

Zaragoza-Diaz & Associates

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MEMO

Date: March 24, 2017
To: CAFE Board Members
From: Martha Zaragoza Diaz, Lobbyist
Subject: March 2017 Legislative Report
Cc: Jan Gustafson Corea, Chief Executive Officer

I. Sponsored Bills.

AB 952 (Reyes) Teachers: Bilingual Teacher Professional Development Program was amended March 21, 2017 and will be heard in Assembly Education Committee on April 5, 2017. The amendments to the bill eliminate the intent (spot) language and the bill now calls for the establishment of the Bilingual Teacher Professional Development Program. AB 952 (Reyes) would require the State Department of Education to allocate funding to a consortium of specified entities for the purpose of providing teacher preparation and professional development services to teachers meeting certain requirements to provide instruction to English learners in a bilingual setting. The staff of the Assembly Education Committee has called a meeting for Monday, March 28, 2017 to further discuss the bill. Additional amendments may be requested at that time. Additionally, I have been testifying before the Legislative Budget Subcommittees on Education Finance for the need of funding for professional development targeted to bilingual teachers. You will be asked to send in letters of support for this bill. Support letters and cards will be included in the conference bags distributed to conference participants and collected on a daily basis.

AB 1142 (Medina) State Seal of Biliteracy: English Learners .The California Department of Education joins Californians Together and us as co-sponsors of the bill. AB 1142 (Medina) would replace that criterion specific to the assessments to be used (CST English Language Arts and the CELDT) with language reflecting current assessments used or to be used. Language requiring that a pupil pass the California Assessment of Student Performance and Progress for English language arts, administered in grade 11, at the level specified and English learners need to pass the ELPAC as specified is in the bill. The bill was on the consent calendar of the Assembly Education Committee on

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March 23, 2017. The bill passed out of committee and will now be heard in Assembly Appropriations Committee.

II. California Accountability Model & School Dashboard

In 2013, Governor Brown signed the Local Control Funding Formula (LCFF) into law, along with a new accountability system based on two principles: (1) provide resources more equitably to students with learning and socio-economic barriers, and (2) provide greater flexibility for educators to serve and respond to their students' needs. LCFF required the State Board of Education (SBE) to develop an accountability tool known as the Evaluation Rubrics. The Evaluation Rubrics must include a concise set of state and local indicators that reflect performance on the LCFF priorities and performance standards for each indicator to assist local educational agencies (LEAs) and schools in identifying their strengths, weaknesses, and areas in need of improvement.

California's new accountability system provides a more complete picture of how schools are meeting the needs of the students. The new system measures school and district progress using multiple measures that contribute to a quality education, including high school graduation rates, career/college preparedness, student assessment results in English language arts/literacy (ELA) and mathematics, English learner (EL) progress, suspension rates, parent engagement, and school climate. The components of the Evaluation Rubrics will be reported to the public through the **California School Dashboard (i.e., Dashboard)**, which is a new Website that educators and the public can use to see how LEAs and schools are meeting the needs of California's diverse student population.

This new multiple measures system replaces the former API, which was based solely on test results and the federal requirement to calculate AYP. LEA and school performance in the 10 LCFF priority areas are measured using a combination of state and local indicators.

The criteria used by SBE in determining which state indicators to use include: 1) being valid and reliable measures, 2) having comparable, state-level data, and 3) the ability to disaggregate data by student groups. These criteria allow the state to measure performance on the indicators across the state in a common and comparable manner.

The **state indicators** apply to **all** Leas, schools, student groups and progress on the indicators is reported through the Dashboard as was stated above. State indicators include an Academic Indicator, EL Progress Indicator, Graduation

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Rate, Chronic Absenteeism (available until Fall 2018) and the Suspension Rate Indicator.

The **Local Indicators** include Basic Services and Conditions at schools, Implementation of State Academic Standards, parent Engagement, Student Achievement, Student Engagement, School Climate, Access to a Broad Course of Study, and Outcomes in a Broad Course of Study.

California's integrated accountability system meets both state and federal requirements. The multiple measures system for state indicators is based on percentiles to create a five-by-five colored table that produces 25 results using five performance levels (Blue, Green, Yellow, Orange and Red). This grid combines **Status and Change** make an overall determination for each indicator and provides equal weight to both Status and Change.

Status is based on the most recent year of data for that indicator. The 5 status levels are: Very High, High, Medium, Low, Very Low.

Change is the difference between performance from the most recent year of data and the prior year. The 5 change levels are: Increased Significantly, Increased, Maintained, Declined and Declined Significantly.

The performance levels (i.e. the cut scores for State and Change) serve as the performance standards for the state indicators. The SBE approved separate performance standards for each state indicator based on the current distribution of statewide performance for Status and Change (similar to grading on a curve). Therefore the performance standards are different for each indicator. Per CDE, the performance standards also will generally remain fixed for several years.

As was previously stated, combining Status and Change results in a color-coded performance level for each state indicator for LEAs, schools and student subgroups with 30 or more students. The five color-coded performance levels in order are: blue (highest), green, yellow, orange and red (lowest). Each state performance indicator has different reference charts and data sets. Detailed information on what calculations are used for which state indicator, including the EL Progress indicator, can be found <http://www.ccee-ca.org/documents/workshops/SpringWorkshopPlenary-PPT.pdf>.

Data Dashboard:

In 2016 the SBE proposed a definition for the EL Academic Indicator to include the data from ELs plus four years of Reclassified Fluent English Proficient

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Students. The Academic Indicator measures student progress on statewide assessments using the scale score for all students in grades three through eight

with valid scores. We joined Californians Together in opposing this definition of the EL Academic Indicator before the SBE and the State Superintendent of Public Instruction.

We argued: 1) aggregating these two scores mask the progress of ELs and RFEPs separately 2) the aggregated score of these two groups would generally fall in the yellow color showing that growth was maintained, 3) upon seeing a “yellow” for ELs a district or school would not be required to “reflect” upon this performance level nor be required to provide additional services or programs to ELs or RFEP students and 4) this indicator is just as important, if not more important, because it shows how well ELs and RFEPs are performing **academically** (ELA and mathematics).

The following compromise was proposed:

- Use the aggregate score of ELs and RFEPs for federal (ESSA) accountability purposes.
- Use the disaggregate scores for ELs and RFEPs for state accountability purposes.
- Display the performance level of ELs and RFEPs separately in the revised LCAP Template and in the top-level display of the Data Dashboard.

The SBE and CDE response to our solution was: 1) including disaggregated EL and RFEP data significantly changes the LCAP template and would require a motion by SBE to do this, 2) there is a need to be able to give recognition to districts and schools that were “doing good by their EL students by showing how well RFEPs are doing”; and 3) districts and schools will always be in the “red” when displaying EL data only.

An organized effort by CABE and Californians Together to advocate and change SBEs decision on this issue ensued. A white paper on this issue was written by Drs. Karen Cadiero Kaplan, Magaly Lavadenz and Laurie Olsen and distributed to SBE members and staff as well as to the SPI and appropriate CDE staff. Meetings or conference calls were held, separately, with six of the SBE members to discuss our compromise. A meeting was held with the SPI and appropriate staff to also discuss our compromise. The last step was to prepare for the March 2017 SBE meeting on this issue. Many individuals volunteered to attend this SBE meeting and testify in front of the SBE and advocate our position. CABE board members, members from the Californians Together Coalition and 12 school superintendents and district superintendents from districts with significant numbers of EL pupils in their districts and schools attended and testified at the March 2017 meeting. These districts (such as LAUSD, Anaheim Union High School, Chula Vista Elementary School district) teach over 259,000 ELs, almost

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20% of the state's EL population! We were so close in changing their minds because several of the SBE members made positive comments about our compromise but Sue Burr quickly made a motion to accept all indicators as recommended by CDE staff and the motion passed.

A letter was sent to Dr Kirst and State Superintendent Torlakson after the March 2017 SBE meeting expressing our dismay of the fact that the discussion and vote to determine the EL Academic Indicator was cut short and that the opinion of the superintendents and district representatives present were ignored. The letter also stated that we were still committed to continue to work with CDE staff and SBE members on this issue.

CDE staff called another meeting and Jan, Shelly (via phone) and myself attended. We were presented with their compromise. Data on ELs and RFEPs will be disaggregated and available in the Data Dashboard ("one click away") but not on the top level display nor will their performance levels be provided. Districts will have to use the 5X5 grid to determine the performance levels of their ELs and RFEPs.

While this was not a total victory, CDE and SBE felt the pressure on having to come up with a solution on this issue. So this was their compromise. It will be incumbent upon us to monitor the districts and schools to determine: 1) are districts and schools "drilling down" to get this data, 2) have districts and schools been able to determine the performance levels of the ELs and RFEPs; 3) are the performance levels primarily "yellow" and 3) have parents been able to understand the process, obtain and use this data as well.

For further information on the Data Dashboard, the California Department of Education (CDE) has prepared a technical guide, *California School Dashboard Technical Guide*, with full technical details on California's new accountability system. Please refer to CDE's website.

For those of you interested in reviewing the revised LCAP Template please use the following link: <http://www.ccee-ca.org/documents/workshops/Spring%20Workshop%20Plenary%20LCAP%20Template.pdf>.