

August 25, 2017

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

Via email only ([sbe@cde.ca.gov](mailto:sbe@cde.ca.gov)) Re:

*ESSA State Plan Draft*

Dear President Kirst:

The ESSA plan provides the Board with the opportunity to address issues that are foundational to California's principles and goals for public education, such as providing transparency and helping to close long lingering achievement gaps; ensuring equitable access to quality teachers and other resources; ensuring that all schools – especially those schools serving the most at risk students (alternative education schools) – are included in the accountability system and served effectively; and providing support and assistance to the schools that need the most help in addressing multiple challenges.

As the Board approaches the last opportunity to make needed improvements to the state's ESSA plan, the Board should consider the central shortcoming of the current draft of the ESSA state plan that has been appropriately identified in the last two Board meetings by several members of the Board, namely the **lack of focus on equity**. In particular, the Board has set ambitious long-term goals for each accountability indicator, but there is nothing in the current plan to monitor the interim progress towards those goals which will illuminate whether schools or districts are closing **chronic achievement gaps**, nor are there any impacts for schools or subgroups that consistently don't make interim progress towards those goals. It is only after the 7 year period in which the state is supposed to achieve these long-term goals that the state will know if subgroups or schools have made gains relative to those long-term goals, with no consequences for lack of progress during the interim.

Children Now has provided exhaustive details on all of the issues raised below in past letters to the Board. Thus, here we simply highlight two sets of issues – (1) areas of the state plan where the current draft simply doesn't meet the requirements of federal law, and (2) areas of the state plan that may meet the federal requirements, but still represent questionable policy choices.

**Areas where State plan doesn't meet federal requirements:**

- **Measure of "Interim Progress" toward state goals.** As mentioned above, the plan will leave it to individual schools and districts to determine if progress is being made or not on the accountability indicators. ESSA requires states to report on this progress.
- **Need stand-alone measure of proficiency on 11<sup>th</sup> grade assessments.** While we are supportive of intent of the College and Career Readiness Indicator, it isn't a substitute for the ESSA required measure of proficiency in math and English for grade 11. The Board should use scale scores on the 11<sup>th</sup> grade assessment for the "assessment indicator" for high schools.
- **Academic Indicator can't combine proficiency and individual student growth.** Individual student growth model is the accountability gold standard, and adding it to California's system as

soon as possible should be the Board's highest priority. While the plan doesn't formally commit to an individual student growth model (like every other state that has submitted an ESSA plan to date), it suggests that the state may develop a student growth model, and that the state would then develop a composite indicator combining proficiency and the growth model. This isn't allowed under federal law which requires that a growth model be a separate indicator – the "other academic" indicator. Separating these two indicators is good policy because these two indicators will measure very different and important things.

- ***Alternative education school excluded from accountability system.*** ESSA requires all schools to be included in one accountability system. By excluding alternative schools this requirement isn't met. We recommend adopting policy proposals made by the LAO and PPIC that for accountability purposes alternative education students be considered as part of the traditional school attended prior to transferring to the alternative school. This approach eliminates the poor incentives that allow schools and districts to improve their accountability ratings by transferring students to alternative schools.
- ***Exit criteria from interventions inadequate.*** The current exit criteria for comprehensive interventions is simply not being in the bottom 5 percent in the future. This is an exceedingly low bar. Because a red or orange color rating mostly happens because a school's performance is declining, simply not declining further or declining at a slower rate is sufficient to "improve" a color rating. So, "no progress" would meet the current plan's exit criteria. The Board should actually require some level of improvement over the 3-4 years of interventions.

Finally, there are numerous additional areas of the current plan that technically meet the federal requirements, but represent poor policy choices that are detrimental to ensuring an equitable educational opportunity for the state's disadvantaged students.

- ***California's accountability system tolerates sustained low academic performance.*** The average student can maintain performance 3 grade levels behind in math or English and the school can still score yellow which keeps a school or district out of trouble.
- ***The bottom 5% - Color coding accountability system is a shaky foundation for combining multiple indicators, thus leading to arbitrary judgements about which schools are most in need of comprehensive support.*** While the color ratings provide summary information on a single indicator, the rating system oversimplifies data on each indicator, eliminating significant variations. Because there is huge variation within a color rating, it is difficult to combine information across multiple indicators and meaningfully differentiate among schools. A school can be orange and have average students performing above the state standard or 3 or more grade levels below the standard. Identifying these different performing schools as the same in the accountability system, makes one question the underlying decisions that are being made about school differentiation.
- ***New Accountability Dashboard lacks transparency and functionality, makes comparisons challenging, and is missing key components that would promote continuous improvement.*** Helping parents and communities to understand how their schools are doing is a fundamental purpose of an accountability system, and the current system comes up short. Schools can maintain the same color rating for years with some making substantial progress and others remaining stagnant. Comparing performance across schools or districts would require either printing out numerous reports and attempting to compare them or conducting a tedious analysis independent of the dashboard. It lacks the functionality to compare all schools within a

district on selected indicators. The Dashboard is still lacking key accountability measures including a student growth model and surveys of culture and climate.

- ***Educator equity requirements “ineffective” definition lacking.*** The definition of ineffective teacher focuses only on training and certification, and does not reflect effectiveness. Instead, factors such as student growth, evaluations, or student and parent surveys would be more accurate indicators for “ineffective” educators. Alternatively, more systemic indicators like percent of educators chronically absent or high levels of turnover could be used as multiple measures to monitor conditions related to ineffective educators.
- ***Federally required school-site fiscal reporting is not included in plan.*** Given the lack of transparency for LCFF funding, effectively implementing this requirement and using the data to provide the required supports for schools that have inequities in site funding is a necessity.
- ***English Learner Progress measure absolves districts for long-term English learners (LTEL) who do not make progress.*** The current measure allows LTELs to maintain early advanced or advanced on the EL assessment and still be considered as making progress even though by definition LTELs aren’t making progress. This provides a false sense of EL progress for many middle and high schools.
- ***Underinvestment in the new system.*** Investments are lacking for school and district supports and assistance, as well as for state staffing to develop and implement the new system, develop the new dashboard, collect new data, perform data analysis, and finish the assessment system.

Our prior letters have described these concerns in detail and offering proposals to address them within California’s accountability structure and within the ESSA plan.

Sincerely,



Samantha Tran  
Senior Managing Director, Education

Attachments

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, California State Board of Education  
Michelle Magyar, Local Control Funding Formula, California State Board of Education  
Glen Price, Chief Deputy Superintendents of Public Instruction, California Department of Education  
Debra Brown, Director, Governmental Affairs Division, California Department of Education