
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

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Subject: School accountability: statewide accountability system

SUMMARY

This bill requires the State Board of Education (SBE) to establish state performance standards for key indicators and adopt an accountability system for K-12 public schools that is aligned to the requirements of federal law, relies upon data from specified key indicators, and ensures the creation of a data and reporting system that provides meaningful and accessible information on school and school district performance.

BACKGROUND

Existing state law:

- 1) Establishes the Local Control Funding Formula, requires local educational agencies to adopt and annually update a Local Control and Accountability Plan that includes a description of:
 - a) The annual goals, for all students and each subgroup, to be achieved for each of the state priorities and for any additional local priorities.
 - b) The specific actions the school district or county office of education will take during each year to achieve the goals, including any specific actions to correct any deficiencies in regard to the state priorities.
(Education Code § 42238, et seq., § 52060 and § 52066)
- 2) Requires the SBE to adopt evaluation rubrics to assist:
 - a) A school district, county office of education or charter school in evaluating its strengths, weaknesses, and areas that require improvement.
 - b) A county superintendent of schools in identifying school districts and charter schools in need of technical assistance and the specific priorities upon which the technical assistance should be focused.
 - c) The Superintendent of Public Instruction in identifying school districts for intervention.

- 3) Requires the State Board of Education (SBE) to adopt, as part of the evaluation rubrics, standards for school district and individual school performance and expectations for improvement in regard to each of the state priorities. (EC § 52064.5)

Existing federal law:

- 1) Establishes the federal Every Student Succeeds Act (ESSA), which requires states to establish accountability systems that include the following indicators:
 - a) Proficiency in reading and math;
 - b) Graduation rates for high schools;
 - c) English language proficiency;
 - d) For elementary and middle schools, student growth or another indicator that is valid, reliable, and statewide; and
 - e) At least one other indicator of school quality or success, such as measures of safety, student engagement, or educator engagement.
- 2) Requires the accountability system to have substantial weights on indicators a) through d) and, in aggregate, indicators a) through d) must have much greater weight than indicator e).
- 3) Requires states, at least once every three years, to identify the lowest performing 5% of Title I schools and all high schools with a graduation rate that is below 67% for comprehensive support. (United States Code, Title 20, § 6301, et seq.)

ANALYSIS

This bill requires the SBE to establish state performance standards for key indicators and adopt an accountability system for K-12 public schools that is aligned to the requirements of federal law, relies upon data from specified key indicators, and ensures the creation of a data and reporting system that provides meaningful and accessible information on school and school district performance. Specifically, this bill:

- 1) Requires the SBE to adopt a statewide accountability system, to ensure alignment and fidelity with the state priorities and federal law, that does all of the following:
 - a) Satisfies the accountability system requirements of the federal Every Student Succeeds Act.
 - b) Aligns the state's local control framework, which is focused on identifying and supporting local educational agencies with the additional need to identify, support, and improve the highest need schools.
 - c) Relies upon data from specified key indicators (see #2 below) established pursuant to the evaluation rubrics.

- d) Provides the California Collaborative for Educational Excellence (CCEE), county superintendents of schools, and the public with data to be used in a multi-tiered system of review and assistance.
- e) Ensures the creation of a data and reporting system that provides meaningful and accessible information on school and school district performance that is displayed through an electronic platform.

Key indicators

- 2) Requires the key indicators for the accountability system to include, if not already included by the State Board of Education (SBE), all of the following:

For elementary and middle schools

- a) A measure of student achievement in at least English language arts, mathematics and science.
- b) A measure of academic growth.
- c) A measure of progress toward English proficiency.
- d) A measure of chronic absenteeism.
- e) A measure of school climate.

For high schools

- f) A measure of student achievement in at least English language arts, mathematics and science.
 - g) A measure of graduation rates.
 - h) A measure of progress toward English proficiency.
 - i) A measure of college and career readiness.
 - j) A measure of chronic absenteeism.
 - k) A measure of school climate.
- 3) Requires the academic indicators in a)-c) and f)-h) above to receive substantial weight and, in aggregate, much greater weight than is afforded to all other indicators.
 - 4) Requires the performance of subgroups to receive substantial weight.
 - 5) Provides that the SBE is not precluded from including additional statewide measures that can be disaggregated by subgroup in the accountability system for

purposes of meaningful differentiation of all schools or from grouping the measures into common clusters.

- 6) States legislative intent that the state will continue to use the evaluation rubrics and all indicators identified as state priorities and subgroups for purposes of continuous improvement and to guide the provision of technical assistance, support and intervention.

Alignment of state and federal accountability

- 7) Requires the State Board of Education to do all of the following:
 - a) Set clear, ambitious, statewide standards for performance and expectations for improvement toward each of the key indicators described in #2 for students overall and for each numerically significant subgroup.
 - b) Establish a mechanism to meaningfully differentiate the performance of all public schools, to identify school districts and county offices of education for intervention by the Superintendent of Public Instruction on an annual basis based on outcomes for all students and for each subgroup using the key indicators (#2) and to do all of the following:
 - i) Distinguish multiple levels of performance for purposes of continuous improvement, transparency, meaningful stakeholder engagement, recognition, and support, as specified.
 - ii) Support parents in making informed school decisions on behalf of their children.
 - iii) Enable school districts, county offices of education, the California Department of Education, and the California Collaborative for Educational Excellence to identify schools for recognition, support, and assistance and ensure that support and assistance is provided to at least those schools identified pursuant to i).
 - c) Comply with all notification, stakeholder engagement, school support, and improvement activities required by the federal Every Student Succeeds Act.
- 8) Requires the standards for improvement to be differentiated by subgroup so that subgroups that start off at lower performance levels make greater growth to achieve the statewide standards.

Multiple levels of performance

- 9) Provides that the multiple level of performance includes the identification of the following:

- a) Not less than the lowest-performing 5% of all schools receiving federal Title I funds and all public high schools in the state failing to graduate one-third or more of their students.
- b) All schools in which any subgroup of students is consistently underperforming, as determined by the State Board of Education (SBE), based on all of the key indicators in #2 and the accountability system established pursuant to this bill.
- c) All schools where any one subgroup of students, on its own, would lead that school to be in the lowest 5% of schools for students overall.

Technical assistance and intervention

- 10) Requires the CCEE and county superintendents of schools, in identifying appropriate assistance for a school or local educational agency (LEA), to analyze data aligned with all the state priorities in order to align the level of support, collaboration, and intervention to the needs of LEAs or individual schools.

Digital dashboard

- 11) Requires that parents and the public have the ability to easily access, compare, analyze, and summarize school reports, student performance results, and the progress made by schools and school districts in reaching all of the state's Local Control Funding Formula and Local Control and Accountability Plan priority areas.
- 12) States legislative intent to ensure that any web-based data and analysis tools should enable all stakeholders to readily identify strengths and weaknesses, identify inequities between schools and subgroups of students across multiple measures, monitor academic achievement and improvement, provide for meaningful differentiation, and enable users to download data and reports in machine-readable formats.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "In December 2015, the federal government adopted the Every Student Succeeds Act (ESSA) which replaces the No Child Left Behind Act (NCLB). The California State Board of Education and California Department of Education are developing California's state accountability plan, which is slated to be submitted to the United States Department of Education as early as January 2017. The plan must be approved by the United States Department of Education in time to launch the new TK-12 public education accountability system by the 2017-18 school year. Absent legislation, the Local Control Funding Formula's focus on targeting assistance to local educational agencies based on all state priorities and ESSA's need to focus assistance on individual schools based on key indicators will result in a bifurcated system sending mixed messages similar to the dueling state and federal systems

we had under No Child Left Behind Act. California has an opportunity to create a single, coherent local-state-federal system of accountability and continuous improvement for public education.”

- 2) **Status of the new accountability system.** The Local Control Funding Formula (LCFF), among other things, requires school districts and county offices of education to develop and annually update a local control and accountability plan that includes a description of the annual goals to be achieved for each of the eight state priorities and a description of the specific actions that will be taken to achieve the identified goals of the district or county office of education. Pursuant to the LCFF, the State Board of Education (SBE) is developing a new accountability system that relies upon multiple measures (rather than solely on test scores), and encompasses a system of continuous improvement and support for schools.

According to the SBE, the new accountability system will build on the foundations of the LCFF, consisting of the local control and accountability plan, the evaluation rubrics, and the California Collaborative for Educational Excellence support structure. The SBE has taken several actions related to the development of the new accountability system; some notable recent actions include:

- a) Approved a set of indicators that form the foundation for the new multiple measures accountability system:
 - i) Student test scores and individual growth.
 - ii) Progress of English learners toward English proficiency.
 - iii) Graduation rates.
 - iv) Measures of student engagement including suspension rates (and chronic absence when available at the state level).
- b) Directed staff to provide an update in July about the options for incorporating the following indicators into the evaluation rubrics:
 - i) College and career readiness measures.
 - ii) Local school climate surveys.
 - iii) Composite measure of English learner proficiency, including English learner proficiency rates, reclassification rates, and long-term English learner rates.
- c) Directed staff to prepare a recommendation for establishing standards for priority areas that are not addressed by the key indicators, and how those standards will be used to assess a local educational agencies eligibility for technical assistance and intervention:

- i) Appropriately assigned teachers, access to curriculum-aligned instructional materials, and safe, clean and functional facilities (state priority 1).
 - ii) Implementation of state academic standards (state priority 2).
 - iii) Parent engagement (state priority 3).
 - iv) Access to a broad course of study (state priority 7).
 - v) Outcomes in a broad course of study (state priority 8).
- d) Approved a method for calculating performance as a combination of outcome and improvement, allowing performance to be differentiated at the school, district and county office of education levels as well as for student subgroups.

This bill requires the State Board of Education (SBE) to include key indicators that the SBE has already acted to include, and additional key indicators that the SBE only recently directed its staff to provide options for incorporating the additional indicators into the evaluation rubrics. The indicators that the SBE has approved reflect those for which state-level data is available; local educational agencies would be expected to also use local indicators to ensure all state priorities are reflected. The staff recommendations are to be presented to the SBE at its July meeting.

- 3) ***Weight of key indicators.*** This bill requires the following key indicators to receive substantial weight and, in aggregate, much greater weight than is afforded to all other indicators, as is required by Every Student Succeeds Act:

All schools

- a) A measure of student achievement in at least English language arts, mathematics, and science.
- b) A measure of progress toward English proficiency.

Elementary and middle schools

- c) A measure of academic growth.

High schools

- d) A measure of graduation rates.

The SBE has not yet taken action relative to weighting, as federal regulations are still being developed. Staff notes that the LCFF does not include weighting requirements, as technical assistance and intervention are based on a priority-by-priority review.

- 4) **Standards for performance and expectations for improvement.** The SBE approved a method for calculating performance as a combination of outcome and improvement, allowing performance to be differentiated at the school, district and county office of education levels as well as for student subgroups. This bill requires the standards for improvement to be differentiated by subgroup so that subgroups that start off at lower performance levels make greater growth to achieve the statewide standards. It appears that the draft regulations to implement Every Student Succeeds Act (ESSA) require a trajectory to meet a goal, which could be interpreted as this bill proposes, or that it is one of the available options. This bill codifies elements of ESSA, yet federal regulations are still under development. Is it prudent to codify provisions that may change once federal regulations are adopted?

The SBE approved a method for calculating performance as a combination of outcome and improvement. The SBE has also approved a methodology establishing five performance bands for each state indicator. According to the SBE, the performance outcome can serve as a status measurement and the performance improvement can measure changes in performance over time. This bill requires the SBE to adopt a mechanism to meaningfully differentiate the performance of all schools, including distinguish multiple levels of performance. The requirements of this bill may meet the requirements of ESSA but it is unclear if the state system of accountability will consist of multiple indicators of performance or if it will produce a single rating or index to reflect performance. (See comment # 5.)

- 5) **Remaining issue.** The emerging state system of school accountability currently proposes to calculate performance as a combination of outcome and improvement separately for each indicator, while draft regulations to implement ESSA require states to assign a single rating to each school. This bill does not provide a resolution to this issue. This bill requires the multiple levels of performance to include identification of factors required by ESSA, such as identification of the lowest-performing 5% of schools, and schools with subgroups that consistently underperform. The draft federal regulations stipulate that the single school rating is to be based on at least three levels of school performance (a single summative rating using a combination of performance on the specified indicators that has at least three performance levels). This bill may meet the requirements of ESSA but it is unclear if the state system of accountability will consist of multiple indicators of performance or if it will produce a single rating or index to reflect performance.
- 6) **Identification of schools for intervention.** This bill requires the SBE to establish a mechanism to identify school districts and county offices of education for intervention by the SPI on an annual basis based on outcomes for all students and for each subgroup using the key indicators. **Staff recommends an amendment** to require the mechanism to also identify local educational agencies for advice and assistance from the CCEE or the county office of education.
- 7) **Data dashboard.** This bill requires SBE to adopt an accountability system that, among other things, ensures the creation of a data and reporting system that provides meaningful and accessible information on school and school district

performance that is displayed through an electronic platform. The 2016 Budget Act includes funding for the San Joaquin County Office of Education to develop a data dashboard. This bill becomes effective on January 1, 2017. It is unclear if all of the data for these measures will be available at the state level when this bill becomes operative. It is unclear if the data dashboard envisioned by the State Board of Education (SBE) or the existing state data system will meet the requirements of this bill (see #7a).

- 8) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill imposes the following costs:
- a) Unknown General Fund costs, potentially in the hundreds of thousands of dollars, for California Department of Education (CDE) to comply with the data components of this bill. The current school data systems, California Longitudinal Pupil Achievement Data Systems and DataQuest, do not present data in formats required under the bill. It is not clear if CDE would be able to adapt existing systems or if a new data system would need to be developed. Either way, significant resources would be needed to present data in the manner prescribed in the bill.
 - b) Unknown Proposition 98/General Fund cost pressures, in the millions of dollars, to the extent this expanded accountability system identifies more school districts or school sites in need of state intervention and assistance.

SUPPORT

Abriendo Puertas/Opening Doors
 Alliance for Boys and Men of Color
 Asian Americans Advancing Justice – California
 Black Parallel School Board
 California Alliance of African American Educators
 California Chamber of Commerce
 California Charter Schools Association Advocates
 California School-Based Health Alliance
 Camino Nuevo Charter Academy
 Cesar Chavez Foundation
 Center for Leadership Equity and Research (CLEAR)
 Children Now
 Children’s Defense Fund – California
 Coleman Advocates for Children and Youth
 College Board
 Congregations Organized for Prophetic Engagement
 Democrats for Education Reform
 Dolores Huerta Foundation
 Educate 78
 Education Trust-West
 Educators 4 Excellence
 EdVoice
 Equal Justice Society

Families in Schools
Fight Crime: Invest in Kids
First 5 Santa Clara County
Future Is Now
Great Public Schools Now
Half Moon Bay Brewing Company
Innovate Public Schools
KIDS' OWN WISDOM
LA Voices
Los Angeles Trust for Children's Health
MISSION READINESS – MILITARY LEADERS FOR KIDS
National Center for Youth Law
Our Family Coalition
Parent Revolution
Partnership for Children & Youth
PICO California
Public Counsel
Raineth Housing
Sacramento Area Congregations Together
San Gabriel Valley Economic Partnership
Stand Up
Students for Education Reform
Students Matter
The GreenHouse
United Way of Greater Los Angeles
United Ways of California
Women's Empowerment

OPPOSITION

California Teachers Association

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