



August 25, 2017

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

RE: ESSA State Plan – General Comments

VIA EMAIL ONLY

Dear President Kirst and Board Members:

I write in response to the latest revised draft of the California State Plan for the federal Every Students Succeeds Act (ESSA) making overall observations appending EdVoice’s earlier, very detailed public testimony at Board hearings and related correspondence. ***Please note that this is in addition to a specific letter in comment on the latest draft as it relates to the Superintendent’s erroneous definition of ineffective teacher.***

Our analysis of the Superintendent’s latest proposed revision to the ESSA plan finds it woefully incomplete in meeting minimum federal criteria put forth by Congress in clear statutory language to promote basic transparency of academic outcomes, particularly in high school, and intentional programming of resources to enhance, rather than supplant, state and local activities in support of equity for disadvantaged students. And, the latest recommendations by the Superintendent continue to be devoid of a coherent vision to harmonize federal requirements with LCFF/LCAP requirements in state law.

Unfortunately, this proposal repeats failures of the Academic Performance Index (API) scheme with an error bias greater than actual positive or negative results when focusing on status-based cross-cohort outcome comparisons. If adopted without change, we predict this scheme will once again lead to inaccurate identification of failure and success, and send inconsistent and erroneous signals to parents, teachers, local school leaders and local, county and state policy makers regarding the true performance of California public schools.

According to the Department of Finance 2017-18 final education budget summary, federal funds represent nearly 9 percent of all funds spent on K-12 education in California. And according to the Legislative Analyst Office, federal funds represent nearly 70 percent of the Department’s state operations. What government or private sector agency is efficiently serving its constituents while disregarding the productive employment of those resources in achieving the mission?

As California moves to define the new federal, state, local relationship, it may be worthwhile to refocus on the purpose of Title I and ESSA resources as originally intended under the first authorization and all the subsequent decades to the letter and intent of the most recent reauthorization by Congress in the form of ESSA—***always*** first and foremost Title I is a

compensatory program to promote equity for disadvantaged students. Indeed, over 50 years ago, during the hearings on the original ESEA, Robert Kennedy asked whether or not this is the point:

“...that if you are placing or putting money into a school system which itself creates this problem [of not educating poor and minority kids well], or helps to create it, or does nothing or very little to alleviate it, are we not just in fact wasting the money of the Federal Government and the taxpayer and investing money where it is really going to accomplish very little if any good?”

Over the past months, we have raised and continue to have questions and concerns and made specific comments in previous testimony and letters to the Board regarding incomplete and non-complaint recommendations by the Superintendent:

Why does the California ESSA plan have blatant disregard for the minimum mandatory requirements in ESSA for transparency, and monitoring of intentional programming of dollars toward equity and not supplanting existing efforts directed to minority and impoverished students, and failure to define ineffective? Why does California fear transparency of resources to the school site level? Why does California continue to fail to include available academic outcomes for hundreds of thousands of high school students? Why is there no consequential accountability for persistent sub-par outcomes and academic achievement—known already and lasting for decades? Why can failing schools be removed from red or orange with no increase in overall or sub-group academic achievement, and no closure of sub-group academic achievement gaps?

The revised Superintendent’s ESSA plan demonstrates little value for all available objective outcome data and no vision for the federal-state-local division of responsibility for accountability. This is contrary to the help that parents and communities believe the state should provide in partnering on accountability and advocacy for programming that produces positive student academic outcomes—without having to file Public Records Act requests or file lawsuits to get answers.

Funded by nearly 70 percent in federal funds, the Department of Education in Sacramento receives no proposed significant state operation re-programming plans to leverage flexibility to rebalance oversight, monitoring, transparency and technical assistance with the north star ensuring compensatory resources provided by the federal government or otherwise are explicitly targeted toward equity.

Transparency is necessary but not sufficient for accountability—no transparency, then no accountability. The latest version of the ESSA plan by the Superintendent gets an “F” for any measure of accountability and mandatory intervention designed with a sense of urgency to systematically identify and address persistent academic achievement gaps and lack of equitable opportunity to learn. The plan is void of any serious exercise of the state’s constitutional responsibility to take positive intentional measures to change the status quo of decades of known public school failure in communities with high concentrations of minorities and poverty, and with children redlined in zip codes of failing school attendance zones.

The growth sectors in the California economy are not fooled with the failure of California public schools and continue to lobby to maintain and even expand the H1-B program to fill California job vacancies for lack of California-grown talent.

Two decades ago, while very low, California’s overall percentage of fourth graders proficient in mathematics was more than double the rate of students in the District of Columbia. According to the National Assessment of Education Progress (NAEP), by 2015 all but two other states have outpaced California, and the proportion of fourth grader math achievement at grade level in public schools in California now stands **below the average proportion of proficiency in the District of Columbia.**

Worse yet, children in poverty in California public schools now perform below their fourth-grade peers in mathematics when compared to their peers in every other state, including the District of Columbia. California has the dubious distinction of being at the very bottom. Over half of California’s K-12 students are in poverty, which makes this comparative academic decline particularly alarming.

As you know, academic performance of students in reading and mathematics in early grades forecasts each student’s and cohort’s likelihood of maintaining or reaching grade level proficient expectations, being ready for life beyond school and graduating college and career ready. And, how well schools prepare the workforce in science, technology, engineering and mathematics is increasingly a forewarning of success or failure in the 21st-century economy for individuals, cities, states and nations.

Objective measures strongly suggest California’s economic future is in serious peril. As “state” policymakers we strongly urge you to revisit these questions and concerns above and take full advantage of your role as the SEA to re-write entire portions of the plan if necessary to ensure that non-trivial federal resources truly help promote equity and are not squandered when they arrive in California.

If you any questions, please don’t hesitate to contact me directly.

Respectfully,



Bill Lucia
President & CEO

cc: Honorable Edmund G. Brown, Jr., Governor
Karen Stapf Walters, Executive Director, California State Board of Education
Jennifer Johnson, Deputy Secretary of Legislative Affairs, Office of the Governor
Judy Cias, Chief Counsel, California State Board of Education