

January 12, 2018

Mike Kirst, President
California State Board of Education
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Via email only (sbe@cde.ca.gov)

LCFF Equity Coalition Comments re:

- *Update on the Development of California’s System of Support for Local Educational Agencies and Schools. – January 2018 Board Meeting Item 3;*
- *Update on the Development of the California State Plan for the Every Student Succeeds Act: Approval of the Revisions to the State Plan for Resubmission to the U.S. Department of Education and Update on the Eligibility Criteria for the Identification of the Lowest Performing Title I Schools – January 2018 Board Meeting Item 5.*

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 four years regarding the State Board of Education’s LCFF regulatory proposals and accountability system items.

We offer the following comments and recommendations concerning Items 3 and 5.

I. Item 3 - Development of CA’s System of Support for LEAs and Schools

We appreciate some of the further thinking and articulation of actions presented in the memo on the state’s emerging system of support and technical assistance for LEAs and schools in need of improvement. Among other things, we applaud the attention called to what we also view as one of the key distinguishing features of how assistance under LCFF differs from past approaches to school accountability. As the staff memo notes, differentiated assistance is to be tailored to locally identified needs by “[e]ngaging with *local educators and communities as part of decision making.*”

Unfortunately, there is scant further mention in the memo, particularly Attachment 1, as to how this principle is being operationalized. To deliver on the commitment to make this a fundamentally different system, the State needs to ensure that the assistance plan goes beyond largely conversations simply among county and district administrators as has happened in the past and, instead, becomes one where community stakeholder participation is baked into the process of analysis and “decision-making” on differentiated assistance. This will require that the State Board and the members of the cross-agency group think about what particular new and different steps must be taken at each step of the continuous improvement cycle to build the capacity and voice of community stakeholders into the process, from

LCAP development to Dashboard\performance review to development of differentiated assistance to LCAP revision.

To take one recent example, our friends at CCSESA and its CISC committee have developed what is largely a well-thought out Facilitation Guide for conducting conversations with LEAs on how to carry out and act upon a root cause analysis within the differentiated assistance process. Yet, effectively absent from the Guide is the very principle identified above—guidance on how meaningfully to involve community stakeholders in the difficult and challenging conversations around the root causes of the LEA’s performance problems and the plan to address it.

We urge the State Board to work with our organizations to develop a vision for what community-engaged continuous improvement looks like and, further, to exert its leadership in the cross-agency group to give this vision life. For starters, the State Board should make sure that when “the composition of the cross agency group is [] expanded” (Item 3, Attachment 1, Page 2 of 2), among the “stakeholders” invited to participate in future cross agency meetings are community-based organizations and advocacy groups who work closely with them in order to ensure the new accountability system is appropriately sensitive to authentic community engagement. (A December convening by WestEd with the cross agency groups provides a good recent example of such.)

Finally, we appreciate the notion expressed in Attachment 2 that the CDE is rethinking its approach to special education, adopting the perspective that differentiated assistance arising out of special education performance will “not be interpreted as challenges or weaknesses specific to special education programs in isolation,” but first and foremost as a general education matter. As acknowledged, two-thirds of LEAs identified for technical assistance have been so identified as a result of the performance of their students with disabilities. Given the numerous assurances of Board members and staff at past Board meetings that the accountability system would look beyond simply narrow issues involving special education, it is essential that this commitment be followed through on. It was unclear to us, however, that in addition to special education and general education issues being examined, the State is also shaping its assistance to examine separate student subgroup performance to allow for the possibility that the most appropriate assistance in specific contexts may call for attention to performance issues of one or more specific subgroups as opposed to the whole of general education. We suggest that the Board urge CDE to provide additional clarification in this regard.

II. Item 5 – Revisions to California ESSA State Plan

The federal interim feedback expressed in the December 21, 2017 letter from the U.S. Department of Education raises many of the same issues this Coalition has identified in earlier correspondence on the ESSA State Plan. (*See, e.g.*, Equity Coalition Comments of July 7, 2017 and September 8, 2017.) Among these are:

(a) Measurement of Interim LEA and School Progress Toward the State’s Goals. The U.S. Department of Education echoed our concern that the State is not setting interim gap-closing targets towards the State’s goals for LEAs and schools, specifically, that they reach a “green” performance level within seven years. The State has responded that it intends to rely on the LCAP as the appropriate local mechanism by which LEAs establish the interim goals. However, our experience with LCAPs is that the local-established goals are exceedingly modest, often capable of producing “green” performance only after 20 years or more. If the State is going to rely on the local LCAP process for setting the called-for “ambitious” goals under ESSA, at a minimum, the State Board needs to amend the LCAP template to direct LEAs that their goal-setting should address ESSA’s ambitious standards.

(b) Stand-Alone High School Measure of Academic Achievement. The Department also mirrored our contention that ESSA requires a stand-alone measure of academic achievement at the high-school level, specifically, the 11th-grade SBAC. The proposed response memo fails to correct this shortcoming.

(c) Identification of Disproportionate School-level Access to Ineffective, Out-of-Field and Inexperienced Teachers and Articulation of How the State Will Eliminate Any Disproportionality. The U.S. Department of Education concluded that that the California ESSA Plan does not identify disproportionate access to ineffective, out-of-field and inexperienced teachers as ESSA requires nor does it identify how low-income and minority children will not be served by such teachers at disproportionate rates. The proposed response from the State says that it will develop a means to report on school-level misassignments of teachers by Spring 2019 and otherwise fails to address the separate requirement to articulate how low-income students and students of color will not be disproportionately served. The State only acknowledges that it will annually report on the progress toward equitable teacher quality access (or the lack thereof). The State's response points once again to the need for a state-developed teacher quality data system that can report access to ineffective, out-of-field and inexperienced teachers in real time. As well, the State should amend its plan to articulate how it plans to address the teacher shortage and support LEAs in correcting the use of ineffective, out-of-field and inexperienced teachers.

(d) Selecting Schools for Comprehensive Support and Improvement Outside of LCFF-identified Level 2 Districts. Additionally, the U.S. Department of Education expresses concern with the Plan's proposed selection of schools for comprehensive support which are in the lowest-performing 5% statewide from among only LEAs identified previously by the State's LCFF accountability system. The Department, consistent with prior comments from this Coalition, notes that there may well be schools that are among the lowest-performing 5% statewide which do not reside solely in Title I LEAs previously identified for differentiated assistance under LCFF. The State's Plan should draw the lowest performing 5% of schools from all Title I schools statewide.

Finally, we reiterate our request that, to promote greater understanding of the whole accountability system for stakeholders and the public, **the State Board direct staff to compile and present in a separate website a full picture of the California Way—that is, all the essential state and federal components of the new LCFF accountability and continuous improvement system.** Doing so will provide the public with a more complete and comprehensive picture of how the state and federal accountability rules for districts and schools work together.

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,

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