



October 30, 2015

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

RE: State Board Agenda Item #11 – November 5, 2015

Dear President Kirst and Board Members:

I write regarding agenda Item 11 and a new accountability system. The material in the item provided to Board members by the Department and information provided in the latest evaluation rubrics stakeholder-meeting do not alleviate critical concerns regarding the continued failure to comply with statute, and guarantees in the state constitution, which EdVoice has already communicated with the Board.

**Department’s Plan Receives a Tardy and Still Seriously Incomplete**

The implementation plan must provide a clear framework of a comprehensive accountability system, which at a minimum is transparent regarding student academic achievement for every subgroup in every school to the extent that the State of California and schools and districts have this information available. While acknowledging this is a work in progress, a year later in thinking, talking and developing approaches, there are still blatant holes.

A functioning accountability system must have clearly articulated goals; accurate ways to measure progress toward the goals; determine whether or not the goals have been met; and support rewards and required adjustments accordingly. Students have a constitutional guarantee to have equitable access to a quality education. At a minimum, there must be a mechanism for the state to identify what conditions undeniably represent persistent unacceptable outcomes and, at a minimum, open options for parents to enroll their child in a better performing public school when the school assigned by zip-code persistently fails to meet those goals. The proposal raises serious concerns about ever achieving any, let alone fair, determination in this regard as it relies on unreliable metrics over unquestionably more reliable and available data, and ignores the necessary determination of whether goals have been met and what happens next.

Over a year since the Governor signed legislation, the Department has still not provided the Board with specific recommendations on how to proceed with its statutory mandate to adopt standards for school district and individual school site performance and expectations for improvement, in regard to each of the state priorities as described in subdivision (d) of Section 52060 of the Education Code. Specifically, the proposed plan blatantly ignores the statutory state priorities relating to academic achievement of students in every California school, as explicitly mandated in Priority #8, and as applicable in Priority #4.

### **Accountability System Must Not Ignore Stakeholders, Academic Achievement or Gaps**

After more than a year of discussing the evaluation rubrics and a new accountability system, there is still an appalling lack of focus on student academic achievement and subgroup achievement gaps in the draft framework and implementation plan. When thinking about school performance, parents, community members, taxpayers and the California public want to know how all students and subgroups are doing academically in *every* school. The draft framework and implementation proposed by the Department does not do so and even fails to address the Legislature's express mandate to establish standards and performance expectations in Ed Code Section 52064.5(c).

As the Board designs a complete system, it must consider the perspective of all key stakeholders:

- **Parents and Community:** Want transparency about how all students and subgroups of students at each school are actually performing as it relates to academic achievement goals and expected growth. This transparency builds trust in the system and with those responsible for its management and any needed changes. Parents need to make informed decisions about what best public school options to choose for their child—a cornerstone of authentic accountability.
- **Educators:** Need clarity on who is responsible. The system must collect and report meaningful data, establish a clear process in which measured outcomes for all students and student subgroups can be compared to the goals and growth targets, identify those responsible for accomplishment or persistent failure, and provide those educators with recognition or necessary support to address the identified needs accordingly.
- **Students:** Need clear expectations for what they should know and be able to do in order to be admitted into college and be prepared for careers. The state cannot stand idly by if a school or districtwide system persistently fails to prepare all subgroups of students to succeed academically and develop skills necessary for the workplace.

### **The State Cannot Ignore the Massive Volume of Student and Subgroup Academic Data**

The most recent proposed evaluation rubric material to be shared for the User Acceptance Testing still excludes nearly all the objective summative data on academic achievement outcomes available from the statewide assessment system. And the metrics proposed as part of a new accountability system signal to parents and taxpayers that the State, school districts, schools, principals and teachers don't believe student or subgroup academic outcomes are important.

By including 3<sup>rd</sup> grade reading and 8<sup>th</sup> grade math as the only academic “key” indicators of the evaluation rubrics, available state data on actual academic attainment of millions of students in 12 out of 14 grade levels and content areas are entirely omitted from consideration. And there is no rational explanation to diminish the importance of the 11<sup>th</sup> grade CAASSP, the only reliable and valid statewide academic gauge of high school performance. Should 8<sup>th</sup> grade math teachers be held accountable for the failures of the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> grade teachers that came before them? The proposed system will immediately exacerbate already existing teacher shortages and establish incentives to move away from 3<sup>rd</sup> grade, 8<sup>th</sup> grade math and middle schools. With the demand for STEM competencies in the 21<sup>st</sup> century economy, this is the opposite signal California should be sending effective math teachers, who could quadruple their salaries in the private sector.

### **Replace, Do Not Eliminate a Gauge of Overall Performance**

The draft framework and implementation plan should focus on a process for replacing the Academic Performance Index (API), not eliminating it. Recognizing limitations of the current API, a simple understood and transparent mechanism to rank overall performance of schools and districts is an important component of any state accountability system that authentically responds to the obvious interest of parents and the taxpaying public. There needs to be a transparent and understandable overarching measure or very few meaningful gauges of performance for parents and community members to understand how their schools are doing and evaluate the zip-code assigned school relative to other quality educational options for their children. Otherwise, all the financial reforms in LCFF will be for naught if the courts opine that there is no statewide system which guarantees every child an equitable opportunity to access his or her fundamental right to a basic education guaranteed by the California Constitution.

Moreover, as you know, the API is currently statutorily tied to elements of various programs, including charter school authorization, and many public school choice programs. The API is utilized for many of these programs because of its clarity to the public and objective use by local and state decision makers. The implementation framework moving forward must clearly articulate the need for an improved measure to replace the API and, at a minimum, allow for comparable uses such as gauging progress overtime or establishing preferential eligibility for public school choice.

### **Serious Retooling Needed**

The Department's plan falls undeniably short as a tool for establishing the way forward on a comprehensive system of accountability. The current proposed direction appears to be at best circular motion, if not backward, to a failed top down input compliance review process to feed the bureaucracy in Sacramento with multiple meaningless measures and no mandatory accountability. This is not subsidiarity nor flexibility; and definitely not local control in trade for accountability for outcomes promised during the debates on LCFF. Proceeding to build an opaque dysfunctional system solely around the obviously incomplete goals, undefined growth targets and favoring weak unreliable metrics over valid reliable metrics, as acknowledged by several Board members in the September meeting, will severely undermine the likelihood that the Board will meet its statutory requirements in substance or timing. It is highly unlikely that California's system of public education will recover from such an ill-advised direction; rather, much more likely the current proposed scheme will drag the state back to the courts.

Respectfully,

*Bill Lucia*

Bill Lucia

President & CEO

Cc: Karen Stapf Walters, Executive Director, California State Board of Education  
Judy Cias, Chief Counsel, California State Board of Education  
Brooks Allen, Deputy Policy Director, Assistant Legal Counsel, CA SBE