

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

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# California State Board of Education February 2021 Agenda Item #02

## Subject

The Every Student Succeeds Act: Authorization to Pursue Flexibility on or a Waiver of Assessment, Accountability, and School Identification and Federal Funding Flexibility Requirements.

## Type of Action

Action, Information.

## Summary of the Issue(s)

The majority of local educational agencies (LEAs) continue to provide instruction in a distance learning setting or in a hybrid of in-person and distance learning. Amid the ongoing health and safety concerns, there are concerns about LEA ability to administer the California Assessment of Student Performance and Progress (CAASPP) and the English Language Proficiency Assessments for California (ELPAC) summative assessments in the 2020–2021 school year, as required by both state and federal law as set forth in California’s approved state plan for the federal Every Students Succeeds Act (ESSA). The California Department of Education (CDE) is aware that there are discussions within the U.S. Department of Education (ED) and with stakeholders about possible flexibilities that may be made available to states in order to satisfy the federal assessment, accountability, school identification and federal funding requirements in Fiscal Year (FY) 2020–2021. The CDE anticipates that the ED will release its proposed flexibilities and possible waiver options prior to the February 10, 2021 California State Board of Education (SBE) meeting date.

## Recommendation

Because the CDE awaits the ED’s proposed flexibilities and possible waiver options, the CDE has not yet fully determined a recommendation. As noted above, it is anticipated that the ED will issue guidance, possible flexibilities, or waivers to states regarding the administration of assessments in the current 2020–2021 academic year as to, accountability, school identification, and federal funding flexibility requirements. Once the specifics from the ED are available, the CDE will attach them as an Item Addendum, along with an analysis and recommendations for the SBE’s consideration. The Addendum may also include a consideration of state level testing requirements that may need to be addressed in order to avail the state of any federal relief offered.

## Brief History of Key Issues

ESSA requires states to administer annual summative assessments as a condition of an approved federal ESSA plan and the receipt of federal ESSA funds. Summative assessments are a necessary component of a comprehensive assessment system, and the results provide important academic data at the state level for decision making regarding reporting, policies, and programs as well as identifying professional development needs. The primary purpose for statewide summative testing is to provide data on student learning in schools and LEAs to inform their continuous improvement efforts and create actionable change.

### The California Assessment System

The CAASPP and ELPAC assessments comprise the majority of the California Assessment System. The summative assessments of the CAASPP system include the following:

* Smarter Balanced Summative Assessments for English language arts/literacy (ELA)
* Smarter Balanced Summative Assessments for mathematics
* California Science Test (CAST)
* California Alternate Assessments (CAAs) for ELA, mathematics, and science
* California Spanish Assessment (CSA)

The summative assessments of the ELPAC system include the following:

* Summative ELPAC
* Summative Alternate ELPAC (operational field test postponed to 2021–2022)

The CAASPP and ELPAC assessments are designed to maximize student access and provide an accurate measure of what students know and can do. Both systems offer the most accessibility features compared to other non-California summative assessments, maximizing the opportunities for student access to the content, which is critical to ensure the validity of inferences from the results. The designs of the assessments help to make the scale scores more accurate for all students, including those who perform high above and far below the performance standard. The large item bank for the Smarter Balanced Summative Assessments and the CAST, CAAs, CSA, and Summative ELPAC helps to mitigate the risk that students’ scores could be compromised by an item breach, as items can be removed from the pool while maintaining each specific blueprint. The CAASPP assesses a range of knowledge and critical thinking skills that are essential for building college and career readiness for all students. The Summative ELPAC annually assesses areas critical to support English language proficiency for all English learners.

### Impact of COVID-19

Due to the circumstances surrounding the novel coronavirus disease 2019 (COVID-19) pandemic, all CAASPP and ELPAC 2019–2020 summative testing was suspended, as described in the May 2020 SBE Agenda Item. This archived agenda item can be found at <https://www.cde.ca.gov/be/ag/ag/yr20/documents/may20item01.docx>. During the pandemic, California LEAs have been addressing the learning needs of students amid the challenge of addressing public safety concerns while considering their local circumstances. Following guidance from state and county health officials, LEAs have shifted learning from traditional models of teaching to distance learning and hybrid options to meet the individual needs of their students. The CDE understands the challenges facing LEAs and the need to meet their new and varying demands.

As of late January 2021, 53 of California’s 58 counties remain in the strict purple tier of business and activity restrictions due to COVID-19 positivity rates. In addition, the new U.S. Secretary of Education has not yet been confirmed. In September 2020, the former ED’s position was that states should not anticipate the approval of statewide assessment waivers, but guidance from the new Biden Administration is pending. Meanwhile, the CAASPP statewide summative testing window opened on January 12, 2021 for many state administered assessments, and some LEAs have begun their administration of those assessments. Assessments now available for summative testing include the CAST, CSA, and the CAAs for ELA, mathematics, and science. The Summative ELPAC and the Smarter Balanced Summative Assessments for ELA and mathematics are scheduled for release in February 2021.

### Local Educational Agency and Stakeholder Meetings

The CDE meets regularly with LEAs and stakeholder groups to gather information and feedback and provide transparency in preparation for spring summative testing as shown in Attachment 1. In addition, the CDE has received related written correspondence, including feedback on statewide summative testing from the California Teachers Association, California Federation of Teachers, the California Science Teachers Association, the Association of School Administrators, the California School Boards Association, the California Charter Schools Association, Californians Together, and individual correspondence from educators. The majority of feedback received from LEAs and stakeholder groups reveals overwhelming support of submitting a waiver of statewide testing, given the current circumstances around COVID-19.

## Summary of Previous State Board of Education Discussion and Action

In January 2021, the CDE provided the SBE with updates related to the CAASPP and the ELPAC, and the SBE approved CDE’s recommended goals and priorities to be included in the California Assessment System Request for Qualifications, Stage Three—Formal Written Submission (<https://www.cde.ca.gov/be/ag/ag/yr21/documents/jan21item03.docx>).

In December 2020, the CDE provided the SBE with information summarizing the pilot study using the cognitive lab methodology for the Alternate ELPAC, which included recommendations on task types, accessibility resources, and test administration materials for students who are English learners with the most significant cognitive disabilities (<https://www.cde.ca.gov/be/pn/im/documents/dec20adad01.docx>).

In November 2020, the CDE provided the SBE with updates related to the CAASPP, the ELPAC, and the California High School Proficiency Examination, including the approval of the proposed Smarter Balanced Summative Assessments for ELA and mathematics blueprints, and approval of the proposed Alternate ELPAC Student Score Reports (<https://www.cde.ca.gov/be/ag/ag/yr20/documents/nov20item04.docx>).

In August 2020, the CDE provided the SBE with information and updates regarding the first operational administration of the CAA for Science and the release of the 2019–2020 science assessment results (<https://www.cde.ca.gov/be/pn/im/documents/aug20adad01.docx>).

In August 2020, the CDE provided the SBE with information regarding the computer-based ELPAC accessibility cognitive lab methodology study, which was conducted in 2019–2020 (<https://www.cde.ca.gov/be/pn/im/documents/aug20adad03.docx>).

In August 2020, the CDE provided the SBE with information summarizing two studies related to the transition of the ELPAC from a paper–pencil test to a computer-based assessment (<https://www.cde.ca.gov/be/pn/im/documents/aug20adad02.docx>).

In July 2020, the CDE provided the SBE with a summary of developments and updates related to the CAASPP and ELPAC, including summary data for the 2019–2020 test administration year, an update to the California Educator Reporting System, the Tools for Teachers launch, and the development of formative assessments for science (<https://www.cde.ca.gov/be/ag/ag/yr20/documents/jul20item05.docx>.)

## Fiscal Analysis (as appropriate)

The 2020–2021 Budget Act includes the funding necessary for 2020–2021 CAASPP and ELPAC administration contract activities. Funding for 2021–2022 and beyond will be contingent on an annual appropriation being made available from the Legislature in future fiscal years.

The 2020–2021 Budget provides a total of $87,108,000 in multiple CAASPP System contract costs, which includes $76,687,000 in funding for the ETS CAASPP contract activities, $9,550,000 for the Smarter Balanced Assessment Consortium annual membership fee, and $519,000 for the UCSC CERS contract activities.

The 2020–2021 Budget provides a total of $22,344,000 in funding for ELPAC contract obligations, which includes $21,615,000 for the ETS ELPAC contract activities $279,000 for the UCSC CERS contract activities, and an additional $450,000 for the Human Resources Research Organization contract activities for the ELPAC alignment study. An additional $8,487,000 was reappropriated to support students who were unable to complete Summative ELPAC testing in 2019–2020 for reclassification purposes. These funds were used to extend an optional administration of the 2019–2020 Summative ELPAC to occur in fall 2020 and other related activities throughout 2020–2021.

Further fiscal analysis would depend on the proposed flexibilities and possible waiver options released by the ED.

## Attachment(s)

* Attachment 1: Virtual Trainings and Stakeholder Engagement (2 Pages)

# Attachment 1: Virtual Trainings and Stakeholder Engagement

The California Department of Education (CDE) meets regularly with local educational agencies (LEAs) and stakeholder groups to gather information and feedback and provide transparency in preparation for spring 2021 summative testing as shown in Tables 1 and 2. Additional stakeholder meetings will continue to take place.

## Table 1. CDE Sponsored Virtual Trainings for LEA

| Date | Description |
| --- | --- |
| December 1, 2020 | CAASPP and ELPAC Pretest Workshop Session 1: Test Operations Management System |
| December 3, 2020 | CAASPP and ELPAC Pretest Workshop Session 2: Components of the CAASPP and ELPAC Systems |
| December 3, 2020 | CAASPP and ELPAC Pretest Workshop Session 3: Managing Testing and Reporting |
| December 10, 2020 | New CAASPP Coordinator Training |
| January 13, 2021 | CDE Assessment Update Webinar |
| January 21, 2021  January 28, 2021  February 4, 2021 | Spring Testing Office Hours |
| January 22, 2021  February 5, 2021 | Spring Testing Coffee Sessions |

## Table 2. Stakeholder Meetings

| Date | Description |
| --- | --- |
| December 9, 2020 | Meeting with California Teachers Association and California Federation of Teachers |
| January 5, 2021 | Equity Coalition |
| January 5, 2021 | Education Management Group, Education Coalition, County Offices of Education |
| January 14, 2021 | Association of California School Administrators (ACSA) Middle Grades Education Council Meeting |
| January 15, 2021 | CAASPP and ELPAC Technical Advisory Group Meeting |
| January 20, 2021 | Regional Assessment Network Meeting |
| January 21, 2021 | Statewide Assessment Stakeholders Meeting |
| January 21, 2021 | California County Superintendents Educational Services Association - Curriculum and Instruction Steering Committee General Leadership |
| January 25, 2021 | ACSA Elementary Education Council Meeting |
| January 28, 2021 | ACSA Secondary Education Council Meeting |