educational program has a potential savings of $41,840,000 for the state California. For many of these students Paseo Grande’s program is their last hope of obtaining a high school diploma. 1Source: Levin, et al.

This waiver is necessary to protect the continued operation of Paseo Grande’s existing resource centers that provides the services and resources required under Education Code Section 51746, intervention support for all students, direct instruction opportunities for all students, and also provides a location for Federally mandated special education services to allow the provision of a free appropriate public education (“FAPE”) to students who qualify under the Individuals with Disabilities in Education Act (“IDEA”), UCOP approved A-G coursework including hands on science labs with equipment and manipulatives and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

Student Population: 200

City Type: Rural

Public Hearing Date: 1/12/2017
Public Hearing Advertised: Notice posted at Robla Elementary District Main Office and Schools and Paseo Grande Public Charter School Main Office, Resource Centers and Website

Local Board Approval Date: 1/12/2017

Community Council Reviewed By: Paseo Grande Public Charter Board of Directors
Community Council Reviewed Date: 12/1/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Shari Malespin
Position: Executive Assistant to the Superintendent
E-mail: smalespin@robla.k12.ca.us
Telephone: 916-649-5248 x508
Fax: 916-992-0308

Bargaining unit consulted on date: 1/10/2017
Name of bargaining unit: Classified School Employees Association
Representative First Name: Lydia
Representative Last Name: Petitjean
Representative Title: President
Position of the bargaining unit: Support

Bargaining unit consulted on date: 1/12/2017
Name of bargaining unit: Robla Teachers Association
Representative First Name: Christie
Representative Last Name: Erhart
Representative Title: President
Position of the bargaining unit: Support
Nonclassroom-Based Charter School Resource Center Location
Attachment 45
Page 1 of 3

Authorizer: Robla Elementary School District
Charter School: Paseo Grande Public Charter School (a designated ASAM school)

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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>Address</th>
<th>School District(s) of location</th>
<th>Established date</th>
<th>Total staff impacted</th>
<th>Total annual students served impacted (est.)</th>
<th>Average student age</th>
<th>Average credit deficient (at time of enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2444 Marconi Avenue, Sacramento, CA 95821</td>
<td>San Juan Unified School District</td>
<td>July 2015</td>
<td>8</td>
<td>200</td>
<td>16.8 years old</td>
<td>79 credits (Over one full school year behind)</td>
</tr>
</tbody>
</table>

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction.
in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutor
  - Learning Center Coordinator
- Part-Time Staff Dedicated to Resource Center
  - Student Retention Support Specialist
  - Student Relation Technician
  - Registrar
  - Counselor
  - Principal

**Resource Center Specific Programs**

- WIOA Partnership with Mutual Assistance Network of Del Paso Heights
- WIOA Partnership with Sacramento Chinese Community Service Center
- Partnership with Center for Employment Training
- Partnership with Greater Sacramento Urban League
- Career Technical Education
- Get Lit – Words Ignite
- Special Education services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and language services
- Nutrition program
- Free counseling
- Art programs
- Daily snacks/food
- Computer and internet access
- Job placement assistance
- Free tutoring
- Music programs
- Reading program
- Professional skills
- Sports – Soccer, cross country and basketball
- Assistance with college sports recruiters
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
• Edmentum Plato courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $575,000 annual loss of income affecting the local community. The resource center also has long term financial obligations of $1.69 million which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $2.26 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
California Department of Education
WAIVER SUBMISSION - General

CD Code: 5472140  Waiver Number: 33-1-2017  Active Year: 2017

Date In: 1/31/2017 4:23:38 PM

Local Education Agency: Stone Corral Elementary
Address: 15590 Avenue 383
Visalia, CA 93292

Start: 7/1/2016  End: 7/1/2018

Waiver Renewal: N  Previous Waiver Number:  
Previous SBE Approval Date: 

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: Portions of EC 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:

Education Code 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.

(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]:

Education Code Section 47605.1:

(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]
Outcome Rationale: Crescent Valley Public Charter (Crescent Valley) has been authorized by Stone Corral Elementary School District since 2010 and recently received a five-year renewal term from July 1, 2017 to June 30, 2022. Crescent Valley is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12.

Crescent Valley is specifically designated as an Alternative School Accountability Model (ASAM) serving high-risk pupils and drop-outs. The State recognizes that our school's population has an extremely high turnover rate and can serve an entirely new group of students every 12 months.

Crescent Valley primarily serves 9th-12th grade students who are considered “highly at-risk”. The term highly at-risk encompasses students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program, and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement, Crescent Valley continues to help these students succeed and graduate from high school.

Crescent Valley serves approximately 1,300 students annually with 80% of the population eligible for free and reduced-price meals (Socioeconomically Disadvantaged). The population includes 33% English Learner population and 7% SPED students. Many of Crescent Valley's students have previously dropped out of high school and enroll at Crescent Valley with an average of 50 credits deficient.

Crescent Valley has an English Learner Advisory Committee (ELAC) composed of parents, students and teachers formed to address the needs of EL students. The ELAC committee has provided professional development on teaching EL students in an independent study setting, created an EL study hall, implemented EL instructional rubrics, and helped guide the allocation of educational resources towards English Learners.

Crescent Valley students with special needs are served in accordance with their Individualized Education Programs ("IEPs," including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one instruction, along with accommodations and modifications. Crescent Valley is part of the El Dorado County Charter SELPA.

Crescent Valley's students receive academic instruction from highly qualified (HQ) teachers in the core content areas of ELA, science, math and social studies. HQ teachers will also be provided to students in the areas of foreign language, art, and in Career Tech Education (CTE) courses.

At Crescent Valley each course is designed for the students and reviewed with the student by a supervising teacher in both the one-on-one and small group settings. Crescent Valley's approach to Personalized Learning includes ample student support through individual tutorials, small group pull-out sessions, small group tutorials, career technical education pathways and courses, labs, online classes and technology based learning opportunities and tutorials.

Crescent Valley also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(g). Crescent Valley's year-round
program emphasizes attainment of basic skill competencies, enhancing opportunities for academic and occupational training, and providing exposure to the job market and employment. Activities may include instruction leading to completion of secondary school, tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth.

The Stone Corral Elementary School District has provided supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Stone Corral Elementary School District affirms that at all times Crescent Valley has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Crescent Valley has two (2) resource centers located within Tulare County that may be affected by the ruling. This waiver is necessary to protect the continued operation of Crescent Valley’s existing resource centers where special education services, English Language Development, and intervention services are provided.

The ruling impacts approximately 1,300 students annually with 80% of the population Socioeconomically Disadvantaged, 33% English Learners and 7% SPED students. Also impacted are the 59 Crescent Valley employees.

Crescent Valley provides support including, but not limited to, Certificated Teachers, Special Education Teachers, Counselors, School Psychologist, Tutors, Student Relation Technicians, Student Relations Managers, Registrars, Student Retention Support Specialist, Principal, Instructional Specialist for Professional Development and Teacher Training, Program Specialist, Instructional Specialist Career Technical Education and an Instructional Specialist Online.

Since 2010, Crescent Valley has opened and operates three resource centers (one inside the boundaries of Stone Corral Elementary School District and two outside the boundaries of the District, but within the County). As a non-classroom based charter school, Crescent Valley is not eligible for Proposition 39 funding so each initial build out and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination “out clause” allowing the schools to release them of their long term financial liability. Furthermore, despite Crescent Valley’s high free and reduced-price lunch ratio, it is not eligible for rental reimbursement under SB 740 as a nonclassroom based charter school.

Crescent Valley created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).

The impact of the court’s ruling in Shasta may result in the closing of these resource centers impacting 1,300 highly at-risk students who are now engaged in school and on a path towards graduation, employment of 59 school employees and the inability to meet the millions of dollars
in long-term leases and other financial obligations. The result may cause Crescent Valley to become insolvent and force it to file for bankruptcy. In addition to the impact on students being displaced, staff’s loss of employment and school closure costs, local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through Crescent Valley’s educational program. On average each high school dropout costs the state of California $209,200. The dropout recovery of Crescent Valley’s educational program has a potential savings of $271,960,000 for the state California. For many of these students Crescent Valley’s program is their last hope of obtaining a high school diploma.
1Source: Levin, et al.

This waiver is necessary to protect the continued operation of Crescent Valley’s existing resource centers that provides the services and resources required under Education Code Section 51746, intervention support for all students, direct instruction opportunities for all students, and also provides a location for Federally mandated special education services to allow the provision of a free appropriate public education (“FAPE”) to students who qualify under the Individuals with Disabilities in Education Act (“IDEA”), UCOP approved A-G coursework including hands on science labs with equipment and manipulatives and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

Student Population: 1300

City Type: Rural

Public Hearing Date: 1/26/2017
Public Hearing Advertised: Notice was posted at the Stone Corral Elementary School District office and Crescent Valley Public Charter School main office, resource centers and website.

Local Board Approval Date: 1/26/2017

Community Council Reviewed By: Crescent Valley Public Charter School Board of Directors
Community Council Reviewed Date: 11/30/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Christopher Kemper
Position: Superintendent/Principal
E-mail: ckemper@stone-corral.k12.ca.us
Telephone: 559-528-4455
Fax: 559-528-4455

- Bargaining unit(s) consulted on date(s) Staff was consulted on 01/25/2017
- Name of bargaining unit
- Representative First Name
- Representative Last Name
- Representative Title
- The position of the bargaining unit
- Neutral, Support, Oppose (Please specify why) Comments (if oppose)
Authorizer: Stone Corral Elementary School District
Charter School: Crescent Valley Public Charter School (a designated ASAM school)

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.

### Resource center

<table>
<thead>
<tr>
<th>Address</th>
<th>116 East Main Street, Ste. 200, Visalia, CA 93291</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) of location</td>
<td>Visalia Unified School District</td>
</tr>
<tr>
<td>Established date</td>
<td>July 2012</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>44</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>575</td>
</tr>
<tr>
<td>Average student age</td>
<td>17.3 years old</td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>59 credits (Approximately one full school year behind)</td>
</tr>
</tbody>
</table>

### Student demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>86%</td>
<td>65%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>31%</td>
<td>28%</td>
</tr>
<tr>
<td>SPED</td>
<td>10%</td>
<td>8%</td>
</tr>
</tbody>
</table>

The resource center is an ASAM program that primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged, EL/RFEP and SPED population when compared to the local school district demographics with the average student age of 17.3 years old. A typical student is approximately 59 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized
instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their students’ needs.

**Resource Center Instructional Support Staff**

- Certificated Teachers
- Special Education Teachers
- Learning Center Coordinator
- Counselors
- School Psychologist
- Tutors
- Regional Utility Technician
- Student Relation Technicians
- Student Relations Mangers
- Registrar
- Student Retention Support Specialist
- Principal
- Assistant Principal
- Special Education Paraprofessional
- Career Technical Education Teacher
- Literacy Teacher
- Online Teacher
- English Language Development Clerk
- Special Education Clerk
- Administrative Assistant

**Resource Center Specific Programs**

- WIOA with Tulare County WDB (services, career services, professional skills classes)
- Career Technical Education – Business
- Financial workshops
- Counseling
- Online education
- Student leadership
- Senior seminars
- Special Education services to students with 504 and IEPs
- EL instruction and custom curriculum
- Speech and language services
- Nutrition program
- Daily snacks/food
- Computer and internet access
- Job placement assistance
- Tutoring
- Sports – soccer, cross country and basketball
- Academic exploration and NWEA MAP assessments
- Edge program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
- Edmentum Plato courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $2.8 million annual loss of income affecting the local community. The resource center also has long term financial obligations of $1.25 million which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $4.05 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

**Resource center**

<table>
<thead>
<tr>
<th>Address</th>
<th>2161 East Prosperity Avenue, Tulare, CA 93274</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) of location</td>
<td>Tulare Joint Union High School District</td>
</tr>
<tr>
<td></td>
<td>Tulare City School District</td>
</tr>
<tr>
<td>Established date</td>
<td>December 2013</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>15</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>350</td>
</tr>
<tr>
<td>Average student age</td>
<td>17.4 years old</td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>62 credits (One full school year behind)</td>
</tr>
</tbody>
</table>

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>83%</td>
<td>74%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>34%</td>
<td>43%</td>
</tr>
</tbody>
</table>

The resource center is an ASAM program that primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged population when compared to the local school district demographics with the average student age of 17.4 years old. A typical student is approximately 62 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the
students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their students’ needs.

**Resource Center Instructional Support Staff**

- Certificated Teachers
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- Nutrition program
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- Tutoring
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For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in an $890,000 annual loss of income affecting the local community. The resource center also has long term financial obligations which may impact the charter school's overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1.04 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
California Department of Education  
WAIVER SUBMISSION - General

<table>
<thead>
<tr>
<th>CD Code: 5075572</th>
<th>Waiver Number: 9-12-2016</th>
<th>Active Year: 2016</th>
</tr>
</thead>
</table>

Date in: 12/9/2016 10:34:27 AM

Local Education Agency: Waterford Unified School District  
Address: 219 North Reinway Ave. Bldg. 2  
Waterford, CA 95386

Start: 7/1/2016  
End: 7/1/2018

Waiver Renewal: N  
Previous Waiver Number:  
Previous SBE Approval Date:  

Waiver Topic: Charter School Program  
Ed Code Title: Geographic Limitations - Non-classroom Based  
Ed Code Section: 47605(a)(1) and 47605.1  
Ed Code Authority: 33050

Ed Code or CCR to Waive. *Education Code* 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.

(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:]

*Education Code* Section 47605.1:

(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:]

---

*Education Code* section 47605:

(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:]

*Education Code* Section 47605.1:
(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] school sites 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 school sites at which education 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.

Outcome Rationale:

Our existing charter school, Connecting Waters Charter School ("CWCS"), originally chartered in April of 2002, is authorized by Waterford Unified School District in Stanislaus County and enrolls over 2,000 students in grades TK-12 in an independent study program. We have provided an enriched nonclassroom-based personalized educational model for 14 years. The charter was renewed by the district with a unanimous vote on June 12, 2014 and expires June 30, 2019. We specialize in serving a unique population of students who thrive in an alternative learning environment. Families often come to us when students are struggling academically, behaviorally, or socially. In addition, CWCS offers families with students who excel in sports, music, dance and theatre an alternative educational structure to allow students to pursue their talents without compromising academics. Our team of specialists partner with the parent and the credentialed teacher to customize a learning program to fit each student’s strengths and interests, through the resource center. CWCS has been able to address the state priorities as described in our local control accountability plan many needs of our families, and staff. The resource center provides a place for our families to view the various curricular options, check out materials, attend in-person classes, meet with their teachers, counselors, and other support staff, receive staff, receive special education services and provides a location for parents/students to engage with their peers. CWCS has operated a resource center since its inception and it is one of the cornerstones of our success with working with our students and providing them the resources needed to excel.

Connecting Waters Charter School was created based on growing needs from families eager to encourage their students to become independent and resourceful learners. With family support aided by the expertise and experience of our credentialed teachers, students are able to learn at many different levels and within many different facets of education. Students learn best when they are in a positive, supportive, interesting, and challenging environment. Families (both students and parents/guardians) learn first-hand about learning styles, pedagogy, the curriculum selection process and the value we place on educating our youth. We seek to inform parents and students about innovative, creative teaching and learning strategies that will create life-long lessons students can refer back to after high school graduation. Connecting Waters Charter School’s teachers and staff are tuned in to the latest and most effective tools for learning and assessment and sharing these methods with students and parents has become one of our hallmarks. Students take pride in the ownership of their own learning and parents are inspired to create new and exciting
avenues for learning.

We integrate innovative educational components to the student's educational program such as Moodie classes online tutoring, mobile science labs, and computer adaptive learning programs. Our staff seeks to engage and motivate students through stimulating and meaningful learning experiences that pique student interest. Although our student population appears to be quite challenging when they enter, we observe hundreds of success stories as we work together to discover the keys to helping each student learn and thrive. Our families are highly satisfied with the opportunities, resources, and support they receive and deliver powerful testimonials of the importance of this program for their students. Years into the future, our graduates remain lifelong learners, contributing community members, and happily satisfied members of society.

Connecting Waters Charter School students have been accepted to colleges and universities including UC Berkeley, UC Davis, Harvard University, Carnegie Mellon University, Cornell University, Embry Riddle Aeronautical University, Cal Poly San Luis Obispo, Cal Poly Pomona, UC Merced, Grand Canyon University, Dixie State University, Biola University, Arizona State University, St. Mary's College Moraga, SF Academy of Art University, Brigham Young University, CSU Stanislaus, UC Santa Cruz, Liberty University Virginia, CSU Sacramento, Vanguard University, SF State, San Jose State University, CSU Fullerton, CSU Monterey Bay, University of the Pacific, Wichita State University, California Baptist University, and many more.

In 2015, the first year of official California Assessment of Student Performance and Progress ("CAASPP") test implementation for Connecting Waters Charter School (see graphs below), our English Language Arts ("ELA") scores surpassed the state of California average in most grade levels and our Math scores outshined both our chartering county and district.

Mission Statement & Vision
Connecting Waters Charter Schools a collaborative educational community promoting academic excellence in preparing students for college and career while providing individualized public education through challenging, unique, and varied learning.

Our vision:
Our vision is to enhance life-long educational outcomes by partnering with families to provide stimulating learning opportunities across multiple regions.

Goals for students and parents of CWCS include but shall not be limited to:
Parent involvement and support will be encouraged so that optimum student learning occurs

Students will be active in creating their personalized learning plan with the support of parent and CWCS staff.
Students will be intrinsically motivated.
Students will achieve competency in basic academic skills.
Students will make at least one year of academic achievement growth each year.
Students will be encouraged to explore their passions in academics, performing arts, career and the use of technology.

The Waterford Union School District has provided supervisory oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Waterford Unified School District affirms that at all times the Charter Schools has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016 the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the
boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has one resource center located within Stanislaus County that are affected by the ruling. This waiver is necessary to allow the continued operation of Connecting Waters Charter School's existing resource center. Our resource center serves 1,500 students. We currently have 200 employees that utilize the resource center. The operational and fiscal impact is $111,000 yearly, we current have two years remaining in our lease. Due to the specific needs of our students and staff, we are unable to locate a resource center in our district that meets these needs. We are located in a rural location with no structures large enough to provide the space needed to establish our resource center.

Student population: 2177

City type: rural

Public hearing date: 11/10/2016
Public hearing advertised: agenda is posted at the District main office and Charter School main office and resource centers.

Local Board Approval Date: 11/10/2016

Community Council Reviewed By: Charter School Board of Directors
Community Council Reviewed Date: 11/8/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: Y

Categorical Program Monitoring: N

Submitted by: Dr. Donald Davis
Position: Superintendent
E-mail: ddavis@waterford.k12.ca.us
Telephone: 209-874-1809 x0
Fax: 209-874-3109
Name of Bargaining Unit: California School Employees Association (CSEA) Local Chapter #657
Bargaining Units consulted on: 2/2/17
Representative: Peggy Ward, President
Position of Bargaining Unit: SUPPORT

Name of Bargaining Unit: Waterford Teachers Association
Representative: Travis Walsh, President
Position of Bargaining Unit: NEUTRAL
March 22, 2017

Don Davis, Superintendent
Waterford Unified School District
219 North Reinway Avenue, Building 2
Waterford, CA 95386-9158

Subject: Nonclassroom-Based Charter School Resource Center Location Waiver
Request for Connecting Waters Charter School

<table>
<thead>
<tr>
<th>Address of Facility</th>
<th>District(s) in which located</th>
<th>Date of Establishment</th>
<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
</table>
| Connecting Waters Charter School (CWCS) 2000 W. Briggsmore Ave Suite A Modesto Ca 95350 | Modesto City Schools, Modesto, Ca | This center was established in 2013 Note: CWCS has had resource centers since 2002 in various locations - Manteca, Ca 2002-2006 Modesto, Ca 2006-2013 Ceres, Ca 2002-2013 | All of the current 2200 students have access to the resource center in our eight counties Daily usage Total: 230 | Uses for the Resource Center

1. English Learner and English Only Classes
   a) 3rd English (EL support)
   b) 4th Composition (EL support)
   c) 4th Composition (EL support)
   d) 4th English (EL support)
   e) 4th Math (EL support)
   f) 6th ELA (EL support)
   g) 6th Math (EL support)
   h) 7th ELA (EL support)
   i) 7th English (EL support)
   j) 7th History (EL support)
   k) 7th Math (EL support)
   l) 8th History (EL support)
   m) 8th Math (EL support)
   n) Escalate Intensive 6, (EL support)
   o) CAASPP Prep 3 (EL support)
   p) CAASPP Prep 4 (EL support)
   q) CAASPP Prep 6 (EL support)
2. English Classes/Support/Events  
   a) CA ELA Prep  
   b) ELA Intensive  

3. Math Classes/Support  
   a) A-G Geometry,  
   b) Algebra I  
   c) Algebra II  
   d) CA Math Intensive  
   e) CA Math Prep.  
   f) Drop in tutoring  

4. Science Classes/Events  
   a) Biology wet lab  
   b) Chemistry wet lab  
   c) Physic lab  
   d) Physical Science  
   e) Science expo  
   f) Magic School Bus Science  

5. Foreign Language Classes  
   a) Spanish I, II, III, IV  
   b) German I, II, III  

6. 8th Grade Bridge Transition Program  
   a) English  
   b) History  
   c) Science  
   d) Math  
   e) Study Hall  
   f) Music  

7. Career Technical Education
8. School Nurse  
   a) Appointments  
   b) Screenings-Vision/Hearing  
9. The center is used for Special Education  
   a) Resource  
   b) Speech Therapy  
   c) Testing  
10. The center is used for Personalize Learning Team evaluation (SSTs)  
    a) Initial evaluations  
    b) Follow up meeting  
11. Tutoring  
    a) EL tutoring  
    b) Math tutoring  
    c) English Tutoring  
    d) Science tutoring  
12. The center is used for CAASPP testing  
    a) Grades  
    b) Special Education  
13. Parent Outreach/Services  
    a) Enrollment Intake Meeting  
    b) Informational Meetings  
    c) Parent Advisory Council Meetings  
    d) Parent Trainings  
14. School Events  
    a) Spelling Bee  
    b) Oral Language Fair  
    c) Open House  
    d) Kindergarten Promotion  
    e) Prom  
    f) Tiger Pride  
15. Staff  
    a) Teacher Training  
    b) Classified Staff Training  
16. Library  
    a) Standards aligned curriculum  
    b) Career Technical Education Materials  
    c) Instruments  
    d) Chromebooks  
17. Additional Classes/Support
a) IT Support  
b) Music Classes  
c) Photography Classes  
d) Yearbook Classes  
e) Cake Decorating,  
f) Study Hall  
g) CSF  
h) Student Council  

18. Teacher meetings with students and parents

Lease Cost Information:

Costs to the charter school if the facility has to close mid-year:

To early terminate or default under the conditions of the Lease the Lessor has the right to collect the unpaid rent which had been earned at the time of termination, and the unpaid rent which would have been earned after termination (rental loss) for the remaining balance of the lease’s term. (ie. Approx. calculations Example - Lease early terminates on 3/21/17 current rent due $9,652 plus unpaid rent until lease end date July 31, 2018 is $167,147 equals a total unpaid rent loss of $176,799.

Lease penalties that might occur for early termination:

In addition to rent loss the Lessor can include but not limited to the cost of recovering possession of the premises, expenses of releasing, including necessary renovation and alteration of the premises, reasonable attorney’s fees and portion of any leasing commission paid by Lessor in connection with this lease applicable to the unexpired term of this lease.

The School may incur continued utilities costs incurred while the facility is unused:

Employees who will be paid without a location for them to perform their job duties and would have to set up home offices:
The Employees who would lose their jobs if the center were to close:

- Learning Center assistants (4)
- Warehouse (2)
- Librarian (1)

Population served by the resource center:

Our students reside within the County and the adjacent Counties. The center is centrally located to service all of our families from the 7 adjacent counties.

Please note; the resource center is used for Special Education and EL services which are referenced above.

Homeless and foster youth who use the resource center:

Foster families (11)
Homeless families (17)

<table>
<thead>
<tr>
<th>Address of Facility (2)</th>
<th>District(s) in which located</th>
<th>Date of Establishment</th>
<th># of Students Served</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>CWCS Annex 1635 Tully Rd. Modesto Ca 95350</td>
<td>Modesto City Schools, Modesto, Ca</td>
<td>2016-present</td>
<td>51 students per week</td>
<td>Uses for the Annex: 1.Special Education Services a) Resource b) Resource Testing c) Speech Therapy d) Occupational Therapy e) Psych Testing f) In person IEPs,</td>
</tr>
</tbody>
</table>
g) Teleconference IEP’s

2. Enrollment Services
   a) Cumulative Files
   b) Transcripts
   c) Processing applications

**Annex Office Lease $4,725 per month ending September 30, 2019**
Costs to the charter school if the facility has to close mid-year:
The lease for the Annex Office does not clearly state if Lessor has any right to collect remaining unpaid rental loss. The remaining lease rent total as of 3/21/2017 would be **$141,750**

The charter school may incur lease penalties for early termination and utilities costs.

Employees that will be paid without a location for them to perform their job duties and would have to set up home offices:

- Administration Special Education IEP (2)
- Special Ed Psych (1)
- Special Education staff (2)
- RSP teachers (3)
- Enrollment staff (4)

The Employees who would lose their jobs:
- Enrollment staff (1)
California Department of Education
WAIVER SUBMISSION - General

CD Code: 1062547Waiver Number: 8-2-2017Active Year: 2017

Date In: 2/10/2017 9:58:46 AM

Local Education Agency: Westside Elementary
Address: 19191 Excelsior Ave.
Five Points, CA 93624

Start: 7/1/2016End: 7/1/2018

Waiver Renewal: NPrevious Waiver Number:
Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: portions of EC 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:

Education Code 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.

(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]:

Education Code Section 47605.1:

(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]
Outcome Rationale: Crescent View South Charter (CV South) has been authorized by Westside Elementary School District since 2009 and received a five-year renewal term from July 1, 2014 to June 30, 2019. CV South is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12.

CV South is specifically designated as an Alternative School Accountability Model (ASAM) serving high-risk pupils and drop-outs. The State recognizes that our school’s population has an extremely high turnover rate and can serve an entirely new group of students every 12 months.

CV South primarily serves 9th-12th grade students who are considered “highly at-risk”. The term highly at-risk encompasses students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program, and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement, CV South continues to help these students succeed and graduate from high school.

CV South serves approximately 1,250 students annually with 73% of the population eligible for free and reduced-price meals (Socioeconomically Disadvantaged). The population includes 23% English Learner population and 5% SPED students. Many of CV South’s students have previously dropped out of high school and enroll at CV South with an average of 50 credits deficient.

CV South has an English Learner Advisory Committee (ELAC) composed of parents, students, and teachers formed to address the needs of EL students. The ELAC committee has provided professional development on teaching EL students in an independent study setting, created an EL study hall, implemented EL instructional rubrics, and helped guide the allocation of educational resources towards English Learners.

CV South students with special needs are served in accordance with their Individualized Education Programs (“IEPs,”) including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one instruction, along with accommodations and modifications. CV South is part of the El Dorado County Charter SELPA.

CV South’s students receive academic instruction from highly qualified (HQ) teachers in the core content areas of ELA, science, math and social studies. HQ teachers will also be provided to students in the areas of foreign language, art, and in Career Tech Education (CTE) courses.

At CV South each course is designed for the students and reviewed with the student by a supervising teacher in both the one-on-one and small group settings. CV South’s approach to Personalized Learning includes ample student support through individual tutorials, small group pull-out sessions, small group tutorials, career technical education pathways and courses, labs, online classes and technology-based learning opportunities and tutorials.

CV South also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(g). CV South’s year-round program emphasizes attainment of basic skill competencies, enhancing opportunities for academic and occupational training, and providing exposure to the job market and employment. Activities may
include instruction leading to completion of secondary school, tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth.

The Westside Elementary School District has provided supervisory oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Westside Elementary School District affirms that at all times the Charter School has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, CV South has two (2) resource centers located within Fresno County that may be affected by the ruling and if these centers were to close, it would also jeopardize one (1) resource center in the adjacent Madera County as the student population in Fresno County could be reduced, thus impacting the ability of CV South to maintain a majority of students who reside in Fresno County as required by Education Code Section 47605.1(c). This waiver is necessary to protect the continued operation of CV South’s existing resource centers where special education services, English Language Development, and intervention services are provided.

The ruling impacts approximately 1,250 students annually with 73% of the population Socio-economically Disadvantaged, 23% English Learners and 5% SPED students. Also impacted are the 52 CV South employees.

CV South provides support including, but not limited to, Certificated Teachers, Special Education Teachers, Counselors, School Psychologists, Tutors, Student Relation Technicians, Student Relations Managers, Registrars, Student Retention Support Specialists, Principals, Assistant Principals, Community Liaison, Instructional Specialists for Professional Development and Teacher Training, Program Specialists, Career Technical Education Instructional Specialists and an Online Instructional Specialist.

Since 2009, CV South has opened and operates four resource centers (one inside the Westside Elementary School District boundaries, two inside Fresno County but outside District boundaries, and one in adjacent Madera County). As a non-classroom based charter school, CV South is not eligible for Proposition 39 funding so each initial build out and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination “out clause” allowing the schools to release them of their long term financial liability. Furthermore, despite CV South’s high free and reduced-price lunch ratio, it is not eligible for rental reimbursement under SB 740 as a nonclassroom based charter school.

CV South created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).
The impact of the court’s ruling in Shasta may result in the closing of these resource centers impacting 1,250 highly at-risk students who are now engaged in school and on a path towards graduation, employment of 52 school employees and the inability to meet the millions of dollars in long-term leases and other financial obligations. The result may cause CV South to become insolvent and force it to file for bankruptcy. In addition to the impact on students being displaced, staff’s loss of employment and school closure costs, local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through CV South’s educational program. On average each high school dropout costs the state of California $209,200. The dropout recovery of CV South’s educational program has a potential savings of $261,500,000 for the state California. For many of these students CV South’s program is their last hope of obtaining a high school diploma.

1Source: Levin, et al.

This waiver is necessary to protect the continued operation of CV South’s existing resource centers that provide the services and resources required under Education Code Section 51746, intervention support for all students, direct instruction opportunities for all students, and also provides a location for Federally mandated special education services to allow the provision of a free appropriate public education (“FAPE”) to students who qualify under the Individuals with Disabilities in Education Act (“IDEA”), UCOP approved A-G coursework including hands on science labs with equipment and manipulatives and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

Student Population: 1250

City Type: Rural

Public Hearing Date: 2/2/2017
Public Hearing Advertised: Notice posted at the Westside Elementary School District office and Crescent View South Charter school main office, resources centers and website.

Local Board Approval Date: 2/2/2017

Community Council Reviewed By: Crescent View South Charter school board of directors.
Community Council Reviewed Date: 11/28/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Baldomero Hernandez
Position: Superintendent
E-mail: bhernandez@westside-elem.com
Telephone: 559-884-2492 x2493
Fax: 559-884-2206

Name of the Bargaining Unit- Westside Teachers Association-WTA
Representative Name and Title- Gary Cunha, President
Date the Bargaining Unit was consulted- April 24, 2017
Position of the bargaining unit (neutral, support, oppose (if opposed, specify why)- Support
Authorizer:  
Westside Elementary School District

Charter School:  
Crescent View South Public Charter School (a designated ASAM school)

Total Resources Centers Impacted:  
Three

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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>Address</th>
<th>School District(s) of location</th>
<th>Established date</th>
<th>Total staff impacted</th>
<th>Total annual students served impacted (est.)</th>
<th>Average student age</th>
<th>Average credit deficient (at time of enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4348 West Shaw Avenue, #5, Fresno, CA 93722</td>
<td>Fresno Unified School District</td>
<td>July 2011</td>
<td>19</td>
<td>420</td>
<td>17 years old</td>
<td>67 credits (Approximately one full school year behind)</td>
</tr>
</tbody>
</table>

Student demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>76%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>13%</td>
</tr>
<tr>
<td>SPED</td>
<td>9%</td>
</tr>
</tbody>
</table>

The resource center is an ASAM program primarily serves 9-12 grade students who are high-risk and dropouts. The resource center serves a high percentage of socioeconomically disadvantaged with the average student age of 17 years old. A typical student is approximately 67 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students
drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- **Full Time Staff Dedicated to Resource Center**
  - Certificated Teachers
  - Special Education Teachers
  - Tutors
  - Learning Center Coordinator
  - Student Retention Support Specialist
  - Student Relation Technician
  - Career Technical Education Teacher
  - Special Education Paraprofessional
  - Registrar
  - Counselor
- **Part-Time Staff Dedicated to Resource Center**
  - School Psychologist
  - Principal
  - Assistant Principal
  - Community Liaison

**Resource Center Specific Programs**

- WIOA Partnership with ResCare (career services, professional skills classes)
- WIOA Partnership Fresno Economic Opportunities Commission
- Career Technical Education
- CenCal Mentoring
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
- Special ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and language services
- Nutrition program
- Free counseling
- Art programs
- Daily snacks/food
- Computer and internet access
- Job placement assistance
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer, Cross Country and Basketball
- Assistance with college sports recruiters
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
- Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $1.35 million annual loss of income affecting the local community. The resource center also has long term financial obligations which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1.4 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>955 East Shaw Avenue, Ste B, Clovis, CA 93612</td>
</tr>
<tr>
<td>School District(s) of location</td>
<td>Clovis Unified School District</td>
</tr>
<tr>
<td>Establishment date</td>
<td>January 2014</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>29</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>460</td>
</tr>
<tr>
<td>Average student age</td>
<td>17.4 years old</td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>59 credits (Approximately one full school year behind)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Student demographics</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td>Resource Center %</td>
</tr>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>58%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>7%</td>
</tr>
<tr>
<td>SPED</td>
<td>7%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The average student age is 17.4 years old and is approximately 59 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.
Resource Center Instructional Support Staff

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Learning Center Coordinator
  - Tutors
  - Student Retention Support Specialist
  - Student Relation Technician
  - Career Technical Education Teacher
  - Special Education Paraprofessional
  - Registrar
  - Counselor
- Part-Time Staff Dedicated to Resource Center
  - School Psychologist
  - Principal
  - Assistant Principal
  - Community Liaison
  - Instructional Specialist for Professional Development and Teacher Training

Resource Center Specific Programs

- WIOA Partnership with ResCare (career services, professional skills classes)
- WIOA Partnership Fresno Economic Opportunities Commission
- CenCal Mentoring
- Career Technical Education
- Get Lit – Words Ignite
- AVID – Advancement Via Individual Determination
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- Nutrition program
- Art programs
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- Job placement assistance
- Free tutoring
- Music programs
- Reading program
- Professional skills
- Sports program – soccer, cross country and basketball
- Assistance with college sports recruiters
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
• ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
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Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in an $1.9 million annual loss of income affecting the local community. The resource center also has long term financial obligations which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $2.05 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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**Resource center**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>80%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>10%</td>
</tr>
<tr>
<td>SPED</td>
<td>42%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The resource center serves a high percentage of socioeconomically disadvantaged and EL/RFEP students. The average student age is 17 years and is approximately 63 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

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The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding
areas. Outlined below are the resource center staff positions and specialized programs offered to meet their students’ needs.

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Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a
disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in an $400,000 annual loss of income affecting the local community. The resource center also has long term financial obligations of $1 million which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1.4 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
Nonclassroom-Based Charter School Resource Center Location

California Department of Education
Waiver Submission – General

CD Code: 4570169
Waiver Number: 38--12-2016
Active Year: 2016

Date In: 12/20/2016 2:02:31 PM

Local Education Agency: Whitmore Union Elementary School District
Address: 30611 Whitmore Rd
Whitmore, CA 96096

Start: 7/1/2016
End: 6/30/2018

Waiver Renewal: N
Previous Waiver Number: 
Previous SSE Approval Date: 

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: 47605(a)(1) and 47605.1 33050
Ed Code Authority: 33050

Ed Code or CCR to Waive: Education Code 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.]

(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]

(1) The 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 school chooses to locate.

(2) The site is needed for temporary use during a construction or expansion project

Education Code Section 47605.1.

(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 commences operations and either of the following circumstances exist.

(1) The 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 school chooses to locate.

(2) The site is needed for temporary use during a construction or expansion project

Outcome Rationale: On October 16, 2016 the 3rd District Court of Appeal ruled in AUHSD v Shasta Secondary Home School (“Shasta Ruling”) that, pursuant to Education Code Section 47605,
Independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized but within the same county. Currently, NDA-Shasta has no resource centers outside district boundaries but within Shasta County that are affected by the Shasta Ruling. This waiver is sought to protect the continued operation of NDA-Shasta by allowing NDA-Shasta to use facilities outside of the authorizing district's boundaries but within Shasta County for the sole purpose of standardized testing and testing preparation pursuant to Education Code Section 47605(c). NDA-Shasta is currently unable to complete required state assessments within the boundaries of Whitmore Union Elementary School District due to inadequate Internet services to accommodate the student population.

New Day Academy-Shasta
NDA-Shasta is a K-12, non-classroom based charter school for grades K-12 authorized by Whitmore Union Elementary School District in August 2016. NDA-Shasta enrolls 100 students who reside in Shasta, Tehama and Modoc counties approximately 54 of whom are in grades that must participate in the state's standardized testing program each year.

Students/Employees Affected
The Shasta Ruling impacts approximately 100 students: 36 percent socioeconomically disadvantaged, 4 percent English Learners, and 11 percent students with special needs. NDA-Shasta has 16 employees.

Student Population: 100

City Type: Rural

Public Hearing Date: 12/13/2016

Local Board Approval Date: 11/28/2016

Community Council Reviewed By: New Day Academy, Inc. Board of Directors
Community Council Reviewed Date: 11/28/2016
Community Council Objection: N
Community Council Objection Explanation: Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Larry Robins
Position: Superintendent, Whitmore UESD
E-mail: lrobins@wujesd.org
Telephone: 530-472-3248
Fax: 530-472-1127

Whitmore does not have any bargaining units or contracts.
Nonclassroom-Based Charter School Resource Center Location
Attachment 53
Page 1 of 2

30611 Whitmore Road
Whitmore, Calif. 96996
Phone (530) 472-3243
Fax (530) 472-1127
L.F. Robins, Ed.D.
Superintendent

California Department of Education Waiver Office
Stephanie Papas, Education Administrator
Christine Plumb-Gordon, Education Program Consultant
1430 N Street, Suite 5602
Sacramento, CA 95814

Supplemental information for the New Day Academy-Shasta waiver submitted December 2017 by Whitmore Union Elementary School District regarding the Shasta County Resource Center.

Resource center location: 2570 South Bonnyview Drive, Redding, CA 96003
School districts in which the center is located: Redding Elementary School District, Shasta Union High School District
Date resource center was established: July 1, 2016
Number of students served by the center: 100 students grades TK-12

Discussion regarding the establishment of the resource center and need for the waiver:
NOA-Shasta began operation of a resource center at 2570 South Bonnyview, Redding, CA on July 1, 2016 as allowed by previous statutory interpretation and the Shasta County Superior Court in the Anderson v. Shasta Secondary matter. This resource center was used on a daily basis as an office, teacher meeting space, teacher/student meetings, internal assessment of students of all grade levels, student intervention meetings with specialists (reading, math, and writing), classes and intervention, and SBAC preparation and for the provision of special education services. The school had planned to use the facility for state testing.

On October 16, 2016 when the appellate court decision was announced, school administration sought clarification from legal counsel regarding use of the resource center and suspended use of the resource center for all activities except assessment and special education services. On February 10, 2017, NOA-Shasta received cease and desist orders from legal counsel for the Redding School District, the Shasta Union High School District, and the Shasta County Office of Education threatening suit if the school continued to use the resource center. Upon receipt of these letters, NOA-Shasta suspended all resource center operations in an effort to avoid a lawsuit including service to special education students.

Although, NOA-Shasta’s landlord did allow NOA to stop rent payments in January, NOA remains obligated to cover telephone, internet, and electricity costs in accordance with its agreement with the property owner the remainder of the year.

New Day Academy-Shasta’s teachers and support staff are meeting students in their homes and in various locations throughout Shasta County. These location adjustments have had the following impact:

- Special education students (who are served at a greater rate than the special education rate in Shasta County and who are primarily in need of special education services related to their placement on the autism spectrum) are forced to cope with the instability and lack of familiar surroundings impeding their ability to meet the goals of their IEPs.
- Supervised Internal assessment (i-Ready and MAP) is irregular and impacted by unreliable internet capacity and inability of students to get to varying public venues on short notice.
• Organized group SBAC preparation sessions have been eliminated which will likely lead to unreliable high stakes student performance data.
• Small group instruction for struggling students has been eliminated, impacting the school's ability to deliver effective instructional strategies as described in its approved charter.
• Parent and advisory council meetings have reduced attendance due to uncertainty regarding designated meeting locations.
• State assessment will be scheduled at locations that are unfamiliar to the student population and staff. We anticipate this will have a negative impact on assessment results.

The Whitmore Union Elementary School District provides one classroom for NOA-Shasta as described in its approved charter, but the classroom does not have a reliable internet connection for online assessment and is not large enough to accommodate the services and activities described in the charter.

The District seeks this waiver on behalf of NOA-Shasta to reinstate the services it had been providing to students prior to the cease and desist order as described above for the remainder of this year and the 2017-2018 school year. We are requesting that this waiver be granted to allow NOA-Shasta the time it needs to seek alternative lawful options for transition under the Anderson v. Shasta Secondary decision.

Please let me know if you have any questions regarding this supplemental information.

Sincerely,

Dr. Lawrence Robins
Superintendent
Whitmore Union Elementary School District
(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]

(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:

Education Code Section 47605.1:

(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 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 school chooses to locate.
(2) The site is needed for temporary use during a construction or expansion project. Outcome Rationale:

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School ("Shasta Ruling") that, pursuant to Education Code Section 47605. Independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized but within the same county.

Currently Northern Summit Academy has one resource center outside district boundaries but within Shasta County that is compliant with the ruling. This waiver is sought to protect the continued operation and growth of Northern Summit Academy by allowing Northern Summit Academy to lease an additional facility outside of the authorizing district's boundaries but within Shasta County for our developing CTE Program and for testing and test preparation pursuant to Education Code Section 47605(c). Northern Summit Academy is currently unable to accommodate our CTE Program and complete required state assessments within its current resource center due to inadequate space to accommodate the student population and CTE materials and equipment.

Northern Summit Academy

Northern Summit Academy is a K-12, non-classroom based charter school for grades K-12 authorized by Whitmore Union Elementary School District in February 2014. Northern Summit Academy currently has 95 enrolled students who reside in Shasta and Tehama counties. Northern Summit Academy serves many students who, for various reasons, have not been successful in the comprehensive schools. The evidence of this lack of success is that many of the 3-12 grade students enroll performing below grade level in reading, language arts and math. Many of the high school students enroll in a credit deficient state.

100% of the students are required to participate in Northern Summit Academy's universal assessments 3 times per year for academic progress monitoring. Approximately 53 of whom are in grades that must participate in the state's standardized testing program each year.

State and local assessments: due to limited staff we need a larger space where our small number of staff can appropriately supervise testing. Our current resource center can only accommodate a small group of students in each room. We are forced to rent an additional testing site several times per year so that we ensure at least 2 certificated testing supervisors per group of students.

100% of Northern Summit Academy's 9th-12th grade students are encouraged to participate in our CTE Program. The program is severely limited due to our space constraints.

CTE Program: NSA is expanding its program and developing CTE Pathways. Our current resource center does not have adequate square footage to accommodate our CTE equipment and materials, nor can it accommodate the growing number of students desiring to participate in the program. We are planning and working towards qualifying for the next Perkins Grant. Our space issues will impede this program expansion.

NSA plans to expand CTE to our 7th and 8th grade students. Again, the current space limitations impede this goal.

The limited space of the current leased building is negatively impacting the quality and growth of the charter program.
Enrollment · NSA continues to grow. We need to continue to increase our enrollment/ADA in order to reach a sustainable point and meet our Funding Determination goals. The current space is not adequate to house the material needs of a growing enrollment. The current space is not adequate to facilitate the professional delivery of the expanding program.

Real Estate Options

Available buildings: NSA serves students who are largely residing in the south Shasta County area. Available buildings, within our price range, are limited. We completed an extensive search for an adequate resource center location. Few buildings have the total square footage we actually require and all of them required extensive and expensive renovations. We have identified affordable buildings near our current resource center that could solve our space challenges if used as additional spaces. Even if, in the future, we could locate an affordable and serviceable single building, we are now locked into a lease in our current center until 6/30/2019.

Students/ Employees Affected

The Shasta Ruling impacts approximately 95 students: 51 percent are socioeconomically disadvantaged and 13 percent are students with special needs.

Northern Summit Academy has 10 employees, 4 are full time certificated teachers.

District Oversight

The District provides supervisorial oversight for Northern Summit Academy as required by Education Code Section 47604.32. The District affirms that at all times Northern Summit Academy has operated its resource center consistent with the advice and written guidance issued by the California Department of Education since 2002.

Student Population: 95

City Type: Rural

Public Hearing Date: 12/13/2016
Public Hearing Advertised: Notice posted in all required locations.

Local Board Approval Date: 12/13/2016
Community Council Reviewed By: NSA Board of Directors
Community Council Reviewed Date: 12/8/2016
Community Council Objection: N Community Council Objection Explanation

Audit Penalty YN: N

Categorical Program Monitoring · N

Submitted by Dr. Larry Robins

Position: Superintendent

E-mail lrobins@wujesd.org
Telephone: 530-472-3243
Fax: 530-472-1127
Whitmore Union Elementary School District on behalf of Northern Summit Academy

WAIVER SUBMISSION - General

Local Education Agency: Whitmore Union Elementary School District
Address: 30611 Whitmore Road, Whitmore, CA 96096-0010
Start: 3/1/2017 End: 6/30/2019

Waiver Renewal: N

Waiver Topic: Geographic Restrictions on Resource Center Locations for Nonclassroom-Based Charter Schools

Education Code 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.

(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:

This document was provided to the California Department of Education (CDE) from Whitmore Union Elementary School District, Shasta County. This document is posted to the CDE Web site to meet the legal requirement of California Education Code Section 33009.5. For more information or questions about the content of this material or to obtain alternative versions, you may contact the Charter Schools Division by e-mail at charters@cde.ca.gov or by phone at 916-322-6029.
Education Code Section 47605.1:

(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 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 school chooses to locate.
(2) The site is needed for temporary use during a construction or expansion project.

Outcome Rationale:

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School (“Shasta Ruling”) that, pursuant to Education Code Section 47605, independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

First and foremost, this waiver is sought to protect the continued operation of our Anderson Resource Center, 2877 Childress Dr., Anderson, CA.

Currently, Northern Summit Academy has one resource center outside sponsoring district boundaries but within Shasta County that is compliant with the ruling. We moved to the current location, 2877 Childress Dr, Anderson, CA 96007 on April 18, 2016. We had initially (August 2014) located in Cottonwood, about 7 miles south of the current location. We are located outside of our sponsoring district due to the fact that there is no place within the district bounds that would accommodate our entire program. Whitmore is an exceptionally small, rural, mountain town with no space at the little school. The commercial locations are limited to a post office, general store, thrift store, fire station, community center, and 2 churches. The Whitmore School has adequate internet for its own students, the rest of the town has poor connectivity on a good day. Our charter school board, which includes a resident of Whitmore who is a real estate agent, and the Whitmore Board are agreed that there is not a facility for our program within the Whitmore School District boundaries.

Prior to moving to our current location we were required to complete a Use Permit Application and Process. As part of the Use Permit Process in Anderson, 6 weeks prior to the intended move the Anderson Building Department sent out notices to all concerned parties of our intentions to locate the resource center at the specified address. The recipients of the notification included the Shasta County Office of Education, Anderson Union High School District, Cascade Union School District, Cottonwood Union School District, the State of California, and multiple commercial and residential neighbors within a certain radius (documentation available upon request). No objections to our proposed move were presented. We signed a lease through June 2019, this lease would have to be paid in full should we vacate the facility. Currently we are serving 113 students. Our goal is an enrollment of 250 students. We have determined that this will provide us the sustainable revenue we need to serve our students at a robust level with qualified staff and an effective student:teacher ratio.
When the appellate court rendered its decision in the AUHSD vs Shasta Secondary case, NSA took action to seek a material revision to the charter naming the Childress Dr., Anderson, as the resource center location. Shasta County Office of Education is challenging the legality of our not being located within the boundaries of our sponsoring district. The county superintendent does not accept as adequate the Anderson Building Department’s notice of the proposed move that was sent to the Shasta County Office of Education. Shasta County Office of Education has had notice of our location since we contracted for business services with them commencing July 2014. The county office has had all of our documents, taken care of payroll, and all financial services for the entire life of this charter. All of this necessitated complete transparency with them on our part, including our physical location, from the beginning. We believe we are compliant with the current ed code Education Code Section 47605.1. First and foremost, this waiver is sought to protect the continued operation of our Anderson Resource Center. As the ed code does not define the manner by which notices will be delivered and there is disagreement about this, we request the waiver include the prior notification of specified parties.

Immediately prior to the appellate court’s decision, we had been negotiating for a second building to accommodate our continued growth and our developing CTE Pathways. With the court’s decision, and our heightened awareness of the relevant ed code, we stopped the negotiations. Northern Summit Academy is currently unable to accommodate our CTE Programs and complete required state assessments within it’s current resource center due to inadequate space to accommodate the student population and CTE materials and equipment. In order to accommodate Northern Summit Academy’s growing enrollment and developing CTE Pathways, additionally, we are seeking a waiver that will allow Northern Summit Academy to lease an additional facility outside of the authorizing district’s boundaries but within Shasta County for our developing CTE Pathways and for testing and test preparation pursuant to Education Code Section 47605(c). The additional building is constructed as a single building with two street addresses assigned to it. The proposed additional address is 2955/2951 McMurray Dr, Anderson. It is located across the street, and in line of sight, from our current location. This is a convenience that enables easy and economical access to both buildings for staff and students, and connectivity between the buildings for phones and internet. The building also provides on site storage for materials that we have had in rented storage facilities.

The building would be subject to the Anderson Buidling Department Use Permit Process, including required notifications to all concerned parties. Both the NSA board and the Whitmore board are aware of our need for expansion. No material revision has been sought at this point as we do not have a waiver.

The additional building would house our CTE Pathways/Programs for grades 7-12 (students to accommodate - current enrollment 79/goal enrollment 175), local testing for grades 7-12 (students to accommodate - current enrollment 79/goal enrollment 175), and state testing for grades 7, 8, and 11(students to accommodate – current enrollment 37/goal enrollment 85). As we are a Personalized Learning non classroom based program, the resource center classes, tutoring, and material resources are never utilized by all students at one time. The open floor plan is conducive to the equipment used for our CTE programs and for larger numbers of students to assess at one time, requiring fewer certificated staff on duty in one location. The administration office would move to the new building also.
The current resource center would be used for K-8 academic classes, tutoring, materials (students to accommodate – current enrollment 54/goal enrollment 119). The current building would continue to house the individual teacher offices used for student/family/teacher meetings, SPED services, our library, staff meetings and professional development.

**Northern Summit Academy**

Northern Summit Academy is a non-classroom based charter school for grades K-12 authorized by Whitmore Union Elementary School District in February 2014. Northern Summit Academy began serving students on August 25, 2014. Northern Summit Academy currently has 113 enrolled students who reside in Shasta and Tehama counties. Our goal is to reach an enrollment of 250 students. Northern Summit Academy serves many students who, for various reasons, have not been successful in the comprehensive schools. The evidence of this lack of success is that many of the 3-12 grade students enroll performing below grade level in reading, language arts and math. Many of the high school students enroll in a credit deficient state.

100% of the students are required to participate in Northern Summit Academy’s universal assessment’s 3 times per year for academic progress monitoring. Currently, approximately 60 of the students are in grades mandated to participate in the state’s standardized testing program each year.

- State and local assessments: due to limited staff we need a larger space where our small number of staff can appropriately supervise testing. Our current resource center can only accommodate a small group of students in each room. We are forced to rent an additional testing site several times per year so that we ensure at least 2 certificated testing supervisors per group of students.

100% of Northern Summit Academy’s 9th-12th grade students are encouraged to participate in our CTE Program. The program is severely limited due to our space constraints.

- CTE Program: NSA is expanding its program and developing CTE Pathways. Our current resource center does not have adequate square footage to accommodate our CTE equipment and materials, nor can it accommodate the growing number of students desiring to participate in the program. We are planning and working towards qualifying for the next Perkins Grant. Our space issues will impede this program expansion.

- NSA plans to expand CTE to our 7th and 8th grade students. Again, the current space limitations impede this goal.

The limited space of the current leased building is negatively impacting the quality and growth of the charter program.

- Enrollment: NSA continues to grow. We need to continue to increase our enrollment/ADA in order to reach a sustainable point and meet our Funding Determination goals.
- The current space is not adequate to house the material needs and storage of materials of a growing enrollment.
- The current space is not adequate to facilitate the professional delivery of the expanding program.

**Real Estate Options**

This document was provided to the California Department of Education (CDE) from Whitmore Union Elementary School District, Shasta County. This document is posted to the CDE Web site to meet the legal requirement of California Education Code Section 33009.5. For more information or questions about the content of this material or to obtain alternative versions, you may contact the Charter Schools Division by e-mail at charters@cde.ca.gov or by phone at 916-322-6029.
• Available buildings: NSA serves students who are largely residing in the south Shasta County area. Available buildings, within our price range, are limited. We completed an extensive search for an adequate resource center location. The NSA board member who is a real estate agent took a key role in the search. Few buildings have the total square footage actually required and all of them required extensive and expensive renovations.

• NSA has identified affordable buildings near the current resource center that could solve the space challenges if used as additional spaces.

• Even if, in the future, NSA could locate an affordable and serviceable single building, NSA is now locked into a lease in the current center until 6/30/2019.

**Students/Employees Affected**

The Shasta Ruling impacts approximately 113 students: 51 percent are socioeconomically disadvantaged and 13 percent are students with special needs/active IEP’s.

Northern Summit Academy has 11 employees, 5 are full time certificated staff.

**District Oversight**

The District provides supervisory oversight for Northern Summit Academy as required by Education Code Section 47604.32. The District affirms that at all times Northern Summit Academy has operated its resource center consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachments).

Students: 113
City Type: Rural
Public Hearing Date: December 13, 2016

Local Board Approval Date: December 13, 2016

Committee/Council Reviewed By: Northern Summit Academy Board of Directors
Committee/Council Review Date: December 8, 2016
Committee/Council Objection: N
Committee/Council Objection Explanation: Bargaining Units: N
Audit Penalty: N
Categorical Program Monitoring: N Contact Person Name: Larry Robins
Position: Superintendent, Whitmore Union Elementary School District
E-mail: lrobins@wujesd.org
Telephone: 530-472-3243
Fax: 530-472-1127

District or County Certification: I hereby certify that the information provided on this application is correct and complete.
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-19
### General Waiver

#### SUBJECT

Requests by Julian Union Elementary School District to waive portions of *Education Code* Sections 47605 and 47605.1 for two charter schools which concern Nonclassroom-Based Charter School Resource Center Location.

Waiver Numbers:
- Julian Union Elementary School District 13-12-2016
- Julian Union Elementary School District 25-12-2016

#### SUMMARY OF THE ISSUES

Julian Union Elementary School District (JUESD) is requesting waivers, on behalf of two of its charter schools, to allow these nonclassroom-based charter schools’ resource centers to operate outside of the boundaries of the school district, as identified in Attachment 1.

**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 requests from JUESD for each charter school identified in Attachment 1, consistent with the SBE’s Waiver Policy “Nonclassroom-Based Charter School Resource Center Location,” Policy #17-01 approved by the SBE on March 9, 2017, with the following conditions:

1. Require each 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)*, each waiver shall expire on June 30, 2018, and shall not be retroactive.
3. Require each charter school to submit the transition plan to the authorizing school district and to all school districts identified in Attachment 1 where the resource centers are located, within 30 days after approval of the waiver.

4. Require each charter school to provide a status update to parents.

SUMMARY OF KEY ISSUES

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 nonclassroom-based 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.

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. The policy adopted by the SBE sets forth guidelines for the processing of the waiver applications and to facilitate management of the SBE’s agenda. Consistent with *Anderson*, waivers shall apply only to existing, noncomplying resource centers of nonclassroom-based charter schools.

Consistent with the SBE’s policy, JUESD and the charter schools submitted the following additional information, as detailed in Attachment 1:

1. The address of each resource center, school district in which each resource center is located, date each resource center was established, and the number of students attending each resource center.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC Section 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

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Summary Table: Nonclassroom-Based Charter School Resource Center Location (4 Pages).

Attachment 2: Julian Union Elementary School District General Waiver Request for Diego Valley Charter (#1321) 25-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Additional Correspondence from Julian Union Elementary School District Regarding the General Waiver Request for Diego Valley Charter (#1321) 25-12-2016 (12 Pages).

Attachment 4: Julian Union Elementary School District General Waiver Request for Julian Charter (#0267) 13-12-2016 (4 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Additional Correspondence from Julian Union Elementary School District Regarding the General Waiver Request for Julian Charter (#0267) 13-12-2016 (5 Pages).
## Nonclassroom-Based Charter School Resource Center Location

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>Local Educational Agency (Charter Authorizer)</th>
<th>Charter School (Charter Number / CDS Code)</th>
<th>Address of Resource Center</th>
<th>School District Where Resource Center is Located</th>
<th>Date Resource Center Was Established</th>
<th>Number of Students Attending Resource Center</th>
<th>Need for Waiver</th>
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</thead>
<tbody>
<tr>
<td>25-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Diego Valley Charter (1321 / 37-68163-0124271)</td>
<td>511 North Second Street, El Cajon, CA</td>
<td>Grossmont Union High School District / Cajon Valley Union School District</td>
<td>2013</td>
<td>1,000</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
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<td>25-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Diego Valley Charter (1321 / 37-68163-0124271)</td>
<td>800 West Valley Parkway, #112, Escondido, CA</td>
<td>Escondido Union High School District / Escondido Union Elementary School District</td>
<td>2015</td>
<td>95</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
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<tr>
<td>25-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Diego Valley Charter (1321 / 37-68163-0124271)</td>
<td>933 East Vista Way, Vista, CA</td>
<td>Vista Unified School District</td>
<td>2016</td>
<td>240</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
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<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
<td>Charter School (Charter Number / CDS Code)</td>
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</tr>
<tr>
<td>25-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Diego Valley Charter (1321 / 37-68163-0124271)</td>
<td>9530 Winter Gardens Boulevard, Lakeside, CA</td>
<td>Grossmont Union High School District / Lakeside Union Elementary School District</td>
<td>2015</td>
<td>240</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>13-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Julian Charter (0267 / 37-68163-3731239)</td>
<td>539 Encinitas Boulevard, Encinitas, CA</td>
<td>Encinitas Union Elementary School District</td>
<td>2006</td>
<td>320</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>13-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Julian Charter (0267 / 37-68163-3731239)</td>
<td>777 Santa Fe, Encinitas, CA</td>
<td>Cardiff Elementary School District</td>
<td>2006</td>
<td>130</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no “out clauses” for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
<td>Charter School (Charter Number / CDS Code)</td>
<td>Address of Resource Center</td>
<td>School District Where Resource Center is Located</td>
<td>Date Resource Center Was Established</td>
<td>Number of Students Attending Resource Center</td>
<td>Need for Waiver</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------------------</td>
<td>------------------------------------------</td>
<td>---------------------------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------</td>
<td>-------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>13-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Julian Charter (0267 / 37-68163-3731239)</td>
<td>1191 Meadowlark Way, Ramona, CA</td>
<td>Ramona City Unified School District</td>
<td>2009</td>
<td>48</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no &quot;out clauses&quot; for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>13-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Julian Charter (0267 / 37-68163-3731239)</td>
<td>1832 Alpine Boulevard, Alpine, CA</td>
<td>Grossmont Union High School District / Alpine Union Elementary School District</td>
<td>2006</td>
<td>50</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no &quot;out clauses&quot; for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>13-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Julian Charter (0267 / 37-68163-3731239)</td>
<td>5300 Jackson Drive, La Mesa, CA</td>
<td>La Mesa-Spring Valley School District</td>
<td>2011</td>
<td>144</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no &quot;out clauses&quot; for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
<td>Charter School (Charter Number / CDS Code)</td>
<td>Address of Resource Center</td>
<td>School District Where Resource Center is Located</td>
<td>Date Resource Center Was Established</td>
<td>Number of Students Attending Resource Center</td>
<td>Need for Waiver</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------------------------------------</td>
<td>------------------------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------------------------</td>
<td>------------------------------------</td>
<td>---------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>13-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Julian Charter (0267 / 37-68163-3731239)</td>
<td>6112 Lorca (SDACCT), 6126 Adelaide (Student Services), 6104 Adelaide (SDASA), San Diego, CA</td>
<td>San Diego Unified School District</td>
<td>2005</td>
<td>75</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no &quot;out clauses&quot; for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
<tr>
<td>13-12-2016</td>
<td>Julian Union Elementary School District</td>
<td>Julian Charter (0267 / 37-68163-3731239)</td>
<td>28825, 28194 #107, 28876 Old Highway 80, Pine Valley, CA</td>
<td>Mountain Empire Unified School District</td>
<td>2005</td>
<td>73</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; impact ability to meet financial obligations; no &quot;out clauses&quot; for the lease agreements; and potential for becoming insolvent and filing for bankruptcy.</td>
</tr>
</tbody>
</table>
(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.

(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.]

Education Code Section 47605.1:

(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 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 school chooses to locate.

(2) The site is needed for temporary use during a construction or expansion project.

Outcome Rationale: Diego Valley Public Charter School (Diego Valley) has been authorized by Julian Union School District (JUSD) since 2011 and received a five-year renewal term from July 1, 2016 to June 30, 2021. Diego Valley is a non-classroom based/independent study charter school program offering personalized learning education programs for grades K-12.

Diego Valley is specifically designated as an Alternative School Accountability Model (ASAM) serving high-risk pupils and drop-outs. The State recognizes that Diego Valley's population has an extremely high turnover rate and can serve an entirely new group of students every 12 months.

Diego Valley primarily serves students who are considered "highly at-risk". The term highly at-risk encompasses students who are pregnant, significantly credit deficient, have medical problems that prevent regular attendance in a comprehensive program, and are on probation for criminal offenses. At-risk youth typically come from single-parent homes, have a low socioeconomic status, and experience a high degree of transiency in their living situations. Despite these barriers to achievement, Diego Valley continues to help these students succeed and graduate from high school.

Otego Valley serves approximately 1,400 students annually with 72% of the population eligible for free- and reduced-price meals (Socioeconomically Disadvantaged). The population includes 40% English Learner population and 13% SPED students. Many of Diego Valley's students have previously dropped out of high school and enroll at Diego Valley with an average deficiency of 50 credits.

Diego Valley students with special needs are served in accordance with their Individualized Education Programs ("IEPs," including but not limited to special education and related services provided by a Specialized Academic Instructor, who provides one-on-one instruction, along with accommodations and modifications. Diego Valley is part of the El Dorado County Charter SELPA.

At Diego Valley, each course is designed for the students and reviewed with the student by a supervising teacher in both the one-on-one and small group settings. Diego Valley's approach to Personalized Learning includes ample student support through individual tutorials, small group pull-out sessions, small group tutorials, career technical education pathways and courses, labs, online classes and technology-based learning opportunities and tutorials.

Diego Valley also provides instruction to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Investment Act pursuant to Education Code Section 47605.1(g). Diego Valley's year-round program emphasizes attainment of basic skill competencies, enhancing opportunities for academic and occupational training, and providing exposure to the job market and employment. Activities may include instruction leading to completion of secondary school, tutoring,
internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program emphasizes services for out-of-school youth.

In 2015, Diego Valley Public Charter High School was a recipient of $600,000 of California Career Pathways Trust grant funding. Diego Valley is currently in year two of the grant having met all goals for year one.

The Julian Union School District (JUSD) has provided supervisorial oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school’s audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. To the best of JUSD’s knowledge, Diego Valley has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeal ruled in AUHSD v. Shasta Secondary Home School that under Education Code section 47605(a), independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county.

Currently, Diego Valley has four (4) resource centers located within San Diego County that may be affected by the ruling. This waiver is necessary to protect the continued operation of Diego Valley’s existing resource centers where special education services, English Language Development, and intervention services are provided.

The ruling impacts approximately 1,400 students annually with 72% of the population being Socioeconomically Disadvantaged, 40% English Learners, and 13% SPED students. Also impacted are the 80 Diego Valley employees.

Diego Valley’s current staffing includes, but is not limited to, Certificated Teachers, Special Education Teachers, Counselors, School Psychologists, Tutors, Student Relation Technicians, Student Relations Managers, Registrars, Student Retention Support Specialists, Principals, Assistant Principals, Community Liaison, Instructional Specialist for Professional Development and Teacher Training, Program Specialist, Curriculum Instructional Specialist, Career Technical Education Instructional Specialist, and an Online Instructional Specialist.

Since 2011, Diego Valley has opened and operates four resource centers outside the boundaries of the District, but within the County. As a non-classroom based charter school, Diego Valley is not eligible for Proposition 39 funding so each initial build out and start up is directly funded by the charter school. In addition, each resource center lease agreement does not have a termination "out clause" allowing the schools to release them of their long term financial liability. Furthermore, despite Diego Valley’s high free- and reduced-price lunch ratio, it is not eligible for rental reimbursement under SB 740 as a nonclassroom based charter school.

Diego Valley created these resource centers in alignment with the direction provided by the California Department of Education as provided in the letter dated November 14, 2002 from Janet Sterling, Director. School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached).
The impact of the court's ruling in Shasta may result in the closing of these resource centers impacting 1,400 highly at-risk students who are now engaged in school and on a path towards graduation, employment of 80 school employees and the inability to meet the millions of dollars in long-term leases and other financial obligations. The result may cause Diego Valley to become insolvent and force it to file for bankruptcy. In addition to the impact on students being displaced, staff's loss of employment and school closure costs, local communities and the state of California will be affected by the loss of the societal benefit of each high school dropout recovered through Diego Valley's educational program. On average each high school dropout costs the state of California $209,200. (Source: Levin, et al.) The dropout recovery of Diego Valley's educational program has a potential savings of $292,880,000 for the state California. For many of these students Diego Valley's program is their best opportunity to obtain a high school diploma.

This waiver is necessary to protect the continued operation of Diego Valley's existing resource centers that provides the services and resources required under Education Code Section 51746, intervention support for all students, direct instruction opportunities for all students, and also provides a location for Federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA"), UCOP approved A-G coursework, including hands on science labs with equipment and manipulatives, and state mandated testing as required of charter schools pursuant to Education Code Section 47605(c).

Please note, Diego Valley employees are not organized into bargaining units, but JUSD consulted with its employees' exclusive representatives prior to the submission of this waiver request, and they are not opposed to the waiver.

Student Population: 1400 City Type: Rural Public Hearing Date: 12/14/2016

Local Board Approval Date: 12/14/2016
Community Council Reviewed By: Diego Valley Public Charter School Board of Directors
Community Council Reviewed Date: 11/17/2016
Community Council Objection: N Community Council Objection Explanation:

Audit Penalty YN: N
E-mail: Stevens@girardedwards.com Telephone: 917-706-1255
Fax:

  Bargaining Unit Date: 11/07/2016
  Name: Julian Union Teacher's Association Representative: David Pierce Title: President Position: Support Comments:
This document was provided to the California Department of Education (CDE) from Julian Union Elementary School District, San Diego County. This document is posted to the CDE Web site to meet the legal requirement of California Education Code Section 33009.5.

For more information or questions about the content of this material or to obtain alternative versions, you may contact The Charter Schools Division at charters@cde.ca.gov or 916-322-6029.
Authorizer: Julian Union Elementary School District
Charter School: Diego Valley Public Charter School (a designated ASAM school)
Total Resources Centers Impacted: Four

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.

<table>
<thead>
<tr>
<th>Address</th>
<th>511 North 2nd Street, El Cajon, CA 92021</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) of location</td>
<td>Grossmont Union High School District</td>
</tr>
<tr>
<td></td>
<td>Cajon Valley Union</td>
</tr>
<tr>
<td>Established date</td>
<td>March 2013</td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>52</td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>1,000</td>
</tr>
<tr>
<td>Average student age</td>
<td>18.5 years old</td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>66 credits (One full school year behind)</td>
</tr>
</tbody>
</table>

Student demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically</td>
<td>77%</td>
<td>60%</td>
</tr>
<tr>
<td>Disadvantaged</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>40%</td>
<td>28%</td>
</tr>
<tr>
<td>SPED</td>
<td>12%</td>
<td>13%</td>
</tr>
</tbody>
</table>

The resource center is an ASAM program that primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population when compared to the local school district demographics with the average student age of 18.5 years old. A typical student is approximately 66 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can
lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Certificated Teachers
- Special Education Teachers
- Counselors
- School Psychologist
- Tutors
- Student Relation Technicians
- Student Relations Managers
- Registrars
- Student Retention Support Specialist
- Principal
- Assistant Principal
- Community Liaison
- Instructional Specialist for Professional Development and Teacher Training,
- Instructional Specialist Career Technical Education
- Instructional Specialist Education Technology
- English Learner and Special Education Clerks

**Resource Center Specific Programs**

- WIOA with Access and Metro (case management services, career services, professional skills classes)
- WIOA with American Job Center provider KRA (career center services)
- TESOL Conversational English Classes through MOU with Toward Maximum Independence
- Staff and student Yoga classes (PE Credit)
- ourSOLES (Students of Empowerment Leadership and Service) leadership seminar in conjunction with San Diego State University student and faculty mentors
- Grossmont College First Year Experience program
- ASVAB testing and Military Career Counseling
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Daily Snacks/Food
- Computer and internet access
- Job placement assistance
- Child care with local partnership
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer and Cross Country
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
- Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $3 million annual loss of income affecting the local community. The resource center also has long term financial obligations which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $3.1 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

<table>
<thead>
<tr>
<th>Resource center</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Address</strong></td>
</tr>
</tbody>
</table>
| **School District(s) of location** | Grossmont Union High School District  
Lakeside Union Elementary |
| **Established date** | October 2015 |
| **Total staff impacted** | 15 |
| **Total annual students served impacted (est.)** | 240 |
| **Average student age** | 18.1 years old |
| **Average credit deficient (at time of enrollment)** | 70 credits (Over one full school year behind) |

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>69%</td>
<td>60%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>19%</td>
<td>28%</td>
</tr>
<tr>
<td>SPED</td>
<td>11%</td>
<td>13%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged population when compared to the local school district demographics with the average student age of 18.1 years old. A typical student is approximately 70 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center is an ASAM program that offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified
staff who understand the needs of the centers population and offer programs designed to meet the needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- **Full Time Staff Dedicated to Resource Center**
  - Certificated Teachers
  - Special Education Teachers
  - Tutors
  - Student Relation Technicians
- **Part-Time Staff Dedicated to Resource Center**
  - Counselor
  - School Psychologist
  - Student Relations Manager
  - Registrar
  - Student Retention Support Specialist
  - Principal
  - Assistant Principal
  - Community Liaison
  - Instructional Specialist for Professional Development and Teacher Training
  - Instructional Specialist Career Technical Education
  - Instructional Specialist Education Technology

**Resource Center Specific Programs**

- WIOA with Access and Metro (case management services, career services, professional skills classes)
- WIOA with American Job Center provider KRA (career center services)
- Emerge Middle School Program for 7th and 8th grade
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Daily Snacks/Food
- Computer and internet access
- Job placement assistance
- Child care with local partnership
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer and Cross Country
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
- Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in an $1.1 million annual loss of income affecting the local community. The resource center also has long term financial obligations of $600,000 which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $1.7 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>Address</th>
<th>933 East Vista Way, Vista, CA 92084</th>
</tr>
</thead>
<tbody>
<tr>
<td>School District(s) of location</td>
<td>Vista Unified School District</td>
<td></td>
</tr>
<tr>
<td>Established date</td>
<td>May 2016</td>
<td></td>
</tr>
<tr>
<td>Total staff impacted</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Total annual students served impacted (est.)</td>
<td>240</td>
<td></td>
</tr>
<tr>
<td>Average student age</td>
<td>17.8 years old</td>
<td></td>
</tr>
<tr>
<td>Average credit deficient (at time of enrollment)</td>
<td>68 credits (One full school year behind)</td>
<td></td>
</tr>
</tbody>
</table>

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>72%</td>
<td>62%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>52%</td>
<td>43%</td>
</tr>
<tr>
<td>SPED</td>
<td>19%</td>
<td>13%</td>
</tr>
</tbody>
</table>

The resource center is an ASAM program that primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged, EL/RFEP and SPED population when compared to the local school district demographics with the average student age of 17.8 years old. A typical student is approximately 68 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the needs of the
students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teachers
  - Tutor
  - Student Relation Technician
- Part-Time Staff Dedicated to Resource Center
  - Counselor
  - School Psychologist
  - Student Relations Manger
  - Registrar
  - Student Retention Support Specialist
  - Principal
  - Assistant Principal
  - Community Liaison
  - Instructional Specialist for Professional Development and Teacher Training
  - Instructional Specialist Career Technical Education
  - Instructional Specialist Education Technology

**Resource Center Specific Programs**

- WIOA with Access and Metro (case management services, career services, professional skills classes)
- WIOA with American Job Center provider ResCare (career center services)
- Young Entrepreneur program with Access to train students in business skills
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Daily Snacks/Food
- Computer and internet access
- Job placement assistance
- Child care with local partnership
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer and Cross Country
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
- Read 180 program
• Edmentum Plato Courses

Our over age and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $575,000 annual loss of income affecting the local community. The resource center also has long term financial obligations of $1.425 million which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $2 million.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
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.

<table>
<thead>
<tr>
<th>Resource center</th>
<th>Address</th>
<th>School District(s) of location</th>
<th>Established date</th>
<th>Total staff impacted</th>
<th>Total annual students served impacted (est.)</th>
<th>Average student age</th>
<th>Average credit deficient (at time of enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>800 West Valley Parkway, #112, Escondido, CA 92025</td>
<td>Escondido Union High School District</td>
<td>April 2015</td>
<td>5</td>
<td>95</td>
<td>17.8 years old</td>
<td>58 credits (Approximately one full school year behind)</td>
</tr>
</tbody>
</table>

**Student demographics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Resource Center %</th>
<th>School District of Location %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-Economically Disadvantaged</td>
<td>63%</td>
<td>62%</td>
</tr>
<tr>
<td>EL/RFEP</td>
<td>25%</td>
<td>48%</td>
</tr>
<tr>
<td>SPED</td>
<td>20%</td>
<td>9%</td>
</tr>
</tbody>
</table>

The resource center primarily serves 9-12 grade students who are high-risk and drop-outs. The center serves a high percentage of socioeconomically disadvantaged and EL/RFEP population when compared to the local school district demographics with the average student age of 17.8 years old. A typical student is approximately 58 credits deficient upon enrollment at the resource center. For many dropouts and potential dropouts, this program is their only opportunity to change their direction and continue their education.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

The resource center is an ASAM program that offers a non-classroom based Personalized Learning program that is tailored to the needs and interest of each student through an emphasis in 1:1 student-teacher interaction. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students. This cycle often leads to deficient self-esteem which in turn can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported and disconnected to the regular school setting. To overcome these obstacles, the resource center offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student’s learning level. The resource center consists of a highly qualified staff who understand the needs of the centers population and offer programs designed to meet the
needs of the students in the surrounding areas. Outlined below are the resource center staff positions and specialized programs offered to meet their student’s needs.

**Resource Center Instructional Support Staff**

- Full Time Staff Dedicated to Resource Center
  - Certificated Teachers
  - Special Education Teacher
  - Student Relation Technician
- Part-Time Staff Dedicated to Resource Center
  - Counselor
  - School Psychologist
  - Tutor
  - Student Relations Manager
  - Registrar
  - Student Retention Support Specialist
  - Principal
  - Assistant Principal
  - Community Liaison
  - Instructional Specialist for Professional Development and Teacher Training
  - Instructional Specialist Career Technical Education
  - Instructional Specialist Education Technology

**Resource Center Specific Programs**

- WIOA with Access and Metro (case management services, career services, professional skills classes)
- WIOA with American Job Center provider ResCare (career center services)
- Staff and student Yoga classes (PE Credit)
- ASVAB testing and Military Career Counseling
- Special Ed services to students with 504 and IEPs
- EL Instruction and custom curriculum
- Speech and Language services
- Free counseling
- Mental health services
- Daily Snacks/Food
- Computer and internet access
- Job placement assistance
- Child care with local partnership
- Free tutoring
- Music programs
- Reading program
- Professional Skills
- Sports – Soccer and Cross Country
- Academic Exploration and NWEA MAP assessments
- Edge Program to help students improve English skills
- ELD or Edge curriculum provided based on CEDLT level and courses
• Read 180 program
• Edmentum Plato Courses

Our overage and under credited students have few options to achieve high school graduation, and disrupting their personal commitment to re-engage in school and earn a high school diploma would be a disservice to this most needy and underserved population. Stability is essential in supporting their successful trajectory towards graduation and into work or college.

For every student recovered and graduated, society benefits in increased tax contributions, decreased public health expenditures, reduced criminal activity and reduced dependency on Welfare.

In addition to the impact on students being displaced, the staff’s loss of employment will result in a $360,000 annual loss of income affecting the local community. The resource center also has long term financial obligations of $440,000 which may impact the charter school’s overall ability to remain financially solvent. The long term financial obligations and community impact related to the resource center is approximately $800,000.

Due to the mid-year timing of the 3rd Districts decision, the waiver is necessary to allow the charter school the appropriate amount of time to transition the resource center to comply with the decision in order to avoid disruption to the educational program for our high-risk student population, loss of economic growth to our local communities as a result of our graduation of a predominantly drop-out population, and loss of jobs of our resource center staff and financial hardship to the charter school.

The flexibility of the waiver is critical to our students, staff and local community and sincerely appreciated.
(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.

(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.]

Education Code Section 47605.1:

(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:

The 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 school chooses to locate.

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 education 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.

Outcome Rationale: Julian Charter School (JCS) is authorized by the Julian Union School District (JUSD) and provides high quality independent study education options to K-12 students in San Diego and adjacent counties (Orange, Riverside and Imperial). JCS was established and began operating on November 22, 1999 and was most recently renewed by JUSD for a five-year term from July 1, 2016 - June 30, 2021.

Students at JCS are part of an independent study, personalized learning education model based on current educational research and accessed through homeschool-based learning and/or learning center support and instruction. JCS offers students individualized learning plans, supplemental learning projects and opportunities, online classes, community college and ROP courses, tutoring, independent study models and other support structures to allow for student success. JCS works with its students and parents by providing them with high quality appropriate educational resources, an assigned Teacher of Record - a certificated educational facilitator (EF or "facilitator"), academy coordinator or homeroom teacher - and access to a team of education professionals who can provide additional support services as appropriate.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, JCS has twelve (12) resource centers located within San Diego County that may be affected by the ruling, impacting 900 students (13% SPED population) who
regularly use these resource centers. These resource centers allow JCS to maintain the majority of its students in our sponsoring county.

These resource centers have been in operation and serving students' needs for the last five to twelve years. JCS created these resource centers in alignment with direction provided by the California Department of Education ("CDE") as provided in the letter dated November 14, 2002 from Janet Sterling, Director, School Fiscal Services Division, updating Charter School Administrators, County and District Superintendents and Chief Business Officials on recent charter legislation, including AB 1994 (attached). JCS has continued to operate these facilities in alignment with the Frequently Asked Questions regarding charter schools as published on the COE website (attached).

If these centers were to close, it would also Jeopardize resource centers in our adjacent counties affecting another 450 students in Riverside County. JCS has no "out clauses" in our current leases to allow lease termination prior to the end of the term. The court's ruling could thus cost the school millions of dollars in lease fees for facilities JCS cannot use for student instruction, essentially bankrupting the school.

Additionally, the court's ruling may jeopardize JCS's ability to employ its 260 employees. Accordingly, this waiver is necessary to protect the continued operation of JCS' existing resource centers that provides the services and resources required under Education Code Section 51746 (required services and resources for independent study students, including but not limited to learning centers and instructional staff), intervention support for all students, direct instruction opportunities for all students. This waiver would also allow JCS to continue to provide a location for Federally mandated special education services to allow the provision of a free appropriate public education ("FAPE") to students who qualify under the Individuals with Disabilities in Education Act ("IDEA"), state mandated testing as required of charter schools pursuant to Education Code Section 47605(c), and wet laboratory facilities to allow students to fulfill UC and CSU A-G requirements.

Approval of this waiver will allow Julian Charter School, Inc. time to reorganize, apply for additional charters, WASC accreditations, SELPA membership, and allow leases to expire reducing fiscal liability, and other necessary tasks to restructure and continue serving students in JCS's geographical territory.

"Please note, Julian Charter School employees are not organized into bargaining units, but Julian Union Elementary School District consulted with its employees' exclusive representatives prior to the submission of this waiver request, and they are not opposed to the waiver.

Student Population: 2598
City Type: Rural
Public Hearing Date: 11/9/2016
Public Hearing Advertised: JUSD, JCS, Julian Post Office, Julian Community Bulletin Board, Cider Mill Window
Local Board Approval Date: 11/9/2016
Community Council Reviewed by: JCS Board of Directors
Community Council Reviewed Date: 11/4/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N
Categorical Program Monitoring: N
Submitted by: Mr. Eric Stevens
E-mail: stevens@girardedwards.com
Telephone: 916-706-1255
Fax:

Bargaining Unit Date: 11/07/2016
Name: Julian Union Teacher's Association Representative: David Pierce
Title: President
Position: Support
Comments:
State Board of Education Waiver #13-12-2016

Julian Union Elementary School District Waiver Request on Behalf of Julian Charter School
for San Diego County Resource Centers

Two facilities in sponsoring district: 1704 Cape Horn, Julian, CA 92036
1509 Hwy 78, Julian, CA 92036

*These facilities house the Main Office, testing location for back-country students, as well as meeting space and student services instruction (SPED). As these facilities are within the boundaries of the authorizer, we do not seek the waiver for these facilities.*

<table>
<thead>
<tr>
<th>Resource Center</th>
<th>Address</th>
<th>District(s) it’s located in</th>
<th>Date Established</th>
</tr>
</thead>
</table>
| Julian Charter School - Pine Valley Academy | 3 Buildings/3 Leases  
28825  
28194 #107  
28876  
Old Hwy 80, Pine Valley, CA 91962 | Mountain Empire Unified                      | August, 2005                                  |

Pine Valley Academy currently serves 73 6-12 students in the east county of San Diego in a grouping of three buildings. The program serves approximately 14% students with special needs. As a result, special education services are provided at the facility, home study students check in with their supervising teachers at this location and all students have access to tutorial services at this location.

Standardized testing occurs at this location. The middle school program is on site two days a week and students have access to small classes during those two days. The high school program is on site three days a week and students have access to small classes during those three days. Wet labs are offered at this facility. Without the waiver, students will lose access to these services and classes. All services will need to be moved into student homes. Julian Charter School employs 6.5 teachers and staff who work full time at these facilities.

This area is very rural and the small student population would make a stand-alone charter prohibitive. That said, these students benefit greatly from the services and classes and the waiver will allow for a lawful and smooth transition.
Alpine Academy has two programs: Academy and INSITE serving students in grades 9-12. Currently, it serves a total of 50 students in the east county area. 18% of those students have IEPs. This facility is also used for tutoring, teacher meetings and safety net intervention services for students on home study. Students in the academy program are at the program three days a week for small group classes. INSITE students meet one day a week for support and face-to-face interaction with their credentialed teachers. Standardized testing occurs at the facility as well as wet labs for a-g requirements.

Without the waiver, students will lose access to these services and classes. All services will need to be moved into student homes. Julian Charter School employs 4 teachers and staff who work full time at this facility.

If the waiver is granted, we will have the time to transition this facility to align with legal requirements. Without the waiver, Julian Charter School will continue to pay the following without use of the facility: $142,000.

This area is very rural and the small student population would make a stand-alone charter prohibitive. That said, these students benefit greatly from the services and classes and the waiver will allow for a lawful and smooth transition.

The Innovation Centre La Mesa offers small classes four days a week in grades K-5 serving 137-144 students annually. 8% of those students have IEPs and receive special education services at the facility. On Fridays, the facility is used to serve over 100+ home study students in enrichment classes. Standardized testing also occurs at this facility.

Without the waiver, students will lose access to these services and classes. All services will need to be moved into student homes. Julian Charter School employs 8.5 teachers and staff who work full and part time at this facility.
If the waiver is granted, we will have the time to transition this facility to align with legal requirements. Without the waiver, Julian Charter School will continue to pay the following without use of the facility: **$260,000**

Students benefit greatly from the services and classes and the waiver will allow for a lawful and smooth transition.

<table>
<thead>
<tr>
<th>Julian Charter School - San Diego Complex</th>
<th>3 Buildings/1 lease</th>
<th>San Diego Unified</th>
<th>August, 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6112 Lorca (SDACCT)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6126 Adelaide (Student Services)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6104 Adelaide (SDASA)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>San Diego, CA 92115</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Multiple programs run out of these facilities. The San Diego Academy of Arts and Science (6-8) has two tracks that meet two-days a week serving 75 students total of which 17% have IEPs. The third day is used for support of academy students as well as serving 25 home study students on Fridays with enrichment classes. Additionally, the two high school programs operating out of this facility are the San Diego Academy of Critical and Creative Thought (9-12) that is piloting the Summit Online Curriculum this year. This program is also working with our INSITE (9-12) program for a total of 59 students on campus three days a week. 14% of those students receive special education services. Finally, our Student Services facility is at this location where home study students have access to special education services. Approximately 68 students attend the facility weekly for special education services along with attending scheduled IEP meetings. This facility also has meeting space where facilitators (supervising teachers) meet with 100+ students in face-to-face meetings. There is also a small resource center (books and other instructional materials) for students and parents to drop off or check out and storage until a courier can move them to the school’s main storage/resource center in Murrieta, CA. Standardized testing also occurs at this facility. Wet labs are also offered at this facility.
Without the waiver, students will lose access to these services and classes. All services will need to be moved into student homes. Julian Charter School employs 18 teachers and staff who work full and part-time at these facilities.

If the waiver is granted, we will have the time to transition these facilities to align with legal requirements. Without the waiver, Julian Charter School will continue to pay the following without use of the facility: $210,000

These students benefit greatly from the services and classes and the waiver will allow for a lawful and smooth transition.

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Julian Charter School - Phoenix Learning Center
539 Encinitas Blvd.
Encinitas, CA 92024
Encinitas Union
August, 2006

There are 320 students in this K-8 program with 8% receiving special education services at the facility. Small classes are offered four days a week at this facility. Julian Charter School owns this building as part of a 26 million dollar bond. The facility is used for IEP meetings and services for home study on Fridays as well. Standardized testing also occurs at this facility.

Without the waiver, students will lose access to these services and classes. All services will need to be moved into student homes. Julian Charter School employs 20 teachers and staff who work full and part-time at this facility.

If the waiver is granted, we will have the time to transition this facility to align with legal requirements. Without the waiver, Julian Charter School will continue to pay the following without use of the facility: $415,000

Students benefit greatly from the services and classes and the waiver will allow for a lawful and smooth transition.

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Julian Charter School - Innovation Centre
777 Santa Fe
Encinitas, CA 92024
Cardiff Union
August, 2006

The Innovation Centre of Encinitas currently serves approximately 130 students in grades K-6 at this facility where small classes are offered four days a week. 13% of
those students have IEPs and receive special education services and IEPs are held at this facility. Standardized testing also occurs at this facility.

Without the waiver, students will lose access to these services and classes. All services will need to be moved into student homes. Julian Charter School employs 11 teachers and staff who work full and part-time at this facility.

If the waiver is granted, we will have the time to transition this facility to align with legal requirements. Without the waiver, Julian Charter School will continue to pay the following without use of the facility: **$214,000**

Students benefit greatly from the services and classes and the waiver will allow for a lawful and smooth transition.

<table>
<thead>
<tr>
<th>Julian Charter School - Ramona Learning Center</th>
<th>1191 Meadowlark Way, Ramona, CA 92065</th>
<th>Ramona Unified School District</th>
<th>August, 2009</th>
</tr>
</thead>
</table>

The Ramona Learning Center currently supports approximately 48 K-8 students in the back-country of San Diego County for enrichment classes and tutoring one day a week (Tuesdays). There is no formal lease for this facility. We do pay a cleaning fee and provide a certificate of insurance to the church. This is also a major testing facility for final exams and CAASPP.

Without the waiver, students will lose access to these services and classes. All services will need to be moved into student homes. Julian Charter School employs 3 teachers and staff who work part-time at this facility.

This area is very rural and the small student population would make a stand-alone charter prohibitive. That said, these students benefit greatly from the services and classes and the waiver will allow for a lawful and smooth transition.
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

WAIVER ITEM W-21
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

General Waiver

SUBJECT

Requests by Dehesa Elementary School District to waive portions of Education Code Sections 47605 and 47605.1 for two charter schools which concern Nonclassroom-Based Charter School Resource Center Location.

Waiver Numbers:
- Dehesa Elementary School District 32-12-2016
- Dehesa Elementary School District 7-2-2017

SUMMARY OF THE ISSUES

Dehesa Elementary School District (DESD) is requesting waivers, on behalf of its charter schools, to allow these nonclassroom-based charter schools’ resource centers to operate outside of the boundaries of the school district, as identified in Attachment 1.

Authority for Waiver: Education Code (EC) Section 33050

RECOMMENDATION

☐ Approval  ☒ Approval with conditions  ☐ Denial

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the requests from DESD for each charter school identified in Attachment 1, consistent with the SBE’s Waiver Policy “Nonclassroom-Based Charter School Resource Center Location,” Policy #17-01 approved by the SBE on March 9, 2017, with the following conditions:

1. Require each 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), each waiver shall expire on June 30, 2018, and shall not be retroactive.
3. Require each charter school to submit the transition plan to the authorizing school district, county office of education, and to all school districts identified in Attachment 1 where the resource centers are located, within 30 days after approval of the waiver.

4. Require each charter school to provide a status update to parents.

**SUMMARY OF KEY ISSUES**

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 nonclassroom-based 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.

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. The policy adopted by the SBE sets forth guidelines for the processing of the waiver applications and to facilitate management of the SBE’s agenda. Consistent with *Anderson*, waivers shall apply only to existing, noncomplying resource centers of nonclassroom-based charter schools.

Consistent with the SBE’s policy, DESD and the charter schools submitted the following additional information, as detailed in Attachment 1:

1. The address of each resource center, school district(s) in which each resource center is located, date each resource center was established, and the number of students attending each resource center.

   The CDE notes, however, that the identified resource center location address or school district(s) of location, as provided by DESD could not be confirmed for one or more resource centers, as provided in Attachment 1. Therefore, as noted in the Recommendation above, CDE is recommending that the transition plan also be provided to the San Diego County Office of Education as well as the additional districts identified in Attachment 1.

2. For each resource center subject to the waiver request, discussion of the need for the waiver.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC Section 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


FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Summary Table: Nonclassroom-Based Charter School Resource Center Location (4 Pages).

Attachment 2: Dehesa Elementary School District General Waiver Request for Community Montessori Charter (#1494) 7-2-2017 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Additional Correspondence from Dehesa Elementary School District Regarding the General Waiver Request for Community Montessori Charter (#1494) 7-2-2017 (5 Pages).

Attachment 4: Dehesa Elementary School District General Waiver Request for Dehesa Charter (#0419) 32-12-2016 (3 Pages). (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Additional Correspondence from Dehesa Elementary School District Regarding the General Waiver Request for Dehesa Charter (#0419) 32-12-2016 (6 Pages).
## Nonclassroom-Based Charter School Resource Center Location

<table>
<thead>
<tr>
<th>Waiver Number</th>
<th>Local Educational Agency (Charter Authorizer)</th>
<th>Charter School (Charter Number / CDS Code)</th>
<th>Address of Resource Center</th>
<th>School District Where Resource Center is Located</th>
<th>Date Resource Center Was Established</th>
<th>Number of Students Attending Resource Center</th>
<th>Need for Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>7-2-2017</td>
<td>Dehesa Elementary School District</td>
<td>Community Montessori Charter (1494 / 37-68049-0127167)</td>
<td>1816 Oak Hill Drive, Escondido, CA</td>
<td>Escondido Union School District</td>
<td>2015</td>
<td>163</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and fiscal impact of lease agreements, salary, and benefits.</td>
</tr>
<tr>
<td>7-2-2017</td>
<td>Dehesa Elementary School District</td>
<td>Community Montessori Charter (1494 / 37-68049-0127167)</td>
<td>3751 Mary Lane, Escondido, CA</td>
<td>Escondido Union School District</td>
<td>2013</td>
<td>155</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and fiscal impact of lease agreements, salary, and benefits.</td>
</tr>
<tr>
<td>7-2-2017</td>
<td>Dehesa Elementary School District</td>
<td>Community Montessori Charter (1494 / 37-68049-0127167)</td>
<td>6797 Embarcadero Lane, Carlsbad, CA</td>
<td>Carlsbad Unified School District</td>
<td>2015</td>
<td>99</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and fiscal impact of lease agreements, salary, and benefits.</td>
</tr>
<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
<td>Charter School (Charter Number / CDS Code)</td>
<td>Address of Resource Center</td>
<td>School District Where Resource Center is Located</td>
<td>Date Resource Center Was Established</td>
<td>Number of Students Attending Resource Center</td>
<td>Need for Waiver</td>
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</tr>
<tr>
<td>7-2-2017</td>
<td>Dehesa Elementary School District</td>
<td>Community Montessori Charter (1494 / 37-68049-0127167)</td>
<td>9580 Carlton Hills Boulevard, Santee, CA</td>
<td>Santee School District/ *Grossmont Union High School District/ **San Diego County Office of Education</td>
<td>2013</td>
<td>96</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and fiscal impact of lease agreements, salary, and benefits.</td>
</tr>
<tr>
<td>7-2-2017</td>
<td>Dehesa Elementary School District</td>
<td>Community Montessori Charter (1494 / 37-68049-0127167)</td>
<td>12370 Adobe Ridge Road, Poway, CA</td>
<td>Poway Unified School District</td>
<td>2014</td>
<td>84</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and fiscal impact of lease agreements, salary, and benefits.</td>
</tr>
<tr>
<td>32-12-2016</td>
<td>Dehesa Elementary School District</td>
<td>Dehesa Charter School (0419 / 37-68049-6119564)</td>
<td>367 La Veta Avenue, Encinitas, CA</td>
<td>Encinitas Union Elementary School District/ *San Dieguito Union High School District/ **San Diego County Office of Education</td>
<td>2009</td>
<td>60</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
</tr>
<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
<td>Charter School (Charter Number / CDS Code)</td>
<td>Address of Resource Center</td>
<td>School District Where Resource Center is Located</td>
<td>Date Resource Center Was Established</td>
<td>Number of Students Attending Resource Center</td>
<td>Need for Waiver</td>
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</tr>
<tr>
<td>32-12-2016</td>
<td>Dehesa Elementary School District</td>
<td>Dehesa Charter School (0419 / 37-68049-6119564)</td>
<td>1441 Montiel Road, Suite 145, Escondido, CA</td>
<td>Escondido Union School District/ *Escondido Union High School District/ **San Diego County Office of Education</td>
<td>2010</td>
<td>86</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
</tr>
<tr>
<td>32-12-2016</td>
<td>Dehesa Elementary School District</td>
<td>Dehesa Charter School (0419 / 37-68049-6119564)</td>
<td>1800 North Broadway, Escondido, CA</td>
<td>Escondido Union School District/ *Escondido Union High School District/ **San Diego County Office of Education</td>
<td>2011</td>
<td>30</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
</tr>
<tr>
<td>32-12-2016</td>
<td>Dehesa Elementary School District</td>
<td>Dehesa Charter School (0419 / 37-68049-6119564)</td>
<td>4646 Mission Gorge Pl., San Diego, CA</td>
<td>San Diego Unified School District</td>
<td>2005</td>
<td>169</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
</tr>
<tr>
<td>Waiver Number</td>
<td>Local Educational Agency (Charter Authorizer)</td>
<td>Charter School (Charter Number / CDS Code)</td>
<td>Address of Resource Center</td>
<td>School District Where Resource Center is Located</td>
<td>Date Resource Center Was Established</td>
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</tr>
<tr>
<td>32-12-2016</td>
<td>Dehesa Elementary School District</td>
<td>Dehesa Charter School (0419 / 37-68049-6119564)</td>
<td>5305 Sweetwater Road, Bonita, CA</td>
<td>Sweetwater Union High School District/ South Bay Union School District/ *Chula Vista Elementary School District/ **San Diego County Office of Education</td>
<td>2010</td>
<td>104</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
</tr>
<tr>
<td>32-12-2016</td>
<td>Dehesa Elementary School District</td>
<td>Dehesa Charter School (0419 / 37-68049-6119564)</td>
<td>6797 Embarcadero Lane, Carlsbad, CA</td>
<td>Carlsbad Unified School District</td>
<td>2015</td>
<td>48</td>
<td>Immediate closure would cause academic harm and disruption to students being served; employment hardship for the staff; and impact ability to meet financial obligations and lease agreements.</td>
</tr>
</tbody>
</table>

*Based on a review of the information submitted by Dehesa Elementary School District, including the address of the resource center and the school district(s) where the resource center is located, the California Department of Education (CDE) identified an additional school district where the resource center is located.
**As a result of additional school district(s) where the resource center is located that have been identified by the CDE, the CDE is recommending that the charter school submit the transition plan to the San Diego County Office of Education, in addition to the authorizing school district and school districts identified where the resource center is located.

Created by California Department of Education
April 28,
California Department of Education
WAIVER SUBMISSION - General

CD Code: 3768049        Waiver Number: 7-2-2017        Active Year: 2017

Date In: 2/8/2017 3:33:02 PM

Local Education Agency: Dehesa Elementary
Address: 4612 Dehesa Rd.
El Cajon, CA 92019

Start: 7/1/2016        End: 7/1/2018

Waiver Renewal: N
Previous Waiver Number:        Previous SBE Approval Date:

Waiver Topic: Charter School Program
Ed Code Title: Geographic Limitations - Non-classroom Based
Ed Code Section: Portions of EC Sections 47605(a)(1) and 47605.1
Ed Code Authority: 33050

Ed Code or CCR to Waive: Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:

Education Code 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.

(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.]

Education Code Section 47605.1:
(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 and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exist:
The 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 school chooses to locate.

The site is needed for temporary use during a construction or expansion project.

Outcome Rationale: Community Montessori (CM) was authorized by Dehesa School District (District) in 2012. CM primarily offers an independent study, non-classroom based educational program with individualized learning plans for students. The goal of CM is to guide students to be self-sufficient learners who take initiative and responsibility for their learning. By focusing on opportunities to identify and obtain mastery, through flexibility and autonomy, students find purpose in their learning and are motivated to dig deeper and strive further.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, CM has approximately six resource centers located within San Diego County that are affected by the ruling. This waiver is necessary to allow the continued operation of CM's existing resource centers.

Approximately 375 students are currently enrolled at CM. Suddenly closing these resource centers poses not only an academic hardship for students and an employment hardship for staff, but a financial hardship for the school as CM may be forced to forfeit leases.

Please note, CM’s employees are not organized into bargaining units, but the District consulted with its employees’ exclusive representatives prior to the submission of this waiver request, and they are not opposed to the waiver. Before submitting these waiver requests, Dehesa School District’s Superintendent, Nancy Hauer, met with The Dehesa Teacher’s Association (“DTA”) President Nicole Suetos and Vice President Mynor Pinillos on either December 1 or 2, 2016, and the California School Employees Association (“CSEA”) Dehesa Chapter #663 President Jackie Finch and Vice President Jaime Martina on either November 28 or 29, 2016.

Student Population: 375

City Type: Rural

Public Hearing Date: 12/8/2016
Public Hearing Advertised: Website

Local Board Approval Date: 11/29/2016

Community Council Reviewed By: Dehesa Charter School Board of Directors
Community Council Reviewed Date: 11/29/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Nancy Hauer
Position: Superintendent
E-mail: nancy.hauer@dehesasd.net
Telephone: 619-444-2161
Fax:
Bargaining Unit Date: 12/01/2016
Name: Dehesa Teacher’s Association (DTA)
Representative: Nicole Suetos
Title: President
Position: Neutral
Comments:
<table>
<thead>
<tr>
<th>Region</th>
<th>Address of Facility</th>
<th>Description</th>
<th>District(s) in which located</th>
<th>Year Region Established</th>
<th># of Students</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Santee</td>
<td>9580 Carlton Hills Blvd, Santee, 92071</td>
<td>Stand-alone building leased full-time; seven years left on lease of $8700 per month</td>
<td>Santee</td>
<td>2013</td>
<td>40 of the 96 students who use center reside within district; 56 students who use the center reside outside district boundaries</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, small group instruction, parent meetings and parent classes are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan. School enrolls only 40 students from within Santee District which is not enough to support a separate charter school.</td>
</tr>
<tr>
<td>Region</td>
<td>Address of Facility</td>
<td>Description</td>
<td>District(s) in which located</td>
<td>Year Region Established</td>
<td># of Students</td>
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</tr>
<tr>
<td>Poway</td>
<td>12370 Adobe Ridge Rd, Poway, 92064</td>
<td>Former private school building purchased by charter school; monthly mortgage of $8636</td>
<td>Poway</td>
<td>2014</td>
<td>71 of the 84 students who use center reside within district; 13 students who use center reside outside district boundaries</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, small group instruction, parent meetings and parent classes are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan. School enrolls only 71 students from within Poway District which is not enough to support a separate charter school.</td>
</tr>
<tr>
<td>Region</td>
<td>Address of Facility</td>
<td>Description</td>
<td>District(s) in which located</td>
<td>Year Region Established</td>
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</tr>
<tr>
<td>South Escondido</td>
<td>3751 Mary Lane, Escondido, 92025</td>
<td>Stand-alone building leased full-time; six years left on lease of $11,567 per month</td>
<td>Escondido Union</td>
<td>2013</td>
<td>100</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, small group instruction, parent meetings and parent classes are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan.</td>
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<td>Region</td>
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</tr>
<tr>
<td>Escondido</td>
<td>1816 Oak Hill Dr, Escondido, 92027</td>
<td>Former private school building purchased by charter school; monthly mortgage of $8500</td>
<td>Escondido Union</td>
<td>2015</td>
<td>133 of the 163 students who use center reside within district; 30 students who use center reside outside district boundaries</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, small group instruction, parent meetings and parent classes are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan</td>
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</tr>
<tr>
<td>Carlsbad</td>
<td>6797 Embarcadero Lane, Carlsbad, 92011</td>
<td>Commercial space rented full-time; nine years left on lease of $19,835 per month</td>
<td>Carlsbad</td>
<td>2015</td>
<td>36 of the 99 students who use center reside within district; 63 students who use center reside outside district boundaries</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, small group instruction, parent meetings, and parent classes are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan</td>
</tr>
</tbody>
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(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.

(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:]

Education Code Section 47605. 1.

(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:]}
Outcome Rationale: Dehesa Charter School (CDS) was authorized by Dehesa School District (District) in 2001. The current charter was renewed in June of 2015 for a period of five years.

DCS offers a personalized learning program which addresses common core standards via a research-based learning styles model, a wide range of learning environments and curricula, and parent support as the daily monitor of student learning. The goal of DCS is to guide students to be self-sufficient learners who take initiative and responsibility for their learning. By focusing on opportunities to identify and obtain mastery, through flexibility and autonomy, students find purpose in their learning and are motivated to dig deeper and strive further.

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has six resource centers located within San Diego County that are affected by the ruling. This waiver is necessary to allow the continued operation of Dehesa Charter School’s existing resource centers.

Approximately 1,071 students are currently enrolled at DCS. Approximately 93% of students use a resource center for a variety of reasons. Reasons for attending a resource center include, but are not limited to: receiving special education services, attending a required lab for a UC-approved science course, receiving specialized instruction, English Language Development, and/or to work cooperatively in a social setting. Nearly 50% of the students have attended private, charter, or R-4 home-schooling prior to enrolling with Dehesa Charter School and are unlikely to enroll in their neighborhood school if a resource center was no longer available to them.

Suddenly closing these resource centers poses not only an academic hardship for students and an employment hardship for staff, but a financial hardship for the school as well. DCS’s current resource center leases expire between 2017 and 2024 with monthly rents varying between $1,236 and $26,467.

As an independent study school, Dehesa Charter does not receive any building funds. As such, leases are paid for from the general fund. The school would not be able to meet these financial obligations and rent public space to conduct the required services as well.

The District has been very active in DSD’s development and oversight by designating a district board representative to remain informed on governance, requiring regular communication between the District Superintendent and Charter Director, participating in the WASC accreditation process, selecting and conferring with the auditor, serving as the Local Education Agency (LEA) for special education, collaborating on charter revisions as necessary, providing space on District property for student services and meetings, visiting properties managed by the Charter for administrative and instructional purposes, and provide additional support as needed. To the best of District’s knowledge, DCS has operate its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002. (See attachments.)

Please note DCS’s employees are not organized into bargaining units, but the District consulted with its employees’ exclusive representative prior to the submission of this waiver request, and they are not opposed to the waiver.
Student Population: 1071

City Type: Rural

Public Hearing Date: 12/8/2016
Public Hearing Advertised: Notice posted at the District main off and DCS main office and resource centers.

Local Board Approval Date: 12/8/2016

Community Council Reviewed By: Dehesa Charter School Board of Directors
Community Council Reviewed Date: 11/29/2016
Community Council Objection: N
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Eric Stevens
Position: Attorney for Dehesa Elementary Sch. Dist.
E-mail: stevens@girardedwards.com Telephone: 916-706-1255
Fax:

Bargaining Unit Date: December 1, 2016
Name: Dehesa Teacher’s Association (“DTA”)
Representative: Nicole Suetos, President and Mynor Pinillos, Vice President
Position: Support
<table>
<thead>
<tr>
<th>Region</th>
<th>Address of Facility</th>
<th>Description</th>
<th>District(s) in which located</th>
<th>Year Region Established</th>
<th># of Students</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Bay</td>
<td>5305 Sweetwater Road, Bonita CA 91902</td>
<td>Church facility rented two days per week; year to year lease of $1,240 per month.</td>
<td>Sweetwater High/South Bay</td>
<td>2010</td>
<td>51 students</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, wet labs, small group instruction, and parent meetings are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan School enrolls 45 students from within Sweetwater District and 6 from South Bay; not enough to support a separate charter school. 40% of students enrolled in this region have never attended a district school.</td>
</tr>
<tr>
<td>Region</td>
<td>Address of Facility</td>
<td>Description</td>
<td>District(s) in which located</td>
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<tr>
<td>Mission Valley</td>
<td>4646 Mission Gorge Pl, San Diego, 92120</td>
<td>Commercial space rented full-time; five years left on lease of $10,250 per month</td>
<td>San Diego Unified</td>
<td>2005</td>
<td>169</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, wet labs, small group instruction, and parent meetings are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan. Strong visual and performing arts programs. Project Lead the Way program. 45% of students enrolled in this region have never attended a district school.</td>
</tr>
</tbody>
</table>

Dehesa School District on behalf of Dehesa Charter School
Waiver 32-12-2016
<table>
<thead>
<tr>
<th>Region</th>
<th>Address of Facility</th>
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<th># of Students</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Escondido</td>
<td>1441 Montiel Road, Ste 145, Escondido, 92026</td>
<td>Commercial space rented full-time; seven years left on lease of $7550 per month</td>
<td>Escondido High</td>
<td>2010</td>
<td>20 students enrolled in school that live within district boundaries; 19 of the 86 students who use center reside within district; 67 students who use center reside outside district boundaries</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, wet labs, small group instruction, and parent meetings are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan School enrolls 20 students from Escondido High; not enough to operate a separate charter school 50% of students enrolled in this region have never attended a district school.</td>
</tr>
<tr>
<td>Region</td>
<td>Address of Facility</td>
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</tr>
<tr>
<td>Escondido</td>
<td>1800 North Broadway</td>
<td>Church facility rented full-time; four years left on lease of $3,450 per month</td>
<td>Escondido Union</td>
<td>2011</td>
<td>34 students enrolled in school that live within district boundaries; 29 of the 30 students who use center reside within district; 1 student who uses center resides outside district boundaries</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, wet labs, small group instruction, and parent meetings are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan. School enrolls 34 students from Escondido Union; not enough to support a separate charter school. 41% of students enrolled in this region have never attended a district school.</td>
</tr>
<tr>
<td>Elementary</td>
<td>Escondido, 92024</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Region</td>
<td>Address of Facility</td>
<td>Description</td>
<td>District(s) in which located</td>
<td>Year Region Established</td>
<td># of Students</td>
<td>Need for the Waiver</td>
</tr>
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<tr>
<td>Encinitas</td>
<td>367 La Veta Ave, Encinitas, 92024</td>
<td>Church facility rented two days per week; year to year lease of $2,350 per month</td>
<td>Encinitas</td>
<td>2009</td>
<td>33 students</td>
<td>Location is used to provide special education, EL, and intervention services. In addition, testing, wet labs, small group instruction, and parent meetings are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan Strong visual and performing arts programs School enrolls 33 students from Encinitas school district; not enough to support a separate charter school 30% of students enrolled in this region have never attended a district school.</td>
</tr>
</tbody>
</table>
| School enrolls 33 students from Encinitas school district; not enough to support a separate charter school 30% of students enrolled in this region have never attended a district school.
<table>
<thead>
<tr>
<th>Region</th>
<th>Address of Facility</th>
<th>Description</th>
<th>District(s) in which located</th>
<th>Year Established</th>
<th># of Students</th>
<th>Need for the Waiver</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carlsbad</td>
<td>6797 Embarcadero Lane, Carlsbad, 92011</td>
<td>Commercial space rented full-time; nine years left on lease of $6635 per month</td>
<td>Carlsbad</td>
<td>2015</td>
<td>42 students</td>
<td>42 students enrolled in school live within district boundaries; 29 of the 48 students who use center reside within district; 19 students who use center reside outside district boundaries. Location is used to provide special education, EL, and intervention services. In addition, testing, wet labs, small group instruction, and parent meetings are conducted. Failure to offer these services would put students at a disadvantage for receiving a free and appropriate education as many do not have transportation for longer distances. Employees whose duties include instruction would need to be terminated. Currently seeking SELPA approval which adds an extra hurdle to the transition plan. Strong visual and performing arts programs Project Lead the Way Program School enrolls 42 students who reside in Carlsbad district; not enough to support a separate charter school. 50% of students enrolled in this region have never attended a district school.</td>
</tr>
</tbody>
</table>
ITEM 16
CALIFORNIA STATE BOARD OF EDUCATION
MAY 2017 AGENDA

SUBJECT
Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Grossmont Secondary School, which was denied by the Grossmont Union High School District and the San Diego County Board of Education.

SUMMARY OF THE ISSUE(S)

On November 15, 2016, the Grossmont Union High School District (GUHSD) voted to deny the petition of Grossmont Secondary School (GSS) by a vote of three to zero with one abstention. On January 19, 2017, the San Diego County Board of Education (SDCBOE) voted to deny the petition of GSS by a vote of three to two.

Pursuant to California Education Code (EC) Section 47605(j), petitioners for a charter school that have been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE hold a public hearing regarding the GSS petition, and thereafter approve, with 10 technical amendments (Attachment 1 of Agenda Item 07 on the Advisory Commission on Charter Schools [ACCS] April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a1.doc), and one condition, the request to establish GSS under the oversight of the SBE for a five-year term effective July 1, 2017, through June 30, 2022, based on the CDE’s findings pursuant to EC sections 47605(b)(1), 47605(b)(3), 47605(b)(4), 47605(b)(5), 47605(b)(6), and California Code of Regulations, Title 5 (5 CCR) Section 11967.5 that the GSS petition presents a sound educational program for the pupils to be enrolled in GSS and that the GSS petition contains reasonably comprehensive descriptions of the multiple required elements. Additionally, inherent to this recommendation, the CDE proposes the following condition: the GSS Board shall approve and submit a balanced budget to the CDE, which includes a five percent reserve as required by the SBE, if the actual transfer of funds is not equivalent to the $600,000 of cash that is included in the GSS financial statements as presented with the charter petition.

The CDE will conduct a pre-opening site visit at least 30 days prior to the scheduled opening date. Written authorization from the CDE would be required prior to the operation of any additional facility used for educational purposes by GSS. The meeting
notice for the SBE ACCS is located at http://www.cde.ca.gov/be/cc/cs/acccsnotice040517.asp.

Advisory Commission on Charter Schools

The ACCS considered the GSS charter petition at its April 5, 2017, meeting. The ACCS unanimously voted to approve the CDE staff recommendation that the SBE approve the GSS charter petition to establish GSS under the oversight of the SBE with 10 technical amendments and one condition as proposed by the CDE: the GSS Board to approve and submit a balanced budget to the CDE, on or before July 1, 2017, which includes a five percent reserve as required by the SBE, and a detailed explanation and supporting records substantiating the establishment of the $600,000 beginning cash balance (Attachment 1 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a1.doc).

BRIEF HISTORY OF KEY ISSUES

GSS submitted a petition on appeal to the CDE on February 1, 2017.

The GSS petition states that the mission of GSS is to implement personalized educational programs to facilitate pupil achievement. These educational programs will demonstrate that standards-based educational reform can provide a prototype for changing the way teachers teach and pupils learn in the future. The petition states that GSS will provide an independent study home school setting with a focus on providing a personalized and rigorous academic experience for its pupils; hire, develop, and maintain a highly qualified faculty and staff; and provide a supportive and safe environment. The petition states that GSS is a role model for reform.

The GSS petition proposes to serve 360 pupils in grade seven through grade twelve in 2017–18, the first year of operation, and expand to 520 pupils in grade seven through grade twelve in 2020–21, the fourth year of operation, in an independent study home school program.

The CDE notes that information in the GSS petition documents state that GSS submitted a charter petition to GUHSD in October 2016 to comply with the Third District Court of Appeal decision in Anderson Union High School District v. Shasta Secondary Home School (2016). In order to ensure compliance with this court opinion, a charter school resource center must operate within the boundaries of its authorizing school district. GSS proposes to operate three resource centers located within the boundaries of the GUHSD, but currently operates under the Charter School of San Diego (CSSD), authorized by the San Diego Unified School District (SDUSD).

In considering the GSS petition, CDE staff reviewed the following:

- The GSS petition and appendices, Attachments 3 and 5 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at
Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a2.pdf.


Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 6 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a6.pdf.

Board agendas, minutes, and findings from the GUHSD and SDCBOE regarding the denial of the GSS petition, along with the petitioner’s response to the GUHSD and SDCBOE findings, Attachment 7 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a7.pdf.

On November 15, 2016, the GUHSD denied the GSS petition based on the following findings (Attachment 1 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a1.doc):

- The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.
- The petition does not contain an affirmation of each of the conditions.
- The petition does not contain a reasonably comprehensive description of all of the elements prescribed by the laws.

On January 19, 2017, the SDCBOE denied the GSS petition on appeal based on the following findings (Attachment 1 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a1.doc):

- The charter school presents an unsound educational program.
- The petitioner is demonstrably unlikely to successfully implement the program set forth in the petition.
- The petition does not contain a reasonably comprehensive description of all of the elements prescribed by the law.
The information in this item provides the analysis that the CDE has been able to complete to date with the available information.

**Educational Program**

The GSS petition proposes to serve pupils in grade seven through grade twelve in an independent study home school program. GSS will model the educational program after the CSSD, authorized by the SDUSD since 1994. GSS proposes to achieve the following objectives (Attachment 3 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a3.pdf):

- Improve pupil learning
- Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving
- Encourage the use of different and innovative teaching methods
- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at GSS
- Provide parents and pupils with expanded choices in the types of educational opportunities available within the publicly funded school system
- Hold GSS accountable for meeting measurable pupil outcomes and provide GSS with a method to employ a performance-based accountability system instead of a rule-based system
- Provide vigorous competition within the public school system to stimulate continual improvements in all public schools

The mission of GSS is to implement personalized educational programs to facilitate pupil achievement. These educational programs will demonstrate that standards-based educational reform can provide a prototype for changing the way teachers teach and pupils learn in the future (Attachment 3 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a3.pdf).

The GSS petition states that the primary purpose of GSS’s instructional design is centered on the need to motivate and inspire pupils who are academically at-risk and focused on helping pupils to become reengaged in an instructional setting or in completing their course of study. Pupils can meet high school completion requirements by earning a diploma, passing a high school equivalency exam such as the General Equivalency Diploma and High School Equivalency Test, or passing the California High School Proficiency Exam. The GSS petition states that GSS will provide written information to parents and pupils regarding the transferability of courses to other public high schools and the eligibility to meet college entrance admission requirements.
Additionally, GSS will seek initial accreditation from the Western Association of Schools and Colleges in the first year of operation (Attachment 3 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a3.pdf).

Plan for Low-Achieving Pupils

The GSS petition states that low-achieving pupils will be identified immediately upon enrollment. At intake, GSS shall administer the Measures of Academic Performance (MAP) English language arts and math assessments. Counselors will review these academic assessment results along with academic history and records to assess a pupil’s overall achievement levels to inform the creation of the Pathways Personalized Education Plan (PPEP), and the initiation of the GSS Multi-tiered System of Support (MTSS). The components of MTSS are as follows: core instruction; professional learning communities; data collection, monitoring, and reporting; parent trainings; intervention; high school completion options; pupil and family services; and supports through partnerships. The GSS petition states that pupil progress will be monitored through the systematic PPEP process that requires analysis of pupil achievement measures at least three times throughout the school year. The instructional team, including the parent(s), will determine the supports and services that are most effective with each pupil and identify any additional curricular and instructional supports necessary to support pupil achievement (Attachment 3 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a3.pdf).

Plan for High-Achieving Pupils

The GSS petition states that GSS will systematically address support for all pupils, including gifted and high achievers. High-achieving pupils will have a PPEP that reflects their strengths and interests through course selection and planning, differentiation of instruction, opportunities for acceleration, and curriculum enrichment and extension. The instructional team will collaborate to select appropriate courses including Honors courses and Advanced Placement courses. Additionally, GSS will provide the opportunity for pupils to be concurrently enrolled in community college courses and to consult regularly with one of GSS’s college counselors. The GSS program options for pupils who are identified as Gifted and Talented Education (GATE) will include acceleration and enrichment through Individualized Gate Plans that detail instructional strategies, differentiation of curriculum, curricular extensions, and identify formative and summative assessments to evaluate learning. GATE plans will be evaluated by the instructional team, including parents, on an annual basis (Attachment 3 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a3.pdf).

Plan for English Learners

The GSS petition states that GSS will meet all applicable legal requirements for English learners (ELs) pertaining to annual notification to parents, pupil identification, placement, program options, EL and core content instruction, teacher qualifications and
training, re-classification, monitoring and evaluating program effectiveness, and standardized testing requirements. The GSS petition outlines how ELs will be identified through the Home Language Survey and the administration of the California English Language Development Test. The GSS petition states that ELs shall have full access to GSS’s educational program through integrated English Language Development (ELD). GSS shall utilize a web-based comprehensive English language learning program entitled Brain POP. Additionally, GSS will offer EL pupils courses through Edgenuity. These courses offer supports to EL pupils including audio translation of text, explicit instruction of academic vocabulary, and close reading of text. The GSS petition states that GSS will implement a systematic process to monitor the academic progress of all reclassified EL pupils for two years from the year of reclassification. Reclassified pupils will be monitored on an ongoing basis using the following: MAP Reading, MAP language usage, California Assessment of Student Performance and Progress results, curriculum-embedded assessments, course grades, and work samples. The instructional team, through the PPEP, will collaborate to determine the effectiveness of the program for each pupil. When pupils have not made adequate progress, interventions including additional ELD instruction, instructional aids and supports, and/or family and community support services will be provided by the GSS academic team (Attachment 3 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a3.pdf).

Plan for Special Education

The GSS petition states that GSS will comply with all applicable state and federal laws in serving pupils with disabilities, including but not limited to, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and the Individuals with Disabilities in Education Improvement Act. GSS will be an independent local educational agency member of the El Dorado County Charter Special Education Local Plan Area. The GSS petition identifies a plan for pupils with disabilities, including identification and referral, individualized education program (IEP) meetings, IEP development and implementation, and due process (Attachment 3 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a3.pdf).

Budget

The GSS multi-year projected budget includes the following projected pupil enrollment (Attachment 4 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a4.pdf):

- 360 grade seven through grade twelve in 2017–18
- 410 grade seven through grade twelve in 2018–19
- 470 grade seven through grade twelve in 2019–20
- 520 grade seven through grade twelve in 2020–21
GSS has projected positive ending fund balances in its multi-year budget for fiscal years 2017–18 through 2019–20. The GSS budget includes $600,000 as a beginning cash balance in the cash flow projections with no details or narrative. Excluding this unsubstantiated amount reduces projected reserves and fund balances to a level that the CDE deems may not be fiscally viable.

On March 30, 2017, the Board of Student Success Programs, Inc. dba Audeo Charter School, The Charter School of San Diego, and Laurel Preparatory Academy approved a resolution to transfer an amount of the positive net balance of funds from CSSD’s resource centers to GSS. Upon confirmation of the resource centers’ positive net balance of funds and the granting of a duly authorized charter petition, GSS shall receive no less than $1,428,652. Since the transfer is dependent on the positive net balance of funds for the period ending June 30, 2017, the beginning cash balance of $600,000 included in the GSS budget and cash flow projections may not be confirmed until confirmation of CSSD’s ending fund balance, which is presumably after June 30, 2017.

Summary

Pursuant to EC sections 47605(b)(1), 47605(b)(2), 47605(b)(5), and 5 CCR Section 11967.5.1, a charter petition must provide a reasonably comprehensive description of multiple required elements (Attachment 1 of Agenda Item 07 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-Apr17item09a1.doc).

The CDE finds that the GSS petition presents a sound educational program for the pupils to be enrolled in GSS. The GSS petition provides an adequate description of some of the charter requirements, while others require technical amendments. The CDE finds that additional information and amendments to the petition would be needed if GSS is approved as an SBE-authorized charter school. These amendments are due to the change in authorizer, or to strengthen or clarify elements for monitoring and accountability purposes.

However, the CDE finds that GSS may not be demonstrably likely to successfully implement the program without the transfer of funds from CSSD. Without these funds, the financial plan presented by the petitioner does not include a sufficient reserve in the first year of operation. Therefore, the CDE proposes a condition that requires the GSS Board to approve and submit a balanced budget to the CDE, which includes a five percent reserve as required by the SBE, if the actual transfer of funds is not equivalent to the $600,000 of cash that is included in the GSS financial statements as presented with the charter petition.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 31 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
• Seven districtwide charters, operating a total of 18 sites
• Twenty-three charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of GSS for the CDE’s oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: California State Board of Education Standard Conditions on Opening and Operation (3 Pages)
CALIFORNIA STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

- **Department of Justice and Subsequent Arrest Notification.** Each California State Board of Education (SBE)-authorized charter school shall comply with and remain compliant with the requirements of California Education Code (EC) Section 44830.1, pertaining to criminal history record summaries, fingerprints, and subsequent arrest notices (SANs), and that the School must comply with this Code section in requesting a subsequent arrest service notification from the California Department of Justice (DOJ). The California Department of Education (CDE) will request written assurance on school letterhead that the School is in compliance with EC Section 44830.1. This assurance must provide evidence that (1) the School, as a local educational agency and the employer of record, has a DOJ/SANs account; (2) that all school employees have the appropriate DOJ clearance; (3) that the custodian of records will receive the SANs; (4) that the School has a procedure for monitoring the SANs of the designated custodian of records; and (5) employee records are kept secure at the School and available upon request for review. This assurance must be signed by the school administrator and the custodian of record.

- **Insurance Coverage.** Prior to opening, (or such earlier time as the School may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings. Additionally, the School will provide a document stating that the District will hold harmless, defend, and indemnify the SBE and the CDE, their officers and employees, from every liability, claim, or demand that may be made by reason of: (1) any injury to volunteer; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk will defend all legal proceedings that may be brought against it and/or the SBE or the CDE, their officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.

- **Memorandum of Understanding/Oversight Agreement.** Prior to opening, either: (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the School, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to EC Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.

- **Special Education Local Plan Area Membership.** Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for
membership as a local educational agency and submit either written verification that the School is (or will be at the time pupils are being served) participating in the SELPA; or an agreement between a SELPA, a school district that is a member of the SELPA, and the School that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the School’s pupils to be pupils of the school district in which the School is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either: (1) the School’s written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the School, including any proposed contracts with service providers.

- **Educational Program.** Prior to opening, submit a description of the curriculum development process the School will use and the scope and sequence for the grades envisioned by the School; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the assessment identified in EC Section 60640 in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

- **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.

- **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the School’s right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each School’s operation and evidence that the facilities will be adequate for the School’s needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

- **Zoning and Occupancy.** Not less than 30 days prior to the School’s opening, present evidence that each School’s facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive
Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

- **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the School will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the CSD.

- **Processing of Employment Contributions.** Prior to the employment of any individuals by the School, present evidence that the School has made appropriate arrangements for the processing of the employees’ retirement contributions to the California Public Employees’ Retirement System and the California State Teachers’ Retirement System.

- **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the School is not in operation by September 30, 2017, approval of the charter is terminated.
ITEM 17
CALIFORNIA STATE BOARD OF EDUCATION
MAY 2017 AGENDA

SUBJECT

Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Celerity Dyad Charter School, which was denied by the Los Angeles Unified School District and not considered by the Los Angeles County Board of Education.

SUMMARY OF THE ISSUE(S)

On October 18, 2016, the Los Angeles Unified School District (LAUSD) considered the renewal petition of Celerity Dyad Charter School (CDCS). LAUSD denied the renewal petition by a vote of seven to zero.

At its meeting on December 6, 2016, the Los Angeles County Board of Education (LACBOE) took no action on the petition for renewal pursuant to California Code of Regulations, Title 5 (5 CCR) Section 11966.5.

Pursuant to California Education Code (EC) Section 47605(j), petitioners for a charter school that have been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions.

RECOMMENDATION

The California Department of Education (CDE) proposes to recommend that the SBE hold a public hearing regarding the CDCS petition, and thereafter approve, with six conditions and 10 technical amendments, the request to renew CDCS under the oversight of the SBE, for a five-year term effective July 1, 2017, through June 30, 2022, based on the CDE’s review pursuant to EC sections 47605(b)(1), 47605(b)(2), 47605(b)(4), 47605 (b)(5), 47607, and 5 CCR Section 11967.5.

Inherent to this recommendation, the CDE proposes the following conditions: (1) Celerity Educational Group (CEG) may only continue to contract with Celerity Global Development (CGD) for goods and/or services if CEG and CGD agree to timely respond to all CDE inquiries into CEG’s and CGD’s operations including, but not limited to, management, fiscal, personnel, procurement, facilities operations, facilities financing, and programmatic services, in accordance with EC Section 47604.3, and fully cooperate with any investigation into their operations conducted, pursuant to EC Section 47604.4; (2) CEG will provide drafts of all proposed management and vendor contracts between CEG and CGD, any affiliate of CEG or CGD, or any other related party to CEG or CGD, for CDE approval prior to execution; (3) CEG will provide drafts of
all proposed loans including, but not limited to, interagency loans with full detail of the purpose of the loan, loan repayment, interest, and the method of how the loans are secured for CDE approval prior to execution; (4) CEG will provide drafts of all proposed transfers of assets or liabilities including, but not limited to, interagency transfers with full detail of the purpose and allowed uses of the transfers for CDE approval prior to execution; (5) CEG will contract with an agency approved by the CDE for a comprehensive management audit. In addition to reviewing the operations of CEG, the audit also will review the operations of CGD as they relate to the services and support CGD provides CEG and the use of the funds CEG provides CGD for those services. CEG will provide the CDE monthly updates from the auditor on the status of the audit and, upon completion, the auditor’s final comprehensive report on the day the auditor provides the report to CEG. Within one month of its receipt of the auditor’s report, CEG will provide the CDE with a plan approved by its governing board to resolve any audit findings; and (6) CEG will adhere to the terms and conditions of a Memorandum of Understanding between CDCS and the SBE.

Advisory Commission on Charter Schools

The Advisory Commission on Charter Schools (ACCS) considered the CDCS charter petition at its April 5, 2017, meeting. The ACCS voted to recommend that the SBE consider the following elements: (1) that the commission applauds the academic success and accomplishments that Celerity has achieved, which is by law the most important consideration for renewal; (2) in order for this commission to conceptually support renewal, we would insist that the school adequately answer all the questions posed by the CDE staff to the CDE’s full satisfaction; and if, and only if, those questions are answered to the full satisfaction of the CDE staff such that CDE staff makes an affirmative recommendation for renewal, then we conceptually support that recommendation for renewal; and (3) conversely, if the CDE staff does not get adequate answers to their questions that fully answer their questions to their satisfaction, then this body would support recommendation for denial. The motion passed by six votes with one abstention.

Brief History of Key Issues

At the November 2016 SBE meeting, petitions for the establishment of Celerity Himalia Charter School (CHCS) and Celerity Rolas Charter School (CRCS) were approved with the following condition applicable to both CHCS and CRCS:

- Condition 1: CEG may only continue to contract with CGD for goods and/or services if CEG and CGD agree to timely respond to all CDE inquiries into CEG’s and CGD’s operations including, but not limited to, management, fiscal, personnel, procurement, facilities operations, facilities financing, and programmatic services, in accordance with EC Section 47604.3, and fully cooperate with any investigation into their operations conducted, pursuant to EC Section 47604.4.
Additionally, at the November 2016 SBE meeting, the SBE was presented with specific concerns the CDE had with the Governance structure of CEG and its affiliates including, but not limited to, CGD.

In early January 2017, it came to the attention of the CDE, through various public sources, that there were allegations against CEG, and/or one or more of its affiliates, of fiscal mismanagement, inappropriate related party transactions, and misuse of public funds.

On January 30, 2017, CEG sent a letter to the CDE informing the CDE of an investigation conducted by the United States Department of Education involving CEG and that agents had retrieved documents from CEG’s administrative offices.

On March 2, 2017, the CDE sent a letter to CEG regarding the Federal Investigation of the CEG and requested that CEG provide: (1) a listing, summary, and/or description of all documents retrieved by the federal agencies from CEG, CGD, and any affiliates of CEG; and (2) a summary of all related party contracts and transactions entered into by CEG, CGD, any affiliates of CEG, and any affiliates of CGD for the current and prior fiscal years.

On March 10, 2017, CEG provided the CDE with a response letter. CDE provides a summary of the contents of the CEG response as follows:

(1) Documents retrieved:

- Business records including for example, contracts, lease agreements, personnel listings and employee registers, grant applications, Board meeting minutes, memoranda, administrative records, insurance quotes, travel records, draft budget proposals, organization chart, and articles of incorporation;

- Financial and accounting records including for example, payroll records, receipts, invoices, billing statements, bank account records, credit card records, check ledgers and photocopies, wire transfer documents, tax records, and financial audit documents; and

- Miscellaneous documents such as e-mail printouts, e-mail migration forms, a packing list, and a copy of a Post-It note with a username and password.

(2) Affiliates and related contracts:

- Celerity Development, Limited Liability Corporation (CD-LLC) is a single-member California LLC formed on March 10, 2011. The purpose of CD-LLC is to hold and own charter school facilities and lease them to charter schools. CEG has one contract with CD-LLC which is the lease for CDCS facilities entered into on July 1, 2011.
• CGD is a California nonprofit public benefit corporation formed on January 31, 2012, to provide central services to all the CEG schools, and to develop and replicate the CEG model. CGD is the corporate member of CEG which gives CGD the right to vote for the election of CEG Board members and major corporate changes such as mergers, the disposition of CEG’s assets, or on the dissolution of CEG. CGD has a Limited Services Contract and a Miscellaneous Services Contract with CEG; both service contracts were amended on January 4, 2017, to include the SBE’s condition of approval issued in October 2016 to CHCS and CRCS. CGD also provides services to charter schools in Louisiana and is the statutory member of the nonprofit corporations that operate those charters.

• Celerity Contracting Services is a California C Corporation formed on April 30, 2012, to act as a general contractor for reduced-rate construction and to provide tenant improvements for CEG and other charter schools. Celerity Contracting Services is in the process of dissolving.

• Orion Schools is a California nonprofit public benefit corporation formed on May 9, 2013. CGD is the statutory member of Orion Schools. Orion Schools currently operates a private high school in Chino Hills, California, and other programs to serve children and their families. Orion Schools occasionally provides specialized professional development courses to CEG employees at a discounted rate.

• Attenture, LLC, a for profit company, formed on April 30, 2014. Attenture, LLC has provided technology support to CEG through Network Maintenance and Support Services contracts with each CEG charter school since September 2014. Attenture, LLC’s member and manager, pursuant to its Operating Agreement, is an entity called The Rone Group. The Rone Group is a tax blocker corporation owned by CGD in order to protect CGD’s tax exempt status. Through The Rone Group, CGD also has a business interest in Student Learning Pathways, LLC, to develop, own, and license a software platform that will serve as a charter’s financial, compliance, and pupil data dashboard.

On April 7, 2017, the CDE sent a letter to CEG regarding a request for additional documents to address the questions the CDE expressed at the April 5, 2017, ACCS meeting.

On April 18, 2017, CEG provided the CDE with documents in response to the CDE letter. The CDE reviewed this submission and on April 20, 2017, CEG met with CDE staff to discuss the documents submitted.

On April 21, 2017, CEG provided the CDE with additional documents with regard to the fact versus fiction discussion CEG presented at the April 5, 2017, ACCS meeting. The CDE reviewed the documents.
On April 25, 2017, the CDE conducted a phone conference with CEG to confirm the additional documents received and that no additional documents were necessary at this time.

CDCS provides a site-based matriculation setting with a commitment to increasing the achievement of at-risk pupils from communities in need within LAUSD. The petition states a vision that CDCS will be a community of diverse individuals where pupils will develop their intellectual, artistic, and physical talents to the highest degree, and is centered on five critical focus areas (Attachment 3 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a3.pdf):

- Academic Excellence
- Mutual Respect
- Highly Qualified Teachers and Paraprofessionals
- Parental Investment and Community Involvement
- Respect and Diversity

The educational model offers pupils the opportunity to be challenged in a small, safe school environment where high expectations, academic excellence, and mutual respect will be non-negotiable and where parents and teachers work in partnership to meet achievement goals of pupils (Attachment 3 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a3.pdf).

The CDE received the CDCS appeal on December 12, 2016. In considering the CDCS petition, CDE staff reviewed the following:

- The CDCS petition and appendices (Attachments 3 and 5 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a3.pdf and http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a5.pdf)

- Educational and demographic data of schools where pupils would otherwise be required to attend (Attachment 2 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a2.pdf)

- The CDCS budget and financial projections (Attachment 4 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a4.pdf)

- Description of changes to the petition necessary to reflect the SBE as the authorizing entity (Attachment 6 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a6.pdf)
On October 18, 2016, the LAUSD denied the CDCS petition based on the following findings (Attachment 7 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a7.pdf):

- The petitioners are demonstrably unlikely to successfully implement the educational program set forth in the petition.
- The petition does not contain reasonably comprehensive descriptions of all required elements.

On December 6, 2016, the LACBOE took action to apply 5 CCR Section 11966.5 and took no action to grant or deny the CDCS petition for renewal (Attachment 8 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a8.pdf).

Renewal Criteria Under Education Code Section 47607

For a charter school renewal, EC Section 47607 states that renewals are governed by the standards and criteria in EC Section 47605, which establishes what is required in the petition, including multiple-required elements. In addition, EC Section 47607(b) states that a charter school that has been in operation for at least four years shall meet at least one of the criteria related to academic performance. In reviewing the criteria, a
The charter authorizer shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor for renewal.

After reviewing the information presented by LAUSD, the CDE has determined that LAUSD’s review and analysis of the pupil achievement data, pursuant to EC Section 47607(b), was comprehensive, and that LAUSD considered increases in pupil achievement for all groups of pupils served by CDCS as the most important factor in determining whether to grant CDCS’s renewal request.

The CDE reviewed the material and determined that CDCS has met at least one of the minimum academic performance criteria as follows:

Requirement 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 served by the charter school. (Note: API is not being calculated as of the 2013–14 school year [SY].)

**Met:** CDCS attained its API growth target schoolwide in the 2011–12 SY. CDCS had a schoolwide API of 888 (an increase of 5 points) in 2011–12 and a schoolwide API of 871 (a decrease of 17 points) in 2012–13. CDCS attained its API growth target for Hispanic or Latino in 2011–12 with an increase of 6 points and in 2012–13 with a decrease of 17 points. CDCS attained its API growth target for Socioeconomically Disadvantaged in 2011–12 with an increase of 6 points and in 2012–13 with a decrease of 17 points. CDCS met its API growth target for English learners in 2011–12 with an increase of 7 points and in 2012–13 with a decrease of 27 points. CDCS met its growth target schoolwide and for all groups of pupils served despite decreases in the 2012–13 API growth because CDCS scored at or above the statewide performance target of 800 in the 2012 Base.

Requirement 2: Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years. (Note: API is not being calculated as of the 2013–14 SY.)

**Met:** CDCS ranked in decile 9 for the 2011–12 SY and decile 8 for the 2012–13 SY.

Requirement 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. (Note: API is not being calculated as of the 2013–14 SY.)

**Met:** CDCS ranked in decile 10 for SYs 2011–12 and 2012–13.

Requirement 4: 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 pupils’ population that is served at the charter school.

Met: LAUSD reviewed multiple sources of data and conducted a comparison of CDCS’s performance to its resident and comparable district schools. CDCS provided a list of comparable district schools, which LAUSD included in its analysis. LAUSD determined that CDCS has met at least one of the minimum academic performance criteria, in that CDCS presented clear and convincing evidence of academic performance that is at least equal to or greater than the academic performance of resident schools and district schools.

Requirement 5: Has qualified for an alternative accountability system pursuant to subdivision (h) of EC Section 52052.

Not applicable: CDCS does not qualify for an alternative accountability system.

Accrediting Commission for Schools, Western Association of Schools and Colleges

On April 26, 2016, the CEO of CEG was notified by the Accrediting Commission for Schools, Western Association of Schools and Colleges (ACS WASC) of potential withholding of accreditation status for all CEG schools for violations concerning substantive changes, integrity of member schools, and disclosure of information. WASC has issued an order to show cause as to why the accreditation status of all CEG schools should not be withheld.

The ACS WASC letter indicates that WASC has reason to believe that the investigations of CEG and the January 25, 2017, search of its headquarters are related to federal, state, and county suspicions of illegal activities at CEG. WASC also states that the federal investigation and execution of the search warrant on CEG, in and of themselves, represent substantive changes to CEG Schools. Based on the information available, the WASC Commission states that the integrity of CEG Schools have been seriously undermined and has issued an Order to Show Cause on this basis. The WASC Commission contends that CEG violated the ACS WASC policies under disclosure of information. The Commission has offered CEG an opportunity to provide information for WASC to consider as to why all CEG schools’ accreditation should not be withheld.

WASC has required CEG to complete an independent audit to verify CEG’s financial stability, compliance with state and federal tax laws, and internal controls to prevent fraud, misuse of public funds, nepotism, and conflicts of interest if an independent audit
has not already been completed or planned. CEG has been directed to provide by June 2, 2017, the results of the independent audit and further information regarding:

- The current status of federal and any other government investigations into CEG
- The names of all CEOs, directors, and board members of the identified business entities
- An explanation regarding the amount of and reasons for transferring any funds for CEG and its affiliate schools to CGD, Celerity Development LLC, Attenture, LLC and/or Orion Schools
- Whether identified business entities are currently or have ever been registered to Ms. McFarlane
- Names of Ms. McFarlane’s family members currently or previously employed by the identified business entities
- Ms. McFarlane’s role at CEG and whether Ms. McFarlane maintains any form of control or influence over CEG schools
- The rationale for Ms. McFarlane leaving CEG and assumption of a position at CGD
- Whether Ms. McFarlane has received any financial benefit for the identified business entities
- The total amounts Ms. McFarlane charged to the school credit cards for personal expenses, even if mistakenly charged
- Checks, invoices, receipts, or proof of payment showing than Ms. McFarlane reimbursed all amounts charged to school credit cards for personal expenses
- Any information CEG would like WASC to consider

**Educational Program**

The CDCS petition proposes to serve at-risk pupils in transitional kindergarten to grade eight on three private sites located at 4501 Wadsworth Avenue, Los Angeles, California 90011; 4607 South Central Avenue, Los Angeles, California 90011; and 4700 South Central Avenue, Los Angeles, California 90011. The petition states that the mission of CDCS is to provide a school where at-risk pupils will thrive in an atmosphere of high expectations and engaging curriculum with challenging learning activities. The CDCS petition states that learning best occurs through learning activities, active pedagogy, culture and character building, leadership and school improvement, and structures in
instructional design that incorporate principles of learning with culturally relevant pedagogy through a project-based learning model (Attachment 3 of Agenda Item 02 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item06a3.pdf).

Budget

The CDCS submitted a multi-year financial plan which the CDE finds to be sustainable and provides for projected operating surpluses and adequate reserves for fiscal years 2017–18 through 2019–20.

Summary

The information in this item provides the analysis that CDE staff has completed to date. Due to the recent public allegations, ongoing federal investigation, and additional information provided by CEG of the numerous related party contracts and transactions entered into by CEG, CGD, and their affiliates, the CDE notes concerns on how this may affect the ability of the petitioner to successfully implement the CDCS program.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 31 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters, operating a total of 18 sites
- Twenty-three charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of CDCS for the CDE’s oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: California State Board of Education Standard Conditions on Opening and Operation (3 pages)
CALIFORNIA STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

Department of Justice and Subsequent Arrest Notification. Each California State Board of Education (SBE)-authorized charter school shall comply with and remain compliant with the requirements of California Education Code (EC) Section 44830.1, pertaining to criminal history record summaries, fingerprints, and subsequent arrest notices (SANs), and that the School must comply with this Code section in requesting a subsequent arrest service notification from the California Department of Justice (DOJ). The California Department of Education (CDE) will request written assurance on school letterhead that the School is in compliance with EC Section 44830.1. This assurance must provide evidence that (1) the School, as a local educational agency and the employer of record, has a DOJ/SANs account; (2) that all school employees have the appropriate DOJ clearance; (3) that the custodian of records will receive the SANs; (4) that the School has a procedure for monitoring the SANs of the designated custodian of records; and (5) employee records are kept secure at the School and available upon request for review. This assurance must be signed by the school administrator and the custodian of record.

Insurance Coverage. Prior to opening, (or such earlier time as the School may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings. Additionally, the School will provide a document stating that the District will hold harmless, defend, and indemnify the SBE and the CDE, their officers and employees, from every liability, claim, or demand that may be made by reason of: (1) any injury to volunteer; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk will defend all legal proceedings that may be brought against it and/or the SBE or the CDE, their officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.

Memorandum of Understanding/Oversight Agreement. Prior to opening, either: (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the School, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to EC Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.

Special Education Local Plan Area Membership. Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for membership as a local educational agency and submit either written verification that the School is (or will be at the time pupils are being served) participating in the
SELPA; or an agreement between a SELPA, a school district that is a member of the SELPA, and the School that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the School’s pupils to be pupils of the school district in which the School is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either: (1) the School’s written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the School, including any proposed contracts with service providers.

• **Educational Program.** Prior to opening, submit a description of the curriculum development process the School will use and the scope and sequence for the grades envisioned by the School; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the assessment identified in EC Section 60640 in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

• **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.

• **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the School’s right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each School’s operation and evidence that the facilities will be adequate for the School’s needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

• **Zoning and Occupancy.** Not less than 30 days prior to the School’s opening, present evidence that each School’s facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.
• **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the School will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the CSD.

• **Processing of Employment Contributions.** Prior to the employment of any individuals by the School, present evidence that the School has made appropriate arrangements for the processing of the employees’ retirement contributions to the California Public Employees’ Retirement System and the California State Teachers’ Retirement System.

• **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the School is not in operation by September 30, 2017, approval of the charter is terminated.
ITEM 18
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

SUBJECT

Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Celerity Troika Charter School, which was denied by the Los Angeles Unified School District and not considered by the Los Angeles County Board of Education.

SUMMARY OF THE ISSUE(S)

On October 18, 2016, the Los Angeles Unified School District (LAUSD) considered the renewal petition of Celerity Troika Charter School (CTCS). LAUSD denied the renewal petition by a vote of seven to zero.

At its meeting on December 6, 2016, the Los Angeles County Board of Education (LACBOE) took no action on the petition for renewal pursuant to California Code of Regulations, Title 5 (5 CCR) Section 11966.5.

Pursuant to California Education Code (EC) Section 47605(j), petitioners for a charter school that have been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions.

RECOMMENDATION

The California Department of Education (CDE) proposes to recommend that the SBE hold a public hearing regarding the CTCS petition, and thereafter approve, with six conditions and 10 technical amendments, the request to renew CTCS under the oversight of the SBE, for a five-year term effective July 1, 2017, through June 30, 2022, based on the CDE’s review pursuant to EC sections 47605(b)(1), 47605(b)(2), 47605(b)(4), 47605(b)(5), 47607, and 5 CCR Section 11967.5.

Inherent to this recommendation, the CDE proposes the following conditions: (1) Celerity Educational Group (CEG) may only continue to contract with Celerity Global Development (CGD) for goods and/or services if CEG and CGD agree to timely respond to all CDE inquiries into CEG’s and CGD’s operations including, but not limited to, management, fiscal, personnel, procurement, facilities operations, facilities financing, and programmatic services, in accordance with EC Section 47604.3, and fully cooperate with any investigation into their operations conducted, pursuant to EC Section 47604.4; (2) CEG will provide drafts of all proposed management and vendor contracts between CEG and CGD, any affiliate of CEG or CGD, or any other related party to CEG or CGD, for CDE approval prior to execution; (3) CEG will provide drafts of
all proposed loans including, but not limited to, interagency loans with full detail of the purpose of the loan, loan repayment, interest, and the method of how the loans are secured for CDE approval prior to execution; (4) CEG will provide drafts of all proposed transfers including, but not limited to, interagency transfers with full detail of the purpose and allowed uses of the transfers of assets or liabilities for CDE approval prior to execution; (5) CEG will contract with an agency approved by the CDE for a comprehensive management audit. In addition to reviewing the operations of CEG, the audit also will review the operations of CGD as they relate to the services and support CGD provides CEG and the use of the funds CEG provides CGD for those services. CEG will provide the CDE monthly updates from the auditor on the status of the audit and, upon completion, the auditor’s final comprehensive report on the day the auditor provides the report to CEG. Within one month of its receipt of the auditor’s report, CEG will provide the CDE with a plan approved by its governing board to resolve any audit findings; and (6) CEG will adhere to the terms and conditions of a Memorandum of Understanding between CTCS and the SBE.

Advisory Commission on Charter Schools

The Advisory Commission on Charter Schools (ACCS) considered the CTCS charter petition at its April 5, 2017, meeting. The ACCS voted to recommend that the SBE consider the following elements: (1) that the commission applauds the academic success and accomplishments that Celerity has achieved, which is by law the most important consideration for renewal; (2) in order for this commission to conceptually support renewal, we would insist that the school adequately answer all the questions posed by the CDE staff to the CDE’s full satisfaction; and if, and only if, those questions are answered to the full satisfaction of the CDE staff such that CDE staff makes an affirmative recommendation for renewal, then we conceptually support that recommendation for renewal; and (3) conversely, if the CDE staff does not get adequate answers to their questions that fully answer their questions to their satisfaction, then this body would support recommendation for denial. The motion passed by six votes with one abstention.

BRIEF HISTORY OF KEY ISSUES

At the November 2016 SBE meeting, petitions for the establishment of Celerity Himalia Charter School (CHCS) and Celerity Rolas Charter School (CRCS) were approved with the following condition applicable to both CHCS and CRCS:

- Condition 1: CEG may only continue to contract with CGD for goods and/or services if CEG and CGD agree to timely respond to all CDE inquiries into CEG’s and CGD’s operations including, but not limited to, management, fiscal, personnel, procurement, facilities operations, facilities financing, and programmatic services, in accordance with EC Section 47604.3, and fully cooperate with any investigation into their operations conducted, pursuant to EC Section 47604.4.
Additionally, at the November 2016 SBE meeting, the SBE was presented with specific concerns the CDE had with the Governance structure of CEG and its affiliates, including, but not limited to, CGD.

In early January 2017, it came to the attention of the CDE, through various public sources, that there were allegations against CEG, and/or one or more of its affiliates, of fiscal mismanagement, inappropriate related party transactions, and misuse of public funds.

On January 30, 2017, CEG sent a letter to the CDE informing the CDE of an investigation conducted by the United States Department of Education involving CEG and that agents had retrieved documents from CEG’s administrative offices.

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On March 10, 2017, CEG provided the CDE with a response letter. CDE provides a summary of the contents of the CEG response as follows:

(1) Documents retrieved:

- Business records including for example, contracts, lease agreements, personnel listings and employee registers, grant applications, Board meeting minutes, memoranda, administrative records, insurance quotes, travel records, draft budget proposals, organization chart, and articles of incorporation;

- Financial and accounting records including for example, payroll records, receipts, invoices, billing statements, bank account records, credit card records, check ledgers and photocopies, wire transfer documents, tax records, and financial audit documents; and

- Miscellaneous documents such as e-mail printouts, e-mail migration forms, a packing list, and a copy of a Post-It note with a username and password.

(2) Affiliates and related contracts:

- Celerity Development, Limited Liability Corporation (CD-LLC) is a single-member California LLC formed on March 10, 2011. The purpose of CD-LLC is to hold and own charter school facilities and lease them to charter schools. CEG has one contract with CD-LLC which is the lease for CTCS facilities entered into on July 1, 2011.
• CGD is a California nonprofit public benefit corporation formed on January 31, 2012, to provide central services to all the CEG schools, and to develop and replicate the CEG model. CGD is the corporate member of CEG which gives CGD the right to vote for the election of CEG Board members and major corporate changes such as mergers, the disposition of CEG’s assets, or on the dissolution of CEG. CGD has a Limited Services Contract and a Miscellaneous Services Contract with CEG; both service contracts were amended on January 4, 2017, to include the SBE’s condition of approval issued in October 2016 to CHCS and CRCS. CGD also provides services to charter schools in Louisiana and is the statutory member of the nonprofit corporations that operate those charters.

• Celerity Contracting Services is a California C Corporation formed on April 30, 2012, to act as a general contractor for reduced-rate construction and to provide tenant improvements for CEG and other charter schools. Celerity Contracting Services is in the process of dissolving.

• Orion Schools is a California nonprofit public benefit corporation formed on May 9, 2013. CGD is the statutory member of Orion Schools. Orion Schools currently operates a private high school in Chino Hills, California, and other programs to serve children and their families. Orion Schools occasionally provides specialized professional development courses to CEG employees at a discounted rate.

• Attenture, LLC, a for profit company, formed on April 30, 2014. Attenture, LLC has provided technology support to CEG through Network Maintenance and Support Services contracts with each CEG charter school since September 2014. Attenture, LLC’s member and manager, pursuant to its Operating Agreement, is an entity called The Rone Group. The Rone Group is a tax blocker corporation owned by CGD in order to protect CGD’s tax exempt status. Through The Rone Group, CGD also has a business interest in Student Learning Pathways, LLC, to develop, own, and license a software platform that will serve as a charter’s financial, compliance, and pupil data dashboard.

On April 7, 2017, the CDE sent a letter to CEG regarding a request for additional documents to address the questions the CDE expressed at the April 5, 2017, ACCS meeting.

On April 18, 2017, CEG provided the CDE with documents in response to the CDE letter. The CDE reviewed this submission and on April 20, 2017, CEG met with CDE staff to discuss the documents submitted.

On April 21, 2017, CEG provided the CDE with additional documents with regard to the fact versus fiction discussion CEG presented at the April 5, 2017, ACCS meeting. The CDE reviewed the documents.
On April 25, 2017, the CDE conducted a phone conference with CEG to confirm the additional documents received and that no additional documents were necessary at this time.

CTCS provides a site-based matriculation setting with a commitment to increasing the achievement of at-risk pupils from communities in need within LAUSD. The petition states a vision that CTCS will be a community of diverse individuals where pupils will develop their intellectual, artistic, and physical talents to the highest degree, and is centered on five critical focus areas (Attachment 3 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a3.pdf):

- Academic Excellence
- Mutual Respect
- Highly Qualified Teachers and Paraprofessionals
- Parental Investment and Community Involvement
- Respect and Diversity

The educational model offers pupils the opportunity to be challenged in a small, safe school environment where high expectations, academic excellence, and mutual respect will be non-negotiable and where parents and teachers work in partnership to meet achievement goals of pupils (Attachment 3 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a3.pdf).

The CDE received the CTCS appeal on December 12, 2016. In considering the CTCS petition, CDE staff reviewed the following:


- Educational and demographic data of schools where pupils would otherwise be required to attend (Attachment 2 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a2.pdf)

- The CTCS budget and financial projections (Attachment 4 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a4.pdf)

- Description of changes to the petition necessary to reflect the SBE as the authorizing entity (Attachment 6 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a6.pdf)
• Board agendas, minutes, and findings from the LAUSD regarding the denial of the CTCS petition, along with the petitioner’s response to the LAUSD findings (Attachment 7 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a7.pdf)

• Confirmation of LACBOE action on the CTCS petition (Attachment 8 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a8.pdf)

• Bylaws for CEG and supplemental documents (Attachment 9 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a9.pdf)

• Agreement for Miscellaneous Services Between CGD and CEG (Attachment 10 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a10.pdf)


On October 18, 2016, the LAUSD denied the CTCS petition based on the following findings (Attachment 7 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a7.pdf):

• The petitioners are demonstrably unlikely to successfully implement the educational program set forth in the petition.

• The petition does not contain reasonably comprehensive descriptions of all required elements.

On December 6, 2016, the LACBOE took action to apply 5 CCR Section 11966.5 and took no action to grant or deny the CTCS petition for renewal (Attachment 8 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a8.pdf).

Renewal Criteria Under Education Code Section 47607

For a charter school renewal, EC Section 47607 states that renewals are governed by the standards and criteria in EC Section 47605, which establishes what is required in the petition, including multiple-required elements. In addition, EC Section 47607(b) states that a charter school that has been in operation for at least four years shall meet at least one of the criteria related to academic performance. In reviewing the criteria, a
charter authorizer shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor for renewal.

After reviewing the information presented by LAUSD, the CDE has determined that LAUSD’s review and analysis of the pupil achievement data pursuant to EC Section 47607(b) was comprehensive, and that LAUSD considered increases in pupil achievement for all groups of pupils served by CTCS as the most important factor in determining whether to grant CTCS’s renewal request.

The CDE reviewed the material and determined that CTCS has met at least one of the minimum academic performance criteria as follows:

Requirement 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 served by the charter school. (Note: API is not being calculated as of the 2013–14 school year [SY].)

**Met:** CTCS attained its API growth target schoolwide in the 2011–12 SY. CTCS had a schoolwide API of 888 (an increase of 5 points) in 2011–12 and a schoolwide API of 871 (a decrease of 17 points) in 2012–13. CTCS attained its API growth target for Hispanic or Latino in 2011–12 with an increase of 6 points and in 2012–13 with a decrease of 17 points. CTCS attained its API growth target for Socioeconomically Disadvantaged in 2011–12 with an increase of 6 points and in 2012–13 with a decrease of 17 points. CTCS met its API growth target for English learners in 2011–12 with an increase of 7 points and in 2012–13 with a decrease of 27 points. CTCS met its growth target schoolwide and for all groups served despite decreases in the 2012–13 API growth because CTCS scored at or above the statewide performance target of 800 in the 2012 Base.

Requirement 2: Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years. (Note: API is not being calculated as of the 2013–14 SY.)

**Met:** CTCS ranked in decile 9 for the 2011–12 SY and decile 8 for the 2012–13 SY.

Requirement 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. (Note: API is not being calculated as of the 2013–14 SY.)

**Met:** CTCS ranked in decile 10 for SYs 2011–12 and 2012–13.
Requirement 4: 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 pupils’ population that is served at the charter school.

Met: LAUSD reviewed multiple sources of data and conducted a comparison of CTCS’s performance to its resident and comparable district schools. CTCS provided a list of comparable district schools, which LAUSD included in its analysis. LAUSD determined that CTCS has met at least one of the minimum academic performance criteria, in that CTCS presented clear and convincing evidence of academic performance that is at least equal to or greater than the academic performance of resident schools and district schools.

Requirement 5: Has qualified for an alternative accountability system pursuant to subdivision (h) of EC Section 52052.

Not applicable: CTCS does not qualify for an alternative accountability system.

Accrediting Commission for Schools, Western Association of Schools and Colleges

On April 26, 2016, the CEO of CEG was notified by the Accrediting Commission for Schools, Western Association of Schools and Colleges (ACS WASC) of potential withholding of accreditation status for all CEG schools for violations concerning substantive changes, integrity of member schools, and disclosure of information. WASC has issued an order to show cause as to why the accreditation status of all CEG schools should not be withheld.

The ACS WASC letter indicates that WASC has reason to believe that the investigations of CEG and the January 25, 2017, search of its headquarters are related to federal, state, and county suspicions of illegal activities at CEG. WASC also states that the federal investigation and execution of the search warrant on CEG, in and of themselves, represent substantive changes to CEG Schools. Based on the information available, the WASC Commission states that the integrity of CEG Schools have been seriously undermined and has issued an Order to Show Cause on this basis. The WASC Commission contends that CEG violated the ACS WASC policies under disclosure of information. The Commission has offered CEG an opportunity to provide information for WASC to consider as to why all CEG schools’ accreditation should not be withheld.
WASC has required CEG to complete an independent audit to verify CEG’s financial stability, compliance with state and federal tax laws, and internal controls to prevent fraud, misuse of public funds, nepotism, and conflicts of interest if an independent audit has not already been completed or planned. CEG has been directed to provide by June 2, 2017, the results of the independent audit and further information regarding:

- The current status of federal and any other government investigations into CEG
- The names of all CEOs, directors, and board members of the identified business entities
- An explanation regarding the amount of and reasons for transferring any funds for CEG and its affiliate schools to CGD, Celerity Development LLC, Attenture, LLC and/or Orion Schools
- Whether identified business entities are currently or have ever been registered to Ms. McFarlane
- Names of Ms. McFarlane’s family members currently or previously employed by the identified business entities
- Ms. McFarlane’s role at CEG and whether Ms. McFarlane maintains any form of control or influence over CEG schools
- The rationale for Ms. McFarlane leaving CEG and assumption of a position at CGD
- Whether Ms. McFarlane has received any financial benefit for the identified business entities
- The total amounts Ms. McFarlane charged to the school credit cards for personal expenses, even if mistakenly charged
- Checks, invoices, receipts, or proof of payment showing than Ms. McFarlane reimbursed all amounts charged to school credit cards for personal expenses
- Any information CEG would like WASC to consider

Educational Program

The CTCS petition proposes to serve at-risk pupils in transitional kindergarten to grade eight on three private sites located at 4501 Wadsworth Avenue, Los Angeles, California 90011; 4607 South Central Avenue, Los Angeles, California 90011; and 4700 South Central Avenue, Los Angeles, California 90011. The petition states that the mission of CTCS is to provide a school where at-risk pupils will thrive in an atmosphere of high
expectations and engaging curriculum with challenging learning activities. The CTCS petition states that learning best occurs through learning activities, active pedagogy, culture and character building, leadership and school improvement, and structures in instructional design that incorporate principles of learning with culturally relevant pedagogy through a project-based learning model (Attachment 3 of Agenda Item 03 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item07a3.pdf).

Budget

The CTCS submitted a multi-year financial plan which the CDE finds to be sustainable and provides for projected operating surpluses and adequate reserves for fiscal years 2017–18 through 2019–20.

Summary

The information in this item provides the analysis that CDE staff has completed to date. Due to the recent public allegations, ongoing federal investigation, and additional information provided by CEG of the numerous related party contracts and transactions entered into by CEG, CGD, and their affiliates, the CDE notes concerns on how this may affect the ability of the petitioner to successfully implement the CTCS program.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 31 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters, operating a total of 18 sites
- Twenty-three charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of CTCS for the CDE’s oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: California State Board of Education Standard Conditions on Opening and Operation (3 pages)
CALIFORNIA STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

• **Department of Justice and Subsequent Arrest Notification.** Each California State Board of Education (SBE)-authorized charter school shall comply with and remain compliant with the requirements of California Education Code (EC) Section 44830.1, pertaining to criminal history record summaries, fingerprints, and subsequent arrest notices (SANs), and that the School must comply with this Code section in requesting a subsequent arrest service notification from the California Department of Justice (DOJ). The California Department of Education (CDE) will request written assurance on school letterhead that the School is in compliance with EC Section 44830.1. This assurance must provide evidence that (1) the School, as a local educational agency and the employer of record, has a DOJ/SANs account; (2) that all school employees have the appropriate DOJ clearance; (3) that the custodian of records will receive the SANs; (4) that the School has a procedure for monitoring the SANs of the designated custodian of records; and (5) employee records are kept secure at the School and available upon request for review. This assurance must be signed by the school administrator and the custodian of record.

• **Insurance Coverage.** Prior to opening, (or such earlier time as the School may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings. Additionally, the School will provide a document stating that the District will hold harmless, defend, and indemnify the SBE and the CDE, their officers and employees, from every liability, claim, or demand that may be made by reason of: (1) any injury to volunteer; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk will defend all legal proceedings that may be brought against it and/or the SBE or the CDE, their officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.

• **Memorandum of Understanding/Oversight Agreement.** Prior to opening, either: (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the School, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to EC Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.

• **Special Education Local Plan Area Membership.** Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for membership as a local educational agency and submit either written verification that the School is (or will be at the time pupils are being served) participating in the
SELPA; or an agreement between a SELPA, a school district that is a member of the SELPA, and the School that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the School’s pupils to be pupils of the school district in which the School is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either: (1) the School’s written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the School, including any proposed contracts with service providers.

- **Educational Program.** Prior to opening, submit a description of the curriculum development process the School will use and the scope and sequence for the grades envisioned by the School; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the assessment identified in EC Section 60640 in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

- **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.

- **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the School’s right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each School’s operation and evidence that the facilities will be adequate for the School’s needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

- **Zoning and Occupancy.** Not less than 30 days prior to the School’s opening, present evidence that each School’s facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.
• **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the School will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the CSD.

• **Processing of Employment Contributions.** Prior to the employment of any individuals by the School, present evidence that the School has made appropriate arrangements for the processing of the employees’ retirement contributions to the California Public Employees’ Retirement System and the California State Teachers’ Retirement System.

• **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the School is not in operation by September 30, 2017, approval of the charter is terminated.
ITEM 19
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

SUBJECT

Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of Oxford Preparatory Academy Chino Valley, which was denied by the Chino Valley Unified School District and not considered by the San Bernardino County Board of Education.

SUMMARY OF THE ISSUE(S)

On November 28, 2016, the Chino Valley Unified School District (CVUSD) Board voted to deny the Oxford Preparatory Academy Chino Valley (OPACV) charter renewal petition by a vote of five to zero. On December 20, 2016, OPACV submitted the OPACV charter renewal petition on appeal to the San Bernardino County Office of Education (SBCOE). On January 3, 2017, the SBCOE approved a motion to not receive the renewal petition or establish a timeline for the consideration of the OPACV appeal.

Pursuant to California Education Code (EC) Section 47605(j), petitioners for a charter school that have been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE hold a public hearing regarding the OPACV charter renewal petition and thereafter deny the request to renew the OPACV under the oversight of the SBE, for a five year term effective July 1, 2017, through June 30, 2022, based on the CDE’s findings pursuant to EC Section 47605(b)(2) and California Code of Regulations, Title 5 (5 CCR) Section 11967.5.1(c) that the petitioners are not likely to successfully implement the program set forth in the petition because of this petitioners’ history of fiscal mismanagement, and that OPACV has presented an unrealistic operational plan and the OPACV budget cannot be deemed viable due to the potential of undiscovered contracts, transactions, extended liabilities, loans, and obligations, and the lack of valid audit reports.

Advisory Commission on Charter Schools

The Advisory Commission on Charter Schools (ACCS) considered the OPACV charter renewal petition at its April 5, 2017, meeting. The ACCS moved a recommendation that the SBE approve the renewal of OPACV contingent upon OPACV engaging with and maintaining an ongoing relationship with a third party fiscal services organization, such as the Fiscal Crisis and Management Assistance Team (FCMAT) or an entity
recommended by School Services, to ensure that all FCMAT audit findings and other concerns are resolved. Five votes are required to move an ACCS motion forward to the SBE. The motion did not pass by a vote of four to three, therefore no recommendation moved.

**BRIEF HISTORY OF KEY ISSUES**

The CDE received a petition on appeal from OPACV on January 31, 2017.

OPACV currently operates a transitional kindergarten (TK) through grade eight school. The mission of OPACV is to work collaboratively to develop life-long learners in a safe and caring educational environment where pupils are challenged, scholarship is expected, and differences are valued. OPACV’s program is specifically designed to prepare pupils to enter competitive colleges and universities worldwide.

The OPACV petitioners propose to serve 1,226 pupils in TK through grade eight in all five years of the renewal term (2017–18 through 2021–22).

In considering the OPACV charter renewal petition, CDE staff reviewed the following:

- The OPACV charter renewal petition and appendices (Attachments 3 and 5 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a3.pdf) and [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a5.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a5.pdf)).

- Educational and demographic data of schools where pupils would otherwise be required to attend (Attachment 2 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a2.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a2.pdf)).


- Description of changes to the petition necessary to reflect the SBE as the authorizing entity (Attachment 6 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a6.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a6.pdf)).

- Board agendas, minutes, and findings from the CVUSD regarding the denial of the OPACV charter renewal petition along with the petitioner’s response to the CVUSD’s findings (Attachments 7 and 11 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a7.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a7.pdf) and [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a11.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a11.pdf)).
- SBCOE's Certification of Minutes and Letter to the CDE regarding not receiving the OPACV appeal (Attachment 8 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a8.pdf).


On November 28, 2016, the CVUSD denied the OPACV charter renewal petition based on the following findings (Attachment 7 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a7.pdf):

- The petitioner is demonstrably unlikely to successfully implement the proposed educational program.

- The petition does not contain reasonably comprehensive descriptions of all required elements.

- The petition does not contain an affirmation of all specified assurances.

On January 3, 2017, the SBCOE approved a motion to not receive the renewal petition or establish a timeline for the consideration of the OPACV appeal from CVUSD’s nonrenewal. On January 11, 2017, the SBCOE sent a letter to inform the CDE of the SBCOE’s non-receipt of the appeal (Attachment 8 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a8.pdf).

The information in this item provides the analysis that the CDE has been able to complete to date with the available information.
Renewal Criteria Under *Education Code* Section 47607

OPACV has been authorized to operate by CVUSD since 2010. The OPACV charter term ends on June 30, 2017. OPACV sought a second renewal of its charter from CVUSD, which required OPACV to demonstrate that it met one of the five requirements under *EC* Section 47607(b). In reviewing the criteria, CVUSD was required to consider increases in pupil achievement for all groups of pupils served by OPACV as the most important factor in determining whether to grant OPACV’s request for a charter renewal. The CDE notes that CVUSD does not provide an analysis of OPACV’s academic performance to determine if it is at least equal to the academic performance of the public schools OPACV’s pupils would otherwise attend. Additionally, CVUSD did not provide written findings based on the criteria outlined in *EC* Section 47607(b) stating only that increases in pupil achievement is not the only factor to be considered in evaluating a charter renewal petition (Attachment 7 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a7.pdf).

The CDE reviewed pupil achievement data submitted by OPACV (Attachment 3 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a3.pdf) and the CDE determined that OPACV has met four of the five requirements as follows:

Requirement 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. (Note: API is not being calculated as of the 2013–14 school year [SY].)

**Met:** OPACV met its API growth target schoolwide and for all groups served by the charter for two of the last three years that API was calculated.

Requirement 2: Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years. (Note: API is not being calculated as of the 2013–14 SY.)

**Met:** OPACV received a statewide ranking of 10 for the 2010–11 SY, 2011–12 SY, and 2012–13 SY.

Requirement 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. (Note: API is not being calculated as of the 2013–14 SY.)

**Met:** The OPACV similar school ranking is 10 for the 2010–11 SY, 2011–12 SY, and 2012–13 SY.

Requirement 4: 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.

**Met:** The CVUSD reviewed California Assessment of Student Performance and Progress (CAASPP) data for OPACV (Attachment 7 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a7.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a7.pdf)), however, the CDE notes that CVUSD does not provide an analysis of OPACV’s academic performance to determine if it is at least equal to the academic performance of the public schools OPACV’s pupils would otherwise attend. The CDE finds that the OPACV’s academic performance is at least equal to the academic performance of the public schools that OPACV’s pupils would otherwise have been required to attend, as well as the academic performance of the schools in CVUSD. OPACV’s API three-year average exceeded the academic performance of the elementary and middle schools in CVUSD. OPACV’s significant subgroups’ API three-year average exceeded the academic performance of the elementary and middle schools in CVUSD. Additionally, OPACV’s academic performance exceeded the academic performance of elementary and middle schools in CVUSD based on the following assessments: Science California Standards Test in grade five and grade eight and California Physical Fitness Report for grade five and grade seven. A higher percentage of OPACV pupils meet or exceed standards on the CAASPP for both English language arts/literacy and mathematics than pupils from CVUSD and San Bernardino County. Further, OPACV outperformed a majority of the subgroups from CVUSD on the CAASPP.

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

**Not Applicable:** OPACV does not qualify for an alternative accountability system.

**Alternative Measures Renewal Criteria Under Education Code Section 52052**

The CDE also considered *EC* Section 52052 in analyzing whether to grant OPACV’s renewal request. As referenced above, API is not being calculated as of the 2013–14 SY. In such a case, *EC* Section 52052(e)(4)(C) provides for the following in determining whether a charter school is meeting legislative and/or programmatic requirements:
Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant subgroups.

The CDE reviewed the following OPACV alternative measures in pupil academic achievement for all OPACV pupils schoolwide and among significant subgroups (Attachment 3 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a3.pdf):

- For 2012–13, all four of OPACV’s four significant subgroups, Asian, Hispanic or Latino, White, and socioeconomically disadvantaged pupils met the API growth target.

- OPACV reports that 89 percent of OPACV pupils maintained or improved their proficiency level from the interim to the summative assessment of the 2015 administration of CAASPP.

Fiscal Crisis and Management Assistance Team Extraordinary Audit

Pursuant to EC Section 1241.5(c), a county superintendent may review or audit the expenditures and internal controls of any charter school in the county if there is reason to believe that fraud, misappropriation of funds, or other illegal fiscal practices have occurred that merit examination. On November 23, 2015, the CVUSD Superintendent expressed concerns in a letter to the San Bernardino County Superintendent of Schools (County Superintendent) regarding allegations of conflict of interest and self-dealing by OPA. The allegations included multiple fiscal irregularities, questionable expenditures, and inappropriate related-party transactions at OPACV based on a preliminary investigation conducted by CVUSD. Due to concerns that the allegations may have violated various statutes related to fraud and/or misappropriation of assets, the County Superintendent initiated an investigation to determine whether sufficient evidence of criminal activity exists to report the matter to the local district attorney’s office for further investigation.

In July 2016, the Office of the County Superintendent entered into a contract with FCMAT to perform an Assembly Bill 139 extraordinary audit of OPACV regarding the alleged fraud, misappropriation of funds, and possible illegal activity in the OPA organization.

Audit Scope and Procedures

FCMAT began fieldwork in August 2016 which included interviews, data collection, and documentation review. Interviews were conducted with county and district staff and the OPACV executive director and executive team. Meetings were conducted with business office staff, current and former OPACV employees, the OPACV back-office provider, and the OPACV independent auditor. FCMAT also reviewed, analyzed, and tested records that included, but were not limited to, audited financial statements, financial records, support documentation, board minutes, memorandums of understanding, e-
mails, contracts, payroll records, and other documentation from independent third party and governmental sources.

FCMAT identified the following OPA organizational entities, affiliated organizations, and executive staff that include, but are not limited to:

- OPA, a nonprofit public benefit corporation formed to manage and operate OPACV and OPA-South Orange County (SOC), authorized by the CUSD
- OPA Schools (OPAS), a nonprofit public benefit corporation, formed in 2013, as the charter management organization (CMO) over OPA
- OPA Alliance (OPA-Alliance) – OPAS was renamed OPA-Alliance
- Edlighten Learning Solutions (ELS) – OPA-Alliance was renamed ELS, the CMO and sole statutory member of OPA
- Epic Youth Services, Limited Liability Company (LLC), a for-profit company that provided financial and consulting services to ELS
- Educational Excellence, LLC, a for-profit limited liability company that provided services to ELS, whose founder is Brian Roche (Sue Roche’s son)
- Sue Roche, founder of OPA, former chief executive officer (CEO) and former executive director of OPA and ELS
- Barbara Black, CEO and executive director of OPA (resigned effective December 6, 2016 [Attachment 14 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a14.pdf])

Audit Findings

As a result of the fieldwork completed, FCMAT’s final audit report identified findings that include, but are not limited to the following:

- The lack of internal controls at OPA and relationships between the founder, relatives, and close associates, and the founder’s other nonprofit public and private corporations created an environment that made it possible for fraud to occur.
- Conflict of interest at OPA including, but not limited to, charter officials participating in the decision-making process and exercising considerable influence that had major financial implications without full disclosure to the governing board.
• Transactions that involved self-dealing with the founder’s nonprofit and for-profit corporations allowing the founder, relatives, and close associates to gain financially, including funneling funding from OPA charter schools.

• Pursuant to OPA’s amended bylaws, ELS, as both the CMO and sole statutory member of OPA, has broad legal power and ultimate control to remove any director with or without cause within the OPA organization.

• ELS has a material economic interest in OPA by which OPA pays substantial CMO management fees to ELS. From January 2013 through June 2016, OPA charter schools paid management fees of $4,253,406 to ELS—of this total, OPACV paid $2,356,079 (Attachment 9 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a9.pdf).

• Related party organizations were intentionally created to divert and launder funds from OPA and conceal the use of the funds from CVUSD, OPA’s independent auditor, and others that relied on the financial statements and independent financial audits (Attachment 9 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a9.pdf).

The final FCMAT extraordinary audit report, November 22, 2016, concludes that OPACV may have engaged in fraud, misappropriation of assets, or other illegal activities (Attachment 9 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a9.pdf).

As a result of the FCMAT extraordinary audit, CVUSD issued an NOV to OPACV on January 10, 2017, stating that CVUSD finds that the violations identified in the FCMAT report are of substantial concern. CVUSD provided OPACV with the opportunity to submit a plan of definitive action by January 31, 2017, that would correct violations and prevent future violations. OPACV submitted a response in writing to CVUSD on January 31, 2017 (Attachment 12 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a12.pdf).

Additionally, CUSD issued an NOV to OPA-SOC on December 15, 2016, that CUSD finds that the violations identified in the FCMAT report are of substantial concern. CUSD provided OPA-SOC with the opportunity to submit a plan of definitive action by January 2, 2017, that would correct violations and prevent future violations (Attachment 13 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a13.pdf).

The CDE finds, after review of the FCMAT findings that OPA leadership failed to meet generally accepted accounting principles and engaged in fiscal mismanagement
Based on these findings, the CDE has concerns about the OPACV leadership and OPA Board of Directors’ ability to successfully implement the program given the history of fiscal mismanagement and lack of internal controls. The CDE notes that OPACV has taken steps to address the FCMAT findings as noted in OPACV’s cover letter to the CDE (Attachment 14 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a14.pdf) as well as OPACV’s response to the CVUSD’s NOV (Attachment 12 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a12.pdf). However, the CDE finds that these steps are insufficient in addressing all of FCMAT’s findings based on the following:

- Although OPA replaced its entire Board of Directors, it is unclear how many board members are founding members of OPA. Founding members are a group of individuals in OPA who are extremely involved and invested with OPA. As founding members, it would appear these board members would have a history or relationship with its past executive directors, Sue Roche and Barbara Black.

- A few of the board members have financial experience and experience running charter schools, but it is unclear what those specific experiences are, and whether they have demonstrated knowledge of internal controls and business processes.

- Denise Pascoe was selected as Interim Executive Director and Andrew Crowe was selected as Interim Managing Director. Both Ms. Pascoe and Mr. Crowe served as chancellors for OPA. Mr. Crowe served as chancellor of OPACV since 2015 and according to the OPA Web site, Ms. Pascoe previously served as chancellor of OPA-SOC. Although Ms. Pascoe states that Mr. Crowe has no ties to Sue Roche or Barbara Black, OPA’s organizational chart shows that the chancellor works directly with the executive director.

- OPACV’s nepotism policy allows for the “organization to vary from the guidelines outlined in the nepotism policy to address unusual circumstances on a case by case basis.” This gives OPACV wide latitude to not follow the nepotism policy.

- OPACV has conducted an internal forensic review of all financials dating back to 2012, but it is unclear what OPACV plans to do with the forensic review, what was found in the review, how OPACV will utilize information from the review to remedy past fiscal mismanagement, and its plans to safeguard against future fiscal mismanagement.

- It is unclear what the third party training OPACV plans to contract for regarding fraud and abuse, will entail.
Although OPACV states that Sue Roche and Barbara Black at one time leased to The Academies of Oxford Prep and are no longer employed by OPA, it is unclear whether there are ongoing leases. The CDE cannot determine when these leases expire or what OPA’s financial obligations are, for these leases.

OPACV states that two signatures are required for approval of any expense over $10,000, but it is unclear whose signature is required and whether these two signatories would provide adequate safeguards against fiscal mismanagement.

Additionally, ELS has refused to provide financial and personnel records to FCMAT even though there is clear evidence that ELS and OPACV are affiliated and related parties. This failure to disclose information prevents FCMAT from presenting all the evidence related to OPACV’s fiscal practices. Based on the information available to FCMAT, FCMAT identified that OPA paid management fees of $4,253,406 plus $449,405 from loans and rent, bringing the total revenues of $4,702,811 to ELS from OPA. FCMAT estimates that ELS has $569,773 cash on hand as of June 30, 2016, that should be returned to OPA (Attachment 9 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a9.pdf).

Further, FCMAT stated that the audited financial statements from 2012–13 through 2014–15 were misstated due to the fact that OPACV failed to disclose the complete, transparent, and true nature of the relationship between OPACV and ELS, and recommended that the audited financial statements should be reissued with proper disclosure. However, FCMAT notes that the auditor would not be able to consolidate financial statements, since ELS refused to make financial records available (Attachment 9 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a9.pdf).

**Accrediting Commission for Schools, Western Association of Schools and Colleges**

On February 1, 2017, the Accrediting Commission for Schools, Western Association of Schools and Colleges (ACS WASC) issued a letter to OPACV regarding the potential withholding of accreditation status. The CDE received a copy of this letter via e-mail on April 7, 2017, from CVUSD. The letter states that OPACV violated ACS WASC policies around substantive changes, integrity of member schools, and disclosure information. ACS WASC offered OPACV an opportunity to respond to the ACS WASC with reasons why accreditation should not be withheld, by March 15, 2017. ACS WASC reported to the CDE during a phone conversation on April 11, 2017, that OPACV did submit a response to the letter. The CDE received a copy of OPACV’s response to ACS WASC from OPACV on April 12, 2017. The letter responds to each of the violations identified in the letter and provides some additional documentation to support OPACV’s response. ACS WASC will review the information and take action at the April 24–25, 2017, meeting.

The following is a summary of the violations outlined in the ACS WASC letter and OPACV’s response:
• **Substantive Changes in Accredited Schools:** OPACV did not submit an application or receive approval from ACS WASC prior to making substantive changes. Additionally, OPACV did not report substantive changes to ACS WASC within 10 days of making a change. The letter specifically states that OPACV did not disclose OPACV’s charter renewal process and changes in OPA’s Board of Directors, business department, and management positions; and did not report that it has severed all ties with ELS.

  o **OPACV’s Response:** OPACV states that OPACV did not provide an update of the renewal process as it is necessary and common for charter schools. OPACV states that changes in board members and staff are not identified as substantive changes in the ASC WASC policy and therefore OPACV did not report. However, OPACV did provide information about the changes in its response to ACS WASC. OPACV states that the ownership structure remains the same even though OPACV severed ties with ELS. OPACV stated it will promptly update ACS WASC of any required disclosures moving forward.

• **Integrity of Member Schools:** ACS WASC states that the findings of the FCMAT audit raise serious concerns to OPACV’s integrity as a member school, especially in light of OPACV’s failure to timely disclose relevant information.

  o **OPACV’s Response:** OPACV states that OPACV acted with honesty and integrity by resolving the issues raised by FCMAT. OPACV also provided a response to how OPACV has addressed each finding. OPACV also states that ACS WASC has not withheld accreditation from other districts and charter schools that also have a FCMAT extraordinary audit. OPACV also states OPACV’s integrity is reflected in its strong academic program and student success.

• **Disclosure of Information:** OPACV failed to provide timely information to ACS WASC regarding its failed charter renewal petition, change in charter management prior to the ACS WASC’s 2016 grant of accreditation status, and the FCMAT audit findings following accreditation.

  o **OPACV’s Response:** OPACV states that they will fully and completely disclose such events to WASC moving forward and states that they have provided information in OPACV’s self-study application.

**Enrollment Barriers**

During the April 5, 2017, ACCS meeting, Commissioners expressed concern that OPACV does not participate in the Free and Reduced Price Meal Program (FRPM). The CDE is concerned that OPACV’s decision not to participate in FRPM has likely been a significant factor in the disparity of socio-economic levels that exists in CVUSD and OPACV. School and District Profiles on the CDE website indicate 43.1% of CVUSD’s students are eligible for Free/Reduced Lunch while only 22.1% are eligible at OPACV.
ACCS commissioners opined that the lack of a FRPM option at OPACV would prevent some families from enrolling at OPACV.

Educational Program

OPACV’s program is specifically designed to prepare pupils to enter competitive colleges and universities worldwide. OPACV fulfills this mission by:

- Emphasizing high academic standards, respect, patriotism, and courtesy
- Providing a structured environment conducive to learning
- Expecting active parent participation and support of school policies and programs
- Implementing the theory of Multiple Intelligences as part of instruction and personalized learning
- Offering ongoing teacher and parent training
- Maintaining consistent communication between home, school, and community
- Engaging in community service-based civic learning activities embedded throughout grade level/subject standards instruction
- Ensuring all pupils are at least performing at grade level on all state adopted standards, per applicable state and federal accountability requirements
- Including world languages as part of the curriculum
- Developing and revising, on a yearly basis, the Game Plan for Success (effective instruction, instruction based on California Standards, data driven instruction, intervention, and address barriers) (Attachment 3 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a3.pdf)

OPACV provides a rigorous academic curriculum within a pupil-centered environment, which enables pupils to be successful in further academic pursuits. All pupils are held to high academic and behavioral standards and perform service within the greater community. Classes are engaging and motivating which supports an environment where pupils are empowered to think, create, and explore at the highest levels of learning. OPACV pupils shall graduate prepared to attend a four-year college and receive a baccalaureate degree.

The theory of Multiple Intelligences, research-based instructional strategies and evidence-based practices, standards-based sequential curriculum, Gifted and Talented Education (GATE) strategies, civic learning, and Bloom’s Revised Taxonomy drive the educational philosophy of OPACV. Pupils are provided an inspirational learning
environment, rigorous academic standards, and a challenging curriculum enriched with higher level questioning and global mindedness. OPACV creates a scholarship-rich environment enabling pupils to become self-motivated, competent, and lifelong learners. The OPACV petition states it will use the following instructional methodologies to support pupil learning: Theory of Multiple Intelligences, research-based strategies and evidence-based practices, project-based learning, standards-based instruction through Backwards Design, GATE strategies, civic learning, and Bloom’s Revised Taxonomy (Attachment 3 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a3.pdf).

Budget


Summary

Pursuant to EC sections 47605(b)(1), 47605(b)(2), 47605(b)(5), and 5 CCR Section 11967.5.1, a charter petition must provide a reasonably comprehensive description of multiple required elements. The OPACV petition provides an adequate description of most of the required charter elements, while five require a technical amendment and one does not provide an adequate description. A detailed analysis of the review of the entire petition is provided in Attachment 1 of Agenda Item 04 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item10a1.doc.

The CDE reviewed and considered the pupil academic achievement of OPACV as the most important factor in determining whether to recommend approval for renewal; however, this is not the only factor to consider. The CDE finds that the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition based on OPACV’s history related to fiscal mismanagement, potential fraud, and misuse of public funds. The substantial impact of these findings threaten the future sustainability of the charter school, eventually undermining the academic achievement of OPACV pupils.
SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 31 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters, operating a total of 18 sites
- Twenty-three charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

As an SBE-authorized charter school, the CDE would receive approximately one percent of the OPACV Local Control Funding Formula funds received for CDE oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

None
**CALIFORNIA STATE BOARD OF EDUCATION**

**MAY 2017 AGENDA**

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**SUMMARY OF THE ISSUE(S)**

New West Charter (NWC) is currently a State Board of Education (SBE)-authorized charter school, with a charter term that expires on June 30, 2017.

Pursuant to California *Education Code (EC)* Section 47605(k)(3), which requires an SBE-authorized charter to submit a renewal petition to the authority that originally denied the charter, NWC submitted a renewal petition to the Los Angeles Unified School District (LAUSD). On December 13, 2016, the LAUSD denied the renewal petition by consent vote.

If a governing board of a school district denies a renewal petition for an SBE-authorized charter school, *EC* Section 47605(k)(3) permits the charter school to submit the renewal petition directly to the SBE.

**RECOMMENDATION**

The California Department of Education (CDE) recommends that the SBE hold a public hearing regarding the NWC petition, and thereafter conditionally approve the request, with technical amendments (Attachment 2), to renew NWC under the oversight of the SBE for a five-year term effective July 1, 2017, through June 30, 2022, based on the CDE’s review pursuant to *EC* sections 47605(b)(1), 47605(b)(2), 47605(b)(4), 47605(b)(5), 47605(b)(6), and *California Code of Regulations*, Title 5 Section 11967.5. The CDE finds that the petition is consistent with sound educational practice, the NWC charter petitioner is demonstrably likely to successfully implement the intended program, and the NWC petition provides reasonably comprehensive descriptions of the multiple required elements.

Inherent to this recommendation, the CDE proposes the following condition: NWC must revise the *Home-School Agreement* and *Enrollment Agreement* to remove all language
that conflicts with EC Section 49011(b), as noted in the CDE January 20, 2015, Fiscal Management Advisory 15-01, and EC sections 47605(b)(5)(H) and 47605(d)(2)(A). Revisions to the Home-School Agreement and Enrollment Agreement include: (1) clearly indicating that parents are not required to provide any volunteer hours, such as participating in school projects, events, and classroom activities; overseeing community service projects; or attending orientation launch meetings, back-to-school nights, open houses, or school-wide events; (2) removing any language requiring payment of fees for educational services, such as requiring the purchase of school supplies and fees for after-school athletics, field trips, and rental of musical instruments; (3) removing the Traffic Monitoring and Mitigation Policy/Pupil Transportation and Parking Policy from the Home-School Agreement; and (4) removing language that places conditions upon admission and continued enrollment at NWC, such as mandatory requirements of parents, consequences for non-compliance to the Home-School Agreement including loss of enrollment at NWC, and the requirement that parents and pupils sign the Home-School Agreement as a condition of enrollment at NWC.

In addition, the CDE recommends that NWC be allowed to include a preference in Element 8–Admission Requirements so that admission preferences align with EC sections 47605(d)(2)(B) and 47614.5: (1) existing pupils of NWC; (2) pupils who are currently enrolled in or reside in the attendance area of Brockton Elementary, a public elementary school where NWC is located, in which 55 percent or more of the pupil enrollment is eligible for free or reduced price lunch; and (3) pupils residing in the district. Additional preferences beyond these may be permitted by the SBE as the chartering authority and only if consistent with the law.

The Meeting Notice for the SBE ACCS is located at http://www.cde.ca.gov/be/cc/cs/accsnotice040517.asp.

Advisory Commission on Charter Schools

The ACCS considered the NWC charter renewal at its April 5, 2017, meeting. The ACCS voted to recommend that the SBE approve the CDE staff recommendation with a change in enrollment preferences contingent upon the CDE staff ensuring that the change in enrollment preferences is compliant with EC Section 47605. The motion passed by a vote of six to one.

BRIEF HISTORY OF KEY ISSUES

NWC submitted a petition on appeal to the CDE on December 14, 2016.

In December 2001, the SBE unanimously approved the NWC petition. NWC received the final approved charter on January 15, 2001, used the 2002–03 fiscal year to secure facilities, and opened to pupils in grade six through grade eight on September 8, 2003, at 11625 Pico Boulevard in Los Angeles. NWC was renewed by the SBE in 2007 and 2012. Beginning in the fall of 2012, NWC added one high school grade level per year through the fall of 2015 when the school was finally serving pupils from grade six through grade twelve. In October 2012, NWC moved to 1905 Armacost Avenue in Los
Angeles and retained the lease at 11625 Pico Boulevard. NWC currently serves 824 pupils in grade six through grade twelve. The NWC mission is to provide an academically rigorous, highly individualized education for twenty-first century pupils in grade six through grade twelve (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

In considering the NWC petition, CDE staff reviewed the following:


- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a2.pdf.


- Board agendas, minutes, and findings from the LAUSD regarding the denial of the NWC petition, along with the petitioner’s response to the LAUSD findings, Attachments 5, 6, and 12 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a5.pdf, http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a6.pdf, and http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a12.pdf.


• NWC English Learner Master Plan, Attachment 11 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a11.pdf.

• Description of changes to the petition necessary to reflect the SBE as the authorizing entity, Attachment 13 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a13.pdf.

• NWC policies including the Home School Contract, the NWC Enrollment Agreement, and the NWC Traffic Monitoring and Mitigation Program/Pupil Transportation and Parking Policy, Attachment 14 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a14.pdf.

On December 13, 2016, the LAUSD denied the NWC petition based on the following findings, Attachment 5 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a5.pdf:

• NWC is demonstrably unlikely to successfully implement the program set forth in the petition.

• The petition does not contain a reasonably comprehensive description of all of the elements required in EC Section 47605(b) based on the following findings of fact:
  o Educational Program (Element 1)
  o Measurable Pupil Outcomes (Element 3)
  o Governance Structure (Element 4)
  o Employee Qualifications (Element 5)
  o Admission Requirements (Element 8)
  o Annual Financial Audits (Element 9)
  o Suspension and Expulsion Procedures (Element 10)
  o Retirement System (Element 11)

For a charter school renewal, EC Section 47607 states that renewals are governed by the standards and criteria in EC Section 47605, which establishes what is required in the petition, including the multiple required elements. In addition, EC Section 47607(b) states that a charter school that has been in operation for at least four years shall meet at least one of the criteria related to academic performance. In reviewing the criteria, a charter authorizer shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor for renewal. The CDE finds that NWC has demonstrated increases in pupil academic achievement.
Renewal Criteria Under *Education Code* Section 47607

After having been in operation for more than four years, NWC sought a renewal of its charter, which required NWC to demonstrate that it met one of the five criteria under EC Section 47607(b). Pursuant to the CDE’s analysis, NWC has met three of the five criteria as follows:

Requirement 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. *(Note: API is not being calculated as of the 2013–14 school year [SY].)*

**Met:** In prior year 2012–13, NWC met API growth targets schoolwide and for the reported groups of pupils (Hispanic or Latino and White).

Requirement 2: Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years *(Note: API is not being calculated as of the 2013–14 SY).*

**Met:** NWC attained an API decile statewide ranking of 10 in 2011–12 and 2012–13.

Requirement 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 *(Note: API is not being calculated as of the 2013–14 SY).*

**Met:** NWC attained an API decile similar schools ranking of 9 in 2011–12 and 8 in 2012–13.

Requirement 4: 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.

**Not Met:** The CDE has determined that although NWC has demonstrated increases in pupil academic achievement, the academic performance of NWC is not equal to or greater than the academic performance of all subgroups of pupils in resident schools (public schools that NWC pupils would have otherwise attended based on their addresses) and district similar schools (schools on the CDE’s *Similar Schools* list for NWC). The NWC Asian pupil subgroup API 3-Year Average was lower than the Asian
pupil subgroup API 3-Year Average at two of the resident schools, and the NWC White pupil subgroup API 3-Year Average was lower than the White pupil subgroup API 3-Year Average at one of the resident schools (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

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

Not Applicable: NWC does not qualify for an alternative accountability system.

Alternative Measures Renewal Criteria Under Education Code Section 52052

As referenced above, the API is not being calculated as of the 2013–14 SY. In such a case, EC Section 52052(e)(4)(C) provides for the following in determining whether a charter school is meeting legislative and/or programmatic requirements:

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

Because NWC met the renewal criteria pursuant to EC Section 47607, an analysis of alternative measures pursuant to EC Section 52052 is unnecessary. Nevertheless, the CDE reviewed the alternative measures information provided by NWC to provide current academic data.

Los Angeles Unified School District’s Review and Analysis of Alternative Measures

LAUSD reviewed the alternative measures that NWC proposed in its renewal petition as follows:


On the 2015–16 SBAC ELA assessment, 71 percent of NWC pupils met or exceeded the performance standard, which is greater than the resident schools median of 46 percent and comparable to the similar schools median of 72 percent. In mathematics, 50 percent of NWC pupils met or exceeded the performance standard, which is greater than the resident schools median of 28 percent but lower than the similar schools median of 61 percent.
NWC pupil subgroups maintained or achieved positive growth in academic performance. The percentage of pupils who met or exceeded standards on the 2015–16 SBAC ELA assessments in the Socioeconomically Disadvantaged, African American, and Students with Disabilities subgroups increased by nine, four, and seven percentage points, respectively, in comparison with the prior year’s performance. For the Hispanic/Latino subgroup, 48 percent met or exceeded standards on the 2014–15 and 2015–16 SBAC ELA assessments (Attachment 5 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a5.pdf).

**Educational Program**

NWC serves pupils of diverse cultural, ethnic, and socioeconomic backgrounds from throughout greater Los Angeles whose families share the common goals of creating a strong, unified educational milieu for their children (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). NWC believes an educated person in the twenty-first century has acquired a high level of literacy, clarity of thinking, the ability to process information, and a fitting character with strong interpersonal skills and good work habits. A main objective of NWC is to enable pupils to become self-motivated, competent, and lifelong learners (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). The NWC educational program is based on the belief that learning best occurs though core and elective curriculum that is developed through backward design and incorporates differentiated instruction, scaffolding, additional instructional strategies, and project-based learning. NWC further operates on the premise that NWC must be pupil-based, not subject-based, and must create a strong sense of ownership and community for the pupils. Because of this premise, NWC encourages cooperation, collaboration, and responsibility at all levels of participation in the school (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

**Plan for Low-Achieving Pupils**

The NWC petition states that pupils are assessed upon enrollment and at the beginning of each year to identify those who may need extra support to meet or exceed academic standards. The NWC petition also states that modifications are immediately made for at-risk or low-performing pupils and that pupils may receive additional intensive intervention after school and in small tutoring sessions. The NWC petition further states that staff understand that some pupils are identified as at-risk pupils or are low performing because of life circumstances. Other than differentiated instruction within the academic classroom, the NWC petition does not provide a specific description of the intensive intervention program including the criteria for determining if a pupil needs intensive intervention or what intensive intervention is provided during the school day to allow access to grade-appropriate academic curriculum. The CDE recommends a technical amendment to address these deficiencies (Attachment 3 of Agenda Item 06

The NWC petition states that mastery of standards for each course will be the basis for promotion. Teachers assess a pupil’s progress on a quarterly basis in order to gauge whether the pupil is mastering the objectives and standards throughout the year. Pupils who are in jeopardy of retention are counseled individually and given extra help in their specific areas of concern. The NWC petition also states that pupils who do not meet the performance standards for advancement to the next grade or course may be retained in their current grade in accordance with their applicable promotional academic credits. These pupils are identified earlier in the academic year and are supported by a Student Success Team. Parents of pupils who have been retained are contacted by the grade level advisor who requests a meeting to discuss the pupil’s progress and determine some strategies that may promote greater success for the pupil (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

Plan for High-Achieving Pupils

The NWC petition states that NWC staff receive on-going professional development in differentiating instruction for all pupils, including those who are identified as Gifted and Talented Education (GATE) pupils. The NWC petition states that GATE pupils are identified through early assessment and teacher observation after which they are provided differentiated learning opportunities and are continually challenged through the use of compacted curriculum, multi-option assignments, project-based learning, and independent projects. The petition also states that teachers routinely increase novelty, go into greater depth or increase the complexity of the core curriculum, encourage the use of upper level critical thinking skills, and provide relationships and connections for independent research. The CDE notes that the NWC petition does not include the tests or criteria that are used to objectively determine which NWC pupils are identified for GATE differentiation (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). The CDE recommends a technical amendment to address this deficiency.

Plan for English Learners

The NWC petition states that NWC meets all applicable requirements for English learners (ELs) as they pertain to annual notification, pupil identification, placement, teacher qualifications, California English Language Development Test and English Language Proficiency Assessments for California administration, and training. The NWC petition states how the EL program effectiveness will be evaluated but does not include a timetable that ensures the evaluation will occur on a regular basis. In addition, NWC did not provide an EL Master Plan or adequately describe how NWC will monitor the academic performance of ELs who have been designated reclassified fluent English proficient (RFEP) for the two years following, but not limited to, their initial RFEP status (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the
SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf. The CDE recommends a technical amendment to address these deficiencies.

Plan for Special Education

NWC is considered its own local educational agency with the Southwest Special Education Local Plan Area (SELPA) and adheres to all SELPA policies and procedures when serving pupils with disabilities. The petition identifies a clear plan for special education pupils, including search and serve; assessment referrals; obligations; Individualized Education Program (IEP) development and implementation; due process procedures; and procedural safeguards and protections. The NWC petition states that pupils with disabilities, to the greatest extent possible, and in accordance with each pupil’s IEP, are integrated into the school’s educational environment and participate in the full range of academic, nonacademic, and extracurricular activities with nondisabled peers (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). The CDE finds that the NWC petition does not include the NWC Special Education Master Plan or a referral to such a plan. The CDE will request that NWC provide a copy of this plan.

Independent Study

The NWC petition states that the independent study program (ISP) assists pupils who are unable to attend school in the traditional five days a week format. It is designed for pupils with special interests and abilities, scheduling problems, or individual needs that cannot be accommodated in the traditional school. The NWC petition also states that because the ISP program offers rigorous, challenging courses, pupils must be able to work independently and have a desire to learn. The NWC petition states that the same high academic standards and expectations of all NWC classrooms are in place for each ISP course and that all standards-based academic courses comply with University of California/California State University a–g requirements and focus on college preparedness with the ultimate goal of preparing each pupil for success beyond high school. The NWC petition states that if there is limited or no academic improvement during a learning period, teachers will arrange a meeting with the pupil and parent/guardian to discuss ideas for improvement and suggest options to create better study habits in order to achieve success (Attachment 3 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). However, the NWC petition does not adequately specify requirements for eligibility for the ISP that can be applied consistently to all pupils or include an adequate description of how instructional design, instructional materials, and ongoing assessments vary for ISP pupils. The CDE recommends a technical amendment to address these deficiencies.
Budget

NWC has maintained a good financial standing under SBE authorization throughout its 14 years. The CDE finds the NWC multi-year financial plan to be sustainable and provides for projected operating surpluses and adequate reserves.

The NWC petition addresses the requirements of EC Section 47605(b)(ii), including a description of NWC’s annual goals, for all pupils (i.e. schoolwide) and for each subgroup of pupils identified pursuant to EC Section 52052, for each of the applicable state priorities identified in EC Section 52060(d), and a description of the specific annual actions NWC will take to achieve each of the identified annual goals.

A detailed analysis of the review of the entire petition is provided in Attachment 2.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 31 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters, operating a total of 18 sites
- Twenty-three charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

As an SBE-authorized charter school, the CDE would receive approximately one percent of the NWC Local Control Funding Formula funds received for CDE oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

Attachment 1: California State Board of Education Standard Conditions on Opening and Operation (3 pages)

CALIFORNIA STATE BOARD OF EDUCATION
STANDARD CONDITIONS ON OPENING AND OPERATION

• **Department of Justice and Subsequent Arrest Notification.** Each California State Board of Education (SBE)-authorized charter school shall comply with and remain compliant with the requirements of California *Education Code* (EC) Section 44830.1, pertaining to criminal history record summaries, fingerprints, and subsequent arrest notices (SANs), and that the School must comply with this Code section in requesting a subsequent arrest service notification from the California Department of Justice (DOJ). The California Department of Education (CDE) will request written assurance on school letterhead that the School is in compliance with EC Section 44830.1. This assurance must provide evidence that (1) the School, as a local educational agency and the employer of record, has a DOJ/SANs account; (2) that all school employees have the appropriate DOJ clearance; (3) that the custodian of records will receive the SANs; (4) that the School has a procedure for monitoring the SANs of the designated custodian of records; and (5) employee records are kept secure at the School and available upon request for review. This assurance must be signed by the school administrator and the custodian of record.

• **Insurance Coverage.** Prior to opening, (or such earlier time as the School may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings. Additionally, the School will provide a document stating that the District will hold harmless, defend, and indemnify the SBE and the CDE, their officers and employees, from every liability, claim, or demand that may be made by reason of: (1) any injury to volunteer; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk will defend all legal proceedings that may be brought against it and/or the SBE or the CDE, their officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.

• **Memorandum of Understanding/Oversight Agreement.** Prior to opening, either: (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the School, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to EC Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.

• **Special Education Local Plan Area Membership.** Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for membership as a local educational agency and submit either written verification that the School is (or will be at the time pupils are being served) participating in the SELPA; or an agreement between a SELPA, a school district that is a member of the
SELPA, and the School that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the School’s pupils to be pupils of the school district in which the School is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either: (1) the School’s written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the School, including any proposed contracts with service providers.

- **Educational Program.** Prior to opening, submit a description of the curriculum development process the School will use and the scope and sequence for the grades envisioned by the School; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the assessment identified in EC Section 60640 in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

- **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.

- **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the School’s right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each School’s operation and evidence that the facilities will be adequate for the School’s needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.

- **Zoning and Occupancy.** Not less than 30 days prior to the School’s opening, present evidence that each School’s facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities and Transportation Services Division.
• **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the School will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the CSD.

• **Processing of Employment Contributions.** Prior to the employment of any individuals by the School, present evidence that the School has made appropriate arrangements for the processing of the employees’ retirement contributions to the California Public Employees’ Retirement System and the California State Teachers’ Retirement System.

• **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the School is not in operation by September 30, 2017, approval of the charter is terminated.
Key Information Regarding New West Charter

<table>
<thead>
<tr>
<th>Proposed Grade Span and Build out Plan</th>
<th>Table 1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2017–22 Proposed Enrollment</td>
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<tr>
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<tr>
<td>12</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>825</td>
</tr>
</tbody>
</table>

Proposed Location
Currently New West Charter (NWC) is located at 1905 Armacost Avenue, Los Angeles. NWC is planning to open a second facility at 11625 Pico Boulevard, Los Angeles, in 2018–19, with 400 additional pupils including an independent study program (ISP). The ISP is being proposed to serve 40 of the 400 pupils at the Pico Boulevard site.

Brief History
NWC is a State Board of Education (SBE)-authorized charter school serving pupils in grade six through grade twelve. In December 2001, the SBE unanimously approved the NWC petition and has subsequently renewed the NWC petition in 2007 and 2012. NWC used the 2002–03 fiscal year to secure facilities, and opened to pupils in grade six through grade eight on September 8, 2003, at 11625 Pico Boulevard in Los Angeles.

Beginning in the fall of 2012, NWC added one high school grade level per year through the fall of 2015 when the school was finally serving pupils from grade six through grade twelve. In October 2012, NWC moved to 1905 Armacost Avenue in Los Angeles and retained the Pico Boulevard lease.

Pursuant to California Education Code (EC) Section 47605(k)(3), NWC submitted its charter renewal petition to the Los Angeles Unified School District (LAUSD). The renewal petition was denied by a consent vote of the LAUSD Board on December 13, 2016.
<table>
<thead>
<tr>
<th><strong>Lead Petitioner(s)</strong></th>
<th>Sharon Weir, Principal/Executive Director</th>
</tr>
</thead>
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<tr>
<th>Charter Requirements Pursuant to EC Section 47605(b)</th>
<th>Meets Requirements</th>
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<tbody>
<tr>
<td>Sound Educational Practice (EC Sections 47605[b] and [b][1])</td>
<td>Yes</td>
</tr>
<tr>
<td>Ability to Successfully Implement the Intended Program (EC Section 47605[b][2])</td>
<td>Yes</td>
</tr>
<tr>
<td>Required Number of Signatures (EC Section 47605[b][3])</td>
<td>NA</td>
</tr>
<tr>
<td>Affirmation of Specified Conditions (EC Sections 47605[b][4] and [d])</td>
<td>Yes</td>
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<tr>
<td>Exclusive Public School Employer (EC Section 47605[b][6])</td>
<td>Yes</td>
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<td>1 Description of Educational Program</td>
<td>Yes*</td>
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<td>2 Measurable Pupil Outcomes</td>
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<td>3 Method for Measuring Pupil Progress</td>
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<td>4 Governance Structure</td>
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<td>5 Employee Qualifications</td>
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<td>6 Health and Safety Procedures</td>
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<td>7 Racial and Ethnic Balance</td>
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<td>8 Admission Requirements</td>
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<td>9 Annual Independent Financial Audits</td>
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<td>10 Suspension and Expulsion Procedures</td>
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<td>12 Public School Attendance Alternatives</td>
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<td>13 Post-employment Rights of Employees</td>
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<td>14 Dispute Resolution Procedures</td>
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<td>15 Closure Procedures</td>
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<td>Standards, Assessments, and Parent Consultation (EC Sections 47605[c][1] and [2])</td>
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<td>Effect on Authorizer and Financial Projections (EC Section 47605[g])</td>
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<td>Teacher Credentialing (EC Section 47605[l])</td>
<td>Yes</td>
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<tr>
<td>Transmission of Audit Report (EC Section 47605[m])</td>
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<tr>
<td>Goals to Address the Eight State Priorities (EC Section 47605[b][5][A][ii])</td>
<td>Yes</td>
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*If approved as an SBE-authorized charter school, the petition will require amendments pursuant to California Code of Regulations, Title 5 (5 CCR), Section 11967.5.1. These amendments must be submitted to the California Department of Education (CDE) by July 1, 2017.

NA=Not Applicable
Requirements for State Board of Education-Authorized Charter Schools

<table>
<thead>
<tr>
<th>Sound Educational Practice</th>
<th>EC Sections 47605(b) and (b)(1)</th>
<th>5 CCR Sections 11967.5.1(a) and (b)</th>
</tr>
</thead>
</table>

**Evaluation Criteria**

For purposes of EC Section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.

For purposes of EC Section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is either of the following:

1. A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.

2. A program that the SBE determines not likely to be of educational benefit to the pupils who attend.

**Is the charter petition “consistent with sound educational practice?”** Yes

**Comments:**

The NWC petition is consistent with sound educational practice and is likely to be of educational benefit to pupils who attend.

During the 14 years of operation under SBE oversight, NWC has been accredited through the Western Association of Schools and Colleges, has provided pupils with an a-g college preparatory course of study, and has been twice recognized as a California Distinguished School. The NWC petition lists the NWC key strengths as (Attachment 3, pp. 14–15 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)):

- A clear and progressive educational mission
- Strong leadership with the discretion to make local decisions
- A dedicated team of teachers and support staff
- Significant opportunities for collaboration and professional development
- Data driven academic instruction, planning, and assessment
- Opportunities and structures designed to extend academic learning time
• A culture of high expectations for every pupil
• Strong and consistent parent/guardian and community involvement
• A supportive environment that fosters high achievement for all pupils

In addition, the NWC petition states that NWC has achieved the following (Attachment 3, p. 30 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf):

• Met its Academic Performance Index (API) growth target for two years
• Met or exceeded its API growth target in the prior year for all four significant subgroups
• Exceeded the requirements for statewide and similar schools rankings for all of the last three years the rankings were reported
• Exceeded the API academic school wide averages of the middle and high schools in LAUSD for the last three years APIs were reported
• Exceeded the API academic significant subgroup averages of the middle and high schools in LAUSD for the last three years APIs were reported
• Exceeded the average academic performance on the Science California Standards Test of the middle schools in LAUSD for the past five years
• Exceeded the average achievement on the California Physical Fitness Test of the middle schools in LAUSD for the past five years
• Increased the percentage of pupils scoring Advanced on the California English Language Development Test (CELDT) from 54 percent in 2014 to 70 percent in 2015
<table>
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<tr>
<th>Ability to Successfully Implement the Intended Program</th>
<th>EC Section 47605(b)(2)</th>
<th>5 CCR Section 11967.5.1(c)</th>
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</thead>
</table>

### Evaluation Criteria

For purposes of EC Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program":

1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.

2. The petitioners are unfamiliar in the SBE’s judgment with the content of the petition or the requirements of law that would apply to the proposed charter school.

3. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified).

4. The petitioners personally lack the necessary background in the following areas critical to the charter school’s success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.

| Are the petitioners able to successfully implement the intended program? | Yes |

### Comments:

The CDE finds that the petitioner is able to successfully implement the intended program.

The petitioner has experience in the educational, financial, and legal aspects of operating a charter school and in the areas of curriculum, instruction, assessment, and charter school management. The petitioner has demonstrated willingness to work with the CDE.

NWC has maintained a good financial standing during the 14 years NWC has operated under SBE authorization. The CDE reviewed NWC’s financial information from its 2015–16 independent audit report which contained an unmodified opinion on the financial statements with an ending fund balance of $3,346,467 and a reserve designated for economic uncertainty of 44 percent of $7,613,691. The projected financial plan for NWC
is considered to be fiscally sustainable through the term of the renewal petition because of a conservative financial plan that represents current school expenses and projected growth while maintaining strong reserves to allow for unexpected expenses and economic uncertainty (Attachment 4 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a4.pdf).

The CDE finds that NWC has secured the facilities needed to successfully implement the intended program. The NWC petition states that two locations will be used during the renewal term, 1905 Armacost Avenue and 11625 Pico Boulevard, both located in Los Angeles. The NWC petition states the Armacost Avenue facility provides approximately 50,000 square feet with 36 classrooms, one resource room, a library, and a science lab. The Pico Boulevard facility is approximately 15,000 square feet with 12 classrooms, a library, and a media center. The NWC petition states that since 2012, when NWC moved from the Pico Boulevard facility to the Armacost Avenue site, NWC has retained the lease on the Pico Boulevard facility and sub-leased the facilities to another charter school. NWC plans to occupy the Pico Boulevard site again beginning in 2018–19 with the additional 400 students, including the ISP. The CDE finds that the NWC budget reflects reasonable costs for the leasing of the NWC facilities (Attachment 3, pp. 14–16 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf and Attachment 4 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a4.pdf).
### Required Number of Signatures

<table>
<thead>
<tr>
<th>EC Section 47605(b)(3)</th>
<th>5 CCR Section 11967.5.1(d)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Evaluation Criteria</strong></td>
<td></td>
</tr>
</tbody>
</table>

For purposes of EC Section 47605(b)(3), a charter petition that “does not contain the number of signatures required by [law]” ..., shall be a petition that did not contain the requisite number of signatures at the time of its submission ...

<table>
<thead>
<tr>
<th>Does the petition contain the required number of signatures at the time of its submission?</th>
<th>NA</th>
</tr>
</thead>
</table>

**Comments:**

The signature requirement set forth in EC Section 47605(b)(3) is not applicable to a petition for renewal.
| Affirmation of Specified Conditions | EC Sections 47605(b)(4) and (d)  
5 CCR Section 11967.5.1(e) |
|-----------------------------------|-----------------|

**Evaluation Criteria**

For purposes of EC Section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in (EC Section 47605[d])" …, shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in EC Section 47605(d).

(1) (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 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 set forth in Section 422.55 of the California Penal Code. 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 guardian, within this state, except that any 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.

|                  | Yes |

(2) (A) A charter school shall admit all pupils who wish to attend the school.

(B) However, 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 EC 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, in no event, shall 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

<p>|                  | Yes |</p>
<table>
<thead>
<tr>
<th>Affirmation of Specified Conditions</th>
<th>EC Sections 47605(b)(4) and (d) 5 CCR Section 11967.5.1(e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 EC Section 48200.</td>
<td></td>
</tr>
</tbody>
</table>

| Does the charter petition contain the required affirmations? | Yes |

**Comments:**

The NWC petition contains the required affirmations. The CDE notes that the affirmations are not signed. NWC must provide a signed copy to the CDE by June 15, 2017 (Attachment 3, pp. 6–8 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
### Evaluation Criteria

The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 [commencing with Section 3540] of Division 4 of Title 1 of the California Government Code), as required by EC Section 47605(b)(6), recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (EERA).

| Does the petition include the necessary declaration? | Yes |

### Comments:

The NWC petition includes the necessary declaration.

The NWC petition includes a statement pursuant to EC Section 47605(b)(6) declaring that NWC shall be deemed the exclusive public school employer of the employees of NWC for purposes of the Educational Employment Relations Act (Attachment 3, p. 6 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
# The 15 Charter Elements

## 1. Description of Educational Program

**EC Section 47605(b)(5)(A)**

5 CCR Section 11967.5.1(f)(1)

### Evaluation Criteria

The description of the educational program …, as required by EC Section 47605(b)(5)(A), at a minimum:

<table>
<thead>
<tr>
<th>A) Indicates the proposed charter school’s target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an &quot;educated person&quot; in the 21st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.</td>
<td>Yes</td>
</tr>
<tr>
<td>C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.</td>
<td>Yes*</td>
</tr>
<tr>
<td>D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).</td>
<td>Yes</td>
</tr>
<tr>
<td>E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school’s pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to EC Section 60605 and to achieve the objectives specified in the charter.</td>
<td>Yes</td>
</tr>
<tr>
<td>F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.</td>
<td>Yes*</td>
</tr>
<tr>
<td>G) Indicates how the charter school will meet the needs of students with disabilities, English Learners (ELs), students achieving substantially above or below grade level expectations, and other special student populations.</td>
<td>Yes*</td>
</tr>
</tbody>
</table>
1. Description of Educational Program

<table>
<thead>
<tr>
<th>EC Section 47605(b)(5)(A)</th>
<th>5 CCR Section 11967.5.1(f)(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(H) Specifies the charter school’s special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of EC Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school’s understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Does the petition overall present a reasonably comprehensive description of the educational program?** *Yes; Technical Amendments*

**Comments:**

The CDE finds that the NWC petition provides a reasonably comprehensive description of the overall education program and the program for pupils with disabilities (Attachment 3, pp. 121–126 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

The NWC petition states that pupils and parents are provided access to a course catalog in English and Spanish that notifies them about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements (Attachment 3, p. 115 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

However, the CDE finds technical amendments are required to fully address the ISP and the educational programs for ELs, low-achieving pupils, and high-achieving pupils.

**Technical Amendments:**

- The CDE recommends a technical amendment to revise the NWC petition to include a detailed description of the ISP to specify requirements for eligibility for the ISP that can be applied consistently to all pupils; to include a detailed description of how instructional design, instructional materials, and ongoing assessments vary for ISP pupils; and to include descriptors for academic progress.

- The CDE recommends a technical amendment to revise the NWC petition to remove the statements regarding the requirement for additional dues from the
Vocal Ensemble, Advanced Band, and Advanced Strings course descriptions for weekend performances and competitions (Attachment 3, pp. 90 and 92 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)). These dues would be considered fees for participation in an educational activity as defined in the EC sections 49011(a) through (e), which prohibits pupil fees for participation in an educational activity.

- The CDE recommends a technical amendment to revise the NWC petition to include the specific ongoing metrics and criteria that are used to identify low-achieving pupils and a detailed description of the NWC intensive intervention programs and services in English language arts (ELA) and mathematics for low-achieving pupils, including materials and instructional systems.

- The CDE recommends a technical amendment to revise the NWC petition to include a description of the specific English Language Development services and curriculum used to provide EL access to the core curriculum taking into account different levels of language acquisition based upon CELDT scores and academic progress, and to include the process and criteria used to monitor EL pupils who have been designated as reclassified fluent English proficient (RFEP) for at least the two years following their reclassification.

- The CDE recommends a technical amendment to revise the NWC petition to include the specific initial assessment and rubric used to identify pupils as NWC Gifted and Talented Education (GATE) pupils.

**Educational Program**

The mission of NWC is to provide an academically rigorous, highly individualized education for twenty-first century pupils in grade six through grade twelve because in the decades to come, personal success will require increasingly high levels of competency, independence, and self-reliance in an ever changing, ever more complex society, whether individuals choose to manage their own business, work within public or private organizations, or raise families whose children will face the same challenges. NWC will produce competent, independent, self-reliant pupils by creating a learning environment that promotes academic excellence and strong character development as the antecedents for success in college preparatory high school programs (Attachment 3, p. 34 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).

At NWC, listening, speaking, reading, and writing experiences are tied to the concepts and knowledge to be mastered in the core and elective courses. The NWC petition states that teachers provide for the best learning experiences through the use of backward design, differentiated instruction, scaffolding, and project-based learning, all
of which allow for the different learning styles and varying needs of pupils in a classroom. The NWC petition states that NWC uses standards-based curriculum, promotes academic excellence, and employs school accountability systems to ensure all pupils achieve academic success. The NWC petition further states that NWC is founded on the following precepts (Attachment 3, pp. 34–35 and 38–41 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf):

- A rigorous core curriculum that provides a strong foundation in reading and language arts, mathematics, science, history, and social sciences, supplemented with diverse enrichment opportunities in world languages, visual and performing arts, physical education, health, and information technology
- A robust program of community service and extracurricular activities designed to have maximum synergy with the academic program
- Clearly defined and closely monitored performance standards that assure progress toward NWC’s educational goals in full compliance with all applicable state standards
- A cooperative community of parents and educators that share responsibility for the school’s governance, operation, and educational program in the best interests of NWC pupils
- A small student body, taught in classes as small as resources permit, NWC aims for 30 pupils or less per class
- A personal learning environment that both encourages and challenges each pupil according to individual abilities through differentiated instruction within an integrated curriculum

The NWC petition describes the following qualities possessed by NWC graduates (Attachment 3, p. 35 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf):

- Pupils who are self-motivated and take a proactive approach to their own academic pursuits, as well as their social behavior and personal goals
- Pupils who act ethically and take personal responsibility for their actions
- Pupils who are technologically competent in exchanging and accessing information, identifying what constitutes accurate information as they search the Internet, and communicating fluently through a variety of technologies to suit the ever changing demands of a dynamic, globally interconnected, multi-cultural, and multi-ethnic world
Pupils who are life-long learners dedicated to exploring the richness of shared knowledge and inspired by the diversity of learning opportunities available in the environment around them

Pupils who are equipped to live and continue to learn in an increasingly complex and information-rich modern world

Pupils who are critical thinkers, able to analyze and understand complex systems requiring problem-solving skills while questioning and inquiring using an outside-the-box, holistic, and creative approach

Pupils who are global contributors, conscious of the far-reaching impact they have by actively participating in meaningful service to their communities and using their individual voices as part of the collective to address the issues and needs they observe

The NWC petition states that the main objective of NWC is to enable pupils to become self-motivated, competent, life-long learners and further states that NWC defines the twenty-first century skills as those that will allow NWC pupils to be (Attachment 3, pp. 36–37 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf):

- Quality producers
- Technologically literate persons
- Community contributors
- Effective collaborators and communicators

The NWC petition states that the Visual and Performing Arts (VAPA) program is an integral part of NWC. Pupils participate in dance, visual arts, and/or music in a safe, fun, nurturing, and supportive learning environment that encourages pupils to appreciate, respect, and enjoy the arts. The California VAPA standards are used as a base, but the NWC petition states that pupils often exceed the California standards in their major VAPA strand. Teachers and pupils at NWC enhance the curriculum by engaging in cross-curricular lessons and projects that integrate the core curriculum with VAPA courses. The NWC petition states that the VAPA program encourages and provides opportunities for development in creativity and expressive power, accountability, collaboration, perception, self-confidence, performance/stage presence, improvisation, and expressive outlets (Attachment 3, pp. 85–87 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

The Vocal Ensemble, Advanced Band, and Advanced Strings course descriptions state that attendance at all performances is required and then state that additional dues are necessary for weekend performances and competitions (Attachment 3, pp. 90 and 92 Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web
These dues would be considered fees for participation in an educational activity as defined in EC sections 49011(a) through (e). The CDE recommends a technical amendment to address this concern.

The NWC petition states that all NWC courses meet the University of California (UC) and California State University (CSU) a-g entrance requirements and are college prep or honors courses (Attachment 3, p. 42 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

The NWC petition includes a description of annual goals, for all pupils and for each subgroup of pupils identified pursuant to EC Section 52052, to be achieved for each of the eight state priorities, as described in EC Section 52060(d), that apply for the grade levels served or the nature of the program operated by NWC (Attachment 3, pp. 128–142 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

Plan for Low-Achieving Pupils

The NWC petition states that pupils are assessed upon enrollment and at the beginning of each year to identify those who may need extra support to meet or exceed academic standards. The NWC petition also states that modifications are immediately made for at-risk or low-performing pupils and that pupils may receive additional intensive intervention after school and in small tutoring sessions. The NWC petition further states that staff understand that some pupils are identified as at-risk pupils or are low performing because of life circumstances. Other than differentiated instruction within the academic classroom, the NWC petition does not provide a specific description of the intensive intervention program including the criteria for determining if a pupil needs intensive intervention or what intensive intervention is provided during the school day to support a pupil to meet the academic standards. The CDE has included a technical amendment to address these deficiencies (Attachment 3, pp. 118–119 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

The NWC petition states that mastery of standards for each course will be the basis for promotion. Teachers assess a pupil’s progress on a quarterly basis in order to gauge whether the pupil is mastering the objectives and standards. The NWC petition also states that pupils who are in jeopardy of retention are counseled individually and given extra help in their specific areas of concern. The NWC petition further states that pupils who do not meet the performance standards for advancement to the next grade or course may be retained at their current grade level. These pupils are identified earlier in the academic year and are supported by a Student Success Team. Parents of pupils who have been retained are contacted by the grade level advisor who requests a
meeting to discuss the pupil’s progress and determine strategies that may promote
greater success for the pupil (Attachment 3, pp. 146–147 of Agenda Item 06 on the
ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at

Plan for High-Achieving Pupils

The NWC petition states that NWC staff receive on-going professional development in
differentiating instruction for all pupils, including those who are identified as GATE
pupils. The NWC petition states that GATE pupils are identified through early
assessment and teacher observation after which they are provided differentiated
learning opportunities and are continually challenged through the use of compacted
curriculum, multi-option assignments, project-based learning, and independent projects.
The petition also states that teachers routinely increase novelty, go into greater depth or
increase the complexity of the core curriculum, encourage the use of upper level critical
thinking skills, and provide relationships and connections for independent research
(Attachment 3, p. 119 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on
the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-
apr17item05a3.pdf). The CDE notes that the NWC petition does not include the tests or
criteria that are used to objectively determine which NWC pupils are identified for GATE
differentiation. A technical amendment has been included to address this deficiency.

Plan for English Learners

The NWC petition states that NWC meets all applicable requirements for ELs as they
pertain to annual notification, pupil identification, placement, reclassification criteria,
teacher qualifications, CELDT and English Language Proficiency Assessments for
California administration, and training. The NWC petition states how the EL program
effectiveness will be evaluated (Attachment 3, pp. 119–121 of Agenda Item 06 on the
ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at
http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf) but does not
include a timetable that ensures the evaluation will occur on a regular basis. The NWC
petition does not adequately describe how NWC will monitor the progress of ELs who
have been designated RFEP for a minimum of two years to ensure correct
classification, placement, and additional academic support, as needed, pursuant to 5
CCR Section 11304.

Plan for Special Education

The NWC petition states that NWC is considered its own local educational agency
(LEA) with the Southwest Special Education Local Plan Area (SELP A) and adheres to
all SELPA policies and procedures when serving pupils with disabilities. The petition
identifies a clear plan for special education pupils including search and serve,
assessment referrals, obligations, Individualized Education Program (IEP) development
and implementation, due process procedures, and procedural safeguards and
protections. The NWC petition states that pupils with disabilities, to the greatest extent possible, and in accordance with each pupil’s IEP, are integrated into NWC’s educational environment and participate in the full range of academic, nonacademic, and extracurricular activities with non-disabled peers (Attachment 3, pp. 121–126 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17Item05a3.pdf).

Independent Study Program

The NWC petition states that the ISP assists pupils who are unable to attend school in the traditional five days a week format. It is designed for pupils with special interests and abilities, scheduling problems, or individual needs that cannot be accommodated in the traditional NWC program. The NWC petition also states that because the ISP program offers rigorous, challenging courses, pupils must be able to work independently and have a desire to learn. The NWC petition states that the same high academic standards and expectations of all NWC classrooms are in place for each ISP course and that all standards-based academic courses comply with UC/CSU a–g requirements and focus on college preparedness with the ultimate goal of preparing each pupil for success beyond high school. The NWC petition states that if there is limited or no academic improvement during a learning period, teachers will arrange a meeting with the pupil and parent/guardian to discuss ideas for improvement and suggest options to create better study habits in order to achieve success. The NWC petition also states that all ISP classes will be taught by credentialed teachers who are members of the NWC staff (Attachment 3, pp. 109–111 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). However, the NWC petition does not adequately specify requirements for eligibility for the ISP that can be applied consistently to all pupils; include an adequate description of how instructional design, instructional materials, and ongoing assessments vary for ISP pupils.
## 2. Measurable Pupil Outcomes

**EC Section 47605(b)(5)(B)**  
**5 CCR Section 11967.5.1(f)(2)**

### Evaluation Criteria

Measurable pupil outcomes, as required by EC Section 47605(b)(5)(B), at a minimum:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.</td>
<td>Yes*</td>
</tr>
<tr>
<td>(B) Include the school’s API growth target, if applicable.</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Does the petition present a reasonably comprehensive description of measurable pupil outcomes?

*Yes; Technical Amendments

### Comments:

The NWC petition presents a reasonably comprehensive description of measurable pupil outcomes (MPOs).

The NWC petition states that MPOs align with the eight state priorities and include schoolwide goals and goals for pupil subgroups.

The NWC petition states that assessment at NWC is designed to measure the progress of pupils and to provide reliable feedback for teachers, pupils, and parents. The petition further states that testing of the entire pupil body occurs throughout the year and that this testing helps teachers identify at-risk populations as well as differentiate instruction for pupils. The petition states that the year round test results will be analyzed to determine academic growth and allow for changes to be made in the pupil’s educational program where growth is not evident (Attachment 3, p. 142 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).

The NWC petition states that for purposes of measuring achievement, a numerically significant subgroup will be defined as one that meets both of the following criteria.
• The subgroup consists of at least 50 pupils each of whom have a valid test score

• The subgroup constitutes at least 15 percent of the total population of pupils at a school who have valid test scores

However, the CDE notes that \( EC \) Section 47607(a)(3)(B) states that all groups of pupils served by the charter school means a numerically significant pupil subgroup as defined pursuant to \( EC \) Section 52052(a)(3). Further, a numerically significant subgroup is one that consists of at least 30 pupils, each of whom has a valid test score. For homeless and foster youth, a numerically significant subgroup is one that consists of at least 15 pupils. The CDE provides a technical amendment to address this.

The NWC petition states that NWC utilizes multiple measures of pupil progress. In addition to the statewide testing assessment program and other norm-referenced tests, pupils at NWC will also be assessed using pupil portfolios to determine academic achievement levels. The NWC petition also states that grading will be by criteria currently in place with emphasis on developing a common grading policy in each department. The NWC petition states that pupils will be assessed in each of the core academic areas by a combination of assessment tools that may include, but are not limited to, the California Assessment of Student Performance and Progress and teacher evaluation and assessment (Attachment 3, p. 143 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

The NWC petition has provided MPOs from the Local Control and Accountability Plan (LCAP) with baselines (Attachment 3, pp. 130–139 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf) that appear to be arbitrarily determined instead of relying upon data from previous years. The NWC petition also includes pupil subgroups that are not identified as numerically significant and has omitted pupil subgroups from some goals for subgroups that NWC has identified as numerically significant. The CDE provides a technical amendment to address this.

**Technical Amendments:**

• The CDE recommends a technical amendment to revise the NWC petition to ensure each MPO can be measured objectively, used readily to evaluate the effectiveness of the NWC educational program, and used to modify instruction for individual pupils, all pupils, and numerically significant pupil subgroups; to include baseline percentages from 2016 data in place of arbitrarily selected percentages
in order to present realistic, achievable growth targets; to include NWC numerically significant pupil subgroups of at least 30 pupils in MPOs and remove pupil subgroups of less than 30 pupils; include at least one measurable pupil objective related to the demographics and number of pupils who are retained and/or recommended for retention each year; and include the RFEP pupil subgroup in MPOs.

- The CDE recommends a technical amendment to revise the NWC petition to state that a numerically significant pupil subgroup is one that consists of at least 30 pupils, each of whom has a valid test score, or consists of at least 15 foster youth or 15 homeless youth pursuant to EC Section 52052(a)(3).
### Comments:

The NWC petition presents a reasonably comprehensive description of the method for measuring pupil progress.

The NWC petition describes a variety of assessments utilized to track and measure pupil progress by administration and staff (Attachment 3, pp. 142–146 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). However, the NWC petition does not fully describe the benchmark assessments that will be administered, when the schoolwide administrations will be conducted, and how the data will be reported for use by staff. In addition, the NWC petition does not provide a description of assessment tools that employ objective means of assessment consistent with all the measurable outcomes including objective means of reporting parent involvement and on-going support for low-achieving pupils to meet academic standards. The NWC petition also does not outline a plan for collecting, analyzing, and utilizing data continuously to monitor and improve the NWC educational program.

### Evaluation Criteria

The method for measuring pupil progress, as required by EC Section 47605(b)(5)(C), at a minimum:

<table>
<thead>
<tr>
<th>Evaluation Criteria</th>
<th>EC Section 47605(b)(5)(C) 5 CCR Section 11967.5.1(f)(3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.</td>
<td>Yes*</td>
</tr>
<tr>
<td>(B) Includes the annual assessment results from the Standardized Testing and Reporting (STAR) program.</td>
<td>NA</td>
</tr>
<tr>
<td>(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils’ parents and guardians, and for utilizing the data continuously to monitor and improve the charter school’s educational program.</td>
<td>Yes*</td>
</tr>
</tbody>
</table>

**Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?**

*Yes; Technical Amendment*
Technical Amendment:

- The CDE recommends a technical amendment to the NWC petition to include a description of the schoolwide benchmark assessment tool(s) that will be used and an annual calendar for schoolwide benchmark assessment administration; a description of when MPO data will be reported to pupils, staff, and parents; and how the multiple measures of assessing pupil achievement data will be collected, analyzed, and reported to administration, staff, and parents so data can be utilized continuously to monitor pupil progress, improve instruction, and provide intervention services when needed.
### 4. Governance Structure

**EC Section 47605(b)(5)(D)**

**5 CCR Section 11967.5.1(f)(4)**

#### Evaluation Criteria

The governance structure of the charter school, including, but not limited to, the process … to ensure parental involvement …, as required by EC Section 47605(b)(5)(D), at a minimum:

| (A) Includes evidence of the charter school’s incorporation as a non-profit public benefit corporation, if applicable. | Yes |
| (B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that: | |
| 1. The charter school will become and remain a viable enterprise. | Yes* |
| 2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians). | |
| 3. The educational program will be successful. | |

#### Does the petition present a reasonably comprehensive description of the school’s governance structure?

*Yes; Technical Amendment*

**Comments:**

The NWC petition presents a reasonably comprehensive description of the school’s governance structure.

NWC provides evidence of the NWC’s incorporation as a non-profit public benefit corporation and provides evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that NWC will become and remain a viable enterprise; that there will be active and effective representation of interested parties, including but not limited to parents; and that the educational program will be successful. The NWC petition states that the governing Board is comprised of 9–12 members representing NWC’s various constituencies as aligned with Article VII, Section 3, of the bylaws dated October 17, 2016, as follows (Attachment 3, p. 151 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf) and Attachment 9, p. 30 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a9.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a9.pdf):
3 Parents
3 Teachers
1 Staff representative (non-instructional employee)
2–4 Community representatives
1 Authorizer representative (if requested)

The NWC petition states that no more than 49 percent of the persons serving on the Board of Directors may be interested persons, which is aligned with Article VII, Section 4, of the bylaws. An interested person is defined in the petition and bylaws as any person being compensated by the corporation for services excluding any reasonable compensation paid to a director as Director (Attachment 3, p. 151 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf and Attachment 9, p. 30 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a9.pdf).

The NWC petition states that the Executive Director/Principal will be the leader of NWC and will report directly to the Board of Directors. In addition, the NWC petition states that the Board holds an annual retreat to assess NWC’s operation, approve the LCAP, review the educational program, establish committees, and update the NWC Strategic Plan (Attachment 3, pp. 155–156 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

The NWC petition states that the *Home-School Agreement*, which is signed as a condition of enrollment before the beginning of each year, or whenever a new pupil is enrolled, includes the following requirements of the parents . . . . The agreement goes on to include a long list of specific requirements that do not align with EC sections 47605(d)(2)(A), 47605(b)(5)(H), and 47605(d)(2)(A) and do not belong in the governance section of the petition (Attachment 3, pp. 157–159 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).

**Technical Amendment**

- The CDE recommends a technical amendment to the NWC petition to remove the *Home-School Agreement* section from pages 157–159.
5. Employee Qualifications

Evaluation Criteria

The qualifications (of the school’s employees), as required by EC Section 47605(b)(5)(E), at a minimum:

(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health and safety of the school’s faculty, staff, and pupils.  
Yes*

(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.  
Yes*

(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to, credentials as necessary.  
Yes

Does the petition present a reasonably comprehensive description of employee qualifications?  
*Yes; Technical Amendment

Comments:

The NWC petition presents a reasonably comprehensive description of employee qualifications.

The NWC petition states that teachers assigned to teach core subjects hold a California Commission on Teacher Credentialing (CTC) appropriate credential in accordance with EC Section 47605(l). The NWC petition describes teacher and administrative qualifications and states that all employees meet all pre-employment health and safety screenings (Attachment 3, pp. 160–163 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). However, all other categories of NWC employees are combined in one general paragraph in the petition under the heading Non-Instructional Staff (Attachment 3, p. 162 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). The petition does not specify the positions that NWC regards as key positions in each category or the unique qualifications for the staff included under the general heading which includes administrative assistants, support staff, custodial staff, and food service personnel. Minimum qualifications are provided for office and clerical staff only.
Technical Amendment:

- The CDE recommends a technical amendment to revise the NWC petition to identify the positions that NWC regards as key in each category under the heading Non-Instructional Staff and to include employee qualifications for academic advisers, counselors, contracted special education service providers, instructional aides, custodians, food service personnel, and any other categories of employees employed at NWC who are not covered under the other employee categories listed in the petition.
6. Health and Safety Procedures

**EC Section 47605(b)(5)(F)**  
5 CCR Section 11967.5.1(f)(6)

## Evaluation Criteria

The procedures …, to ensure the health and safety of pupils and staff, as required by EC Section 47605(b)(5)(F), at a minimum:

| (A) Require that each employee of the school furnish the school with a criminal record summary as described in EC Section 44237 and comply with EC Section 44830.1. | Yes* |
| (B) Include the examination of faculty and staff for tuberculosis as described in EC Section 49406. | Yes |
| (C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school. | Yes |
| (D) Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school. | Yes |

### Does the petition present a reasonably comprehensive description of health and safety procedures?

*Yes; Technical Amendment*

## Comments:

The NWC petition presents a reasonably comprehensive description of health and safety procedures.

The NWC petition states that all employees are screened for health and safety requirements including fingerprinting, tuberculosis, and background clearance. The NWC petition further states that volunteers who are working outside the direct supervision of a credentialed employee receive fingerprinting and background clearance (Attachment 3, pp. 167–170 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)). The NWC petition states that all pupils and staff provide records documenting immunizations as required by Health and Safety Code sections 120325–120375 and Title 17 CCR sections 6000–6075. The NWC petition provides for pupils to receive hearing, vision, and scoliosis screenings to the same extent as would be required if the pupils attended a non-charter public school. However, the NWC petition does not ensure that volunteers and contractors who have frequent contact with NWC pupils are cleared through a tuberculosis screening, does not state compliance with EC Section 44830.1 which requires that no person who has been convicted of a violent or serious felony shall be
hired by a school district in a position requiring certification qualifications, and does not include statements regarding EC Section 49414(a) which requires charter schools to provide emergency epinephrine auto-injectors to school nurses and trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

**Technical Amendment:**

- The CDE recommends a technical amendment to revise the NWC petition to include a statement regarding compliance with EC Section 44830.1 which requires that no person who has been convicted of a violent or serious felony shall be hired by a school district in a position requiring certification qualifications; to include a provision for all volunteers and contractors who have frequent contact with NWC pupils to complete a tuberculosis risk assessment and/or a tuberculosis screening to comply with EC Section 49406(m); and to include a statement regarding compliance with EC Section 49414(a) which requires a school district, county office of education, or charter school to provide emergency epinephrine auto-injectors to school nurses and trained personnel who have volunteered and authorizes school nurses and trained personnel to use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.
### 7. Racial and Ethnic Balance

**EC Section 47605(b)(5)(G)**

**5 CCR Section 11967.5.1(f)(7)**

<table>
<thead>
<tr>
<th>Evaluation Criteria</th>
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</thead>
<tbody>
<tr>
<td>Recognizing the limitations on admissions to charter schools imposed by EC Section 47605(d), the means by which the school(s) 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 ..., as required by EC Section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.</td>
</tr>
</tbody>
</table>

| Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance? | Yes |

**Comments:**

The NWC petition presents a reasonably comprehensive description of means for achieving racial and ethnic balance (Attachment 3, pp. 171–172 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).

The NWC petition states that NWC shall annually submit a report to the CDE addressing the outreach plan to ensure racial and ethnic balance reflective of LAUSD District 4 schools. This report should be submitted by October 31 of each year and contain demographic information about pupils who applied, pupils who were selected in the lottery process, and pupils who enrolled in NWC. If in any year progress is not made toward achieving racial and ethnic balance, this report should also include specific, measurable goals and activities that NWC will implement before the next application period and lottery determination (Attachment 3, pp. 171–172 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
The NWC petition presents a reasonably comprehensive description of the admission requirements. The NWC petition states that NWC will comply with admissions requirements for California public charter schools. The NWC petition also states that a description of the application, admission, and enrollment process including application deadlines and lottery preferences is included on the NWC Web site. The NWC petition further states that all pupils who complete the application process are admitted and goes on to state that if there are more applicants than available spaces, admission is determined by a public random drawing with consideration given to the admission preferences. The NWC petition states that applications are usually available in January with a March deadline for admission for the next school year. The NWC petition further states that late applications are accepted at any time, but the applicant loses any admission preference, for which they might otherwise have qualified, if they submit an application after the deadline. The NWC petition states that failure to fulfill an enrollment obligation indicates parents are no longer interested in having their pupil attend NWC. The NWC petition further states that NWC makes a reasonable effort to contact the families of applicants and continuing pupils to be sure that they are no longer interested in attending NWC (Attachment 3, pp. 174–177 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).

The NWC petition states the following admission preferences are in place (Attachment 3, pp. 175–176 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)):

- **Continuing Pupils**: These are presently enrolled pupils who plan to attend NWC the next school year. To maintain eligibility for this preference, parents must: (1) have their pupil enrolled at NWC on the last day of the school year (i.e., their

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### 8. Admission Requirements, If Applicable

<table>
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<tr>
<th>Evaluation Criteria</th>
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<tbody>
<tr>
<td>To the extent admission requirements are included in keeping with EC Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of EC Section 47605(d) and any other applicable provision of law.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Does the petition present a reasonably comprehensive description of admission requirements?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes; Technical Amendment</td>
</tr>
</tbody>
</table>

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*EC Section 47605(b)(5)(H)*

*5 CCR Section 11967.5.1(f)(8)*

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**Comments:**

The NWC petition presents a reasonably comprehensive description of the admission requirements.
The pupil has not been withdrawn or expelled); (2) certify in writing during the spring of each year that they are meaningfully interested in having their pupil continue attending NWC; and (3) return all re-enrollment forms and documentation by the announced deadline.

- **Senate Bill 740 Preference**: This preference is available to incoming grade six applicants who attend or live in the attendance area of Brockton Elementary School. NWC may be eligible to receive funds through the SB 740 Charter School Facility Grant Program pursuant to EC Section 47614.5(c)(2)(A).

- **LAUSD In-District Sibling Preference** (applied to grade six only): This preference is available to applicants who reside in District boundaries and whose brother(s) or sister(s) are continuing their enrollment at NWC.

- **LAUSD District Applicants**: Applicants who reside within the LAUSD boundaries.

- **Children of Employees**: Applicants of NWC staff.

- **New Applicants**: This category includes all other applicants who wish to attend NWC (i.e., applicants residing in other school districts throughout California).

The CDE has provided a technical amendment to address this.

**Technical Amendment:**

The CDE recommends a technical amendment to revise the NWC petition to change the proposed order of admission preferences to align with EC sections 47605(d)(2)(B) and 47614.5: (1) existing pupils of NWC; (2) pupils who are currently enrolled in or reside in the attendance area of Brockton Elementary, a public elementary school where NWC is located, in which 55 percent or more of the pupil enrollment is eligible for free or reduced price lunch; and (3) pupils residing in the district. Additional preferences beyond these may be permitted by the SBE as the chartering authority and only if consistent with the law.

<table>
<thead>
<tr>
<th>Evaluation Criteria</th>
<th>EC Section 47605(b)(5)(I)</th>
<th>5 CCR Section 11967.5.1(f)(9)</th>
</tr>
</thead>
</table>

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 SBE’s satisfaction, as required by EC Section 47605(b)(5)(I), at a minimum:

(A) Specify who is responsible for contracting and overseeing the independent audit. Yes

(B) Specify that the auditor will have experience in education finance. Yes

(C) Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed. Yes

(D) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions. Yes

Does the petition present a reasonably comprehensive description of annual independent financial audits? Yes

Comments:

The NWC petition presents a reasonably comprehensive description of annual independent financial audits.

The NWC petition states that the annual independent financial audit will be conducted in accordance with applicable provisions of the Standards and Procedures for Audits of California K–12 Local Education Agency issued by the Education Audit Appeals Panel as CCR. The NWC petition further states that the NWC principal and business manager review any audit exceptions or deficiencies and report to the Board of Directors with recommendations on how to resolve them. The NWC petition states that the independent financial audit is public record and will be provided upon request (Attachment 3, pp. 178–179 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).
### Evaluation Criteria

The procedures by which pupils can be suspended or expelled, as required by EC Section 47605(b)(5)(J), at a minimum:

| (A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools. | Yes |
| (B) Identify the procedures by which pupils can be suspended or expelled. | Yes |
| (C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion. | Yes |
| (D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests of the school’s pupils and their parents (guardians). | Yes* |
| (E) If not otherwise covered under subparagraphs (A), (B), (C), and (D): | |
| 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion. | Yes* |
| 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic |
10. Suspension and Expulsion Procedures

<table>
<thead>
<tr>
<th>EC Section 47605(b)(5)(J)</th>
<th>5 CCR Section 11967.5.1(f)(10)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.</strong></td>
<td></td>
</tr>
</tbody>
</table>

Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?

*Yes; Technical Amendment*

Comments:

The CDE finds that the NWC petition provides a reasonably comprehensive description of the NWC suspension and expulsion procedures.

The NWC petition states that the pupil suspension and expulsion policies have been established in order to promote learning and protect the safety and well-being of all pupils at NWC. The NWC petition further states that NWC ensures that pupils and parents/guardians are notified in writing upon enrollment of all discipline policies and procedures and that these policies and procedures will be included in the Student Handbook. The NWC also lists discretionary and nondiscretionary offenses for suspensions and expulsions. The NWC petition includes special procedures for expulsion hearings involving sexual assault or battery offenses and for the consideration of suspension and expulsion of pupils with disabilities. The NWC petition states that the suspension and expulsion policies and procedures may be amended from time to time; however, this informal editing of the policy does not provide an outline of how detailed policies and procedures regarding suspension and expulsion will be periodically reviewed and modified, if needed. The NWC petition refers to suspension, expulsion, and required withdrawal from NWC (Attachment 3, pp. 182–198 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf). The CDE finds that a required withdrawal may be synonymous with an expulsion. The CDE is requesting a technical amendment to address these deficiencies.

Technical Amendment:

- The CDE recommends a technical amendment to revise the NWC petition to remove any practice of, or referral to, a required withdrawal and to outline how policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including but not limited to, periodic review and modification of the lists of offenses and consequences for which pupils are subject to suspension or expulsion.
### Evaluation Criteria

The manner by which staff members of the charter schools will be covered by California State Teachers' Retirement System (CalSTRS), California Public Employees Retirement System (CalPERS), or federal social security, as required by EC Section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.

<table>
<thead>
<tr>
<th>Does the petition present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage?</th>
<th>Yes</th>
</tr>
</thead>
</table>

**Comments:**

The NWC petition presents a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage (Attachment 3, p. 199 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
### 12. Public School Attendance Alternatives

**EC Section 47605(b)(5)(L)**  
**5 CCR Section 11967.5.1(f)(12)**

#### Evaluation Criteria

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by EC Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.

| Does the petition present a reasonably comprehensive description of public school attendance alternatives? | Yes |

#### Comments:

The NWC petition presents a reasonably comprehensive description of public school attendance alternatives (Attachment 3, p. 200 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
13. Post-employment Rights of Employees  

**EC Section 47605(b)(5)(M)**

5 CCR Section 11967.5.1(f)(13)

**Evaluation Criteria**

The description of the rights of any employees 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, as required by EC Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

| (A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify. | Yes |
| (B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify. | Yes |
| (C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school. | Yes |

**Does the petition present a reasonably comprehensive description of post-employment rights of employees?**

Yes

**Comments:**

The NWC petition presents a reasonably comprehensive description of post-employment rights of employees (Attachment 3, p. 201 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
14. Dispute Resolution Procedures

EC Section 47605(b)(5)(N)
5 CCR Section 11967.5.1(f)(14)

Evaluation Criteria

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by EC Section 47605(b)(5)(N), at a minimum:

(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a LEA. Yes

(B) Describe how the costs of the dispute resolution process, if needed, would be funded. Yes

(C) Recognize that, because it is not a LEA, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter. Yes

(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with EC Section 47604.5, the matter will be addressed at the SBE's discretion in accordance with that provision of law and any regulations pertaining thereto. Yes

Does the petition present a reasonably comprehensive description of dispute resolution procedures? Yes

Comments:

The NWC petition presents a reasonably comprehensive description of dispute resolution procedures.

The NWC petition states that NWC recognizes that it cannot bind the authorizer to dispute resolution procedures to which the authorizer does not agree. The NWC petition also states that NWC will be encouraged to attempt to resolve any disputes with the authorizer amicably and reasonably without resorting to formal procedures. The NWC petition further states that if the SBE is the authorizer of NWC, because the SBE is not an LEA, it may choose to resolve any dispute with NWC directly instead of pursuing the
dispute resolution procedure and, if needed, NWC shall be responsible for its own costs for any dispute resolution (Attachment 3, pp. 202–204 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf).
15. Closure Procedures

Evaluation Criteria

A description of the procedures to be used if the charter school closes, in keeping with EC Section 47605(b)(5)(O). 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.

Does the petition include a reasonably comprehensive description of closure procedures? Yes

Comments:

### ADDITIONAL REQUIREMENTS UNDER EDUCATION CODE SECTION 47605

<table>
<thead>
<tr>
<th>Standards, Assessments, and Parent Consultation</th>
<th>EC Sections 47605(c)(1) and (2) 5 CCR Section 11967.5.1(f)(3)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Evaluation Criteria</strong></td>
<td></td>
</tr>
<tr>
<td>Evidence is provided that:</td>
<td></td>
</tr>
<tr>
<td>(1) The school shall meet all statewide standards and conduct the pupil assessments required pursuant to EC sections 60605, 60851, and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.</td>
<td>Yes</td>
</tr>
<tr>
<td>(2) The school shall, on a regular basis, consult with their parents and teachers regarding the school’s educational programs.</td>
<td>Yes</td>
</tr>
<tr>
<td>Does the petition provide evidence addressing the requirements regarding standards, assessments, and parent consultation?</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Comments:**

The NWC petition provides evidence addressing the requirements regarding standards, assessments, and parent consultation.

The NWC 2016–17 School Calendar shows that NWC holds grade level Back-to-School Launches for parents prior to the beginning of the school year (Attachment 3, p. 105 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)). The NWC petition also states that pupils, parents, and teachers evaluate, assess, plan, and develop the pupil’s individual learning plan for the next grading period at the pupil led conferences held at the end of the first semester (Attachment 3, p. 145 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
### Effect on Authorizer and Financial Projections

**EC Section 47605(g)**

**5 CCR Section 11967.5.1(c)(3)(A–C)**

<table>
<thead>
<tr>
<th>Evaluation Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>…[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:</td>
</tr>
<tr>
<td>• The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.</td>
</tr>
<tr>
<td>• The manner in which administrative services of the school are to be provided.</td>
</tr>
<tr>
<td>• Potential civil liability effects, if any, upon the school and the SBE.</td>
</tr>
</tbody>
</table>

The petitioners shall also provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.

**Does the petition provide the required information and financial projections?** Yes

### Comments:

The NWC petition provides the required information and financial projections.

The NWC petition includes information regarding the proposed operation and potential effects of NWC including the facilities to be used by NWC, the manner in which administrative services are to be provided, and potential civil liability effects, if any, upon NWC and the SBE. In addition, NWC has provided the required financial statements and projections (Attachment 3, pp. 220–222 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf) and Attachment 4, pp. 1–270 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a4.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a4.pdf)).
Teacher Credentialing

<table>
<thead>
<tr>
<th>EC Section 47605(l)</th>
<th>5 CCR Section 11967.5.1(f)(5)</th>
</tr>
</thead>
</table>

**Evaluation Criteria**

Teachers in charter schools shall be required to hold a California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold ...It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, non-college preparatory courses.

<table>
<thead>
<tr>
<th>Does the petition meet this requirement?</th>
<th>Yes</th>
</tr>
</thead>
</table>

**Comments:**

The NWC petition meets this requirement.

The NWC petition states that NWC shall ensure that NWC teachers hold a CTC certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers (Attachment 3, p. 7 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
| Transmission of Audit Report | EC Section 47605(m)  
5 CCR Section 11967.5.1(f)(9) |
|-----------------------------|--------------------------------|

**Evaluation Criteria**

A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year … to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited …, and the CDE by December 15 of each year.

| Does the petition address this requirement? | Yes |

**Comments:**

The NWC petition addresses this requirement.

The NWC petition states that on December 15 of each year, a copy of the NWC annual independent financial audit report for the preceding fiscal year shall be delivered to the authorizer, State Controller, CDE, and County Superintendent of Schools (Attachment 3, p. 200 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
Goals to Address the Eight State Priorities | Evaluation Criteria
---|---
**EC Section 47605(b)(5)(A)(ii)** | A charter school shall provide a description of annual goals 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.

**Does the petition address this requirement?** | Yes

**Comments:**
The NWC petition addresses this requirement (Attachment 3, pp. 130–142 of Agenda Item 06 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item05a3.pdf)).
LAUSD Finding A: NWC is demonstrably unlikely to successfully implement the programs set forth in the petition.

- **LAUSD Finding:** The NWC's Board is unfamiliar, in the District’s judgment, with the content of the petition and/or the requirements of law that apply to NWC in terms of conflict of interest. For instance, the NWC Board’s bylaws and the petition allow for practices that run contrary to conflict of interest laws and district policies applicable to NWC.

**NWC Response:**

As the District did not interact with any NWC Board members, it is unclear how LAUSD could have concluded that the NWC’s Board members are unfamiliar with the content of the NWC petition. This finding has no factual foundation, so it is an impermissible reason to deny the NWC renewal petition.

Regarding conflict of interest, the district is faulting NWC for not complying with a law that is not applicable to charter schools. A myriad of legislative attempts, including most recently in September 2016, to make Government Code Section 1090, et seq. applicable to charter schools have been vetoed by Governors of both political parties. Legally, then, this finding is an impermissible basis for denial of the charter renewal petition. Further, NWC cannot be found in noncompliance for not following a district policy when it has never operated as a district-approved charter school.

LAUSD Finding B: The petition does not contain a reasonably comprehensive description of all of the elements required in EC Section 47605 (b) [Sic.] based on the following findings of fact:

**Educational Program (Element 1):** The petition does not contain a reasonably comprehensive description of NWC’s educational program.

- **LAUSD Finding:** The petition does not indicate sufficient criteria for reclassification of English learners as it does not include specific measurements by which to determine whether a pupil has met the criteria for reclassification.

**NWC Response:**
The NWC renewal petition describes reclassification criteria consistent with EC Section 313(f). There is no legal requirement for NWC to include specific measures, particularly because each pupil must be individually considered based upon factors unique to that pupil, because reclassification techniques and tools change over time. NWC met the reasonably comprehensive description requirement for this aspect of the charter petition. Therefore, this finding is an impermissible basis for denial of the NWC renewal petition.

- **LAUSD Finding**: The petition does not sufficiently describe how NWC will meet the needs of Long Term English Learners (LTELs).

**NWC Response:**

There is no legal requirement for a charter petition to provide a reasonably comprehensive description of how the charter school meets the needs of LTELS, including in the regulations applicable to charter petitions under review by the SBE. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

NWC does have a plan to meet the needs of LTELs, which includes mandatory intervention classes in ELA, close monitoring of pupil progress, Student Study Team review, report card review, and teacher observation. NWC has also substantially increased its outreach to Spanish-speaking parents, including holding an Open House held entirely in Spanish and detailed instruction for Spanish-speaking parents on accessing NWC’s pupil information system.

- **LAUSD Finding**: The petition does not address a reasonably comprehensive description of how NWC will serve the foster youth.

**NWC Response:**

There is no legal requirement for a charter petition to address a reasonably comprehensive description of how the charter school would serve foster youth, including in the regulations applicable to charter petitions under review by the SBE. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

NWC does have a plan to serve foster youth, which includes: removing any administrative barriers to admission and enrollment, counseling services, and targeted interventions similar to those utilized with other pupil subgroup populations.

**Governance Structure (Element 4):** The petition does not contain a reasonably comprehensive description of NWC’s governance structure.
• **LAUSD Finding:** NWC’s petition states that the agreement of parents to comply with the *Home-School Agreement* is one of the terms of admission and enrollment each year for pupils who want to attend NWC. Requiring parents to agree to and sign the *Home-School Agreement* contravenes EC Section 47605(d)(2)(A) which requires a charter school to admit all pupils who wish to attend the school. Admission to NWC cannot be contingent upon a parent signing the *Home-School Agreement*.

**NWC Response:**

The District appears here to overlook the fact that charter schools are permitted to establish admission requirements pursuant to EC Section 47605(b)(5)(H). Basic principles of statutory construction dictate that the requirement that charter schools must admit all pupils who wish to attend pursuant to EC Section 47605(d)(2)(A) must be read in conjunction with EC Section 47605(b)(5)(H). The result of this blending is the requirement that charter schools must admit all pupils who wish to attend who have met the admission requirements. NWC also has an admission requirement that the pupil must reside in California. Surely, LAUSD would not mandate that NWC admit a pupil who resides in Nebraska, simply by a narrow reading of EC Section 47605(d)(2)(A).

By requiring parents/guardians to agree to comply with the *Home-School Agreement*, NWC is simply exercising its legal right to establish an admission requirement. Indeed, this was also an admission requirement in the 2012 renewal charter. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

Nevertheless, NWC affirmed to LAUSD, and hereby affirms again, that it will be glad to discuss any specific concerns about the *Home-School Agreement*.

• **LAUSD Finding:** While as part of the required *Home-School Agreement*, parents of NWC pupils will be encouraged—not mandated—to volunteer at least 16 hours per school year to NWC per family, the petition does not address whether the parent volunteering requirement is a condition of enrollment/continued enrollment or specify that no pupil will be excluded from NWC or NWC activities due to the failure of his/her parent or legal guardian to fulfill the encouraged volunteer hours. Further, the petition does not describe how parents will be encouraged or will be informed that fulfillment of the minimum volunteering contribution is voluntary and not a condition of their pupil’s enrollment, continued enrollment, and/or ability to receive an educational benefit or service at NWC. Instead, the petition states that NWC’s Executive Director/Principal who is responsible for enforcing the *Home-School Agreement*, will take measures including counseling parents who may be substantially non-compliant.
NWC Response:

NWC has clearly stated that volunteering is encouraged but not mandated. There is no way to interpret that clear language as a requirement which would impact enrollment or continued enrollment. Parents/guardians simply are not required to volunteer. Because the District has only posited speculation here, and not provided any facts, this finding is an impermissible basis for denial of the NWC renewal petition.

- **LAUSD Finding:** NWC’s Board bylaws submitted with the petition allow for practices that may run contrary to conflict of interest laws including Government Code section 1090 et seq., and LAUSD policies applicable to NWC. For instance, the bylaws allow up to 49 percent of the Board of Trustees to be interested persons, which includes any person who is currently compensated by the corporation for services rendered to the corporation within the previous 12 months. The bylaws also allow the Board to approve any contract or transaction in which a director has a material financial interest, if approved by the Board rather than a committee. The Executive Director/Principal and Assistant Directors, in addition to being NWC employees, also serve as NWC Board members which is contrary to conflict of interest laws including Government Code Section 1090.

NWC Response:

The District here is faulting NWC for not complying with a law that is not applicable to charter schools. A myriad of legislative attempts, including most recently in September 2016, to make Government Code Section 1090, et seq. applicable to charter schools, have been vetoed by Governors of both political parties. Legally, then, this finding is an impermissible basis for denial of the NWC renewal petition. Further, NWC cannot be found in non-compliance for not following a district policy, when it has never operated as a district-approved charter school.

- **LAUSD Finding:** The petition allows for the delegation of NWC Board duties/responsibilities to employees of NWC and unspecified entities that should be retained by the Board, including, but not limited to, the responsibility to hire, supervise, evaluate, etc. the Executive Director/Principal, to approve all contractual agreements, to approve the annual budget, and to act as the hearing body and take action on recommended pupil expulsions.

NWC Response:

The language to which the District objects here is found in innumerable charter petitions approved by the LAUSD. The finding, therefore, lacks factual basis and is an impermissible reason for denial of the NWC renewal petition.
Employee Qualifications (Element 5): The NWC petition does not present a reasonably comprehensive description of employee qualifications.

- **LAUSD Finding:** The petition fails to identify the general qualifications and responsibilities of several categories of employees NWC anticipates to be employed by NWC. For instance, there is no description of the qualifications of the special education staff, physical education teachers, coaches, College Counselor, custodial staff, office supervisor, and business/human relations manager identified in the petition.

**NWC Response:**

There is no legal requirement to provide qualifications for all employees to be employed by NWC. The regulations applicable to charter petitions under review by the SBE seek a description for the qualifications of key employees. NWC has met this standard. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

Admission Requirements (Element 8): The NWC petition does not present a reasonably comprehensive description of admission requirements.

- **LAUSD Finding:** The NWC petition does not include a reasonably comprehensive description of the manner in which NWC will implement a public random drawing process in the event that applications for enrollment exceed school capacity. Among other deficiencies, the petition does not sufficiently describe the method(s) that NWC will use to communicate to all interested parties the timeline, rules, and procedures to be followed during the open enrollment and lottery processes; the method that NWC will use to ensure lottery procedures are fairly executed and that interested parties may attend and observe; the date, time, and location of the lottery each year, if needed; and the method for documenting the fair execution of lottery and waitlist procedures.

  - The petition states that during a public random drawing NWC will give consideration to continuing pupils, defined to include a presently enrolled pupil who plans to continue attending NWC in the next school year, even though existing pupils are exempted from the lottery pursuant to EC Section 47605(d)(2)(B).

  - The Admission Application submitted with the petition includes a list of preferences that includes a socioeconomically disadvantaged preference, even though no such preference is identified in Element 8 of the petition.
NWC Response:

EC Section 47605(b)(5)(H) requires a reasonably comprehensive description of admission requirements for a charter petition, and makes no mention of public random drawing details. The District’s expectation exceeds legal requirements and is, therefore, an impermissible basis for denial of the NWC renewal petition.

The NWC petition does not state that continuing pupils will go through the lottery process. The mention of a socioeconomically disadvantaged preference on the application form is an error and will be resolved.

**LAUSD Finding:** The petition states that parents/guardians must sign a Home-School Agreement as a condition of admission and enrollment. Per the Home-School Agreement parents are required to agree to abide by a long list of items including: complete volunteer hours; participate in the Transportation Mitigation Monitoring Program which includes car pool/transportation program to reduce pollution and traffic congestion and follow the rules for drop-off and pick-up of pupils; participate in the election of parent representatives to the Board of Directors; participate as a family in extracurricular school events such as book fairs, plays, talent shows, festivals, and fund-raising activities; and self-report their compliance with the Home-School Agreement using the forms provided by NWC. Charter schools must admit all pupils who wish to attend and cannot discriminate. There is a concern that this policy and requirement may discourage families from seeking admission into NWC and potentially have a disparate impact on certain populations of pupils/parents.

NWC Response:

The District appears here to overlook the fact that charter schools are permitted to establish admission requirements pursuant to EC Section 47605(b)(5)(H). Basic principles of statutory construction dictate that the requirement that charter schools must admit all pupils who wish to attend pursuant to EC Section 47605(d)(2)(A) must be read in conjunction with EC Section 47605(b)(5)(H). The result of this blending is the requirement that charter schools must admit all pupils who wish to attend who have met the admission requirements. NWC also has an admission requirement that the pupil must reside in California. Surely, LAUSD would not mandate that NWC admit a pupil who resides in Nebraska, simply by a narrow reading of EC Section 47605(d)(2)(A).

By requiring parents/guardians to agree to comply with the Home-School Agreement, NWC is simply exercising its legal right to establish an admission requirement. Indeed, this was also an admission requirement in the 2012
renewal charter. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

NWC does not discriminate against protected classes in admission. The District is merely speculating that families may be discouraged from applying. And yet, the facts are that 10,000 people have attended NWC Open Houses in the five years since NWC was last renewed, and over 5,000 pupils have applied for admission. NWC has also demonstrated a free and reduced price meal-eligible pupil population that is 25 percent of the student body. Finally, NWC is bound by its Conditional Use Permit to require families to abide by the Transportation Mitigation Monitoring Program.

Annual Financial Audits (Element 9): The NWC petition does not contain a reasonably comprehensive description of NWC’s annual financial audit procedures.

- **LAUSD Finding:** The NWC petition does not sufficiently describe the process that NWC will employ to address and resolve any deficiencies, findings, material weaknesses, or audit exceptions.

**NWC Response:**

The District’s finding here is contradicted by the charter petition. On page 169, NWC states that NWC also reports to the authorizer how audit exceptions and deficiencies have been or will be resolved by NWC to the satisfaction of the authorizer according to an agreed-upon timeline. The authorizer reports back to NWC in writing on a timely basis any concerns it may have about NWC’s financial remediation efforts to correct audit exceptions and deficiencies, which must be resolved to the satisfaction of the authorizer. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

In 13 years of operation, NWC has never received an audit finding or deficiency.

- **LAUSD Finding:** The NWC petition does not specify what person or position at NWC is responsible for working with the auditor to complete the audit.

**NWC Response:**

The District’s finding here is contradicted by the NWC petition. On page 169, the charter identifies the Principal/Executive Director as the person who is responsible for working with the auditor to complete the audit. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.
Suspension and Expulsion Procedures (Element 10): The NWC petition does not contain a reasonably comprehensive description of NWC’s pupil suspension and expulsion procedures.

- **LAUSD Finding:** The NWC petition includes conflicting lists of offenses for which NWC pupils must (where mandatory) and may (where discretionary) be suspended and recommended for expulsion. Clearly described/outlined grounds for which a pupil may (discretionary) and must (non-discretionary) be suspended and expelled is necessary to avoid inconsistent, capricious, and unfair pupil disciplinary practices and necessary to afford pupils adequate due process.

  **NWC Response:**

  LAUSD states that the lists of discretionary and mandatory suspension and expulsion offenses are conflicting. However, no facts regarding this alleged contradiction are produced. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

  Further, the District speculates about unfair pupil discipline practices, with absolutely no facts to support this imagined reality.

- **LAUSD Finding:** Since NWC's list of offenses for which suspension and recommended expulsion is discretionary includes several more serious offenses, including sexual assault and selling any controlled substance, there is concern that NWC’s pupils may not be held accountable for the commission of these offenses and further concern whether or not NWC will provide adequate safety for NWC pupils and staff.

  **NWC Response:**

  NWC affirms that it holds its pupils accountable for the commission of enumerated offenses, and that it provides more than adequate safety for its pupils and staff. This concern is not a factual finding. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

- **LAUSD Finding:** The NWC petition’s description of procedures for the discipline of pupils with disabilities does not conform to policy and procedures which the District has determined to be necessary and appropriate.

  **NWC Response:**

  This finding is vague. It is completely lacking in detail to support the supposition it makes. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.
• **LAUSD Finding**: The NWC petition does not provide a reasonably comprehensive description of pupil suspension and expulsion procedures. For instance, the petition does not describe the specific rules and procedures for suspension pending the outcome of an expulsion process, does not describe the process for when NWC’s Board conducts an expulsion hearing, and does not sufficiently describe its special procedures for expulsion hearings involving sexual assault or battery offenses. Clearly described/outlined procedures are necessary to avoid inconsistent, capricious, and unfair pupil disciplinary practices and necessary to afford pupils adequate due process.

**NWC Response:**

NWC’s suspension and expulsion procedures span 15 pages of its charter renewal petition. It is disingenuous to claim that such procedures are not reasonably comprehensive. The District is holding NWC to a standard that does not exist in law. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

• **LAUSD Finding**: The NWC petition does not sufficiently describe how and where NWC will provide pupils with meaningful access to education during the term of an out-of-school suspension. Similarly, the petition does not describe NWC’s interim placement procedures, including how and where pupils will have meaningful access to education during the term of the suspension pending the outcome of an expulsion process.

**NWC Response:**

NWC pupils will be provided with meaningful access to education during the term of a suspension and a suspension pending the outcome of an expulsion process. The District is holding NWC to a standard that does not exist in law. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

• **LAUSD Finding**: The petition fails to state the maximum number of days pupils can be suspended in a given academic year.

**NWC Response:**

There is no legal requirement to state the maximum number of days that pupils can be suspended in a given academic year. NWC affirms throughout the charter petition that NWC complies with all applicable law. The District is holding NWC to a standard that does not exist in law. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

• **LAUSD Finding**: The NWC petition refers to a required withdrawal as a discipline consequence distinct from expulsion yet does not define the term.
Pupils cannot be required to withdraw unless expelled and a required withdrawal could represent a method of avoiding pupil due process.

**NWC Response:**

NWC affirms that pupils cannot be required to withdraw unless expelled. As with public schools statewide, some families voluntarily withdraw their pupils, rather than face the discipline process. The District states no factual finding here, so the finding is an impermissible basis for denial of the NWC renewal petition.

- **LAUSD Finding:** The NWC petition fails to afford pupils the right to appeal an expulsion determination.

**NWC Response:**

No law requires a right to appeal an expulsion for charter school pupils; indeed, most county boards of education refuse to take jurisdiction over an attempted expulsion appeal from a charter school. Charter schools are required to provide due process to pupils, which NWC has described. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

- **LAUSD Finding:** The petition does not comprehensively describe how NWC will provide post-expulsion support to expelled pupils and their families to facilitate continued access to education.

**NWC Response:**

On page 185, the NWC petition states that NWC shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion. This statement meets the requirement for a reasonably comprehensive description. The District is holding NWC to a standard that does not exist in law. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

**Retirement Systems (Element 11):** The NWC petition does not contain a reasonably comprehensive description of NWC’s retirement systems.

- **LAUSD Finding:** EC Section 47605 requires a charter petition to describe the manner by which staff members of the charter schools will be covered by CalSTRS, CalPERS, or federal social security. The petition states that NWC’s teachers and administrators are entitled to participate in CalSTRS and other staff are entitled to participate in CalPERS but then states that NWC’s Board of Directors offer these retirement systems at its discretion and offer a combination of school sponsored retirement plans, the federal social security program,
CalSTRS for certificated staff, and CalPERS for classified staff. Therefore, it is unclear whether NWC will offer CalSTRS and CalPERS to its employees.

NWC Response:

On page 188, the petition states that NWC’s teachers and administrators are entitled to participate in CalSTRS and other staff are entitled to participate in the CalPERS as described in EC Section 47611(a). There is no ambiguity about whether NWC offers CalSTRS and CalPERS. Accordingly, this finding is an impermissible basis for denial of the NWC renewal petition.

NWC Overall Response to LAUSD Findings of Fact:

As demonstrated herein, the NWC renewal petition meets or exceeds the legal requirements for approval, and the District’s report presents findings which are impermissible bases for denial of the NWC petition. We urge the SBE to consider the legislative intent behind the Charter Schools Act, that charter schools are, and should become, an integral part of the California educational system and that establishment of charter schools shall be encouraged pursuant to EC Section 47605(b).

The conclusions of the District’s report are inaccurate. The NWC renewal petition does provide a sound educational program. The petitioners are demonstrably likely to successfully implement the program set forth in the petition. The charter clearly includes all legally required affirmations. The NWC petition does include a reasonably comprehensive description of the 15 required elements. Finally, the renewal charter includes a declaration regarding the public school employer.
Summary of Findings to Deny the New West Charter Petition from the Los Angeles County Board of Education and Petitioner’s Response

The CDE notes that SBE-authorized charter schools, once being denied renewal by the LEA that originally denied them, appeal the renewal directly to the SBE. The renewal petition was denied by the LAUSD Board on December 13, 2016.
California State Board of Education
Meeting Agenda Items for May 10-11, 2017

ITEM 21
CALIFORNIA STATE BOARD OF EDUCATION

MAY 2017 AGENDA

SUBJECT

Paramount Collegiate Academy: Consider a material revision of the Charter to reduce total projected enrollment from the original proposed enrollment plan of 800 pupils to 140 pupils, in grade six through grade twelve by 2019–20.

SUMMARY OF THE ISSUE(S)

Paramount Collegiate Academy (PCA), a State Board of Education (SBE)-authorized charter school, requests a material revision of its charter to change the five-year enrollment plan from the original PCA petition. PCA proposes to reduce projected enrollment from 525 pupils to 100 pupils in grade six through grade eleven in the third year of operation, 2017–18; from 725 pupils to 120 pupils in grade six through grade twelve in 2018–19; and from 800 pupils to 140 pupils in grade six through grade twelve in 2019–20. The meeting notice for the SBE Advisory Commission on Charter Schools (ACCS) agenda is located at http://www.cde.ca.gov/be/cc/cs/accsnotice040517.asp.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE hold a public hearing regarding the petition, and thereafter approve, with three technical amendments, the request for a material revision of the PCA charter to reduce projected enrollment from the original enrollment plan of 800 pupils to 140 pupils, in grade six through grade twelve by 2019–20. (Attachment 1 of Agenda Item 08 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item04a1.doc).

Advisory Commission on Charter Schools

The ACCS considered the PCA material revision at its April 5, 2017, meeting. The ACCS voted to approve the CDE staff recommendation that the SBE approve the PCA material revision with three technical amendments as proposed by the CDE. The motion passed unanimously.

BRIEF HISTORY OF KEY ISSUES

PCA has been an SBE-authorizer charter school, located in Sacramento, since July 1, 2015. On May 6, 2015, the SBE approved the PCA charter petition for a five-year term
opening with 200 pupils in grade six through grade nine and adding an additional grade level each year to expand to 800 pupils in grade six through grade twelve by 2019–20. PCA is requesting a material revision to change the enrollment plan to reduce projected enrollment to serve 100 pupils in grade six through grade eleven in the third year of operation, 2017–18; 120 pupils in grade six through grade twelve in 2018–19; and 140 pupils in grade six through grade twelve by 2019–20.

Background

PCA’s educational program proposes to implement an educational model that emphasizes integrated Science, Technology, Engineering, Arts, and Mathematics curriculum and project-based learning within interdisciplinary themes of global awareness, financial, economic, business, and entrepreneurial literacy. Additionally, civic, health, and environmental literacy are taught in a collaborative and equitable approach to educating pupils.

PCA’s original petition was budgeted to begin its first year of operation, fiscal year (FY) 2015–16, with 200 pupils; however, PCA began instruction with a total enrollment of 56 pupils, representing a decline of 72 percent. By March 15, 2016, PCA’s second interim report reported current enrollment at 61 pupils and projected an ending fund balance of $9,688 with 0.84 percent reserves.

As a result of the significant decline in PCA’s current and projected enrollment, the CDE issued a letter of fiscal concern dated April 19, 2016, requiring PCA to submit a material revision to the PCA petition revising its multi-year budget and cash flow statements to align with the lower pupil enrollment. In addition, the material revision must address the proposed actions that the PCA Board will undertake to ensure pupil enrollment growth.

The CDE received PCA’s request for a material revision on November 1, 2016. In considering the PCA petition, the CDE reviewed the following:


- Educational and demographic data of schools where pupils would otherwise be required to attend, Attachment 2 of Agenda Item 08 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at [http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item04a2.pdf](http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item04a2.pdf).

Recruitment and Outreach Plan

As part of the material revision reflecting changes to Element 7–Racial and Ethnic Balance, the PCA petition states that PCA has made pupil enrollment and recruitment its number one priority, that PCA is now partnering with the California Charter Schools Association (CCSA) to successfully address enrollment growth through its multi-faceted recruitment and outreach plan that includes the following areas of emphasis: (1) Partnering with CCSA’s Parent Organizer to build PCA’s capacity to train PCA parent volunteers to recruit new pupils; (2) broad-reaching advertising; (3) PCA tours and visitations; (4) PCA community activities showcasing PCA’s unique Science Technology Engineering, Arts, and Math program; and (5) parent information meetings and workshops. The PCA petition states that CCSA has organized parent meetings focused on utilizing current PCA parents to recruit new pupils, will continue to hold community events that showcase the PCA academic program, is working on a housing development office to recruit new pupils, and has formed partnerships with two other kindergarten through grade eight charter schools to offer a charter high school matriculation for grade nine through grade twelve pupils.

Additionally, the petition states that the PCA recruitment program includes, but is not necessarily limited to (Attachment 3 of Agenda Item 08 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item04a3.pdf):

- Expansion of the PCA Web site
- PCA Facebook, LinkedIn, and Pinterest Web sites
- Development of advertising and promotional materials, such as brochures, flyers, advertisements, and media press kits in English as well as other major languages, as necessary (e.g. Spanish, Russian)
- Send out mass postcard mailings to local neighborhoods of: Carmichael, Orangevale, Sacramento, North Highlands, West Roseville, Citrus Heights, Antelope, West Sacramento, and Folsom
- Visits to libraries, community centers, religious organizations, Chambers of Commerce, and community organizations throughout the Carmichael, Orangevale, Sacramento, North Highlands, Antelope, West Roseville, Citrus Heights, and Folsom areas to promote PCA and its unique instructional model
- Create and operate information booths and distribute PCA information packets at community events, community centers, local businesses, libraries, social service agencies, faith-based organizations, farmer’s markets, grocery stores, and shopping centers to promote the school and meet prospective pupils and their families
- Create and broadcast radio advertisements for PCA enrollment via Education Media Foundation Broadcasting
- Leaflet and flyer distributions and posting in neighborhoods
- Distribute PCA promotional materials to local businesses, libraries, and Family Resource Centers in the Carmichael and Arden Arcade areas
- Create PCA advertisements to be broadcast at local cinemas and theatres
- Create PCA advertisements for local newspapers
- Advertise and hold Parent Information Meetings at local community centers and libraries, upon authorization

**Budget**

The material revision proposes a reduction to total projected enrollment from the original petition:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Proposed Enrollment Original*</th>
<th>Proposed Enrollment Material Revision*</th>
<th>Difference Increase/(Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015–16</td>
<td>200</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>2016–17</td>
<td>350</td>
<td>82</td>
<td>(268)</td>
</tr>
<tr>
<td>2017–18</td>
<td>525</td>
<td>100</td>
<td>(425)</td>
</tr>
<tr>
<td>2018–19</td>
<td>725</td>
<td>120</td>
<td>(605)</td>
</tr>
<tr>
<td>2019–20</td>
<td>800</td>
<td>140</td>
<td>(660)</td>
</tr>
</tbody>
</table>

NA = Not Applicable

*PCA will offer grade six through grade ten in 2016–17; grade six through grade eleven in 2017–18; grade six through grade twelve in 2018–19 and 2019–20

PCA ended FY 2015–16 with a negative ending fund balance of $130,895 that was carried forward to FY 2016–17. PCA has revised its current expenditures in response to the decline in revenues due to the lower enrollment. This includes adjustments to salaries, benefits, and professional consulting services. To cover monthly negative cash flow, PCA received a low-interest, five-year loan. Both the loan proceeds and annual repayments have been included in PCA’s revised financial plan.

The multi-year budget submitted by PCA with the material revision includes reduced revenues and expenditures across all years. PCA is projecting a modest growth in enrollment of 20 pupils each year through FY 2019–20, which will increase Local Control Funding Formula revenues accordingly. PCA is also projecting expenditure reductions to salaries and benefits, books and supplies, and services and other operating expenses.

The CDE finds the PCA adjusted multi-year financial plan to be reasonably sufficient as the charter school begins to rebuild its reserves in FY 2017–18.
Summary

Pursuant to California Education Code (EC) Section 47607(a)(2), a material revision to a charter petition is governed by the standards and criteria in EC Section 47605, which includes, but is not limited to, providing a reasonably comprehensive description of multiple required elements. The CDE finds that the PCA petition does provide a reasonably comprehensive description for most of the required elements; however, technical amendments are required for three elements, Attachment 1 of Agenda Item 08 on the ACCS April 5, 2017, Meeting Notice on the SBE ACCS Web page located at http://www.cde.ca.gov/be/cc/cs/documents/accs-apr17item04a1.doc. These amendments strengthen or clarify elements for monitoring and accountability purposes.

The CDE finds that the PCA material revision to the PCA charter petition meets the standards and criteria in EC Section 47605 with the required technical amendments.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 30 charter schools operate under SBE authorization as follows:

- One statewide benefit charter, operating a total of six sites
- Seven districtwide charters, operating a total of 10 sites
- Twenty-two charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of the districtwide charters to the county office of education of the county in which the districtwide charter is located. The SBE delegates oversight duties of the remaining charter schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

As an SBE-authorized charter school, the CDE would receive approximately one percent of the PCA Local Control Funding Formula funds received for CDE oversight activities. However, no additional resources are allocated to the CDE for oversight.

ATTACHMENT(S)

None.