

January 6, 2017

Mike Kirst, President  
California State Board of Education  
1430 N Street, Suite 5111  
Sacramento, CA 95814

Via email only (sbe@cde.ca.gov)

Re: *LCFF Equity Coalition Comments re: Developing an Integrated Local, State, and Federal Accountability and Continuous Improvement System etc. – January 2017 Board Meeting Item 2*

Dear President Kirst:

We represent a coalition of civil rights, advocacy, community, parent, student and other organizations who have worked diligently on passage and implementation of the Local Control Funding Formula (LCFF). LCFF creates an historic opportunity to focus resources on helping California's neediest students overcome the barriers they face in closing the achievement gap and graduating college and career ready. It also promises a new level of transparency and local engagement for parents, students, and community members in the design of their local schools. As you know, in an effort to give life to these objectives, we have commented jointly multiple times over the last three years regarding the State Board of Education's LCFF regulatory proposals and evaluation rubrics/accountability system items.

We offer the following comments and recommendations concerning the proposed actions regarding the adoption of local indicators for Standards Implementation and Parent Engagement and the selection of the academic indicator, including as concerns English Learners.

**I. Standards Implementation & Parent Engagement Local Indicators**

As the evaluation rubrics continue to take shape, it is becoming increasingly clear that the State needs new kinds of data to match its newly articulated state priorities. Transparency and local and state accountability for continuous improvement are difficult to achieve if performance information provided to the public and policymakers is overly vague, subjective and unreliable. With LCFF, the State has identified new priorities that it has determined are key to improving outcomes and closing achievement gaps across ethnic, language, and income subpopulations yet, being new, the State does not have in place the data systems to systematically collect valid and reliable information concerning many key priorities including Parent Engagement, Standards Implementation, Broad Course Access and certain aspects of School Climate and Student Engagement. All of which points to the need for the State to require and support (with a very minimal fiscal investment) parent and teacher and, in some instances, student surveys in order to validate the findings and assertions of districts with respect to these indicators. The Legislature and the Administration should act this legislative session to ensure California's public school system actually has the capacity to deliver on the promise made in LCFF of a true multiple measures accountability system.

**a. Adoption of Standards Implementation Local Indicator**

Staff have proposed allowing districts to establish a local Standards Implementation indicator through one of two options, either a narrative summary or a standardized reflection tool. The first "narrative

summary” option errs on the side of being too open-ended and vague, leaving too much room for cursory exploration by local educational agencies (LEAs) as to whether and how well they are implementing state standards. The second option—*use of the proposed “reflection tool”*—*should be communicated to LEA’s as the recommended option which can be avoided only if the locally selected “measure[] or tool[]” utilized under option 1 is of equal or greater quality than the standardized survey in option 2.*

Secondly, option 1 should make clear that LEAs must in fact choose an actual “measure or tool” to analyze their implementation of state standards as the proposal intends—and not simply opine free form on the extent of their standards implementation. *Accordingly, we recommend an additional initial box be added to option 1 with a prompt that calls for the LEA to:*

*“Identify the tool or measure used to analyze standards implementation, describe why that measure or tool was selected over use of the State’s survey and explain the process for completing the tool or measure, including identifying who completed the instrument and quantifying the types and numbers of local stakeholders consulted.”*

Thirdly, *we recommend that the numerical scale for the standardized reflection tool in option 2 be accompanied by definitions to ensure both a definite and a common understanding of what the responses actually mean. Additionally, we recommend adjusting the numerical scales as follows: (a) add a “0” to account for the possibility that an LEA has not yet begun to implement or even to plan to implement a set of state standards, and (b) clarify that (2) refers to both “Beginning Development or Uneven Implementation”.*

#### **b. Adoption of Parent Engagement Local Indicator**

As an initial matter, we strongly urge the State Board and the Department to establish a stand-alone work group on the Parent Engagement indicator. Stand-alone groups exist for the EL indicator and School Climate and Conditions. The latter is tentatively tasked with also addressing parent engagement, but it has enough work already with other indicators. Parent engagement both in the school program and in local decision-making are important new state priorities with their own unique set of challenges to consider in properly incorporating parent engagement into the accountability system. *To ensure the development of the Parent Engagement indicator receives its due attention, we recommend a stand-alone work group be established immediately.*

As to the proposed two options for the Parent Engagement indicator, as above, we believe for both options 1 (parent survey) and option 2 (local measures) that *an additional initial box should be added with a prompt that calls for the LEA to:*

*“Explain why the agency chose this tool or measure, explain the process for completing the tool or measure, including identifying who completed the instrument and quantifying the types and numbers of local stakeholders consulted.”*

## **II. Inclusion of RFEPs+4 years as “English Learners” in the Academic Indicator Results**

As to the Academic indicator, a fair amount of consternation and confusion has been generated by the CDE’s proposed definition of English Learners as including a large group of students who are no longer English Learners (RFEPs or Redesignated Fluent English Proficient students). While there appear to be policy arguments for doing so, including avoiding disincentivizing redesignation of high-performing ELs and ensuring support for RFEPs once redesignated, the undesirable byproduct of this approach is—without important adjustments in the LCAP and the Rubrics—to mask underperformance of current ELs and risk under-attention to their needs.

The end result we believe the State Board and all interested stakeholders wish to achieve here is: (1) to identify, without overinclusion, the lowest-performing LEAs in terms of teaching academic content to English Learners—in which case inclusion of RFEPs+4 years in the EL definition is appropriate for purposes of identifying technical assistance, support and assistance, and (2) to ensure the LEA's current population of English Learners receive the necessary heightened attention and resources they need to attain improved outcomes. For this latter purpose, only current ELs should be focused on in the crafting of appropriate actions and increased/improved services in the LCAP. By addressing the first policy objective and confounding the definition of English Learners, the CDE risks undermining the necessary laser focus on ELs needed to accomplish the second objective here, namely transparency around true EL performance and the need for concerted EL-related actions and services in the LCAP.

To ensure both of the above objectives are accomplished and the potential masking of true, current EL needs is avoided we propose two relatively simple but critical adjustments be made to the LCAP template and the Evaluation Rubrics. Specifically, *we recommend that the Evaluation Rubrics top-level display illustrate outcomes for the following three subgroups: (a) English Learners, (b) RFEPs, and (c) ELs and RFEPs together.* Secondly, *we recommend that the LCAP template be revised so that on page 2 a fourth narrative response box be added entitled "Technical Assistance and Support"* (after the boxes regarding Greatest Strengths, Greatest Needs and Performance Gaps). The prompt for this box should require that LEAs identify which of their subgroups, if any, qualify them as in need of technical assistance and support and the actions they plan to take to improve performance with respect to those subgroups.

### III. Further Reflection Needed Prior to Adoption of Academic Indicator Approach

We appreciate and support the SBE's decision to use scale scores rather than percent proficient in reflecting progress with the Academic indicator. Such an approach will give credence to continuous improvement across the spectrum of learners and will avoid an overemphasis solely on students concentrated around the proficiency cut points. That said, we are not yet convinced the staff's proposed "Distance from 3" approach is the best solution to the challenges posed by scaled scores. The "distance from X" methodology has various technical downsides as articulated by ETS and staff in the agenda materials and could prove difficult to explain to parents and the general public given that the scales are not standard and that, instead, different point differentials mean different things at different grade levels.

We believe further work is needed before landing on the final approach for the Academic indicator. It does not appear that staff have fully explored alternative means of utilizing and expressing academic progress using scaled scores. The Technical Design Group and CPAG, for instance, have only been presented with one methodology ("Distance from X") using different possible points for X, rather than being asked to weigh the pros and cons of different methodologies. Moreover, we believe that focus groups comprised of parents and members of the public should be utilized to help ascertain which approach is best understood by a lay audience. In order to consider additional methodologies and to gather further feedback from the general public beyond the Technical Design Group and CPAG, *we recommend the Board delay adoption of the academic indicator at least until the March meeting and possibly later.*

Additionally, we were disturbed to see the proposal that the Board approve a 5x5 color matrix for the Academic indicator *only* whereby the "Low/Maintained" cell (*i.e.*, where performance was low relative to other LEAs or schools across the state and where that low performance had held steady over the last three years) is graded "Yellow". With all other state indicators, Low/Maintained performance is considered Orange and in need of serious attention. (*See Addendum to Attachment 1 at Note on page 18 of 25.*) The justification for this anomaly is solely to fix the distribution of outcomes to what is considered acceptable.

In other words, too many LEAs would show up Orange so the proposal is simply to call Orange Yellow. Instead, the Board should let the chips fall where they may and allow the accountability system to function as designed. Where some additional 221 LEAs—an additional 14% of all LEAs—are at an increased likelihood of receiving technical assistance or support because they have low academic performance and are not improving, then let the continuous improvement support flow and do not try to “color code” a way out of it. Accordingly, *we strongly urge the Board to return the Low/Maintenance cell in the 5x5 Academic indicator matrix to Orange.*

Thank you for the opportunity to comment. We look forward to continuing working with the State Board of Education to realize the full promise of LCFF for our neediest students.

Sincerely,

**John Affeldt**  
Managing Attorney  
Public Advocates Inc.

**Lily Chen**  
Staff Attorney – Statewide Education Rights Project  
Public Counsel

**Oscar E. Cruz**  
President & CEO  
Families In Schools

**Deborah Escobedo**  
Senior Attorney, Racial Justice-Education  
Lawyers’ Committee for Civil Rights

**Nayna Gupta**  
Staff Attorney, Racial Justice Project Fellow  
ACLU of California

**Jan Gustafson-Corea**  
CEO  
California Association for Bilingual Education (CABE)

**Betty Hung**  
Policy Director  
Asian Americans Advancing Justice | Los Angeles

**Taryn Ishida**  
Executive Director  
Californians for Justice

**Jennifer B. Lyle**  
Executive Director  
Building Blocks for Kids Collaborative

**Araceli Simeón**  
Project Director  
Parent Organization Network

**Ryan J. Smith**  
Executive Director  
The Education Trust-West

**Shelly Spiegel-Coleman**  
Executive Director  
Californians Together

**Samantha Tran**  
Senior Managing Director, Education Policy  
Children Now

cc: Members, California State Board of Education  
Karen Stapf Walters, Executive Director, California State Board of Education  
Judy Cias, Chief Counsel, California State Board of Education  
David Sapp, Deputy Policy Director and Assistant Legal Counsel  
Michelle Magyar, Local Control Funding Formula  
Jeff Breshears, Director of the Local Agency Systems Support Office  
Jeff Bell, Department of Finance  
Jannelle Kubinec, Director of National, State and Special Projects, WestEd

January 6, 2017

The Honorable Mike Kirst, President  
California State Board of Education  
1430 N Street, Suite 5111  
Sacramento, CA 95814

**Re: Item 2: Developing an Integrated Local, State and Federal Accountability and Continuous Improvement System**

Dear President Kirst and Members of the Board:

On behalf of our joint organizations, we welcome the opportunity to provide initial comments on Item 2 – Developing an Integrated Local, State and Federal Accountability and Continuous Improvement System for the State Board of Education’s meeting on January 11, 2017. Our respective groups have been strong supporters of the Local Control Funding Formula (LCFF), and the promise it brings to close opportunity gaps and improve the educational attainment of underserved students. The development and approval of the new integrated accountability system, which includes the evaluation rubrics, is part of the critical next steps in the effective implementation of LCFF. This letter will focus on Priority 3 – Parent Engagement.

We appreciate the inclusion of the self-reflection tool for local education agencies (LEAs) to assess and report their performance on Priority 3. However, we believe the tool needs the following further enhancements:

***Collecting Consistent Data for Parent Engagement across LEAs***

We share your concerns that there is no clear statewide measures or data sets for Parent Engagement to ensure that comparable data can be assessed across all LEAs. However, the self-reflection tool, as drafted, allows for a wide range of variations in the kinds of information and data collected on Parent Engagement, which leaves little room for comparability across schools and districts:

Consequently, we believe that LEAs should be required to complete both *Option 1 – Survey* and *Option 2 – Local Measures*, and “*Option*” should be renamed to “*Part*.” By doing both parts, the State will have access to more data points in order to help craft a statewide indicator as well as see that there is some level of consistency around Parent Engagement across LEAs. We also believe that the Parent Engagement indicator needs to be made up of more than two data measures – similar to the College and Career Readiness Indicator. To increase consistency in the data collected, we suggest that the “*Survey*” section be expanded to include questions such as:

- How was the survey administered?
- What survey tool was utilized? Why? Were there any modifications to the tool?
- What was the survey response rate?
- What grade(s) were surveyed?

Additionally, prompts/questions should be added to the "Local Measures" section for each local measure, such as:

- What was (were) the goals of the LCAP?
- How was each local measure determined?
- How were parents/guardians involved in the development of this measure?
- What data sources were used to determine whether the local measure was met (or not met)?
- What were the challenges and lessons learned about this local measure?
- How could it be improved for next year? Are there other data sources needed?

Collecting all this information will be valuable to LEAs and community members to help inform their work in the Local Control and Accountability Plan and what additional efforts or activities need to transpire on this priority. Additionally, if California is to have a robust, multi-indicator statewide accountability system for all public schools, then we must gather enough data and information to identify an indicator for Parent Engagement that is the same for all schools. The final Every Student Succeeds Act (ESSA) regulations seek to ensure that States provide to LEAs effective parental engagement practices as well as meaningfully engage their parents in the LEAs. Our suggested additions to the self-reflection tool will help California work towards meeting the goals of ESSA.

#### ***Adding a "Summary" Section to Provide Context***

Reviewing the data provided without context does not fully capture the progress or work being done at the LEA level. We would hope that the narrative summaries will be robust enough to capture the LEA's parent engagement activities. One suggestion is to provide additional guiding questions requesting the LEA to summarize its LCAP goals for Parent Engagement and overall progress.

#### ***Adding the Option to Request Technical Assistance***

It appears that in the first year of using these new tools, LEAs will only be able to demonstrate whether they have met or not met their local goal, but would not qualify for Technical Assistance. We believe that an LEA should be able to request additional supports if it feels that it is warranted. An LEA may have met their standard for Parent Engagement, but lack ideas for how to continuously improve and need outside supports or ideas.

#### ***Establishing a Parent Engagement Workgroup or Subcommittee***

We appreciate the acknowledgment that additional stakeholder opportunities and further work needs to be done on Parent Engagement; however, we were disappointed to see that no further edits to the Priority 3 tool seem to have transpired since the November State Board meeting. We strongly urge the State Board to add a workgroup specifically on Parent Engagement or a subgroup of the School Conditions and Climate Workgroup dedicated specifically to Parent Engagement. We recognize that this priority area is more nuanced than others and much more open to interpretation, which is why the separate emphasis is necessary. Each of the co-signers have expertise and depth on the topic of parent engagement, as such, we would also offer up our time and expertise to help tackle this work, whether in the separate workgroup or as a subgroup. We look forward to working together as this process continues, and we are hopeful that California can arrive

at a strong accountability system and evaluation rubrics that keep all districts accountable for fulfilling the vision of LCFF, while allowing for continuous improvement in the system. Thank you for your consideration of our recommendations and comments.

Respectfully,

*Jan Gustafson Corea*  
Executive Director  
**CABE**

*Oscar E. Cruz*  
President & CEO  
**Families In Schools**

*Xilonin Cruz Gonzalez*  
President  
**Californians Together**

*Araceli Simeon*  
Project Director  
**Parent Organization Network**

*Jim Keddy*  
Vice President  
**Children Now**

*Sergio Tonatiuh Luna and Katy Nunez-Adler*  
Education for Liberation Campaign  
**PICO California**

*Kevine Boggess*  
Director of Policy  
**Coleman Advocates for Children & Youth**

*Liz Guillen*  
Director of Legislative and Community Affairs  
**Public Advocates**

*Rev. Samuel Casey*  
Executive Director  
**COPE**

cc: Members and Staff of the State Board of Education





1107 9th Street, Suite 200 • Sacramento, CA 95814 • p 916-448-0995 • f 916-448-0998 • www.ccsa.org  
250 East 1st Street, Suite 1000 • Los Angeles, CA 90012 • p 213-244-1446 • f 213-244-1448

January 6, 2017

President Michael Kirst and Board Members  
California State Board of Education  
1430 N Street, Room #5111  
Sacramento, CA 95814

RE: State Board Agenda Item 2 - January 11, 2017

Dear President Kirst and Board Members:

On behalf of the California Charter Schools Association (CCSA) and its members, we are writing to you regarding **Item 2: Developing an Integrated Local, State, and Federal Accountability and Continuous Improvement System** on your January agenda. We appreciate the State Board's willingness to listen and make adjustments based on stakeholder input. We thank the State Board for responding to CCSA's feedback and concerns about how the new accountability system will impact charter schools. We also appreciate the California Department of Education and State Board's efforts to create an Academic Indicator based on scale scores, as we believe that this will ensure a focus on the academic improvement of all students.

We respectfully ask the State Board of Education to support the staff recommendations to:

- (1) **adopt the proposed performance standards for the Academic Indicator using the "Distance from Level 3" methodology, and**
- (2) **define the EL student group as ELs plus students who have been reclassified fluent-English-proficient (RFEP) for four years or less.**

Our support for this measure stems from CCSA's experience using the "Distance from Level 3" methodology in our academic analyses for the past year. We are also glad to share lessons learned about how to best make this information meaningful to educators and families. We also want to encourage the State Board to maintain a strong focus on providing critically needed high school data. Specifically, we recommend that the state:

- (3) **translate the "Distance from Level 3" into a percentile that gives educators and families more context about how a school's distance from met compares to other schools across the state,**
- (4) **combine the English Language Arts and Math indicators into a single "Distance from Level 3" for easier comparability, and**
- (5) **provide "Distance from Level 3" for 11<sup>th</sup> grade.**

More information on each of these recommendations is included below.

(1) Adopt the "Distance from Level 3" methodology

CCSA has been issuing reports to schools and analyzing academic performance using this methodology for a year and a half. We believe this weighted average of proficiency based on scale scores provides the most robust and meaningful information to schools and the public about how far above or below the

proficiency standard is the average student at a school. As schools work to increase student achievement, this measure credits schools for improvement across the entire spectrum of proficiency, instead of just focusing on moving students to the next performance level or across the “met standard” bar. Also, as noted in the staff recommendation and by the Technical Design Group, using Distance From Level 3 provides a sound basis for comparisons across grades.

Some have criticized that a scale-score-based academic indicator will be more difficult for the public to understand. But in our experience, educators and families do understand that there is a standard that defines proficiency at each grade level. Knowing how far the average student is above or below that standard was a concept people could interpret. Educators and families understood this even more clearly when we were able to provide a high-level summary across grades and subjects and when we translated this measure into a 1-100 percentile so they could see how their school performed in comparison to other schools statewide (hence our recommendations 3 and 4 below).

We agree with the Technical Design Group that other options the State could have considered (such as standardizing the scale scores or averaging performance levels) are less optimal. Of the many options we considered, we chose the Distance from Level 3 as our measure because we felt it provided the best option to make the most meaning and robust use of the scale scores. We therefore urge the State Board to adopt this measure.

## (2) EL student group definition

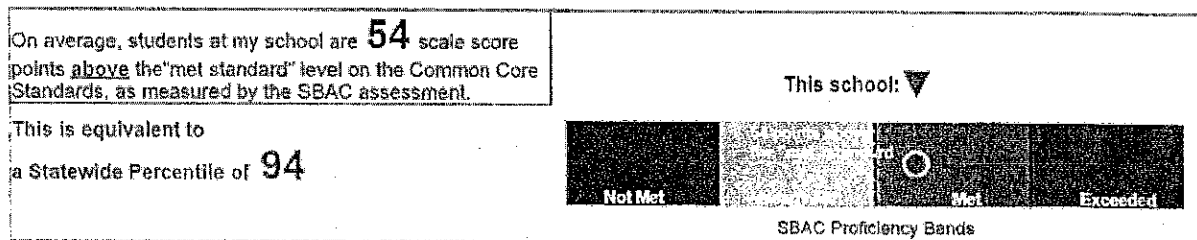
We support the staff recommendation to define the EL student group as ELs plus students who have been reclassified fluent-English-proficient (RFEP) for four years or less. As noted by the staff, the Academic Indicator should evaluate the effectiveness of the entire EL program from initial designation through successful reclassification. Including RFEP students in the Academic Indicator will identify LEAs and schools whose full continuum of EL students (CELDT Levels 1-5 and RFEP) have not received the support necessary to master the standards measured by the statewide assessments.

Accountability metrics by nature incentivize performance, with the Academic Indicator as the primary place to measure students’ mastery of the Common Core standards. This is the indicator where parents, teachers, and other stakeholders should be able to identify if a school is successful in helping all students achieve academic content mastery of the standards. By defining the EL student subgroup as current ELs plus RFEPs that have been reclassified within the last four years (as the SBE had previously defined it), this incentivizes schools to ensure that they are not only ensuring mastery of the content standards for ELs but also for their students who have been reclassified. In addition, it celebrates those schools who are growing their EL and RFEP students academically.

Within California’s charter schools, there are 66 schools that have RFEP students but no EL students which will come up for renewal in the future. Federal guidance indicates that academic achievement should be weighted more heavily which pairs with California Education Code that an increase in pupil academic achievement is the most important factor in charter school renewal or revocation decisions. When those 66 schools come up for renewal, if the EL-only option is chosen they will have information from the other indicators, including the English Learner indicator which includes students’ English proficiency rates for currently designated ELs and Reclassified students from the previous year, but the academic performance of RFEP students will not be evaluated. We encourage the Board to continue to work towards a system that aligns and integrates Federal and State priorities to more explicitly ensure that academic achievement for all students is the top priority in the state’s accountability system.

(3) Translate the “Distance from Level 3” into a percentile that gives educators and families more context about how a school’s distance from met compares to others across the state

When CCSA first launched this measure, we found that stakeholders needed more context to support appropriate interpretation of the raw number of scale score points below/above Level 3. Rather than seeing that a school is “54 points above the Level 3 standard,” families and educators found much more meaning that “this +54 scale score points placed this school in the 94<sup>th</sup> percentile of performance statewide.” We encourage the State Board to include a 1-100 percentile in addition reporting the number of scale score points to facilitate deeper understanding of this measure.



(4) Combine the English Language Arts and Math (ELA) into a single schoolwide “Distance from Level 3” to help families and educators better understand how their school compares

As the LCFF Evaluation Rubrics already contain numerous indicators across many state and local priorities, both schoolwide and for many subgroups, there is a lot of information for the public to digest. Providing a single Academic Indicator and percentile that combines ELA and Math has helped our charter school families and school leaders more easily contextualize and compare their performance to other schools across the state. While having information on both ELA and Math are important (as is grade level, subject-specific, and subgroup data), we have found that aggregating the data into a composite score for a school has been helpful in facilitating understanding and use of the measure. If the state is willing to aggregate numerous data points together for a College and Career Readiness Indicator, it stands to reason that combining ELA and Math to arrive at a single Academic Indicator for grades 3-8 should not be out of the question. We urge the State Board and CDE to consider creating a single schoolwide “Distance from Level 3” metric that combines ELA and math.

(5) Provide “Distance from Level 3” for 11<sup>th</sup> grade as well

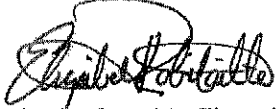
CCSA remains very concerned about the lack of robust academic data to assess high school performance, particularly given the lack of scores in grades 9 and 10. Embedding the grade 11 SBAC scores within the College and Career Indicator (CCI) minimizes its weight and will make it very difficult to measure academic growth over time (8th to 11th grade) once this measure is available. CCSA believes that measuring academic achievement in Math and ELA, in grades 3-8 and once in high school is not only a specific requirement of ESSA but is also a critically important component of assessing student outcomes, schoolwide and for student subgroups. If the state embeds these 11th grade scores as just one of many measures in a college and career readiness indicator, it is not only lessening their visibility but also their weight in measuring school success.

We recommend that the State Board and CDE create a “Distance from Level 3” metric for high schools based on 11<sup>th</sup> grade test scores and make this information available to the public. This information will be a crucial resource to help high schools and their families benchmark and compare school

performance on an important academic measure. This will be particularly important for charter schools, for which academic achievement must be considered as the most important factor in charter renewal, in alignment with ESSA and with current state law supported by the Brown administration [EC §§ 47607(a)(3)(A)].

We appreciate your continued thoughtful efforts in this accountability transition. We look forward to working with you as the new accountability system enters implementation to ensure that charter schools are held to high quality performance standards while retaining their critical local flexibility and that statewide standards and metrics reflect the best use of available data to accurately assess state priorities for all schools. If you have any questions or would like to discuss these issues further, please feel free to contact CCSA staff Colin Miller ([cmiller@ccsa.org](mailto:cmiller@ccsa.org), (916) 599-4378 or Elizabeth Robitaille ([erobitaille@ccsa.org](mailto:erobitaille@ccsa.org), (213) 258-9555).

Respectfully,



Elizabeth Robitaille, Ed.D.  
CCSA Senior Vice President,  
Achievement & Performance Management



Colin Miller  
CCSA Senior Advisor

Cc: Karen Stapf Walters, Executive Director, California State Board of Education  
Judy Cias, Chief Counsel, California State Board of Education  
Michelle Magyar, Project Manager, Local Control Funding Formula  
David Sapp, Deputy Policy Director & Assistant Legal Counsel  
Carolyn Pfister, Education Programs Consultant