



October 28, 2016

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

RE: State Board Agenda Item #3 – November 2, 2016

Dear President Kirst and Board Members:

I write regarding agenda Item 3, “Developing an Integrated Local, State, and Federal Accountability and Continuous Improvement System...”. Over the past several months the Board has taken high-level actions and provided the Department specific direction to move forward to address concerns of Board members and testimony by hundreds of individuals and stakeholders before the Board. However, recommendations by the Department in this agenda item and elements of the proposed LCAP revision raise serious concerns that these tools will obscure how English learners, disadvantaged students and ethnic minority students are really doing, and call into question whether the Board and the Department can oversee California public education and ensure every child has an equitable opportunity to learn, or whether the courts will have to step in.

Accountability Scheme Largely Ignores System Success or Failure with Subgroups. How Can a State System Guarantee Equity of Opportunity When the Architecture Permits Longstanding Inequities of Opportunity to be Baked in Forever? Without accelerated expected change from a baseline for millions of California English learners, disadvantaged students and ethnic minority subgroups starting farther behind, the state is making it clear that it does not actually expect to close achievement gaps. Letting districts and schools off the hook for incremental change that will never improve the lives of children during their K-12 academic career in their neighborhood public school is enshrining unconstitutional redlining by zip code and mandatory attendance zone, which is effectively a governmental sanctioning of denial of services and access to a basic education.

How many hundreds of thousands of students in targeted subgroups will fall through the cracks in districts and schools in the yellow categories? A district or subgroup that starts out with only 20% of students proficient in ELA (80% not proficient) that improves by 2% a year would be identified as yellow and continue to be yellow for fifteen years. For an entire child’s academic career, failure for a majority of students can be business as usual for the adults, with no guarantee that disadvantaged students graduate prepared for careers, college or life.

EdVoice urges the Board as it revisits key elements of the rubrics and alignment of local, state and federal accountability systems to move beyond mere compliance to work intentionally to focus on the State’s constitutional responsibility as it relates to equity of opportunity. Evidence of closing achievement gaps must be more than a talking point by some on the Board and continually stiff-

armed by the Department in its recommendations. Closing gaps is more than a component required by federal law, it must be a core component of accountability to acknowledge the State's role in statewide oversight, and ensuring the individual fundamental right of *every* child in California to have a basic academic education and an equitable opportunity to learn in *every* public school.

Performance Standards for Academic Indicators: Does a System Allowing Ongoing Failure of 49% of All Students Constitutionally Guarantee Every Student a Basic Academic Education? The proposed performance standards for the Academic Indicator raise serious concerns about the messages cut scores send about the state's expectations for all students beyond identifying districts and schools in need of technical assistance. If the green level is the goal to which schools and districts must aspire, is the State formally on the record that an LEA with only 51% of its students meeting standards *forever* in math is good enough? What message does that send to higher education? What message does that send to employers considering California as a home base? Is that really the goal that the Board wants to send to the general public and taxpayers? No individual or organization rises to low expectations or can survive when the output has a chance of failure barely better than the flip of a coin.

Evaluation Rubrics and Charter Schools. On a more positive note, the proposed recommendations regarding clarifications on the application of evaluation rubrics to charter schools is a step in the right direction. The proposal acknowledges different statutory construct for charter schools, which focus on outputs and results, or certain closure, providing needed clarity on the connection between the rubrics and renewals.

Moving Forward. Several of members of the Board have made significant statements and expressed concerns regarding a coherent state accountability system that addresses equity of opportunity but once again the Department has focused on minimal compliance and ignored direction and outstanding questions fundamental to ensuring every student has an equitable opportunity to learn. EdVoice urges the Board to stand firm on its constitutional responsibility for state oversight of the entire system of K-12 public education and take actions to explicitly move beyond talking about equity and provide leadership insisting the Department fill in the serious gaps in the system architecture with recommendations for action so the state can actually make progress in addressing persistent academic achievement gaps.

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

Respectfully,



Bill Lucia
President, EdVoice

cc: Karen Stapf Walters, Executive Director, California State Board of Education
Judy Cias, Chief Counsel, California State Board of Education
Cathy McBride, Deputy Legislative Secretary, Office of Governor Brown
David Sapp, Deputy Policy Director and Assistant Legal Counsel