

COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300
SACRAMENTO, CA 95814
PHONE: (916) 323-3562
FAX: (916) 445-0278
E-mail: csminfo@csm.ca.gov



June 5, 2015

Mr. Arthur Palkowitz
Stutz Artiano Shinoff & Holtz
2488 Historic Decatur Road, Suite 200
San Diego, CA 92106

And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: **Draft Proposed Decision, Exhibit X**
California Assessment of Student Performance and Progress (CAASPP), 14-TC-01
Education Code Sections 60602 et al.
Plumas County Office of Education, Plumas Unified School District, Porterville Unified
School District, Santa Ana Unified School District, Vallejo City Unified School District,
Claimants

Dear Mr. Palkowitz:

In response to inquiries on the draft proposed decision for the above-named matter, please find the attached Exhibit X.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey".

Heather Halsey
Executive Director

ITEM ____
TEST CLAIM

Education Code Sections 60602, 60602.5, 60603, 60604, 60607, 60610, 60611, 60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300, and 99301;

as added or amended by

Statutes 2013, Chapter 489 (AB 484); Statutes 2014, Chapter 32 (SB 858);
Statutes 2014, Chapter 327 (AB 1599)

and California Code of Regulations, Title 5, Sections 850-864

as added or amended by

Register 2014, No. 30 and Register 2014, No. 35.

California Assessment of Student Performance and Progress (CAASPP)

14-TC-01

Plumas County Office of Education, Plumas Unified School District, Porterville Unified School District, Santa Ana Unified School District, Vallejo City Unified School District, Claimants

TABLE OF CONTENTS

[¶...¶]

Exhibit X

Supporting Documentation	page
1. Notice of Addition of Co-Claimant	
2. Notice of Complete Test Claim Amendment Filing	
3. February 2014 Emergency Regulations	
4. Assembly Bill 484, Assembly Floor Analysis	
5. California Modified Assessment Pilot Test	
6. Report and Recommendations for Full Implementation of SBAC Assessments	
7. Smarter Balanced Field Test Questions and Answers	
8. Final Statement of Reasons, CAASPP Regulations	
9. “Forty-Nine States and Territories Join Common Core Standards Initiative”	
10. Development Process: Common Core State Standards Initiative	
11. U.S. Sec. of Ed. Announces Winners of Competition to Improve Student Assessments	
12. Race to the Top Executive Summary	

13. Awards: Race to the Top Fund
14. Assembly Bill 2812, Senate Analysis
15. California STAR Program 2006
16. STAR 2013 Legislative Report
17. Field Test, SBAC
18. Readiness Survey
19. "Four Years Later, are Race to the Top States on Track?"
20. Annual Deficiency Report, SCO, April 2015

COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300
SACRAMENTO, CA 95814
PHONE: (916) 323-3562
FAX: (916) 445-0278
E-mail: csminfo@csm.ca.gov



February 18, 2015

Mr. Arthur Palkowitz
Stutz Artiano Shinoff & Holtz
2488 Historic Decatur Road, Suite 200
San Diego, CA 92106

And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: Addition of Co-Claimant

California Assessment of Student Performance and Progress (CAASPP), 14-TC-01
Education Code Sections 60602, 60603, 60604, 60607, 60610, 60611, 60612, 60640,
60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300, and 99301;
Statutes 2013-2014, Chapter 489 (AB 484); Statutes 2014 Chapter 32, (SB 858);
Statutes 2014, Chapter 327 (AB 1599);
California Code of Regulations, Title 5, Section 850 through 864, inclusive;
(Register 2014, No. 30; Effective Date: July 23, 2014)

Plumas County Office of Education, Plumas Unified School District, Porterville Unified
School District, Santa Ana Unified School District, and Vallejo City Unified School
District, Claimants

Dear Mr. Palkowitz:

On December 23, 2014, Plumas County Office of Education, Plumas Unified School District, Porterville Unified School District, and Santa Ana Unified School District filed a joint test claim, *California Assessment of Student Performance and Progress (CAASPP)*, 14-TC-01, with the Commission on State Mandates (Commission).

On February 12, 2015, the Commission received a request from the Vallejo City Unified School District (Vallejo) to join this test claim. Vallejo's request meets the requirements of the Commission's regulations for a jointly filed test claim. (Cal. Code Regs., tit.2, § 1183.1(f).) Therefore Vallejo is added to this test claim as a joint claimant. It is agreed by all of the co-claimants that you will act as the sole representative for all of the co-claimants on this matter.

This test claim is tentatively set for hearing on **May 29, 2015**, at 10:00 a.m., State Capitol, Room 447, Sacramento, California. A draft proposed decision will be issued approximately 8-10 weeks prior to the hearing and all parties, interested parties, and interested persons will have the opportunity to file comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey".

Heather Halsey
Executive Director

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Yolo and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On February 18, 2015, I served the:

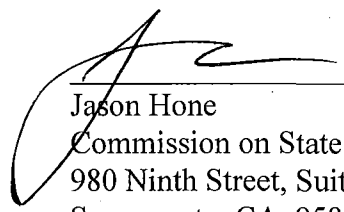
**Vallejo City Unified School District Request to Join Test Claim; and
Notice of Addition of Co-Claimant**

California Assessment of Student Performance and Progress (CAASPP), 14-TC-01
Education Code Sections 60602, 60603, 60604, 60607, 60610, 60611, 60612, 60640,
60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300, and 99301;
Statutes 2013-2014, Chapter 489 (AB 484); Statutes 2014 Chapter 32, (SB 858);
Statutes 2014, Chapter 327 (AB 1599);
California Code of Regulations, Title 5, Section 850 through 864, inclusive;
(Register 2014, No. 30; Effective Date: July 23, 2014)

Plumas County Office of Education, Plumas Unified School District, Porterville Unified
School District, Santa Ana Unified School District, and Vallejo City Unified School
District, Claimants

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on February 18, 2015 at Sacramento, California.



Jason Hone
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 2/18/15

Claim Number: 14-TC-01

Matter: California Assessment of Student Performance and Progress (CAASPP)

Claimants: Plumas County Office of Education
Plumas Unified School District
Porterville Unified School District
Santa Ana Unified School District
Vallejo City Unified School District

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

Amber Alexander, *Department of Finance*

Education Systems Unit, 915 L Street, Sacramento, CA 95814

Phone: (916) 445-0328

Amber.Alexander@dof.ca.gov

Socorro Aquino, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

Harmeet Barkschat, *Mandate Resource Services, LLC*

5325 Elkhorn Blvd. #307, Sacramento, CA 95842

Phone: (916) 727-1350

harmeet@calsdrc.com

Lacey Baysinger, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-0254

lbaysinger@sco.ca.gov

Mike Brown, *School Innovations & Advocacy*

5200 Golden Foothill Parkway, El Dorado Hills, CA 95762

Phone: (916) 669-5116

mikeb@sia-us.com

Laurie Bruton, Superintendent, *San Lorenzo Valley Unified School District*

325 Marion Ave, Ben Lomond, CA 95005

Phone: (831) 336-5194

lbruton@slvusd.org

J. Bradley Burgess, *MGT of America*

895 La Sierra Drive, Sacramento, CA 95864

Phone: (916) 595-2646

Bburgess@mgtamer.com

Gwendolyn Carlos, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 323-0706

gcarlos@sco.ca.gov

David Cichella, *California School Management Group*

3130-C Inland Empire Blvd., Ontario, CA 91764

Phone: (209) 834-0556

dcichella@cscentral.com

Joshua Daniels, Attorney, *California School Boards Association*

3251 Beacon Blvd, West Sacramento, CA 95691

Phone: (916) 669-3266

jdaniels@csba.org

Marieta Delfin, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-4320

mdelfin@sco.ca.gov

Andra Donovan, *San Diego Unified School District*

Legal Services Office, 4100 Normal Street, Room 2148, , San Diego, CA 92103

Phone: (619) 725-5630

adonovan@sandi.net

Donna Ferebee, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

donna.ferebee@dof.ca.gov

Chris Ferguson, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814

Phone: (916) 445-3274

Chris.Ferguson@dof.ca.gov

Susan Geanacou, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

susan.geanacou@dof.ca.gov

Paul Golaszewski, *Legislative Analyst's Office*

925 L Street, Suite 1000, Sacramento, CA 95814

Phone: (916) 319-8341
Paul.Golaszewski@lao.ca.gov

Robert Groeber, Assistan Superintendent, *Visalia Unified School District*
5000 West Cypress Ave P.O. Box, Visalia, CA 93278-5004
Phone: (559) 730-7529
rgroeber@visalia.k12.ca.us

Wendy Gudalewicz, Superintendent, *Cupertino Union School District*
10301 Vista Drive, Cupertino, CA 95014-2091
Phone: (408) 252-3000
gudalewicz_wendy@cusdk8.org

Ed Hanson, *Department of Finance*
Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
ed.hanson@dof.ca.gov

Mark Ibele, *Senate Budget & Fiscal Review Committee*
California State Senate, State Capitol Room 5019, Sacramento, CA 95814
Phone: (916) 651-4103
Mark.Ibele@sen.ca.gov

Cheryl Ide, Associate Finance Budget Analyst, *Department of Finance*
Education Systems Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Cheryl.ide@dof.ca.gov

Ian Johnson, Principal Program Budget Analyst, *Department of Finance*
Education Systems Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Ian.Johnson@dof.ca.gov

Matt Jones, *Commission on State Mandates*
980 9th Street, Suite 300, Sacramento, CA 95814
Phone: (916) 323-3562
matt.jones@csm.ca.gov

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Jillian Kissee, *Department of Finance*
915 L Street, Sacramento, Ca
Phone: (916) 445-0328
jillian.kissee@dof.ca.gov

Sarah Koligian, Superintendent, *Tulare Joint Union High School District*
426 North Blackstone, Tulare, CA 93274-4449
Phone: (559) 688-2021
sarah.koligian@tulare.k12.ca.us

Jennifer Kuhn, Deputy, *Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814

Phone: (916) 319-8332
Jennifer.kuhn@lao.ca.gov

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Veronica Lanto, *San Jose Unified School District*
855 Lenzen Avenue, San Jose, CA 95126-2736
Phone: (408) 535-6572
Veronica_Lanto@sjusd.org

Kathleen Lynch, *Department of Finance (A-15)*
915 L Street, Suite 1280, 17th Floor, Sacramento, CA 95814
Phone: (916) 445-3274
kathleen.lynch@dof.ca.gov

Michelle Mendoza, *MAXIMUS*
17310 Red Hill Avenue, Suite 340, Irvine, CA 95403
Phone: (949) 440-0845
michellemendoza@maximus.com

Yazmin Meza, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Yazmin.meza@dof.ca.gov

Micheline G. Miglis, *Superintendent, Plumas County Office of Education*
Plumas Unified School District, 1446 E. Main, Quincy, CA 95971
Phone: (530) 283-6500
mmiglis@pcoe.k12.ca.us

Richard L. Miller, *Superintendent, Santa Ana Unified School District*
1601 East Chestnut Avenue, Santa Ana, CA 92701
Phone: (714) 558-5512
rick.miller@sausd.us

Meredith Miller, *Director of SB90 Services, MAXIMUS*
3130 Kilgore Road, Suite 400, Rancho Cordova, CA 95670
Phone: (972) 490-9990
meredithcmiller@maximus.com

Michael Milliken, *Superintendent, Belmont-Redwood Shores School District*
2960 Hallmark Drive, Belmont, CA 94802-2999
Phone: (650) 637-4800
mmilliken@brssd.org

Robert Miyashiro, *Education Mandated Cost Network*
1121 L Street, Suite 1060, Sacramento, CA 95814
Phone: (916) 446-7517
robertm@sscal.com

Jameel Naqvi, *Analyst, Legislative Analysts' Office*
Education Section, 925 L Street, Suite 1000, Sacramento, CA 95814

Phone: (916) 319-8331
Jameel.naqvi@lao.ca.gov

Keith Nezaam, *Department of Finance*
915 L Street, 8th Floor, Sacramento, CA 95814
Phone: (916) 445-8913
Keith.Nezaam@dof.ca.gov

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Don Olson, Superintendent, *Del Norte County Office of Education*
301 W. Washington Blvd, Crescent City, CA 95531
Phone: (707) 464-0200
dolson@delnorte.k12.ca.us

Christian Osmena, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
christian.osmena@dof.ca.gov

Arthur Palkowitz, *Stutz Artiano Shinoff & Holtz*
Claimant Representative
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@sashlaw.com

Keith Petersen, *SixTen & Associates*
P.O. Box 340430, Sacramento, CA 95834-0430
Phone: (916) 419-7093
kpbsixten@aol.com

Mark Rewolinski, *MAXIMUS*
625 Coolidge Drive, Suite 100, Folsom, CA 95630
Phone: (949) 440-0845
markrewolinski@maximus.com

Sandra Reynolds, *Reynolds Consulting Group, Inc.*
P.O. Box 894059, Temecula, CA 92589
Phone: (951) 303-3034
sandrareynolds_30@msn.com

Kathy Rios, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-5919
krios@sco.ca.gov

David Scribner, *Max8550*
2200 Sunrise Boulevard, Suite 240, Gold River, CA 95670
Phone: (916) 852-8970
dscribner@max8550.com

Steve Shields, *Shields Consulting Group, Inc.*

1536 36th Street, Sacramento, CA 95816
Phone: (916) 454-7310
steve@shieldscg.com

Socorro Shiels, Superintendent, *Santa Rosa City Schools*
211 Ridgway Ave, Santa Rosa, CA 95401
Phone: (707) 528-5181
sshiels@srcs.k12.ca.us

John Snavely, Superintendent, *Porterville Unified School District*
600 West Grand Avenue, Porterville, CA 93257
Phone: (559) 792-2455
jsnavely@portervilleschools.org

Jim Spano, Chief, Mandated Cost Audits Bureau, *State Controller's Office*
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-5849
jspano@sco.ca.gov

Dennis Speciale, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
DSpeciale@sco.ca.gov

Meg Svoboda, *Senate Office of Research*
1020 N Street, Suite 200, Sacramento, CA
Phone: (916) 651-1500
meg.svoboda@sen.ca.gov

Amy Tang-Paterno, Educational Fiscal Services Consultant, *California Department of Education*
Government Affairs, 1430 N Street, Suite 5602, Sacramento, CA 95814
Phone: (916) 322-6630
ATangPaterno@cde.ca.gov

Jolene Tollenaar, *MGT of America*
2001 P Street, Suite 200, Suite 200, Sacramento, CA 95811
Phone: (916) 443-9136
jolene_tollenaar@mgtamer.com

Brian Uhler, *Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8328
brian.uhler@lao.ca.gov

Ronald D. Wenkart, General Counsel, *Orange County Department of Education*
200 Kalmus Drive P.O. Box, Costa Mesa, CA 92628-9050
Phone: (714) 966-4220
rwenkart@ocde.us

COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300
SACRAMENTO, CA 95814
PHONE: (916) 323-3562
FAX: (916) 445-0278
E-mail: csminfo@csm.ca.gov



March 27, 2015

Mr. Arthur Palkowitz
Stutz Artiano Shinoff & Holtz
2488 Historic Decatur Road, Suite 200
San Diego, CA 92106

And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: **Notice of Complete Test Claim Amendment Filing and Schedule for Comments**
California Assessment of Student Performance and Progress (CAASPP), 14-TC-01
Education Code Sections 60602, 60602.5, 60603, 60604, 60607, 60610, 60611,
60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810,
99300, and 99301;
Statutes 2013-2014, Chapter 489 (AB 484); Statutes 2014 Chapter 32, (SB 858);
Statutes 2014, Chapter 327 (AB 1599)
California Code of Regulations, Title 5, Section 850 through 864, inclusive;
(Register 2014, No. 30; Effective Date: July 23, 2014); Certificate of Compliance
(Register 2014, No. 35; Effective Date: August 27, 28, 2014)

Plumas County Office of Education, Plumas Unified School District, Porterville Unified
School District, Santa Ana Unified School District, and Vallejo City Unified School
District, Claimants

Dear Mr. Palkowitz:

On March 17, 2015, the Plumas County Office of Education, Plumas Unified School District, Porterville Unified School District, Santa Ana Unified School District, and Vallejo City Unified School District (claimants) filed a test claim amendment on the above-named matter with the Commission on State Mandates (Commission). Upon review, Commission staff found the test claim amendment filing to be complete.

Specifically, as requested, the amendment consists of test claim forms and declarations which have replaced the test claim forms and declarations submitted in the original test claim filed on December 23, 2014. The amendment also adds Education Code section 60602.5 and California Code of Regulations, Title 5, Section 850 through 864, inclusive; Certificate of Compliance (Register 2014, No.35; Effective Date August 27, 28, 2014).

The Commission is now requesting parties, interested parties, and interested persons to comment on the test claim amendment as specified below.

This matter is now tentatively scheduled for hearing on **July 24, 2015**.

Review of Test Claim Amendment

Parties, interested parties, and interested persons receiving this letter are requested to analyze the merits of the test claim amendment and to file written comments on or before **April 27, 2015** in accordance with sections 1183.2 and 1181.3 of the Commission's regulations (California Code

Mr. Palkowitz
March 27, 2015
Page 2

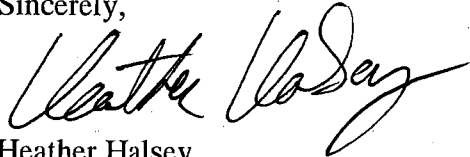
of Regulations, Title 2). Requests for extensions of time to file comments may be filed in accordance with section 1187.9 of the Commission's regulations.

Claimant's Rebuttal

Written rebuttals to written comments concerning this test claim amendment may be filed and served in accordance with section 1181.3 of the Commission's regulations within 30 days of service of the written comments. (Cal. Code. Regs., tit. 2 § 1183.3)

You are advised that if written materials are filed in hard copy, the filing must simultaneously be served on everyone on the mailing list, and be accompanied by a proof of service. However, this requirement may also be satisfied by electronically filing your documents on the Commission's website. For instructions on electronic filing, please see the Commission's website at http://www.csm.ca.gov/dropbox_procedures.shtml. The comments will be posted on the Commission's website and the mailing list will be notified by electronic mail of the posting and the comment period. This procedure will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.3.

Sincerely,



Heather Halsey
Executive Director

1. TEST CLAIM TITLE

California Assessment of Student
Performance and Progress-Amendment

2. CLAIMANT INFORMATION

Plumas County Office of Education

Name of Local Agency or School District

Micheline G. Miglis

Claimant Contact

Superintendent of Schools

Title

1446 E. Main

Street Address

Quincy, CA 95971

City, State, Zip

(530)283-6500

Telephone Number

(530)283-6509

Fax Number

mmiglis@pcoe.k12.ca.us

E-Mail Address

3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this test claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Arthur M. Palkowitz

Claimant Representative Name

Attorney

Title

Stutz Artiano Shinoff & Holtz, APC

Organization

2488 Historic Decatur Rd., Suite 200

Street Address

San Diego, CA 92106

City, State, Zip

619.232.3122

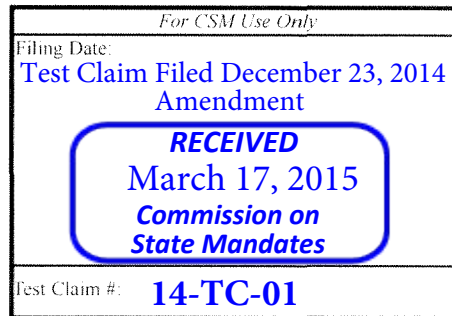
Telephone Number

619.232.3264

Fax Number

apalkowitz@sashlaw.com

E-Mail Address



4. TEST CLAIM STATUTES OR EXECUTIVE ORDERS CITED

Please identify all code sections (include statutes, chapters, and bill numbers) (e.g., Penal Code Section 2045, Statutes 2004, Chapter 54 [AB 290]), regulations (include register number and effective date), and executive orders (include effective date) that impose the alleged mandate.

Statutes of 2013-2014, Chapter 489 (A.B. No. 484); Effective January 1, 2014.

Statutes of 2014-Chapter 32 (S.B. No. 858); Effective June 20, 2014.

Statutes of 2014-Chapter 327 (A.B. No. 1599); Effective September 15, 2014:

Education Code Sections 60602, 60602.5, 60603, 60604, 60607, 60610, 60611, 60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300 and 99301.

REGULATIONS

Title 5 California Code of Regulations § 850-864 inclusive. (Register no. 2014; No. 30; Effective date July 23, 2014; Certificate of Compliance August 27, 28, 2014.)

Copies of all statutes and executive orders cited are attached.

Sections 5, 6, and 7 are attached as follows:

5. Written Narrative: pages ____ to ____.

6. Declarations: pages 1 to 21.

7. Documentation: pages 22 to 79.

1. TEST CLAIM TITLE

California Assessment of Student
Performance and Progress-Amendment

2. CLAIMANT INFORMATION

Plumas Unified School District

Name of Local Agency or School District

Micheline G. Miglis

Claimant Contact

Superintendent

Title

1446 E. Main

Street Address

Quincy, CA 95971

City, State, Zip

(530)283-6500

Telephone Number

(530)283-6509

Fax Number

mmiglis@pcoe.k12.ca.us

E-Mail Address

3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this test claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Arthur M. Palkowitz

Claimant Representative Name

Attorney

Title

Stutz Artiano Shinoff & Holtz, APC

Organization

2488 Historic Decatur Rd., Suite 200

Street Address

San Diego, CA 92106

City, State, Zip

619.232.3122

Telephone Number

619.232.3264

Fax Number

apalkowitz@sashlaw.com

E-Mail Address

For CSM Use Only

Filing Date:

Test Claim Filed December 23, 2014
Amendment

RECEIVED

March 17, 2015
Commission on
State Mandates

Test Claim #:

14-TC-01

4. TEST CLAIM STATUTES OR EXECUTIVE ORDERS CITED

Please identify all code sections (include statutes, chapters, and bill numbers) (e.g., Penal Code Section 2045, Statutes 2004, Chapter 54 [AB 290]), regulations (include register number and effective date), and executive orders (include effective date) that impose the alleged mandate.

Statutes of 2013-2014, Chapter 489 (A.B. No. 484); Effective January 1, 2014.

Statutes of 2014-Chapter 32 (S.B. No. 858); Effective June 20, 2014.

Statutes of 2014-Chapter 327 (A.B. No. 1599); Effective September 15, 2014:

Education Code Sections 60602, 60602.5, 60603, 60604, 60607, 60610, 60611, 60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300 and 99301.

REGULATIONS

Title 5 California Code of Regulations § 850-864 inclusive. (Register no. 2014; No. 30; Effective date July 23, 2014; Certificate of Compliance August 27, 28, 2014.)

Copies of all statutes and executive orders cited are attached.

Sections 5, 6, and 7 are attached as follows:

5. Written Narrative: pages _____ to _____.

6. Declarations: pages 1 to 21.

7. Documentation: pages 22 to 79.

(Revised 6/2013)

1. TEST CLAIM TITLE

California Assessment of Student
Performance and Progress-Amendment

2. CLAIMANT INFORMATION

Porterville Unified School District

Name of Local Agency or School District

John Snavely

Claimant Contact

Superintendent

Title

600 West Grand Avenue

Street Address

Porterville, CA 93257

City, State, Zip

(559)793-2455

Telephone Number

(559)793-1088

Fax Number

jsnavely@portervilleschools.org

E-Mail Address

3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this test claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Arthur M. Palkowitz

Claimant Representative Name

Attorney

Title

Stutz Artiano Shinoff & Holtz, APC

Organization

2488 Historic Decatur Rd., Suite 200

Street Address

San Diego, CA 92106

City, State, Zip

619.232.3122

Telephone Number

619.232.3264

Fax Number

apalkowitz@sashlaw.com

E-Mail Address

<i>For CSM Use Only</i>	
Filed Date:	Test Claim Filed December 23, 2014
	Amendment
RECEIVED	
March 17, 2015	
Commission on State Mandates	
Test Claim #:	14-TC-01

4. TEST CLAIM STATUTES OR EXECUTIVE ORDERS CITED

Please identify all code sections (include statutes, chapters, and bill numbers) (e.g., Penal Code Section 2045, Statutes 2004, Chapter 54 [AB 290]), regulations (include register number and effective date), and executive orders (include effective date) that impose the alleged mandate.

Statutes of 2013-2014, Chapter 489 (A.B. No. 484); Effective January 1, 2014.

Statutes of 2014-Chapter 32 (S.B. No. 858); Effective June 20, 2014.

Statutes of 2014-Chapter 327 (A.B. No. 1599); Effective September 15, 2014:

Education Code Sections 60602, 60602.5, 60603, 60604, 60607, 60610, 60611, 60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300 and 99301.

REGULATIONS

Title 5 California Code of Regulations § 850-864 inclusive. (Register no. 2014; No. 30; Effective date July 23, 2014; Certificate of Compliance August 27, 28, 2014.)

Copies of all statutes and executive orders cited are attached.

Sections 5, 6, and 7 are attached as follows:

5. Written Narrative: pages ____ to ____.

6. Declarations: pages 1 to 21.

7. Documentation: pages 22 to 79.

1. TEST CLAIM TITLE

California Assessment of Student Performance and Progress-Amendment

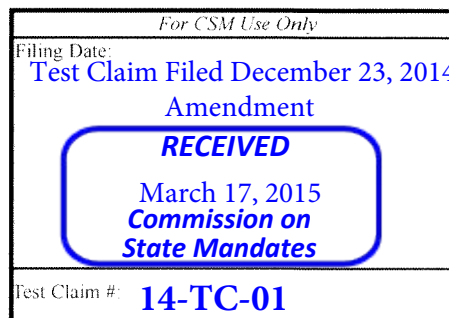
2. CLAIMANT INFORMATION

Santa Ana Unified School District
Name of Local Agency or School District
Richard L. Miller
Claimant Contact
Superintendent
Title
1601 East Chestnut Avenue
Street Address
Santa Ana, CA 92701
City, State, Zip
(714)558-5512
Telephone Number
(714)558-5610
Fax Number
rick.miller@sausd.us
E-Mail Address

3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this test claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Arthur M. Palkowitz
Claimant Representative Name
Attorney
Title
Stutz Artiano Shinoff & Holtz, APC
Organization
2488 Historic Decatur Rd., Suite 200
Street Address
San Diego, CA 92106
City, State, Zip
619.232.3122
Telephone Number
619.232.3264
Fax Number
apalkowitz@sashlaw.com
E-Mail Address



4. TEST CLAIM STATUTES OR EXECUTIVE ORDERS CITED

Please identify all code sections (include statutes, chapters, and bill numbers) (e.g., Penal Code Section 2045, Statutes 2004, Chapter 54 [AB 290]), regulations (include register number and effective date), and executive orders (include effective date) that impose the alleged mandate.

Statutes of 2013-2014, Chapter 489 (A.B. No. 484); Effective January 1, 2014.

Statutes of 2014-Chapter 32 (S.B. No. 858); Effective June 20, 2014.

Statutes of 2014-Chapter 327 (A.B. No. 1599); Effective September 15, 2014:

Education Code Sections 60602, 60602.5, 60603, 60604, 60607, 60610, 60611, 60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300 and 99301.

REGULATIONS

Title 5 California Code of Regulations § 850-864 inclusive. (Register no. 2014; No. 30; Effective date July 23, 2014; Certificate of Compliance August 27, 28, 2014.)

Copies of all statutes and executive orders cited are attached.

Sections 5, 6, and 7 are attached as follows:

- 5. Written Narrative: pages ___ to ___
6. Declarations: pages 1 to 21
7. Documentation: pages 22 to 79

1. TEST CLAIM TITLE

California Assessment of Student
Performance and Progress-Amendment

2. CLAIMANT INFORMATION

Vallejo City Unified School District

Name of Local Agency or School District

Ramona Bishop

Claimant Contact

Superintendent

Title

655 Walnut Avenue

Street Address

Vallejo, CA 94592

City, State, Zip

707.556.8921

Telephone Number

Fax Number

RBishop@vallejo.k12.ca.us

E-Mail Address

3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this test claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Arthur M. Palkowitz

Claimant Representative Name

Attorney

Title

Stutz Artiano Shinoff & Holtz, APC

Organization

2488 Historic Decatur Rd., Suite 200

Street Address

San Diego, CA 92106

City, State, Zip

619.232.3122

Telephone Number

619.232.3264

Fax Number

apalkowitz@sashlaw.com

E-Mail Address

For CSM Use Only

Filing Date:

Test Claim Filed December 23, 2014
Amendment

RECEIVED

March 17, 2015

Commission on
State Mandates

Test Claim #:

14-TC-01

4. TEST CLAIM STATUTES OR EXECUTIVE ORDERS CITED

Please identify all code sections (include statutes, chapters, and bill numbers) (e.g., Penal Code Section 2045, Statutes 2004, Chapter 54 [AB 290]), regulations (include register number and effective date), and executive orders (include effective date) that impose the alleged mandate.

Statutes of 2013-2014, Chapter 489 (A.B. No. 484); Effective January 1, 2014.

Statutes of 2014-Chapter 32 (S.B. No. 858); Effective June 20, 2014.

Statutes of 2014-Chapter 327 (A.B. No. 1599); Effective September 15, 2014:

Education Code Sections 60602, 60602.5, 60603, 60604, 60607, 60610, 60611, 60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300 and 99301.

REGULATIONS

Title 5 California Code of Regulations § 850-864 inclusive. (Register no. 2014; No. 30; Effective date July 23, 2014; Certificate of Compliance August 27, 28, 2014.)

Copies of all statutes and executive orders cited are attached.

Sections 5, 6, and 7 are attached as follows:

5. Written Narrative: pages _____ to _____.

6. Declarations: pages 1 to 21.

7. Documentation: pages 22 to 79.

(Revised 6/2013)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
5. Written Narrative

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

Test Claim of:	) No. CSM _____
)
Santa Ana Unified School District,	) Statutes 2013-2014 Chapter 489, A.B. No 484;
Porterville Unified School District,	) Statutes 2014 Chapter 327 A.B. No. 1599;
Plumas Unified School District,	) Statutes 2014 Chapter 32, S.B. No. 858;
Plumas County Office of Education,	) Education Code: Sections 60602, 60603, 60604,
	) 60607, 60610, 60611, 60612, 60640, 60641,
Claimants.	) 60642.6, 60643, 60643.6, 60648, 60648.5,
	) 60649, 60810, 99300, and 99301; Title 5 of the
	) California Code of Regulations, Section 850
	) through 864, inclusive.
)
	) <u>California Assessment of Student Performance</u>
	) <u>and Progress (CAASPP)</u>

STATEMENT OF THE CLAIM

This test claim alleges reimbursable costs mandated by the State for school districts to administer statewide academic skill assessments to pupils (“California Assessment of Student Performance and Progress”) pursuant to the requirements in Statutes 2013-2014 Chapter 489 (A.B. No. 484); Statutes 2014 Chapter 327 (A.B. No. 1599); Statutes 2014 Chapter 32 (S.B. No. 858) and in Title 5 of the California Code of Regulations, Section 850 through 864.

“It is the intent of the Legislature that the state's system of public school accountability be more closely aligned with both the public's expectations for public education and the workforce needs of the state's economy. It is therefore necessary that the accountability system evolve beyond its narrow focus on pupil test scores to encompass other valuable information about school performance, including, but not limited to, pupil preparedness for college and career, as well as the high school graduation rates already required by law.” (Statutes 2013-2014, Ch. 489

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
5. Written Narrative

(A.B. 484) Testing is to be performed using computer based tests administered using electronic computing device.

Claimants allege that the test claim statutes and regulation impose a reimbursable state mandated program for school districts under article XIII B, section 6 and Government Code section 17514. It was the intent of the Legislature in enacting the test claim statutes and regulations to provide a mandatory system of individual assessment of pupils that has the purpose of assisting teachers, administrators, and pupils and their parents to improve teaching and learning. In order to accomplish these goals, the Legislature declared that California must adopt a coordinated and consolidated testing and assessment program.

AUTHORITY FOR THE CLAIM

The Commission on State Mandates has the authority pursuant to Government Code section 17551, subdivision (a) to hear and decide upon a claim by a local agency or school district that the local agency or school district is entitled to be reimbursed by the State for costs mandated by the State as required by Section 6 of Article XIII B of the California Constitution. (*Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334; Government Code sections 17551 and 17552.) The determination whether a statute or executive order imposes a reimbursable state-mandated program is a question of law. (*County of San Diego v. State of California*, (1997) 15 Cal.4th 68,109.)

Santa Ana Unified School District, Porterville Unified School District, Plumas Unified School District and Plumas County Office of Education (“Claimants”) are school districts as defined in Government Code Section 17519. This test claim is filed pursuant to title 2, California Code of Regulations section 1183.1.

A. California Constitution Requires the State to Reimburse Schools

Article XIII B, Section 6 of the California Constitution states:

Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the state shall provide a subvention of funds to reimburse such local government for the costs of such programs or increased level of service.

The purpose of Article XIII B, Section 6 is to “preclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are ‘ill equipped’ to assume increased financial responsibilities because of the taxing and spending limitations that article XIII A and XIII B impose.” (*County of San Diego v. State of California* (1997) 15 Cal.4th 68, 81.) Thus the subvention requirement of section 6 is “directed to state-mandated increases in the services provided by [local government]...” (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 56.) Reimbursement under Article XIII B, Section 6 is required when the following elements are met:

1. A state statute or executive order requires or “mandates” local agencies or school districts to perform and activity. (*San Diego Unified School Dist. v. Commission on State Mandates*, (2004) 33 Cal.4th 859, 874.)
2. The mandated activity either:
 - a. Carries out the governmental function of providing a service to the public;
 - or
 - b. Imposes unique requirements on local agencies or school districts and does not apply generally to all residents and entities in the state. (*San Diego Unified School Dist.*, *supra* 33 Cal.4th at 874-875 (reaffirming the test set out in *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 56.)
3. The mandated activity is new when compared with the legal requirements in effect immediately before the enactment of the test claim statute or executive order and it increases the level of service provided to the public. (*San Diego Unified School Dist.*, *supra* 33 Cal.4th 859, 874-875, 878; *Lucia Mar Unified School District v. Honig* (1988) 44 Cal 3d 830, 835.)

B. The New Program Is Mandated When The Schools Incur Increased Costs.

Government Code section 17514 provides that “[c]osts mandated by the state’ means any increased costs which a local agency or school district is required to incur after July 1, 1980, as a result of any statute enacted on or after January 1, 1975, or any executive order implementing any statute enacted on or after January 1, 1975, which mandates a new program or

higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

Government Code section 17564 provides that “[n]o claim shall be made pursuant to Sections 17551, 17561, or 17573, nor shall any payment be made on claims submitted pursuant to Sections 17551, or 17561, or pursuant to a legislative determination under Section 17573, unless these claims exceed one thousand dollars.”

Claimants alleges increased costs mandated by the state in the amount of \$15,000,000.00 for schools in the districts impacted by the test claim statutes, which exceeds the \$1000 minimum claim amount articulated in Government Code section 17564(a). Government Code section 17556(e) states that there are no costs mandated by the state if additional revenue specifically intended to fund the costs of the mandated activities, in an amount sufficient to fund the cost of the state-mandated activities, has been appropriated in a Budget Act or other bill.

There is no evidence that additional on-going revenue has been appropriated specifically to fund the costs of the mandated activities in this claim. Thus, Government Code section 17556(e) does not apply to deny this claim. Accordingly, the evidence in the record supports the finding that the claimant has incurred increased costs mandated by the state pursuant to Government Code section 17514. However, to the extent a district receives any funding or grant funding and applies those funds to the mandated activities, those funds are required to be identified as offsetting revenue and deducted from the costs claimed by the district.

Identify the specific sections of statutes or executive orders alleged to contain a mandate. Include a statement that actual and/or estimated costs resulting from the alleged mandate exceeds one thousand dollars (\$1,000), and include all of the following elements for each statute or executive order alleged:

1. Statutes 2013-2014 Chapter 489 (A.B. No. 484); Sections 3, 5, 9, 12, 15, 16, 28, 28.5.
2. Statutes 2014 Chapter 32 (S.B. No. 858); Sections 49.
3. Statutes 2014 Chapter 327 (A.B. No. 1599); Sections 17, 18, 19, 22, 24, 26.
4. Title 5, California Code of Regulations Sections 850-864.

Statutes 2013-2014 Chapter 489 (A.B. No. 484)

The CAASPP assessment system replaces the Standardized Testing and Reporting (STAR) Program. The primary purpose of the CAASPP assessment system is to assist teachers, administrators, pupils and their parents by promoting high-quality teaching and learning through the use of a variety of assessment approaches and item types. Testing is to be performed using computer based tests administered using electronic computing device.

AB 484 requires the transition to a system of assessments and assessment tools that cover the full breadth and depth of the curriculum and promote the teaching of the full curriculum. This transition will take several years to complete.

AB 484 amended (SEC. 3.) Section 60602 of the Education Code is amended to read:

(a) It is the intent of the Legislature in enacting this chapter to provide a system of individual assessment of pupils that has the primary purpose of assisting teachers, administrators, and pupils and their parents to improve teaching and learning. In order to accomplish these goals, the Legislature finds and declares that California should adopt a coordinated and consolidated testing program to do all of the following:

(1) First and foremost, provide information on the academic status and progress of individual pupils to those pupils, their parents, and their teachers. This information should be designed to assist in the improvement of teaching and learning in California public classrooms. The Legislature recognizes that, in addition to statewide assessments that will occur as specified in this chapter, school districts will conduct additional ongoing pupil diagnostic assessment and provide information regarding pupil performance based on those assessments on a regular basis to parents or guardians and schools. The Legislature further recognizes that local diagnostic

assessment is a primary mechanism through which academic strengths and weaknesses are identified.

(2) Develop and adopt a set of statewide academically rigorous content standards and performance standards in all major subject areas to serve as the basis for assessing the academic achievement of individual pupils, as well as for schools, school districts, and for the California education system as a whole. The performance standards shall be designed to lead to specific grade level benchmarks of academic achievement for each subject area tested within each grade level, and shall be based on the knowledge and skills that pupils will need in order to succeed in the information-based, global economy of the 21st century.

(3) Ensure that all assessment procedures, items, instruments, and scoring systems are independently reviewed to ensure that they meet high standards of statistical reliability and validity, and that they do not use procedures, items, instruments, or scoring practices that are racially, culturally, or gender biased.

(4) Provide information to pupils, parents or guardians, teachers, schools, and school districts on a timely basis so that the information can be used to further the development of the pupil and to improve the educational program.

(5) Develop assessments that are comparable to the National Assessment of Educational Progress and other national and international assessment efforts, so that California's local and state test results are reported in a manner that corresponds to the national test results. Test results should be reported in terms describing a pupil's academic performance in relation to the statewide academically rigorous content and performance standards adopted by the state board

and in terms of employment skills possessed by the pupil, in addition to being reported as numerical or percentile scores.

(6) Assess pupils for a broad range of academic skills and knowledge including both basic academic skills and the ability of pupils to apply those skills.

(7) Include an appropriate balance of types of assessment instruments, including, but not limited to, multiple choice questions, short answer questions, and assessments of applied academic skills.

(8) Minimize the amount of instructional time devoted to assessments administered pursuant to this chapter.

(b) It is the intent of the Legislature, pursuant to this article, to begin a planning and implementation process to enable the Superintendent to accomplish the goals set forth in this section as soon as feasible.

(c) It is the intent of the Legislature that parents, classroom teachers, other educators, governing board members of school districts, and the public be involved, in an active and ongoing basis, in the design and implementation of the statewide pupil assessment program and the development of assessment instruments.

(d) It is the intent of the Legislature, insofar as is practically feasible and following the completion of annual testing, that the content, test structure, and test items in the assessments that are part of the Standardized Testing and Reporting Program become open and transparent to teachers, parents, and pupils, to assist all the stakeholders in working together to demonstrate improvement in pupil academic achievement. A planned change in annual test content, format, or

design should be made available to educators and the public well before the beginning of the school year in which the change will be implemented.

(e) It is the intent of the Legislature that the results of the California Standards Tests be available for use, after appropriate validation, academic credit, or placement and admissions processes, or both, at postsecondary educational institutions.

(f) This section shall become inoperative on July 1, 2014, and, as of January 1, 2015, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2015, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 5. Section 60603 of the Education Code is amended to read:

As used in this chapter:

(a) “Achievement level descriptors” means a narrative description of the knowledge, skills, and processes expected of pupils at different grade levels and at different performance levels on achievement tests.

(b) “Achievement test” means any summative standardized test that measures the level of performance that a pupil has achieved on state-adopted content standards.

(c) “Census administration” means a test administration in which all pupils take comparable assessments of the same content and where results of individual performance are appropriate and meaningful to parents, pupils, and teachers.

(d) “Computer-adaptive assessment” means a computer-based test that utilizes a computer program to adjust the difficulty of test items throughout a testing session based on a test taker’s responses to previous test items during that testing session.

(e) “Computer-based assessment” means a test administered using an electronic computing device.

(f) “Consortium” means a multistate collaborative organized to develop a comprehensive system of assessments or formative tools such as described in Section 60605.7.

(g) “Constructed-response questions” means a type of assessment item that requires pupils to construct their own answers.

(h) “Content standards” means the specific academic knowledge, skills, and abilities that all public schools in this state are expected to teach, and all pupils are expected to learn, in reading, writing, mathematics, history-social science, foreign languages, visual and performing arts, and science, at each grade level tested.

(i) “Diagnostic assessment” means an assessment of particular knowledge or skills a pupil has or has not yet achieved for the purpose of informing instruction and making placement decisions.

(j) “End of course exam” means a comprehensive and challenging assessment of pupil achievement in a particular subject area or discipline.

(k) “Field test” means an assessment or assessment items administered to a representative sample of a population to ensure that the test or item produces results that are valid, reliable, and fair.

(l) “Formative assessment tools” means assessment tools and processes that are embedded in instruction and used by teachers and pupils to provide timely feedback for purposes of adjusting instruction to improve learning.

(m) “High-quality assessment” means an assessment designed to measure a pupil’s knowledge of, understanding of, and ability to apply, critical concepts through the use of a variety of item types and formats, including, but not necessarily limited to, items that allow for constructed responses and items that require the completion of performance tasks. A high-quality assessment should have the following characteristics:

- (1) Enable measurement of pupil achievement and pupil growth to the extent feasible.
- (2) Be of high technical quality by being valid, reliable, fair, and aligned to standards.
- (3) Incorporate technology where appropriate.
- (4) Include the assessment of pupils with disabilities and English learners.
- (5) Use, to the extent feasible, universal design principles, as defined in Section 3 of the federal Assistive Technology Act of 1998 (29 U.S.C. Sec. 3002) in its development and administration.

(n) “Interim assessment” means an assessment that is designed to be given at regular intervals throughout the school year to evaluate a pupil’s knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated by course, grade level, school, or local educational agency in order to inform teachers and administrators at the pupil, classroom, school, and local educational agency levels.

(o) “Local educational agency” means a county office of education, school district, state special school, or direct-funded charter school as described in Section 47651.

(p) “Matrix sampling” means administering different portions of a single assessment to different groups of pupils for the purpose of sampling a broader representation of content and reducing testing time.

(q) “Measurement of Academic Performance and Progress (“MAPP”) means the comprehensive assessment system, inclusive of consortium-developed assessments, that has the primary purpose of modeling and promoting high-quality teaching and instruction using a variety of assessment approaches and item types.

(r) “Performance standards” are standards that define various levels of competence at each grade level in each of the curriculum areas for which content standards are established. Performance standards gauge the degree to which a pupil has met the content standards and the degree to which a school or school district has met the content standards.

(s) “Performance tasks” are a collection of questions or activities that relate to a single scenario that include pupil interaction with stimulus. Performance tasks are a means to assess more complex skills such as writing, research, and analysis.

(t) “Personally identifiable information” includes a pupil’s name and other direct personal identifiers, such as the pupil’s identification number. Personally identifiable information also includes indirect identifiers, such as the pupil’s address and personal characteristics, or other information that would make the pupil’s identity easily traceable through the use of a single or multiple data sources, including publicly available information.

(u) “Population sampling” means administering assessments to a representative sample of pupils instead of the entire pupil population. The sample of pupils shall be representative in terms of various pupil subgroups, including, but not necessarily limited to, English learners and pupils with disabilities.

(v) “Recently arrived English learner” means a pupil designated as an English learner who is in his or her first 12 months of attending a school in the United States.

(w) “State-determined assessment calendar” means the scheduling of assessments, exclusive of those subject area assessments listed in subdivision (b) of Section 60640, over several years on a predetermined schedule. Content areas and grades shall only be assessed after being publicly announced at least two school years in advance of the assessment.

(x) “Summative assessment” means an assessment designed to be given near the end of the school year to evaluate a pupil’s knowledge and skills relative to a specific set of academic standards.

SEC. 9. Section 60607 of the Education Code is amended to read:

(a) Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the Measurement of Academic Performance and Progress (MAPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course exams taken, and the vocational education certification exams he or she chose to take.

(b) It is the intent of the Legislature that local educational agencies and schools use the results of the academic achievement tests administered annually as part of the MAPP to provide support to pupils and parents or guardians in order to assist pupils in strengthening their development as learners, and thereby to improve their academic achievement and performance in subsequent assessments.

(c) (1) Except for research provided for in Section 49079.6, a pupil’s results or a record of accomplishment shall be private, and may not be released to any person, other than the pupil’s parent or guardian and a teacher, counselor, or administrator directly involved with the pupil,

without the express written consent of either the parent or guardian of the pupil if the pupil is a minor, or the pupil if the pupil has reached the age of majority or is emancipated.

(2) (A) Notwithstanding paragraph (1), a pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the purpose of credit, placement, or admission.

(B) Notwithstanding paragraph (1), the results of an individual pupil on the MAPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission.

SEC. 12. Section 60612 of the Education Code is amended to read:

Upon adoption or approval of assessments pursuant to this chapter, the Superintendent shall prepare, and make available to parents, teachers, pupils, administrators, school board members, and the public, easily understood materials, in accordance with subdivisions (c) and (d) of Section 60604, describing the nature and purposes of the assessments, the systems of scoring, and the valid uses to which the assessments will be put. The Superintendent shall produce the materials for parents in languages other than English in accordance with Section 48985.

SEC. 15. Section 60640 of the Education Code is amended to read:

(a) There is hereby established the Measurement of Academic Performance and Progress, to be known as the MAPP.

(b) Commencing with the 2013-14 school year, the MAPP shall be composed of all of the following:

(1) (A) A consortium summative assessment in English language arts and mathematics for grades 3 to 8, inclusive, and grade 11 that measures content standards adopted by the state board.

(B) In the 2013-14 school year, the consortium summative assessment in English language arts and mathematics shall be a field test only, to enable the consortium to gauge the validity and reliability of these assessments and to conduct all necessary psychometric procedures and studies, including, but not necessarily limited to, achievement standard setting, and to allow the department to conduct studies regarding full implementation of the assessment system. These field tests and results shall not be used for any other purpose, including the calculation of any accountability measure.

(2) (A) Science grade level assessments in grades 5, 8, and 10 that measure content standards pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B).

(3) The California Alternate Performance Assessment in grades 2 to 11, inclusive, in English language arts and mathematics and science in grades 5, 8, and 10, which measures content standards adopted pursuant to Section 60605 until a successor assessment is implemented. The successor assessment shall be limited to the grades and subject areas assessed pursuant to paragraph (1) and subparagraph (B) of paragraph (2).

(4) The Early Assessment Program established by Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3.

(5) (A) The department shall make available to local educational agencies a primary language assessment aligned to the English language arts standards adopted pursuant to Section

60605, as it read on January 1, 2013, for assessing pupils who are enrolled in a dual language immersion program that includes the primary language of the assessment and who are either non limited English proficient or re-designated fluent English proficient. The cost for the assessment shall be the same for all local educational agencies, and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section.

(B) A local educational agency may administer a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605, as it read on January 1, 2013, at its own expense, and shall enter into an agreement for that purpose with the testing contractor. If the local educational agency chooses to administer a primary language assessment pursuant to this paragraph, the department shall reimburse the local educational agency for its costs, including a per pupil apportionment to administer the assessment pursuant to subdivision (l). The department shall determine the procedures for reimbursement.

(d) For the 2013-14 and 2014-15 school years, the department shall make available to local educational agencies Standardized Testing and Reporting Program test forms no longer required by the MAPP. The cost of implementing this subdivision, including, but not necessarily limited to, shipping, printing, scoring, and reporting per pupil shall be the same for all local educational agencies, and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section. A local educational agency that chooses to administer an assessment pursuant to this section shall do so at its own expense, and shall enter into an agreement for that purpose with a contractor, subject to the approval of the department.

(e) The Superintendent shall make available a paper and pencil version of any computer-based MAPP assessment for use by pupils who are unable to access the computer-based version of the assessment for a maximum of three years after a new operational test is first administered.

(f) (1) From the funds available for that purpose, each local educational agency shall administer assessments to each of its pupils pursuant to subdivision (b). As allowable by federal statute, recently arrived English learner pupils are exempted from taking the assessment in English language arts.

(2) For the 2013-14 school year, each local educational agency shall administer the field tests in a manner described by the department in consultation with the president or executive director of the state board. Additional participants in the field test beyond the representative sample may be approved by the department, and the department shall use existing contract savings to fund district participation in one or more tests per participant. Funds for this purpose shall be utilized to allow for maximum participation in the field test across the state. To the extent savings in the current contract are not available to fully fund this participation, the department shall prorate available funds by test. Local educational agencies shall bear any additional costs to administer these assessments that are in excess of the contracted amount.

(g) From the funds available for that purpose, each local educational agency shall administer assessments as determined by the state board pursuant to paragraph (5) of subdivision (c).

(h) As feasible, the MAPP field tests shall be conducted in a manner that will minimize the testing burden on individual schools. The MAPP field tests shall not produce individual pupil scores unless it is determined that these scores are valid and reliable.

(i) The governing board of a school district may administer achievement tests in grades other than those required by this section as it deems appropriate.

(j) The governing board of a school district may administer a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605 to a pupil identified as limited English proficient enrolled in any of grades 2 to 11, inclusive, who either receives instruction in his or her primary language or has been enrolled in a school in the United States for less than 12 months until a subsequent primary language assessment aligned to the common core standards in English language arts adopted pursuant to Section 60605.8 is developed pursuant to paragraph (5) of subdivision (b). If the governing board of a school district chooses to administer this assessment, it shall notify the department in a manner determined by the department.

(k) Pursuant to Section 1412(a)(16) of Title 20 of the United States Code, individuals with exceptional needs, as defined in Section 56026, shall be included in the testing requirement of subdivision (b) with appropriate accommodations in administration, where necessary, and those individuals with exceptional needs who are unable to participate in the testing, even with accommodations, shall be given an alternate assessment.

(n) As a condition to receiving an apportionment pursuant to subdivision (l), a local educational agency shall report to the Superintendent all of the following:

(1) The pupils enrolled in the local educational agency in the grades in which assessments were administered pursuant to subdivisions (b) and (c).

(2) The pupils to whom an achievement test was administered pursuant to subdivisions (b) and (c) in the local educational agency.

(3) The pupils in paragraph (1) who were exempted from the test pursuant to this section.

(o) The Superintendent and the state board are authorized and encouraged to assist postsecondary educational institutions to use the assessment results of the MAPP, including, but not necessarily limited to, the grade 11 consortium summative assessments in English language arts and mathematics, for academic credit, placement, or admissions processes.

SEC. 16. Section 60641 of the Education Code is amended to read:

(1) The achievement tests provided for in Section 60640 are scheduled to be administered to all pupils, inclusive of pupils enrolled in charter schools and exclusive of pupils exempted pursuant to Section 60640, during the period prescribed in subdivision (b) of Section 60640.

(2) For assessments that produce valid individual pupil results, the individual results of each pupil tested pursuant to Section 60640 shall be reported, in writing, to the parent or guardian of the pupil. The report shall include a clear explanation of the purpose of the test, the score of the pupil, and the intended use by the local educational agency of the test score. This subdivision does not require teachers or other local educational agency personnel to prepare individualized explanations of the test score of each pupil. It is the intent of the Legislature that nothing in this section shall preclude a school or school district from meeting the reporting requirement by the use of electronic media formats that secure the confidentiality of the pupil and the pupil's results. State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the Measurement of Academic Performance and Progress (MAPP) assessments and the assessment scores and results from assessments that measured previously adopted content standards.

(3) (A) For assessments that produce valid individual pupil results, the individual results of each pupil tested pursuant to Section 60640 also shall be reported to the school and teachers of a pupil. The local educational agency shall include the test results of a pupil in his or her pupil records. However, except as provided in this section and Section 60607, personally identifiable pupil test results only may be released with the permission of either the pupil's parent or guardian if the pupil is a minor, or the pupil if the pupil has reached the age of majority or is emancipated.

(B) Notwithstanding subparagraph (A) and pursuant to subdivision (c) of Section 60607, a pupil or his or her parent or guardian may authorize the release of individual pupil results to a postsecondary educational institution for the purpose of credit, placement, determination of readiness for college-level coursework, or admission.

(4) The districtwide, school-level, and grade-level results of the MAPP in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting.

(b) The state board shall adopt regulations that outline a calendar for delivery and receipt of summative assessment results at the pupil, school, grade, district, county, and state levels. The calendar shall include delivery dates to the department and to local educational agencies. The calendar for delivery shall provide for the timely return of assessment results, and consider the amount of paper-and-pencil administered assessments and number of items requiring hand

scoring. The calendar shall also ensure that individual assessment results are reported to local educational agencies within eight weeks of receipt by the contractor for scoring.

(c) Aggregated, disaggregated, or group scores or reports that include the results of the MAPP assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results.

(e) The department shall ensure that pupils in grade 11, or parents or legal guardians of those pupils, may request results from grade 11 assessments administered as part of the MAPP for the purpose of determining credit, placement, or readiness for college-level coursework be released to a postsecondary educational institution.

SEC. 28. Section 99301 of the Education Code is amended to read:

(C) Provide access to the individual assessment results, as referenced in Section 60641, to participating community college districts.

SEC. 28.5. Section 99301 of the Education Code is amended to read:

(b) (1) As authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, the individual assessment results, as referenced in Section 60641, or a standards-aligned successor assessment, shall be provided to the office of the Chancellor of the California Community Colleges.

(C) Provide access to the individual assessment results, as referenced in Section 60641, or a standards-aligned successor assessment, to participating community college districts.

Statutes 2014 Chapter 32 (S.B. No. 858); Sections 49.

SEC. 49. Section 60640 of the Education Code is amended to read:

(a) There is hereby established the California Assessment of Student Performance and Progress, to be known as the CAASPP.

(b) Commencing with the 2013–14 school year, the CAASPP shall be composed of all of the following:

(1)(A) A consortium summative assessment in English language arts and mathematics for grades 3 to 8, inclusive, and grade 11 that measures content standards adopted by the state board. (B) In the 2013–14 school year, the consortium summative assessment in English language arts and mathematics shall be a field test only, to enable the consortium to gauge the validity and reliability of these assessments and to conduct all necessary psychometric procedures and studies, including, but not necessarily limited to, achievement standard setting, and to allow the department to conduct studies regarding full implementation of the assessment system. These field tests and results shall not be used for any other purpose, including the calculation of any accountability measure.

(2)(A) Science grade level assessments in grades 5, 8, and 10 that measure content standards adopted pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B).

(B) For science assessments, the Superintendent shall make a recommendation to the state board as soon as is feasible after the adoption of science content standards pursuant to Section 60605.85 regarding the assessment of the newly adopted standards. Before making recommendations, the Superintendent shall consult with stakeholders, including, but not necessarily limited to, California science teachers, individuals with expertise in assessing English

learners and pupils with disabilities, parents, and measurement experts, regarding the grade level and type of assessment. The recommendations shall include cost estimates and a plan for implementation of at least one assessment in each of the following grade spans:

- (i) Grades 3 to 5, inclusive.
- (ii) Grades 6 to 9, inclusive.
- (iii) Grades 10 to 12, inclusive.

(3) The California Alternate Performance Assessment in grades 2 to 11, inclusive, in English language arts and mathematics and science in grades 5, 8, and 10, which measures content standards adopted pursuant to Section 60605 until a successor assessment is implemented.

The successor assessment shall be limited to the grades and subject areas assessed pursuant to paragraph (1) and subparagraph (B) of paragraph (2).(4) The Early Assessment Program established by Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3.

(5)(A) A local educational agency may administer a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605, as it read on January 1, 2013, to pupils who are identified as limited English proficient and enrolled in any of grades 2 to 11, inclusive, until a subsequent primary language assessment aligned to the common core standards in English language arts adopted pursuant to Section 60605.8 is developed pursuant to subparagraph (E).

(B) If a local educational agency chooses to administer a primary language assessment to pupils identified as limited English proficient and enrolled in any of grades 2 to 11, inclusive,

pursuant to subparagraph (A), it shall notify the department in a manner to be determined by the department and the costs shall be paid by the state and included as part of the testing contract, and the department shall provide the local educational agency a per pupil apportionment for administering the assessment pursuant to subdivision (I).

(C) The Superintendent shall consult with stakeholders, including assessment and English learner experts, to determine the content and purpose of a stand-alone language arts summative assessment in primary languages other than English that aligns with the English language arts content standards. The Superintendent shall consider the appropriate purpose for this assessment, including, but not necessarily limited to, support for the State Seal of Bi-literacy and accountability. It is the intent of the Legislature that an assessment developed pursuant to this section be included in the state accountability system.

(D) The Superintendent shall report and make recommendations to the state board at a regularly scheduled public meeting no sooner than one year after the first full administration of the consortium computer-adaptive assessments in English language arts and mathematics summative assessments in grades 3 to 8, inclusive, and grade 11, regarding an implementation timeline and estimated costs of a stand-alone language arts summative assessment in primary languages other than English.

(E) The Superintendent shall develop, and the state board shall adopt, a primary language assessment. The Superintendent shall administer this assessment no later than the 2016–17 school year.

(F) This paragraph shall be operative only to the extent that funding is provided in the annual Budget Act or another statute for the purpose of this section.

(c) No later than March 1, 2016, the Superintendent shall submit to the state board recommendations on expanding the CAASPP to include additional assessments, for consideration at a regularly scheduled public meeting. The Superintendent shall also submit these recommendations to the appropriate policy and fiscal committees of the Legislature and to the Director of Finance in accordance with all of the following:

(1) In consultation with stakeholders, including, but not necessarily limited to, California teachers, individuals with expertise in assessing English learners and pupils with disabilities, parents, and measurement experts, the Superintendent shall make recommendations regarding assessments including the grade level, content, and type of assessment. These recommendations shall take into consideration the assessments already administered or planned pursuant to subdivision (b). The Superintendent shall consider the use of consortium-developed assessments, various item types, computer-based testing, and a timeline for implementation.

(2) The recommendations shall consider assessments in subjects, including, but not necessarily limited to, history-social science, technology, visual and performing arts, and other subjects as appropriate, as well as English language arts, mathematics, and science assessments to augment the assessments required under subdivision (b), and the use of various assessment options, including, but not necessarily limited to, computer-based tests, locally scored performance tasks, and portfolios.

(3) The recommendations shall include the use of an assessment calendar that would schedule the assessments identified pursuant to paragraph (2) over several years, the use of matrix sampling, if appropriate, and the use of population sampling.

(4) The recommendations shall include a timeline for test development, and shall include cost estimates for subject areas, as appropriate.

(5) Upon approval by the state board and the appropriation of funding for this purpose, the Superintendent shall develop and administer approved assessments. The state board shall approve test blueprints, achievement level descriptors, testing periods, performance standards, and a reporting plan for each approved assessment.

(d) For the 2013–14 and 2014–15 school years, the department shall make available to local educational agencies Standardized Testing and Reporting Program test forms no longer required by the CAASPP. The cost of implementing this subdivision, including, but not necessarily limited to, shipping, printing, scoring, and reporting per pupil shall be the same for all local educational agencies, and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section. A local educational agency that chooses to administer an assessment pursuant to this subdivision shall do so at its own expense, and shall enter into an agreement for that purpose with a contractor, subject to the approval of the department.

(e) The Superintendent shall make available a paper and pencil version of any computer-based CAASPP assessment for use by pupils who are unable to access the computer-based version of the assessment for a maximum of three years after a new operational test is first administered.

(f)(1) From the funds available for that purpose, each local educational agency shall administer assessments to each of its pupils pursuant to subdivision (b). As allowable by federal statute, recently arrived English learner pupils are exempted from taking the assessment in

English language arts. The state board shall establish a testing period to provide that all schools administer these tests to pupils at approximately the same time during the instructional year. The testing period established by the state board shall take into consideration the need of local educational agencies to provide makeup days for pupils who were absent during testing, as well as the need to schedule testing on electronic computing devices.

(2) For the 2013–14 school year, each local educational agency shall administer the field tests in a manner described by the department in consultation with the president or executive director of the state board. Additional participants in the field test beyond the representative sample may be approved by the department, and the department shall use existing contract savings to fund local educational agency participation in one or more tests per participant. Funds for this purpose shall be used to allow for maximum participation in the field tests across the state. To the extent savings in the current contract are not available to fully fund this participation, the department shall prorate available funds by test. Local educational agencies shall bear any additional costs to administer these assessments that are in excess of the contracted amount. With approval of the state board and the Director of Finance, the department shall amend the existing assessment contract to accommodate field testing beyond the representative sample, and to allow for special studies using information collected from the field tests.

(g) From the funds available for that purpose, each local educational agency shall administer assessments as determined by the state board pursuant to paragraph (5) of subdivision (c).

(h) As feasible, the CAASPP field tests shall be conducted in a manner that will minimize the testing burden on individual schools. The CAASPP field tests shall not produce individual pupil scores unless it is determined that these scores are valid and reliable.

(i) The governing board of a school district may administer achievement tests in grades other than those required by this section as it deems appropriate.

(j) Subject to the approval of the state board, the department may make available to local educational agencies a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605, as it read on January 1, 2013, for assessing pupils who are enrolled in a dual language immersion program that includes the primary language of the assessment and who are either non limited English proficient or re-designated fluent English proficient until a subsequent primary language assessment aligned to the common core standards in English language arts adopted pursuant to Section 60605.8 is developed pursuant to paragraph (5) of subdivision (b).

The cost for the assessment shall be the same for all local educational agencies and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section. A local educational agency that elects to administer a primary language assessment pursuant to this subdivision shall do so at its own expense and shall enter into an agreement for that purpose with the state testing contractor, subject to the approval of the department.

(k) Pursuant to Section 1412(a)(16) of Title 20 of the United States Code, individuals with exceptional needs, as defined in Section 56026, shall be included in the testing requirement of subdivision (b) with appropriate accommodations in administration, where necessary, and the

individuals with exceptional needs who are unable to participate in the testing, even with accommodations, shall be given an alternate assessment.

(l)(1) The Superintendent shall apportion funds appropriated for these purposes to local educational agencies to enable them to meet the requirements of subdivisions (b) and (c).

(A) For the CAASPP field tests administered in the 2013–14 school year or later school years, the Superintendent shall apportion funds to local educational agencies if funds are specifically provided for this purpose in the annual Budget Act.

(B) The Superintendent shall apportion funds to local educational agencies to enable them to administer assessments used to satisfy the voluntary Early Assessment Program in the 2013–14 school year pursuant to paragraph (4) of subdivision (b).

(2) The state board annually shall establish the amount of funding to be apportioned to local educational agencies for each test administered and annually shall establish the amount that each contractor shall be paid for each test administered under the contracts required pursuant to Section 60643. The amounts to be paid to the contractors shall be determined by considering the cost estimates submitted by each contractor each September and the amount included in the annual Budget Act, and by making allowance for the estimated costs to local educational agencies for compliance with the requirements of subdivisions (b) and (c). The state board shall take into account changes to local educational agency test administration activities under the CAASPP, including, but not limited to, the number and type of tests administered and changes in computerized test registration and administration procedures, when establishing the amount of funding to be apportioned to local educational agencies for each test administered.

(3) An adjustment to the amount of funding to be apportioned per test shall not be valid without the approval of the Director of Finance. A request for approval of an adjustment to the amount of funding to be apportioned per test shall be submitted in writing to the Director of Finance and the chairpersons of the fiscal committees of both houses of the Legislature with accompanying material justifying the proposed adjustment. The Director of Finance is authorized to approve only those adjustments related to activities required by statute. The Director of Finance shall approve or disapprove the amount within 30 days of receipt of the request and shall notify the chairpersons of the fiscal committees of both houses of the Legislature of the decision.

(m) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation for the apportionments made pursuant to paragraph (1) of subdivision (l), and the payments made to the contractors under the contracts required pursuant to Section 60643 or subparagraph (C) of paragraph (1) of subdivision (a) of Section 60605 between the department and the contractor, are “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the applicable fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for that fiscal year.

(n) As a condition to receiving an apportionment pursuant to subdivision (l), a local educational agency shall report to the Superintendent all of the following:(1) The pupils enrolled in the local educational agency in the grades in which assessments were administered pursuant to subdivisions (b) and (c).

(2) The pupils to whom an achievement test was administered pursuant to subdivisions (b) and (c) in the local educational agency.

(3) The pupils in paragraph (1) who were exempted from the test pursuant to this section.

(o) The Superintendent and the state board are authorized and encouraged to assist postsecondary educational institutions to use the assessment results of the CAASPP, including, but not necessarily limited to, the grade 11 consortium summative assessments in English language arts and mathematics, for academic credit, placement, or admissions processes.

(p) Subject to the availability of funds in the annual Budget Act for this purpose, and exclusive of the consortium assessments, the Superintendent, with the approval of the state board, annually shall release to the public test items from the achievement tests pursuant to Section 60642.5 administered in previous years. Where feasible and practicable, the minimum number of test items released per year shall be equal to 25 percent of the total number of test items on the test administered in the previous year.

(q) On or before July 1, 2014, Sections 850 to 868, inclusive, of Title 5 of the California Code of Regulations shall be revised by the state board to conform to the changes made to this section in the first year of the 2013–14 Regular Session. The state board shall adopt initial regulations as emergency regulations to immediately implement the CAASPP assessments, including, but not necessarily limited to, the administration, scoring, and reporting of the tests, as the adoption of emergency regulations is necessary for the immediate preservation of the public peace, health, safety, or general welfare within the meaning of Section 11346.1 of the Government Code.

Statutes of 2014, Ch. 327 (A.B. 1599)

SEC. 17. Section 60603 of the Education Code is amended to read:

(c) “California Assessment of Student Performance and Progress (CAASPP)” means the comprehensive assessment system, inclusive of consortium-developed assessments, that has the primary purpose of modeling and promoting high-quality teaching and instruction using a variety of assessment approaches and item types.

(k) “End of course examination” means a comprehensive and challenging assessment of pupil achievement in a particular subject area or discipline.

SEC. 18. Section 60604 of the Education Code is amended to read:

(1) Exclusive of the consortium assessments, a plan for producing or adopting valid, fair, and reliable achievement tests as recommended by the Superintendent and adopted by the state board pursuant to the * * * California Assessment of Student Performance and Progress (CAASPP) established by Article 4 (commencing with Section 60640).

(7) A plan for ensuring the security and integrity of the CAASPP assessments.

(b) The Superintendent shall develop and annually update for the Legislature a five-year cost projection, implementation plan for the CAASPP, and a timetable for implementing the system described in Section 60640. The annual update shall be submitted on or before March 1 of each year to the Department of Finance, the state board, and the respective chairpersons of the appropriate fiscal subcommittees considering budget appropriations and the appropriate policy committees in each house. The update shall explain any significant variations from the five-year cost projection for the current year budget and the proposed budget.

(c) The Superintendent shall make resources available that are designed to assist with the interpretation and use of the CAASPP results to promote the use of the results for purposes of

improving pupil learning and educational programs across the full curriculum. The Superintendent shall consider information already provided by assessment consortia to which California belongs or assessment contractors when fulfilling this requirement.

(d) The Superintendent shall make information and resources available to parents, teachers, pupils, administrators, school board members, and the public regarding the CAASPP, including, but not necessarily limited to, system goals, purposes, scoring systems, results, valid uses of assessments, and information on the relationship between performance on the previous state assessments and the CAASPP.

SEC. 19. Section 60607 of the Education Code is amended to read:

Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the California Assessment of Student Performance and Progress (CAASPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course examinations he or she has taken, and the vocational education certification examinations he or she chose to take. (Education Code 60607)

A pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the purpose of credit, placement, or admission and the results of an individual pupil on the CAASPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission. (Education Code 60607)

SEC. 22. Section 60641 of the Education Code is amended to read:

State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the California Assessment of Student Performance and Progress (CAASPP) assessments and the assessment scores and results from assessments that measured previously adopted content standards. The districtwide, school-level, and grade-level results of the CAASPP in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting.

Aggregated, disaggregated, or group scores or reports that include the results of the CAASPP assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results.

SEC. 26. Section 60810 of the Education Code is amended to read:

The test or series of tests developed or acquired pursuant to subdivision (a) shall have sufficient range to assess pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills. Pupils in kindergarten and grade 1 shall be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. The early literacy assessment shall be administered for a period of four years beginning after the initial administration of the assessment or until July 1, 2017, whichever occurs last.

Title 5 of the California Code of Regulations

§ 850. Definitions.

For the purposes of these regulations, the Measurement of Academic Performance and Progress assessment system (as established in Education Code section 60640 and known as “MAPP”) shall be designated the California Assessment of Student Performance and Progress (CAASPP), and the following terms shall have the following meanings:

(a) “Accommodations” means resources documented in a pupil’s individualized education program (IEP) or Section 504 Plan which the pupil regularly uses in the classroom for instruction and/or assessments(s) and that are either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment.

Accommodations cannot fundamentally alter the comparability of scores.

(b) “Achievement tests” means any summative standardized test that measures the level of performance that a pupil has achieved on state-adopted content standards.

(c) “Adaptive engine” refers to the mechanism utilized in a computer-adaptive assessment that adjusts the difficulty of grade-level test questions throughout an assessment based on student responses.

(d) “Alternate assessment” means an assessment as provided in Education Code section 60640(k) and its test materials developed to measure the level of performance for a pupil with disabilities who is unable to take the consortium summative assessment in English language arts and mathematics pursuant to Education Code section 60640(b)(1) or are unable to take an assessment of science pursuant to Education Code section 60640(b)(2), even with resources.

(e) “Assessment delivery system” means a set of web applications that manage the registration of pupils for tests, the delivery of those tests to the pupils, scoring of test items,

integration of item scores into an overall test score, and delivery of scores to the Data Warehouse.

(f) “Assessment technology platform” means the electronic systems used to display items, accept item responses, store, deliver, score the tests and restrict access to outside sources, as well as report and manage assessment results. Assessment technology includes, but is not limited to, computing devices, testing software applications, network hardware, and other technology required to administer the tests.

(g) “California Alternate Performance Assessment (CAPA)” is the alternate assessment and its test materials as provided in Education Code section 60640(k) for pupils with significant cognitive disabilities.

(h) “California Modified Assessment (CMA)” is the alternate assessment and its test materials for science based on modified achievement standards.

(i) “California Standards Tests (CSTs)” is the assessment and its test materials that measure the degree to which pupils are achieving the state content standards pursuant to Education Code section 60605.

(j) “Data Warehouse” means a comprehensive storehouse of all Smarter Balanced test registrations and results and a system to generate reports on, or extracts of, that data.

(k) “Designated supports” are resources which the pupil regularly uses in the classroom for instruction and/or assessment(s) and that are available for use by any pupil for whom the need has been indicated, prior to the assessment administration, by an educator or group of educators or specified in a pupil's IEP or Section 504 Plan.

(l) “Eligible pupil,” with the exception of subdivisions (1) through (3) below, is any pupil taking an assessment pursuant to Education Code section 60640, who is not exempt from participation in assessments pursuant to Education Code section 60615 or who is not a recently arrived English learner pupil exempt from participating in the English Language Arts assessment pursuant to Education Code section 60640(f)(1).

(1) For the primary language test, an eligible pupil is an English learner with a primary language for which a test is optional pursuant to Education Code section 60640.

(2) For CAPA, an eligible pupil is any pupil in grades 2 through 11, inclusive, who has an IEP that designates the use of the alternate assessment.

(3) For the CMA, an eligible pupil is any pupil in grades 5, 8, or 10, who has an IEP that designates the use of the modified assessment in science.

(m) “Embedded” means a resource, whether a universal tool, designated support, or accommodation, that is part of the assessment technology platform for the computer-based CAASPP tests.

(n) “Grade” means the grade in which the pupil is enrolled at the time of testing, as determined by the local educational agency.

(o) “Individualized aid” means a type of resource that a pupil regularly uses in a classroom for instruction and/or assessment that has not been previously identified as a universal tool, designated support or accommodation. Because an individualized aid has not been previously identified as a universal tool, designated support or accommodation, it may or may not invalidate the measurement of the test(s).

(p) “Local educational agency (LEA)” means a county office of education, school district, state special school, or direct-funded charter school as described in Education Code section 47651. LEA superintendent, for purposes of these regulations, includes an administrator of a direct-funded charter school.

(q) “Non-embedded” means a resource, whether a universal tool, designated support, or accommodation, that may be provided by the LEA and is not part of the assessment technology platform for the computer-based CAASPP tests.

(r) “Nonpublic schools (NPS)” are nonpublic, nonsectarian schools as set forth in Education Code section 56034.

(s) “Primary language test” means a test as provided in Education Code sections 60640(b) and (c) and its test materials in each primary language for which a test is available for English learners. The primary language test is the Standards-based Tests in Spanish (STS).

(t) “Pupil” refers to a student enrolled in a California public school.

(u) “Recently arrived English learner” means a pupil designated as an English learner who is in his or her first 12 months of attending a school in the United States as specified in Education Code section 60603(v).

(v) “Registration system” means the mechanism that provides administrators with the tools to manage users and pupils participating in CAASPP computer-based assessments. The engine uses a role-specific design to restrict access to certain tasks based on the user's designated role as well as manage pupils' default test settings, designated supports, and accommodations.

(w) “Resource(s)” refers to a universal tool, designated support, accommodation, and/or an individualized aid.

(x) “Scribe” is an employee of the LEA or a person assigned by an NPS to implement a pupil's IEP who has signed a CAASPP Test Security Affidavit and has received training to transcribe a pupil's responses to the format required by the test. A pupil's parent or guardian is not eligible to be the pupil's scribe.

(y) A “significant medical emergency” is a significant accident, trauma, or illness (mental or physical) that precludes a pupil from taking the achievement tests. An accident, trauma, or illness is significant if the pupil has been determined by a licensed physician to be unable to participate in the tests.

(z) “Smarter-Balanced Assessment Consortium (Smarter Balanced)” is the multi-state consortium responsible for the development of the English language arts and mathematics summative assessments administered pursuant to Education Code section 60640(b)(1) and the interim assessments and formative assessment tools administered pursuant to Education Code section 60642.6.

(aa) “Standards-based Tests in Spanish (STS)” are the achievement tests and the test materials that are administered at the option of the LEA as the primary language test as provided in Education Code sections 60640(b) and (c) for pupils whose primary language is Spanish or to pupils enrolled in a dual immersion program that includes Spanish.

(ab) “Streamlining” means an accommodation on a computer-based assessment that provides an alternate display of an item, stacked into instructions, stimuli, and response choices.

(ac) “Test examiner” is an employee or contractor of an LEA or an NPS who has signed a CAASPP Test Security Affidavit and has received training to administer the tests. For an

alternate assessment, the test examiner must be a certificated or licensed school, district, or county staff member.

(ad) “Test materials” include, but are not limited to, administration manuals, administrative materials, test booklets, assessment technology platform, practice tests, scratch paper, and test answer documents.

(ae) “Test proctor” is an employee of an LEA, or a person assigned by an NPS to implement a pupil's IEP or Section 504 Plan, who has signed a CAASPP Test Security Affidavit and has received training designed to prepare him or her to assist the test examiner in the administration of tests.

(af) “Translator” is a person who has been assigned to translate the test directions into the pupil's primary language pursuant to sections 853.5 and 853.7, who has signed a Test Security Affidavit as identified in section 859(d), and who has received training specifically designed to prepare him or her to assist the test examiner in the administration of the assessments pursuant to Education Code section 60640. A pupil's parent or guardian is not eligible to be the pupil's translator. A translator must be:

- (1) an employee of an LEA;
- (2) an employee of the NPS; or
- (3) a person supervised by an employee of an LEA or an employee of the NPS.

(ag) “Universal tools” are resources of the CAASPP tests that are available to all pupils.

§ 851. Pupil Testing.

(a) LEAs shall administer the achievement tests and may administer the primary language test pursuant to Education Code section 60640 to each eligible pupil enrolled in an LEA on the date testing begins in the pupil's school or LEA.

(b) No later than start of the 2014-2015 school year, for the purposes of the CAASPP assessment system, a charter school which is not an LEA as defined in Education Code section 60603(o) shall test with, dependent on, the LEA that granted the charter or was designated the oversight agency by the State Board of Education (SBE).

(c) LEAs shall make arrangements for the testing of all eligible pupils in alternative education programs or programs conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or NPSs.

(d) No test may be administered in a home or hospital except by a test examiner. No test shall be administered to a pupil by the parent or guardian of that pupil. This subdivision does not prevent classroom aides from assisting in the administration of the test under the supervision of a test examiner, provided that the classroom aide does not assist his or her own child, and that the classroom aide signs a security affidavit.

§ 852. Pupil Exemptions.

(a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.

(b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.

(c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children.

§ 853. Administration.

(a) The CAASPP tests pursuant to Education Code section 60640 shall be administered, scored, transmitted, and/or returned by LEAs in accordance with the manuals or other instructions provided by the contractor or CDE for administering, scoring, transmitting, and/or returning the tests, unless specifically provided otherwise in this subchapter, including instructions for administering the test with universal tools, designated supports, and accommodations specified in sections 853.5 and 853.7. The procedures shall include, but are not limited to, those designed to ensure the uniform and standardized administration, and scoring of the tests to pupils, the security and integrity of the test content and test items, and the timely provision of all required pupil and school level information.

(b) The primary mode of administration of a CAASPP test shall be via a computing device, the use of an assessment technology platform, and the adaptive engine.

(c) If available, an LEA may utilize a paper-pencil version of any computer-based assessment (CBA) of the CAASPP assessment system, in accordance with Education Code

section 60640(e), and if the LEA identifies the pupils that are unable to access the CBA version of the test.

(d) Interim assessments and formative assessment tools shall be made available to LEA(s) for use. Use of interim assessments and formative assessment tools shall not be considered advance preparation for a CAASPP test as defined in Education Code section 60611. LEAs that use interim assessments and/or formative assessment tools shall abide by the consortium/contractor(s) administration and use requirements. Any scoring of any performance tasks for the interim assessment is the responsibility of the LEA.

§ 853.5. Use of Universal Tools, Designated Supports, and Accommodations.

(a) All pupils shall be permitted the following embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) breaks for reading, writing, listening, and mathematics;
- (2) calculator for specific mathematic items;
- (3) digital notepad for reading, writing, listening, and mathematics;
- (4) English dictionary for writing (ELA-performance task - pupil long essay(s) not short paragraph responses);
- (5) English glossary for reading, writing, listening, and mathematics;
- (6) expandable passages for reading, writing, listening, and mathematics;
- (7) global notes for writing (ELA-performance task - pupils long essay(s) not short paragraph responses);
- (8) highlighter for reading, writing, listening, and mathematics;

(9) keyboard navigation for reading, writing, listening, and mathematics;

(10) mark for review for reading, writing, listening, and mathematics;

(11) math tools for specific mathematics items;

(12) spell check for specific writing items;

(13) strikethrough for reading, writing, listening, and mathematics;

(14) writing tools for specific pupil generated responses; or

(15) zoom for reading, writing, listening, and mathematics.

(b) All pupils shall be permitted the following non-embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

(1) breaks;

(2) English dictionary for ELA performance task - pupil long essay(s) not short paragraph responses;

(3) scratch paper;

(4) thesaurus for ELA performance task - pupil long essay(s) not short paragraph responses;

(5) color overlay for science and primary language test;

(6) math tools (i.e., ruler, protractor) for specific mathematics items;

(7) simplify or clarify test administration directions (does not apply to test questions); or

(8) pupil marks in paper-pencil test booklet (other than responses including highlighting).

(c) All pupils shall be permitted the following embedded designated supports when determined for use by an educator or group of educators or specified in a pupil's IEP or Section

504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics, and reading items but not reading

passages;

- (4) translated test directions for mathematics;
- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics.

(d) All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
- (2) bilingual dictionary for writing;
- (3) access to translation glossaries/word lists for science and primary language test;
- (4) color contrast for reading, writing, listening, and mathematics;
- (5) color overlay for reading, writing, listening, and mathematics;
- (6) magnification;
- (7) read aloud for writing, listening, mathematics, and reading items but not reading

passages;

(8) scribe for reading, listening, and mathematics;

(9) separate setting;

(10) translations (glossary) for mathematics; (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (c)).

(11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);

(12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;

(13) translations (glossary) for science and primary language test; or

(14) administration of the test at the most beneficial time of day for the pupil.

(e) The following embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

(1) American Sign Language for listening and mathematics;

(2) braille for reading, writing, listening, and mathematics;

(3) closed captioning for listening;

(4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11; or

(5) streamlining for reading, writing, listening, and mathematics.

(f) The following non-embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language when specified in a pupil's IEP or Section 504 Plan:

(1) read aloud for primary language test;

- (2) American Sign Language for listening, mathematics, and science;
- (3) braille for paper-pencil tests;
- (4) abacus for mathematics and science;
- (5) alternate response options for reading, writing, listening, and mathematics;
- (6) calculator for specific mathematics items;
- (7) multiplication table for mathematics beginning in grade 4;
- (8) print on demand for reading, writing, listening, and mathematics;
- (9) read aloud for reading passages in grades 6 through 8, inclusive, and grade 11; blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have adequate braille skills;
- (10) scribe for writing, science, and primary language test;
- (11) speech-to-text; or
- (12) large-print version of a paper-pencil test.

(g) An LEA may submit a request in writing to the CDE, prior to the administration of a CAASPP test for approval for the use of an individualized aid. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of receipt of the written request. Written requests must include:

- (1) LEA name and CDS code;
- (2) school/test site and school code;
- (3) school/test site address, city, and zip code;
- (4) LEA CAASPP coordinator name, phone number, and email address;
- (5) CAASPP test site coordinator name, phone number, and email address;

- (6) school/test site testing window dates;
- (7) SSID(s) for the pupil(s) for which the individualized aid is being requested;
- (8) CAASPP test and grade; and
- (9) the individualized aid being requested.

(h) Individualized aids that change the construct being measured by a CAASPP test invalidate the test score and results in a score that cannot be compared with other CAASPP results. Scores for pupils' tests with individualized aids that change the construct being measured by a CAASPP test will not be counted as participating in statewide testing (and impacts the accountability participation rate indicator) but pupils will still receive individual score reports with their actual score. The following non-embedded individualized aids have been determined to change the construct being measured on the CAASPP tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and are specified below, but not limited to:

- (1) English dictionary for reading, listening, mathematics, science, and primary language;
- (2) thesaurus for reading, listening, mathematics, science and primary language;
- (3) translated test directions for reading, writing, or listening;
- (4) bilingual dictionary for reading, listening, mathematics, science and primary language;
- (5) translations (glossary) for reading, writing, and listening;
- (6) read aloud for reading passages in grades 3, 4, and 5;
- (7) American Sign Language for reading passages in grades 3, 4, and 5 and reading passages for primary language;

- (8) calculator for non-specified mathematics items or science;
- (9) math tools (i.e., ruler, protractor) for non-specified mathematics items; and
- (10) multiplication table for mathematics in grade 3.

(i) If a consortium (in which California is a participant) approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall allow its use.

§ 853.7. Use of Designated Supports for English Learners.

(a) An English learner (EL) shall be permitted the following embedded designated supports, when determined for use by an educator or group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics and reading items, but not passages;
- (4) translated test directions for mathematics;
- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics.

(b) An EL shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
- (2) bilingual dictionary for writing;
- (3) access to translation glossaries/word lists for science and primary language test;
- (4) color contrast for reading, writing, listening, and mathematics;
- (5) color overlay for reading, writing, listening, and mathematics;
- (6) magnification;
- (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
- (8) scribe for reading, listening, and mathematics;
- (9) separate setting;
- (10) translations (glossary) for mathematics (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (a));
- (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
- (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
- (13) translations (glossary) for science and primary language test; or
- (14) administration of the test at the most beneficial time of day for the pupil.

§ 855. Testing Period.

(a)(1) For the 2013-14 school year, each LEA shall administer the Smarter Balanced field tests for ELA and mathematics in the manner prescribed by the CDE pursuant to the authority granted by Education Code section 60640(f)(2).

(2) For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10, shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days. Testing for all pupils, including makeup testing, is to be completed within this 25 instructional day window. If an LEA elects to administer the primary language test, it shall do so during this same testing window.

(b) Beginning in the 2014-15 school year, the CAASPP tests pursuant to Education Code sections 60640(b) shall be administered to each pupil during the following testing windows:

(1) Unless otherwise stated in these regulations, the testing window shall not begin until at least 66 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 66 percent of a school year occurs after the 120th instructional day. This allows for a 12-week window for testing.

(2) For the grade 11 Smarter Balanced assessments and CAASPP tests administered after January 2015, the testing window shall not begin until at least 80 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 80 percent of a school year occurs after the 144th instructional day. This allows for a 7-week window for testing.

(3) The CST and CMA for science in grades 5, 8, and 10, and CAPA, or its successor alternate assessment, for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be administered to each pupil during a testing window of 25 instructional days

that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days unless the SBE makes a determination by the close of its September 2014 regular meeting that these tests shall be administered during the window defined in subdivision (b)(1) above. If an LEA elects to administer the primary language test, it shall do so during the same window.

(c) The CDE, with the approval of the SBE President or designee, may require LEAs to more fully utilize the testing window and may also limit the usage of the interim assessments in instances where the CDE determines that it is necessary to do so to ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not exceeded.

§ 857. LEA CAASPP Coordinator.

(a) On or before September 30 of each school year, the superintendent of each LEA shall:

(1) designate from among the employees of the LEA an LEA CAASPP coordinator;

(2) identify school(s) with pupils unable to access the CBA version of a CAASPP test(s) in accordance with Education Code section 60640(e); and

(3) report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.

(b) The LEA CAASPP coordinator, or the LEA superintendent, shall be available through September 30 of the following school year to complete the LEA testing activities. The LEA shall notify the contractor(s) of the identity and contact information for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP coordinator shall serve as the LEA representative and the liaison between the LEA and the contractor(s) and the LEA and the CDE for all matters related to the CAASPP assessment system.

(c) The LEA CAASPP coordinator's responsibilities shall be those defined in the contractor's(s') or consortium's administrative manuals and documentation, and shall include, but are not limited to, overseeing the LEA's preparation, registration, coordination, training, assessment technology, administration, security, and reporting of the CAASPP tests.

(d) The LEA CAASPP coordinator shall ensure current and ongoing compliance with the minimum technology specifications as identified by the CAASPP contractor(s) or consortium.

(e) The LEA CAASPP coordinator shall ensure the training of all CAASPP test site coordinators who will oversee the test administration at each school or test site.

§ 858. CAASPP Test Site Coordinator.

(a) At each test site, including, but not limited to, each elementary, middle, and high school or other grade-span designated school, each charter school, each court-school, each school or program operated by an LEA, and all other public programs serving pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall designate a CAASPP test site coordinator from among the employees of the LEA. The CAASPP test site coordinator, or the site principal or his or her designee, shall be available to the LEA CAASPP coordinator by telephone through September 30 of the following school year for purposes of resolving discrepancies or inconsistencies in materials or errors in reports.

(b) The CAASPP test site coordinator's responsibilities shall be those defined in the contractor's(s') and CDE's administrative manuals and documentation, and shall include, but are not limited to, overseeing the test site's preparation, coordination, training, registration, administration, security, and reporting of the CAASPP tests.

(c) The CAASPP test site coordinator shall be responsible for the training of test examiners, translators, proctors, and scribes.

(d) The CAASPP test site coordinator shall be responsible for ensuring that all designated supports, accommodations and individualized aids are correctly entered into the registration system and provided to the pupil(s) identified to receive the designated supports and/or accommodations.

§ 859. CAASPP Test Security Agreement and Test Security Affidavit.

(a) All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the CAASPP Test Security Agreement, set forth in subdivision (b), before receiving any of the test materials or tests administered pursuant to Education Code section 60640.

(b) The CAASPP Test Security Agreement shall be as follows:

CAASPP TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640 are secure tests and agree to each of the following conditions to ensure test security:

(1) I will take all necessary precautions to safeguard all tests and test materials, whether paper-based or computer-based assessments, by limiting access to only persons within the LEA who are responsible for, and have professional interest in, the tests' security.

(2) I will keep on file the names of all persons who have been trained in the administration of CAASPP tests and all persons with access to tests and test materials, whether paper-based or computer-based assessments. I have and shall have all other persons having

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
5. Written Narrative

access to the tests and test materials read and sign the CAASPP Test Security Affidavit that will be kept on file in the LEA office.

(3) Except during the administration of the tests, I will keep the paper-pencil tests, and their test materials in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will securely destroy all print-on-demand papers, scratch paper, and other documents as prescribed within the contractor's(s') or consortium's administrative manuals and documentation.

(5) With the exception of subdivision (6) below, I will deliver tests and test materials or allow electronic access thereto, only on actual testing dates and only to those persons who have executed CAASPP Test Security Affidavits.

(6) For an alternate assessment (CAPA or its successor alternate assessment), I will keep all tests and testing materials in the manner set forth above in subdivisions (3) and (5) except during actual testing administration or when being used by test examiners to prepare for and to administer the assessment. I will adhere to the contractor's directions for the distribution of the assessment materials to test examiners.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: _____

Print Name: _____

Title: _____

LEA: _____

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
5. Written Narrative

Date: _____

(c) All test examiners, proctors, translators, scribes, LEA CAASPP coordinators and CAASPP test site coordinators, and any other persons having access to any of the tests and test materials, assessment technology platform, registration system, adaptive engine, or tests administered pursuant to Education Code section 60640, shall acknowledge the limited purpose of their access to the tests by signing the CAASPP Test Security Affidavit set forth in subdivision (d).

(d) The CAASPP Test Security Affidavit shall be as follows:

CAASPP TEST SECURITY AFFIDAVIT

I acknowledge that I will have access to one or more of the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640, for the purpose of administering the test(s). I understand that these materials are highly secure and may be under copyright restrictions and it is my professional responsibility to protect their security as follows:

(1) I will not divulge the contents of the tests and test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to, sharing or posting test content via the Internet or by email without the express written permission of the CDE.

(2) I will not copy or take a photo of any part of the test(s) or test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without prior expressed written permission of the CDE.

(3) Except during the actual testing administrations or as otherwise provided for by law, I will keep the test(s) and test materials secure until the test(s) are actually distributed to pupils when tests and testing materials are checked in and out by the CAASPP test site coordinator. Keeping materials secure means that testing materials are required to be kept in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will limit access to the test(s) and test materials by test examinees to the actual testing periods when they are taking the test(s). I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a test security affidavit may be in the room when and where a test is being administered.

(A) I will keep all assigned, generated, or created usernames, passwords and logins secure and not divulge pupil personal information to anyone other than the pupil to whom the information pertains for the purpose of logging on to the assessment delivery system.

(B) I will not allow anyone other than the assigned pupils to log into their assigned test. I may assist a pupil with using their information to log into their assigned test.

(C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in using another pupil's information.

(5) I will not allow pupils to access electronic devices that allow them to access outside information, communicate with other pupils, or photograph or copy test content. This includes, but is not limited to, cell phones, personal digital assistants (PDAs), tablets, laptops, cameras, and electronic translation devices.

(6) I will collect and account for all materials following each testing session and will not permit pupils to remove any test materials by any means from the room(s) where testing takes place. After each testing session, I will count all test booklets and answer documents before allowing any pupil to leave the testing room and/or ensure that all pupils have properly logged off the assessment delivery system.

(7) I will not review any achievement test questions, passages, performance tasks, or other test items independently or with pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between LEA staff for training or professional development whether one-on-one or in a staff meeting.

(8) I will not, for any achievement test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., interpreting, explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice inflection, pointing, or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing pupils' answers.

(9) I will return all test materials to the designated CAASPP test site coordinator each day upon completion of testing. I understand that all test booklets, answer documents, and scratch paper shall be returned to the CAASPP test site coordinator each day immediately after testing has been completed for storage or confidential destruction.

(10) If I will administer and/or observe the administration of an alternate assessment (CAPA or its successor alternate assessment), which means that I am a certificated or a licensed LEA employee and a trained examiner, I will keep all the alternate assessment (CAPA or its

successor alternate assessment) materials in a securely locked room, and, when possible, in a locked storage cabinet within that room except when I am preparing for the administration, administering or observing the administration of the assessment to pupils.

(11) I will actively supervise pupils throughout the paper-pencil testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, accommodations, or individualized aids) needed for the test being administered.

(12) I will actively supervise pupils throughout the testing session and verify that pupils have selected the appropriate assessment for the testing session and have completed any necessary preceding test sections and/or classroom activities.

(13) I will administer the test(s) in accordance with the directions for test administration and test administration manuals prepared by the CAASPP testing contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I understand that the unauthorized copying, sharing, or reusing of any test booklet, test question, performance task, or answer document by any means is prohibited. This includes, but is not limited to, photocopying, recording, emailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and sharing or posting test content via the Internet without the express prior written permission of the CDE.

(14) I have been trained to administer the tests. By signing my name to this document, I am assuring that I have completely read this affidavit and will abide by the above conditions.

Signed: _____

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
5. Written Narrative

Print Name: _____

Position: _____

School: _____

LEA: _____

Date: _____

(e) To maintain the security of the CAASPP assessment system, all LEA CAASPP coordinators and CAASPP test site coordinators shall immediately, within 24 hours, notify the CDE of any security breaches or testing irregularities occurring either before, during, or after the test administration(s).

§ 861. Data Elements for Test Registration and State and Federal Reporting.

(a) In order to assess pupils pursuant to Education Code section 60640 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in California Longitudinal Pupil Achievement Data System (CALPADS).

(b) In addition to the demographic and program data required to be reported in section 861(a), LEAs shall report to the CDE the following information:

- (1) if an eligible pupil is not tested due to a significant medical emergency;
- (2) if a pupil used a designated support;
- (3) if a pupil used an individualized aid;
- (4) if a pupil used an accommodation(s);
- (5) if a pupil had special testing conditions and/or reasons for not being tested (e.g., parent or guardian exemption);

(6) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code; and

(7) if a pupil in grade 2 was administered a diagnostic assessment pursuant to Education Code section 60644.

(c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate prior to LEA registration and throughout the testing window. The CDE shall provide LEAs reasonable notification prior to pupil demographic and program data being extracted from CALPADS for purposes of test registration, individual pupil reports and reports aggregated to the LEA, and state and federal accountability reporting.

§ 862. Apportionment Information Report.

(a) Annually, the CDE shall make available electronically to each LEA an apportionment information report with the following information provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level:

(1) The number of pupils enrolled in each school and in the LEA on the first day of testing.

(2) The number of pupils in each school and in the LEA tested with the alternate assessment.

(3) The number of pupils in each school and in the LEA exempted from testing at the request of their parents or guardians pursuant to Education Code section 60615.

(4) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.

(5) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.

(6) The number of pupils with demographic information only who were not tested for any reason other than a parent or guardian exemption.

(7) The number of English language learners who were administered a primary language test aligned to the English language arts standards pursuant to Education Code section 60640(b)(5)(B).

(8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to Education Code section 60644.

(b) To be eligible for apportionment payment for the CAASPP assessments, LEAs must meet the following conditions:

(1) The LEA has returned all secure test materials, and

(2) The LEA CAASPP coordinator has certified the accuracy of the apportionment information report for assessments administered during the school year, which is either;

(A) transmitted electronically in a manner prescribed by the contractor(s) and/or the CDE by December 31, or

(B) if transmitted in any manner after December 31, the apportionment information report must be accompanied by a waiver request as provided by Education Code section 33050.

For those apportionment information reports transmitted after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the testing window began.

§ 862.5. Apportionment to LEAs.

(a) The amount of funding to be apportioned to the LEA shall be the amount established by the SBE per the number of tests administered to eligible pupils, and the number of pupils enrolled on the first day of testing who were not tested in the LEA. The number of tests administered and the number of pupils not tested shall be determined by the certification of the LEA CAASPP coordinator pursuant to section 862. For purposes of this portion of the apportionment, administration of the tests includes the following items:

- (1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test site coordinators, staff training and other staff expenses related to testing.
- (2) All expenses incurred at the LEA and school/test site(s) related to testing.
- (3) All transportation costs of delivering and retrieving tests and test materials within the LEA and to NPSs.
- (4) All costs associated with transmitting the pupil report(s) to parents/guardians.
- (5) All costs associated with activities intended to provide the complete and accurate data required in section 861.

(b) This amount does not include any funding for the purposes of reimbursing any LEA for primary language tests for non-eligible pupils.

§ 863. CAASPP Pupil Reports and Cumulative Record Labels.

(a) The LEA shall forward or transmit pupil results for the tests conducted pursuant to Education Code section 60640 to each pupil's parent or guardian within 20 working days from receipt of the results from the contractor.

(b) If the LEA receives the reports for the tests conducted pursuant to Education Code section 60640 from the contractor after the last day of instruction for the school year, the LEA shall make the report available to the parent or guardian no later than the first 20 working days of the next school year.

(c) Schools are responsible for maintaining pupil's scores with the pupil's permanent school records or for entering the scores into electronic pupil records, and for forwarding or transmitting the results to schools to which pupils matriculate or transfer. Schools may annotate the scores when the scores may not accurately reflect pupils' achievement due to illness or testing irregularities.

§ 864. LEA Compliance with Contractor Requirements.

(a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

(b) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

(1) comply with any and all requests from CAASPP contractor(s) in accordance with Education Code section 60641; and

(2) abide by any and all instructions provided by the CAASPP contractor or consortium, whether written or oral, that are presented for training or provided for in the administration of a CAASPP test.

The estimated costs from implementing the additions/amendments of Statutes 2013-2014 Chapter 489 (A.B. No. 484); Statutes 2014 Chapter 327 (A.B. No. 1599); Statutes 2014 Chapter 32 (S.B. No. 858); Title Five California Code of Regulations Sections 850-864 will greatly exceed \$1,000.00.

A. A detailed description of the new activities and costs that arise from the mandate.

Statutes 2013-2014 Chapter 489 (A.B. No. 484); Statutes 2014 Chapter 327 (A.B. No. 1599); Statutes 2014 Chapter 32 (S.B. No. 858); and Title Five California Code of Regulations Sections 850-864 result in school districts incurring costs mandated by the state, as defined in Government Code section, 17514, by creating new state-mandated duties related to the uniquely governmental function of providing public education to children. The Statutes and regulations apply only to schools and do not apply generally to all residents and entities in the state.

School districts have incurred or will incur costs implementing the following activities:

(a) To review the requirements in Statutes 2013-2014 Chapter 489 (A.B. No. 484); Statutes 2014 Chapter 327 (A.B. No. 1599); Statutes 2014 Chapter 32 (S.B. No. 858); Title Five California Code of Regulations Sections 850-864.

(b) To train and hire administrators, teachers and other school district personnel on the requirements in Statutes 2013-2014 Chapter 489 (A.B. No. 484); Statutes 2014 Chapter 327 (A.B. No. 1599); Statutes 2014 Chapter 32 (S.B. No. 858); Title Five California Code of Regulations Sections 850-864 and administration instructions relating to the California Assessment of Student Performance and Progress (CAASPP) program including, without limitation, test administration and reporting requirements, training associated with installation and operation of new devices.

(c) To administer the tests for the CAASPP program including, without limitation, determining school district and test site test and test materials needs; purchasing testing materials; collecting CAASPP Test Security Agreements from every person who has access to

tests and other test materials; maintaining security over test material and test data; submitting pupil demographic information; staff time of teachers, classroom aides, exam proctors and other school district personnel in administering the tests to pupils;

(d) To maintain individual records of the tests in pupil records.

(e) To report the individual results of the CAASPP Program tests to the pupils' parents or guardians, to the pupils' schools, and the pupils' teachers, including preparation and mailing of reports.

(f) To report the results of the CAASPP Program tests and the tests to the school district governing board on a districtwide and school-by school basis.

(g) To submit to the DOE the information on the CAASPP Program.

(h) To process requests for exemption from testing filed by parents and guardians.

(i) To review the IEPs of children with disabilities to determine if the IEPs contain an express exemption from testing.

(j) To determine the appropriate grade level test for special education pupils and to provide appropriate testing adaptations and accommodations for these pupils.

(l) To develop and implement procedures for items (a) through (j) above.

(k) Purchase student devices, including, but not limited to, Smarter Balance Assessment Consortium compliant tablets, laptops, carts, PCs, iPads, MacBooks, Chromebooks; software (and subsequent updates) Computer and tablet peripherals such as ear buds, mice keyboards that are necessary for students to complete the assessment, Bandwidth improvements/infrastructure; asset tags, packing supplies, testing furniture.

(l) Purchase and implement Smarter Balance Assessment Consortium requirements, including, but not limited to technical technology manuals and other formative and summative assessments administered pursuant to Education Code section 60640(b)(1) and Education Code section 60642.6.

Other Activities

Developing and implementation of internal policies, training, procedures and forms relating to the administration of the CAASPP Program. (One-time)

B. A detailed description of existing activities and costs that are modified by the mandate.

School districts have incurred or will incur costs implementing the following activities that are modified:

(a) To train certificated, classified and other personnel to administer the tests for the CAASPP program including, without limitation, determining school district and test site test and test materials needs; purchasing testing materials; collecting CAASPP Test Security Agreements from every person who has access to tests and other test materials; maintaining security over test material and test data; submitting pupil demographic information; staff time of teachers, classroom aides, exam proctors and other school district or contracted personnel in administering the tests to pupils;

(b) To report the individual results of the CAASPP Program tests to the pupils' parents or guardians, to the pupils' schools, and the pupils' teachers, including preparation and mailing of reports.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education
 5. Written Narrative

(c) To report the results of the CAASSP Program tests and the tests to the school district governing board on a districtwide and school-by school basis.

(d) To review the IEPs of children with disabilities to determine if the IEPs contain an express exemption from testing.

(e) To determine the appropriate grade level test for special education pupils and to provide appropriate testing adaptations and accommodations for these pupils.

(f) Claimants incorporate all activities stated in Section A. (A detailed description of the new activities and costs that arise from the mandate.)

C. The actual increased costs incurred by the claimant during the fiscal year for which the claim was filed to implement the alleged mandate.

Required Costs (2013-14)	Santa Ana Unified School District	Porterville Unified School District	Plumas Unified School District	Plumas County Office of Education
Devices	\$2,551,64.55	\$3,412,197.96	\$2,724.71	\$45,416.24
Bandwidth improvements/infrastructure	\$334,140.96	\$306,213.25	\$25,000.00	\$69,829.35
Accessories	\$230,834.44	\$7,237.98	\$7,788.14	\$1,501.47
Miscellaneous	\$2,656.75	Included with Accessories.	\$272,243.00	\$24,207.12
Training/Personnel	TBD	Included with Staff Time.	\$272,243.00	\$214,756.82
Staff Time/Extra Duty	\$98,599.00	\$106,275.60	\$72,648.69	1,072.08
TOTAL	\$3,217,495.70	\$3,831,924.79	\$509,533.07	\$356,783.08

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education
 5. Written Narrative

D. The actual or estimated annual costs that will be incurred by the claimant to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.

Required Costs (Estimated 2014-15)	Santa Ana Unified School District	Porterville Unified School District	Plumas Unified School District	Plumas Unified County Office of Education
Devices	\$5,557,947.20	\$2,627,416.09	\$600,000.00	\$10,000
Bandwidth improvements/ infrastructure	\$3,005,852.03	\$395,231.45	\$1,025,881.79	\$119,829.35
Accessories	\$22,334.40	\$102,326.44	\$50,000.00	\$3,804.00
Miscellaneous	\$333.60	Included with Accessories.	\$7,497.12	\$16,456.18
Training	TBD	Included with Staff Time.	\$81,865.75	\$1,500.00
Staff Time/Extra Duty	\$23,387.00	\$215,866.69	\$169,499.74	\$228,472.11
TOTAL	\$8,609,854.23	\$3,340,840.67	\$1,934,744.40	\$380,061.64

E. A statewide cost estimate of increased costs that all local agencies or school districts will incur to implement the alleged mandate during the fiscal year immediately following the fiscal year for which the claim was filed.

\$1,000,000,000.00

F. Identification of all of the following funding sources available for this program:

(i) Dedicated state funds¹

Claimant is unaware at this time of any other dedicated state funds available for this program.

¹ Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the State shall provide a subvention of funds to reimburse that local government for the costs of the program or increased level of service. (Cal. Const. art. 13B, § 6)

(ii) Dedicated federal funds

Claimant is unaware at this time of any other dedicated state funds available for this program.

(iii) Other nonlocal agency funds

Common Core Implementation Block Grant

(iv) The local agency's general purpose funds

Claimant is unaware at this time of any other dedicated state funds available for this program.

(v) Fee authority to offset costs.

Claimant is unaware at this time of any other dedicated state funds available for this program.

G. Identification of prior mandate determinations made by the Board of Control or the Commission on State Mandates that may be related to the alleged mandate.

- 1.) *Standardized Testing and Reporting (STAR) 97-TC-23.*
- 2.) *Reconsideration of Test Claim 04-RL-9723-01, Statement of Decision (issued July 28, 2005)*

H. Identification of a legislatively determined mandate pursuant to Government Code section 17573 that is on the same statute or executive order.

Claimant is unaware at this time of any other dedicated state funds available for this program.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 – Plumas County Office of Education Amended Declaration

SECTION NUMBER: 6
Heading: AMENDED DECLARATION

I, Micheline Miglis, Superintendent for the Plumas County Office of Education, declare as follows:

Section A. The actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.

It is estimated the increased costs that will be incurred by the claimant to implement the alleged mandate is approximately:

	<u>2013-2014 Actual Costs</u>	<u>2014-2015 Actual/Est. Costs</u>
<u>Devices:</u> This includes all student devices purchased (laptops). This includes all student devices needed for full implementation of testing (SEAC compliant tablets, laptops, carts, PCs, iPads, MacBooks, Chromebooks). <i>Estimate of current and future needs for full implementation.</i>	\$45,416.24	\$10,000.00
<u>Bandwidth improvements/infrastructure:</u> This includes cost of consultant to implement fiber needed to facilitate the pilot and ultimately full implementation, plus cost of internet access. This includes cost of consultant to implement fiber needed to facilitate the pilot and ultimately full implementation, plus cost of internet access. Year to date: <i>Estimate of current and future needs for full implementation.</i>	\$69,829.35	\$69,829.35 \$50,000.00

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 – Plumas County Office of Education Amended Declaration

<p><u>Accessories:</u> Computer and tablet peripherals such as headphones, headsets, monitors, etc. that are necessary for students to complete the assessment.</p> <p>Computer and tablet peripherals such as headphones, docking stations, headsets, mice, keyboards, etc. that are necessary for students to complete the assessment.</p> <p>Year to date:</p> <p><i>Estimate of current and future needs for full implementation.</i></p>	<p>\$1,501.47</p>	<p>\$804.00 \$3,000.00</p>
<p><u>Personnel:</u> Administrative and support staff to assist in the preparation and implementation of testing.</p> <p>Administrative and support staff to assist in the preparation and implementation of testing. (actual plus estimated)</p>	<p>\$214,756.82</p>	<p>\$228,472.11</p>
<p><u>Miscellaneous:</u> Projectors, laptops/desktops, software etc. for each classroom for teachers to practice and model for the state assessment.</p> <p>Intervention, software, delivery of necessary equipment; asset tags, student furniture, other as yet un-identified needs to fully implement mandate.</p> <p>Year to date:</p> <p><i>Estimate of current and future needs for full implementation.</i></p>	<p>\$24,207.12</p>	<p>\$15,456.18 \$1,000.00</p>
<p><u>Training:</u> Professional development for teachers re: State Standards; formative and interim assessment; accessing sample test questions and professional Learning Communities; and preparing for annual test.</p>	<p>\$1,072.08</p>	

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 – Plumas County Office of Education Amended Declaration

Ongoing professional development for teachers. <i>Estimate of current and future needs for full implementation.</i>		\$1500.00
Total:	\$356,783.08	\$380,061.64

Section B. Identify all local, state, or federal funds, and fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs:

Common Core Implementation Block Grant

Section C. Describe new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections or page numbers alleged to impose a reimbursable state mandated program):

1. Statutes 2013-2014 Chapter 489 (A.B. No. 484); Sections 3, 5, 9, 12, 15, 16, 28, 28.5.
2. Statutes 2014 Chapter 32 (S.B. No. 858); Sections 49.
3. Statutes 2014 Chapter 327 (A.B. No. 1599); Sections 17, 18, 19, 22, 24, 26.
4. Title 5, California Code of Regulations Sections 850-864.
5. Title 5, California Code of Regulations Sections 850-864. (Certificate of Compliance Effective August 27, 2014)

New Activities

1. Administration of the achievement tests (Smarter Balanced Field Tests, California Standard Test (CST), CMA, CAPA, California Measurement of Academic Performance and Progress for the 21st Century (CalMAPP21), primary language tests, California Assessment of Student Performance and Progress (CAASPP), a consortium summative assessment in English language arts and mathematics to all pupils in grades 3 through 8, inclusive. For grades 9 and 10 students selected for the scientific sample are/were expected to participate. In grade 11 all students selected for the scientific sample are expected to participate. (Ed. Code, §§ 60640, subds. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851(a).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

2. For the 2013-14 school year, each LEA shall administer the Smarter Balanced field tests for ELA and mathematics in the manner prescribed by the CDE pursuant to the authority granted by Education Code § 60640(f)(2). (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(1).)
3. For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10, shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days. Testing for all pupils, including makeup testing, is to be completed within this 25 instructional day window. (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(2).)
4. Science grade level assessments in grades 5, 8, and 10 that measure content standards adopted pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B). (Cal. Educ. Code § 60640)
5. In the 2014-15 school year, the CAASPP tests pursuant to Education Code section 60640(b) shall be administered to each pupil during the following testing windows: Unless otherwise stated in these regulations, the testing window shall not begin until at least 66 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 66 percent of a school year occurs after the 120th instructional day. This allows for a 12-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(1).)
6. For the grade 11 Smarter Balanced assessments and CAASPP tests administered after January 2015, the testing window shall not begin until at least 80 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 80 percent of a school year occurs after the 144th instructional day. This allows for a 7-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(2).)
7. The CST and CMA for science in grades 5, 8, and 10, and CAPA, or its successor alternate assessment, for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days unless the SBE makes a determination by the close of its September 2014 regular meeting that these tests shall be administered during the window defined in subdivision (b)(1) above. If an LEA elects to administer the primary language test, it shall do so during the same window. (Ed. Code, §§ 60640, Cal. Code Regs., tit. 5, §§ 855, subd. (b)(3).)

8. The CDE, with the approval of the SBE President or designee, may require LEAs to more fully utilize the testing window and may also limit the usage of the interim assessments in instances where the CDE determines that it is necessary to do so to ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not exceeded. (Cal. Code Regs., tit. 5, §§ 855, subd. (c).)

9. Administration of the assessments in English language arts and mathematics shall occur in 2014-15 school year. (Ed. Code, §§ 60648.5, subds. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851 and 855.)

10. LEAs shall make arrangements for the testing of all eligible pupils in alternative education programs or programs conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or NPSs. No test may be administered in a home or hospital except by a test examiner. No test shall be administered to a pupil by the parent or guardian of that pupil. This subdivision does not prevent classroom aides from assisting in the administration of the test under the supervision of a test examiner, provided that the classroom aide does not assist his or her own child, and that the classroom aide signs a security affidavit. (Cal. Code Regs. tit. 5, § 851(c)(d).)

11. Administration of an additional test to pupils of limited English proficiency who are enrolled in grades 2 through 11, if the pupil was initially enrolled in any school district less than 12 months before the date that the English language test was given. (Ed. Code, § 60640, subd. (g).)

12. Exemption of pupils from the CAASSP Program tests upon request of their parent or guardian. (Ed. Code, §§ 60615, 60640, subd. (j); Cal. Code Regs., tit. 5, § 852, subd. (a).)

13. Exemption from testing for pupils if the pupil's individualized education program has an exemption provision. (Ed. Code, § 60640, subds. (e), (j); Cal. Code Regs., tit. 5, § 852, subd. (b).)

14. Determination of the appropriate grade level test for each pupil in a special education program. (Cal. Code Regs., tit. 5, § 852, subd. (b).)

15. (a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.

(b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

(c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children. (Cal. Code Regs., tit. 5, § 852, subd. (a)(b)(c))

16.(a) The CAASPP tests pursuant to Education Code section 60640 shall be administered, scored, transmitted, and/or returned by LEAs in accordance with the manuals or other instructions provided by the contractor or CDE for administering, scoring, transmitting, and/or returning the tests, unless specifically provided otherwise in this subchapter, including instructions for administering the test with universal tools, designated supports, and accommodations specified in sections 853.5 and 853.7. The procedures shall include, but are not limited to, those designed to ensure the uniform and standardized administration, and scoring of the tests to pupils, the security and integrity of the test content and test items, and the timely provision of all required pupil and school level information.

(b) The primary mode of administration of a CAASPP test shall be via a computing device, the use of an assessment technology platform, and the adaptive engine.

(c) If available, an LEA may utilize a paper-pencil version of any computer-based assessment (CBA) of the CAASPP assessment system, in accordance with Education Code section 60640(e), and if the LEA identifies the pupils that are unable to access the CBA version of the test.

(d) Interim assessments and formative assessment tools shall be made available to LEA(s) for use. Use of interim assessments and formative assessment tools shall not be considered advance preparation for a CAASPP test as defined in Education Code section 60611. LEAs that use interim assessments and/or formative assessment tools shall abide by the consortium/contractor(s) administration and use requirements. Any scoring of any performance tasks for the interim assessment is the responsibility of the LEA. (Cal. Code Regs., tit. 5, § 853, subd. (a)(b)(c)(d))

17. All pupils shall be permitted the following embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) breaks for reading, writing, listening, and mathematics;
- (2) calculator for specific mathematic items;
- (3) digital notepad for reading, writing, listening, and mathematics;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

- (4) English dictionary for writing (ELA-performance task - pupil long essay(s) not short paragraph responses);
- (5) English glossary for reading, writing, listening, and mathematics;
- (6) expandable passages for reading, writing, listening, and mathematics;
- (7) global notes for writing (ELA-performance task - pupils long essay(s) not short paragraph responses);
- (8) highlighter for reading, writing, listening, and mathematics;
- (9) keyboard navigation for reading, writing, listening, and mathematics;
- (10) mark for review for reading, writing, listening, and mathematics;
- (11) math tools for specific mathematics items;
- (12) spell check for specific writing items;
- (13) strikethrough for reading, writing, listening, and mathematics;
- (14) writing tools for specific pupil generated responses; or
- (15) zoom for reading, writing, listening, and mathematics. (Cal. Code Regs., tit. 5, § 853.5 (a)(1-15).)

18. All pupils shall be permitted the following non-embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) breaks;
- (2) English dictionary for ELA performance task - pupil long essay(s) not short paragraph responses;
- (3) scratch paper;
- (4) thesaurus for ELA performance task - pupil long essay(s) not short paragraph responses;
- (5) color overlay for science and primary language test;
- (6) math tools (i.e., ruler, protractor) for specific mathematics items;
- (7) simplify or clarify test administration directions (does not apply to test questions); or
- (8) pupil marks in paper-pencil test booklet (other than responses including highlighting). (Cal. Code Regs., tit. 5, § 853.5 (b)(1-8).)

19. All pupils shall be permitted the following embedded designated supports when determined for use by an educator or group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics, and reading items but not reading passages;
- (4) translated test directions for mathematics;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section. 6 – Plumas County Office of Education Amended Declaration

- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics.
(Cal. Code Regs., tit. 5, § 853.5 (c)(1-7).)

20. All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
- (2) bilingual dictionary for writing;
- (3) access to translation glossaries/word lists for science and primary language test;
- (4) color contrast for reading, writing, listening, and mathematics;
- (5) color overlay for reading, writing, listening, and mathematics;
- (6) magnification;
- (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
- (8) scribe for reading, listening, and mathematics;
- (9) separate setting;
- (10) translations (glossary) for mathematics; (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (c)).
- (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
- (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
- (13) translations (glossary) for science and primary language test; or
- (14) administration of the test at the most beneficial time of day for the pupil.
(Cal. Code Regs., tit. 5, § 853.5 (d)(1-14).)

21. The following embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

- (1) American Sign Language for listening and mathematics;
- (2) Braille for reading, writing, listening, and mathematics;
- (3) closed captioning for listening;
- (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11; or
- (5) streamlining for reading, writing, listening, and mathematics.
(Cal. Code Regs., tit. 5, § 853.5 (e)(1-5).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

22. The following non-embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language when specified in a pupil's IEP or Section 504 Plan:

- (1) read aloud for primary language test;
 - (2) American Sign Language for listening, mathematics, and science;
 - (3) Braille for paper-pencil tests;
 - (4) Abacus for mathematics and science;
 - (5) Alternate Response Options for reading, writing, listening, and mathematics;
 - (6) Calculator for specific mathematics items;
 - (7) Multiplication Table for mathematics beginning in grade 4;
 - (8) Print on Demand for reading, writing, listening, and mathematics;
 - (9) Read Aloud for reading passages in grades 6 through 8, inclusive, and grade 11; blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have adequate Braille skills;
 - (10) Scribe for writing, science, and primary language test;
 - (11) Speech-to-Text; or
 - (12) Large-Print version of a paper-pencil test.
- (Cal. Code Regs., tit. 5, § 853.5 (f)(1-12).)

23. A LEA may submit a request in writing to the CDE, prior to the administration of a CAASPP test for approval for the use of an individualized aid. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of receipt of the written request. Written requests must include:

- (1) LEA name and CDS code;
 - (2) school/test site and school code;
 - (3) school/test site address, city, and zip code;
 - (4) LEA CAASPP coordinator name, phone number, and email address;
 - (5) CAASPP test site coordinator name, phone number, and email address;
 - (6) school/test site testing window dates;
 - (7) SSID(s) for the pupil(s) for which the individualized aid is being requested;
 - (8) CAASPP test and grade; and
 - (9) the individualized aid being requested.
- (Cal. Code Regs., tit. 5, § 853.5 (g)(1-9).)

24. Individualized aids that change the construct being measured by a CAASPP test invalidate the test score and results in a score that cannot be compared with other CAASPP results. Scores for pupils' tests with individualized aids that change the construct being measured by a CAASPP test will not be counted as participating in statewide testing (and impacts the accountability participation rate indicator) but pupils will still receive individual score reports

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

with their actual score. The following non-embedded individualized aids have been determined to change the construct being measured on the CAASPP tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and are specified below, but not limited to:

- (1) English dictionary for reading, listening, mathematics, science, and primary language;
 - (2) Thesaurus for reading, listening, mathematics, science and primary language;
 - (3) Translated Test Directions for reading, writing, or listening;
 - (4) Bilingual Dictionary for reading, listening, mathematics, science and primary language;
 - (5) Translations (glossary) for reading, writing, and listening;
 - (6) Read aloud for reading passages in grades 3, 4, and 5;
 - (7) American Sign Language for reading passages in grades 3, 4, and 5 and reading passages for primary language;
 - (8) Calculator for non-specified mathematics items or science;
 - (9) Math tools (i.e., ruler, protractor) for non-specified mathematics items; and
 - (10) Multiplication Table for mathematics in grade 3.
- (Cal. Code Regs., tit. 5, § 853.5 (h)(1-10).)

25. If a consortium (in which California is a participant) approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall allow its use. (Cal. Code Regs., tit. 5, § 853.5 (i).)

26. (a) An English learner (EL) shall be permitted the following embedded designated supports, when determined for use by an educator or group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics and reading items, but not passages;
- (4) translated test directions for mathematics;
- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics.

(b) An EL shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
- (2) bilingual dictionary for writing;
- (3) access to translation glossaries/word lists for science and primary language test;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

- (4) color contrast for reading, writing, listening, and mathematics;
 - (5) color overlay for reading, writing, listening, and mathematics;
 - (6) magnification;
 - (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
 - (8) scribe for reading, listening, and mathematics;
 - (9) separate setting;
 - (10) translations (glossary) for mathematics (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (a));
 - (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
 - (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
 - (13) translations (glossary) for science and primary language test; or
 - (14) administration of the test at the most beneficial time of day for the pupil.
- (Education Code Sections 60605 and 60640; (Cal. Code Regs., tit. 5, §§ 853.7)

27. Designation of a CAASPP district coordinator. (Cal. Code Regs., tit. 5, §§ 857-859.)

28. On or before September 30 of each school year, the superintendent of each LEA shall:

- (1) designate from among the employees of the LEA an LEA CAASPP coordinator;
- (2) identify school(s) with pupils unable to access the CBA version of a CAASPP test(s) in accordance with Education Code section 60640(e); and
- (3) report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.

(Cal. Code Regs. tit. 5, § 857 (a)(1,2,3).)

29. The LEA CAASPP coordinator, or the LEA superintendent, shall be available through September 30 of the following school year to complete the LEA testing activities. The LEA shall notify the contractor(s) of the identity and contact information for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP coordinator shall serve as the LEA representative and the liaison between the LEA and the contractor(s) and the LEA and the CDE for all matters related to the CAASPP assessment system. (Cal. Code Regs. tit. 5, § 857 (b).)

30. The LEA CAASPP coordinator's responsibilities shall be those defined in the contractor's(s') or consortium's administrative manuals and documentation, and shall include, but are not limited to, overseeing the LEA's preparation, registration, coordination, training, assessment technology, administration, security, and reporting of the CAASPP tests. The LEA CAASPP coordinator shall ensure current and ongoing compliance with the minimum technology specifications as identified by the CAASPP contractor(s) or consortium. The LEA

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

CAASPP coordinator shall ensure the training of all CAASPP test site coordinators who will oversee the test administration at each school or test site. (Cal. Code Regs. tit. 5, § 857 (c)(d)(e).)

31. Designation of a CAASPP test site coordinator at each test site. (Cal. Code Regs., tit. 5, §§ 857-859.)

32. At each test site, including, but not limited to, each elementary, middle, and high school or other grade-span designated school, each charter school, each court-school, each school or program operated by an LEA, and all other public programs serving pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall designate a CAASPP test site coordinator from among the employees of the LEA. The CAASPP test site coordinator, or the site principal or his or her designee, shall be available to the LEA CAASPP coordinator by telephone through September 30 of the following school year for purposes of resolving discrepancies or inconsistencies in materials or errors in reports. (Cal. Code Regs. tit. 5, § 858 (a).)

33. The CAASPP test site coordinator's responsibilities shall be those defined in the contractor's(s') and CDE's administrative manuals and documentation, and shall include, but are not limited to, overseeing the test site's preparation, coordination, training, registration, administration, security, and reporting of the CAASPP tests. (Cal. Code Regs. tit. 5, § 858 (b).)

34. The CAASPP test site coordinator shall be responsible for the training of test examiners, translators, proctors, and scribes. The CAASPP test site coordinator shall be responsible for ensuring that all designated supports, accommodations and individualized aids are correctly entered into the registration system and provided to the pupil(s) identified to receive the designated supports and/or accommodations. (Cal. Code Regs. tit. 5, § 858 (c)(d).)

35. All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the CAASPP Test Security Agreement, before receiving any of the test materials or tests administered pursuant to Education Code section 60640 and perform all the tasks included in the agreement. (Cal. Code Regs. tit. 5, § 859 (a).)

The CAASPP Test Security Agreement shall be as follows:

CAASPP TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640 are secure tests and agree to each of the following conditions to ensure test security:

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

- (1) I will take all necessary precautions to safeguard all tests and test materials, whether paper-based or computer-based assessments, by limiting access to only persons within the LEA who are responsible for, and have professional interest in, the tests' security.
- (2) I will keep on file the names of all persons who have been trained in the administration of CAASPP tests and all persons with access to tests and test materials, whether paper-based or computer-based assessments. I have and shall have all other persons having access to the tests and test materials read and sign the CAASPP Test Security Affidavit that will be kept on file in the LEA office.
- (3) Except during the administration of the tests, I will keep the paper-pencil tests, and their test materials in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.
- (4) I will securely destroy all print-on-demand papers, scratch paper, and other documents as prescribed within the contractor's(s') or consortium's administrative manuals and documentation.
- (5) With the exception of subdivision (6) below, I will deliver tests and test materials or allow electronic access thereto, only on actual testing dates and only to those persons who have executed CAASPP Test Security Affidavits.
- (6) For an alternate assessment (CAPA or its successor alternate assessment), I will keep all tests and testing materials in the manner set forth above in subdivisions (3) and (5) except during actual testing administration or when being used by test examiners to prepare for and to administer the assessment. I will adhere to the contractor's directions for the distribution of the assessment materials to test examiners.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: 

Print Name: Micheline G. Miglis

Title: County Superintendent

LEA: Plumas County Office of Education

Date: 16 March 2015

(c) All test examiners, proctors, translators, scribes, LEA CAASPP coordinators and CAASPP test site coordinators, and any other persons having access to any of the tests and test materials, assessment technology platform, registration system, adaptive engine, or tests administered pursuant to Education Code section 60640, shall acknowledge the limited purpose of their access to the tests by signing the CAASPP Test Security Affidavit set forth in subdivision (d).

(d) The CAASPP Test Security Affidavit shall be as follows:
CAASPP TEST SECURITY AFFIDAVIT

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

I acknowledge that I will have access to one or more of the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640, for the purpose of administering the test(s). I understand that these materials are highly secure and may be under copyright restrictions and it is my professional responsibility to protect their security as follows:

- (1) I will not divulge the contents of the tests and test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to, sharing or posting test content via the Internet or by email without the express written permission of the CDE.
- (2) I will not copy or take a photo of any part of the test(s) or test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without prior expressed written permission of the CDE.
- (3) Except during the actual testing administrations or as otherwise provided for by law, I will keep the test(s) and test materials secure until the test(s) are actually distributed to pupils when tests and testing materials are checked in and out by the CAASPP test site coordinator. Keeping materials secure means that testing materials are required to be kept in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.
- (4) I will limit access to the test(s) and test materials by test examinees to the actual testing periods when they are taking the test(s). I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a test security affidavit may be in the room when and where a test is being administered.
 - (A) I will keep all assigned, generated, or created usernames, passwords and logins secure and not divulge pupil personal information to anyone other than the pupil to whom the information pertains for the purpose of logging on to the assessment delivery system.
 - (B) I will not allow anyone other than the assigned pupils to log into their assigned test. I may assist a pupil with using their information to log into their assigned test.
 - (C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in using another pupil's information.
- (5) I will not allow pupils to access electronic devices that allow them to access outside information, communicate with other pupils, or photograph or copy test content. This includes, but is not limited to, cell phones, personal digital assistants (PDAs), tablets, laptops, cameras, and electronic translation devices.
- (6) I will collect and account for all materials following each testing session and will not permit pupils to remove any test materials by any means from the room(s) where testing takes place. After each testing session, I will count all test booklets and answer documents before allowing any pupil to leave the testing room and/or ensure that all pupils have properly logged off the assessment delivery system.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

(7) I will not review any achievement test questions, passages, performance tasks, or other test items independently or with pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between LEA staff for training or professional development whether one-on-one or in a staff meeting.

(8) I will not, for any achievement test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., interpreting, explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice inflection, pointing, or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing pupils' answers.

(9) I will return all test materials to the designated CAASPP test site coordinator each day upon completion of testing. I understand that all test booklets, answer documents, and scratch paper shall be returned to the CAASPP test site coordinator each day immediately after testing has been completed for storage or confidential destruction.

(10) If I will administer and/or observe the administration of an alternate assessment (CAPA or its successor alternate assessment), which means that I am a certificated or a licensed LEA employee and a trained examiner, I will keep all the alternate assessment (CAPA or its successor alternate assessment) materials in a securely locked room, and, when possible, in a locked storage cabinet within that room except when I am preparing for the administration, administering or observing the administration of the assessment to pupils.

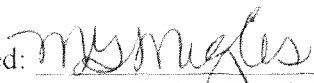
(11) I will actively supervise pupils throughout the paper-pencil testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, accommodations, or individualized aids) needed for the test being administered.

(12) I will actively supervise pupils throughout the testing session and verify that pupils have selected the appropriate assessment for the testing session and have completed any necessary preceding test sections and/or classroom activities.

(13) I will administer the test(s) in accordance with the directions for test administration and test administration manuals prepared by the CAASPP testing contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I understand that the unauthorized copying, sharing, or reusing of any test booklet, test question, performance task, or answer document by any means is prohibited. This includes, but is not limited to, photocopying, recording, emailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and sharing or posting test content via the Internet without the express prior written permission of the CDE.

(14) I have been trained to administer the tests. By signing my name to this document, I am assuring that I have completely read this affidavit and will abide by the above conditions.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

Signed: 
Print Name: Micheline G. Miglis
Position: County Superintendent
School: Plumas County Community School; Plumas County Alternative Programs
LEA: Plumas County Office of Education
Date: 16 March 2015

(e) To maintain the security of the CAASPP assessment system, all LEA CAASPP coordinators and CAASPP test site coordinators shall immediately, within 24 hours, notify the CDE of any security breaches or testing irregularities occurring either before, during, or after the test administration(s). (Cal. Code Regs. tit. 5, § 859 (a)(b:1-6)(c)(d:1-4), (A)(B)(C),(d:5-14)(e).)

36. Inclusion of Program test results in each pupil's record of accomplishment. (Ed. Code, §§ 60607, subd. (a), 60641, subd. (a).)

37. In order to assess pupils pursuant to Education Code section 60640 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in California Longitudinal Pupil Achievement Data System (CALPADS). (Cal. Code Regs. tit. 5, § 861 (a).)

In addition to the demographic and program data required to be reported in section 861(a), LEAs shall report to the CDE the following information:

- (1) if an eligible pupil is not tested due to a significant medical emergency;
- (2) if a pupil used a designated support;
- (3) if a pupil used an individualized aid;
- (4) if a pupil used an accommodation(s);
- (5) if a pupil had special testing conditions and/or reasons for not being tested (e.g., parent or guardian exemption);
- (6) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code; and
- (7) if a pupil in grade 2 was administered a diagnostic assessment pursuant to Education Code section 60644.

(c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate prior to LEA registration and throughout the testing window. The CDE shall provide LEAs reasonable notification prior to pupil demographic and program data being extracted from CALPADS for purposes of test registration, individual pupil reports and reports aggregated to the LEA, and state and federal accountability reporting. (Cal. Code Regs., tit. 5, § 861(b: 1-7)(c).)

38. Annually, the CDE shall make available electronically to each LEA an apportionment information report with the following information provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level:

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

- (1) The number of pupils enrolled in each school and in the LEA on the first day of testing.
 - (2) The number of pupils in each school and in the LEA tested with the alternate assessment.
 - (3) The number of pupils in each school and in the LEA exempted from testing at the request of their parents or guardians pursuant to Education Code section 60615.
 - (4) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.
 - (5) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.
 - (6) The number of pupils with demographic information only who were not tested for any reason other than a parent or guardian exemption.
 - (7) The number of English language learners who were administered a primary language test aligned to the English language arts standards pursuant to Education Code section 60640(b)(5)(B).
 - (8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to Education Code section 60644.
- (b) To be eligible for apportionment payment for the CAASPP assessments, LEAs must meet the following conditions:
- (1) The LEA has returned all secure test materials, and
 - (2) The LEA CAASPP coordinator has certified the accuracy of the apportionment information report for assessments administered during the school year, which is either:
 - (A) transmitted electronically in a manner prescribed by the contractor(s) and/or the CDE by December 31, or
 - (B) if transmitted in any manner after December 31, the apportionment information report must be accompanied by a waiver request as provided by Education Code section 33050. For those apportionment information reports transmitted after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the testing window began. (Cal. Code Regs., tit. 5, § 862(a:1-8)(b:1-2)(A)(B).)

39. (a) The amount of funding to be apportioned to the LEA shall be the amount established by the SBE per the number of tests administered to eligible pupils, and the number of pupils enrolled on the first day of testing who were not tested in the LEA. The number of tests administered and the number of pupils not tested shall be determined by the certification of the LEA CAASPP coordinator pursuant to section 862. For purposes of this portion of the apportionment, administration of the tests includes the following items:
- (1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test site coordinators, staff training and other staff expenses related to testing.
 - (2) All expenses incurred at the LEA and school/test site(s) related to testing.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

- (3) All transportation costs of delivering and retrieving tests and test materials within the LEA and to NPSs.
- (4) All costs associated with transmitting the pupil report(s) to parents/guardians.
- (5) All costs associated with activities intended to provide the complete and accurate data required in section 861.
- (b) This amount does not include any funding for the purposes of reimbursing any LEA for primary language tests for non-eligible pupils. (Cal. Code Regs., tit. 5, § 862.5 (a:1-5)(b).)

40. (a) The LEA shall forward or transmit pupil results for the tests conducted pursuant to Education Code section 60640 to each pupil's parent or guardian within 20 working days from receipt of the results from the contractor.

(b) If the LEA receives the reports for the tests conducted pursuant to Education Code section 60640 from the contractor after the last day of instruction for the school year, the LEA shall make the report available to the parent or guardian no later than the first 20 working days of the next school year.

(c) Schools are responsible for maintaining pupil's scores with the pupil's permanent school records or for entering the scores into electronic pupil records, and for forwarding or transmitting the results to schools to which pupils matriculate or transfer. Schools may annotate the scores when the scores may not accurately reflect pupils' achievement due to illness or testing irregularities. Reporting of individual program test results in writing to each pupil's parent or guardian and to the pupil's school and teachers as well as maintaining the pupil's scores with the pupil's permanent school records. (Ed. Code, § 60641, subds. (a; b); Cal. Code Regs., tit. 5, § 863 (a-c).)

41. Reporting of district-wide, school-level, and class-level results to the school district's governing board or county office of education. (Ed. Code, § 60641.)

42. (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

(b) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

- (1) comply with any and all requests from CAASPP contractor(s) in accordance with Education Code section 60641; and
- (2) abide by any and all instructions provided by the CAASPP contractor or consortium, whether written or oral, that are presented for training or provided for in the administration of a CAASPP test. (Cal. Code Regs., tit. 5, § 864 (a)(b:1-2).)

43. Provide grade 11 assessments to pupils, parents or legal guardians. (Ed. Code, § 60641, subd. (e).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

44. Provide interim and formative assessment tools for kindergarten and grades 1-12. (Ed. Code, § 60642.6.);

45. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the Measurement of Academic Performance and Progress (MAPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course exams he or she has taken, and the vocational education certification exams he or she chose to take. (Education Code 60607)

Additional Activities

CA LEGIS 327 (2014)(A.B. 1599)

46. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the California Assessment of Student Performance and Progress (CAASPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course examinations he or she has taken, and the vocational education certification examinations he or she chose to take. (Education Code 60607)

47. A pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the purpose of credit, placement, or admission and the results of an individual pupil on the CAASPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission. (Education Code 60607)

48. State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the California Assessment of Student Performance and Progress (CAASPP) assessments and the assessment scores and results from assessments that measured previously adopted content standards. The districtwide, school-level, and grade-level results of the CAASPP in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting. Aggregated, disaggregated, or group scores or reports that include the results of the CAASPP assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results. (Education Code 60641)

49. A local educational agency shall be reimbursed by the contractor selected pursuant to this article for any unexpected expenses incurred due to scheduling changes that resulted from the late delivery of testing materials in connection with the California Assessment of Student Performance and Progress. (Education Code 60643.6)

50. The test or series of tests developed or acquired pursuant to subdivision (a) shall have sufficient range to assess pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills. Pupils in kindergarten and grade 1 shall be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. The early literacy assessment shall be administered for a period of four years beginning after the initial administration of the assessment or until July 1, 2017, whichever occurs last. (Education Code 60643.6)

51. Training and review of the CAASSP Program requirements as outlined in the test claim legislation and regulations by school district staff.

52. Developing and implementation of internal policies, training, procedures and forms relating to the administration of the CAASPP Program. Developing internal policies, procedures, and forms to implement the CAASP. (One-time)

53. In California, all students in grades 3 through 8 and 11 will participate in the 2015 Smarter Balanced tests, which include both ELA and mathematics content areas. These tests are administered online.

54. In 2015 the CSTs in Science are to be administered to students in grades 5, 8, and 10.

55. In 2015 the CMA for Science tests are to be administered to students in grades 5, 8, and 10 who have an individualized education program (IEP).

56. In 2015 the CAPA for Science tests are individually administered performance assessments for students in grades 5, 8, and 10 who have significant cognitive disabilities and who are unable to take either the CSTs even with accommodations or modifications or the CMA with accommodations.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas County Office of Education Amended Declaration

57. In 2015 the STS are multiple-choice tests that allow Spanish-speaking English learners in grades 2 through 11 to demonstrate their knowledge of the California content standards by taking a reading/language arts (RLA) assessment in their primary language.

Section D.

Not Applicable.

Section F.

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.

Dated: March 13, 2015


MICHELINE MIGLIS, SUPERINTENDENT FOR
THE PLUMAS COUNTY OFFICE OF EDUCATION

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 – Plumas Unified School District Amended Declaration

SECTION NUMBER: 6
Heading: AMENDED DECLARATION

I, Micheline G. Miglis, Superintendent for the Plumas Unified School District, declare as follows:

Section A. The actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.

It is estimated the increased costs that will be incurred by the claimant to implement the alleged mandate is approximately:

	<u>2013-2014 Actual Costs</u>	<u>2014-2015 Actual/Est. Costs</u>
<u>Devices:</u> This includes all student devices purchased (monitors; student calculators) This includes all student devices needed for full implementation of testing (SEAC compliant tablets, laptops, carts, PCs, iPads, MacBooks, Chromebooks). <i>Estimate of current and future needs for full implementation.</i>	\$2,724.71	\$600,000.00
<u>Bandwidth improvements/infrastructure:</u> This includes fiber updates that were made to facilitate the pilot and ultimately full implementation This includes fiber updates, servers, and software needed to facilitate the pilot and ultimately full implementation. Year to date: <i>Estimate of current and future needs for full implementation.</i>	\$25,000.00	\$25,881.79 \$1,000,000.00

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 - Plumas Unified School District Amended Declaration

<p><u>Personnel:</u> Administrative and support staff to assist in the preparation and implementation of testing.</p> <p>Teachers: 2 hours each x 90 staff for training video to facilitate testing (\$58.25/hr avg w/salary and benefits) Counselors: 20 hrs each x 3 staff to prepare and organize (\$54.80/hr avg w/salary and benefits) Administrative and support staff to assist in the preparation and implementation of testing. (actual plus estimated)</p>	<p>\$129,128.53</p>	<p>\$10,485.00</p> <p>\$3,288.00</p> <p>\$155,726.74</p>
<p><u>Miscellaneous:</u> Scanners, print servers, laptops/desktops for each classroom for teachers to practice and model for the state assessment.</p> <p>Asset tags, student furniture, other as yet unidentified needs to fully implement mandate.</p> <p>Year to date:</p> <p><i>Estimate of current and future needs for full implementation.</i></p>	<p>\$272,243.00</p>	<p>\$2,497.12</p> <p>\$5,000.00</p>
<p><u>Training:</u> Professional development for teachers re: State Standards: formative and interim assessment; accessing sample test questions and professional Learning Communities; and preparing for annual test.</p> <p>Ongoing professional development for teachers.</p> <p><i>Estimate of current and future needs for full implementation.</i></p>	<p>\$72,648.69</p>	<p>\$31,865.75</p> <p>\$50,000.00</p>
<p>Total:</p>	<p>\$509,533.07</p>	<p>\$1,934,744.40</p>

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

Section B. Identify all local, state, or federal funds, and fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs:

Common Core Implementation Block Grant

Section C. Describe new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections or page numbers alleged to impose a reimbursable state mandated program):

1. Statutes 2013-2014 Chapter 489 (A.B. No. 484); Sections 3, 5, 9, 12, 15, 16, 28, 28.5.
2. Statutes 2014 Chapter 32 (S.B. No. 858); Sections 49.
3. Statutes 2014 Chapter 327 (A.B. No. 1599); Sections 17, 18, 19, 22, 24, 26.
4. Title 5, California Code of Regulations Sections 850-864.
5. Title 5, California Code of Regulations Sections 850-864. (Certificate of Compliance Effective August 27, 2014)

New Activities

1. Administration of the achievement tests (Smarter Balanced Field Tests, California Standard Test (CST), CMA, CAPA, California Measurement of Academic Performance and Progress for the 21st Century (CalMAPP21), primary language tests, California Assessment of Student Performance and Progress (CAASPP), a consortium summative assessment in English language arts and mathematics to all pupils in grades 3 through 8, inclusive. For grades 9 and 10 students selected for the scientific sample are/were expected to participate. In grade 11 all students selected for the scientific sample are expected to participate. (Ed. Code, §§ 60640, subs. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851(a).)
2. For the 2013-14 school year, each LEA shall administer the Smarter Balanced field tests for ELA and mathematics in the manner prescribed by the CDE pursuant to the authority granted by Education Code § 60640(f)(2). (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(1).)
3. For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10, shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 - Plumas Unified School District Amended Declaration

instructional days. Testing for all pupils, including makeup testing, is to be completed within this 25 instructional day window. (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(2).)

4. Science grade level assessments in grades 5, 8, and 10 that measure content standards adopted pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B). (Cal. Educ. Code § 60640)

5. In the 2014-15 school year, the CAASPP tests pursuant to Education Code section 60640(b) shall be administered to each pupil during the following testing windows: Unless otherwise stated in these regulations, the testing window shall not begin until at least 66 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 66 percent of a school year occurs after the 120th instructional day. This allows for a 12-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(1).)

6. For the grade 11 Smarter Balanced assessments and CAASPP tests administered after January 2015, the testing window shall not begin until at least 80 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 80 percent of a school year occurs after the 144th instructional day. This allows for a 7-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(2).)

7. The CST and CMA for science in grades 5, 8, and 10, and CAPA, or its successor alternate assessment, for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days unless the SBE makes a determination by the close of its September 2014 regular meeting that these tests shall be administered during the window defined in subdivision (b)(1) above. If an LEA elects to administer the primary language test, it shall do so during the same window. (Ed. Code, §§ 60640, Cal. Code Regs., tit. 5, §§ 855, subd. (b)(3).)

8. The CDE, with the approval of the SBE President or designee, may require LEAs to more fully utilize the testing window and may also limit the usage of the interim assessments in instances where the CDE determines that it is necessary to do so to ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not exceeded. (Cal. Code Regs., tit. 5, §§ 855, subd. (c).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

9. Administration of the assessments in English language arts and mathematics shall occur in 2014-15 school year. (Ed. Code, §§ 60648.5, subds. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851 and 855.)

10. LEAs shall make arrangements for the testing of all eligible pupils in alternative education programs or programs conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or NPSs. No test may be administered in a home or hospital except by a test examiner. No test shall be administered to a pupil by the parent or guardian of that pupil. This subdivision does not prevent classroom aides from assisting in the administration of the test under the supervision of a test examiner, provided that the classroom aide does not assist his or her own child, and that the classroom aide signs a security affidavit. (Cal. Code Regs. tit. 5, § 851(c)(d).)

11. Administration of an additional test to pupils of limited English proficiency who are enrolled in grades 2 through 11, if the pupil was initially enrolled in any school district less than 12 months before the date that the English language test was given. (Ed. Code, § 60640, subd. (g).)

12. Exemption of pupils from the CAASSP Program tests upon request of their parent or guardian. (Ed. Code, §§ 60615, 60640, subd. (j); Cal. Code Regs., tit. 5, § 852, subd. (a).)

13. Exemption from testing for pupils if the pupil's individualized education program has an exemption provision. (Ed. Code, § 60640, subds. (e), (j); Cal. Code Regs., tit. 5, § 852, subd. (b).)

14. Determination of the appropriate grade level test for each pupil in a special education program. (Cal. Code Regs., tit. 5, § 852, subd. (b).)

15. (a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.

(b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.

(c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 - Plumas Unified School District Amended Declaration

exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children. (Cal. Code Regs., tit. 5, § 852, subd. (a)(b)(c))

16.(a) The CAASPP tests pursuant to Education Code section 60640 shall be administered, scored, transmitted, and/or returned by LEAs in accordance with the manuals or other instructions provided by the contractor or CDE for administering, scoring, transmitting, and/or returning the tests, unless specifically provided otherwise in this subchapter, including instructions for administering the test with universal tools, designated supports, and accommodations specified in sections 853.5 and 853.7. The procedures shall include, but are not limited to, those designed to ensure the uniform and standardized administration, and scoring of the tests to pupils, the security and integrity of the test content and test items, and the timely provision of all required pupil and school level information.

(b) The primary mode of administration of a CAASPP test shall be via a computing device, the use of an assessment technology platform, and the adaptive engine.

(c) If available, an LEA may utilize a paper-pencil version of any computer-based assessment (CBA) of the CAASPP assessment system, in accordance with Education Code section 60640(e), and if the LEA identifies the pupils that are unable to access the CBA version of the test.

(d) Interim assessments and formative assessment tools shall be made available to LEA(s) for use. Use of interim assessments and formative assessment tools shall not be considered advance preparation for a CAASPP test as defined in Education Code section 60611. LEAs that use interim assessments and/or formative assessment tools shall abide by the consortium/contractor(s) administration and use requirements. Any scoring of any performance tasks for the interim assessment is the responsibility of the LEA. (Cal. Code Regs., tit. 5, § 853, subd. (a)(b)(c)(d))

17. All pupils shall be permitted the following embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

(1) breaks for reading, writing, listening, and mathematics;

(2) calculator for specific mathematic items;

(3) digital notepad for reading, writing, listening, and mathematics;

(4) English dictionary for writing (ELA-performance task - pupil long essay(s) not short paragraph responses);

(5) English glossary for reading, writing, listening, and mathematics;

(6) expandable passages for reading, writing, listening, and mathematics;

(7) global notes for writing (ELA-performance task - pupils long essay(s) not short paragraph responses);

(8) highlighter for reading, writing, listening, and mathematics;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

- (9) keyboard navigation for reading, writing, listening, and mathematics;
- (10) mark for review for reading, writing, listening, and mathematics;
- (11) math tools for specific mathematics items;
- (12) spell check for specific writing items;
- (13) strikethrough for reading, writing, listening, and mathematics;
- (14) writing tools for specific pupil generated responses; or
- (15) zoom for reading, writing, listening, and mathematics. (Cal. Code Regs., tit. 5, § 853.5 (a)(1-15).)

18. All pupils shall be permitted the following non-embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) breaks;
- (2) English dictionary for ELA performance task - pupil long essay(s) not short paragraph responses;
- (3) scratch paper;
- (4) thesaurus for ELA performance task - pupil long essay(s) not short paragraph responses;
- (5) color overlay for science and primary language test;
- (6) math tools (i.e., ruler, protractor) for specific mathematics items;
- (7) simplify or clarify test administration directions (does not apply to test questions); or
- (8) pupil marks in paper-pencil test booklet (other than responses including highlighting).
(Cal. Code Regs., tit. 5, § 853.5 (b)(1-8).)

19. All pupils shall be permitted the following embedded designated supports when determined for use by an educator or group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics, and reading items but not reading passages;
- (4) translated test directions for mathematics;
- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics.
(Cal. Code Regs., tit. 5, § 853.5 (c)(1-7).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 - Plumas Unified School District Amended Declaration

20. All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
- (2) bilingual dictionary for writing;
- (3) access to translation glossaries/word lists for science and primary language test;
- (4) color contrast for reading, writing, listening, and mathematics;
- (5) color overlay for reading, writing, listening, and mathematics;
- (6) magnification;
- (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
- (8) scribe for reading, listening, and mathematics;
- (9) separate setting;
- (10) translations (glossary) for mathematics; (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (c)).
- (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
- (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
- (13) translations (glossary) for science and primary language test; or
- (14) administration of the test at the most beneficial time of day for the pupil.

(Cal. Code Regs., tit. 5, § 853.5 (d)(1-14).)

21. The following embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

- (1) American Sign Language for listening and mathematics;
- (2) Braille for reading, writing, listening, and mathematics;
- (3) closed captioning for listening;
- (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11; or
- (5) streamlining for reading, writing, listening, and mathematics.

(Cal. Code Regs., tit. 5, § 853.5 (e)(1-5).)

22. The following non-embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language when specified in a pupil's IEP or Section 504 Plan:

- (1) read aloud for primary language test;
- (2) American Sign Language for listening, mathematics, and science;
- (3) Braille for paper-pencil tests;
- (4) Abacus for mathematics and science;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

- (5) Alternate Response Options for reading, writing, listening, and mathematics;
- (6) Calculator for specific mathematics items;
- (7) Multiplication Table for mathematics beginning in grade 4;
- (8) Print on Demand for reading, writing, listening, and mathematics;.
- (9) Read Aloud for reading passages in grades 6 through 8, inclusive, and grade 11; blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have adequate Braille skills;
- (10) Scribe for writing, science, and primary language test;
- (11) Speech-to-Text; or
- (12) Large-Print version of a paper-pencil test.
(Cal. Code Regs., tit. 5, § 853.5 (f)(1-12).)

23. A LEA may submit a request in writing to the CDE, prior to the administration of a CAASPP test for approval for the use of an individualized aid. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of receipt of the written request. Written requests must include:

- (1) LEA name and CDS code;
- (2) school/test site and school code;
- (3) school/test site address, city, and zip code;
- (4) LEA CAASPP coordinator name, phone number, and email address;
- (5) CAASPP test site coordinator name, phone number, and email address;
- (6) school/test site testing window dates;
- (7) SSID(s) for the pupil(s) for which the individualized aid is being requested;
- (8) CAASPP test and grade; and
- (9) the individualized aid being requested.
(Cal. Code Regs., tit. 5, § 853.5 (g)(1-9).)

24. Individualized aids that change the construct being measured by a CAASPP test invalidate the test score and results in a score that cannot be compared with other CAASPP results. Scores for pupils' tests with individualized aids that change the construct being measured by a CAASPP test will not be counted as participating in statewide testing (and impacts the accountability participation rate indicator) but pupils will still receive individual score reports with their actual score. The following non-embedded individualized aids have been determined to change the construct being measured on the CAASPP tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and are specified below, but not limited to:

- (1) English dictionary for reading, listening, mathematics, science, and primary language;
- (2) Thesaurus for reading, listening, mathematics, science and primary language;
- (3) Translated Test Directions for reading, writing, or listening;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

- (4) Bilingual Dictionary for reading, listening, mathematics, science and primary language;
- (5) Translations (glossary) for reading, writing, and listening;
- (6) Read aloud for reading passages in grades 3, 4, and 5;
- (7) American Sign Language for reading passages in grades 3, 4, and 5 and reading passages for primary language;
- (8) Calculator for non-specified mathematics items or science;
- (9) Math tools (i.e., ruler, protractor) for non-specified mathematics items; and
- (10) Multiplication Table for mathematics in grade 3.
(Cal. Code Regs., tit. 5, § 853.5 (h)(1-10).)

25. If a consortium (in which California is a participant) approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall allow its use. (Cal. Code Regs., tit. 5, § 853.5 (i).)

26. (a) An English learner (EL) shall be permitted the following embedded designated supports, when determined for use by an educator or group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
 - (2) masking for reading, writing, listening, and mathematics;
 - (3) text-to-speech for writing, listening, mathematics and reading items, but not passages;
 - (4) translated test directions for mathematics;
 - (5) translations (glossary) for mathematics;
 - (6) translations (stacked) for mathematics; or
 - (7) turn off any universal tool for reading, writing, listening, and mathematics.
- (b) An EL shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:
- (1) translated directions for mathematics, science and primary language test;
 - (2) bilingual dictionary for writing;
 - (3) access to translation glossaries/word lists for science and primary language test;
 - (4) color contrast for reading, writing, listening, and mathematics;
 - (5) color overlay for reading, writing, listening, and mathematics;
 - (6) magnification;
 - (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
 - (8) scribe for reading, listening, and mathematics;
 - (9) separate setting;
 - (10) translations (glossary) for mathematics (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (a));

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

(11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
(12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
(13) translations (glossary) for science and primary language test; or
(14) administration of the test at the most beneficial time of day for the pupil.
(Education Code Sections 60605 and 60640; (Cal. Code Regs., tit. 5, §§ 853.7)

27. Designation of a CAASPP district coordinator. (Cal. Code Regs., tit. 5, §§ 857-859.)

28. On or before September 30 of each school year, the superintendent of each LEA shall:
(1) designate from among the employees of the LEA an LEA CAASPP coordinator;
(2) identify school(s) with pupils unable to access the CBA version of a CAASPP test(s) in accordance with Education Code section 60640(e); and
(3) report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.
(Cal. Code Regs. tit. 5, § 857 (a)(1,2,3).)

29. The LEA CAASPP coordinator, or the LEA superintendent, shall be available through September 30 of the following school year to complete the LEA testing activities. The LEA shall notify the contractor(s) of the identity and contact information for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP coordinator shall serve as the LEA representative and the liaison between the LEA and the contractor(s) and the LEA and the CDE for all matters related to the CAASPP assessment system. (Cal. Code Regs. tit. 5, § 857 (b).)

30. The LEA CAASPP coordinator's responsibilities shall be those defined in the contractor's(s') or consortium's administrative manuals and documentation, and shall include, but are not limited to, overseeing the LEA's preparation, registration, coordination, training, assessment technology, administration, security, and reporting of the CAASPP tests. The LEA CAASPP coordinator shall ensure current and ongoing compliance with the minimum technology specifications as identified by the CAASPP contractor(s) or consortium. The LEA CAASPP coordinator shall ensure the training of all CAASPP test site coordinators who will oversee the test administration at each school or test site. (Cal. Code Regs. tit. 5, § 857 (c)(d)(e).)

31. Designation of a CAASPP test site coordinator at each test site. (Cal. Code Regs., tit. 5, §§ 857-859.)

32. At each test site, including, but not limited to, each elementary, middle, and high school or other grade-span designated school, each charter school, each court-school, each school or program operated by an LEA, and all other public programs serving pupils, inclusive, the

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

superintendent of the LEA or the LEA CAASPP coordinator shall designate a CAASPP test site coordinator from among the employees of the LEA. The CAASPP test site coordinator, or the site principal or his or her designee, shall be available to the LEA CAASPP coordinator by telephone through September 30 of the following school year for purposes of resolving discrepancies or inconsistencies in materials or errors in reports. (Cal. Code Regs. tit. 5, § 858 (a).)

33. The CAASPP test site coordinator's responsibilities shall be those defined in the contractor's(s') and CDE's administrative manuals and documentation, and shall include, but are not limited to, overseeing the test site's preparation, coordination, training, registration, administration, security, and reporting of the CAASPP tests. (Cal. Code Regs. tit. 5, § 858 (b).)

34. The CAASPP test site coordinator shall be responsible for the training of test examiners, translators, proctors, and scribes. The CAASPP test site coordinator shall be responsible for ensuring that all designated supports, accommodations and individualized aids are correctly entered into the registration system and provided to the pupil(s) identified to receive the designated supports and/or accommodations. (Cal. Code Regs. tit. 5, § 858 (c)(d).)

35. All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the CAASPP Test Security Agreement, before receiving any of the test materials or tests administered pursuant to Education Code section 60640 and perform all the tasks included in the agreement. (Cal. Code Regs. tit. 5, § 859 (a).)

The CAASPP Test Security Agreement shall be as follows:

CAASPP TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640 are secure tests and agree to each of the following conditions to ensure test security:

(1) I will take all necessary precautions to safeguard all tests and test materials, whether paper-based or computer-based assessments, by limiting access to only persons within the LEA who are responsible for, and have professional interest in, the tests' security.

(2) I will keep on file the names of all persons who have been trained in the administration of CAASPP tests and all persons with access to tests and test materials, whether paper-based or computer-based assessments. I have and shall have all other persons having access to the tests and test materials read and sign the CAASPP Test Security Affidavit that will be kept on file in the LEA office.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 - Plumas Unified School District Amended Declaration

(3) Except during the administration of the tests, I will keep the paper-pencil tests, and their test materials in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will securely destroy all print-on-demand papers, scratch paper, and other documents as prescribed within the contractor's(s') or consortium's administrative manuals and documentation.

(5) With the exception of subdivision (6) below, I will deliver tests and test materials or allow electronic access thereto, only on actual testing dates and only to those persons who have executed CAASPP Test Security Affidavits.

(6) For an alternate assessment (CAPA or its successor alternate assessment), I will keep all tests and testing materials in the manner set forth above in subdivisions (3) and (5) except during actual testing administration or when being used by test examiners to prepare for and to administer the assessment. I will adhere to the contractor's directions for the distribution of the assessment materials to test examiners.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: _____

Print Name: Micheline G. Miglis

Title: Superintendent of Schools

LEA: Plumas Unified School District

Date: 16 March 2015

(c) All test examiners, proctors, translators, scribes, LEA CAASPP coordinators and CAASPP test site coordinators, and any other persons having access to any of the tests and test materials, assessment technology platform, registration system, adaptive engine, or tests administered pursuant to Education Code section 60640, shall acknowledge the limited purpose of their access to the tests by signing the CAASPP Test Security Affidavit set forth in subdivision (d).

(d) The CAASPP Test Security Affidavit shall be as follows:

CAASPP TEST SECURITY AFFIDAVIT

I acknowledge that I will have access to one or more of the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640, for the purpose of administering the test(s). I understand that these materials are highly secure and may be under copyright restrictions and it is my professional responsibility to protect their security as follows:

(1) I will not divulge the contents of the tests and test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to,

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

sharing or posting test content via the Internet or by email without the express written permission of the CDE.

(2) I will not copy or take a photo of any part of the test(s) or test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without prior expressed written permission of the CDE.

(3) Except during the actual testing administrations or as otherwise provided for by law, I will keep the test(s) and test materials secure until the test(s) are actually distributed to pupils when tests and testing materials are checked in and out by the CAASPP test site coordinator. Keeping materials secure means that testing materials are required to be kept in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will limit access to the test(s) and test materials by test examinees to the actual testing periods when they are taking the test(s). I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a test security affidavit may be in the room when and where a test is being administered.

(A) I will keep all assigned, generated, or created usernames, passwords and logins secure and not divulge pupil personal information to anyone other than the pupil to whom the information pertains for the purpose of logging on to the assessment delivery system.

(B) I will not allow anyone other than the assigned pupils to log into their assigned test. I may assist a pupil with using their information to log into their assigned test.

(C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in using another pupil's information.

(5) I will not allow pupils to access electronic devices that allow them to access outside information, communicate with other pupils, or photograph or copy test content. This includes, but is not limited to, cell phones, personal digital assistants (PDAs), tablets, laptops, cameras, and electronic translation devices.

(6) I will collect and account for all materials following each testing session and will not permit pupils to remove any test materials by any means from the room(s) where testing takes place. After each testing session, I will count all test booklets and answer documents before allowing any pupil to leave the testing room and/or ensure that all pupils have properly logged off the assessment delivery system.

(7) I will not review any achievement test questions, passages, performance tasks, or other test items independently or with pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between LEA staff for training or professional development whether one-on-one or in a staff meeting.

(8) I will not, for any achievement test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., interpreting, explaining, or paraphrasing the test items or prompts) and

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

nonverbal cues (e.g., voice inflection, pointing, or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing pupils' answers.

(9) I will return all test materials to the designated CAASPP test site coordinator each day upon completion of testing. I understand that all test booklets, answer documents, and scratch paper shall be returned to the CAASPP test site coordinator each day immediately after testing has been completed for storage or confidential destruction.

(10) If I will administer and/or observe the administration of an alternate assessment (CAPA or its successor alternate assessment), which means that I am a certificated or a licensed LEA employee and a trained examiner, I will keep all the alternate assessment (CAPA or its successor alternate assessment) materials in a securely locked room, and, when possible, in a locked storage cabinet within that room except when I am preparing for the administration, administering or observing the administration of the assessment to pupils.

(11) I will actively supervise pupils throughout the paper-pencil testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, accommodations, or individualized aids) needed for the test being administered.

(12) I will actively supervise pupils throughout the testing session and verify that pupils have selected the appropriate assessment for the testing session and have completed any necessary preceding test sections and/or classroom activities.

(13) I will administer the test(s) in accordance with the directions for test administration and test administration manuals prepared by the CAASPP testing contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I understand that the unauthorized copying, sharing, or reusing of any test booklet, test question, performance task, or answer document by any means is prohibited. This includes, but is not limited to, photocopying, recording, emailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and sharing or posting test content via the Internet without the express prior written permission of the CDE.

(14) I have been trained to administer the tests. By signing my name to this document, I am assuring that I have completely read this affidavit and will abide by the above conditions.

Signed: 

Print Name: Micheline G. Miglis

Position: Superintendent of Schools

School: Chester Elementary School, Chester Junior/Senior HS, Indian Valley Elementary School, Greenville Junior/Senior HS, Quincy Elementary School, Quincy Junior/Senior HS, C. Roy Carmichael Elementary School, Portola Junior/Senior HS.

LEA: Plumas Unified School District

Date: 16 March 2015

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

(e) To maintain the security of the CAASPP assessment system, all LEA CAASPP coordinators and CAASPP test site coordinators shall immediately, within 24 hours, notify the CDE of any security breaches or testing irregularities occurring either before, during, or after the test administration(s). (Cal. Code Regs. tit. 5, § 859 (a)(b:1-6)(c)(d:1-4), (A)(B)(C),(d:5-14)(e).)

36. Inclusion of Program test results in each pupil's record of accomplishment. (Ed. Code, §§ 60607, subd. (a), 60641, subd. (a).)

37. In order to assess pupils pursuant to Education Code section 60640 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in California Longitudinal Pupil Achievement Data System (CALPADS). (Cal. Code Regs. tit. 5, § 861 (a).)

In addition to the demographic and program data required to be reported in section 861(a), LEAs shall report to the CDE the following information:

- (1) if an eligible pupil is not tested due to a significant medical emergency;
- (2) if a pupil used a designated support;
- (3) if a pupil used an individualized aid;
- (4) if a pupil used an accommodation(s);
- (5) if a pupil had special testing conditions and/or reasons for not being tested (e.g., parent or guardian exemption);
- (6) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code; and
- (7) if a pupil in grade 2 was administered a diagnostic assessment pursuant to Education Code section 60644.

(c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate prior to LEA registration and throughout the testing window. The CDE shall provide LEAs reasonable notification prior to pupil demographic and program data being extracted from CALPADS for purposes of test registration, individual pupil reports and reports aggregated to the LEA, and state and federal accountability reporting. (Cal. Code Regs., tit. 5, § 861(b: 1-7)(c).)

38. Annually, the CDE shall make available electronically to each LEA an apportionment information report with the following information provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level:

- (1) The number of pupils enrolled in each school and in the LEA on the first day of testing.
- (2) The number of pupils in each school and in the LEA tested with the alternate assessment.
- (3) The number of pupils in each school and in the LEA exempted from testing at the request of their parents or guardians pursuant to Education Code section 60615.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

- (4) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.
- (5) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.
- (6) The number of pupils with demographic information only who were not tested for any reason other than a parent or guardian exemption.
- (7) The number of English language learners who were administered a primary language test aligned to the English language arts standards pursuant to Education Code section 60640(b)(5)(B).
- (8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to Education Code section 60644.
 - (b) To be eligible for apportionment payment for the CAASPP assessments, LEAs must meet the following conditions:
 - (1) The LEA has returned all secure test materials, and
 - (2) The LEA CAASPP coordinator has certified the accuracy of the apportionment information report for assessments administered during the school year, which is either:
 - (A) transmitted electronically in a manner prescribed by the contractor(s) and/or the CDE by December 31, or
 - (B) if transmitted in any manner after December 31, the apportionment information report must be accompanied by a waiver request as provided by Education Code section 33050. For those apportionment information reports transmitted after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the testing window began. (Cal. Code Regs., tit. 5, § 862(a:1-8)(b:1-2)(A)(B).)

39.
 - (a) The amount of funding to be apportioned to the LEA shall be the amount established by the SBE per the number of tests administered to eligible pupils, and the number of pupils enrolled on the first day of testing who were not tested in the LEA. The number of tests administered and the number of pupils not tested shall be determined by the certification of the LEA CAASPP coordinator pursuant to section 862. For purposes of this portion of the apportionment, administration of the tests includes the following items:
 - (1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test site coordinators, staff training and other staff expenses related to testing.
 - (2) All expenses incurred at the LEA and school/test site(s) related to testing.
 - (3) All transportation costs of delivering and retrieving tests and test materials within the LEA and to NPSs.
 - (4) All costs associated with transmitting the pupil report(s) to parents/guardians.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

- (5) All costs associated with activities intended to provide the complete and accurate data required in section 861.
- (b) This amount does not include any funding for the purposes of reimbursing any LEA for primary language tests for non-eligible pupils. (Cal. Code Regs., tit. 5, § 862.5 (a:1-5)(b).)
40. (a) The LEA shall forward or transmit pupil results for the tests conducted pursuant to Education Code section 60640 to each pupil's parent or guardian within 20 working days from receipt of the results from the contractor.
- (b) If the LEA receives the reports for the tests conducted pursuant to Education Code section 60640 from the contractor after the last day of instruction for the school year, the LEA shall make the report available to the parent or guardian no later than the first 20 working days of the next school year.
- (c) Schools are responsible for maintaining pupil's scores with the pupil's permanent school records or for entering the scores into electronic pupil records, and for forwarding or transmitting the results to schools to which pupils matriculate or transfer. Schools may annotate the scores when the scores may not accurately reflect pupils' achievement due to illness or testing irregularities. Reporting of individual program test results in writing to each pupil's parent or guardian and to the pupil's school and teachers as well as maintaining the pupil's scores with the pupil's permanent school records. (Ed. Code, § 60641, subds. (a); b); Cal. Code Regs., tit. 5, § 863 (a-c).)
41. Reporting of district-wide, school-level, and class-level results to the school district's governing board or county office of education. (Ed. Code, § 60641.)
42. (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.
- (b) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:
- (1) comply with any and all requests from CAASPP contractor(s) in accordance with Education Code section 60641; and
- (2) abide by any and all instructions provided by the CAASPP contractor or consortium, whether written or oral, that are presented for training or provided for in the administration of a CAASPP test. (Cal. Code Regs., tit. 5, § 864 (a)(b:1-2).)
43. Provide grade 11 assessments to pupils, parents or legal guardians. (Ed. Code, § 60641, subd. (e).)
44. Provide interim and formative assessment tools for kindergarten and grades 1-12. (Ed. Code, § 60642.6.);

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

45. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the Measurement of Academic Performance and Progress (MAPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course exams he or she has taken, and the vocational education certification exams he or she chose to take. (Education Code 60607)

Additional Activities

CA LEGIS 327 (2014)(A.B. 1599)

46. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the California Assessment of Student Performance and Progress (CAASPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course examinations he or she has taken, and the vocational education certification examinations he or she chose to take. (Education Code 60607)

47. A pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the purpose of credit, placement, or admission and the results of an individual pupil on the CAASPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission. (Education Code 60607)

48. State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the California Assessment of Student Performance and Progress (CAASPP) assessments and the assessment scores and results from assessments that measured previously adopted content standards. The districtwide, school-level, and grade-level results of the CAASPP in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting. Aggregated, disaggregated, or group scores or reports that include the results of the CAASPP assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results. (Education Code 60641)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

49. A local educational agency shall be reimbursed by the contractor selected pursuant to this article for any unexpected expenses incurred due to scheduling changes that resulted from the late delivery of testing materials in connection with the California Assessment of Student Performance and Progress. (Education Code 60643.6)

50. The test or series of tests developed or acquired pursuant to subdivision (a) shall have sufficient range to assess pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills. Pupils in kindergarten and grade 1 shall be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. The early literacy assessment shall be administered for a period of four years beginning after the initial administration of the assessment or until July 1, 2017, whichever occurs last. (Education Code 60643.6)

51. Training and review of the CAASSP Program requirements as outlined in the test claim legislation and regulations by school district staff.

52. Developing and implementation of internal policies, training, procedures and forms relating to the administration of the CAASPP Program. Developing internal policies, procedures, and forms to implement the CAASP. (One-time)

53. In California, all students in grades 3 through 8 and 11 will participate in the 2015 Smarter Balanced tests, which include both ELA and mathematics content areas. These tests are administered online.

54. In 2015 the CSTs in Science are to be administered to students in grades 5, 8, and 10.

55. In 2015 the CMA for Science tests are to be administered to students in grades 5, 8, and 10 who have an individualized education program (IEP).

56. In 2015 the CAPA for Science tests are individually administered performance assessments for students in grades 5, 8, and 10 who have significant cognitive disabilities and who are unable to take either the CSTs even with accommodations or modifications or the CMA with accommodations.

57. In 2015 the STS are multiple-choice tests that allow Spanish-speaking English learners in grades 2 through 11 to demonstrate their knowledge of the California content standards by taking a reading/language arts (RLA) assessment in their primary language.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Plumas Unified School District Amended Declaration

Section D.

Not Applicable.

Section F.

I certify by my signature below, under penalty of perjury under the laws of the State of California that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.

Dated: March 13, 2015



MICHELINE G. MIGLIS, SUPERINTENDENT
FOR PLUMAS UNIFIED SCHOOL DISTRICT

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 – Porterville Unified School District Amended Declaration

SECTION NUMBER: 6
Heading: AMENDED DECLARATION

I, John Snavelly, Superintendent for the Porterville Unified School District, declare as follows:

Section A. The actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.

It is estimated the increased costs that will be incurred by the claimant to implement the alleged mandate is approximately:

	<u>2013-2014 Actual Costs</u>	<u>2014-2015 Actual/Est. Costs</u>
<u>Devices:</u> Includes all costs that were incurred from purchasing devices for administrators, teachers, staff, and student (SEAC compliant tablets, laptops, carts, PCs, iPads, MacBooks, Chromebooks)	\$3,412,197.96	\$2,627,416.09
<u>Bandwidth:</u> Includes all costs that were incurred from installing and/or updating hardware and software to meet district connectivity and Internet speed requirements.	\$306,213.25	\$395,231.45
<u>Accessories:Miscellaneous</u> Computer and tablet peripherals such as headphones, headsets, monitors, etc. that are necessary for students to complete the assessment. Includes all costs that were incurred from purchasing miscellaneous items such as asset tags, packing supplies, testing furniture, etc.	\$7,237.98	\$102,326.44
<u>Staff Time</u> Includes all costs that were incurred from training administrators, teachers, and staff to administer the assessment and use the devices, hardware, and software; training administrators, teachers, and staff to help	\$106,275.60	\$215,866.69

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 – Porterville Unified School District Amended Declaration

students use the devices, hardware, and software; hiring additional employees and/or directing employees to install the necessary hardware and software.		
Total:	\$3,831,924.79	\$3,340,840.67

Section B. Identify all local, state, or federal funds, and fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs:

Common Core Implementation Block Grant

Section C. Describe new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections or page numbers alleged to impose a reimbursable state mandated program):

1. Statutes 2013-2014 Chapter 489 (A.B. No. 484); Sections 3, 5, 9, 12, 15, 16, 28, 28.5.
2. Statutes 2014 Chapter 32 (S.B. No. 858); Sections 49.
3. Statutes 2014 Chapter 327 (A.B. No. 1599); Sections 17, 18, 19, 22, 24, 26.
4. Title 5, California Code of Regulations Sections 850-864.
5. Title 5, California Code of Regulations Sections 850-864. (Certificate of Compliance Effective August 27, 2014)

New Activities

1. Administration of the achievement tests (Smarter Balanced Field Tests, California Standard Test (CST), CMA, CAPA, California Measurement of Academic Performance and Progress for the 21st Century (CalMAPP21), primary language tests, California Assessment of Student Performance and Progress (CAASPP), a consortium summative assessment in English language arts and mathematics to all pupils in grades 3 through 8, inclusive. For grades 9 and 10 students selected for the scientific sample are/were expected to participate. In grade 11 all students selected for the scientific sample are expected to participate. (Ed. Code, §§ 60640, subds. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851(a).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

2. For the 2013-14 school year, each LEA shall administer the Smarter Balanced field tests for ELA and mathematics in the manner prescribed by the CDE pursuant to the authority granted by Education Code § 60640(f)(2). (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(1).)

3. For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10, shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days. Testing for all pupils, including makeup testing, is to be completed within this 25 instructional day window. (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(2).)

4. Science grade level assessments in grades 5, 8, and 10 that measure content standards adopted pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B). (Cal. Educ. Code § 60640)

5. In the 2014-15 school year, the CAASPP tests pursuant to Education Code section 60640(b) shall be administered to each pupil during the following testing windows: Unless otherwise stated in these regulations, the testing window shall not begin until at least 66 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 66 percent of a school year occurs after the 120th instructional day. This allows for a 12-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(1).)

6. For the grade 11 Smarter Balanced assessments and CAASPP tests administered after January 2015, the testing window shall not begin until at least 80 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 80 percent of a school year occurs after the 144th instructional day. This allows for a 7-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(2).)

7. The CST and CMA for science in grades 5, 8, and 10, and CAPA, or its successor alternate assessment, for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days unless the SBE makes a determination by the close of its September 2014 regular meeting that these tests shall be administered during the window defined in subdivision (b)(1) above. If an LEA elects to administer the primary language test, it shall do so during the same window. (Ed. Code, §§ 60640, Cal. Code Regs., tit. 5, §§ 855, subd. (b)(3).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

8. The CDE, with the approval of the SBE President or designee, may require LEAs to more fully utilize the testing window and may also limit the usage of the interim assessments in instances where the CDE determines that it is necessary to do so to ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not exceeded. (Cal. Code Regs., tit. 5, §§ 855, subd. (c).)

9. Administration of the assessments in English language arts and mathematics shall occur in 2014-15 school year. (Ed. Code, §§ 60648.5, subds. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851 and 855.)

10. LEAs shall make arrangements for the testing of all eligible pupils in alternative education programs or programs conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or NPSs. No test may be administered in a home or hospital except by a test examiner. No test shall be administered to a pupil by the parent or guardian of that pupil. This subdivision does not prevent classroom aides from assisting in the administration of the test under the supervision of a test examiner, provided that the classroom aide does not assist his or her own child, and that the classroom aide signs a security affidavit. (Cal. Code Regs. tit. 5, § 851(c)(d).)

11. Administration of an additional test to pupils of limited English proficiency who are enrolled in grades 2 through 11, if the pupil was initially enrolled in any school district less than 12 months before the date that the English language test was given. (Ed. Code, § 60640, subd. (g).)

12. Exemption of pupils from the CAASSP Program tests upon request of their parent or guardian. (Ed. Code, §§ 60615, 60640, subd. (j); Cal. Code Regs., tit. 5, § 852, subd. (a).)

13. Exemption from testing for pupils if the pupil's individualized education program has an exemption provision. (Ed. Code, § 60640, subds. (e), (j); Cal. Code Regs., tit. 5, § 852, subd. (b).)

14. Determination of the appropriate grade level test for each pupil in a special education program. (Cal. Code Regs., tit. 5, § 852, subd. (b).)

15. (a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.
(b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

(c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children. (Cal. Code Regs., tit. 5, § 852, subd. (a)(b)(c))

16.(a) The CAASPP tests pursuant to Education Code section 60640 shall be administered, scored, transmitted, and/or returned by LEAs in accordance with the manuals or other instructions provided by the contractor or CDE for administering, scoring, transmitting, and/or returning the tests, unless specifically provided otherwise in this subchapter, including instructions for administering the test with universal tools, designated supports, and accommodations specified in sections 853.5 and 853.7. The procedures shall include, but are not limited to, those designed to ensure the uniform and standardized administration, and scoring of the tests to pupils, the security and integrity of the test content and test items, and the timely provision of all required pupil and school level information.

(b) The primary mode of administration of a CAASPP test shall be via a computing device, the use of an assessment technology platform, and the adaptive engine.

(c) If available, an LEA may utilize a paper-pencil version of any computer-based assessment (CBA) of the CAASPP assessment system, in accordance with Education Code section 60640(e), and if the LEA identifies the pupils that are unable to access the CBA version of the test.

(d) Interim assessments and formative assessment tools shall be made available to LEA(s) for use. Use of interim assessments and formative assessment tools shall not be considered advance preparation for a CAASPP test as defined in Education Code section 60611. LEAs that use interim assessments and/or formative assessment tools shall abide by the consortium/contractor(s) administration and use requirements. Any scoring of any performance tasks for the interim assessment is the responsibility of the LEA. (Cal. Code Regs., tit. 5, § 853, subd. (a)(b)(c)(d))

17. All pupils shall be permitted the following embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) breaks for reading, writing, listening, and mathematics;
- (2) calculator for specific mathematic items;
- (3) digital notepad for reading, writing, listening, and mathematics;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

- (4) English dictionary for writing (ELA-performance task - pupil long essay(s) not short paragraph responses);
- (5) English glossary for reading, writing, listening, and mathematics;
- (6) expandable passages for reading, writing, listening, and mathematics;
- (7) global notes for writing (ELA-performance task - pupils long essay(s) not short paragraph responses);
- (8) highlighter for reading, writing, listening, and mathematics;
- (9) keyboard navigation for reading, writing, listening, and mathematics;
- (10) mark for review for reading, writing, listening, and mathematics;
- (11) math tools for specific mathematics items;
- (12) spell check for specific writing items;
- (13) strikethrough for reading, writing, listening, and mathematics;
- (14) writing tools for specific pupil generated responses; or
- (15) zoom for reading, writing, listening, and mathematics. (Cal. Code Regs., tit. 5, § 853.5 (a)(1-15).)

18. All pupils shall be permitted the following non-embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) breaks;
- (2) English dictionary for ELA performance task - pupil long essay(s) not short paragraph responses;
- (3) scratch paper;
- (4) thesaurus for ELA performance task - pupil long essay(s) not short paragraph responses;
- (5) color overlay for science and primary language test;
- (6) math tools (i.e., ruler, protractor) for specific mathematics items;
- (7) simplify or clarify test administration directions (does not apply to test questions); or
- (8) pupil marks in paper-pencil test booklet (other than responses including highlighting). (Cal. Code Regs., tit. 5, § 853.5 (b)(1-8).)

19. All pupils shall be permitted the following embedded designated supports when determined for use by an educator or group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics, and reading items but not reading passages;
- (4) translated test directions for mathematics;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

- (5) translations (glossary) for mathematics;
 - (6) translations (stacked) for mathematics; or
 - (7) turn off any universal tool for reading, writing, listening, and mathematics.
- (Cal. Code Regs., tit. 5, § 853.5 (c)(1-7).)

20. All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
 - (2) bilingual dictionary for writing;
 - (3) access to translation glossaries/word lists for science and primary language test;
 - (4) color contrast for reading, writing, listening, and mathematics;
 - (5) color overlay for reading, writing, listening, and mathematics;
 - (6) magnification;
 - (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
 - (8) scribe for reading, listening, and mathematics;
 - (9) separate setting;
 - (10) translations (glossary) for mathematics; (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (c)).
 - (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
 - (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
 - (13) translations (glossary) for science and primary language test; or
 - (14) administration of the test at the most beneficial time of day for the pupil.
- (Cal. Code Regs., tit. 5, § 853.5 (d)(1-14).)

21. The following embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

- (1) American Sign Language for listening and mathematics;
 - (2) Braille for reading, writing, listening, and mathematics;
 - (3) closed captioning for listening;
 - (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11; or
 - (5) streamlining for reading, writing, listening, and mathematics.
- (Cal. Code Regs., tit. 5, § 853.5 (e)(1-5).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

22. The following non-embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language when specified in a pupil's IEP or Section 504 Plan:

- (1) read aloud for primary language test;
 - (2) American Sign Language for listening, mathematics, and science;
 - (3) Braille for paper-pencil tests;
 - (4) Abacus for mathematics and science;
 - (5) Alternate Response Options for reading, writing, listening, and mathematics;
 - (6) Calculator for specific mathematics items;
 - (7) Multiplication Table for mathematics beginning in grade 4;
 - (8) Print on Demand for reading, writing, listening, and mathematics;
 - (9) Read Aloud for reading passages in grades 6 through 8, inclusive, and grade 11; blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have adequate Braille skills;
 - (10) Scribe for writing, science, and primary language test;
 - (11) Speech-to-Text; or
 - (12) Large-Print version of a paper-pencil test.
- (Cal. Code Regs., tit. 5, § 853.5 (f)(1-12).)

23. A LEA may submit a request in writing to the CDE, prior to the administration of a CAASPP test for approval for the use of an individualized aid. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of receipt of the written request. Written requests must include:

- (1) LEA name and CDS code;
 - (2) school/test site and school code;
 - (3) school/test site address, city, and zip code;
 - (4) LEA CAASPP coordinator name, phone number, and email address;
 - (5) CAASPP test site coordinator name, phone number, and email address;
 - (6) school/test site testing window dates;
 - (7) SSID(s) for the pupil(s) for which the individualized aid is being requested;
 - (8) CAASPP test and grade; and
 - (9) the individualized aid being requested.
- (Cal. Code Regs., tit. 5, § 853.5 (g)(1-9).)

24. Individualized aids that change the construct being measured by a CAASPP test invalidate the test score and results in a score that cannot be compared with other CAASPP results. Scores for pupils' tests with individualized aids that change the construct being measured by a CAASPP test will not be counted as participating in statewide testing (and impacts the accountability participation rate indicator) but pupils will still receive individual score reports

with their actual score. The following non-embedded individualized aids have been determined to change the construct being measured on the CAASPP tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and are specified below, but not limited to:

- (1) English dictionary for reading, listening, mathematics, science, and primary language;
 - (2) Thesaurus for reading, listening, mathematics, science and primary language;
 - (3) Translated Test Directions for reading, writing, or listening;
 - (4) Bilingual Dictionary for reading, listening, mathematics, science and primary language;
 - (5) Translations (glossary) for reading, writing, and listening;
 - (6) Read aloud for reading passages in grades 3, 4, and 5;
 - (7) American Sign Language for reading passages in grades 3, 4, and 5 and reading passages for primary language;
 - (8) Calculator for non-specified mathematics items or science;
 - (9) Math tools (i.e., ruler, protractor) for non-specified mathematics items; and
 - (10) Multiplication Table for mathematics in grade 3.
- (Cal. Code Regs., tit. 5, § 853.5 (h)(1-10).)

25. If a consortium (in which California is a participant) approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall allow its use. (Cal. Code Regs., tit. 5, § 853.5 (i).)

26. (a) An English learner (EL) shall be permitted the following embedded designated supports, when determined for use by an educator or group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics and reading items, but not passages;
- (4) translated test directions for mathematics;
- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics.

(b) An EL shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
- (2) bilingual dictionary for writing;
- (3) access to translation glossaries/word lists for science and primary language test;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

- (4) color contrast for reading, writing, listening, and mathematics;
 - (5) color overlay for reading, writing, listening, and mathematics;
 - (6) magnification;
 - (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
 - (8) scribe for reading, listening, and mathematics;
 - (9) separate setting;
 - (10) translations (glossary) for mathematics (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (a));
 - (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
 - (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
 - (13) translations (glossary) for science and primary language test; or
 - (14) administration of the test at the most beneficial time of day for the pupil.
- (Education Code Sections 60605 and 60640; (Cal. Code Regs., tit. 5, §§ 853.7)

27. Designation of a CAASPP district coordinator. (Cal. Code Regs., tit. 5, §§ 857-859.)

28. On or before September 30 of each school year, the superintendent of each LEA shall:

- (1) designate from among the employees of the LEA an LEA CAASPP coordinator;
 - (2) identify school(s) with pupils unable to access the CBA version of a CAASPP test(s) in accordance with Education Code section 60640(e); and
 - (3) report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.
- (Cal. Code Regs. tit. 5, § 857 (a)(1,2,3).)

29. The LEA CAASPP coordinator, or the LEA superintendent, shall be available through September 30 of the following school year to complete the LEA testing activities. The LEA shall notify the contractor(s) of the identity and contact information for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP coordinator shall serve as the LEA representative and the liaison between the LEA and the contractor(s) and the LEA and the CDE for all matters related to the CAASPP assessment system. (Cal. Code Regs. tit. 5, § 857 (b).)

30. The LEA CAASPP coordinator's responsibilities shall be those defined in the contractor's(s') or consortium's administrative manuals and documentation, and shall include, but are not limited to, overseeing the LEA's preparation, registration, coordination, training, assessment technology, administration, security, and reporting of the CAASPP tests. The LEA CAASPP coordinator shall ensure current and ongoing compliance with the minimum technology specifications as identified by the CAASPP contractor(s) or consortium. The LEA

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

CAASPP coordinator shall ensure the training of all CAASPP test site coordinators who will oversee the test administration at each school or test site. (Cal. Code Regs. tit. 5, § 857 (c)(d)(e).)

31. Designation of a CAASPP test site coordinator at each test site. (Cal. Code Regs., tit. 5, §§ 857-859.)

32. At each test site, including, but not limited to, each elementary, middle, and high school or other grade-span designated school, each charter school, each court-school, each school or program operated by an LEA, and all other public programs serving pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall designate a CAASPP test site coordinator from among the employees of the LEA. The CAASPP test site coordinator, or the site principal or his or her designee, shall be available to the LEA CAASPP coordinator by telephone through September 30 of the following school year for purposes of resolving discrepancies or inconsistencies in materials or errors in reports. (Cal. Code Regs. tit. 5, § 858 (a).)

33. The CAASPP test site coordinator's responsibilities shall be those defined in the contractor's(s') and CDE's administrative manuals and documentation, and shall include, but are not limited to, overseeing the test site's preparation, coordination, training, registration, administration, security, and reporting of the CAASPP tests. (Cal. Code Regs. tit. 5, § 858 (b).)

34. The CAASPP test site coordinator shall be responsible for the training of test examiners, translators, proctors, and scribes. The CAASPP test site coordinator shall be responsible for ensuring that all designated supports, accommodations and individualized aids are correctly entered into the registration system and provided to the pupil(s) identified to receive the designated supports and/or accommodations. (Cal. Code Regs. tit. 5, § 858 (c)(d).)

35. All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the CAASPP Test Security Agreement, before receiving any of the test materials or tests administered pursuant to Education Code section 60640 and perform all the tasks included in the agreement. (Cal. Code Regs. tit. 5, § 859 (a).)

The CAASPP Test Security Agreement shall be as follows:

CAASPP TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640 are secure tests and agree to each of the following conditions to ensure test security:

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

(1) I will take all necessary precautions to safeguard all tests and test materials, whether paper-based or computer-based assessments, by limiting access to only persons within the LEA who are responsible for, and have professional interest in, the tests' security.

(2) I will keep on file the names of all persons who have been trained in the administration of CAASPP tests and all persons with access to tests and test materials, whether paper-based or computer-based assessments. I have and shall have all other persons having access to the tests and test materials read and sign the CAASPP Test Security Affidavit that will be kept on file in the LEA office.

(3) Except during the administration of the tests, I will keep the paper-pencil tests, and their test materials in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will securely destroy all print-on-demand papers, scratch paper, and other documents as prescribed within the contractor's(s') or consortium's administrative manuals and documentation.

(5) With the exception of subdivision (6) below, I will deliver tests and test materials or allow electronic access thereto, only on actual testing dates and only to those persons who have executed CAASPP Test Security Affidavits.

(6) For an alternate assessment (CAPA or its successor alternate assessment), I will keep all tests and testing materials in the manner set forth above in subdivisions (3) and (5) except during actual testing administration or when being used by test examiners to prepare for and to administer the assessment. I will adhere to the contractor's directions for the distribution of the assessment materials to test examiners.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: _____

Print Name: _____

Title: _____

LEA: _____

Date: _____

(c) All test examiners, proctors, translators, scribes, LEA CAASPP coordinators and CAASPP test site coordinators, and any other persons having access to any of the tests and test materials, assessment technology platform, registration system, adaptive engine, or tests administered pursuant to Education Code section 60640, shall acknowledge the limited purpose of their access to the tests by signing the CAASPP Test Security Affidavit set forth in subdivision (d).

(d) The CAASPP Test Security Affidavit shall be as follows:
CAASPP TEST SECURITY AFFIDAVIT

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

I acknowledge that I will have access to one or more of the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640, for the purpose of administering the test(s). I understand that these materials are highly secure and may be under copyright restrictions and it is my professional responsibility to protect their security as follows:

- (1) I will not divulge the contents of the tests and test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to, sharing or posting test content via the Internet or by email without the express written permission of the CDE.
- (2) I will not copy or take a photo of any part of the test(s) or test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without prior expressed written permission of the CDE.
- (3) Except during the actual testing administrations or as otherwise provided for by law, I will keep the test(s) and test materials secure until the test(s) are actually distributed to pupils when tests and testing materials are checked in and out by the CAASPP test site coordinator. Keeping materials secure means that testing materials are required to be kept in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.
- (4) I will limit access to the test(s) and test materials by test examinees to the actual testing periods when they are taking the test(s). I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a test security affidavit may be in the room when and where a test is being administered.
 - (A) I will keep all assigned, generated, or created usernames, passwords and logins secure and not divulge pupil personal information to anyone other than the pupil to whom the information pertains for the purpose of logging on to the assessment delivery system.
 - (B) I will not allow anyone other than the assigned pupils to log into their assigned test. I may assist a pupil with using their information to log into their assigned test.
 - (C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in using another pupil's information.
- (5) I will not allow pupils to access electronic devices that allow them to access outside information, communicate with other pupils, or photograph or copy test content. This includes, but is not limited to, cell phones, personal digital assistants (PDAs), tablets, laptops, cameras, and electronic translation devices.
- (6) I will collect and account for all materials following each testing session and will not permit pupils to remove any test materials by any means from the room(s) where testing takes place. After each testing session, I will count all test booklets and answer documents before allowing any pupil to leave the testing room and/or ensure that all pupils have properly logged off the assessment delivery system.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

(7) I will not review any achievement test questions, passages, performance tasks, or other test items independently or with pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between LEA staff for training or professional development whether one-on-one or in a staff meeting.

(8) I will not, for any achievement test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., interpreting, explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice inflection, pointing, or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing pupils' answers.

(9) I will return all test materials to the designated CAASPP test site coordinator each day upon completion of testing. I understand that all test booklets, answer documents, and scratch paper shall be returned to the CAASPP test site coordinator each day immediately after testing has been completed for storage or confidential destruction.

(10) If I will administer and/or observe the administration of an alternate assessment (CAPA or its successor alternate assessment), which means that I am a certificated or a licensed LEA employee and a trained examiner, I will keep all the alternate assessment (CAPA or its successor alternate assessment) materials in a securely locked room, and, when possible, in a locked storage cabinet within that room except when I am preparing for the administration, administering or observing the administration of the assessment to pupils.

(11) I will actively supervise pupils throughout the paper-pencil testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, accommodations, or individualized aids) needed for the test being administered.

(12) I will actively supervise pupils throughout the testing session and verify that pupils have selected the appropriate assessment for the testing session and have completed any necessary preceding test sections and/or classroom activities.

(13) I will administer the test(s) in accordance with the directions for test administration and test administration manuals prepared by the CAASPP testing contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I understand that the unauthorized copying, sharing, or reusing of any test booklet, test question, performance task, or answer document by any means is prohibited. This includes, but is not limited to, photocopying, recording, emailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and sharing or posting test content via the Internet without the express prior written permission of the CDE.

(14) I have been trained to administer the tests. By signing my name to this document, I am assuring that I have completely read this affidavit and will abide by the above conditions.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

Signed: _____
Print Name: _____
Position: _____
School: _____
LEA: _____
Date: _____

(e) To maintain the security of the CAASPP assessment system, all LEA CAASPP coordinators and CAASPP test site coordinators shall immediately, within 24 hours, notify the CDE of any security breaches or testing irregularities occurring either before, during, or after the test administration(s). (Cal. Code Regs. tit. 5, § 859 (a)(b:1-6)(c)(d:1-4), (A)(B)(C),(d:5-14)(e).)

36. Inclusion of Program test results in each pupil’s record of accomplishment. (Ed. Code, §§ 60607, subd. (a), 60641, subd. (a).)

37. In order to assess pupils pursuant to Education Code section 60640 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in California Longitudinal Pupil Achievement Data System (CALPADS). (Cal. Code Regs. tit. 5, § 861 (a).)

In addition to the demographic and program data required to be reported in section 861(a), LEAs shall report to the CDE the following information:

- (1) if an eligible pupil is not tested due to a significant medical emergency;
- (2) if a pupil used a designated support;
- (3) if a pupil used an individualized aid;
- (4) if a pupil used an accommodation(s);
- (5) if a pupil had special testing conditions and/or reasons for not being tested (e.g., parent or guardian exemption);
- (6) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code; and
- (7) if a pupil in grade 2 was administered a diagnostic assessment pursuant to Education Code section 60644.

(c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate prior to LEA registration and throughout the testing window. The CDE shall provide LEAs reasonable notification prior to pupil demographic and program data being extracted from CALPADS for purposes of test registration, individual pupil reports and reports aggregated to the LEA, and state and federal accountability reporting. (Cal. Code Regs., tit. 5, § 861(b: 1-7)(c).)

38. Annually, the CDE shall make available electronically to each LEA an apportionment information report with the following information provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level:

- (1) The number of pupils enrolled in each school and in the LEA on the first day of testing.
 - (2) The number of pupils in each school and in the LEA tested with the alternate assessment.
 - (3) The number of pupils in each school and in the LEA exempted from testing at the request of their parents or guardians pursuant to Education Code section 60615.
 - (4) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.
 - (5) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.
 - (6) The number of pupils with demographic information only who were not tested for any reason other than a parent or guardian exemption.
 - (7) The number of English language learners who were administered a primary language test aligned to the English language arts standards pursuant to Education Code section 60640(b)(5)(B).
 - (8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to Education Code section 60644.
- (b) To be eligible for apportionment payment for the CAASPP assessments, LEAs must meet the following conditions:
- (1) The LEA has returned all secure test materials, and
 - (2) The LEA CAASPP coordinator has certified the accuracy of the apportionment information report for assessments administered during the school year, which is either;
 - (A) transmitted electronically in a manner prescribed by the contractor(s) and/or the CDE by December 31, or
 - (B) if transmitted in any manner after December 31, the apportionment information report must be accompanied by a waiver request as provided by Education Code section 33050. For those apportionment information reports transmitted after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the testing window began. (Cal. Code Regs., tit. 5, § 862(a:1-8)(b:1-2)(A)(B).)

39. (a) The amount of funding to be apportioned to the LEA shall be the amount established by the SBE per the number of tests administered to eligible pupils, and the number of pupils enrolled on the first day of testing who were not tested in the LEA. The number of tests administered and the number of pupils not tested shall be determined by the certification of the LEA CAASPP coordinator pursuant to section 862. For purposes of this portion of the apportionment, administration of the tests includes the following items:
- (1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test site coordinators, staff training and other staff expenses related to testing.
 - (2) All expenses incurred at the LEA and school/test site(s) related to testing.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

(3) All transportation costs of delivering and retrieving tests and test materials within the LEA and to NPSs.

(4) All costs associated with transmitting the pupil report(s) to parents/guardians.

(5) All costs associated with activities intended to provide the complete and accurate data required in section 861.

(b) This amount does not include any funding for the purposes of reimbursing any LEA for primary language tests for non-eligible pupils. (Cal. Code Regs., tit. 5, § 862.5 (a:1-5)(b).)

40. (a) The LEA shall forward or transmit pupil results for the tests conducted pursuant to Education Code section 60640 to each pupil's parent or guardian within 20 working days from receipt of the results from the contractor.

(b) If the LEA receives the reports for the tests conducted pursuant to Education Code section 60640 from the contractor after the last day of instruction for the school year, the LEA shall make the report available to the parent or guardian no later than the first 20 working days of the next school year.

(c) Schools are responsible for maintaining pupil's scores with the pupil's permanent school records or for entering the scores into electronic pupil records, and for forwarding or transmitting the results to schools to which pupils matriculate or transfer. Schools may annotate the scores when the scores may not accurately reflect pupils' achievement due to illness or testing irregularities. Reporting of individual program test results in writing to each pupil's parent or guardian and to the pupil's school and teachers as well as maintaining the pupil's scores with the pupil's permanent school records. (Ed. Code, § 60641, subs. (a; b); Cal. Code Regs., tit. 5, § 863 (a-c).)

41. Reporting of district-wide, school-level, and class-level results to the school district's governing board or county office of education. (Ed. Code, § 60641.)

42. (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

(b) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

(1) comply with any and all requests from CAASPP contractor(s) in accordance with Education Code section 60641; and

(2) abide by any and all instructions provided by the CAASPP contractor or consortium, whether written or oral, that are presented for training or provided for in the administration of a CAASPP test. (Cal. Code Regs., tit. 5, § 864 (a)(b:1-2).)

43. Provide grade 11 assessments to pupils, parents or legal guardians. (Ed. Code, § 60641, subd. (e).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

44. Provide interim and formative assessment tools for kindergarten and grades 1-12. (Ed. Code, § 60642.6.);

45. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the Measurement of Academic Performance and Progress (MAPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course exams he or she has taken, and the vocational education certification exams he or she chose to take. (Education Code 60607)

Additional Activities

CA LEGIS 327 (2014)(A.B. 1599)

46. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the California Assessment of Student Performance and Progress (CAASPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course examinations he or she has taken, and the vocational education certification examinations he or she chose to take. (Education Code 60607)

47. A pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the purpose of credit, placement, or admission and the results of an individual pupil on the CAASPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission. (Education Code 60607)

48. State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the California Assessment of Student Performance and Progress (CAASPP) assessments and the assessment scores and results from assessments that measured previously adopted content standards. The districtwide, school-level, and grade-level results of the CAASPP in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting. Aggregated, disaggregated, or group scores or reports that include the results of the CAASPP assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results. (Education Code 60641)

49. A local educational agency shall be reimbursed by the contractor selected pursuant to this article for any unexpected expenses incurred due to scheduling changes that resulted from the late delivery of testing materials in connection with the California Assessment of Student Performance and Progress. (Education Code 60643.6)

50. The test or series of tests developed or acquired pursuant to subdivision (a) shall have sufficient range to assess pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills. Pupils in kindergarten and grade 1 shall be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. The early literacy assessment shall be administered for a period of four years beginning after the initial administration of the assessment or until July 1, 2017, whichever occurs last. (Education Code 60643.6)

51. Training and review of the CAASSP Program requirements as outlined in the test claim legislation and regulations by school district staff.

52. Developing and implementation of internal policies, training, procedures and forms relating to the administration of the CAASPP Program. Developing internal policies, procedures, and forms to implement the CAASP. (One-time)

53. In California, all students in grades 3 through 8 and 11 will participate in the 2015 Smarter Balanced tests, which include both ELA and mathematics content areas. These tests are administered online.

54. In 2015 the CSTs in Science are to be administered to students in grades 5, 8, and 10.

55. In 2015 the CMA for Science tests are to be administered to students in grades 5, 8, and 10 who have an individualized education program (IEP).

56. In 2015 the CAPA for Science tests are individually administered performance assessments for students in grades 5, 8, and 10 who have significant cognitive disabilities and who are unable to take either the CSTs even with accommodations or modifications or the CMA with accommodations.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Porterville Unified School District Amended Declaration

57. In 2015 the STS are multiple-choice tests that allow Spanish-speaking English learners in grades 2 through 11 to demonstrate their knowledge of the California content standards by taking a reading/language arts (RLA) assessment in their primary language.

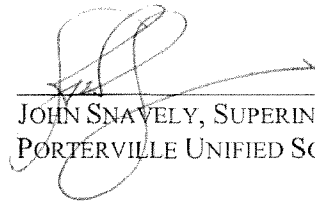
Section D.

Not Applicable.

Section F.

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.

Dated: March 13, 2015



JOHN SNAVELY, SUPERINTENDENT FOR THE
PORTERVILLE UNIFIED SCHOOL DISTRICT

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education
 Section: 6 – Santa Ana Unified School District Amended Declaration

SECTION NUMBER: 6

Heading: AMENDED DECLARATION

I, Richard L. Miller, Superintendent for the Santa Ana Unified School District, declare as follows:

Section A. The actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.

It is estimated the increased costs that will be incurred by the claimant Santa Ana Unified School District to implement the alleged mandate is as follows:

	<u>2013-2014 Actual Costs</u>	<u>2014-2015 Actual/Est. Costs</u>
<u>Devices:</u> This includes all student devices purchased (SBAC compliant tablets, laptops, carts, PCs, iPads, MacBooks, Chromebooks).	\$2,551,264.55	\$5,557,947.20
<u>Bandwidth improvements/infrastructure:</u> This includes purchases that were made to facilitate the pilot and ultimately full implementation.	\$334,140.96	\$3,005,852.03
<u>Accessories:</u> Computer and tablet peripherals such as ear buds, mice keyboards that is necessary for students to complete the assessment.	\$230,834.44	\$22,334.40
<u>Miscellaneous:</u> Asset tags, packing supplies, testing furniture.	\$2,656.75	\$333.60
<u>Training:</u> Training time/substitutes due to new assessment model. Staff Time/Extra Duty additional (Extra Duty) Staff time associated with installation of new devices.	TBD	TBD
<u>Extra Duty/Additional Staff Time:</u> Extra Duty Staff time associated with installation of new devices; training for using devices in the classroom	\$98,599.00	\$23,387.00
TOTAL	\$3,217,495.70	\$8,609,854.23

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

Section B. Identify all local, state, or federal funds, and fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs:

Common Core Implementation Block Grant

Section C. Describe new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections or page numbers alleged to impose a reimbursable state mandated program):

1. Statutes 2013-2014 Chapter 489 (A.B. No. 484); Sections 3, 5, 9, 12, 15, 16, 28, 28.5.
2. Statutes 2014 Chapter 32 (S.B. No. 858); Sections 49.
3. Statutes 2014 Chapter 327 (A.B. No. 1599); Sections 17, 18, 19, 22, 24, 26.
4. Title 5, California Code of Regulations Sections 850-864.
5. Title 5, California Code of Regulations Sections 850-864. (Certificate of Compliance Effective August 27, 2014)

New Activities

1. Administration of the achievement tests (Smarter Balanced Field Tests, California Standard Test (CST), CMA, CAPA, California Measurement of Academic Performance and Progress for the 21st Century (CalMAPP21), primary language tests, California Assessment of Student Performance and Progress (CAASPP), a consortium summative assessment in English language arts and mathematics to all pupils in grades 3 through 8, inclusive. For grades 9 and 10 students selected for the scientific sample are/were expected to participate. In grade 11 all students selected for the scientific sample are expected to participate. (Ed. Code, §§ 60640, subs. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851(a).)
2. For the 2013-14 school year, each LEA shall administer the Smarter Balanced field tests for ELA and mathematics in the manner prescribed by the CDE pursuant to the authority granted by Education Code § 60640(f)(2). (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(1).)
3. For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10, shall be administered to each pupil during a testing window of 25 instructional days that includes 12

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days. Testing for all pupils, including makeup testing, is to be completed within this 25 instructional day window. (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(2).)

4. Science grade level assessments in grades 5, 8, and 10 that measure content standards adopted pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B). (Cal. Educ. Code § 60640)

5. In the 2014-15 school year, the CAASPP tests pursuant to Education Code section 60640(b) shall be administered to each pupil during the following testing windows: Unless otherwise stated in these regulations, the testing window shall not begin until at least 66 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 66 percent of a school year occurs after the 120th instructional day. This allows for a 12-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(1).)

6. For the grade 11 Smarter Balanced assessments and CAASPP tests administered after January 2015, the testing window shall not begin until at least 80 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 80 percent of a school year occurs after the 144th instructional day. This allows for a 7-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(2).)

7. The CST and CMA for science in grades 5, 8, and 10, and CAPA, or its successor alternate assessment, for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days unless the SBE makes a determination by the close of its September 2014 regular meeting that these tests shall be administered during the window defined in subdivision (b)(1) above. If an LEA elects to administer the primary language test, it shall do so during the same window. (Ed. Code, §§ 60640, Cal. Code Regs., tit. 5, §§ 855, subd. (b)(3).)

8. The CDE, with the approval of the SBE President or designee, may require LEAs to more fully utilize the testing window and may also limit the usage of the interim assessments in instances where the CDE determines that it is necessary to do so to ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not exceeded. (Cal. Code Regs., tit. 5, §§ 855, subd. (c).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

9. Administration of the assessments in English language arts and mathematics shall occur in 2014-15 school year. (Ed. Code, §§ 60648.5, subs. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851 and 855.)
10. LEAs shall make arrangements for the testing of all eligible pupils in alternative education programs or programs conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or NPSs. No test may be administered in a home or hospital except by a test examiner. No test shall be administered to a pupil by the parent or guardian of that pupil. This subdivision does not prevent classroom aides from assisting in the administration of the test under the supervision of a test examiner, provided that the classroom aide does not assist his or her own child, and that the classroom aide signs a security affidavit. (Cal. Code Regs. tit. 5, § 851(c)(d).)
11. Administration of an additional test to pupils of limited English proficiency who are enrolled in grades 2 through 11, if the pupil was initially enrolled in any school district less than 12 months before the date that the English language test was given. (Ed. Code, § 60640, subd. (g).)
12. Exemption of pupils from the CAASSP Program tests upon request of their parent or guardian. (Ed. Code, §§ 60640, subd. (j)(k); Cal. Code Regs., tit. 5, § 852, subd. (a).)
13. Exemption from testing for pupils if the pupil's individualized education program has an exemption provision. (Ed. Code, § 60640, subs. (e), (j)(k); Cal. Code Regs., tit. 5, § 852, subd. (b).)
14. Determination of the appropriate grade level test for each pupil in a special education program. (Cal. Code Regs., tit. 5, § 852, subd. (b).)
15. (a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.
(b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.
(c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of

exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children. (Cal. Code Regs., tit. 5, § 852, subd. (a)(b)(c))

16.(a) The CAASPP tests pursuant to Education Code section 60640 shall be administered, scored, transmitted, and/or returned by LEAs in accordance with the manuals or other instructions provided by the contractor or CDE for administering, scoring, transmitting, and/or returning the tests, unless specifically provided otherwise in this subchapter, including instructions for administering the test with universal tools, designated supports, and accommodations specified in sections 853.5 and 853.7. The procedures shall include, but are not limited to, those designed to ensure the uniform and standardized administration, and scoring of the tests to pupils, the security and integrity of the test content and test items, and the timely provision of all required pupil and school level information.

(b) The primary mode of administration of a CAASPP test shall be via a computing device, the use of an assessment technology platform, and the adaptive engine.

(c) If available, an LEA may utilize a paper-pencil version of any computer-based assessment (CBA) of the CAASPP assessment system, in accordance with Education Code section 60640(e), and if the LEA identifies the pupils that are unable to access the CBA version of the test.

(d) Interim assessments and formative assessment tools shall be made available to LEA(s) for use. Use of interim assessments and formative assessment tools shall not be considered advance preparation for a CAASPP test as defined in Education Code section 60611. LEAs that use interim assessments and/or formative assessment tools shall abide by the consortium/contractor(s) administration and use requirements. Any scoring of any performance tasks for the interim assessment is the responsibility of the LEA. (Cal. Code Regs., tit. 5, § 853, subd. (a)(b)(c)(d))

17. All pupils shall be permitted the following embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) breaks for reading, writing, listening, and mathematics;
- (2) calculator for specific mathematic items;
- (3) digital notepad for reading, writing, listening, and mathematics;
- (4) English dictionary for writing (ELA-performance task - pupil long essay(s) not short paragraph responses);
- (5) English glossary for reading, writing, listening, and mathematics;
- (6) expandable passages for reading, writing, listening, and mathematics;
- (7) global notes for writing (ELA-performance task - pupils long essay(s) not short paragraph responses);
- (8) highlighter for reading, writing, listening, and mathematics;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

- (9) keyboard navigation for reading, writing, listening, and mathematics;
- (10) mark for review for reading, writing, listening, and mathematics;
- (11) math tools for specific mathematics items;
- (12) spell check for specific writing items;
- (13) strikethrough for reading, writing, listening, and mathematics;
- (14) writing tools for specific pupil generated responses; or
- (15) zoom for reading, writing, listening, and mathematics. (Cal. Code Regs., tit. 5, § 853.5 (a)(1-15).)

18. All pupils shall be permitted the following non-embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) breaks;
- (2) English dictionary for ELA performance task - pupil long essay(s) not short paragraph responses;
- (3) scratch paper;
- (4) thesaurus for ELA performance task - pupil long essay(s) not short paragraph responses;
- (5) color overlay for science and primary language test;
- (6) math tools (i.e., ruler, protractor) for specific mathematics items;
- (7) simplify or clarify test administration directions (does not apply to test questions); or
- (8) pupil marks in paper-pencil test booklet (other than responses including highlighting). (Cal. Code Regs., tit. 5, § 853.5 (b)(1-8).)

19. All pupils shall be permitted the following embedded designated supports when determined for use by an educator or group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics, and reading items but not reading passages;
- (4) translated test directions for mathematics;
- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics. (Cal. Code Regs., tit. 5, § 853.5 (c)(1-7).)

20. All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators or specified in a pupil's IEP or Section

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
 - (2) bilingual dictionary for writing;
 - (3) access to translation glossaries/word lists for science and primary language test;
 - (4) color contrast for reading, writing, listening, and mathematics;
 - (5) color overlay for reading, writing, listening, and mathematics;
 - (6) magnification;
 - (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
 - (8) scribe for reading, listening, and mathematics;
 - (9) separate setting;
 - (10) translations (glossary) for mathematics; (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (c)).
 - (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
 - (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
 - (13) translations (glossary) for science and primary language test; or
 - (14) administration of the test at the most beneficial time of day for the pupil.
- (Cal. Code Regs., tit. 5, § 853.5 (d)(1-14).)

21. The following embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

- (1) American Sign Language for listening and mathematics;
 - (2) Braille for reading, writing, listening, and mathematics;
 - (3) closed captioning for listening;
 - (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11; or
 - (5) streamlining for reading, writing, listening, and mathematics.
- (Cal. Code Regs., tit. 5, § 853.5 (e)(1-5).)

22. The following non-embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language when specified in a pupil's IEP or Section 504 Plan:

- (1) read aloud for primary language test;
- (2) American Sign Language for listening, mathematics, and science;
- (3) Braille for paper-pencil tests;
- (4) Abacus for mathematics and science;
- (5) Alternate Response Options for reading, writing, listening, and mathematics;
- (6) Calculator for specific mathematics items;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

- (7) Multiplication Table for mathematics beginning in grade 4;
 - (8) Print on Demand for reading, writing, listening, and mathematics;
 - (9) Read Aloud for reading passages in grades 6 through 8, inclusive, and grade 11; blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have adequate Braille skills;
 - (10) Scribe for writing, science, and primary language test;
 - (11) Speech-to-Text; or
 - (12) Large-Print version of a paper-pencil test.
- (Cal. Code Regs., tit. 5, § 853.5 (f)(1-12).)

23. A LEA may submit a request in writing to the CDE, prior to the administration of a CAASPP test for approval for the use of an individualized aid. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of receipt of the written request. Written requests must include:

- (1) LEA name and CDS code;
 - (2) school/test site and school code;
 - (3) school/test site address, city, and zip code;
 - (4) LEA CAASPP coordinator name, phone number, and email address;
 - (5) CAASPP test site coordinator name, phone number, and email address;
 - (6) school/test site testing window dates;
 - (7) SSID(s) for the pupil(s) for which the individualized aid is being requested;
 - (8) CAASPP test and grade; and
 - (9) the individualized aid being requested.
- (Cal. Code Regs., tit. 5, § 853.5 (g)(1-9).)

24. Individualized aids that change the construct being measured by a CAASPP test invalidate the test score and results in a score that cannot be compared with other CAASPP results. Scores for pupils' tests with individualized aids that change the construct being measured by a CAASPP test will not be counted as participating in statewide testing (and impacts the accountability participation rate indicator) but pupils will still receive individual score reports with their actual score. The following non-embedded individualized aids have been determined to change the construct being measured on the CAASPP tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and are specified below, but not limited to:

- (1) English dictionary for reading, listening, mathematics, science, and primary language;
- (2) Thesaurus for reading, listening, mathematics, science and primary language;
- (3) Translated Test Directions for reading, writing, or listening;
- (4) Bilingual Dictionary for reading, listening, mathematics, science and primary language;
- (5) Translations (glossary) for reading, writing, and listening;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

- (6) Read aloud for reading passages in grades 3, 4, and 5;
 - (7) American Sign Language for reading passages in grades 3, 4, and 5 and reading passages for primary language;
 - (8) Calculator for non-specified mathematics items or science;
 - (9) Math tools (i.e., ruler, protractor) for non-specified mathematics items; and
 - (10) Multiplication Table for mathematics in grade 3.
- (Cal. Code Regs., tit. 5, § 853.5 (h)(1-10).)

25. If a consortium (in which California is a participant) approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall allow its use. (Cal. Code Regs., tit. 5, § 853.5 (i).)

26. (a) An English learner (EL) shall be permitted the following embedded designated supports, when determined for use by an educator or group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
 - (2) masking for reading, writing, listening, and mathematics;
 - (3) text-to-speech for writing, listening, mathematics and reading items, but not passages;
 - (4) translated test directions for mathematics;
 - (5) translations (glossary) for mathematics;
 - (6) translations (stacked) for mathematics; or
 - (7) turn off any universal tool for reading, writing, listening, and mathematics.
- (b) An EL shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:
- (1) translated directions for mathematics, science and primary language test;
 - (2) bilingual dictionary for writing;
 - (3) access to translation glossaries/word lists for science and primary language test;
 - (4) color contrast for reading, writing, listening, and mathematics;
 - (5) color overlay for reading, writing, listening, and mathematics;
 - (6) magnification;
 - (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
 - (8) scribe for reading, listening, and mathematics;
 - (9) separate setting;
 - (10) translations (glossary) for mathematics (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (a));
 - (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

(12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;

(13) translations (glossary) for science and primary language test; or

(14) administration of the test at the most beneficial time of day for the pupil.

(Education Code Sections 60605 and 60640; (Cal. Code Regs., tit. 5, §§ 853.7)

27. Designation of a CAASPP district coordinator. (Cal. Code Regs., tit. 5, §§ 857-859.)

28. On or before September 30 of each school year, the superintendent of each LEA shall:

(1) designate from among the employees of the LEA an LEA CAASPP coordinator;

(2) identify school(s) with pupils unable to access the CBA version of a CAASPP test(s) in accordance with Education Code section 60640(e); and

(3) report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.

(Cal. Code Regs. tit. 5, § 857 (a)(1,2,3).)

29. The LEA CAASPP coordinator, or the LEA superintendent, shall be available through September 30 of the following school year to complete the LEA testing activities. The LEA shall notify the contractor(s) of the identity and contact information for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP coordinator shall serve as the LEA representative and the liaison between the LEA and the contractor(s) and the LEA and the CDE for all matters related to the CAASPP assessment system. (Cal. Code Regs. tit. 5, § 857 (b).)

30. The LEA CAASPP coordinator's responsibilities shall be those defined in the contractor's(s') or consortium's administrative manuals and documentation, and shall include, but are not limited to, overseeing the LEA's preparation, registration, coordination, training, assessment technology, administration, security, and reporting of the CAASPP tests. The LEA CAASPP coordinator shall ensure current and ongoing compliance with the minimum technology specifications as identified by the CAASPP contractor(s) or consortium. The LEA CAASPP coordinator shall ensure the training of all CAASPP test site coordinators who will oversee the test administration at each school or test site. (Cal. Code Regs. tit. 5, § 857 (c)(d)(e).)

31. Designation of a CAASPP test site coordinator at each test site. (Cal. Code Regs., tit. 5, §§ 857-859.)

32. At each test site, including, but not limited to, each elementary, middle, and high school or other grade-span designated school, each charter school, each court-school, each school or program operated by an LEA, and all other public programs serving pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall designate a CAASPP test site

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

coordinator from among the employees of the LEA. The CAASPP test site coordinator, or the site principal or his or her designee, shall be available to the LEA CAASPP coordinator by telephone through September 30 of the following school year for purposes of resolving discrepancies or inconsistencies in materials or errors in reports. (Cal. Code Regs. tit. 5, § 858 (a).)

33. The CAASPP test site coordinator's responsibilities shall be those defined in the contractor's(s') and CDE's administrative manuals and documentation, and shall include, but are not limited to, overseeing the test site's preparation, coordination, training, registration, administration, security, and reporting of the CAASPP tests. (Cal. Code Regs. tit. 5, § 858 (b).)

34. The CAASPP test site coordinator shall be responsible for the training of test examiners, translators, proctors, and scribes. The CAASPP test site coordinator shall be responsible for ensuring that all designated supports, accommodations and individualized aids are correctly entered into the registration system and provided to the pupil(s) identified to receive the designated supports and/or accommodations. (Cal. Code Regs. tit. 5, § 858 (c)(d).)

35. All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the CAASPP Test Security Agreement, before receiving any of the test materials or tests administered pursuant to Education Code section 60640 and perform all the tasks included in the agreement. (Cal. Code Regs. tit. 5, § 859 (a).)

The CAASPP Test Security Agreement shall be as follows:

CAASPP TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640 are secure tests and agree to each of the following conditions to ensure test security:

(1) I will take all necessary precautions to safeguard all tests and test materials, whether paper-based or computer-based assessments, by limiting access to only persons within the LEA who are responsible for, and have professional interest in, the tests' security.

(2) I will keep on file the names of all persons who have been trained in the administration of CAASPP tests and all persons with access to tests and test materials, whether paper-based or computer-based assessments. I have and shall have all other persons having access to the tests and test materials read and sign the CAASPP Test Security Affidavit that will be kept on file in the LEA office.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

(3) Except during the administration of the tests, I will keep the paper-pencil tests, and their test materials in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will securely destroy all print-on-demand papers, scratch paper, and other documents as prescribed within the contractor's(s') or consortium's administrative manuals and documentation.

(5) With the exception of subdivision (6) below, I will deliver tests and test materials or allow electronic access thereto, only on actual testing dates and only to those persons who have executed CAASPP Test Security Affidavits.

(6) For an alternate assessment (CAPA or its successor alternate assessment), I will keep all tests and testing materials in the manner set forth above in subdivisions (3) and (5) except during actual testing administration or when being used by test examiners to prepare for and to administer the assessment. I will adhere to the contractor's directions for the distribution of the assessment materials to test examiners.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: _____

Print Name: _____

Title: _____

LEA: _____

Date: _____

(c) All test examiners, proctors, translators, scribes, LEA CAASPP coordinators and CAASPP test site coordinators, and any other persons having access to any of the tests and test materials, assessment technology platform, registration system, adaptive engine, or tests administered pursuant to Education Code section 60640, shall acknowledge the limited purpose of their access to the tests by signing the CAASPP Test Security Affidavit set forth in subdivision (d).

(d) The CAASPP Test Security Affidavit shall be as follows:

CAASPP TEST SECURITY AFFIDAVIT

I acknowledge that I will have access to one or more of the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640, for the purpose of administering the test(s). I understand that these materials are highly secure and may be under copyright restrictions and it is my professional responsibility to protect their security as follows:

(1) I will not divulge the contents of the tests and test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to,

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

sharing or posting test content via the Internet or by email without the express written permission of the CDE.

(2) I will not copy or take a photo of any part of the test(s) or test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without prior expressed written permission of the CDE.

(3) Except during the actual testing administrations or as otherwise provided for by law, I will keep the test(s) and test materials secure until the test(s) are actually distributed to pupils when tests and testing materials are checked in and out by the CAASPP test site coordinator. Keeping materials secure means that testing materials are required to be kept in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will limit access to the test(s) and test materials by test examinees to the actual testing periods when they are taking the test(s). I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a test security affidavit may be in the room when and where a test is being administered.

(A) I will keep all assigned, generated, or created usernames, passwords and logins secure and not divulge pupil personal information to anyone other than the pupil to whom the information pertains for the purpose of logging on to the assessment delivery system.

(B) I will not allow anyone other than the assigned pupils to log into their assigned test. I may assist a pupil with using their information to log into their assigned test.

(C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in using another pupil's information.

(5) I will not allow pupils to access electronic devices that allow them to access outside information, communicate with other pupils, or photograph or copy test content. This includes, but is not limited to, cell phones, personal digital assistants (PDAs), tablets, laptops, cameras, and electronic translation devices.

(6) I will collect and account for all materials following each testing session and will not permit pupils to remove any test materials by any means from the room(s) where testing takes place. After each testing session, I will count all test booklets and answer documents before allowing any pupil to leave the testing room and/or ensure that all pupils have properly logged off the assessment delivery system.

(7) I will not review any achievement test questions, passages, performance tasks, or other test items independently or with pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between LEA staff for training or professional development whether one-on-one or in a staff meeting.

(8) I will not, for any achievement test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., interpreting, explaining, or paraphrasing the test items or prompts) and

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

nonverbal cues (e.g., voice inflection, pointing, or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing pupils' answers.

(9) I will return all test materials to the designated CAASPP test site coordinator each day upon completion of testing. I understand that all test booklets, answer documents, and scratch paper shall be returned to the CAASPP test site coordinator each day immediately after testing has been completed for storage or confidential destruction.

(10) If I will administer and/or observe the administration of an alternate assessment (CAPA or its successor alternate assessment), which means that I am a certificated or a licensed LEA employee and a trained examiner, I will keep all the alternate assessment (CAPA or its successor alternate assessment) materials in a securely locked room, and, when possible, in a locked storage cabinet within that room except when I am preparing for the administration, administering or observing the administration of the assessment to pupils.

(11) I will actively supervise pupils throughout the paper-pencil testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, accommodations, or individualized aids) needed for the test being administered.

(12) I will actively supervise pupils throughout the testing session and verify that pupils have selected the appropriate assessment for the testing session and have completed any necessary preceding test sections and/or classroom activities.

(13) I will administer the test(s) in accordance with the directions for test administration and test administration manuals prepared by the CAASPP testing contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I understand that the unauthorized copying, sharing, or reusing of any test booklet, test question, performance task, or answer document by any means is prohibited. This includes, but is not limited to, photocopying, recording, emailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and sharing or posting test content via the Internet without the express prior written permission of the CDE.

(14) I have been trained to administer the tests. By signing my name to this document, I am assuring that I have completely read this affidavit and will abide by the above conditions.

Signed: _____
Print Name: _____
Position: _____
School: _____
LEA: _____
Date: _____

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

(e) To maintain the security of the CAASPP assessment system, all LEA CAASPP coordinators and CAASPP test site coordinators shall immediately, within 24 hours, notify the CDE of any security breaches or testing irregularities occurring either before, during, or after the test administration(s). (Cal. Code Regs. tit. 5, § 859 (a)(b:1-6)(c)(d:1-4), (A)(B)(C),(d:5-14)(e).)

36. Inclusion of Program test results in each pupil's record of accomplishment. (Ed. Code, §§ 60607, subd. (a), 60641, subd. (a).)

37. In order to assess pupils pursuant to Education Code section 60640 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in California Longitudinal Pupil Achievement Data System (CALPADS). (Cal. Code Regs. tit. 5, § 861 (a).)

In addition to the demographic and program data required to be reported in section 861(a), LEAs shall report to the CDE the following information:

- (1) if an eligible pupil is not tested due to a significant medical emergency;
- (2) if a pupil used a designated support;
- (3) if a pupil used an individualized aid;
- (4) if a pupil used an accommodation(s);
- (5) if a pupil had special testing conditions and/or reasons for not being tested (e.g., parent or guardian exemption);
- (6) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code; and
- (7) if a pupil in grade 2 was administered a diagnostic assessment pursuant to Education Code section 60644.

(c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate prior to LEA registration and throughout the testing window. The CDE shall provide LEAs reasonable notification prior to pupil demographic and program data being extracted from CALPADS for purposes of test registration, individual pupil reports and reports aggregated to the LEA, and state and federal accountability reporting. (Cal. Code Regs., tit. 5, § 861(b: 1-7)(c).)

38. Annually, the CDE shall make available electronically to each LEA an apportionment information report with the following information provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level:

- (1) The number of pupils enrolled in each school and in the LEA on the first day of testing.
- (2) The number of pupils in each school and in the LEA tested with the alternate assessment.
- (3) The number of pupils in each school and in the LEA exempted from testing at the request of their parents or guardians pursuant to Education Code section 60615.
- (4) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

(5) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.

(6) The number of pupils with demographic information only who were not tested for any reason other than a parent or guardian exemption.

(7) The number of English language learners who were administered a primary language test aligned to the English language arts standards pursuant to Education Code section 60640(b)(5)(B).

(8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to Education Code section 60644.

(b) To be eligible for apportionment payment for the CAASPP assessments, LEAs must meet the following conditions:

(1) The LEA has returned all secure test materials, and

(2) The LEA CAASPP coordinator has certified the accuracy of the apportionment information report for assessments administered during the school year, which is either;

(A) transmitted electronically in a manner prescribed by the contractor(s) and/or the CDE by December 31, or

(B) if transmitted in any manner after December 31, the apportionment information report must be accompanied by a waiver request as provided by Education Code section 33050. For those apportionment information reports transmitted after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the testing window began. (Cal. Code Regs., tit. 5, § 862(a:1-8)(b:1-2)(A)(B).)

39. (a) The amount of funding to be apportioned to the LEA shall be the amount established by the SBE per the number of tests administered to eligible pupils, and the number of pupils enrolled on the first day of testing who were not tested in the LEA. The number of tests administered and the number of pupils not tested shall be determined by the certification of the LEA CAASPP coordinator pursuant to section 862. For purposes of this portion of the apportionment, administration of the tests includes the following items:

(1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test site coordinators, staff training and other staff expenses related to testing.

(2) All expenses incurred at the LEA and school/test site(s) related to testing.

(3) All transportation costs of delivering and retrieving tests and test materials within the LEA and to NPSS.

(4) All costs associated with transmitting the pupil report(s) to parents/guardians.

(5) All costs associated with activities intended to provide the complete and accurate data required in section 861.

(b) This amount does not include any funding for the purposes of reimbursing any LEA for primary language tests for non-eligible pupils. (Cal. Code Regs., tit. 5, § 862.5 (a:1-5)(b).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

40. (a) The LEA shall forward or transmit pupil results for the tests conducted pursuant to Education Code section 60640 to each pupil's parent or guardian within 20 working days from receipt of the results from the contractor.

(b) If the LEA receives the reports for the tests conducted pursuant to Education Code section 60640 from the contractor after the last day of instruction for the school year, the LEA shall make the report available to the parent or guardian no later than the first 20 working days of the next school year.

(c) Schools are responsible for maintaining pupil's scores with the pupil's permanent school records or for entering the scores into electronic pupil records, and for forwarding or transmitting the results to schools to which pupils matriculate or transfer. Schools may annotate the scores when the scores may not accurately reflect pupils' achievement due to illness or testing irregularities. Reporting of individual program test results in writing to each pupil's parent or guardian and to the pupil's school and teachers as well as maintaining the pupil's scores with the pupil's permanent school records. (Ed. Code, § 60641, subs. (a; b); Cal. Code Regs., tit. 5, § 863 (a-c).)

41. Reporting of district-wide, school-level, and class-level results to the school district's governing board or county office of education. (Ed. Code, § 60641.)

42. (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

(b) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

(1) comply with any and all requests from CAASPP contractor(s) in accordance with Education Code section 60641; and

(2) abide by any and all instructions provided by the CAASPP contractor or consortium, whether written or oral, that are presented for training or provided for in the administration of a CAASPP test. (Cal. Code Regs., tit. 5, § 864 (a)(b):1-2.)

43. Provide grade 11 assessments to pupils, parents or legal guardians. (Ed. Code, § 60641, subd. (e).)

44. Provide interim and formative assessment tools for kindergarten and grades 1-12. (Ed. Code, § 60642.6.);

45. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the Measurement of Academic Performance and Progress (MAPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

exams he or she has taken, and the vocational education certification exams he or she chose to take. (Education Code 60607)

Additional Activities

CA LEGIS 327 (2014)(A.B. 1599)

46. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the California Assessment of Student Performance and Progress (CAASPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course examinations he or she has taken, and the vocational education certification examinations he or she chose to take. (Education Code 60607)

47. A pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the purpose of credit, placement, or admission and the results of an individual pupil on the CAASPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission. (Education Code 60607)

48. State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the California Assessment of Student Performance and Progress (CAASPP) assessments and the assessment scores and results from assessments that measured previously adopted content standards. The districtwide, school-level, and grade-level results of the CAASPP in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting. Aggregated, disaggregated, or group scores or reports that include the results of the CAASPP assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results. (Education Code 60641)

49. A local educational agency shall be reimbursed by the contractor selected pursuant to this article for any unexpected expenses incurred due to scheduling changes that resulted from the late delivery of testing materials in connection with the California Assessment of Student Performance and Progress. (Education Code 60643.6)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

50. The test or series of tests developed or acquired pursuant to subdivision (a) shall have sufficient range to assess pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills. Pupils in kindergarten and grade 1 shall be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. The early literacy assessment shall be administered for a period of four years beginning after the initial administration of the assessment or until July 1, 2017, whichever occurs last. (Education Code 60643.6)

51. Training and review of the CAASSP Program requirements as outlined in the test claim legislation and regulations by school district staff.

52. Developing and implementation of internal policies, training, procedures and forms relating to the administration of the CAASPP Program. Developing internal policies, procedures, and forms to implement the CAASP. (One-time)

52. In California, all students in grades 3 through 8 and 11 will participate in the 2015 Smarter Balanced tests, which include both ELA and mathematics content areas. These tests are administered online.

53. In 2015 the CSTs in Science are to be administered to students in grades 5, 8, and 10.

54. In 2015 the CMA for Science tests are to be administered to students in grades 5, 8, and 10 who have an individualized education program (IEP).

55. In 2015 the CAPA for Science tests are individually administered performance assessments for students in grades 5, 8, and 10 who have significant cognitive disabilities and who are unable to take either the CSTs even with accommodations or modifications or the CMA with accommodations.

56. In 2015 the STS are multiple-choice tests that allow Spanish-speaking English learners in grades 2 through 11 to demonstrate their knowledge of the California content standards by taking a reading/language arts (RLA) assessment in their primary language.

Section D.

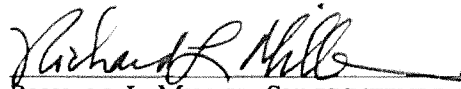
Not Applicable.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 6 – Santa Ana Unified School District Amended Declaration

Section E.

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.

Dated: March 13, 2015


RICHARD L. MILLER, SUPERINTENDENT OF
SCHOOLS, SANTA ANA UNIFIED SCHOOL
DISTRICT

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 – Vallejo City Unified School District Amended Declaration

SECTION NUMBER: 6
Heading: AMENDED DECLARATION

I, Ramona Bishop, Superintendent for the Vallejo City Unified School District, declare as follows:

Section A. The actual or estimated increased costs that will be incurred by the claimant to implement the alleged mandate.

It is estimated the increased costs that will be incurred by the claimant Vallejo City Unified School District to implement the alleged mandate is as follows:

	2013-2014 <u>Actual Costs</u>	2014-2015 <u>Est. Costs</u>
<u>Device Costs</u> Include all costs that were incurred from purchasing devices for administrators, teachers, staff, and student (SEAC compliant tablets, laptops, carts, PCs, iPads, MacBooks, Chromebooks)	\$542,171.62I laptop carts \$75,600.31 lab	\$543,653.22 laptop carts \$86,400.00 lab
<u>Bandwidth Costs</u> Include all costs that were incurred from installing and/or updating hardware and software to meet district connectivity and Internet speed requirements	\$518,512.00 Installation of wireless	\$1,598,387
<u>Accessories</u> Include all costs that were incurred from purchasing computer and tablet peripherals such as ear buds, mice keyboards, etc. for administrators, teachers, staff, and student in order to properly administer the assessment	\$3,122.97 mice \$23,897.50 Headsets	\$3,747.00 mice \$7,980.00 Headsets
<u>Miscellaneous</u> Include all costs that were incurred from purchasing miscellaneous items such as asset tags, packing supplies, testing furniture, etc.	\$7,541.41 Furniture	\$ N/A
<u>Staff Time</u> Include all costs that were incurred from training administrators, teachers, and staff to administer the assessment and use the devices, hardware, and software; training administrators, teachers, and staff to help students use the devices, hardware, and software; hiring additional	\$ N/A	\$ \$6,243.69

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
 Claimants: Santa Ana Unified School District, Porterville Unified School District,
 Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
 Section: 6 – Vallejo City Unified School District Amended Declaration

employees and/or directing employees to install the necessary hardware and software		
TOTAL	\$1,170,840.81	\$2,546,410.91

Section B. Identify all local, state, or federal funds, and fee authority that may be used to offset the increased costs that will be incurred by the claimant to implement the alleged mandate, including direct and indirect costs:

Common Core Implementation Block Grant

Section C. Describe new activities performed to implement specified provisions of the new statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections or page numbers alleged to impose a reimbursable state mandated program):

1. Statutes 2013-2014 Chapter 489 (A.B. No. 484); Sections 3, 5, 9, 12, 15, 16, 28, 28.5.
2. Statutes 2014 Chapter 32 (S.B. No. 858); Sections 49.
3. Statutes 2014 Chapter 327 (A.B. No. 1599); Sections 17, 18, 19, 22, 24, 26.
4. Title 5, California Code of Regulations Sections 850-864. (Effective July 23, 2014)
5. Title 5, California Code of Regulations Sections 850-864. (Certificate of Compliance Effective August 27, 2014)

New Activities

1. Administration of the achievement tests (Smarter Balanced Field Tests, California Standard Test (CST), CMA, CAPA, California Measurement of Academic Performance and Progress for the 21st Century (CalMAPP21), primary language tests, California Assessment of Student Performance and Progress (CAASPP), a consortium summative assessment in English language arts and mathematics to all pupils in grades 3 through 8, inclusive. For grades 9 and 10 students selected for the scientific sample are/were expected to participate. In grade 11 all students selected for the scientific sample are expected to participate. (Ed. Code, §§ 60640, subds. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851(a).)
2. For the 2013-14 school year, each LEA shall administer the Smarter Balanced field tests for ELA and mathematics in the manner prescribed by the CDE pursuant to the authority granted by Education Code § 60640(f)(2). (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(1).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

3. For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10, shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days. Testing for all pupils, including makeup testing, is to be completed within this 25 instructional day window. (Cal. Code Regs., tit. 5, §§ 855, subd. (a)(2).)
4. Science grade level assessments in grades 5, 8, and 10 that measure content standards adopted pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B). (Cal. Educ. Code § 60640)
5. In the 2014-15 school year, the CAASPP tests pursuant to Education Code section 60640(b) shall be administered to each pupil during the following testing windows: Unless otherwise stated in these regulations, the testing window shall not begin until at least 66 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 66 percent of a school year occurs after the 120th instructional day. This allows for a 12-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(1).)
6. For the grade 11 Smarter Balanced assessments and CAASPP tests administered after January 2015, the testing window shall not begin until at least 80 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 80 percent of a school year occurs after the 144th instructional day. This allows for a 7-week window for testing. (Cal. Code Regs., tit. 5, §§ 855, subd. (b)(2).)
7. The CST and CMA for science in grades 5, 8, and 10, and CAPA, or its successor alternate assessment, for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days unless the SBE makes a determination by the close of its September 2014 regular meeting that these tests shall be administered during the window defined in subdivision (b)(1) above. If an LEA elects to administer the primary language test, it shall do so during the same window. (Ed. Code, §§ 60640, Cal. Code Regs., tit. 5, §§ 855, subd. (b)(3).)
8. The CDE, with the approval of the SBE President or designee, may require LEAs to more fully utilize the testing window and may also limit the usage of the interim assessments in instances where the CDE determines that it is necessary to do so to ensure that the capacity of the

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

California K-12 High Speed Network (K12HSN) is not exceeded. (Cal. Code Regs., tit. 5, §§ 855, subd. (c).)

9. Administration of the assessments in English language arts and mathematics shall occur in 2014-15 school year. (Ed. Code, §§ 60648.5, subds. (b-h, k), 60641, subd. (a); Cal. Code Regs., tit. 5, §§ 851, and 855.)

10. LEAs shall make arrangements for the testing of all eligible pupils in alternative education programs or programs conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or NPSs. No test may be administered in a home or hospital except by a test examiner. No test shall be administered to a pupil by the parent or guardian of that pupil. This subdivision does not prevent classroom aides from assisting in the administration of the test under the supervision of a test examiner, provided that the classroom aide does not assist his or her own child, and that the classroom aide signs a security affidavit. (Cal. Code Regs. tit. 5, § 851(c)(d).)

11. Administration of an additional test to pupils of limited English proficiency who are enrolled in grades 2 through 11, if the pupil was initially enrolled in any school district less than 12 months before the date that the English language test was given. (Ed. Code, § 60640, subd. (g).)

12. Exemption of pupils from the CAASSP Program tests upon request of their parent or guardian. (Ed. Code, §§ 60615, 60640, subd. (j); Cal. Code Regs., tit. 5, § 852, subd. (a).)

13. Exemption from testing for pupils if the pupil's individualized education program has an exemption provision. (Ed. Code, § 60640, subds. (e), (j)).

14. Determination of the appropriate grade level test for each pupil in a special education program. (Ed. Code, § 60640, subds. (e), (j)).

15. (a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.

(b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.

(c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children. (Cal. Code Regs., tit. 5, § 852, subd. (a)(b)(c))

16.(a) The CAASPP tests pursuant to Education Code section 60640 shall be administered, scored, transmitted, and/or returned by LEAs in accordance with the manuals or other instructions provided by the contractor or CDE for administering, scoring, transmitting, and/or returning the tests, unless specifically provided otherwise in this subchapter, including instructions for administering the test with universal tools, designated supports, and accommodations specified in sections 853.5 and 853.7. The procedures shall include, but are not limited to, those designed to ensure the uniform and standardized administration, and scoring of the tests to pupils, the security and integrity of the test content and test items, and the timely provision of all required pupil and school level information.

(b) The primary mode of administration of a CAASPP test shall be via a computing device, the use of an assessment technology platform, and the adaptive engine.

(c) If available, an LEA may utilize a paper-pencil version of any computer-based assessment (CBA) of the CAASPP assessment system, in accordance with Education Code section 60640(e), and if the LEA identifies the pupils that are unable to access the CBA version of the test.

(d) Interim assessments and formative assessment tools shall be made available to LEA(s) for use. Use of interim assessments and formative assessment tools shall not be considered advance preparation for a CAASPP test as defined in Education Code section 60611. LEAs that use interim assessments and/or formative assessment tools shall abide by the consortium/contractor(s) administration and use requirements. Any scoring of any performance tasks for the interim assessment is the responsibility of the LEA. (Cal. Code Regs., tit. 5, § 853, subd. (a)(b)(c)(d))

17. All pupils shall be permitted the following embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) breaks for reading, writing, listening, and mathematics;
- (2) calculator for specific mathematic items;
- (3) digital notepad for reading, writing, listening, and mathematics;
- (4) English dictionary for writing (ELA-performance task - pupil long essay(s) not short paragraph responses);
- (5) English glossary for reading, writing, listening, and mathematics;
- (6) expandable passages for reading, writing, listening, and mathematics;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

- (7) global notes for writing (ELA-performance task - pupils long essay(s) not short paragraph responses);
- (8) highlighter for reading, writing, listening, and mathematics;
- (9) keyboard navigation for reading, writing, listening, and mathematics;
- (10) mark for review for reading, writing, listening, and mathematics;
- (11) math tools for specific mathematics items;
- (12) spell check for specific writing items;
- (13) strikethrough for reading, writing, listening, and mathematics;
- (14) writing tools for specific pupil generated responses; or
- (15) zoom for reading, writing, listening, and mathematics. (Cal. Code Regs., tit. 5, § 853.5 (a)(1-15).)

18. All pupils shall be permitted the following non-embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) breaks;
- (2) English dictionary for ELA performance task - pupil long essay(s) not short paragraph responses;
- (3) scratch paper;
- (4) thesaurus for ELA performance task - pupil long essay(s) not short paragraph responses;
- (5) color overlay for science and primary language test;
- (6) math tools (i.e., ruler, protractor) for specific mathematics items;
- (7) simplify or clarify test administration directions (does not apply to test questions); or
- (8) pupil marks in paper-pencil test booklet (other than responses including highlighting). (Cal. Code Regs., tit. 5, § 853.5 (b)(1-8).)

19. All pupils shall be permitted the following embedded designated supports when determined for use by an educator or group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics, and reading items but not reading passages;
- (4) translated test directions for mathematics;
- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics. (Cal. Code Regs., tit. 5, § 853.5 (c)(1-7).)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

20. All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
- (2) bilingual dictionary for writing;
- (3) access to translation glossaries/word lists for science and primary language test;
- (4) color contrast for reading, writing, listening, and mathematics;
- (5) color overlay for reading, writing, listening, and mathematics;
- (6) magnification;
- (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
- (8) scribe for reading, listening, and mathematics;
- (9) separate setting;
- (10) translations (glossary) for mathematics; (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (c)).
- (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
- (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
- (13) translations (glossary) for science and primary language test; or
- (14) administration of the test at the most beneficial time of day for the pupil.
(Cal. Code Regs., tit. 5, § 853.5 (d)(1-14).)

21. The following embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

- (1) American Sign Language for listening and mathematics;
- (2) Braille for reading, writing, listening, and mathematics;
- (3) closed captioning for listening;
- (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11; or
- (5) streamlining for reading, writing, listening, and mathematics.
(Cal. Code Regs., tit. 5, § 853.5 (e)(1-5).)

22. The following non-embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language when specified in a pupil's IEP or Section 504 Plan:

- (1) read aloud for primary language test;
- (2) American Sign Language for listening, mathematics, and science;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

- (3) Braille for paper-pencil tests;
 - (4) Abacus for mathematics and science;
 - (5) Alternate Response Options for reading, writing, listening, and mathematics;
 - (6) Calculator for specific mathematics items;
 - (7) Multiplication Table for mathematics beginning in grade 4;
 - (8) Print on Demand for reading, writing, listening, and mathematics;
 - (9) Read Aloud for reading passages in grades 6 through 8, inclusive, and grade 11; blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have adequate Braille skills;
 - (10) Scribe for writing, science, and primary language test;
 - (11) Speech-to-Text; or
 - (12) Large-Print version of a paper-pencil test.
- (Cal. Code Regs., tit. 5, § 853.5 (f)(1-12).)

23. A LEA may submit a request in writing to the CDE, prior to the administration of a CAASPP test for approval for the use of an individualized aid. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of receipt of the written request. Written requests must include:

- (1) LEA name and CDS code;
 - (2) school/test site and school code;
 - (3) school/test site address, city, and zip code;
 - (4) LEA CAASPP coordinator name, phone number, and email address;
 - (5) CAASPP test site coordinator name, phone number, and email address;
 - (6) school/test site testing window dates;
 - (7) SSID(s) for the pupil(s) for which the individualized aid is being requested;
 - (8) CAASPP test and grade; and
 - (9) the individualized aid being requested.
- (Cal. Code Regs., tit. 5, § 853.5 (g)(1-9).)

24. Individualized aids that change the construct being measured by a CAASPP test invalidate the test score and results in a score that cannot be compared with other CAASPP results. Scores for pupils' tests with individualized aids that change the construct being measured by a CAASPP test will not be counted as participating in statewide testing (and impacts the accountability participation rate indicator) but pupils will still receive individual score reports with their actual score. The following non-embedded individualized aids have been determined to change the construct being measured on the CAASPP tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and are specified below, but not limited to:

- (1) English dictionary for reading, listening, mathematics, science, and primary language;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

- (2) Thesaurus for reading, listening, mathematics, science and primary language;
 - (3) Translated Test Directions for reading, writing, or listening;
 - (4) Bilingual Dictionary for reading, listening, mathematics, science and primary language;
 - (5) Translations (glossary) for reading, writing, and listening;
 - (6) Read aloud for reading passages in grades 3, 4, and 5;
 - (7) American Sign Language for reading passages in grades 3, 4, and 5 and reading passages for primary language;
 - (8) Calculator for non-specified mathematics items or science;
 - (9) Math tools (i.e., ruler, protractor) for non-specified mathematics items; and
 - (10) Multiplication Table for mathematics in grade 3.
- (Cal. Code Regs., tit. 5, § 853.5 (h)(1-10).)

25. If a consortium (in which California is a participant) approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall allow its use. (Cal. Code Regs., tit. 5, § 853.5 (i).)

26. (a) An English learner (EL) shall be permitted the following embedded designated supports, when determined for use by an educator or group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
 - (2) masking for reading, writing, listening, and mathematics;
 - (3) text-to-speech for writing, listening, mathematics and reading items, but not passages;
 - (4) translated test directions for mathematics;
 - (5) translations (glossary) for mathematics;
 - (6) translations (stacked) for mathematics; or
 - (7) turn off any universal tool for reading, writing, listening, and mathematics.
- (b) An EL shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:
- (1) translated directions for mathematics, science and primary language test;
 - (2) bilingual dictionary for writing;
 - (3) access to translation glossaries/word lists for science and primary language test;
 - (4) color contrast for reading, writing, listening, and mathematics;
 - (5) color overlay for reading, writing, listening, and mathematics;
 - (6) magnification;
 - (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
 - (8) scribe for reading, listening, and mathematics;

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

- (9) separate setting;
- (10) translations (glossary) for mathematics (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (a));
- (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
- (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
- (13) translations (glossary) for science and primary language test; or
- (14) administration of the test at the most beneficial time of day for the pupil.
(Education Code Sections 60605 and 60640; (Cal. Code Regs., tit. 5, §§ 853.7)

27. Designation of a CAASPP district coordinator. (Cal. Code Regs., tit. 5, §§ 857-859.)

28. On or before September 30 of each school year, the superintendent of each LEA shall:

- (1) designate from among the employees of the LEA an LEA CAASPP coordinator;
- (2) identify school(s) with pupils unable to access the CBA version of a CAASPP test(s) in accordance with Education Code section 60640(e); and
- (3) report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.
(Cal. Code Regs. tit. 5, § 857 (a)(1,2,3).)

29. The LEA CAASPP coordinator, or the LEA superintendent, shall be available through September 30 of the following school year to complete the LEA testing activities. The LEA shall notify the contractor(s) of the identity and contact information for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP coordinator shall serve as the LEA representative and the liaison between the LEA and the contractor(s) and the LEA and the CDE for all matters related to the CAASPP assessment system. (Cal. Code Regs. tit. 5, § 857 (b).)

30. The LEA CAASPP coordinator's responsibilities shall be those defined in the contractor's(s') or consortium's administrative manuals and documentation, and shall include, but are not limited to, overseeing the LEA's preparation, registration, coordination, training, assessment technology, administration, security, and reporting of the CAASPP tests. The LEA CAASPP coordinator shall ensure current and ongoing compliance with the minimum technology specifications as identified by the CAASPP contractor(s) or consortium. The LEA CAASPP coordinator shall ensure the training of all CAASPP test site coordinators who will oversee the test administration at each school or test site. (Cal. Code Regs. tit. 5, § 857 (c)(d)(e).)

31. Designation of a CAASPP test site coordinator at each test site. (Cal. Code Regs., tit. 5, §§ 857-859.)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

32. At each test site, including, but not limited to, each elementary, middle, and high school or other grade-span designated school, each charter school, each court-school, each school or program operated by an LEA, and all other public programs serving pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall designate a CAASPP test site coordinator from among the employees of the LEA. The CAASPP test site coordinator, or the site principal or his or her designee, shall be available to the LEA CAASPP coordinator by telephone through September 30 of the following school year for purposes of resolving discrepancies or inconsistencies in materials or errors in reports. (Cal. Code Regs. tit. 5, § 858 (a).)

33. The CAASPP test site coordinator's responsibilities shall be those defined in the contractor's(s') and CDE's administrative manuals and documentation, and shall include, but are not limited to, overseeing the test site's preparation, coordination, training, registration, administration, security, and reporting of the CAASPP tests. (Cal. Code Regs. tit. 5, § 858 (b).)

34. The CAASPP test site coordinator shall be responsible for the training of test examiners, translators, proctors, and scribes. The CAASPP test site coordinator shall be responsible for ensuring that all designated supports, accommodations and individualized aids are correctly entered into the registration system and provided to the pupil(s) identified to receive the designated supports and/or accommodations. (Cal. Code Regs. tit. 5, § 858 (c)(d).)

35. All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the CAASPP Test Security Agreement, before receiving any of the test materials or tests administered pursuant to Education Code section 60640 and perform all the tasks included in the agreement. (Cal. Code Regs. tit. 5, § 859 (a).)

The CAASPP Test Security Agreement shall be as follows:

CAASPP TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640 are secure tests and agree to each of the following conditions to ensure test security:

- (1) I will take all necessary precautions to safeguard all tests and test materials, whether paper-based or computer-based assessments, by limiting access to only persons within the LEA who are responsible for, and have professional interest in, the tests' security.
- (2) I will keep on file the names of all persons who have been trained in the administration of CAASPP tests and all persons with access to tests and test materials, whether paper-based or computer-based assessments. I have and shall have all other persons having access to the tests

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

and test materials read and sign the CAASPP Test Security Affidavit that will be kept on file in the LEA office.

(3) Except during the administration of the tests, I will keep the paper-pencil tests, and their test materials in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will securely destroy all print-on-demand papers, scratch paper, and other documents as prescribed within the contractor's(s) or consortium's administrative manuals and documentation.

(5) With the exception of subdivision (6) below, I will deliver tests and test materials or allow electronic access thereto, only on actual testing dates and only to those persons who have executed CAASPP Test Security Affidavits.

(6) For an alternate assessment (CAPA or its successor alternate assessment), I will keep all tests and testing materials in the manner set forth above in subdivisions (3) and (5) except during actual testing administration or when being used by test examiners to prepare for and to administer the assessment. I will adhere to the contractor's directions for the distribution of the assessment materials to test examiners.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: _____

Print Name: _____

Title: _____

LEA: _____

Date: _____

(c) All test examiners, proctors, translators, scribes, LEA CAASPP coordinators and CAASPP test site coordinators, and any other persons having access to any of the tests and test materials, assessment technology platform, registration system, adaptive engine, or tests administered pursuant to Education Code section 60640, shall acknowledge the limited purpose of their access to the tests by signing the CAASPP Test Security Affidavit set forth in subdivision (d).

(d) The CAASPP Test Security Affidavit shall be as follows:

CAASPP TEST SECURITY AFFIDAVIT

I acknowledge that I will have access to one or more of the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640, for the purpose of administering the test(s). I understand that these materials are highly secure and may be under copyright restrictions and it is my professional responsibility to protect their security as follows:

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

- (1) I will not divulge the contents of the tests and test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to, sharing or posting test content via the Internet or by email without the express written permission of the CDE.
- (2) I will not copy or take a photo of any part of the test(s) or test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without prior expressed written permission of the CDE.
- (3) Except during the actual testing administrations or as otherwise provided for by law, I will keep the test(s) and test materials secure until the test(s) are actually distributed to pupils when tests and testing materials are checked in and out by the CAASPP test site coordinator. Keeping materials secure means that testing materials are required to be kept in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.
- (4) I will limit access to the test(s) and test materials by test examinees to the actual testing periods when they are taking the test(s). I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a test security affidavit may be in the room when and where a test is being administered.
 - (A) I will keep all assigned, generated, or created usernames, passwords and logins secure and not divulge pupil personal information to anyone other than the pupil to whom the information pertains for the purpose of logging on to the assessment delivery system.
 - (B) I will not allow anyone other than the assigned pupils to log into their assigned test. I may assist a pupil with using their information to log into their assigned test.
 - (C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in using another pupil's information.
- (5) I will not allow pupils to access electronic devices that allow them to access outside information, communicate with other pupils, or photograph or copy test content. This includes, but is not limited to, cell phones, personal digital assistants (PDAs), tablets, laptops, cameras, and electronic translation devices.
- (6) I will collect and account for all materials following each testing session and will not permit pupils to remove any test materials by any means from the room(s) where testing takes place. After each testing session, I will count all test booklets and answer documents before allowing any pupil to leave the testing room and/or ensure that all pupils have properly logged off the assessment delivery system.
- (7) I will not review any achievement test questions, passages, performance tasks, or other test items independently or with pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between LEA staff for training or professional development whether one-on-one or in a staff meeting.
- (8) I will not, for any achievement test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

type of assistance to pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., interpreting, explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice inflection, pointing, or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing pupils' answers.

(9) I will return all test materials to the designated CAASPP test site coordinator each day upon completion of testing. I understand that all test booklets, answer documents, and scratch paper shall be returned to the CAASPP test site coordinator each day immediately after testing has been completed for storage or confidential destruction.

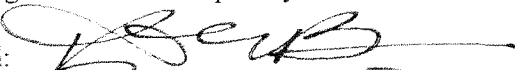
(10) If I will administer and/or observe the administration of an alternate assessment (CAPA or its successor alternate assessment), which means that I am a certificated or a licensed LEA employee and a trained examiner, I will keep all the alternate assessment (CAPA or its successor alternate assessment) materials in a securely locked room, and, when possible, in a locked storage cabinet within that room except when I am preparing for the administration, administering or observing the administration of the assessment to pupils.

(11) I will actively supervise pupils throughout the paper-pencil testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, accommodations, or individualized aids) needed for the test being administered.

(12) I will actively supervise pupils throughout the testing session and verify that pupils have selected the appropriate assessment for the testing session and have completed any necessary preceding test sections and/or classroom activities.

(13) I will administer the test(s) in accordance with the directions for test administration and test administration manuals prepared by the CAASPP testing contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I understand that the unauthorized copying, sharing, or reusing of any test booklet, test question, performance task, or answer document by any means is prohibited. This includes, but is not limited to, photocopying, recording, emailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and sharing or posting test content via the Internet without the express prior written permission of the CDE.

(14) I have been trained to administer the tests. By signing my name to this document, I am assuring that I have completely read this affidavit and will abide by the above conditions.

Signed: 
Print Name: Tamara F. Bishop EdD
Position: Superintendent
School: Vallejo City Unified School District
LEA: _____
Date: 3/17/15

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

(e) To maintain the security of the CAASPP assessment system, all LEA CAASPP coordinators and CAASPP test site coordinators shall immediately, within 24 hours, notify the CDE of any security breaches or testing irregularities occurring either before, during, or after the test administration(s). (Cal. Code Regs. tit. 5, § 859 (a)(b:1-6)(c)(d:1-4), (A)(B)(C),(d:5-14)(e).)

36. Inclusion of Program test results in each pupil's record of accomplishment. (Ed. Code, §§ 60607, subd. (a), 60641, subd. (a).)

37. In order to assess pupils pursuant to Education Code section 60640 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in California Longitudinal Pupil Achievement Data System (CALPADS). (Cal. Code Regs. tit. 5, § 861 (a).)

In addition to the demographic and program data required to be reported in section 861(a), LEAs shall report to the CDE the following information:

- (1) if an eligible pupil is not tested due to a significant medical emergency;
- (2) if a pupil used a designated support;
- (3) if a pupil used an individualized aid;
- (4) if a pupil used an accommodation(s);
- (5) if a pupil had special testing conditions and/or reasons for not being tested (e.g., parent or guardian exemption);
- (6) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code; and
- (7) if a pupil in grade 2 was administered a diagnostic assessment pursuant to Education Code section 60644.

(c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate prior to LEA registration and throughout the testing window. The CDE shall provide LEAs reasonable notification prior to pupil demographic and program data being extracted from CALPADS for purposes of test registration, individual pupil reports and reports aggregated to the LEA, and state and federal accountability reporting. (Cal. Code Regs., tit. 5, § 861(b: 1-7)(c).)

38. Annually, the CDE shall make available electronically to each LEA an apportionment information report with the following information provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level:

- (1) The number of pupils enrolled in each school and in the LEA on the first day of testing.
- (2) The number of pupils in each school and in the LEA tested with the alternate assessment.
- (3) The number of pupils in each school and in the LEA exempted from testing at the request of their parents or guardians pursuant to Education Code section 60615.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

- (4) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.
 - (5) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.
 - (6) The number of pupils with demographic information only who were not tested for any reason other than a parent or guardian exemption.
 - (7) The number of English language learners who were administered a primary language test aligned to the English language arts standards pursuant to Education Code section 60640(b)(5)(B).
 - (8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to Education Code section 60644.
- (b) To be eligible for apportionment payment for the CAASPP assessments, LEAs must meet the following conditions:
- (1) The LEA has returned all secure test materials, and
 - (2) The LEA CAASPP coordinator has certified the accuracy of the apportionment information report for assessments administered during the school year, which is either;
 - (A) transmitted electronically in a manner prescribed by the contractor(s) and/or the CDE by December 31, or
 - (B) if transmitted in any manner after December 31, the apportionment information report must be accompanied by a waiver request as provided by Education Code section 33050. For those apportionment information reports transmitted after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the testing window began. (Cal. Code Regs., tit. 5, § 862(a:1-8)(b:1-2)(A)(B).)

39. (a) The amount of funding to be apportioned to the LEA shall be the amount established by the SBE per the number of tests administered to eligible pupils, and the number of pupils enrolled on the first day of testing who were not tested in the LEA. The number of tests administered and the number of pupils not tested shall be determined by the certification of the LEA CAASPP coordinator pursuant to section 862. For purposes of this portion of the apportionment, administration of the tests includes the following items:
- (1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test site coordinators, staff training and other staff expenses related to testing.
 - (2) All expenses incurred at the LEA and school/test site(s) related to testing.
 - (3) All transportation costs of delivering and retrieving tests and test materials within the LEA and to NPSs.
 - (4) All costs associated with transmitting the pupil report(s) to parents/guardians.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

(5) All costs associated with activities intended to provide the complete and accurate data required in section 861.

(b) This amount does not include any funding for the purposes of reimbursing any LEA for primary language tests for non-eligible pupils. (Cal. Code Regs., tit. 5, § 862.5 (a:1-5)(b).)

40. (a) The LEA shall forward or transmit pupil results for the tests conducted pursuant to Education Code section 60640 to each pupil's parent or guardian within 20 working days from receipt of the results from the contractor.

(b) If the LEA receives the reports for the tests conducted pursuant to Education Code section 60640 from the contractor after the last day of instruction for the school year, the LEA shall make the report available to the parent or guardian no later than the first 20 working days of the next school year.

(c) Schools are responsible for maintaining pupil's scores with the pupil's permanent school records or for entering the scores into electronic pupil records, and for forwarding or transmitting the results to schools to which pupils matriculate or transfer. Schools may annotate the scores when the scores may not accurately reflect pupils' achievement due to illness or testing irregularities. Reporting of individual program test results in writing to each pupil's parent or guardian and to the pupil's school and teachers as well as maintaining the pupil's scores with the pupil's permanent school records. (Ed. Code, § 60641, subs. (a); b); Cal. Code Regs., tit. 5, § 863 (a-c).)

41. Reporting of district-wide, school-level, and class-level results to the school district's governing board or county office of education. (Ed. Code, § 60641.)

42. (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

(b) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

(1) comply with any and all requests from CAASPP contractor(s) in accordance with Education Code section 60641; and

(2) abide by any and all instructions provided by the CAASPP contractor or consortium, whether written or oral, that are presented for training or provided for in the administration of a CAASPP test. (Cal. Code Regs., tit. 5, § 864 (a)(b:1-2).)

43. Provide grade 11 assessments to pupils, parents or legal guardians. (Ed. Code, § 60641, subd. (e).)

44. Provide interim and formative assessment tools for kindergarten and grades 1-12. (Ed. Code, § 60642.6.);

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

45. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the Measurement of Academic Performance and Progress (MAPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course exams he or she has taken, and the vocational education certification exams he or she chose to take. (Education Code 60607)

Additional Activities

CA LEGIS 327 (2014)(A.B. 1599)

46. Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the California Assessment of Student Performance and Progress (CAASPP), or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course examinations he or she has taken, and the vocational education certification examinations he or she chose to take. (Education Code 60607)

47. A pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the purpose of credit, placement, or admission and the results of an individual pupil on the CAASPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission. (Education Code 60607)

48. State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the California Assessment of Student Performance and Progress (CAASPP) assessments and the assessment scores and results from assessments that measured previously adopted content standards. The districtwide, school-level, and grade-level results of the CAASPP in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting. Aggregated, disaggregated, or group scores or reports that include the results of the CAASPP assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results. (Education Code 60641)

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

49. A local educational agency shall be reimbursed by the contractor selected pursuant to this article for any unexpected expenses incurred due to scheduling changes that resulted from the late delivery of testing materials in connection with the California Assessment of Student Performance and Progress. (Education Code 60643.6)

50. The test or series of tests developed or acquired pursuant to subdivision (a) shall have sufficient range to assess pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills. Pupils in kindergarten and grade 1 shall be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. The early literacy assessment shall be administered for a period of four years beginning after the initial administration of the assessment or until July 1, 2017, whichever occurs last. (Education Code 60643.6)

51. Training and review of the CAASSP Program requirements as outlined in the test claim legislation and regulations by school district staff.

52. Developing and implementation of internal policies, training, procedures and forms relating to the administration of the CAASPP Program. Developing internal policies, procedures, and forms to implement the CAASP. (One-time)

53. In California, all students in grades 3 through 8 and 11 will participate in the 2015 Smarter Balanced tests, which include both ELA and mathematics content areas. These tests are administered online.

54. In 2015 the CSTs in Science are to be administered to students in grades 5, 8, and 10.

55. In 2015 the CMA for Science tests are to be administered to students in grades 5, 8, and 10 who have an individualized education program (IEP).

56. In 2015 the CAPA for Science tests are individually administered performance assessments for students in grades 5, 8, and 10 who have significant cognitive disabilities and who are unable to take either the CSTs even with accommodations or modifications or the CMA with accommodations.

57. In 2015 the STS are multiple-choice tests that allow Spanish-speaking English learners in grades 2 through 11 to demonstrate their knowledge of the California content standards by taking a reading/language arts (RLA) assessment in their primary language.

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education, Vallejo City Unified School District
Section: 6 – Vallejo City Unified School District Amended Declaration

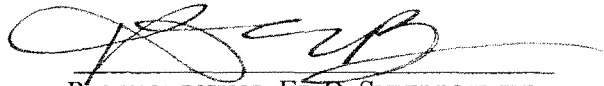
Section D.

Not Applicable.

Section F.

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.

Dated: March 17, 2015



RAMONA BISHOP, ED.D, SUPERINTENDENT OF
SCHOOLS, VALLEJO CITY UNIFIED SCHOOL
DISTRICT

Test Claim: California Assessment of Student Performance and Progress (CAASPP)
Claimants: Santa Ana Unified School District, Porterville Unified School District,
Plumas Unified School District, Plumas County Office of Education
Section: 7 – Documentation

EDUCATION—SCHOOLS AND SCHOOL DISTRICTS—TESTS AND TESTING

2013 Cal. Legis. Serv. Ch. 489 (A.B. 484) (WEST) (Approx. 21 pages)

2013 Cal. Legis. Serv. Ch. 489 (A.B. 484) (WEST)

CALIFORNIA 2013 LEGISLATIVE SERVICE

2013 Portion of 2013-2014 Regular Session

Additions are indicated by **Text**; deletions by

* * *

Vetoed are indicated by ~~Text~~ ;stricken material by ~~Text~~ .

CHAPTER 489

A.B. No. 484

EDUCATION—SCHOOLS AND SCHOOL DISTRICTS—
TESTS AND TESTING

AN ACT to amend Sections 52052, 60601, 60603, 60604, 60607, 60610, 60611, 60612, 60630, 60640, 60641, 60643, 60648, 99300, and 99301 of, to amend the heading of Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4 of Title 2 of, to amend and repeal Section 60602 of, to add Sections 60602.5, 60642.6, 60643.6, and 60648.5 to, to repeal Sections 60605.5, 60606, 60643.1, 60643.5, and 60645 of, and to repeal, add, and repeal Section 60649 of, the Education Code, relating to pupil assessments.

[Filed with Secretary of State October 2, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 484, Bonilla. Pupil assessments: Measurement of Academic Performance and Progress (MAPP).

Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop an Academic Performance Index (API) to measure the performance of schools and school districts, especially the academic performance of pupils.

Existing law, the Leroy Greene California Assessment of Academic Achievement Act, requires the Superintendent to design and implement a statewide pupil assessment program, and requires school districts, charter schools, and county offices of education to administer to each of its pupils in grades 2 to 11, inclusive, certain achievement tests, including a standards-based achievement test pursuant to the Standardized Testing and Reporting (STAR) Program and the California Standards Tests. Existing law makes the Leroy Greene California Assessment of Academic Achievement Act inoperative on July 1, 2014, and repeals it on January 1, 2015.

Existing federal law, the No Child Left Behind Act of 2001, contains provisions generally requiring states to adopt performance goals for their public elementary and secondary schools, and to demonstrate that these public schools are making adequate yearly progress, as measured by pupil performance on standardized tests as well as other measures, to satisfy those goals.

Existing law requires the Superintendent, with approval of the state board, to develop the California Standards Tests, to measure the degree to which pupils are achieving academically rigorous content standards and performance standards, as provided.

Existing law, the Early Assessment Program, establishes a collaborative effort, headed by the California State University, to enable pupils to learn about their readiness for college-level English and mathematics before their senior year of high school.

This bill would, for the 2013–14 and 2014–15 school years, upon approval of the state board, authorize the Superintendent to not provide an API score to a school or school district due to a determination by the Superintendent that a transition to new standards-based assessments would compromise comparability of results across schools or school districts.

The bill would extend the duration of the provisions of the Leroy Greene California Assessment of Academic Achievement Act by 6 years so that they would become inoperative on July 1, 2020, and be repealed on January 1, 2021.

The bill would delete the provisions establishing the STAR Program, and instead establish the Measurement of Academic Performance and Progress (MAPP), commencing with the 2013–14 school year, for the assessment of certain elementary and secondary pupils. The bill would specify that the MAPP would be composed of: a consortium summative assessment in English language arts and mathematics for grades 3 to 8, inclusive, and grade 11, as specified; science grade level assessments in grades 5, 8, and 10, measuring specified content standards; the California Alternate Performance Assessment in grades 2 to 11, inclusive, in English language arts and mathematics and science in grades 5, 8, and 10, as specified; and the Early Assessment Program. The bill would specify numerous policies and procedures with respect to the development and the implementation of the MAPP by the Superintendent, the state board, and affected local educational agencies.

This bill would, commencing with the 2014–15 school year and for purposes of the Early Assessment Program, authorize the replacement of the California Standards Test and the augmented California Standards Tests in English language arts and mathematics with the grade 11 consortium computer-adaptive assessments in English language arts and mathematics, as provided.

This bill would make conforming and other related changes and nonsubstantive changes.

This bill would incorporate additional changes in Section 52052 of the Education Code, proposed by SB 344, to be operative only if SB 344 and this bill are chaptered and become effective on or before January 1, 2014, and this bill is chaptered last.

This bill would incorporate additional changes in Section 99301 of the Education Code, proposed by SB 490, to be operative only if SB 490 and this bill are chaptered and become effective on or before January 1, 2014, and this bill is chaptered last.

The people of the State of California do enact as follows:

SECTION 1. Section 52052 of the Education Code is amended to read:

<< CA EDUC § 52052 >>

52052. (a)(1) The Superintendent, with approval of the state board, shall develop an Academic Performance Index (API), to measure the performance of schools **and school districts**, especially the academic performance of pupils.

(2) A school **or school district** shall demonstrate comparable improvement in academic achievement as measured by the API by all numerically significant pupil subgroups at the school **or school district**, including:

- (A) Ethnic subgroups.
- (B) Socioeconomically disadvantaged pupils.
- (C) English learners.
- (D) Pupils with disabilities.

(E) Foster youth.

(3)(A) For purposes of this section, a numerically significant pupil subgroup is one that ~~***~~ **consists of at least 30 pupils, each of whom has a valid test score.**

~~***~~

~~***~~ **(B) Notwithstanding subparagraph (A), for a subgroup of pupils who are foster youth, a numerically significant pupil subgroup ~~***~~ is one that consists of at least 15 pupils.**

(C) For a school **or school district** with an API score that is based on no fewer than 11 and no more than 99 pupils with valid test scores, numerically significant pupil subgroups shall be defined by the Superintendent, with approval by the state board.

(4)(A) The API shall consist of a variety of indicators currently reported to the department, including, but not limited to, the

results of the achievement test administered pursuant to Section 60640, attendance rates for pupils in elementary schools, middle schools, and secondary schools, and the graduation rates for pupils in secondary schools.

(B) The Superintendent, with the approval of the state board, may also incorporate into the API the rates at which pupils successfully promote from one grade to the next in middle school and high school, and successfully matriculate from middle school to high school.

(C) Graduation rates for pupils in secondary schools shall be calculated for the API as follows:

(i) Four-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be three school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (ii).

(ii) The number of pupils entering grade 9 for the first time in the school year three school years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was three school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was three school years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(iii) Five-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be four school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (iv).

(iv) The number of pupils entering grade 9 for the first time in the school year four years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was four school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was four years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(v) Six-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be five school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (vi).

(vi) The number of pupils entering grade 9 for the first time in the

school year five years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was five school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was five years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(D) The inclusion of five- and six-year graduation rates for pupils in secondary schools shall meet the following requirements:

(i) Schools **and school districts** shall be granted one-half the credit in their API scores for graduating pupils in five years that they are granted for graduating pupils in four years.

(ii) Schools **and school districts** shall be granted one-quarter the credit in their API scores for graduating pupils in six years that they are granted for graduating pupils in four years.

(iii) Notwithstanding clauses (i) and (ii), schools **and school districts** shall be granted full credit in their API scores for graduating in five or six years a pupil with disabilities who graduates in accordance with his or her individualized education program.

(E) The pupil data collected for the API that comes from the achievement test administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, when fully implemented, shall be disaggregated by special education status, English learners, socioeconomic status, gender, and ethnic group. Only the test scores of pupils who were counted as part of the enrollment in the annual data collection of the California Basic Educational Data System for the current fiscal year and who were continuously enrolled during that year may be included in the test result reports in the API score of the school.

(F)(i) Commencing with the baseline API calculation in 2016, and for each year thereafter, results of the achievement test and other tests specified in subdivision (b) shall constitute no more than 60 percent of the value of the index for secondary schools.

(ii) In addition to the elements required by this paragraph, the Superintendent, with approval of the state board, may incorporate into the index for secondary schools valid, reliable, and stable measures of pupil preparedness for postsecondary education and career.

(G) Results of the achievement test and other tests specified in subdivision (b) shall constitute at least 60 percent of the value of the index for primary schools and middle schools.

(H) It is the intent of the Legislature that the state's system of public school accountability be more closely aligned with both the

public's expectations for public education and the workforce needs of the state's economy. It is therefore necessary that the accountability system evolve beyond its narrow focus on pupil test scores to encompass other valuable information about school performance, including, but not limited to, pupil preparedness for college and career, as well as the high school graduation rates already required by law.

(I) The Superintendent shall annually determine the accuracy of the graduation rate data. Notwithstanding any other law, graduation rates for pupils in dropout recovery high schools shall not be included in the API. For purposes of this subparagraph, "dropout recovery high school" means a high school in which 50 percent or more of its pupils have been designated as dropouts pursuant to the exit/withdrawal codes developed by the department or left a school and were not otherwise enrolled in a school for a period of at least 180 days.

(J) To complement the API, the Superintendent, with the approval of the state board, may develop and implement a program of school quality review that features locally convened panels to visit schools, observe teachers, interview pupils, and examine pupil work, if an appropriation for this purpose is made in the annual Budget Act.

(K) The Superintendent shall annually provide to local educational agencies and the public a transparent and understandable explanation of the individual components of the API and their relative values within the API.

(L) An additional element chosen by the Superintendent and the state board for inclusion in the API pursuant to this paragraph shall not be incorporated into the API until at least one full school year after the state board's decision to include the element into the API.

(b) Pupil scores from the following tests, when available and when found to be valid and reliable for this purpose, shall be incorporated into the API:

(1) The standards-based achievement tests provided for in Section 60642.5.

(2) The high school exit examination.

(c) Based on the API, the Superintendent shall develop, and the state board shall adopt, expected annual percentage growth targets for all schools based on their API baseline score from the previous year. Schools are expected to meet these growth targets through effective allocation of available resources. For schools below the statewide API performance target adopted by the state board pursuant to subdivision (d), the minimum annual percentage growth target shall be 5 percent of the difference between the actual API score of a school and the statewide API performance target, or one API point, whichever is greater.

Schools at or above the statewide API performance target shall have, as their growth target, maintenance of their API score above the statewide API performance target. However, the state board may set differential growth targets based on grade level of instruction and may set higher growth targets for the lowest performing schools because they have the greatest room for improvement. To meet its growth target, a school shall demonstrate that the annual growth in its API is equal to or more than its schoolwide annual percentage growth target and that all numerically significant pupil subgroups, as defined in subdivision (a), are making comparable improvement.

(d) Upon adoption of state performance standards by the state board, the Superintendent shall recommend, and the state board shall adopt, a statewide API performance target that includes consideration of performance standards and represents the proficiency level required to meet the state performance target. *
.

(e)(1) A school **or school district** with 11 to 99 pupils with valid test scores shall receive an API score with an asterisk that indicates less statistical certainty than API scores based on 100 or more test scores.

(2) A school **or school district** annually shall receive an API score, unless the Superintendent determines that an API score would be an invalid measure of the performance of the school **or school district** for one or more of the following reasons:

(A) Irregularities in testing procedures occurred.

(B) The data used to calculate the API score of the school **or school district** are not representative of the pupil population at the school **or school district**.

(C) Significant demographic changes in the pupil population render year-to-year comparisons of pupil performance invalid.

(D) The department discovers or receives information indicating that the integrity of the API score has been compromised.

(E) Insufficient pupil participation in the assessments included in the API.

(F) A transition to new standards-based assessments compromises comparability of results across schools or school districts. The Superintendent may use the authority in this subparagraph in the 2013–14 and 2014–15 school years only, with approval of the state board.

(3) If a school **or school district** has fewer than 100 pupils with valid test scores, the calculation of the API or adequate yearly progress pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be calculated over more than one annual administration of the tests administered pursuant to Section 60640 and the high school exit

examination administered pursuant to Section 60851, consistent with regulations adopted by the state board.

(4) Any school or school district that does not receive an API calculated pursuant to subparagraph (F) of paragraph (2) shall not receive an API growth target pursuant to subdivision (c). Schools and school districts that do not have an API calculated pursuant to subparagraph (F) of paragraph (2) shall use one of the following:

(A) The most recent API calculation.

(B) An average of the three most recent annual API calculations.

(C) Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant subgroups.

(f) Only schools with 100 or more test scores contributing to the API may be included in the API rankings.

(g) The Superintendent, with the approval of the state board, shall develop an alternative accountability system for schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, nonpublic, nonsectarian schools pursuant to Section 56366, and alternative schools serving high-risk pupils, including continuation high schools and opportunity schools. Schools in the alternative accountability system may receive an API score, but shall not be included in the API rankings.

(h) For purposes of this section, county offices of education shall be considered school districts.

SEC. 1.5. Section 52052 of the Education Code is amended to read:

<< CA EDUC § 52052 >>

52052. (a)(1) The Superintendent, with approval of the state board, shall develop an Academic Performance Index (API), to measure the performance of schools **and school districts**, especially the academic performance of pupils.

(2) A school **or school district** shall demonstrate comparable improvement in academic achievement as measured by the API by all numerically significant pupil subgroups at the school **or school district**, including:

(A) Ethnic subgroups.

(B) Socioeconomically disadvantaged pupils.

(C) English learners.

(D) Pupils with disabilities.

(E) Foster youth.

(F) Reclassified English learners. The inclusion of reclassified English learners in the API shall, at a minimum, be consistent with the manner in which reclassified English learners are included in the determination of adequate yearly progress, as required by Section 6311(b)(2)(B) of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).

(3)(A) For purposes of this section, a numerically significant pupil subgroup is one that ~~***~~ **consists of at least 30 pupils, each of whom has a valid test score.**

~~***~~

(B) ~~***~~ **Notwithstanding subparagraph (A), for a subgroup ~~***~~ of pupils who are foster youth,** a numerically significant pupil subgroup ~~***~~ **is one that consists of at least 15 pupils.**

(C) For a school **or school district** with an API score that is based on no fewer than 11 and no more than 99 pupils with valid test scores, numerically significant pupil subgroups shall be defined by the Superintendent, with approval by the state board.

(4)(A) The API shall consist of a variety of indicators currently reported to the department, including, but not limited to, the results of the achievement test administered pursuant to Section 60640, attendance rates for pupils in elementary schools, middle schools, and secondary schools, and the graduation rates for pupils in secondary schools.

(B) The Superintendent, with the approval of the state board, may also incorporate into the API the rates at which pupils successfully promote from one grade to the next in middle school and high school, and successfully matriculate from middle school to high school.

(C) Graduation rates for pupils in secondary schools shall be calculated for the API as follows:

(i) Four-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be three school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (ii).

(ii) The number of pupils entering grade 9 for the first time in the school year three school years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was three school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was three school years before the current school year and the date of

graduation who were members of the class that is graduating at the end of the current school year.

(iii) Five-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be four school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (iv).

(iv) The number of pupils entering grade 9 for the first time in the school year four years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was four school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was four years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(v) Six-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be five school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (vi).

(vi) The number of pupils entering grade 9 for the first time in the school year five years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was five school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was five years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(D) The inclusion of five- and six-year graduation rates for pupils in secondary schools shall meet the following requirements:

(i) Schools **and school districts** shall be granted one-half the credit in their API scores for graduating pupils in five years that they are granted for graduating pupils in four years.

(ii) Schools **and school districts** shall be granted one-quarter the credit in their API scores for graduating pupils in six years that they are granted for graduating pupils in four years.

(iii) Notwithstanding clauses (i) and (ii), schools **and school districts** shall be granted full credit in their API scores for graduating in five or six years a pupil with disabilities who graduates in accordance with his or her individualized education program.

(E) The pupil data collected for the API that comes from the

achievement test administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, when fully implemented, shall be disaggregated by special education status, English learners, socioeconomic status, gender, and ethnic group. Only the test scores of pupils who were counted as part of the enrollment in the annual data collection of the California Basic Educational Data System for the current fiscal year and who were continuously enrolled during that year may be included in the test result reports in the API score of the school.

(F)(i) Commencing with the baseline API calculation in 2016, and for each year thereafter, results of the achievement test and other tests specified in subdivision (b) shall constitute no more than 60 percent of the value of the index for secondary schools.

(ii) In addition to the elements required by this paragraph, the Superintendent, with approval of the state board, may incorporate into the index for secondary schools valid, reliable, and stable measures of pupil preparedness for postsecondary education and career.

(G) Results of the achievement test and other tests specified in subdivision (b) shall constitute at least 60 percent of the value of the index for primary schools and middle schools.

(H) It is the intent of the Legislature that the state's system of public school accountability be more closely aligned with both the public's expectations for public education and the workforce needs of the state's economy. It is therefore necessary that the accountability system evolve beyond its narrow focus on pupil test scores to encompass other valuable information about school performance, including, but not limited to, pupil preparedness for college and career, as well as the high school graduation rates already required by law.

(I) The Superintendent shall annually determine the accuracy of the graduation rate data. Notwithstanding any other law, graduation rates for pupils in dropout recovery high schools shall not be included in the API. For purposes of this subparagraph, "dropout recovery high school" means a high school in which 50 percent or more of its pupils have been designated as dropouts pursuant to the exit/withdrawal codes developed by the department or left a school and were not otherwise enrolled in a school for a period of at least 180 days.

(J) To complement the API, the Superintendent, with the approval of the state board, may develop and implement a program of school quality review that features locally convened panels to visit schools, observe teachers, interview pupils, and examine pupil work, if an appropriation for this purpose is made in the annual Budget Act.

(K) The Superintendent shall annually provide to local educational agencies and the public a transparent and understandable explanation of the individual components of the API and their

relative values within the API.

(L) An additional element chosen by the Superintendent and the state board for inclusion in the API pursuant to this paragraph shall not be incorporated into the API until at least one full school year after the state board's decision to include the element into the API.

(b) Pupil scores from the following tests, when available and when found to be valid and reliable for this purpose, shall be incorporated into the API:

(1) The standards-based achievement tests provided for in Section 60642.5.

(2) The high school exit examination.

(c) Based on the API, the Superintendent shall develop, and the state board shall adopt, expected annual percentage growth targets for all schools based on their API baseline score from the previous year. Schools are expected to meet these growth targets through effective allocation of available resources. For schools below the statewide API performance target adopted by the state board pursuant to subdivision (d), the minimum annual percentage growth target shall be 5 percent of the difference between the actual API score of a school and the statewide API performance target, or one API point, whichever is greater. Schools at or above the statewide API performance target shall have, as their growth target, maintenance of their API score above the statewide API performance target. However, the state board may set differential growth targets based on grade level of instruction and may set higher growth targets for the lowest performing schools because they have the greatest room for improvement. To meet its growth target, a school shall demonstrate that the annual growth in its API is equal to or more than its schoolwide annual percentage growth target and that all numerically significant pupil subgroups, as defined in subdivision (a), are making comparable improvement.

(d) Upon adoption of state performance standards by the state board, the Superintendent shall recommend, and the state board shall adopt, a statewide API performance target that includes consideration of performance standards and represents the proficiency level required to meet the state performance target. *

(e)(1) A school **or school district** with 11 to 99 pupils with valid test scores shall receive an API score with an asterisk that indicates less statistical certainty than API scores based on 100 or more test scores.

(2) A school **or school district** annually shall receive an API score, unless the Superintendent determines that an API score would be an invalid measure of the performance of the school **or school district** for one or more of the following reasons:

- (A) Irregularities in testing procedures occurred.
- (B) The data used to calculate the API score of the school **or school district** are not representative of the pupil population at the school **or school district**.
- (C) Significant demographic changes in the pupil population render year-to-year comparisons of pupil performance invalid.
- (D) The department discovers or receives information indicating that the integrity of the API score has been compromised.
- (E) Insufficient pupil participation in the assessments included in the API.

(F) A transition to new standards-based assessments compromises comparability of results across schools or school districts. The Superintendent may use the authority in this subparagraph in the 2013–14 and 2014–15 school years only, with approval of the state board.

(3) If a school **or school district** has fewer than 100 pupils with valid test scores, the calculation of the API or adequate yearly progress pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be calculated over more than one annual administration of the tests administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, consistent with regulations adopted by the state board.

(4) Any school or school district that does not receive an API calculated pursuant to subparagraph (F) of paragraph (2) shall not receive an API growth target pursuant to subdivision (c). Schools and school districts that do not have an API calculated pursuant to subparagraph (F) of paragraph (2) shall use one of the following:

- (A) The most recent API calculation.**
- (B) An average of the three most recent annual API calculations.**
- (C) Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant subgroups.**

(f) Only schools with 100 or more test scores contributing to the API may be included in the API rankings.

(g) The Superintendent, with the approval of the state board, shall develop an alternative accountability system for schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, nonpublic, nonsectarian schools pursuant to Section 56366, and alternative schools serving high-risk pupils, including continuation high schools and opportunity schools. Schools in the alternative

accountability system may receive an API score, but shall not be included in the API rankings.

(h) For purposes of this section, county offices of education shall be considered school districts.

SEC. 2. Section 60601 of the Education Code is amended to read:

<< CA EDUC § 60601 >>

60601. This chapter shall become inoperative on July 1, **2020**, and as of January 1, **2021**, is repealed, unless a later enacted statute that is enacted before January 1, **2021**, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. Section 60602 of the Education Code is amended to read:

<< CA EDUC § 60602 >>

60602. (a) It is the intent of the Legislature in enacting this chapter to provide a system of individual assessment of pupils that has the primary purpose of assisting teachers, administrators, **and** pupils ~~***~~ and their parents ~~***~~ to improve teaching and learning. In order to accomplish these goals, the Legislature finds and declares that California should adopt a coordinated and consolidated testing program to do all of the following:

(1) First and foremost, provide information on the academic status and progress of individual pupils to those pupils, their parents, and their teachers. This information should be designed to assist in the improvement of teaching and learning in California public classrooms. The Legislature recognizes that, in addition to statewide assessments that will occur as specified in this chapter, school districts will conduct additional ongoing pupil diagnostic assessment and provide information regarding pupil performance based on those assessments on a regular basis to parents or guardians and schools. The Legislature further recognizes that local diagnostic assessment is a primary mechanism through which academic strengths and weaknesses are identified.

(2) Develop and adopt a set of statewide academically rigorous content standards and performance standards in all major subject areas to serve as the basis for assessing the academic achievement of individual pupils, as well as for schools, school districts, and for the California education system as a whole. The performance standards shall be designed to lead to specific grade level benchmarks of academic achievement for each subject area tested within each grade level, and shall be based on the knowledge and skills that pupils will need in order to succeed in the information-based, global economy of the 21st century.

(3) Ensure that all assessment procedures, items, instruments, and scoring systems are independently reviewed to ensure that they meet high standards of statistical reliability and validity, and

that they do not use procedures, items, instruments, or scoring practices that are racially, culturally, or gender biased.

(4) Provide information to pupils, parents or guardians, teachers, schools, and school districts on a timely basis so that the information can be used to further the development of the pupil and to improve the educational program.

(5) Develop assessments that are comparable to the National Assessment of Educational Progress and other national and international assessment efforts, so that California's local and state test results are reported in a manner that corresponds to the national test results. Test results should be reported in terms describing a pupil's academic performance in relation to the statewide academically rigorous content and performance standards adopted by the **state board** ~~***~~ and in terms of employment skills possessed by the pupil, in addition to being reported as numerical or percentile scores.

(6) Assess pupils for a broad range of academic skills and knowledge including both basic academic skills and the ability of pupils to apply those skills.

(7) Include an appropriate balance of types of assessment instruments, including, but not limited to, multiple choice questions, short answer questions, and assessments of applied academic skills.

(8) Minimize the amount of instructional time devoted to assessments administered pursuant to this chapter.

(b) It is the intent of the Legislature, pursuant to this article, to begin a planning and implementation process to enable the Superintendent ~~***~~ to accomplish the goals set forth in this section as soon as feasible.

(c) It is the intent of the Legislature that parents, classroom teachers, other educators, governing board members of school districts, and the public be involved, in an active and ongoing basis, in the design and implementation of the statewide pupil assessment program and the development of assessment instruments.

(d) It is the intent of the Legislature, insofar as is practically feasible and following the completion of annual testing, that the content, test structure, and test items in the assessments that are part of the Standardized Testing and Reporting Program become open and transparent to teachers, parents, and pupils, to assist all the stakeholders in working together to demonstrate improvement in pupil academic achievement. A planned change in annual test content, format, or design ~~***~~ should be made available to educators and the public well before the beginning of the school year in which the change will be implemented.

(e) It is the intent of the Legislature that the results of the

California Standards Tests be available for use, after appropriate validation, academic credit, or placement and admissions processes, or both, at postsecondary educational institutions.

(f) This section shall become inoperative on July 1, 2014, and, as of January 1, 2015, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2015, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 4. Section 60602.5 is added to the Education Code, to read:

<< CA EDUC § 60602.5 >>

60602.5. (a) It is the intent of the Legislature in enacting this chapter to provide a system of assessments of pupils that has the primary purposes of assisting teachers, administrators, and pupils and their parents; improving teaching and learning; and promoting high-quality teaching and learning using a variety of assessment approaches and item types. The assessments, where applicable and valid, will produce scores that can be aggregated and disaggregated for the purpose of holding schools and local educational agencies accountable for the achievement of all their pupils in learning the California academic content standards. The system includes assessments or assessment tools for multiple grade levels that cover the full breadth and depth of the curriculum and promote the teaching of the full curriculum. In order to accomplish these goals, the Legislature finds and declares that California should adopt a coordinated and consolidated testing system to do all of the following:

(1) Develop and adopt a set of statewide academically rigorous content standards in all major subject areas to serve as the basis for modeling and promoting high-quality teaching and learning activities across the entire curriculum and assessing the academic achievement of pupils, as well as for schools, school districts, and for the California education system as a whole. Exclusive of those assessments established by a multistate consortium, produce performance standards to be adopted by the state board designed to lead to specific grade level benchmarks of academic achievement for each subject area tested within each grade level based on the knowledge, skills, and processes that pupils will need in order to succeed in the information-based, global economy of the 21st century.

(2) Provide information and resources to schools and local educational agencies to assist with the selection of local benchmark assessments, diagnostic assessments, and formative tools aligned with the state-adopted California academic content standards. The Legislature recognizes the importance of local tools and assessments used by schools and local educational agencies to monitor pupil achievement and to identify individual pupil strengths and weaknesses. The Legislature further recognizes the role the state may play in leveraging resources to

provide schools and local educational agencies with information and tools for use at their discretion.

(3) Ensure that all assessment procedures, items, instruments, scoring systems, and results meet high standards of statistical reliability and validity, and that they do not use procedures, items, instruments, or scoring practices that are racially, culturally, socioeconomically, or gender biased.

(4) Provide information to pupils, parents and guardians, teachers, schools, and local educational agencies on a timely basis so the information can be used to further the development of the pupil or to improve the educational program. The Legislature recognizes that the majority of the assessments in the system will generate individual pupil scores that will provide information on pupil achievement to pupils, their parents or guardians, teachers, schools, and local educational agencies. The Legislature further recognizes that some assessments in the system may solely generate results at the school, school district, county, or state level for purposes of improving the education program and promoting the teaching and learning of the full curriculum.

(5) When administered as a census administration, results should be reported in terms describing a pupil's academic performance in relation to the statewide academically rigorous content and performance standards and in terms of college and career readiness skills possessed by the pupil, in addition to being reported as a numerical. When appropriate, the reports should include a measure of growth that describes a pupil's current status in relation to past performance.

(6) Where feasible, administer assessments via technology to enhance the assessment of challenging content using innovative item types and to facilitate expedited scoring.

(7) Minimize the amount of instructional time devoted to assessments administered pursuant to this chapter. It is the intent of the Legislature that any redundancies in statewide testing be eliminated as soon as is feasible.

(b) It is the intent of the Legislature, pursuant to this article, to initiate planning for the implementation process to enable the Superintendent to accomplish the goals set forth in this section as soon as feasible.

(c) It is the intent of the Legislature that parents, classroom teachers, other educators, pupil representatives, institutions of higher education, business community members, and the public be involved, in an active and ongoing basis, in the design and implementation of the statewide pupil assessment system and the development of assessment instruments. The Legislature recognizes the important role that these stakeholders play in the success of the statewide pupil assessment system and the importance of providing them with information and resources about the new statewide system including the goals and

appropriate uses of the system.

(d) It is the intent of the Legislature, insofar as is practically and fiscally feasible and following the completion of annual testing, that the content, test structure, and test items in the assessments that are part of the statewide pupil assessment system become open and transparent to teachers, parents, and pupils, to assist stakeholders in working together to demonstrate improvement in pupil academic achievement. A planned change in annual test content, format, or design should be made available to educators and the public well before the beginning of the school year in which the change will be implemented.

(e) It is the intent of the Legislature that the results of the statewide pupil assessments be available for use, after appropriate validation, for academic credit, or placement and admissions processes, or both, at postsecondary educational institutions.

(f) This section shall become operative on July 1, 2014.

SEC. 5. Section 60603 of the Education Code is amended to read:

<< CA EDUC § 60603 >>

60603. As used in this chapter:

(a) "Achievement level descriptors" means a narrative description of the knowledge, skills, and processes expected of pupils at different grade levels and at different performance levels on achievement tests.

(b) "Achievement test" means any summative standardized test that measures the level of performance that a pupil has achieved
~~***~~ **on state-adopted content standards.**

~~***~~

(c) "Census administration" means a test administration in which all pupils take comparable assessments of the same content and where results of individual performance are appropriate and meaningful to parents, pupils, and teachers.

(d) "Computer-adaptive assessment" means a computer-based test that utilizes a computer program to adjust the difficulty of test items throughout a testing session based on a test taker's responses to previous test items during that testing session.

(e) "Computer-based assessment" means a test administered using an electronic computing device.

(f) "Consortium" means a multistate collaborative organized to develop a comprehensive system of assessments or formative tools such as described in Section 60605.7.

(g) "Constructed-response questions" means a type of assessment item that requires pupils to construct their own answers.

(h) "Content standards" means the specific academic knowledge, skills, and abilities that all public schools in this state are expected to teach, and all pupils are expected to learn—*, in reading, writing, mathematics, history-social science, foreign languages, visual and performing arts, and science, at each grade level tested.**

***** (i) "Diagnostic assessment" means an assessment of particular *** knowledge or skills a pupil has or has not yet achieved for the purpose of informing instruction and making placement decisions.**

(j) "End of course exam" means a comprehensive and challenging assessment of pupil achievement in a particular subject area or discipline.

(k) "Field test" means an assessment or assessment items administered to a representative sample of a population to ensure that the test or item produces results that are valid, reliable, and fair.

(l) "Formative assessment tools" means assessment tools and processes that are embedded in instruction and * used by teachers and pupils to provide timely feedback for purposes of adjusting instruction to improve learning.**

(m) "High-quality assessment" means an assessment designed to measure a pupil's knowledge of, understanding of, and ability to apply, critical concepts through the use of a variety of item types and formats, including, but not necessarily limited to, items that allow for constructed responses and items that require the completion of performance tasks. A high-quality assessment should have the following characteristics:

(1) Enable measurement of pupil achievement and pupil growth **to the extent feasible.**

(2) Be of high technical quality by being valid, reliable, fair, and aligned to standards.

(3) Incorporate technology where appropriate.

(4) Include the assessment of pupils with disabilities and English learners.

(5) Use, to the extent feasible, universal design principles, as defined in Section 3 of the federal Assistive Technology Act of 1998 (29 U.S.C. Sec. 3002) in its development and administration.

(n) "Interim assessment" means an assessment that is **designed to be** given at regular ~~***~~ intervals throughout the school year ~~***~~ to evaluate a pupil's knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated by course, grade level, school, or local educational agency in order to inform teachers and administrators at the pupil, classroom, school, and local educational agency levels.

(o) "Local educational agency" means a county office of education, school district, state special school, or direct-funded charter school as described in Section 47651.

(p) "Matrix sampling" means administering different portions of a single assessment to different groups of pupils for the purpose of sampling a broader representation of content and reducing testing time.

(q) "Measurement of Academic Performance and Progress (MAPP)" means the comprehensive assessment system, inclusive of consortium-developed assessments, that has the primary purpose of modeling and promoting high-quality teaching and instruction using a variety of assessment approaches and item types.

(r) "Performance standards" are standards that define various levels of competence at each grade level in each of the curriculum areas for which content standards are established. Performance standards gauge the degree to which a pupil has met the content standards and the degree to which a school or school district has met the content standards.

~~***~~

(s) "Performance tasks" are a collection of questions or activities that relate to a single scenario that include pupil interaction with stimulus. Performance tasks are a means to assess more complex skills such as writing, research, and analysis.

(t) "Personally identifiable information" includes a pupil's name and other direct personal identifiers, such as the pupil's identification number. Personally identifiable information also includes indirect identifiers, such as the pupil's address and personal characteristics, or other information that would make the pupil's identity easily traceable through the use of a single or multiple data sources, including publicly available information.

(u) "Population sampling" means administering assessments to a representative sample of pupils instead of the entire pupil population. The sample of pupils shall be representative in terms of various pupil subgroups, including, but not necessarily limited to, English learners and pupils with disabilities.

(v) "Recently arrived English learner" means a pupil designated as an English learner who is in his or her first 12 months of attending a school in the United States.

(w) "State-determined assessment calendar" means the scheduling of assessments, exclusive of those subject area assessments listed in subdivision (b) of Section 60640, over several years on a predetermined schedule. Content areas and grades shall only be assessed after being publicly announced at least two school years in advance of the assessment.

(x) "Summative assessment" means an assessment designed to be given near the end of the school year to evaluate a pupil's knowledge and skills relative to a specific set of academic standards.

SEC. 6. Section 60604 of the Education Code is amended to read:

<< CA EDUC § 60604 >>

60604. (a) The Superintendent shall design and implement, consistent with the timetable and plan required pursuant to subdivision (b), a statewide pupil assessment **system** consistent with the testing requirements of this article in accordance with the objectives set forth in Section **60602.5**. That **system** shall include all of the following:

(1) **Exclusive of the consortium assessments, a plan for producing ~~***~~ or adopting valid, fair, and reliable achievement tests as recommended by the Superintendent and adopted by the state board ~~***~~ pursuant to the ~~***~~ Measurement of Academic Performance and Progress (MAPP) established by Article 4 (commencing with Section 60640).**

~~***~~

(2) A plan for administering the consortium summative assessment as outlined by the joint agreement of the consortium.

(3) Statewide academically rigorous content and performance standards that reflect the knowledge and **complex** skills that pupils will need in order to succeed in the information-based, global economy of the 21st century. These skills shall not include personal behavioral standards or skills, including, but not limited to, honesty, sociability, ethics, or self-esteem.

(4) A statewide system that provides the results of testing in a manner that reflects the degree to which pupils are achieving the academically rigorous content and performance standards adopted by the state board.

(5) The alignment of assessment with the statewide academically rigorous content and performance standards adopted by the state

board.

(6) The active, ongoing involvement of parents, classroom teachers, administrators, other educators, governing board members of school districts, **business community members, institutions of higher education**, and the public in all phases of the design and implementation of the statewide pupil assessment **system**.

(7) A plan for ensuring the security and integrity of the MAPP assessments.

(8) The development of a contract or contracts with a * contractor for the development *** or administration of achievement tests and performance tasks aligned to state-adopted content standards, including summative assessments or assessments that employ matrix sampling or population sampling methods.**

(b) The Superintendent shall develop and annually update for the Legislature a five-year cost projection, implementation plan **for the MAPP**, and a timetable for implementing the **system** described in ***** Section 60640**. The annual update shall be submitted on or before March 1 of each year to the ***** Department of Finance, the state board, and the respective chairpersons of the appropriate fiscal subcommittees** considering budget ***** appropriations and the appropriate policy committees** in each house. The update shall explain any significant variations from the five-year cost projection for the current year budget and the proposed budget.

(c) The Superintendent shall ***** make resources available** that are designed to assist ***** with the interpretation and use of the MAPP results to promote the use of the results for purposes of** improving pupil learning and educational programs across the full curriculum. The Superintendent shall consider information already provided by assessment consortia to which California belongs or assessment contractors when fulfilling this requirement.

(d) The Superintendent shall make information and resources available to parents, teachers, pupils, administrators, school board members, and the public regarding the MAPP, including, but not necessarily limited to, system goals, purposes, scoring systems, results, valid uses of assessments, and information on the relationship between performance on the previous state assessments and the MAPP.

(e) The Superintendent and the state board shall consider comments and recommendations from * teachers, administrators, pupil representatives, institutions of higher education, and the public in the development, adoption, and approval of assessment instruments.**

(f) The results of the achievement ~~***~~ **tests, exclusive of the consortium summative assessments**, administered pursuant to Article 4 (commencing with Section 60640), shall be returned to the ~~***~~ **local educational agencies** within the period of time specified by the state board.

<< Repealed: CA EDUC § 60605.5 >>

SEC. 7. Section 60605.5 of the Education Code is repealed.

<< Repealed: CA EDUC § 60606 >>

SEC. 8. Section 60606 of the Education Code is repealed.

SEC. 9. Section 60607 of the Education Code is amended to read:

<< CA EDUC § 60607 >>

60607. (a) Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the ~~***~~ **Measurement of Academic Performance and Progress (MAPP), or any predecessor assessments**, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course exams he or she has taken, and the vocational education certification exams he or she chose to take.

(b) It is the intent of the Legislature that ~~***~~ **local educational agencies** and schools use the results of the academic achievement tests administered annually as part of the ~~***~~ **MAPP** to provide support to pupils and parents or guardians in order to assist pupils in strengthening their development as learners, and thereby to improve their academic achievement and performance in subsequent assessments.

(c)(1) ~~***~~ **Except for research provided for in Section 49079.6, a pupil's** results or a record of accomplishment shall be private, and may not be released to any person, other than the pupil's parent or guardian and a teacher, counselor, or administrator directly involved with the pupil, without the express written consent of either the parent or guardian of the pupil if the pupil is a minor, or the pupil if the pupil has reached the age of majority or is emancipated.

(2)(A) Notwithstanding paragraph (1), a pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the **purpose** of credit, placement, or admission.

(B) Notwithstanding paragraph (1), the results of an individual pupil on the ~~***~~ **MAPP** may be released to a postsecondary educational institution for the **purpose** of credit, placement, or admission.

SEC. 10. Section 60610 of the Education Code is amended to

read:

<< CA EDUC § 60610 >>

60610. At the request of the **state board** ~~***~~, and in accordance with rules and regulations that the **state** board may adopt, each county superintendent of schools shall cooperate with and assist school districts ~~***~~ **and charter schools** under his or her jurisdiction in carrying out the testing programs of those **school** districts and **charter schools** and other duties imposed on school districts by this chapter.

SEC. 11. Section 60611 of the Education Code is amended to read:

<< CA EDUC § 60611 >>

60611. ~~***~~ **A local educational agency**, district superintendent of schools, or principal or teacher of any elementary or secondary school, including a charter school, shall not carry on any program ~~***~~ **for the sole purpose of test preparation of pupils for the statewide pupil assessment system or a particular test used *** in the statewide pupil assessment system. Nothing in this section prohibits the use of materials to familiarize pupils with item types or the computer-based testing environment used in the Measurement of Academic Performance and Progress.**

~~***~~

SEC. 12. Section 60612 of the Education Code is amended to read:

<< CA EDUC § 60612 >>

60612. Upon adoption or approval of assessments pursuant to this chapter, the Superintendent ~~***~~ shall prepare, and make available to parents, teachers, pupils, administrators, school board members, and the public, easily understood materials, **in accordance with subdivisions (c) and (d) of Section 60604**, describing the nature and purposes of the assessments, the systems of scoring, and the **valid** uses to which the assessments will be put. **The Superintendent shall produce the materials for parents in languages other than English in accordance with Section 48985. It is the intent of the Legislature that the department utilize the clearinghouse for multilingual documents to meet this requirement. The Superintendent shall consider information already provided by assessment consortia of which California is a member or assessment contractors when fulfilling this requirement.**

SEC. 13. Section 60630 of the Education Code is amended to read:

<< CA EDUC § 60630 >>

60630. (a) The Superintendent shall prepare and submit, **and subsequently post on the Internet Web site of the department**, an annual report to the ~~***~~ state board containing an analysis of the results and test scores of the ~~***~~ **summative assessments administered pursuant to Section 60640. The Superintendent shall notify the state board and the appropriate policy and fiscal committees of the Legislature that the annual report is available on the Internet Web site of the department.**

~~***~~

(b) The Superintendent shall post a periodic update on the implementation of the Measurement of Academic Performance and Progress on the Internet Web site of the department, and notify the state board and the appropriate policy and fiscal committees of the Legislature that the update is available on the Internet Web site of the department.

SEC. 14. The heading of Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4 of Title 2 of the Education Code is amended to read:

t. 2 d. 4 pt. 33 ch. 5 art. 4 pr. § 60640

Article 4. ~~***~~ **Measurement of Academic Performance and Progress**

SEC. 15. Section 60640 of the Education Code is amended to read:

<< CA EDUC § 60640 >>

60640. (a) There is hereby established the ~~***~~ **Measurement of Academic Performance and Progress**, to be known as the ~~*~~ ~~**~~ **MAPP**.

~~***~~

(b) Commencing with the 2013–14 school year, the MAPP shall be composed of all of the following:

(1)(A) A consortium summative assessment in English language arts and mathematics for grades 3 to 8, inclusive, and grade 11 that measures content standards adopted by the state board.

(B) In the 2013–14 school year, the consortium summative assessment in English language arts and mathematics shall be a field test only, to enable the consortium to gauge the validity and reliability of these assessments and to conduct all necessary psychometric procedures and studies, including, but not necessarily limited to, achievement standard setting, and to allow the department to conduct studies regarding full implementation of the assessment

system. These field tests and results shall not be used for any other purpose, including the calculation of any accountability measure.

(2)(A) Science grade level assessments in grades 5, 8, and 10 that measure content standards pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B).

(B) For science assessments, the Superintendent shall make a recommendation to the state board as soon as is feasible after the adoption of science content standards pursuant to Section 60605.85 regarding the assessment of the newly adopted standards. Before making recommendations, the Superintendent shall consult with stakeholders, including, but not necessarily limited to, California science teachers, individuals with expertise in assessing English learners and pupils with disabilities, parents, and measurement experts, regarding the grade level and type of assessment. The recommendations shall include cost estimates and a plan for implementation of at least one assessment in each of the following grade spans:

(i) Grades 3 to 5, inclusive.

(ii) Grades 6 to 9, inclusive.

(iii) Grades 10 to 12, inclusive.

(3) The California Alternate Performance Assessment in grades 2 to 11, inclusive, in English language arts and mathematics and science in grades 5, 8, and 10, which measures content standards adopted pursuant to Section 60605 until a successor assessment is implemented. The successor assessment shall be limited to the grades and subject areas assessed pursuant to paragraph (1) and subparagraph (B) of paragraph (2).

(4) The Early Assessment Program established by Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3.

(5)(A) The department shall make available to local educational agencies a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605, as it read on January 1, 2013, for assessing pupils who are enrolled in a dual language immersion program that includes the primary language of the assessment and who are either nonlimited English proficient or redesignated fluent English proficient. The cost for the assessment shall be the same for all local educational agencies, and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section.

(B) A local educational agency may administer a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605, as it read on January 1, 2013, at its own expense, and shall enter into an agreement for that purpose with the testing contractor. If the local educational agency chooses to administer a primary language assessment pursuant to this paragraph, the department shall reimburse the local educational agency for its costs, including a per pupil apportionment to administer the assessment pursuant to subdivision (I). The department shall determine the procedures for reimbursement.

(C) The Superintendent shall consult with stakeholders, including assessment and English learner experts, to determine the content and purpose of a stand-alone language arts summative assessment in primary languages other than English that aligns with the English-language arts content standards. The Superintendent shall consider the appropriate purpose for this assessment, including, but not necessarily limited to, support for the State Seal of Biliteracy and accountability. It is the intent of the Legislature that an assessment developed pursuant to this section be included in the state accountability system.

(D) The Superintendent shall report and make recommendations to the state board at a regularly scheduled public meeting no sooner than one year after the first full administration of the consortium computer-adaptive assessments in English language arts and mathematics summative assessments in grades 3 to 8, inclusive, and grade 11, regarding an implementation timeline and estimated costs of a stand-alone language arts summative assessment in primary languages other than English.

(E) The Superintendent shall develop, and the state board shall adopt, a primary language assessment. The Superintendent shall administer this assessment no later than the 2016–17 school year.

(F) This paragraph shall be operative only to the extent that funding is provided in the annual Budget Act or another statute for the purpose of this section.

(c) No later than March 1, 2016, the Superintendent shall submit to the state board recommendations on expanding the MAPP to include additional assessments, for consideration at a regularly scheduled public meeting. The Superintendent shall also submit these recommendations to the appropriate policy and fiscal committees of the Legislature and to the Director of Finance in accordance with all of the following:

(1) In consultation with stakeholders, including, but not necessarily limited to, California teachers, individuals with expertise in assessing English learners and pupils with disabilities, parents, and measurement experts, the Superintendent shall make recommendations regarding assessments including the grade level, content, and type of assessment. These recommendations shall take into consideration the assessments already administered or planned pursuant to subdivision (b). The Superintendent shall consider the use of consortium-developed assessments, various item types, computer-based testing, and a timeline for implementation.

(2) The recommendations shall consider assessments in subjects, including, but not necessarily limited to, history-social science, technology, visual and performing arts, and other subjects as appropriate, as well as English language arts, mathematics, and science assessments to augment the assessments required under subdivision (b), and the use of various assessment options, including, but not necessarily limited to, computer-based tests, locally scored performance tasks, and portfolios.

(3) The recommendations shall include the use of an assessment calendar that would schedule the assessments identified pursuant to paragraph (2) over several years, the use of matrix sampling, if appropriate, and the use of population sampling.

(4) The recommendations shall include a timeline for test development, and shall include cost estimates for subject areas, as appropriate.

(5) Upon approval by the state board and the appropriation of funding for this purpose, the Superintendent shall develop and administer approved assessments. The state board shall approve test blueprints, achievement level descriptors, testing periods, performance standards, and a reporting plan for each approved assessment.

(d) For the 2013–14 and 2014–15 school years, the department shall make available to local educational agencies Standardized Testing and Reporting Program test forms no longer required by the MAPP. The cost of implementing this subdivision, including, but not necessarily limited to, shipping, printing, scoring, and reporting per pupil shall be the same for all local educational agencies, and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section. A local educational agency that chooses to administer an assessment pursuant to this section shall do so at its own expense, and shall enter into an agreement for that purpose with a contractor, subject to the approval of the department.

(e) The Superintendent shall make available a paper and pencil version of any computer-based MAPP assessment for use by pupils who are unable to access the computer-based version of the assessment for a maximum of three years after a new operational test is first administered.

(f)(1) From the funds available for that purpose, each local educational agency shall administer assessments to each of its pupils pursuant to subdivision (b). As allowable by federal statute, recently arrived English learner pupils are exempted from taking the assessment in English language arts. The state board shall establish a testing period to provide that all schools administer these tests to pupils at approximately the same time during the instructional year. The testing period established by the state board shall take into consideration the need of local educational agencies to provide makeup days for pupils who were absent during testing, as well as the need to schedule testing on electronic computing devices.

(2) For the 2013–14 school year, each local educational agency shall administer the field tests in a manner described by the department in consultation with the president or executive director of the state board. Additional participants in the field test beyond the representative sample may be approved by the department, and the department shall use existing contract savings to fund district participation in one or more tests per participant. Funds for this purpose shall be utilized to allow for maximum participation in the field test across the state. To the extent savings in the current contract are not available to fully fund this participation, the department shall prorate available funds by test. Local educational agencies shall bear any additional costs to administer these assessments that are in excess of the contracted amount. With approval of the state board and the Director of Finance, the department shall amend the existing assessment contract to accommodate field testing beyond the representative sample, and to allow for special studies using information collected from the field tests.

(g) From the funds available for that purpose, each local educational agency shall administer assessments as determined by the state board pursuant to paragraph (5) of subdivision (c).

(h) As feasible, the MAPP field tests shall be conducted in a manner that will minimize the testing burden on individual schools. The MAPP field tests shall not produce individual pupil scores unless it is determined that these scores are valid and reliable.

(i) The governing board of a school district may administer achievement tests in grades other than those required by

this section as it deems appropriate.

~~***~~ (j) The governing board of a school district may administer a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605 to a pupil identified as limited English proficient ~~*~~ ~~*~~ ~~*~~ enrolled in any of grades 2 to 11, inclusive, ~~***~~ who either receives instruction in his or her primary language or has been enrolled in a school in the United States for less than 12 months ~~*~~ ~~*~~ ~~*~~ until a subsequent primary language ~~***~~ assessment aligned to the common core standards in English language arts adopted pursuant to Section 60605.8 is developed pursuant to paragraph (5) of subdivision (b). If the governing board of a school district chooses to administer this assessment, it shall notify the department in a manner determined by the department.

(k) Pursuant to Section 1412(a)(16) of Title 20 of the United States Code, individuals with exceptional needs, as defined in Section 56026, shall be included in the testing requirement of subdivision (b) with appropriate accommodations in administration, where necessary, and those individuals with exceptional needs who are unable to participate in the testing, even with accommodations, shall be given an alternate assessment.

(l)(1) The Superintendent shall apportion funds ~~***~~ appropriated for these purposes to local educational agencies to enable them to meet the requirements of subdivisions (b) ~~***~~ and (c).

(A) For the MAPP field tests administered in the 2013–14 school year or later school years, the Superintendent shall apportion funds to local educational agencies if funds are specifically provided for this purpose in the annual Budget Act.

(B) The Superintendent shall apportion funds to local educational agencies to enable them to administer assessments used to satisfy the voluntary Early Assessment Program in the 2013–14 school year pursuant to paragraph (4) of subdivision (b).

(2) The state board annually shall establish the amount of funding to be apportioned to ~~***~~ local educational agencies for each test administered and annually shall establish the amount that each contractor shall be paid for each test administered under the contracts required pursuant to Section 60643. The amounts to be paid to the contractors shall be determined by considering the cost estimates submitted by each contractor each September and the amount included in the annual Budget Act, and by making allowance for the estimated costs to school districts for compliance with the requirements of subdivisions (b) ~~***~~ and (c). The state board shall take into account changes to

local educational agency test administration activities under the MAPP, including, but not limited to, the number, type of tests administered, and changes in computerized test registration and administration procedures, when establishing the amount of funding to be apportioned to local educational agencies for each test administered.

(3) An adjustment to the amount of funding to be apportioned per test shall not be valid without the approval of the Director of Finance. A request for approval of an adjustment to the amount of funding to be apportioned per test shall be submitted in writing to the Director of Finance and the chairpersons of the fiscal committees of both houses of the Legislature with accompanying material justifying the proposed adjustment. The Director of Finance is authorized to approve only those adjustments related to activities required by statute. The Director of Finance shall approve or disapprove the amount within 30 days of receipt of the request and shall notify the chairpersons of the fiscal committees of both houses of the Legislature of the decision.

(m) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation for the apportionments made pursuant to paragraph (1) of subdivision **(l)**, and the payments made to the **contractors** under the contracts required pursuant to Section 60643 or subparagraph (C) of paragraph (1) of subdivision (a) of Section 60605 between the department and the contractor, are "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the applicable fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for that fiscal year.

(n) As a condition to receiving an apportionment pursuant to subdivision ~~***~~ **(l)**, a **local educational agency** shall report to the Superintendent all of the following:

(1) The ~~***~~ pupils enrolled in the ~~***~~ **local educational agency in the grades in which assessments were administered pursuant to subdivisions (b) and (c)**.

(2) The ~~***~~ pupils to whom an achievement test was administered ~~***~~ **pursuant to subdivisions (b) and (c) in the local educational agency**.

(3) The ~~***~~ pupils in paragraph (1) who were exempted from the test ~~***~~ **pursuant to this section**.

(o) The Superintendent and the state board are authorized and encouraged to assist postsecondary educational institutions to use the assessment results of the ~~***~~ **MAPP**, including, but not **necessarily** limited to, the ~~***~~ **grade 11 consortium summative assessments in English language arts and mathematics**, for academic credit, placement, or admissions

processes.

~~***~~ **(p) Subject to the availability of funds in the annual Budget Act for this purpose, and exclusive of the consortium assessments,** the Superintendent, with the approval of the state board, annually shall release to the public test items from the achievement tests pursuant to Section 60642.5 administered in previous years. **Where feasible and practicable,** the minimum number of test items released per year shall be equal to 25 percent of the total number of test items on the test administered in the previous year.

(q) On or before July 1, 2014, Sections 850 to 868, inclusive, of Title 5 of the California Code of Regulations shall be revised by the state board to conform to the changes made to this section in the first year of the 2013–14 Regular Session. The state board shall adopt initial regulations as emergency regulations to immediately implement the MAPP assessments, including, but not necessarily limited to, the administration, scoring, and reporting of the tests, as the adoption of emergency regulations is necessary for the immediate preservation of the public peace, health, safety, or general welfare within the meaning of Section 11346.1 of the Government Code. The emergency regulations shall be followed by the adoption of permanent regulations, in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

SEC. 16. Section 60641 of the Education Code is amended to read:

<< CA EDUC § 60641 >>

60641. (a) The department shall ensure that ~~***~~ **local educational agencies** comply with each of the following requirements:

(1) The ~~***~~ achievement **tests** provided for in Section ~~***~~ **60640** are scheduled to be administered to all pupils, **inclusive of pupils enrolled in charter schools and exclusive of pupils exempted pursuant to Section 60640,** during the period prescribed in subdivision (b) of Section 60640.

(2) **For assessments that produce valid individual pupil results,** the individual results of each pupil ~~***~~ **tested** pursuant to Section 60640 shall be reported, in writing, to the parent or guardian of the pupil. The ~~***~~ report shall include a clear explanation of the purpose of the test, the score of the pupil, and the intended use by the ~~***~~ **local educational agency** of the test score. This subdivision does not require teachers or other ~~***~~ **local educational agency** personnel to prepare individualized explanations of the test score of each pupil. **It is the intent of the Legislature that nothing in this section**

shall preclude a school or school district from meeting the reporting requirement by the use of electronic media formats that secure the confidentiality of the pupil and the pupil's results. State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the Measurement of Academic Performance and Progress (MAPP) assessments and the assessment scores and results from assessments that measured previously adopted content standards.

(3)(A) **For assessments that produce valid individual pupil results,** the individual results of each pupil ~~***~~ **tested** pursuant to Section 60640 also shall be reported to the school and teachers of a pupil. The ~~***~~ **local educational agency** shall include the test results of a pupil in his or her pupil records. However, except as provided in this section ~~***~~ **and Section 60607, personally identifiable** pupil test results only may be released with the permission of either the pupil's parent or guardian if the pupil is a minor, or the pupil if the pupil has reached the age of majority or is emancipated.

(B) Notwithstanding subparagraph (A) **and pursuant to subdivision (c) of Section 60607,** a pupil or his or her parent or guardian may authorize the release of individual pupil results to a postsecondary educational institution for the purpose of credit, placement, determination of readiness for college-level coursework, or admission.

(4) The districtwide, school-level, and grade-level results of the ~~*~~ ~~**~~ **MAPP** in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting.

~~***~~

(b) The state board shall adopt regulations that outline a calendar for delivery and receipt of summative assessment results at the pupil, school, grade, district, county, and state levels. The calendar shall include delivery dates to the department and to local educational agencies. The calendar for delivery shall provide for the timely return of assessment results, and consider the amount of paper-and-pencil administered assessments and number of items requiring hand scoring. The calendar shall also ensure that individual assessment results are reported to local educational agencies within eight weeks of receipt by the contractor for scoring.

(c) Aggregated, disaggregated, or group scores or reports

that include the results of the MAPP assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results. Exclusive of the reports developed pursuant to Section 60630, in no case shall any group score or report be displayed that would deliberately or inadvertently make the score or performance of any individual pupil or teacher identifiable.

(d) For those entities described in clauses (i) and (iii) of subparagraph (B) of paragraph (3) of subdivision (c) of Section 49079.6, the MAPP scores and results shall be released pursuant to the process outlined in paragraph (3) of subdivision (c) of Section 49079.6.

(e) The department shall ensure that ~~*~~ pupils in grade 11, or parents or legal guardians of those pupils, may request results from grade 11 assessments administered as part of the MAPP for the purpose of determining credit, placement, or readiness for college-level coursework ~~***~~ be released to a postsecondary educational institution.**

SEC. 17. Section 60642.6 is added to the Education Code, to read:

<< CA EDUC § 60642.6 >>

60642.6. The department shall acquire, and offer at no cost to local educational agencies, interim and formative assessment tools for kindergarten and grades 1 to 12, inclusive, as provided through the consortium membership pursuant to Section 60605.7.

SEC. 18. Section 60643 of the Education Code is amended to read:

<< CA EDUC § 60643 >>

60643. ~~***~~ **(a) Notwithstanding any other law, the contractor or contractors of the achievement tests provided for in Section 60640 shall comply with all of the conditions and requirements of the contract to the satisfaction of the Superintendent and the state board.**

(b)(1) The department shall develop, and the Superintendent and the state board shall approve, a contract or contracts to be entered into with a contractor in connection with the test provided for in Section 60640. The department may develop the contract through negotiations. In approving a contract amendment to the contract authorized pursuant to this section, the department, in consultation with the state board, may make material amendments to the contract that do not

increase the contract cost. Contract amendments that increase contract costs may only be made with the approval of the department, the state board, and the Department of Finance.

(2) For purposes of the contracts authorized pursuant to this subdivision, the department is exempt from the requirements of Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code and from the requirements of Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code. **The department shall use a competitive and open process utilizing standardized scoring criteria through which to select a potential administration contractor or contractors for recommendation to the state board for consideration. The state board shall consider each of the following criteria:**

(A) The ability of the contractor to produce valid and reliable scores.

(B) The ability of the contractor to report accurate results in a timely fashion.

(C) Exclusive of the consortium assessments, the ability of the contractor to ensure technical adequacy of the tests, inclusive of the alignment between the Measurement of Academic Performance and Progress (MAPP) tests and the state-adopted content standards.

(D) The cost of the assessment system.

(E) The ability and proposed procedures to ensure the security and integrity of the assessment system.

(F) The experience of the contractor in successfully conducting statewide testing programs in other states.

(3) The contracts shall include provisions for progress payments to the **contractor** for work performed or costs incurred in the performance of the contract. Not less than 10 percent of the amount budgeted for each separate and distinct component task provided for in each contract shall be withheld pending final completion of all component tasks by that **contractor**. The total amount withheld pending final completion shall not exceed 10 percent of the total contract price **for that fiscal year**.

(4) The contracts shall require liquidated damages to be paid by the **contractor** in the amount of up to 10 percent of the total cost of the contract for any component task that the **contractor** through its own fault or that of its subcontractors fails to substantially perform by the date specified in the agreement.

(5) The contracts shall establish the process and criteria by which the successful completion of each component task shall be recommended by the department and approved by the state board.

(6) The **contractors** shall submit, as part of the contract negotiation process, a proposed budget and invoice schedule, that includes a detailed listing of the costs for each component task and the expected date of the invoice for each completed component task.

(7) The **contract or contracts subject to approval by the Superintendent and the state board under paragraph (1) and exempt under paragraph (2)** shall specify the following component tasks, as applicable, that are separate and distinct:

- (A) Development of new tests or test items ~~***~~.
- (B) Test materials production or publication.
- (C) Delivery **or electronic distribution** of test materials to ~~***~~ **local educational agencies**.
- (D) Test processing, scoring, and analyses.
- (E) Reporting of test results to the ~~***~~ **local educational agencies**, including, but not **necessarily** limited to, all reports specified in this section.
- (F) Reporting of **valid and reliable** test results to the department, including, but not **necessarily** limited to, the **following** electronic files ~~***~~ :

(i) Scores aggregated statewide, and by county, school district, school, and grade.

(ii) Disaggregated scores based on English proficiency status, gender, ethnicity, socioeconomic disadvantage, foster care status, and special education designation.

(G) All other analyses or reports required by the Superintendent to meet the requirements of state and federal law and set forth in the agreement.

~~***~~

(H) Technology services to support the activities listed in subparagraphs (A) to (G), inclusive.

(I) Perform regular performance checks and load simulations to ensure the integrity and robustness of the technology system used to support the activities listed in subparagraphs (A) to (G), inclusive.

<< Repealed: CA EDUC § 60643.1 >>

SEC. 19. Section 60643.1 of the Education Code is repealed.

<< Repealed: CA EDUC § 60643.5 >>

SEC. 20. Section 60643.5 of the Education Code is repealed.

SEC. 21. Section 60643.6 is added to the Education Code, to

read:

<< CA EDUC § 60643.6 >>

60643.6. A local educational agency shall be reimbursed by the contractor selected pursuant to this article for any unexpected expenses incurred due to scheduling changes that resulted from the late delivery of testing materials in connection with the Measurement of Academic Performance and Progress.

<< Repealed: CA EDUC § 60645 >>

SEC. 22. Section 60645 of the Education Code is repealed.

SEC. 23. Section 60648 of the Education Code is amended to read:

<< CA EDUC § 60648 >>

60648. **Exclusive of consortium summative assessments,** the Superintendent ~~***~~ shall recommend, and the state board ~~***~~ shall adopt, ~~***~~ **performance standards on the Measurement of Academic Performance and Progress summative** tests administered pursuant to this article ~~***~~. The performance levels shall identify and establish the ~~***~~ **minimum** performance ~~***~~ required for ~~***~~ **meeting a particular achievement level expectation. Once adopted, these standards shall be reviewed by the state board every five years to determine whether adjustments are necessary.**

SEC. 24. Section 60648.5 is added to the Education Code, to read:

<< CA EDUC § 60648.5 >>

60648.5. (a) The first full administration of assessments aligned to the common core standards in English language arts and mathematics shall occur in the 2014–15 school year unless the state board determines that the assessments cannot be fully implemented.

(b) The department shall determine how school districts are progressing toward implementation of a technology-enabled assessment system, and the extent to which the assessments aligned to the common core standards in English language arts and mathematics can be fully implemented. The department shall provide a report and recommendations to the state board, the Department of Finance, and the appropriate fiscal and policy committees of the Legislature on or before October 1, 2014.

(c) Based on the information in the report required under this section, the state board shall determine whether the state shall fully implement the operational consortium computer-adaptive summative assessments in English language arts and mathematics in grades 3 to 8, inclusive, and grade 11 for the

2014–15 school year.

<< Repealed: CA EDUC § 60649 >>

SEC. 25. Section 60649 of the Education Code is repealed.

SEC. 26. Section 60649 is added to the Education Code, to read:

<< CA EDUC § 60649 >>

60649. (a) The department shall develop a three-year plan of activities, with the approval of the state board, supporting the continuous improvement of the assessments developed and administered pursuant to Section 60640. The plan shall include a process for obtaining independent, objective technical advice and consultation on activities to be undertaken. Activities may include, but not necessarily be limited to, a variety of internal and external studies such as validity studies, alignment studies, and studies evaluating test fairness, testing accommodations, testing policies, and reporting procedures, and consequential validity studies specific to pupil populations such as English learners and pupils with disabilities.

(b) Beginning in the school year in which the first full administration of the consortium computer-adaptive assessments in English language arts and mathematics in grades 3 to 8, inclusive, and grade 11 occurs, and every three years thereafter, the department shall contract for a three-year independent evaluation of the assessments. Independent evaluation reports shall include interim annual reports as well as a final report on the activities and analysis of the three-year evaluation including, but not necessarily limited to, recommendations to ensure the quality, fairness, validity, and reliability of the assessments. These validity studies shall take into consideration the purposes of the assessment system and its results, and the timeline for implementation of the assessments, the adoption of new curriculum resources, and the development and delivery of professional development. The department shall not contract for studies that duplicate studies conducted as part of a federal peer review process or studies conducted by any assessment contractor.

(c) The independent evaluation reports and interim annual reports shall be submitted to the Governor, the Superintendent, the state board, and the chairs of the education policy committees in both houses of the Legislature by October 31 each year.

(d) Notwithstanding Section 60601, this section shall become inoperative on July 1, 2021, and, as of January 1, 2022, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2022, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 27. Section 99300 of the Education Code is amended to read:

<< CA EDUC § 99300 >>

99300. (a)(1) Commencing with the 2014–15 school year and for purposes of the Early Assessment Program established by this chapter, the California Standards Test and the augmented California Standards Tests in English language arts and mathematics may be replaced with the grade 11 consortium computer-adaptive assessments in English language arts and mathematics.

(2) The Legislature finds and declares that in 2004, the California State University (CSU) established the Early Assessment Program (EAP), a collaborative effort among the State Board of Education, the State Department of Education, and CSU, to enable pupils to learn about their readiness for college-level English and mathematics before their senior year of high school. It is the intent of the Legislature that the office of the Chancellor of the California Community Colleges, the office of the Chancellor of the California State University, the State Board of Education, and the State Department of Education work together to modify the existing EAP to expand it to include the California Community Colleges (CCC) so that, beginning in the 2009–10 school year, high school juniors who are considering attending either system can take the EAP and receive information in the summer before their senior year concerning their preparation for college-level work at both CSU and CCC.

(b) It is also the intent of the Legislature that the existing EAP student notification system, as currently operated by agreement between CSU and the State Department of Education, be modified to do both of the following:

(1) Reassure pupils that they are eligible to attend a community college and that taking the EAP test has no bearing on their eligibility to attend a community college.

(2) Inform pupils of their readiness for college-level coursework in English or mathematics, or both, and recommend the next appropriate steps as they pertain to achieving success at a community college, similar to how CSU communicates with pupils who take the EAP test and are prospective CSU students.

(c) It is also the intent of the Legislature that the EAP be modified to include all of the following requirements:

(1) That the participating community college districts utilize the existing EAP secure data repository and clearinghouse for test score distribution of the ~~***~~ **assessment**, as referenced in Section 60641.

(2) That the modified EAP not affect the statutory reporting requirements ~~***~~ **provided in Section 60641**, or increase the costs of either the ~~***~~ **assessment program referenced in Section 60640** or the State Department of Education.

(3) That the modified EAP be titled the "Early Assessment Program."

SEC. 28. Section 99301 of the Education Code is amended to read:

<< CA EDUC § 99301 >>

99301. (a) Notwithstanding subdivision (a) of Section 78213, the individual ~~***~~ **grade 11 assessment results**, as referenced in Section 60641, in addition to any other purposes, may be used by community college districts to provide diagnostic advice to, or for the placement of, prospective community college students participating in the EAP.

(b)(1) As authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, the individual ~~***~~ **assessment results**, as referenced in Section 60641, shall be provided to the office of the Chancellor of the California Community Colleges.

(2) The office of the Chancellor of the California Community Colleges shall coordinate with community college districts that choose to voluntarily participate in the EAP as follows, and, to the extent possible, shall accomplish all of the following activities using existing resources:

(A) Encourage community college districts to choose to voluntarily participate in the EAP and notify them of the requirements of subdivision (c), including the requirements that the standards utilized by CSU to assess readiness for college-level English and mathematics courses, as expressed in the ~~***~~ **assessment referenced in Section 60641**, shall also be used for the purposes of the EAP.

(B) Coordinate the progress of the program, provide technical assistance to participating community college districts pursuant to subdivision (c) as needed, identify additional reporting and program criteria as needed, and provide a report to the Legislature and Governor on or before February 15, 2015, on the implementation and results of the EAP for community college students.

(C) Provide access to the individual ~~***~~ **assessment results**, as referenced in Section 60641, to participating community college districts.

(c) For those community college districts that choose to work directly with high school pupils within their respective district boundaries who took the ~~***~~ **assessment**, as referenced in Section 60641, and choose to offer assistance to these pupils in strengthening their college readiness skills, all of the following provisions apply:

(1) The individual results of the ~~***~~ **assessment**, as referenced in Section 60641, shall be released by the office of the

Chancellor of the California Community Colleges, as authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, to participating community college districts upon their request for this information and may be used to provide diagnostic advice to prospective community college students participating in the EAP.

(2) Pursuant to subparagraph (A) of paragraph (2) of subdivision (b), the same standards utilized by CSU to assess readiness shall also be used for purposes of this section.

(3) The ~~***~~ **assessment**, as referenced in Section 60641, and currently utilized by CSU for purposes of early assessment, shall be used to assess the college readiness of pupils in the EAP.

(4) Participating community college districts are encouraged to consult with the Academic Senate for the California Community Colleges to work toward sequencing their precollegiate level courses and transfer-level courses in English and mathematics to the elementary and secondary education academic content standards adopted pursuant to Section 60605.

(5) Participating community college districts shall identify an EAP coordinator and shall coordinate with CSU campuses and schools offering instruction in kindergarten and any of grades 1 to 12, inclusive, in their respective district boundaries on EAP-related activities that assist pupils in making decisions that increase their college readiness skills and likelihood of pursuing a postsecondary education.

(6) In order to provide high school pupils with an indicator of their college readiness, a community college district participating in the EAP shall use individual **assessment** results provided to that college pursuant to paragraph (1) of, and subparagraph (C) of paragraph (2) of, subdivision (b) to provide diagnostic advice to prospective community college students participating in the EAP.

(7) The individual results of the ~~***~~ **assessment**, as referenced in Section 60641 for purposes of the EAP, shall not be used by a community college as a criterion for admission.

(8) Participating community college districts shall utilize the existing infrastructure of academic opportunities, as developed by CSU, to provide additional preparation in grade 12 for prospective community college students participating in the EAP.

(d) Both of the following provisions apply to CSU:

(1) The individual results of the ~~***~~ **assessment**, as referenced in Section 60641, as authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, shall be released to, and in addition to any other purposes, may be used by, CSU to provide diagnostic advice to, or for the placement of prospective CSU students participating in the EAP.

(2) The individual results of the ~~***~~ **assessment**, as referenced in Section 60641 for purposes of the EAP, shall not be used by CSU as a criterion for admission.

SEC. 28.5. Section 99301 of the Education Code is amended to read:

<< CA EDUC § 99301 >>

99301. (a) Notwithstanding subdivision (a) of Section 78213, the individual ~~***~~ **grade 11 assessment results**, as referenced in Section 60641, **or a standards-aligned successor assessment**, in addition to any other purposes, may be used by community college districts to provide diagnostic advice to, or for the placement of, prospective community college students participating in the EAP.

(b)(1) As authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, the individual ~~***~~ **assessment results**, as referenced in Section 60641, **or a standards-aligned successor assessment**, shall be provided to the office of the Chancellor of the California Community Colleges.

(2) The office of the Chancellor of the California Community Colleges shall coordinate with community college districts that choose to voluntarily participate in the EAP as follows, and, to the extent possible, shall accomplish all of the following activities using existing resources:

(A) Encourage community college districts to choose to voluntarily participate in the EAP and notify them of the requirements of subdivision (c), including the requirements that the standards utilized by CSU to assess readiness for college-level English and mathematics courses, as expressed in the ~~***~~ **assessment referenced in Section 60641, or a standards-aligned successor assessment**, shall also be used for the purposes of the EAP.

(B) Coordinate the progress of the program, provide technical assistance to participating community college districts pursuant to subdivision (c) as needed, identify additional reporting and program criteria as needed, and provide a report to the Legislature and Governor on or before February 15, 2015, on the implementation and results of the EAP for community college students.

(C) Provide access to the individual ~~***~~ **assessment results**, as referenced in Section 60641, **or a standards-aligned successor assessment**, to participating community college districts.

(c) For those community college districts that choose to work directly with high school pupils within their respective district boundaries who took the ~~***~~ **assessment**, as referenced in Section 60641, **or a standards-aligned successor**

assessment, and choose to offer assistance to these pupils in strengthening their college readiness skills, all of the following provisions apply:

- (1) The individual results of the ~~***~~ **assessment**, as referenced in Section 60641, ~~***~~ **or a standards-aligned successor assessment**, shall be released by the office of the Chancellor of the California Community Colleges, as authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, to participating community college districts upon their request for this information and may be used to provide diagnostic advice to prospective community college students participating in the EAP.
- (2) Pursuant to subparagraph (A) of paragraph (2) of subdivision (b), the same standards utilized by CSU to assess readiness shall also be used for purposes of this section.
- (3) The ~~***~~ **assessment**, as referenced in Section 60641, and ~~***~~ utilized by CSU for purposes of early assessment, **or a standards-aligned successor assessment**, shall be used to assess the college readiness of pupils in the EAP.
- (4) Participating community college districts are encouraged to consult with the Academic Senate for the California Community Colleges to work toward sequencing their precollegiate level courses and transfer-level courses in English and mathematics to the ~~***~~ **common core** academic content standards adopted pursuant to Section **60605.8**.
- (5) Participating community college districts shall identify an EAP coordinator and shall coordinate with CSU campuses and schools offering instruction in kindergarten and any of grades 1 to 12, inclusive, in their respective district boundaries on EAP-related activities that assist pupils in making decisions that increase their college readiness skills and likelihood of pursuing a postsecondary education.
- (6) In order to provide high school pupils with an indicator of their college readiness, a community college district participating in the EAP shall use individual **assessment** results provided to that college pursuant to paragraph (1) of, and subparagraph (C) of paragraph (2) of, subdivision (b) to provide diagnostic advice to prospective community college students participating in the EAP.
- (7) The individual results of the ~~***~~ **assessment**, as referenced in Section 60641 for purposes of the EAP, **or a standards-aligned successor assessment**, shall not be used by a community college as a criterion for admission.
- (8) Participating community college districts shall utilize the existing infrastructure of academic opportunities, as developed by CSU, to provide additional preparation in grade 12 for prospective community college students participating in the EAP.

(d) Both of the following provisions apply to CSU:

(1) The individual results of the ~~***~~ **assessment**, as referenced in Section 60641, **or a standards-aligned successor assessment**, as authorized pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 60641, shall be released to, and in addition to any other purposes, may be used by, CSU to provide diagnostic advice to, or for, the placement of prospective CSU students participating in the EAP.

(2) The individual results of the ~~***~~ **assessment**, as referenced in Section 60641 for purposes of the EAP, **or a standards-aligned successor assessment**, shall not be used by CSU as a criterion for admission.

SEC. 29. (a) Section 1.5 of this bill incorporates amendments to Section 52052 of the Education Code proposed by both this bill and Senate Bill 344. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2014, (2) each bill amends Section 52052 of the Education Code, and (3) this bill is enacted after Senate Bill 344, in which case Section 1 of this bill shall not become operative.

(b) Section 28.5 of this bill incorporates amendments to Section 99301 of the Education Code proposed by both this bill and Senate Bill 490. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2014, (2) each bill amends Section 99301 of the Education Code, and (3) this bill is enacted after Senate Bill 490, in which case Section 28 of this bill shall not become operative.

**End of
Document**

© 2014 Thomson Reuters. No claim to original U.S.
Government Works.

EDUCATION—PRESCHOOL—CHILD CARE
2014 Cal. Legis. Serv. Ch. 32 (S.B. 858) (WEST) (Approx. 42 pages)

2014 Cal. Legis. Serv. Ch. 32 (S.B. 858) (WEST)

CALIFORNIA 2014 LEGISLATIVE SERVICE

2014 Portion of 2013-2014 Regular Session

Additions are indicated by **Text**; deletions by
***.

Vetoed are indicated by Text ;
stricken material by ~~Text~~ .

CHAPTER 32

S.B. No. 858

EDUCATION—PRESCHOOL—CHILD CARE

AN ACT to amend Sections 8206.1, 8236, 8239, 8261, 8263.1, 8265, 8273.1, 8278.3, 8447, 8450, 8499.5, 14041.5, 14041.6, 17080, 24214, 41203.1, 41207.3, 42127, 44374.5, 47644, 48000, 49430.5, 51745.6, 51747, 51747.5, 52055.770, 56836.06, 56836.07, 56836.08, 56836.095, 56836.11, 56836.15, and 60640 of, to amend the heading of Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4 of Title 2 of, to amend, repeal, and add Section 47612.1 of, to add Sections 8203.1, 44235.2, 51749.5, and 57149.6 to, to add Chapter 16 (commencing with Section 53010) to Part 28 of Division 4 of Title 2 of, to add and repeal Sections 8363.1, 42127.01, and 41841.9 of, to repeal Sections 14035 and 60640.2 of, and to repeal and add Section 8273.2 of, the Education Code, to amend Section 17581.6 of, and to add Section 17581.8 to, the Government Code, and to amend Item 6110-106-0001 of Section 2.00 of the Budget Act of 2013, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Filed with Secretary of State June 20, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 858, Committee on Budget and Fiscal Review. Education finance: education omnibus trailer bill.

(1) Existing law, the Child Care and Development Services Act, requires the State Department of Education to develop an expenditure plan, known as the Child Care and Development Fund (CCDF) Plan, that sets forth the final priorities for child care, as required by federal law. The act requires the department, before the May budget revision, to provide the revised CCDF Plan to the chairs of the committees of each house of the Legislature that consider appropriations, and to provide a report on the plan to the committees in each house of the Legislature that consider the

annual Budget Act appropriation.

The bill would instead require, by April 1 of the year that the CCDF Plan is due, the department to provide the revised plan and a description of any changes to the earlier draft to the Director of Finance and the chairs of the fiscal committees of the Legislature.

The bill would require the department, after the CCDF Plan is federally approved, to provide a copy of the final plan to the Department of Finance and the fiscal committees of the Legislature and a description of any changes made since submission for review. The bill would also require the department, if the annual Budget Act requires changes to the approved CCDF Plan, to submit an amended plan to the United States Department of Education.

(2) The Child Care and Development Services Act requires the Superintendent of Public Instruction to develop standards for the implementation of quality programs and requires indicators of quality to include, among other things, a physical environment that is safe and appropriate to the ages of the children and that meets applicable licensing standards.

This bill would require the Superintendent to administer an early learning quality rating and improvement system (QRIS) block grant that would be allocated to local consortia, as defined, for support of local early learning quality rating and improvement systems that increase the number of low-income children in high-quality preschool programs that prepare those children for success in school and life. The bill would require the QRIS block grant to build on preexisting local consortia and other QRIS work.

The bill would require local consortia to take certain actions in order to be eligible for a QRIS block grant, and would require the Superintendent, in consultation with the executive director of the State Board of Education, to allocate to local consortia who satisfy these eligibility requirements QRIS block grant funds based on the number of California state preschool program slots within the county or region. The bill would require local consortia receiving QRIS block grant funds to allocate those funds to contracting agencies of the California state preschool program, including certain family child care home education networks, as specified.

(3) Existing law, in the award of new funding for the expansion of the California state preschool program that is appropriated for that purpose in any fiscal year, requires an application for those expansion funds to include an estimate of the number of 4-year-old and 3-year-old children that the applicant plans to serve in the following fiscal year with those expansion funds. Existing law requires the Superintendent of Public Instruction, in awarding the contracts for expansion, to take into account certain criteria and to give priority to applicant agencies that, in expending the expansion funds, will be serving the highest percentage of 4-year-old children.

This bill, commencing June 15, 2015, would require the

Superintendent to consider different criteria and data in awarding expansion funds and would require the Superintendent to give priority to applicant agencies that would provide the greatest progress toward achieving access to full-day, full-year services for all income eligible four-year-olds. The bill would specify that a family child care home education network is eligible to apply for expansion funding.

- (4) Existing law requires the Superintendent of Public Instruction to adopt rules and regulations pursuant to the Child Care and Development Services Act that include provisions that, among other things, set forth standards for State Department of Education site visits to contracting agencies, as specified.

This bill would require the Superintendent to adopt rules and regulations that authorize the department to develop a process that requires every contracting agency to recompetete for continued funding no less frequently than every 5 years.

- (5) Existing law provides for income eligibility standards for families to receive child care and development services. Existing law provides that "income eligible," for purposes of the Child Care and Development Services Act, means that a family's adjusted monthly income is at or below 70% of the state median income, adjusted for family size, and adjusted annually. Notwithstanding this provision, existing law sets the income eligibility limits for the 2013–14 fiscal year at 70% of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size.

This bill would set the income eligibility limits for the 2014–15 fiscal year at 70% of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size.

- (6) Existing law requires the Superintendent of Public Instruction to implement a plan that establishes reasonable standards and assigned reimbursement rates, and requires the standard reimbursement rate to be \$3,523 per unit of average daily enrollment for a 250–day year, increased by the cost-of-living adjustment granted by the Legislature beginning July 1, 1980.

Existing law requires the Department of Finance and the Department of General Services to approve or disapprove annual state subsidized child care and development program contract funding terms and conditions, including both family fee schedules and regional market rate schedules that are required to be adhered to by contract. Existing law requires the State Department of Education to implement the regional market rate schedules based upon the county aggregates, as determined by the Regional Market survey conducted in 2005.

This bill would require the standard reimbursement rate to be \$9,024.75 per unit of average daily enrollment for a 250–day year, and, commencing with the 2015–16 fiscal year, would require that rate to be increased by the cost-of-living adjustment granted by the Legislature annually. The bill, commencing January

1, 2015, would require the State Department of Education to implement the regional market rate schedule based upon the county aggregates, as determined by the Regional Market survey conducted in 2009 and would require the regional market rate schedule to be reduced by 13%, except as specified.

(7) Existing law requires the Superintendent of Public Instruction to establish a fee schedule for families using preschool and child care and development services, requires family fees to be assessed at initial enrollment and reassessed at update of certification or recertification, and authorizes certain families to be exempt from the family fees. Existing law requires the family fee schedule that was in effect in the 2012–13 fiscal year to remain in effect for the 2013–14 fiscal year until the first day of a month that is at least 60 days after the new family fee schedule has been approved by the Department of Finance and adopted.

This bill would prohibit fees from being assessed on income-eligible families for their children to attend a part-day California state preschool program. The bill, commencing with the 2014–15 fiscal year, would require the adopted family fee schedule that was in effect on July 1, 2014, to remain in effect.

(8) Existing law establishes the Child Care Facilities Revolving Fund to provide funding for the renovation, repair, or improvement of an existing building to make the building suitable for licensure for child care and development services, and for the purchase of new relocatable child care facilities for lease to school districts and contracting agencies that provide child care and development services, pursuant to the Child Care and Development Services Act.

This bill would make funding from the Child Care Facilities Revolving Fund available to local educational agencies and contracting agencies that provide child care and development services, pursuant to the Child Care and Development Services Act. The bill would require any augmentations to the Child Care Facilities Revolving Fund made by the Budget Act of 2014 to be used for renovation or repair of existing local educational agency facilities or new relocatable child care facilities for lease to local educational agencies that provide California state preschool program services, as specified.

(9) Existing law requires the Commission on Teacher Credentialing to establish the requirements for the issuance and renewal of permits authorizing (A) service in the care, development, and instruction of children in child care and development programs, and (B) supervision of a child care and development program.

This bill, on or before July 1, 2016, would require the Commission on Teacher Credentialing to review, and update if appropriate, the conditions for issuance or renewal of the permits described above.

(10) Existing law authorizes a child development contractor to

retain a reserve fund balance equal to 5% of the sum of the maximum reimbursable amount of all contracts to which the contractor is a party, or \$2,000, whichever is greater.

This bill would authorize a California state preschool program contracting agency to retain in the reserve fund an additional 10% of the sum of the maximum reimbursable amount of all preschool contracts to which the contracting agency is a party for purposes of professional development for California state preschool program staff.

(11) Existing law establishes the county school service fund contingency account in the General Fund, which is credited with \$100,000 each fiscal year to reimburse county superintendents of schools for certain expenses, as specified.

This bill would repeal that provision.

(12) Existing law establishes the public elementary and secondary schools and the system of public community colleges in this state, and provides for a system for their funding. Provisions of the California Constitution require that a minimum amount of aggregate funding, calculated as specified, be allocated to school districts and community college districts unless this requirement is suspended, as provided. Pursuant to existing statutes, school districts, community college districts, and other local educational agencies receive a portion of their funding through apportionments of state funds made in accordance with payment schedules. Existing law requires the Controller to draw warrants on the State Treasury in each month of each year in specified amounts for purposes of funding school districts, county superintendents of schools, and community college districts. Existing law defers the drawing of those warrants, as specified.

This bill would delete authorizations for deferrals for school districts and county offices of education beyond the 2014–15 fiscal year, and would, for purposes of calculations required by the California Constitution, provide that specified amounts of warrants drawn in July 2014 shall be included in the total allocations to school districts and community college districts for the 2012–13 and 2013–14 fiscal years, as specified. For the 2014–15 fiscal year, the bill would provide that warrants for the principal apportionments for the month of June in the amount \$897,184,000 instead shall be drawn in July of the same calendar, but would authorize those deferrals, as well as specified deferrals for apportionments to the California Community Colleges, to not be made if the Director of Finance, on or before May 14, 2015, determines that the total allocations required by the California Constitution for the 2013–14 and 2014–15 fiscal years, as estimated by the Director of Finance on May 13, 2015, exceed the estimate of the required allocations, as determined at the time of, and as set forth in, the 2014 Budget Act.

(13) Existing law requires, whenever moneys transferred to the

General Fund each year from moneys deposited into the Public School Building Loan Fund and the State School Building Aid Fund exceed the amounts required to reimburse the General Fund on account of principal and interest due and payable for that fiscal year on all school building aid bonds outstanding against the state, an amount equal to such excess to be appropriated from the General Fund for purposes of the Leroy F. Greene State School Building Lease–Purchase Law of 1976. Existing law establishes the State School Deferred Maintenance Fund which is continuously appropriated for the purposes for which it is established.

This bill would instead require the excess amount to be appropriated from the General Fund for purposes of the School Facilities Emergency Repair Account. The bill would also eliminate the State School Deferred Maintenance Fund.

(14) Existing law, the Teachers' Retirement Law, establishes the Defined Benefit Program of the State Teachers' Retirement Plan, which provides a defined benefit to members of the program. Existing law limits the amount of postretirement compensation that may be earned in specific types of employment by a retired member of the Defined Benefit Program in any one school year without a reduction in retirement allowance. Existing law exempts from the limit compensation paid to a retired member who has returned to work after the date of retirement as an appointed trustee, fiscal advisor, fiscal expert, receiver, or special trustee, as specified. Existing law, as of July 1, 2014, revises these provisions by, among other things, deleting the exemption.

This bill would delay the revisions until July 1, 2017.

(15) Existing law requires, for the 1990–91 fiscal year and each fiscal year thereafter, that moneys to be applied by the state for the support of school districts, community college districts, and direct elementary and secondary level instructional services provided by the state be distributed in accordance with certain calculations governing the proration of those moneys among the 3 segments of public education. Existing law makes that provision inapplicable to the 1992–93 to 2013–14 fiscal years, inclusive.

This bill would also make that provision inapplicable to the 2014–15 fiscal year.

(16) Existing law declares that the minimum state educational funding obligation for school districts and community college districts for the 2006–07 fiscal year is \$55,251,266,000, with an outstanding balance of \$211,533,000. Existing law, commencing with the 2014–15 fiscal year, requires the Legislature to appropriate the outstanding balance, as specified.

This bill would delay that requirement until the 2015–16 fiscal year.

(17) Existing law authorizes a school district or county

superintendent of schools to claim average daily attendance for purposes of apportionments from the adult education fund for schools or classes maintained for adults in correctional facilities if those classes meet specified requirements.

This bill would, for the 2014–15 fiscal year only, apply these provisions to a charter school whose charter was granted by its chartering authority after July 1, 2014.

(18) Existing law authorizes a school district or charter school to maintain a transitional kindergarten program and defines transitional kindergarten as the first year of a 2–year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

This bill would state the intent of the Legislature that the transitional kindergarten curriculum be aligned to the California Preschool Learning Foundations developed by the State Department of Education. The bill, as a condition of receipt of apportionment for pupils in a transitional kindergarten program, would require a school district or charter school to ensure that teachers assigned to a transitional kindergarten class after July 1, 2015, be credentialed and, by August 1, 2020, have a minimum number of units in early childhood education or childhood development, comparable experience in a preschool setting, or a child development permit issued by the Commission on Teacher Credentialing.

(19) Existing law requires the Superintendent of Public Instruction, the Controller, and the Director of Finance to develop standards and criteria, including, among others, methods of projection of reserves and fund balance, to be reviewed and adopted by the State Board of Education, and to be used by local educational agencies in the development of annual budgets and the management of subsequent expenditures from that budget.

Existing law, on or before July 1 of each year, requires the governing board of each school district to hold a public hearing on, and to adopt, a budget for the subsequent fiscal year, and to file the adopted budget with the county superintendent of schools, as specified. Existing law requires the county superintendent of schools to examine the adopted budget, as specified, to make certain determinations related to the adopted budget, and to approve, conditionally approve, or disapprove the adopted budget for each school district. Existing law, on or before September 8, and after a public hearing regarding the proposed revisions to the budget, as specified, requires the governing board of the school district to revise the adopted budget to reflect certain fiscal changes, as provided, and to file the revised budget with the county superintendent of schools.

This bill would, commencing with budgets adopted by a school district for the 2015–16 fiscal year, require a school district that proposes to adopt or revise a budget that includes a combined assigned or unassigned ending fund balance that is in excess of

the minimum recommended reserve for economic uncertainties, as established by the state board, to provide at a public hearing, among other things, a statement of reasons that substantiates the need for the balance, and would require the county superintendent of schools, when making the required determinations, to also determine whether a school district's adopted or revised budget includes a such a balance. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

This bill would, in a fiscal year immediately after which a transfer is made into the Public School System Stabilization Account, which would be created by an Assembly Constitutional Amendment, prohibit a school district's adopted or revised budget from containing a combined assigned or unassigned ending fund balance that is in excess of either two or three times the minimum recommended reserve for economic uncertainties, as established by the state board, depending on the school district's units of average daily attendance. The bill would authorize the county superintendent of schools to waive the prohibition, pursuant to specified conditions, for up to two consecutive fiscal years within a three-year period if the school district provides documentation indicating that extraordinary fiscal circumstances substantiates the need for the balance. The bill would make operation of these provisions contingent on the voter approval of a specified Assembly Constitutional Amendment at the November 4, 2014, statewide general election.

(20) Existing law establishes the Teacher Credentials Fund, requires all fees levied and collected by the Commission on Teacher Credentialing to be deposited in the fund, and prohibits those moneys from being transferred to any other fund. Existing law also establishes the Test Development and Administration Account in the Teacher Credentials Fund, and requires all fees collected by the commission for tests, examinations, or assessments to be deposited in the account.

This bill would, if, in any month in which there are insufficient moneys in the Teacher Credentials Fund to satisfy monthly payroll obligations and scheduled claims and in which there are moneys in the Test Development and Administration Account not required to meet a demand that has accrued or may accrue against it, require the Controller to transfer moneys from the account to the fund to the extent necessary to meet the immediate obligations of the fund. The bill would provide for the repayment of the transfer, as specified.

(21) Existing law establishes the Commission on Teacher Credentialing for, among other purposes, the establishment of professional standards, assessments, and examinations for entry and advancement in the teaching profession. Existing law authorizes the commission to charge a fee to applicable local educational agencies and institutions of higher education to recover the standard costs of reviewing new educator preparation

programs and specified accreditation activities, as provided.

This bill would instead authorize the commission to charge fees to sponsors of educator preparation programs to cover the cost of reviewing new and existing educator preparation programs and specified accreditation activities, as provided.

(22) The Charter Schools Act of 1992 requires that a pupil over 19 years of age be continuously enrolled in public school and make satisfactory progress towards award of a high school diploma in order to remain eligible for generating charter school apportionments. The act exempts charter school programs that provide instruction exclusively in partnership with any of several specified career preparation programs from those requirements.

This bill would, for the 2014–15 fiscal year, make that exemption applicable to a charter school whose charter was granted by its chartering authority before July 1, 2014, and that provides instruction exclusively in partnership with any of the specified career preparation programs.

(23) Existing law sets the reimbursement a school receives for free and reduced-price meals sold or served to pupils in elementary, middle, or high schools at \$0.2229 per meal, and, for meals served in child care centers and homes, at \$0.1660 per meal.

This bill would set the reimbursement amount for schools at \$0.2248 per meal, and, for meals served in child care centers and homes, at \$0.1674 per meal.

(24) Existing law authorizes the governing board of a school district or a county office of education to offer independent study to meet the educational needs of pupils in accordance with prescribed criteria. Existing law requires a written agreement for each independent study pupil, not to exceed one semester or ½ year for a school on a year-round calendar, and signed by prescribed individuals, and maintained on file.

This bill would instead require that the signed written agreement not exceed one school year, and would allow the signed written agreement to be maintained on file electronically. The bill would, notwithstanding any other law, and commencing with the 2015–16 school year, authorize a school district, county office of education, or charter school to offer independent study courses to pupils enrolled in kindergarten and grades 1 to 12, inclusive, in accordance with prescribed conditions, including, among others, that the courses be taught under the general supervision of certificated employees who hold the appropriate subject matter credential, that courses are annually certified, by school district, charter school, or county office of education governing board or body resolution, to be of the same rigor and educational quality as equivalent classroom-based courses, and that certificated employees and each pupil communicate in-person, by telephone, or by any other live visual or audio connection no less than twice

per calendar month to assess whether each pupil is making satisfactory educational progress. The bill would also require that a signed learning agreement, as specified, be completed and on file. The bill would prohibit pupils from being required to enroll in the independent study courses.

(25) Existing law requires the ratio of average daily attendance for independent study pupils 18 years of age or less to full-time equivalent certificated employees responsible for independent study to not exceed a specified ratio. Existing law authorizes school districts and county offices of education to claim apportionment credit for independent study only to the extent of the time value of pupil work product, as personally judged in each instance by a certificated teacher.

This bill would specify the computation of average daily attendance for the independent study courses described above. The bill would provide that school districts, charter schools, and county offices of education are not required to sign and date pupil work products when assessing their time value of pupil work products for apportionment purposes. The bill would also revise the pupil-to-teacher ratios by grade span, as specified.

(26) Existing law, the Quality Education Investment Act of 2006, among other things, effectuates the intent of the Legislature to implement the terms of the proposed settlement agreement of a specified legal action. The act appropriates specified funds for these purposes.

This bill would specify previously undetermined appropriations made pursuant to these provisions.

(27) Existing law provides for the allocation of funds appropriated by the Budget Act of 2013 for the establishment of the California Career Pathways Trust, and requires these funds to be apportioned to school districts, county superintendents of schools, charter schools, and community colleges for career pathways programs that accomplish specified objectives.

This bill would establish the California Career Pathways Trust, and would require the State Department of Education, contingent upon appropriation in the annual Budget Act, to administer the California Career Pathways Trust as a competitive grant program for kindergarten to grade 14, inclusive. The bill would require grant recipients to fulfill specified requirements and conditions, and would impose restrictions on the use of funds, including prohibiting the use of funds to supplant other funds from state, federal, or other sources, as specified. The bill would require the Superintendent of Public Instruction to consider specified priorities when approving an application for funds.

(28) Existing law establishes the Measurement of Academic Performance and Progress (MAPP), commencing with the 2013–14 school year, for the assessment of certain elementary and secondary pupils, as provided. As part of MAPP, existing law

requires the State Department of Education to make available to local educational agencies a primary language assessment aligned to the English language arts standards adopted by the State Board of Education for assessing pupils who are enrolled in a dual language immersion program and who are either nonlimited English proficient or redesignated English proficient, as provided.

Existing law also authorizes the governing board of a school district to administer a primary language assessment aligned to the English language arts standards adopted by the state board for assessing pupils identified as limited English proficient who are enrolled in any of grades 2 to 11, inclusive, and who either receives instruction in his or her primary language or has been enrolled in a school in the United States for 12 months, as provided. Existing law allocates the costs associated with administration of the assessments, as specified.

This bill would change the name of the MAPP to the California Assessment of Student Performance and Progress (CAASPP). The bill would instead authorize a local educational agency to administer, as part of CAASPP, the primary language assessment to pupils identified as limited English proficient and who are enrolled in any of grades 2 to 11, inclusive, until a subsequent primary language assessment aligned to the common core standards in English language arts adopted by the state board is developed, as provided. The bill would, subject to the approval of the state board, authorize the department to make available to local educational agencies a primary language assessment that is aligned to the English language arts standards adopted by the state board for assessing pupils who are enrolled in a dual language immersion program and who are either nonlimited English proficient or redesignated English proficient until a subsequent primary language assessment is adopted, as specified. The bill would revise the allocation of costs associated with the administration of the assessments, as specified.

(29) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including a school district, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law requires certain funds appropriated in the annual Budget Act for reimbursement of the cost of a new program or increased level of service of an existing program mandated by statute or executive order to be available as a block grant to school districts, charter schools, and county offices of education, to support specified state-mandated local programs. Existing law provides that a school district, charter school, or county office of education that submits a letter of intent to the Superintendent of Public Instruction and receives this block grant funding is not eligible to submit a claim for reimbursement for those specified mandated programs for the fiscal year for which the block grant funding is received.

This bill would revise the list of programs that are authorized for block grant funding in lieu of program-specific reimbursement.

(30) This bill would appropriate \$287,149,000 from the General Fund to the Superintendent of Public Instruction for allocation to school districts, county offices of education, and charter schools, and would appropriate \$49,500,000 from the General Fund to the Chancellor of the California Community Colleges for allocation to community college districts. The bill would require any allocations made to first satisfy any outstanding claims for reimbursement of state-mandated local program costs, and would authorize the Controller to audit any claims and reduce any amounts owed, as provided. The bill would authorize any funds received to be expended for any one-time purpose, but would state Legislature's intent that school districts, county offices of education, and charter schools use the funds for professional development, instructional materials, technology infrastructure, and any other investments necessary to support implementation of the common core standards in English language arts and mathematics, the implementation of English language development standards, and the implementation of the Next Generation Science standards.

(31) This bill would require that the funds appropriated pursuant to a designated item of the Budget Act of 2013 to the State Department of Education for support of the California Local Control Accountability Support Network be available for encumbrance until June 30, 2015.

(32) A certain item of the Budget Act of 2013 appropriated \$381,000,000 to the State Department of Education for allocation by the Superintendent of Public Instruction to school districts, county offices of education, state special schools, and charter schools for specified purposes.

This bill would reappropriate the balance of those appropriations to the department, for the same purposes, and would provide that those funds would be available for encumbrance until June 30, 2018.

(33) This bill would provide that, of the amount allocated in a specified schedule of the Budget Acts of 2012 and 2013 for special education instruction, \$32,806,000 and \$46,943,000, respectively, would be provided to fund the 2010–11 fiscal year maintenance of effort in the special education program.

(34) This bill would require an amount to be determined by the Director of Finance to be appropriated, on or before June 30, 2015, from the General Fund to the Superintendent of Public Instruction in the event that specified revenues distributed to local educational agencies for special education programs are less than the estimated amount reflected in the Budget Act of 2014.

(35) This bill would make conforming changes, delete obsolete provisions, correct cross-references, and make other nonsubstantive changes.

(36) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(37) Funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(38) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares that quality early learning and care for children from infancy to five years of age is a sound and strategic investment to narrow achievement gaps that are present well before children enter kindergarten.

(b) It is the intent of the state to ensure a fair start to all low-income children by providing quality preschool opportunities for all low-income children whose families wish to enroll their children. It is further the intent of the state to provide all low-income four-year-old children from working families with full-day, full-year early education and care.

SEC. 2. Section 8203.1 is added to the Education Code, to read:

<< CA EDUC § 8203.1 >>

8203.1. (a) The Superintendent shall administer a QRIS block grant, pursuant to an appropriation made for that purpose in the annual Budget Act, to be allocated to local consortia for support of local early learning quality rating and improvement systems that increase the number of low-income children in high-quality preschool programs that prepare those children for success in school and life.

(b)(1) For purposes of this section, "early learning quality rating and improvement system" or "QRIS" is defined as a locally determined system for continuous quality improvement based on a tiered rating structure with progressively higher quality standards for each tier that provides supports and incentives for programs, teachers, and administrators to reach higher levels of quality, monitors and evaluates the impacts on child outcomes, and disseminates information to parents and the public about program quality.

contained in Section 42238.1, as that section read on January 1, 2013. For the 2013–14 fiscal year only, the amount of funding per unit of average daily attendance computed for the special education local plan area for the 2013–14 fiscal year shall be used, and multiplied by one plus the inflation factor computed pursuant to Section 42238.1, as that section read on January 1, 2013, or any successor section of law enacted by the Legislature that specifies the inflation factor contained in Section 42238.1, as that section read on January 1, 2013, for application to the 2013–14 fiscal year and each fiscal year thereafter.

(2) The difference between the number of units of average daily attendance upon which allocations to the special education local plan area are based for the fiscal year in which the computation is made and the number of units of average daily attendance upon which allocations to the special education local plan area were based for the prior fiscal year.

SEC. 48. The heading of Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4 of Title 2 of the Education Code is amended to read:

t. 2 d. 4 pt. 33 ch. 5 art. 4 pr. § 60640

Article 4. ~~***~~ **California Assessment of Student** Performance and Progress

SEC. 49. Section 60640 of the Education Code is amended to read:

<< CA EDUC § 60640 >>

60640. (a) There is hereby established the ~~***~~ **California Assessment of Student** Performance and Progress, to be known as the **CAASPP**.

(b) Commencing with the 2013–14 school year, the **CAASPP** shall be composed of all of the following:

(1)(A) A consortium summative assessment in English language arts and mathematics for grades 3 to 8, inclusive, and grade 11 that measures content standards adopted by the state board.

(B) In the 2013–14 school year, the consortium summative assessment in English language arts and mathematics shall be a field test only, to enable the consortium to gauge the validity and reliability of these assessments and to conduct all necessary psychometric procedures and studies, including, but not necessarily limited to, achievement standard setting, and to allow the department to conduct studies regarding full implementation of the assessment system. These field tests and results shall not be used for any other purpose, including the calculation of any accountability measure.

(2)(A) Science grade level assessments in grades 5, 8, and 10 that measure content standards **adopted** pursuant to Section

60605, until a successor assessment is implemented pursuant to subparagraph (B).

(B) For science assessments, the Superintendent shall make a recommendation to the state board as soon as is feasible after the adoption of science content standards pursuant to Section 60605.85 regarding the assessment of the newly adopted standards. Before making recommendations, the Superintendent shall consult with stakeholders, including, but not necessarily limited to, California science teachers, individuals with expertise in assessing English learners and pupils with disabilities, parents, and measurement experts, regarding the grade level and type of assessment. The recommendations shall include cost estimates and a plan for implementation of at least one assessment in each of the following grade spans:

- (i) Grades 3 to 5, inclusive.
- (ii) Grades 6 to 9, inclusive.
- (iii) Grades 10 to 12, inclusive.

(3) The California Alternate Performance Assessment in grades 2 to 11, inclusive, in English language arts and mathematics and science in grades 5, 8, and 10, which measures content standards adopted pursuant to Section 60605 until a successor assessment is implemented. The successor assessment shall be limited to the grades and subject areas assessed pursuant to paragraph (1) and subparagraph (B) of paragraph (2).

(4) The Early Assessment Program established by Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3.

(5)(A) ~~***~~ **A local educational *** agency may administer** a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605, as it read on January 1, 2013, ~~*** to pupils who are *** identified as limited English proficient *** and enrolled in any of grades 2 to 11, inclusive, until a subsequent primary language assessment *** aligned to the *** common core standards in English language arts adopted pursuant to Section 60605.8 is developed pursuant to subparagraph (E).~~

(B) ~~***~~ **If a *** local educational agency chooses to administer a primary language assessment to pupils identified as limited English proficient and enrolled in any of grades 2 to 11, inclusive, pursuant to *** subparagraph (A), it shall notify the department in a manner to be determined by the department and the costs shall *** be paid by the *** state and included as part of the testing contract, and the department shall provide the local educational agency a per pupil apportionment *** for administering the assessment pursuant to subdivision (J).** ~~***~~

(C) The Superintendent shall consult with stakeholders, including assessment and English learner experts, to determine the content and purpose of a stand-alone language arts summative assessment in primary languages other than English that aligns with the **English language** arts content standards. The Superintendent shall consider the appropriate purpose for this assessment, including, but not necessarily limited to, support for the State Seal of Biliteracy and accountability. It is the intent of the Legislature that an assessment developed pursuant to this section be included in the state accountability system.

(D) The Superintendent shall report and make recommendations to the state board at a regularly scheduled public meeting no sooner than one year after the first full administration of the consortium computer-adaptive assessments in English language arts and mathematics summative assessments in grades 3 to 8, inclusive, and grade 11, regarding an implementation timeline and estimated costs of a stand-alone language arts summative assessment in primary languages other than English.

(E) The Superintendent shall develop, and the state board shall adopt, a primary language assessment. The Superintendent shall administer this assessment no later than the 2016–17 school year.

(F) This paragraph shall be operative only to the extent that funding is provided in the annual Budget Act or another statute for the purpose of this section.

(c) No later than March 1, 2016, the Superintendent shall submit to the state board recommendations on expanding the **CAASPP** to include additional assessments, for consideration at a regularly scheduled public meeting. The Superintendent shall also submit these recommendations to the appropriate policy and fiscal committees of the Legislature and to the Director of Finance in accordance with all of the following:

(1) In consultation with stakeholders, including, but not necessarily limited to, California teachers, individuals with expertise in assessing English learners and pupils with disabilities, parents, and measurement experts, the Superintendent shall make recommendations regarding assessments including the grade level, content, and type of assessment. These recommendations shall take into consideration the assessments already administered or planned pursuant to subdivision (b). The Superintendent shall consider the use of consortium-developed assessments, various item types, computer-based testing, and a timeline for implementation.

(2) The recommendations shall consider assessments in subjects, including, but not necessarily limited to, history-social science, technology, visual and performing arts, and other subjects as appropriate, as well as English language arts, mathematics, and science assessments to augment the assessments required under

subdivision (b), and the use of various assessment options, including, but not necessarily limited to, computer-based tests, locally scored performance tasks, and portfolios.

(3) The recommendations shall include the use of an assessment calendar that would schedule the assessments identified pursuant to paragraph (2) over several years, the use of matrix sampling, if appropriate, and the use of population sampling.

(4) The recommendations shall include a timeline for test development, and shall include cost estimates for subject areas, as appropriate.

(5) Upon approval by the state board and the appropriation of funding for this purpose, the Superintendent shall develop and administer approved assessments. The state board shall approve test blueprints, achievement level descriptors, testing periods, performance standards, and a reporting plan for each approved assessment.

(d) For the 2013–14 and 2014–15 school years, the department shall make available to local educational agencies Standardized Testing and Reporting Program test forms no longer required by the **CAASPP**. The cost of implementing this subdivision, including, but not necessarily limited to, shipping, printing, scoring, and reporting per pupil shall be the same for all local educational agencies, and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section. A local educational agency that chooses to administer an assessment pursuant to this **subdivision** shall do so at its own expense, and shall enter into an agreement for that purpose with a contractor, subject to the approval of the department.

(e) The Superintendent shall make available a paper and pencil version of any computer-based **CAASPP** assessment for use by pupils who are unable to access the computer-based version of the assessment for a maximum of three years after a new operational test is first administered.

(f)(1) From the funds available for that purpose, each local educational agency shall administer assessments to each of its pupils pursuant to subdivision (b). As allowable by federal statute, recently arrived English learner pupils are exempted from taking the assessment in English language arts. The state board shall establish a testing period to provide that all schools administer these tests to pupils at approximately the same time during the instructional year. The testing period established by the state board shall take into consideration the need of local educational agencies to provide makeup days for pupils who were absent during testing, as well as the need to schedule testing on electronic computing devices.

(2) For the 2013–14 school year, each local educational agency shall administer the field tests in a manner described by the

department in consultation with the president or executive director of the state board. Additional participants in the field test beyond the representative sample may be approved by the department, and the department shall use existing contract savings to fund ~~***~~ **local educational agency** participation in one or more tests per participant. Funds for this purpose shall be **used** to allow for maximum participation in the field **tests** across the state. To the extent savings in the current contract are not available to fully fund this participation, the department shall prorate available funds by test. Local educational agencies shall bear any additional costs to administer these assessments that are in excess of the contracted amount. With approval of the state board and the Director of Finance, the department shall amend the existing assessment contract to accommodate field testing beyond the representative sample, and to allow for special studies using information collected from the field tests.

(g) From the funds available for that purpose, each local educational agency shall administer assessments as determined by the state board pursuant to paragraph (5) of subdivision (c).

(h) As feasible, the **CAASPP** field tests shall be conducted in a manner that will minimize the testing burden on individual schools. The **CAASPP** field tests shall not produce individual pupil scores unless it is determined that these scores are valid and reliable.

(i) The governing board of a school district may administer achievement tests in grades other than those required by this section as it deems appropriate.

(j) ~~***~~ **Subject to the approval of *** the state board, the department may *** make available to local educational agencies** a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605-~~***~~, as ~~***~~ **it read on January 1, 2013, for assessing pupils who *** are enrolled in a *** dual language immersion program that includes the *** primary language of the assessment and who are either nonlimited English proficient or redesignated fluent English proficient** until a subsequent primary language assessment aligned to the common core standards in English language arts adopted pursuant to Section 60605.8 is developed pursuant to paragraph (5) of subdivision (b). ~~***~~ **The cost for the *** assessment shall be the same for all local educational agencies and shall not exceed the marginal cost of the assessment, *** including any cost the department *** incurs to implement this section. A local educational agency that elects to administer a *** primary language assessment pursuant to this subdivision shall do so at its own expense and shall enter into an agreement for that purpose with the state testing contractor, subject to the approval of the** department.

(k) Pursuant to Section 1412(a)(16) of Title 20 of the United States Code, individuals with exceptional needs, as defined in Section 56026, shall be included in the testing requirement of subdivision (b) with appropriate accommodations in administration, where necessary, and **the** individuals with exceptional needs who are unable to participate in the testing, even with accommodations, shall be given an alternate assessment.

(l)(1) The Superintendent shall apportion funds appropriated for these purposes to local educational agencies to enable them to meet the requirements of subdivisions (b) and (c).

(A) For the **CAASPP** field tests administered in the 2013–14 school year or later school years, the Superintendent shall apportion funds to local educational agencies if funds are specifically provided for this purpose in the annual Budget Act.

(B) The Superintendent shall apportion funds to local educational agencies to enable them to administer assessments used to satisfy the voluntary Early Assessment Program in the 2013–14 school year pursuant to paragraph (4) of subdivision (b).

(2) The state board annually shall establish the amount of funding to be apportioned to local educational agencies for each test administered and annually shall establish the amount that each contractor shall be paid for each test administered under the contracts required pursuant to Section 60643. The amounts to be paid to the contractors shall be determined by considering the cost estimates submitted by each contractor each September and the amount included in the annual Budget Act, and by making allowance for the estimated costs to ~~***~~ **local educational agencies** for compliance with the requirements of subdivisions (b) and (c). The state board shall take into account changes to local educational agency test administration activities under the **CAASPP**, including, but not limited to, the number **and** type of tests administered ~~***~~ and changes in computerized test registration and administration procedures, when establishing the amount of funding to be apportioned to local educational agencies for each test administered.

(3) An adjustment to the amount of funding to be apportioned per test shall not be valid without the approval of the Director of Finance. A request for approval of an adjustment to the amount of funding to be apportioned per test shall be submitted in writing to the Director of Finance and the chairpersons of the fiscal committees of both houses of the Legislature with accompanying material justifying the proposed adjustment. The Director of Finance is authorized to approve only those adjustments related to activities required by statute. The Director of Finance shall approve or disapprove the amount within 30 days of receipt of the request and shall notify the chairpersons of the fiscal committees of both houses of the Legislature of the decision.

(m) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation for the apportionments made pursuant to paragraph (1) of subdivision (l), and the payments made to the contractors under the contracts required pursuant to Section 60643 or subparagraph (C) of paragraph (1) of subdivision (a) of Section 60605 between the department and the contractor, are "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the applicable fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for that fiscal year.

(n) As a condition to receiving an apportionment pursuant to subdivision (l), a local educational agency shall report to the Superintendent all of the following:

(1) The pupils enrolled in the local educational agency in the grades in which assessments were administered pursuant to subdivisions (b) and (c).

(2) The pupils to whom an achievement test was administered pursuant to subdivisions (b) and (c) in the local educational agency.

(3) The pupils in paragraph (1) who were exempted from the test pursuant to this section.

(o) The Superintendent and the state board are authorized and encouraged to assist postsecondary educational institutions to use the assessment results of the **CAASPP**, including, but not necessarily limited to, the grade 11 consortium summative assessments in English language arts and mathematics, for academic credit, placement, or admissions processes.

(p) Subject to the availability of funds in the annual Budget Act for this purpose, and exclusive of the consortium assessments, the Superintendent, with the approval of the state board, annually shall release to the public test items from the achievement tests pursuant to Section 60642.5 administered in previous years. Where feasible and practicable, the minimum number of test items released per year shall be equal to 25 percent of the total number of test items on the test administered in the previous year.

(q) On or before July 1, 2014, Sections 850 to 868, inclusive, of Title 5 of the California Code of Regulations shall be revised by the state board to conform to the changes made to this section in the first year of the 2013–14 Regular Session. The state board shall adopt initial regulations as emergency regulations to immediately implement the **CAASPP** assessments, including, but not necessarily limited to, the administration, scoring, and reporting of the tests, as the adoption of emergency regulations is necessary for the immediate preservation of the public peace,

health, safety, or general welfare within the meaning of Section 11346.1 of the Government Code. The emergency regulations shall be followed by the adoption of permanent regulations, in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

<< Repealed: CA EDUC § 60640.2 >>

SEC. 50. Section 60640.2 of the Education Code is repealed.

SEC. 51. Section 17581.6 of the Government Code is amended to read:

<< CA GOVT § 17581.6 >>

17581.6. (a) Funding apportioned pursuant to this section shall constitute reimbursement pursuant to Section 6 of Article XIII B of the California Constitution for the performance of any state mandates included in the statutes and executive orders identified in subdivision (e).

(b) Any school district, county office of education, or charter school may elect to receive block grant funding pursuant to this section.

(c)(1) A school district, county office of education, or charter school that elects to receive block grant funding pursuant to this section in a given fiscal year shall submit a letter requesting funding to the Superintendent of Public Instruction on or before August 30 of that fiscal year.

(2) The Superintendent of Public Instruction shall, in the month of November of each year, apportion block grant funding appropriated pursuant to Item 6110–296–0001 of Section 2.00 of the annual Budget Act to all school districts, county offices of education, and charter schools that submitted letters requesting funding in that fiscal year according to the provisions of that item.

(3) A school district or county office of education that receives block grant funding pursuant to this section shall not be eligible to submit claims to the Controller for reimbursement pursuant to Section 17560 for any costs of any state mandates included in the statutes and executive orders identified in subdivision (e) incurred in the same fiscal year during which the school district or county office of education received funding pursuant to this section.

(d) Block grant funding apportioned pursuant to this section is subject to annual financial and compliance audits required by Section 41020 of the Education Code.

(e) Block grant funding apportioned pursuant to this section is specifically intended to fund the costs of the following programs and activities:

(1) Academic Performance Index (01–TC–22; Chapter 3 of the

WestlawNext™

EDUCATION—GENERAL AMENDMENTS

2014 Cal. Legis. Serv. Ch. 327 (A.B. 1599) (WEST) (Approx. 24 pages)

2014 Cal. Legis. Serv. Ch. 327 (A.B. 1599) (WEST)

CALIFORNIA 2014 LEGISLATIVE SERVICE

2014 Portion of 2013-2014 Regular Session

Additions are indicated by **Text**; deletions by~~***~~.Vetoed are indicated by ~~Text~~ ;stricken material by ~~Text~~ .

CHAPTER 327

A.B. No. 1599

EDUCATION—GENERAL AMENDMENTS

AN ACT to amend Sections 5033, 17047, 33540, 35576, 35710.51, 35782, 35783, 35786, 42281, 49558, 52060, 56043, 56366.1, 56440, 60603, 60604, 60607, 60611, 60630, 60641, 60643, 60643.6, 60648, and 60810 of, [and to] amend [and add] Section 52060,¹ and to repeal and add Section 56363.5 of, the Education Code, relating to education.

[Filed with Secretary of State September 15, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1599, Committee on Education. Education: omnibus bill.

(1) Existing law sets forth a method for providing special education and related services to pupils with exceptional needs.

Existing law requires the allowable new building area for the purpose of providing special day class and Resource Specialist Program facilities for special education pupils to be negotiated and approved by the State Allocation Board, as provided. Existing law prescribes the maximum square footage for those facilities by special day class basic need, including, among other basic needs, the maximum square footage for mildly mentally retarded and severely mentally retarded special education pupils.

This bill would change references in those provisions from mildly mentally retarded and severely mentally retarded to mildly intellectually disabled and severely intellectually disabled, respectively.

(2) Existing law requires the State Board of Education and the State Department of Education to request the Instructional Quality Commission to review and revise, as necessary, the course requirements in the history-social science framework to ensure that minimum standards for courses in American government and civics include certain matters.

This bill would additionally require the commission, when revising the history-social science framework, to ensure that those course requirements are also included in all history and social science courses and grade levels, as appropriate. The bill would, among other things, also require the commission, whenever the history-social science framework is revised, to receive input from civics learning experts for purposes of integrating civics learning content, concepts, and skills, at all appropriate grade levels, with the standards established by the state board in core curriculum areas, as specified, and ensure that voter education information is included in the American government and civics curriculum at the high school level, as specified.

(3) Existing law specifies the circumstances under which the State Board of Education or a county committee on school district reorganization may approve proposals or petitions for the reorganization of school districts. After the state board has approved plans and recommendations, or a county committee has approved a petition for the unification or other reorganization of school districts, existing law requires the secretary of the state board or the county committee to give notice to a specified county superintendent of schools. Within 35 days of receiving notification from the state board, existing law provides for the county superintendent of schools to call an election, to be conducted at the next election of any kind, or in the case of a notice from a county committee, at the next regular election, in the territory of the districts as determined by the state board or the county committee.

This bill would instead require a county superintendent of schools, if notified by a county committee, to call the election at next election of any kind, in accordance with specified requirements.

(4) Existing law provides that a school district that has been organized for more than 3 years shall be lapsed, as defined, if certain conditions occur. Within 30 days after the close of each school year, existing law requires the county committee on school district reorganization to conduct a public hearing to determine if those conditions have been met. After the hearing, existing law requires the county committee to order the territory annexed to one or more adjoining districts, as specified. Existing law provides that an order of a county committee attaching the territory of a lapsed school district to one or more adjoining school districts shall be effective for all purposes on the date of the order.

This bill would, among other things, instead require the county committee to conduct the public hearing within 45 days before the close of each school year, and would require the county committee to order the territory annexed after the hearing and at least 30 days before the end of the school year. The bill would, among other things, make the county committee's order effective on the July 1 after the date of the order, as specified. To the extent these changes would impose a higher level of service on local officials, the bill would create a state-mandated local

program.

(5) Existing law requires each school district or county superintendent of schools maintaining any kindergarten or any of grades 1 to 12, inclusive, to provide for each needy pupil one nutritionally adequate free or reduced-price meal during each schoolday. Existing law requires the governing board of a school district and the county superintendent of schools to make applications for free or reduced-price meals available to pupils. Existing law provides that the School Lunch Program application is confidential and prohibits the information from being used in the application from being disclosed to any governmental agency, including the federal Immigration and Naturalization Service and the Social Security Administration, or used for any purpose other than enrollment in the CalFresh program. Notwithstanding that restriction, existing law authorizes a public officer or agency to allow the use by certain school district employees of records pertaining to pupil participation in any free or reduced-price meal program solely for the purpose of, among other things, the disaggregation of academic data.

This bill would, among other things, additionally authorize the release of eligibility information on enrolled pupils participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining funding allocations under the local control funding formula and for assessing the accountability of that funding, as provided, and, upon request, to other local educational agencies serving a pupil in the same household as an enrolled pupil for purposes related to free or reduced-price meal program eligibility and for data used in local control funding formula calculations.

(6) Existing law requires that every individual with exceptional needs, as defined, who is eligible to receive special education instruction and related services be provided with that instruction and those services at no cost to his or her parent or guardian or, as appropriate, to him or her. A free appropriate public education is required to be made available to individuals with exceptional needs in accordance with specified federal regulations adopted pursuant to the federal Individuals with Disabilities Education Act. Existing law authorizes local educational agencies to seek, either directly or through the pupil's parents or guardians, reimbursement from insurance companies to cover the costs of related services, in accordance with specified federal regulations.

This bill would delete that authorization and would instead authorize a public agency, if an individual with exceptional needs is covered by public benefits or insurance, to use Medicaid, other public benefits, or insurance programs in which a pupil participates to provide or pay for certain services required by law if the agency provides written notification to the pupil's parents and obtains written parental consent, as provided.

(7) Existing law sets forth a method for providing special

education and related services to pupils with exceptional needs. Existing law also permits, under certain circumstances, contracts to be entered for the provision of those services by nonpublic, nonsectarian schools or agencies, as defined. Existing law authorizes a master contract for special education and related services provided by a nonpublic, nonsectarian school or agency only if the school or agency has been certified by the Superintendent of Public Instruction as meeting specified standards. Existing law also requires the nonpublic, nonsectarian school or agency that is applying for certification to submit, on a form developed by the State Department of Education, a signed verification by local educational agency representatives that they have been notified of the intent to certify or renew certification. Existing law requires the department to mail renewal application materials to certified nonpublic, nonsectarian schools and agencies at least 120 days before the expiration date of their current certification.

This bill would require the local educational agency to send the applicant an acknowledgment, rather than a signed verification, as specified. The bill would delete the provision requiring the department to mail renewal application materials and instead require the department to provide electronic notification of the availability of these materials to certified nonpublic, nonsectarian schools and agencies at least 120 days before the date their current certification expires.

- (8) Existing law requires the Superintendent of Public Instruction to review existing tests that assess the English language development of pupils whose primary language is a language other than English. Existing law requires pupils in kindergarten and first grade to be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. Existing law requires an early literacy assessment to be administered for a period of 4 years beginning after the initial administration of the assessment or until July 1, 2014, whichever occurs first.

This bill would instead require this early literacy assessment to be administered for a period of 4 years beginning after the initial administration of the assessment or until July 1, 2017, whichever occurs last.

- (9) This bill also would make various nonsubstantive changes, delete obsolete provisions, and update cross-references.

- (10) This bill would incorporate additional changes to Section 33540 of the Education Code proposed by SB 897 that would become operative if this bill and SB 897 are both enacted on or before January 1, 2015, and this bill is enacted last. The bill also would incorporate additional changes to Section 52060 of the Education Code proposed by AB 2512 that would become operative if this bill and AB 2512 are both enacted on or before January 1, 2015, and this bill is enacted last.

(11) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 5033 of the Education Code is amended to read:

<< CA EDUC § 5033 >>

5033. **A** member of the governing board of **a** district ~~***~~ wholly or partially included in a unified school district formed under the provisions of Chapter **4** (commencing with Section **35700**) of Part **21 of Division 3** of ~~***~~ **Title 2** shall **not** be a member of the governing board of the unified school district unless elected ~~***~~ **to that governing board.**

SEC. 2. Section 17047 of the Education Code is amended to read:

<< CA EDUC § 17047 >>

17047. (a) The allowable new building area for the purpose of providing special day class and Resource Specialist Program facilities for special education pupils shall be negotiated and approved by the ~~***~~ **board**, with any necessary assistance to be provided by the Special Education Division of the State Department of Education. The square footage allowances shall be computed within the maximum square footage set forth in the following schedule:

Special Day Class Basic Need	Grade Levels	Loading*	Square Footage
Nonsevere Disability			
-Specific Learning Disability	All	12	1080
-Mildly ***			
Intellectually Disabled	All	12	1080
-Severe Disorder of Language Severe Disability	All	10	1080
-Deaf and Hard of Hearing	All	10	1080
-Visually Impaired	All	10	1330 (1080 + 250 storage)
-Orthopedically and			2000 (1080 + 400 toilets)

Other Health Impaired			+ 250 storage + 270 daily living skills + 3000 therapy + 750 therapy per additional classroom)
	All	12	
-Autistic	All	6	1160 (1080 + 80 toilets)
-Severely Emotionally Disturbed	All	6	1160 (1080 + 80 toilets)
-Severely *** Intellectually Disabled	Elem.	12	1750 (1080 + 400 toilets + 270 daily living skills) 2150 (1080 + 400 toilets + 270 daily living skills + 400 vocational)
	Secon.		
-Developmentally Disabled			2000 (1080 + 400 toilets + 250 storage + 270 daily living skills + 3000 therapy** + 750 therapy per additional CR)
	All	10	
-Deaf-Blind/Multi	All	5	1400 (1080 + 200 storage + 150 toilets)

			Pupils	Square Feet
Resource Specialist Program for those	All Maximum caseload for RS		1-8	240
pupils with disabling conditions whose needs have been identified by the	is 28, not all served at same time.		9-28	480
Individualized Education Program (IEP) Team, who require special education for a portion of the day, and who are assigned to a regular classroom for a majority of the schoolday.***			29- 37 38- 56 57- 65 66- 85 86- 94 95- 112	720 960 1200 1440 1680 1920

* Special pupils may usually be grouped without accordance to type, especially in smaller districts or where attendance zones may indicate, to maximize loadings per classroom where there are children with similar educational needs (SEC. 56364 or 56364.2, as applicable).

** Therapy add-ons not to be provided if on same site as orthopedically impaired.

*** To a maximum of 4 percent of the unhoused average daily attendance of the district, per new school or addition, to a maximum of 1920 square feet.

(b) The allowable new building area shall be computed by dividing the number of eligible pupils by the minimum required loading per classroom for special day classes for the type of pupils to be enrolled. No new or additional facility shall be provided for special day classes unless the number of additional eligible pupils equals one-third or more of the minimum required loading.

SEC. 3. Section 33540 of the Education Code is amended to read:

<< CA EDUC § 33540 >>

33540. (a) The state board and the department shall request that the commission review and revise, as necessary, the course requirements in the history-social science framework developed by the History-Social Science Curriculum Framework and Criteria Committee of the state board to ensure that minimum standards for courses in American government and civics include sufficient attention to teaching pupils how to interact, in a practical manner, with state and local governmental agencies and representatives to solve problems and to petition for changes in laws and procedures, **and that the course requirements in the history-social science framework are also included in all history and social science courses and grade levels, as appropriate.**

(b) **Whenever** the history-social science framework is revised as required by law, the commission shall do, as appropriate and based on the subject matter of the course, all of the following:

(1) Receive input from civics learning experts, including civics education program providers, associations of civics educators, and organizations dedicated to research on civics learning, for purposes of integrating civics learning content, concepts, and skills, at all appropriate grade levels, with the standards established by the state board in core curriculum areas, as specified in Sections 60605, as that section read on June 30, 2011, and 60605.8.

(2) Consider how civics and history instruction, at all appropriate grade levels, includes, in addition to the acquisition of content knowledge, the application of that content to develop the competence and skills needed for civic engagement.

(3) Ensure that voter education information is included in the American government and civics curriculum at the high school level, including, but not limited to, information on the importance of registering to vote in local, state, and

federal elections, how to register to vote, both online and by mail, what the requirements are to register to vote, how to request an absentee ballot, how to fill out and return an absentee ballot, what to expect on election day, how to find a polling place, and where and how to access and understand the voter information pamphlet and other materials to become an informed voter.

(4) Ensure the following historical documents are incorporated in the framework:

- (A) The Declaration of Independence.
- (B) The United States Constitution, including the Bill of Rights.
- (C) The Federalist Papers.
- (D) The Emancipation Proclamation.
- (E) The Gettysburg Address.
- (F) George Washington's Farewell Address.

(5) Consider incorporating the following historical documents into the framework:

- (A) The Magna Carta.
- (B) The Articles of Confederation.
- (C) The California Constitution.

(6) Encourage instruction that promotes an understanding of the governments of California and the United States of America, including, but not limited to, the development of democracy and the history of the development of the United States Constitution.

(c) It is the intent of the Legislature, for purposes of the history-social science framework that is revised after January 1, 2015, that the requirements imposed pursuant to paragraphs (1) to (3), inclusive, of subdivision (b) may be satisfied under the framework adoption procedures currently being used by the department as of January 1, 2015.

SEC. 3.5. Section 33540 of the Education Code is amended to read:

<< CA EDUC § 33540 >>

33540. (a) The state board and the department shall request that the commission review and revise, as necessary, the course requirements in the history-social science framework developed by the History–Social Science Curriculum Framework and Criteria Committee of the state board to ensure that minimum standards for courses in American government and civics include sufficient attention to teaching pupils how to interact, in a practical manner, with state and local governmental agencies and representatives to

solve problems and to petition for changes in laws and procedures, **and that the course requirements in the history-social science framework are also included in all history and social science courses and all grade levels, as appropriate.**

(b) **Whenever** the history-social science framework is revised as required by law, the commission shall do, as appropriate and based on the subject matter of the course, all of the following:

(1) Receive input from civics learning experts, including civics education program providers, associations of civics educators, and organizations dedicated to research on civics learning, for purposes of integrating civics learning content, concepts, and skills, at all appropriate grade levels, with the standards established by the state board in core curriculum areas, as specified in Section 60605, as that section read on June 30, 2011, and Section 60605.8.

(2) Consider how civics and history instruction, at all appropriate grade levels, includes, in addition to the acquisition of content knowledge, the application of that content to develop the competence and skills needed for civic engagement.

(3) Ensure that voter education information is included in the American government and civics curriculum at the high school level, including, but not limited to, information on the importance of registering to vote in local, state, and federal elections, how to register to vote, both online and by mail, what the requirements are to register to vote, how to request an absentee ballot, how to fill out and return an absentee ballot, what to expect on election day, how to find a polling place, and where and how to access and understand the voter information pamphlet and other materials to become an informed voter.

(4) Ensure the following historical documents are incorporated into the framework:

(A) The Declaration of Independence.

(B) The United States Constitution, including the Bill of Rights.

(C) The Federalist Papers.

(D) The Emancipation Proclamation.

(E) The Gettysburg Address.

(F) George Washington's Farewell Address.

(5) Consider incorporating the following historical documents into the framework:

(A) The Magna Carta.

(B) The Articles of Confederation.

(C) The California Constitution.

(6) Encourage instruction that promotes an understanding of the governments of California and the United States of America, including, but not limited to, the development of democracy and the history of the development of the United States Constitution.

(c) It is the intent of the Legislature, for purposes of the history-social science framework that is revised any time after January 1, 2015, that the commission consider whether and how to incorporate the College, Career, and Civic Life (C3) Framework for Social Studies State Standards into that framework.

(d) It is the intent of the Legislature, for purposes of the history-social science framework that is revised after January 1, 2015, that the requirements imposed pursuant to paragraphs (1) to (3), inclusive, of subdivision (b) may be satisfied under the framework adoption procedures currently being used by the department as of January 1, 2015.

(e) When the history-social science content standards are next revised after January 1, 2015, the state board shall consider incorporating the College, Career, and Civic Life (C3) Framework for Social Studies State Standards into the history-social science content standards.

SEC. 4. Section 35576 of the Education Code is amended to read:

<< CA EDUC § 35576 >>

35576. (a) **If** territory is taken from one district and annexed to, or included in, another district or a new district by any procedure and the area transferred contains ~~***~~ **real** property, the district to which the territory is annexed shall take possession of the ~~***~~ **real property, pursuant to paragraph (1) of subdivision (a) of Section 35560**, on the day when the annexation becomes effective for all purposes. The territory transferred shall cease to be liable for the bonded indebtedness of the district of which it was formerly a part and shall automatically assume its proportionate share of the outstanding bonded indebtedness of any district of which it becomes a part.

(b) The acquiring district shall ~~***~~ **be liable for the *** greater** of the amounts determined under provisions of **paragraph (1) or (2)**, or the amount determined pursuant to a method prescribed under Section 35738.

(1) The proportionate share of the outstanding bonded indebtedness of the original district, which proportionate share shall be in the ratio **that** the total assessed valuation of the transferring territory bears to the total assessed valuation of the original district in the year immediately preceding the date on

which the annexation is effective for all purposes. This ratio shall be used each year until the bonded indebtedness for which the acquiring district is liable has been repaid.

(2) **The** portion of the outstanding bonded indebtedness of the original district **that** was incurred for the acquisition or improvement of ~~***~~ **real property**, or ~~***~~ fixtures located ~~**~~ **on the real property**, and situated in the territory transferred.

(c) The county board of supervisors shall compute for the reorganized district an annual tax rate for bond interest and redemption **that** will include the bond interest and redemption on the outstanding bonded indebtedness specified in paragraph (1) or (2) of subdivision (b), or the amount determined pursuant to a method prescribed under Section 35738. The county board of supervisors shall also compute tax rates for the annual charge and use charge prescribed by former Sections 1822.2 and 1825, as they read on July 1, 1970, when such charges were established ~~***~~ **before** November 23, 1970. All such tax rates shall be levied in excess of any other ad valorem property tax authorized or required by law and shall not be included in the computation of the limitation specified in subdivision (a) of Section 1 of Article XIII A of the California Constitution.

SEC. 5. Section 35710.51 of the Education Code is amended to read:

<< CA EDUC § 35710.51 >>

35710.51. **(a)** The county superintendent of schools, within 35 days after receiving the notification provided by Section 35710, shall call an election, in the manner prescribed in Part 4 (commencing with Section 5000), to be conducted at the next ~~**~~ ~~*~~ election ~~***~~ **of any kind in accordance with either of the following:**

(1) Section 1002 of the Elections Code and Part 4 (commencing with Section 5000) of Division 1 of Title 1.

(2) Division 4 (commencing with Section 4000) of the Elections Code.

(b) The county superintendent of schools shall call the election in the territory of districts as determined by the county committee on school district organization, or, in the case of territory transfers appealed to the ~~***~~ **state board** pursuant to **subdivision (c) of Section 35710.5**, as determined by the ~~***~~ **state board**. The county superintendent **of schools** shall not issue an order of election until after the time for an appeal pursuant to subdivision (b) of Section 35710.5 has elapsed.

SEC. 6. Section 35782 of the Education Code is amended to read:

<< CA EDUC § 35782 >>

35782. Within **45 days before** the close of each school year, the county committee shall conduct a public hearing on the issues specified in Section 35780. Notice of the public hearing shall be given at least 10 days in advance ~~***~~ **of the hearing** to each member of the governing board of the lapsed district immediately ~~***~~ **before** its lapsation, to each of the governing boards **that** adjoin the lapsed district, and to the high school district of which the lapsed elementary district is a component.

SEC. 7. Section 35783 of the Education Code is amended to read:

<< CA EDUC § 35783 >>

35783. After the hearing, **and at least 30 days before the end of the school year**, the county committee shall order the territory annexed to one or more adjoining districts as seems to the county committee to be in the best interest of the adjoining districts and the residents of the lapsed district.

SEC. 8. Section 35786 of the Education Code is amended to read:

<< CA EDUC § 35786 >>

35786. An order of a county committee attaching the territory of a lapsed school district to one or more adjoining school districts shall be effective for all purposes on the **July 1 after** date of the order. **Notwithstanding Section 35534, the effective date of the order is not subject to compliance with Section 54900 of the Government Code. Compliance with Section 54900 of the Government Code is required by December 1 of the year in which the order is made.**

SEC. 9. Section 42281 of the Education Code is amended to read:

<< CA EDUC § 42281 >>

42281. Except as specified in ~~***~~ **subdivision (d)**, for each elementary school district that maintains only one school with a second principal apportionment average daily attendance of less than 97, the Superintendent shall make one of the following computations, whichever provides the lesser amount:

(a) For each small school that has an average daily attendance during the fiscal year of less than 25, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school at least one teacher was hired full time, the Superintendent shall compute for the school district fifty-two thousand nine hundred twenty-five dollars (\$52,925).

(b) For each small school that has an average daily attendance during the fiscal year of 25 or more and less than 49, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district one hundred five thousand eight hundred fifty dollars (\$105,850).

(c) For each small school that has an average daily attendance during the fiscal year of 49 or more but less than 73, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district one hundred fifty-eight thousand seven hundred seventy-five dollars (\$158,775).

(d) For each small school that has an average daily attendance during the fiscal year of 73 or more and less than 97, exclusive of pupils attending the 7th and 8th grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district two hundred eleven thousand seven hundred dollars (\$211,700). A school district that qualifies under this subdivision may use this funding calculation until the local control funding formula allocation pursuant to Section 42238.02, as implemented by Section 42238.03, per unit of average daily attendance multiplied by the average daily attendance produces state aid equal to the small school funding formula.

SEC. 10. Section 49558 of the Education Code is amended to read:

<< CA EDUC § 49558 >>

49558. (a) All applications and records concerning any individual made or kept by any public officer or agency in connection with the administration of any provision of this code relating to free or reduced-price meal eligibility shall be confidential, and may not be open to examination for any purpose not directly connected with the administration of any free or reduced-price meal program, or any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any free or reduced-price meal program.

(b) Notwithstanding subdivision (a), a public officer or agency may allow ~~***~~ school district employees, who are authorized by the governing board of the school district, ~~***~~ **to disclose from the individual meal records *** only the pupil's name and school meal *** eligibility status,** solely for ~~***~~ **purposes** of disaggregation of academic achievement data or to identify pupils eligible for public school choice and supplemental educational services pursuant to the federal No Child Left Behind Act of 2001 (~~***~~ **Public Law** 107-110), if the public agency ensures the following:

(1) The public agency has adopted a policy that allows for the use of individual records for these purposes.

(2) No individual indicators of participation in any free or reduced-price meal program are maintained in the permanent record of any pupil, unless otherwise allowed by law.

(3) No public release of information regarding individual pupil participation in any free or reduced-price meal program is permitted.

(4) All other confidentiality provisions required by law are met.

(5) The information collected regarding individual pupils certified to participate in the free or reduced-price meal program is destroyed when it is no longer needed for its intended purpose.

(c) Notwithstanding subdivision (a), the school districts and county superintendents of schools may release information on the School Lunch Program application to the local agency that determines eligibility under the Medi-Cal ~~***~~ **program if** the child is approved for free meals and if the applicant consents to the sharing of information pursuant to Section 49557.2.

(d) Notwithstanding subdivision (a), the school districts and county superintendents of schools may release information on the School Lunch Program application to the local agency that determines eligibility under the CalFresh program or to an agency that determines eligibility for nutrition assistance programs authorized by Chapter 2 (commencing with Section 210.1) of Subtitle B of Title 7 of the Code of Federal Regulations, if the child is approved for free or reduced-price meals and if the applicant consents to the sharing of information pursuant to Section 49557.3.

(e) Notwithstanding subdivision (a), a school district, charter school, or county office of education may release the name and eligibility status of a pupil participating in the free or reduced-price meal program as follows:

(1) To the Superintendent for purposes of determining funding allocations under the local control funding formula and for assessing the accountability of that funding.

(2) Upon request, to another school district, charter school, or county office of education that is serving a pupil living in the same household as an enrolled pupil for purposes related to free or reduced-price meal program eligibility and for data used in local control funding formula calculations.

(f) Information released pursuant to subdivision (c), (d), or (e) shall adhere to all of the following requirements:

(1) Individual indicators of participation in a free or reduced-price meal program shall not be maintained in the permanent record of any pupil, unless otherwise authorized by law.

(2) The public release of information regarding individual pupil participation in a free or reduced-price meal program is not permitted.

(3) All other confidentiality requirements imposed by law or regulation are met.

SEC. 11. Section 52060 of the Education Code is amended to read:

<< CA EDUC § 52060 >>

52060. (a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by **the** governing board of a school district shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by **the** governing board of a school district shall include, for the school district and each school within the school district, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d) and for any additional local priorities identified by the governing board of the school district. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in paragraphs (2) and (3) of subdivision (a) of Section 52052.

(2) A description of the specific actions the school district will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the school district.

(d) All of the following are state priorities:

(1) The degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair, as **defined** in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to **former** Section 60811.3, **as that section**

read on June 30, 2013, or Section 60811.4, for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual schoolsite, and including how the school district will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical **education** standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the **programs** and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(e) For purposes of the descriptions required by subdivision (c), **the** governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) **The** governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.

(h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district's progress toward achieving those goals.

SEC. 11.1. Section 52060 of the Education Code is amended to read:

<< CA EDUC § 52060 >>

52060. (a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by **the** governing board of a school district shall be effective for a period

of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by **the** governing board of a school district shall include, for the school district and each school within the school district, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d) and for any additional local priorities identified by the governing board of the school district. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in paragraphs (2) and (3) of subdivision (a) of Section 52052.

(2) A description of the specific actions the school district will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the school district.

(d) All of the following are state priorities:

(1) The degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair, as **defined** in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to **former** Section 60811.3, **as that section read on June 30, 2013, or Section 60811.4**, for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual schoolsite, and including how the school district will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical **education** standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in,

a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the **programs** and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(e) For purposes of the descriptions required by subdivision (c), **the** governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) **The** governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.

(h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district's progress toward achieving those goals.

(i) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 11.2. Section 52060 is added to the Education Code, to read:

<< CA EDUC § 52060 >>

52060. (a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by the governing board of a school district shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by the governing board of a school district shall include, for the school district and each school within the school district, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d) and for any additional local priorities identified by the governing board of the school district. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in paragraphs (2) and (3) of subdivision (a) of Section 52052.

(2) A description of the specific actions the school district will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the school district.

(d) All of the following are state priorities:

(1) The degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair, as defined in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or Section 60811.4, for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual schoolsite, and including how the school district will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the

University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) If the governing board of the school district chooses to include it, compliance with the federal gender equity requirements under Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), including, but not limited to, the total number of pupils, by gender, participating in interscholastic athletics.

(D) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and

services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(e) For purposes of the descriptions required by subdivision (c), the governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) The governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.

(h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district's progress toward achieving those goals.

(i) This section shall become operative on January 1, 2018.

SEC. 12. Section 56043 of the Education Code is amended to read:

<< CA EDUC § 56043 >>

56043. The primary timelines affecting special education programs are as follows:

(a) A proposed assessment plan shall be developed within 15 calendar days of referral for assessment, not counting calendar days between the pupil's regular school sessions or terms or calendar days of school vacation in excess of five schooldays, from the date of receipt of the referral, unless the parent or guardian agrees in writing to an extension, pursuant to subdivision (a) of Section 56321.

(b) A parent or guardian shall have at least 15 calendar days from the receipt of the proposed assessment plan to arrive at a decision, pursuant to subdivision (c) of Section 56321.

(c) Once a child has been referred for an initial assessment to determine whether the child is an individual with exceptional needs and to determine the educational needs of the child, these determinations shall be made, and an individualized education

program team meeting shall occur within 60 days of receiving parental consent for the assessment, pursuant to subdivision (a) of Section 56302.1, except as specified in subdivision (b) of that section, and pursuant to Section 56344.

(d) The individualized education program team shall review the pupil's individualized education program periodically, but not less frequently than annually, pursuant to subdivision (d) of Section 56341.1.

(e) A parent or guardian shall be notified of the individualized education program team meeting early enough to ensure an opportunity to attend, pursuant to subdivision (b) of Section 56341.5. In the case of an individual with exceptional needs who is 16 years of age or younger, if appropriate, the meeting notice shall indicate that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the individual with exceptional needs, and the meeting notice described in this subdivision shall indicate that the individual with exceptional needs is invited to attend, pursuant to subdivision (e) of Section 56341.5.

(f)(1) An individualized education program required as a result of an assessment of a pupil shall be developed within a total time not to exceed 60 calendar days, not counting days between the pupil's regular school sessions, terms, or days of school vacation in excess of five schooldays, from the date of receipt of the parent's or guardian's written consent for assessment, unless the parent or guardian agrees in writing to an extension, pursuant to Section 56344.

(2) A meeting to develop an initial individualized education program for the pupil shall be conducted within 30 days of a determination that the child needs special education and related services pursuant to Section 300.323(c)(1) of Title 34 of the Code of Federal Regulations and in accordance with Section 56344.

(g)(1) Beginning not later than the first individualized education program to be in effect when the pupil is 16 years of age, or younger if determined appropriate by the individualized education program team, and updated annually thereafter, the individualized education program shall include appropriate measurable postsecondary goals and transition services needed to assist the pupil in reaching those goals, pursuant to paragraph (8) of subdivision (a) of Section 56345.

(2) The individualized education program for pupils in grades 7 to 12, inclusive, shall include any alternative means and modes necessary for the pupil to complete the district's prescribed course of study and to meet or exceed proficiency standards for graduation, pursuant to paragraph (1) of subdivision (b) of Section 56345.

(3) Beginning not later than one year before the pupil reaches ~~*~~**18 years of age**, the individualized education program shall

contain a statement that the pupil has been informed of the pupil's rights under this part, if any, that will transfer to the pupil upon reaching ~~***~~ 18 years **of age**, pursuant to Section 56041.5, subdivision (g) of Section 56345, and Section 300.520 of Title 34 of the Code of Federal Regulations.

(h) Beginning at the age of 16 years or younger, and annually thereafter, a statement of needed transition services shall be included in the pupil's individualized education program, pursuant to Section 56345.1 and Section 1414(d)(1)(A)(i)(VIII) of Title 20 of the United States Code.

(i) A pupil's individualized education program shall be implemented as soon as possible following the individualized education program team meeting, pursuant to Section 300.323(c) (2) of Title 34 of the Code of Federal Regulations and in accordance with Section 56344.

(j) An individualized education program team shall meet at least annually to review a pupil's progress, the individualized education program, including whether the annual goals for the pupil are being achieved, the appropriateness of the placement, and to make any necessary revisions, pursuant to subdivision (d) of Section 56343. The local educational agency shall maintain procedures to ensure that the individualized education program team reviews the pupil's individualized education program periodically, but not less frequently than annually, to determine whether the annual goals for the pupil are being achieved, and revises the individualized education program as appropriate to address, among other matters, the provisions specified in subdivision (d) of Section 56341.1, pursuant to subdivision (a) of Section 56380.

(k) A reassessment of a pupil shall occur not more frequently than once a year, unless the parent and the local educational agency agree otherwise in writing, and shall occur at least once every three years, unless the parent and the local educational agency agree, in writing, that a reassessment is unnecessary, pursuant to Section 56381, and in accordance with Section 1414(a)(2) of Title 20 of the United States Code.

(l) A meeting of an individualized education program team requested by a parent or guardian to review an individualized education program pursuant to subdivision (c) of Section 56343 shall be held within 30 calendar days, not counting days between the pupil's regular school sessions, terms, or days of school vacation in excess of five schooldays, from the date of receipt of the parent's or guardian's written request, pursuant to Section 56343.5.

(m) If an individual with exceptional needs transfers from district to district within the state, the following are applicable pursuant to Section 56325:

(1) If the child has an individualized education program and

transfers into a district from a district not operating programs under the same local plan in which he or she was last enrolled in a special education program within the same academic year, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents or guardians, for a period not to exceed 30 days, by which time the local educational agency shall adopt the previously approved individualized education program or shall develop, adopt, and implement a new individualized education program that is consistent with federal and state law, pursuant to paragraph (1) of subdivision (a) of Section 56325.

(2) If the child has an individualized education program and transfers into a district from a district operating programs under the same special education local plan area of the district in which he or she was last enrolled in a special education program within the same academic year, the new district shall continue, without delay, to provide services comparable to those described in the existing approved individualized education program, unless the parent and the local educational agency agree to develop, adopt, and implement a new individualized education program that is consistent with state and federal law, pursuant to paragraph (2) of subdivision (a) of Section 56325.

(3) If the child has an individualized education program and transfers from an educational agency located outside the state to a district within the state within the same academic year, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents or guardians, until the local educational agency conducts an assessment as specified in paragraph (3) of subdivision (a) of Section 56325.

(4) In order to facilitate the transition for an individual with exceptional needs described in paragraphs (1) to (3), inclusive, the new school in which the pupil enrolls shall take reasonable steps to promptly obtain the pupil's records, as specified, pursuant to subdivision (b) of Section 56325.

(n) The parent or guardian shall have the right and opportunity to examine all school records of the child and to receive complete copies within five business days after a request is made by the parent or guardian, either orally or in writing, and before any meeting regarding an individualized education program of his or her child or any hearing or resolution session pursuant to Chapter 5 (commencing with Section 56500), in accordance with Section 56504 and Chapter 6.5 (commencing with Section 49060) of Part 27.

(o) Upon receipt of a request from a local educational agency where an individual with exceptional needs has enrolled, a former

educational agency shall send the pupil's special education records, or a copy ~~***~~ **of those records**, to the new local educational agency within five working days, pursuant to subdivision (a) of Section 3024 of Title 5 of the California Code of Regulations.

(p) The department shall do all of the following:

(1) Have a time limit of 60 calendar days after a complaint is filed with the state educational agency to investigate the complaint.

(2) Give the complainant the opportunity to submit additional information about the allegations in the complaint.

(3) Review all relevant information and make an independent determination as to whether there is a violation of a requirement of this part or Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

(4) Issue a written decision pursuant to Section 300.152(a)(5) of Title 34 of the Code of Federal Regulations.

(q) A prehearing mediation conference shall be scheduled within 15 calendar days of receipt by the Superintendent of the request for mediation, and shall be completed within 30 calendar days after the request for mediation, unless both parties to the prehearing mediation conference agree to extend the time for completing the mediation, pursuant to Section 56500.3.

(r) Any request for a due process hearing arising from subdivision (a) of Section 56501 shall be filed within two years from the date the party initiating the request knew or had reason to know of facts underlying the basis for the request, except that this timeline shall not apply to a parent if the parent was prevented from requesting the due process hearing, pursuant to subdivision (l) of Section 56505.

(s) The Superintendent shall ensure that, within 45 calendar days after receipt of a written due process hearing request, the hearing is immediately commenced and completed, including any mediation requested at any point during the hearing process, and a final administrative decision is rendered, pursuant to subdivision (f) of Section 56502.

(t) If either party to a due process hearing intends to be represented by an attorney in the due process hearing, notice of that intent shall be given to the other party at least 10 calendar days ~~***~~ **before** the hearing, pursuant to subdivision (a) of Section 56507.

(u) Any party to a due process hearing shall have the right to be informed by the other parties to the hearing, at least 10 calendar days ~~***~~ **before** the hearing, as to what those parties believe are the issues to be decided at the hearing and their proposed resolution of those issues, pursuant to paragraph (6) of subdivision (e) of Section 56505.

(v) Any party to a due process hearing shall have the right to receive from other parties to the hearing, at least five business days ~~***~~ **before** the hearing, a copy of all documents, including all assessments completed and not completed by that date, and a list of all witnesses and their general area of testimony that the parties intend to present at the hearing, pursuant to paragraph (7) of subdivision (e) of Section 56505.

(w) An appeal of a due process hearing decision shall be made within 90 calendar days of receipt of the hearing decision, pursuant to subdivision (k) of Section 56505.

~~***~~

(x) A complaint filed with the department shall allege a violation of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) or a provision of this part that occurred not more than one year ~~***~~ **before** the date that the complaint is received by the department, pursuant to Section 56500.2 and Section 300.153(c) of Title 34 of the Code of Federal Regulations.

<< Repealed: CA EDUC § 56363.5 >>

SEC. 13. Section 56363.5 of the Education Code is repealed.

SEC. 14. Section 56363.5 is added to the Education Code, to read:

<< CA EDUC § 56363.5 >>

56363.5. Pursuant to Section 300.154(d)(2)(iv) and (v) of Title 34 of the Code of Federal Regulations, if an individual with exceptional needs is covered by public benefits or insurance, a public agency may use Medicaid, other public benefits, or insurance programs in which a pupil participates to provide or pay for the services required by this part, the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Part 300 of Title 34 of the Code of Federal Regulations, if both of the following conditions are met:

(a) The public agency provides written notification to the pupil's parents.

(b) The public agency obtains written parental consent before accessing the pupil's or parents' public benefits or insurance for the first time, and annually thereafter.

SEC. 15. Section 56366.1 of the Education Code is amended to read:

<< CA EDUC § 56366.1 >>

56366.1. (a) A nonpublic, nonsectarian school or agency that seeks certification shall file an application with the Superintendent on forms provided by the department, and shall include all of the following information on the application:

- (1) A description of the special education and designated instruction and services provided to individuals with exceptional needs if the application is for nonpublic, nonsectarian school certification.
- (2) A description of the designated instruction and services provided to individuals with exceptional needs if the application is for nonpublic, nonsectarian agency certification.
- (3) A list of appropriately qualified staff, a description of the credential, license, or registration that qualifies each staff member rendering special education or designated instruction and services to do so, and copies of their credentials, licenses, or certificates of registration with the appropriate state or national organization that has established standards for the service rendered.
- (4) An annual operating budget.
- (5) Affidavits and assurances necessary to comply with all applicable federal, state, and local laws and regulations that include criminal record summaries required of all nonpublic, nonsectarian school or agency personnel having contact with minor children under Section 44237.

(b)(1) The applicant shall provide the special education local plan area in which the applicant is located with the written notification of its intent to seek certification or renewal of its certification. The ~~***~~ local educational agency representatives **shall acknowledge** that they have been notified of the intent to certify or renew certification. The **acknowledgment** shall include a statement that representatives of the local educational agency for the area in which the applicant is located have had the opportunity to review the application at least 60 calendar days before submission of an initial application to the Superintendent, or at least 30 calendar days before submission of a renewal application to the Superintendent. The ~~***~~ **acknowledgment** shall provide assurances that local educational agency representatives have had the opportunity to provide input on all required components of the application.

(2) If the ~~***~~ **local educational agency has not acknowledged an applicant's intent to be certified** 60 calendar days from the date of ~~***~~ **submission** for initial applications or 30 calendar days from the date of the return receipt for renewal applications, the applicant may file the application with the Superintendent. ~~***~~

(3) The department shall ~~***~~ **provide electronic notification of the availability of** renewal application materials to certified nonpublic, nonsectarian schools and agencies at least 120 days before the date their current certification expires.

(c) If the applicant operates a facility or program on more than one site, each site shall be certified.

(d) If the applicant is part of a larger program or facility on the same site, the Superintendent shall consider the effect of the total program on the applicant. A copy of the policies and standards for the nonpublic, nonsectarian school or agency and the larger program shall be available to the Superintendent.

(e)(1) Before certification, the Superintendent shall conduct an onsite review of the facility and program for which the applicant seeks certification. The Superintendent may be assisted by representatives of the special education local plan area in which the applicant is located and a nonpublic, nonsectarian school or agency representative who does not have a conflict of interest with the applicant. The Superintendent shall conduct an additional onsite review of the facility and program within three years of the effective date of the certification, unless the Superintendent conditionally certifies the nonpublic, nonsectarian school or agency, or unless the Superintendent receives a formal complaint against the nonpublic, nonsectarian school or agency. In the latter two cases, the Superintendent shall conduct an onsite review at least annually.

(2) In carrying out this subdivision, the Superintendent may verify that the nonpublic, nonsectarian school or agency has received a successful criminal background check clearance and has enrolled in subsequent arrest notice service, pursuant to Section 44237, for each owner, operator, and employee of the nonpublic, nonsectarian school or agency.

(f) The Superintendent shall make a determination on an application within 120 days of receipt of the application and shall certify, conditionally certify, or deny certification to the applicant. If the Superintendent fails to take one of these actions within 120 days, the applicant is automatically granted conditional certification for a period terminating on August 31 of the current school year. If certification is denied, the Superintendent shall provide reasons for the denial. The Superintendent shall not certify the nonpublic, nonsectarian school or agency for a period longer than one year.

(g) Certification becomes effective on the date the nonpublic, nonsectarian school or agency meets all the application requirements and is approved by the Superintendent. Certification may be retroactive if the nonpublic, nonsectarian school or agency met all the requirements of this section on the date the retroactive certification is effective. Certification expires on December 31 of the terminating year.

(h) The Superintendent annually shall review the certification of each nonpublic, nonsectarian school or agency. For this purpose, a certified nonpublic, nonsectarian school or agency annually shall update its application between August 1 and October 31, unless the state board grants a waiver pursuant to Section 56101. The Superintendent may conduct an onsite review as part of the annual review.

(i)(1) The Superintendent shall conduct an investigation of a nonpublic, nonsectarian school or agency onsite at any time without prior notice if there is substantial reason to believe that there is an immediate danger to the health, safety, or welfare of a child. The Superintendent shall document the concern and submit it to the nonpublic, nonsectarian school or agency at the time of the onsite investigation. The Superintendent shall require a written response to any noncompliance or deficiency found.

(2) With respect to a nonpublic, nonsectarian school, the Superintendent shall conduct an investigation, which may include an unannounced onsite visit, if the Superintendent receives evidence of a significant deficiency in the quality of educational services provided, a violation of Section 56366.9, or noncompliance with the policies expressed by subdivision (b) of Section 1501 of the Health and Safety Code by the nonpublic, nonsectarian school. The Superintendent shall document the complaint and the results of the investigation and shall provide copies of the documentation to the complainant, the nonpublic, nonsectarian school, and the contracting local educational agency.

(3) Violations or noncompliance documented pursuant to paragraph (1) or (2) shall be reflected in the status of the certification of the nonpublic, nonsectarian school or agency, at the discretion of the Superintendent, pending an approved plan of correction by the nonpublic, nonsectarian school or agency. The department shall retain for a period of 10 years all violations pertaining to certification of the nonpublic, nonsectarian school or agency.

(4) In carrying out this subdivision, the Superintendent may verify that the nonpublic, nonsectarian school or agency received a successful criminal background check clearance and has enrolled in subsequent arrest notice service, pursuant to Section 44237, for each owner, operator, and employee of the nonpublic, nonsectarian school or agency.

(j) The Superintendent shall monitor the facilities, the educational environment, and the quality of the educational program, including the teaching staff, the credentials authorizing service, the standards-based core curriculum being employed, and the **standards-focused** instructional materials used, of an existing certified nonpublic, nonsectarian school or agency on a three-year cycle, as follows:

(1) The nonpublic, nonsectarian school or agency shall complete a self-review in year one.

(2) The Superintendent shall conduct an onsite review of the nonpublic, nonsectarian school or agency in year two.

(3) The Superintendent shall conduct a followup visit to the nonpublic, nonsectarian school or agency in year three.

(k)(1) Notwithstanding any other law, the Superintendent shall

not certify a nonpublic, nonsectarian school or agency that proposes to initiate or expand services to pupils currently educated in the immediate prior fiscal year in a juvenile court program, community school pursuant to Section 56150, or other nonspecial education program, including independent study or adult school, or both, unless the nonpublic, nonsectarian school or agency notifies the county superintendent of schools and the special education local plan area in which the proposed new or expanded nonpublic, nonsectarian school or agency is located of its intent to seek certification.

(2) The notification shall occur no later than the December 1 before the new fiscal year in which the proposed or expanding school or agency intends to initiate services. The notice shall include the following:

(A) The specific date upon which the proposed nonpublic, nonsectarian school or agency is to be established.

(B) The location of the proposed program or facility.

(C) The number of pupils proposed for services, the number of pupils currently served in the juvenile court, community school, or other nonspecial education program, the current school services including special education and related services provided for these pupils, and the specific program of special education and related services to be provided under the proposed program.

(D) The reason for the proposed change in services.

(E) The number of staff who will provide special education and designated instruction and services and hold a current valid California credential or license in the service rendered.

(3) In addition to the requirements in subdivisions (a) to (f), inclusive, the Superintendent shall require and consider the following in determining whether to certify a nonpublic, nonsectarian school or agency as described in this subdivision:

(A) A complete statement of the information required as part of the notice under paragraph (1).

(B) Documentation of the steps taken in preparation for the conversion to a nonpublic, nonsectarian school or agency, including information related to changes in the population to be served and the services to be provided pursuant to each pupil's individualized education program.

(4) Notwithstanding any other law, the certification becomes effective no earlier than July 1 if the nonpublic, nonsectarian school or agency provided the notification required pursuant to paragraph (1).

(j)(1) Notwithstanding any other law, the Superintendent shall not certify or renew the certification of a nonpublic, nonsectarian school or agency, unless all of the following conditions are met:

(A) The entity operating the nonpublic, nonsectarian school or agency maintains separate financial records for each entity that it operates, with each nonpublic, nonsectarian school or agency identified separately from any licensed children's institution that it operates.

(B) The entity submits an annual budget that identifies the projected costs and revenues for each entity and demonstrates that the rates to be charged are reasonable to support the operation of the entity.

(C) The entity submits an entitywide annual audit that identifies its costs and revenues, by entity, in accordance with generally accepted accounting and auditing principles. The audit shall clearly document the amount of moneys received and expended on the educational program provided by the nonpublic, nonsectarian school.

(D) The relationship between various entities operated by the same entity are documented, defining the responsibilities of the entities. The documentation shall clearly identify the services to be provided as part of each program, for example, the residential or medical program, the mental health program, or the educational program. The entity shall not seek funding from a public agency for a service, either separately or as part of a package of services, if the service is funded by another public agency, either separately or as part of a package of services.

(2) For purposes of this section, "licensed children's institution" has the same meaning as it is defined by Section 56155.5.

(m)(1) The nonpublic, nonsectarian school or agency shall be charged a reasonable fee for certification. The Superintendent may adjust the fee annually commensurate with the statewide average percentage inflation adjustment computed for local control funding formula allocations pursuant to Section 42238.02, as implemented by Section 42238.03, of unified school districts with greater than 1,500 units of average daily attendance if the percentage increase is reflected in the school district local control funding formula allocation pursuant to Section 42238.02, as implemented by Section 42238.03, for inflation purposes. For purposes of this section, the base fee shall be the following:

(1) 1-5 pupils	\$ 300
(2) 6-10 pupils	500
(3) 11-24 pupils	1,000
(4) 25-75 pupils	1,500
(5) 76 pupils and over	2,000

(2) The nonpublic, nonsectarian school or agency shall pay this fee when it applies for certification and when it updates its application for annual renewal by the Superintendent. The Superintendent shall use these fees to conduct onsite reviews, which may include field experts. A fee shall not be refunded if the

application is withdrawn or is denied by the Superintendent.

(n)(1) Notwithstanding any other law, only those nonpublic, nonsectarian schools **or** agencies that provide special education and designated instruction and services using staff who hold a certificate, permit, or other document equivalent to that which staff in a public school are required to hold in the service rendered are eligible to receive certification. Only those nonpublic, nonsectarian schools or agencies located outside of California that employ staff who hold a current valid credential or license to render special education and related services as required by that state shall be eligible to be certified.

(2) The state board shall develop regulations to implement this subdivision.

(o) In addition to meeting the standards adopted by the state board, a nonpublic, nonsectarian school or agency shall provide written assurances that it meets all applicable standards relating to fire, health, sanitation, and building safety.

(p)(1) Notwithstanding subdivision (n) of Section 44237, and for purposes of enabling the Superintendent to carry out his or her duties pursuant to this section, a nonpublic, nonsectarian school or agency shall, upon demand, make available to the Superintendent evidence of a successful criminal background check clearance and enrollment in subsequent arrest notice service, conducted pursuant to Section 44237, for each owner, operator, and employee of the nonpublic, nonsectarian school or agency.

(2) The nonpublic, nonsectarian school or agency shall retain the evidence and store it in a locked file separate from other files.

SEC. 16. Section 56440 of the Education Code is amended to read:

<< CA EDUC § 56440 >>

56440. (a) Each special education local plan area shall submit ~~***~~ ~~to the Superintendent***~~ , **as part of the local plan, information** for providing special education and services to individuals with exceptional needs, as defined ~~***~~ **in Section 56026**, who are between the ages of three and five years, inclusive ~~***~~ .

~~***~~

(b) All individuals with exceptional needs between the ages of three and five years, inclusive, identified in subdivision (a) shall be served by the local educational agencies within each special education local plan area ~~***~~ , to the extent required under federal law and pursuant to the local plan and application approved by the Superintendent.

(c) Individuals with exceptional needs between the ages of three

and five years, inclusive, who are identified by the local educational agency as requiring special education and services ~~***~~ shall be eligible for special education and services pursuant to this part ~~***~~.

~~***~~

(d) Special education facilities operated by local educational agencies serving children under this chapter and Chapter 4.4 (commencing with Section 56425) shall meet all applicable standards relating to fire, health, sanitation, and building safety, but are not subject to Chapter 3.4 (commencing with Section 1596.70), 3.5 (commencing with Section 1596.90), or 3.6 (commencing with Section 1597.30) of Division 2 of the Health and Safety Code.

(e) This chapter applies to all individuals with exceptional needs between the ages of three and five years, inclusive.

SEC. 17. Section 60603 of the Education Code is amended to read:

<< CA EDUC § 60603 >>

60603. As used in this chapter:

(a) "Achievement level descriptors" means a narrative description of the knowledge, skills, and processes expected of pupils at different grade levels and at different performance levels on achievement tests.

(b) "Achievement test" means any summative standardized test that measures the level of performance that a pupil has achieved on state-adopted content standards.

(c) "California Assessment of Student Performance and Progress (CAASPP)" means the comprehensive assessment system, inclusive of consortium-developed assessments, that has the primary purpose of modeling and promoting high-quality teaching and instruction using a variety of assessment approaches and item types.

(d) "Census administration" means a test administration in which all pupils take comparable assessments of the same content and where results of individual performance are appropriate and meaningful to parents, pupils, and teachers.

(e) "Computer-adaptive assessment" means a computer-based test that utilizes a computer program to adjust the difficulty of test items throughout a testing session based on a test taker's responses to previous test items during that testing session.

(f) "Computer-based assessment" means a test administered using an electronic computing device.

(g) "Consortium" means a multistate collaborative organized to develop a comprehensive system of assessments or formative

tools such as described in Section 60605.7.

(h) "Constructed-response questions" means a type of assessment item that requires pupils to construct their own answers.

(i) "Content standards" means the specific academic knowledge, skills, and abilities that all public schools in this state are expected to teach, and all pupils are expected to learn, in reading, writing, mathematics, history-social science, foreign languages, visual and performing arts, and science, at each grade level tested.

(j) "Diagnostic assessment" means an assessment of particular knowledge or skills a pupil has or has not yet achieved for the purpose of informing instruction and making placement decisions.

(k) "End of course **examination**" means a comprehensive and challenging assessment of pupil achievement in a particular subject area or discipline.

(l) "Field test" means an assessment or assessment items administered to a representative sample of a population to ensure that the test or item produces results that are valid, reliable, and fair.

(m) "Formative assessment tools" means assessment tools and processes that are embedded in instruction and used by teachers and pupils to provide timely feedback for purposes of adjusting instruction to improve learning.

(n) "High-quality assessment" means an assessment designed to measure a pupil's knowledge of, understanding of, and ability to apply, critical concepts through the use of a variety of item types and formats, including, but not necessarily limited to, items that allow for constructed responses and items that require the completion of performance tasks. A high-quality assessment should have the following characteristics:

- (1) Enable measurement of pupil achievement and pupil growth to the extent feasible.
- (2) Be of high technical quality by being valid, reliable, fair, and aligned to standards.
- (3) Incorporate technology where appropriate.
- (4) Include the assessment of pupils with disabilities and English learners.
- (5) Use, to the extent feasible, universal design principles, as defined in Section 3 of the federal Assistive Technology Act of 1998 (29 U.S.C. Sec. 3002) in its development and administration.

(o) "Interim assessment" means an assessment that is designed to be given at regular intervals throughout the school year to evaluate a pupil's knowledge and skills relative to a specific set of

academic standards, and produces results that can be aggregated by course, grade level, school, or local educational agency in order to inform teachers and administrators at the pupil, classroom, school, and local educational agency levels.

(p) "Local educational agency" means a county office of education, school district, state special school, or direct-funded charter school as described in Section 47651.

(q) "Matrix sampling" means administering different portions of a single assessment to different groups of pupils for the purpose of sampling a broader representation of content and reducing testing time.

* * *

(r) "Performance standards" are standards that define various levels of competence at each grade level in each of the curriculum areas for which content standards are established. Performance standards gauge the degree to which a pupil has met the content standards and the degree to which a school or school district has met the content standards.

(s) "Performance tasks" are a collection of questions or activities that relate to a single scenario that include pupil interaction with stimulus. Performance tasks are a means to assess more complex skills such as writing, research, and analysis.

(t) "Personally identifiable information" includes a pupil's name and other direct personal identifiers, such as the pupil's identification number. Personally identifiable information also includes indirect identifiers, such as the pupil's address and personal characteristics, or other information that would make the pupil's identity easily traceable through the use of a single or multiple data sources, including publicly available information.

(u) "Population sampling" means administering assessments to a representative sample of pupils instead of the entire pupil population. The sample of pupils shall be representative in terms of various pupil subgroups, including, but not necessarily limited to, English learners and pupils with disabilities.

(v) "Recently arrived English learner" means a pupil designated as an English learner who is in his or her first 12 months of attending a school in the United States.

(w) "State-determined assessment calendar" means the scheduling of assessments, exclusive of those subject area assessments listed in subdivision (b) of Section 60640, over several years on a predetermined schedule. Content areas and grades shall only be assessed after being publicly announced at least two school years in advance of the assessment.

(x) "Summative assessment" means an assessment designed to be given near the end of the school year to evaluate a pupil's knowledge and skills relative to a specific set of academic

standards.

SEC. 18. Section 60604 of the Education Code is amended to read:

<< CA EDUC § 60604 >>

60604. (a) The Superintendent shall design and implement, consistent with the timetable and plan required pursuant to subdivision (b), a statewide pupil assessment system consistent with the testing requirements of this article in accordance with the objectives set forth in Section 60602.5. That system shall include all of the following:

(1) Exclusive of the consortium assessments, a plan for producing or adopting valid, fair, and reliable achievement tests as recommended by the Superintendent and adopted by the state board pursuant to the ~~***~~ **California Assessment of Student Performance and Progress (CAASPP)** established by Article 4 (commencing with Section 60640).

(2) A plan for administering the consortium summative assessment as outlined by the joint agreement of the consortium.

(3) Statewide academically rigorous content and performance standards that reflect the knowledge and complex skills that pupils will need in order to succeed in the information-based, global economy of the 21st century. These skills shall not include personal behavioral standards or skills, including, but not limited to, honesty, sociability, ethics, or self-esteem.

(4) A statewide system that provides the results of testing in a manner that reflects the degree to which pupils are achieving the academically rigorous content and performance standards adopted by the state board.

(5) The alignment of assessment with the statewide academically rigorous content and performance standards adopted by the state board.

(6) The active, ongoing involvement of parents, classroom teachers, administrators, other educators, governing board members of school districts, business community members, institutions of higher education, and the public in all phases of the design and implementation of the statewide pupil assessment system.

(7) A plan for ensuring the security and integrity of the **CAASPP** assessments.

(8) The development of a contract or contracts with a contractor for the development or administration of achievement tests and performance tasks aligned to state-adopted content standards, including summative assessments or assessments that employ matrix sampling or population sampling methods.

(b) The Superintendent shall develop and annually update for the Legislature a five-year cost projection, implementation plan for the **CAASPP**, and a timetable for implementing the system described in Section 60640. The annual update shall be submitted on or before March 1 of each year to the Department of Finance, the state board, and the respective chairpersons of the appropriate fiscal subcommittees considering budget appropriations and the appropriate policy committees in each house. The update shall explain any significant variations from the five-year cost projection for the current year budget and the proposed budget.

(c) The Superintendent shall make resources available that are designed to assist with the interpretation and use of the **CAASPP** results to promote the use of the results for purposes of improving pupil learning and educational programs across the full curriculum. The Superintendent shall consider information already provided by assessment consortia to which California belongs or assessment contractors when fulfilling this requirement.

(d) The Superintendent shall make information and resources available to parents, teachers, pupils, administrators, school board members, and the public regarding the **CAASPP**, including, but not necessarily limited to, system goals, purposes, scoring systems, results, valid uses of assessments, and information on the relationship between performance on the previous state assessments and the **CAASPP**.

(e) The Superintendent and the state board shall consider comments and recommendations from teachers, administrators, pupil representatives, institutions of higher education, and the public in the development, adoption, and approval of assessment instruments.

(f) The results of the achievement tests, exclusive of the consortium summative assessments, administered pursuant to Article 4 (commencing with Section 60640), shall be returned to the local educational agencies within the period of time specified by the state board.

SEC. 19. Section 60607 of the Education Code is amended to read:

<< CA EDUC § 60607 >>

60607. (a) Each pupil shall have an individual record of accomplishment by the end of grade 12 that includes the results of the achievement test required and administered annually as part of the ~~***~~ **California Assessment of Student Performance and Progress (CAASPP)**, or any predecessor assessments, established pursuant to Article 4 (commencing with Section 60640), results of end-of-course **examinations** he or she has taken, and the vocational education certification **examinations** he or she chose to take.

(b) It is the intent of the Legislature that local educational agencies and schools use the results of the academic achievement tests administered annually as part of the **CAASPP** to provide support to pupils and parents or guardians in order to assist pupils in strengthening their development as learners, and thereby to improve their academic achievement and performance in subsequent assessments.

(c)(1) Except for research provided for in **former** Section 49079.6, **as it read on December 31, 2013**, a pupil's results or a record of accomplishment shall be private, and may not be released to any person, other than the pupil's parent or guardian and a teacher, counselor, or administrator directly involved with the pupil, without the express written consent of either the parent or guardian of the pupil if the pupil is a minor, or the pupil if the pupil has reached the age of majority or is emancipated.

(2)(A) Notwithstanding paragraph (1), a pupil or his or her parent or guardian may authorize the release of pupil results or a record of accomplishment to a postsecondary educational institution for the purpose of credit, placement, or admission.

(B) Notwithstanding paragraph (1), the results of an individual pupil on the **CAASPP** may be released to a postsecondary educational institution for the purpose of credit, placement, or admission.

SEC. 20. Section 60611 of the Education Code is amended to read:

<< CA EDUC § 60611 >>

60611. A local educational agency, district superintendent of schools, or principal or teacher of any elementary or secondary school, including a charter school, shall not carry on any program for the sole purpose of test preparation of pupils for the statewide pupil assessment system or a particular test used in the statewide pupil assessment system. Nothing in this section prohibits the use of materials to familiarize pupils with item types or the computer-based testing environment used in the ~~***~~ **California Assessment of Student Performance and Progress**.

SEC. 21. Section 60630 of the Education Code is amended to read:

<< CA EDUC § 60630 >>

60630. (a) The Superintendent shall prepare and submit, and subsequently post on the Internet Web site of the department, an annual report to the state board containing an analysis of the results and test scores of the summative assessments administered pursuant to Section 60640. The Superintendent shall notify the state board and the appropriate policy and fiscal committees of the Legislature that the annual report is available on the Internet Web site of the department.

(b) The Superintendent shall post a periodic update on the implementation of the ~~***~~ **California Assessment of Student Performance and Progress** on the Internet Web site of the department, and notify the state board and the appropriate policy and fiscal committees of the Legislature that the update is available on the Internet Web site of the department.

SEC. 22. Section 60641 of the Education Code is amended to read:

<< CA EDUC § 60641 >>

60641. (a) The department shall ensure that local educational agencies comply with each of the following requirements:

(1) The achievement tests provided for in Section 60640 are scheduled to be administered to all pupils, inclusive of pupils enrolled in charter schools and exclusive of pupils exempted pursuant to Section 60640, during the period prescribed in subdivision (b) of Section 60640.

(2) For assessments that produce valid individual pupil results, the individual results of each pupil tested pursuant to Section 60640 shall be reported, in writing, to the parent or guardian of the pupil. The report shall include a clear explanation of the purpose of the test, the score of the pupil, and the intended use by the local educational agency of the test score. This subdivision does not require teachers or other local educational agency personnel to prepare individualized explanations of the test score of each pupil. It is the intent of the Legislature that nothing in this section shall preclude a school or school district from meeting the reporting requirement by the use of electronic media formats that secure the confidentiality of the pupil and the pupil's results. State agencies or local educational agencies shall not use a comparison resulting from the scores and results of the ~~***~~ **California Assessment of Student Performance and Progress (CAASPP)** assessments and the assessment scores and results from assessments that measured previously adopted content standards.

(3)(A) For assessments that produce valid individual pupil results, the individual results of each pupil tested pursuant to Section 60640 also shall be reported to the school and teachers of a pupil. The local educational agency shall include the test results of a pupil in his or her pupil records. However, except as provided in this section and Section 60607, personally identifiable pupil test results only may be released with the permission of either the pupil's parent or guardian if the pupil is a minor, or the pupil if the pupil has reached the age of majority or is emancipated.

(B) Notwithstanding subparagraph (A) and pursuant to subdivision (c) of Section 60607, a pupil or his or her parent or guardian may authorize the release of individual pupil results to a postsecondary educational institution for the purpose of credit, placement, determination of readiness for college-level coursework, or

admission.

(4) The districtwide, school-level, and grade-level results of the **CAASPP** in each of the grades designated pursuant to Section 60640, but not the score or relative position of any individually ascertainable pupil, shall be reported to the governing board of the school district at a regularly scheduled meeting, and the countywide, school-level, and grade-level results for classes and programs under the jurisdiction of the county office of education shall be similarly reported to the county board of education at a regularly scheduled meeting.

(b) The state board shall adopt regulations that outline a calendar for delivery and receipt of summative assessment results at the pupil, school, grade, district, county, and state levels. The calendar shall include delivery dates to the department and to local educational agencies. The calendar for delivery shall provide for the timely return of assessment results, and consider the amount of paper-and-pencil administered assessments and number of items requiring hand scoring. The calendar shall also ensure that individual assessment results are reported to local educational agencies within eight weeks of receipt by the contractor for scoring.

(c) Aggregated, disaggregated, or group scores or reports that include the results of the **CAASPP** assessments, inclusive of the reports developed pursuant to Section 60630, shall not be publicly reported to any party other than the school or local educational agency where the pupils were tested, if the aggregated, disaggregated, or group scores or reports are comprised of 10 or fewer individual pupil assessment results. Exclusive of the reports developed pursuant to Section 60630, in no case shall any group score or report be displayed that would deliberately or inadvertently make the score or performance of any individual pupil or teacher identifiable.

* * *

(d) The department shall ensure that pupils in grade 11, or parents or legal guardians of those pupils, may request results from grade 11 assessments administered as part of the **CAASPP** for the purpose of determining credit, placement, or readiness for college-level coursework be released to a postsecondary educational institution.

SEC. 23. Section 60643 of the Education Code is amended to read:

<< CA EDUC § 60643 >>

60643. (a) Notwithstanding any other law, the contractor or contractors of the achievement tests provided for in Section 60640 shall comply with all of the conditions and requirements of the contract to the satisfaction of the Superintendent and the state board.

(b)(1) The department shall develop, and the Superintendent and the state board shall approve, a contract or contracts to be entered into with a contractor in connection with the test provided for in Section 60640. The department may develop the contract through negotiations. In approving a contract amendment to the contract authorized pursuant to this section, the department, in consultation with the state board, may make material amendments to the contract that do not increase the contract cost. Contract amendments that increase contract costs may only be made with the approval of the department, the state board, and the Department of Finance.

(2) For purposes of the contracts authorized pursuant to this subdivision, the department is exempt from the requirements of Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code and from the requirements of Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code. The department shall use a competitive and open process utilizing standardized scoring criteria through which to select a potential administration contractor or contractors for recommendation to the state board for consideration. The state board shall consider each of the following criteria:

(A) The ability of the contractor to produce valid and reliable scores.

(B) The ability of the contractor to report accurate results in a timely fashion.

(C) Exclusive of the consortium assessments, the ability of the contractor to ensure technical adequacy of the tests, inclusive of the alignment between the ~~***~~ **California Assessment of Student Performance and Progress** ~~***~~ tests and the state-adopted content standards.

(D) The cost of the assessment system.

(E) The ability and proposed procedures to ensure the security and integrity of the assessment system.

(F) The experience of the contractor in successfully conducting statewide testing programs in other states.

(3) The contracts shall include provisions for progress payments to the contractor for work performed or costs incurred in the performance of the contract. Not less than 10 percent of the amount budgeted for each separate and distinct component task provided for in each contract shall be withheld pending final completion of all component tasks by that contractor. The total amount withheld pending final completion shall not exceed 10 percent of the total contract price for that fiscal year.

(4) The contracts shall require liquidated damages to be paid by the contractor in the amount of up to 10 percent of the total cost

of the contract for any component task that the contractor through its own fault or that of its subcontractors fails to substantially perform by the date specified in the agreement.

(5) The contracts shall establish the process and criteria by which the successful completion of each component task shall be recommended by the department and approved by the state board.

(6) The contractors shall submit, as part of the contract negotiation process, a proposed budget and invoice schedule, that includes a detailed listing of the costs for each component task and the expected date of the invoice for each completed component task.

(7) The contract or contracts subject to approval by the Superintendent and the state board under paragraph (1) and exempt under paragraph (2) shall specify the following component tasks, as applicable, that are separate and distinct:

(A) Development of new tests or test items.

(B) Test materials production or publication.

(C) Delivery or electronic distribution of test materials to local educational agencies.

(D) Test processing, scoring, and analyses.

(E) Reporting of test results to the local educational agencies, including, but not necessarily limited to, all reports specified in this section.

(F) Reporting of valid and reliable test results to the department, including, but not necessarily limited to, the following electronic files:

(i) Scores aggregated statewide, and by county, school district, school, and grade.

(ii) Disaggregated scores based on English proficiency status, gender, ethnicity, socioeconomic disadvantage, foster care status, and special education designation.

(G) All other analyses or reports required by the Superintendent to meet the requirements of state and federal law and set forth in the agreement.

(H) Technology services to support the activities listed in subparagraphs (A) to (G), inclusive.

(I) Perform regular performance checks and load simulations to ensure the integrity and robustness of the technology system used to support the activities listed in subparagraphs (A) to (G), inclusive.

SEC. 24. Section 60643.6 of the Education Code is amended to

read:

<< CA EDUC § 60643.6 >>

60643.6. A local educational agency shall be reimbursed by the contractor selected pursuant to this article for any unexpected expenses incurred due to scheduling changes that resulted from the late delivery of testing materials in connection with the ~~***~~ **California Assessment of Student Performance and Progress**.

SEC. 25. Section 60648 of the Education Code is amended to read:

<< CA EDUC § 60648 >>

60648. Exclusive of consortium summative assessments, the Superintendent shall recommend, and the state board shall adopt, performance standards on the ~~***~~ **California Assessment of Student Performance and Progress** summative tests administered pursuant to this article. The performance levels shall identify and establish the minimum performance required for meeting a particular achievement level expectation. Once adopted, these standards shall be reviewed by the state board every five years to determine whether adjustments are necessary.

SEC. 26. Section 60810 of the Education Code, as amended by Section 5 of Chapter 478 of the Statutes of 2013, is amended to read:

<< CA EDUC § 60810 >>

60810. (a)(1) The Superintendent shall review existing tests that assess the English language development of pupils whose primary language is a language other than English. The tests shall include, but not be limited to, an assessment of achievement of these pupils in English reading, speaking, and written skills. The Superintendent shall determine which tests, if any, meet the requirements of subdivisions (b) and (c). If any existing test or series of tests meets these criteria, the Superintendent, with approval of the state board, shall report to the Legislature on its findings and recommendations.

(2) If no suitable test exists, the Superintendent shall explore the option of a collaborative effort with other states to develop a test or series of tests and share test development costs. If no suitable test exists, the Superintendent, with approval of the state board, may contract to develop a test or series of tests that meets the criteria of subdivisions (b) and (c) or may contract to modify an existing test or series of tests so that it will meet the requirements of subdivisions (b) and (c).

(3) The Superintendent and the state board shall release a request for proposals for the development of the test or series of tests required by this subdivision. The state board shall select a contractor or contractors for the development of the test or series of tests required by this subdivision, to be available for

administration during the 2000–01 school year.

(4) The Superintendent shall apportion funds appropriated to enable school districts to meet the requirements of subdivision (d). The state board shall establish the amount of funding to be apportioned per test administered, based on a review of the cost per test.

(5) An adjustment to the amount of funding to be apportioned per test is not valid without the approval of the Director of Finance. A request for approval of an adjustment to the amount of funding to be apportioned per test shall be submitted in writing to the Director of Finance and the chairpersons of the fiscal committees of both houses of the Legislature with accompanying material justifying the proposed adjustment. The Director of Finance is authorized to approve only those adjustments related to activities required by statute. The Director of Finance shall approve or disapprove the amount within 30 days of receipt of the request and shall notify the chairpersons of the fiscal committees of both houses of the Legislature of the decision.

(b)(1) The test or series of tests developed or acquired pursuant to subdivision (a) shall have sufficient range to assess pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills. Pupils in kindergarten and grade 1 shall be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. The early literacy assessment shall be administered for a period of four years beginning after the initial administration of the assessment or until July 1, **2017**, whichever occurs **last**. Six months after the three administered assessments are collected, but no later than June 30, 2013, the department shall report to the Legislature on the administration of the kindergarten and grade 1 early literacy assessment results, as well as on the administrative process, in order to determine whether reauthorization of the early literacy assessment is appropriate.

(2) In the development and administration of the assessment for pupils in kindergarten and grade 1, the department shall minimize any additional assessment time, to the extent possible. To the extent that it is technically possible, items that are used to assess listening and speaking shall be used to measure early literacy skills. The department shall ensure that the test and procedures for its administration are age and developmentally appropriate. Age and developmentally appropriate procedures for administration may include, but are not limited to, one-on-one administration, a small group setting, and orally responding or circling a response to a question.

(c) The test or series of tests shall meet all of the following requirements:

(1) Provide sufficient information about pupils at each grade level to determine levels of proficiency ranging from no English

proficiency to fluent English proficiency with at least two intermediate levels.

(2) Have psychometric properties of reliability and validity deemed adequate by technical experts.

(3) Be capable of administration to pupils with any primary language other than English.

(4) Be capable of administration by classroom teachers.

(5) Yield scores that allow comparison of the growth of a pupil over time, can be tied to readiness for various instructional options, and can be aggregated for use in the evaluation of program effectiveness.

(6) Not discriminate on the basis of race, ethnicity, or gender.

(7) Be aligned with the standards for English language development adopted by the state board pursuant to Section 60811.

(8) Be age and developmentally appropriate for pupils.

(d) The test shall be used for the following purposes:

(1) To identify pupils who are limited English proficient.

(2) To determine the level of English language proficiency of pupils who are limited English proficient.

(3) To assess the progress of limited-English-proficient pupils in acquiring the skills of listening, reading, speaking, and writing in English.

(e)(1) A pupil in any of grades 3 to 12, inclusive, shall not be required to retake those portions of the test that measure English language skills for which he or she has previously tested as advanced within each appropriate grade span, as determined by the department in accordance with paragraph (8) of subdivision (c).

(2) Notwithstanding paragraph (1), a pupil in any of grades 10 to 12, inclusive, shall not be required to retake those portions of the test that measure English language skills for which he or she has previously tested as early advanced or advanced.

(3) This subdivision shall not be implemented until the test publisher's contract that is in effect on January 1, 2012, expires.

(4) This subdivision shall not be implemented unless and until the department receives written documentation from the United States Department of Education that implementation is permitted by federal law.

(f) This section shall remain in effect only until the Superintendent reports to the appropriate policy committees of the Legislature pursuant to paragraph (2) of subdivision (h) of Section 60810 as

added by the chapter that added this subdivision during the 2013–14 Regular Session, and as of January 1 of the following year, this section is repealed.

SEC. 27. (a) Section 3.5 of this bill incorporates amendments to Section 33540 of the Education Code proposed by both this bill and Senate Bill 897. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2015, (2) each bill amends Section 33540 of the Education Code, and (3) this bill is enacted after Senate Bill 897, in which case Section 3 of this bill shall not become operative.

(b) Sections 11.1 and 11.2 of this bill incorporate amendments to Section 52060 of the Education Code proposed by both this bill and Assembly Bill 2512. They shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2015, (2) each bill amends Section 52060 of the Education Code, and (3) this bill is enacted after Assembly Bill 2512, in which case Section 11 of this bill shall not become operative.

SEC. 28. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Footnotes

1 A.B. 1599 also added Section 52060.

End of Document

© 2014 Thomson Reuters. No claim to original U.S. Government Works.



**State of California
Office of Administrative Law**

In re:
Board of Education

Regulatory Action:

Title 5, California Code of Regulations

Adopt sections:

Amend sections: 850, 851, 852, 853, 853.5,
855, 857, 858, 859, 861,
862, 862.5, 863, 864

Repeal sections: 854, 864.5, 865, 866, 867,
867.5, 868

NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION

Government Code Sections 11346.1 and
11349.6

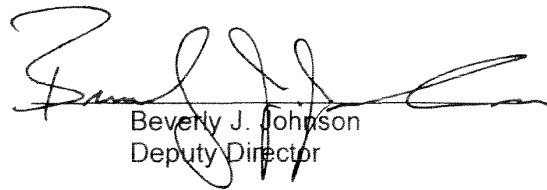
OAL File No. 2014-0716-03 EE

The State Board of Education submitted this emergency readopt action to maintain the regulatory changes made in OAL File No. 2014-0124-04E, which amended and repealed sections of Title 5 of the California Code of Regulations commencing with section 850 and ending with section 868. Education Code section 60640, as established by AB 484, effective January 1, 2014, deleted provisions that established the Standardized Testing and Reporting Program (STAR) and established the California Assessment of Student Performance and Progress (CAASPP).

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 7/23/2014 and will expire on 10/22/2014. The Certificate of Compliance for this action is due no later than 10/21/2014.

Date: 7/23/2014



Beverly J. Johnson
Deputy Director

For: DEBRA M. CORNEZ
Director

Original: Susan Burr
Copy: Hillary Wirick

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Title 5. EDUCATION
Division 1. California Department of Education
Chapter 2. Pupils
Subchapter 3.75. California Assessment of Student Performance and Progress
(CAASPP)
Article 1. General

§ 850. Definitions.

For the purposes of these regulations, the Measurement of Academic Performance and Progress assessment system (as established in Education Code section 60640 and known as "MAPP") shall be designated the California Assessment of Student Performance and Progress (CAASPP), and the following terms shall have the following meanings:

(a) "Accommodations" means supports documented in a pupil's individualized education program (IEP) or Section 504 Plan that are utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment and that do not fundamentally alter the comparability of scores.

(b) "Accessibility supports" means supports that may or may not (because they have not been previously identified) invalidate the measurement of the test; these supports are not universal tools, designated supports, or accommodations (e.g., read-a-loud of passages in grades 3 through 5). An LEA shall notify the CDE in writing prior to the use of the accessibility support(s).

(c) "Achievement tests" means any summative standardized test that measures the level of performance that a pupil has achieved on state-adopted content standards.

(d) "Alternate assessment" means an assessment as provided in Education Code section 60640(k) and its test materials developed to measure the level of performance for a pupil with disabilities who is unable to take the consortium summative assessment in English language arts and mathematics pursuant to Education Code section 60640(b)(1) or are unable to take an assessment of science pursuant to Education Code section 60640(b)(2), even with accommodations.

(e) "Assessment technology platform" means the electronic systems used to display items, accept item responses, store, deliver, score the tests and restrict access to

1 outside sources, as well as report and manage assessment results. Testing technology
2 includes, but is not limited to, computing devices, testing software applications, network
3 hardware, and other technology required to administer the tests.

4 (f) "California Alternate Performance Assessment (CAPA)" is the alternate
5 assessment and its test materials as provided in Education Code section 60640(k) for
6 pupils with significant cognitive disabilities.

7 (g) "California Modified Assessment (CMA)" is the alternate assessment and its test
8 materials for science based on modified achievement standards.

9 (h) "California Standards Tests (CSTs)" is the assessment and test materials that
10 measure the degree to which pupils are achieving the state content standards pursuant
11 to Education Code section 60605.

12 (i) "Computer-based tests (CBTs)" means tests administered using an electronic
13 computing device.

14 (j) "Designated supports" are features that are available for use by any pupil for
15 whom the need has been indicated, prior to the assessment administration, by an
16 educator or group of educators.

17 (k) "Eligible pupil," with the exception of subdivisions (1) through (3) below, is any
18 pupil who is not exempt from participation in assessments pursuant to Education Code
19 section 60615 or who is not a recently arrived English learner pupil exempt from
20 participating in the English Language Arts assessment pursuant to Education Code
21 section 60640(f)(1).

22 (1) For the primary language test, an eligible pupil is an English learner with a
23 primary language for which a test is optional pursuant to Education Code section
24 60640.

25 (2) For CAPA, an eligible pupil is any pupil in grades 2 through 11, inclusive, who
26 has an IEP that designates the use of the alternate assessment.

27 (3) For the CMA, an eligible pupil is any pupil in grades 5, 8, or 10, who has an IEP
28 that designates the use of the modified assessment in science.

29 (l) "Embedded" means a support, whether a universal tool, designated support, or
30 accommodation, that is part of the assessment technology platform for the computer-
31 administered CAASPP tests.

32 (m) "Grade" means the grade in which the pupil is enrolled at the time of testing, as

1 determined by the local educational agency.

2 (n) "Local educational agency (LEA)" means a county office of education, school
3 district, state special school, or direct-funded charter school as described in Education
4 Code section 47651.

5 (o) "Non-embedded" means a support, whether a universal tool, designated
6 support, or accommodation, that may be provided by the LEA and is not part of the
7 assessment technology platform for the computer-administered CAASPP tests.

8 (p) "Nonpublic schools (NPS)" are nonpublic, nonsectarian schools as set forth in
9 Education Code section 56034.

10 (q) "Primary language test" means a test as provided in Education Code sections
11 60640(b) and (c) and its test materials in each primary language for which a test is
12 available for English learners. The primary language test is the Standards-based Tests
13 in Spanish (STS).

14 (r) "Recently arrived English learner" means a pupil designated as an English
15 learner who is in his or her first 12 months of attending a school in the United States.

16 (s) "Scribe" is an employee of the LEA or a person assigned by an NPS to
17 implement a pupil's IEP who has signed a CAASPP Test Security Affidavit and is
18 required to transcribe a pupil's responses to the format required by the test. A pupil's
19 parent or guardian is not eligible to be the pupil's scribe.

20 (t) A "significant medical emergency" is a significant accident, trauma, or illness
21 (mental or physical) that precludes a pupil from taking the achievement tests. An
22 accident, trauma, or illness is significant if the pupil has been determined by a licensed
23 physician to be unable to participate in the tests.

24 (u) "Smarter-Balanced Assessment Consortium (Smarter Balanced)" is the multi-
25 state consortium responsible for the development of the English language arts and
26 mathematics summative assessments administered pursuant to Education Code
27 section 60640(b)(1) and the interim assessments and formative assessment tools
28 administered pursuant to Education Code section 60642.6.

29 (v) "Standards-based Tests in Spanish (STS)" are the achievement tests and test
30 materials that are administered as the primary language test as provided in Education
31 Code sections 60640(b) and (c) for pupils whose primary language is Spanish.

32 (w) "Test examiner" is an employee or contractor of an LEA or an NPS who has

1 been trained to administer the tests and has signed a CAASPP Test Security Affidavit.
2 For the alternate assessment, the test examiner must be a certificated or licensed
3 school, district, or county staff member.

4 (x) "Test materials" include, but are not limited to, administration manuals,
5 administrative materials, test booklets, assessment technology platform, practice tests,
6 scratch paper, and test answer documents, as part of the administration of the
7 CAASPP tests.

8 (y) "Test proctor" is an employee of an LEA, or a person assigned by an NPS to
9 implement a pupil's IEP or Section 504 Plan, who has signed a CAASPP Test Security
10 Affidavit and has received training designed to prepare him or her to assist the test
11 examiner in the administration of tests within the CAASPP assessment system.

12 (z) "Translator" is a person who has been assigned to translate the test directions
13 into the pupil's primary language pursuant to section 853.5, who has signed a Test
14 Security Affidavit as identified in section 859(d), and who has received training
15 specifically designed to prepare him or her to assist the test examiner in the
16 administration of the assessments pursuant to Education Code section 60640. A pupil's
17 parent or guardian is not eligible to be the pupil's translator. A translator must be:

- 18 (1) an employee of an LEA;
- 19 (2) an employee of the NPS; or
- 20 (3) a person supervised by an employee of an LEA or an employee of the NPS.

21 (aa) "Universal tools" are accessibility features of the CAASPP tests that are
22 available to all pupils.

23 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
24 Sections 47605, 47605.8, 47651, 56034, 60603, 60604, 60605, 60615, 60640, 60642.5
25 and 60642.6, Education Code; 34 C.F.R. Sections 200.1(d), (e) and (f), 300.160; 5
26 CCR 11967.6.

27

28 **Article 2. Achievement Tests and Any Primary Language Test**

29 **§ 851. Pupil Testing.**

30 (a) LEAs shall administer the achievement tests and may administer the primary
31 language test pursuant to Education Code section 60640 to each eligible pupil enrolled
32 in an LEA on the date testing begins in the pupil's school or LEA.

1 (b) No later than start of the 2014-2015 school year, for the purposes of the
2 CAASPP assessment system, a charter school which is not direct-funded pursuant to
3 Education Code section 47651 shall test with, dependent on, the LEA that granted
4 the charter or was designated the oversight agency by the local governing board.

5 (c) LEAs shall make arrangements for the testing of all eligible pupils in alternative
6 education programs or programs conducted off campus, including, but not limited to,
7 non-classroom based programs, continuation schools, independent study, community
8 day schools, county community schools, juvenile court schools, or NPSs.

9 (d) No test may be administered in a home or hospital except by a test examiner.
10 No test shall be administered to a pupil by the parent or guardian of that pupil. This
11 subdivision does not prevent classroom aides from assisting in the administration of the
12 test under the supervision of a test examiner, provided that the classroom aide does
13 not assist his or her own child, and that the classroom aide signs a security affidavit.

14 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
15 Sections 47651, 48645.1, 60603, 60605 and 60640, Education Code.

16

17 **§ 852. Pupil Exemptions.**

18 (a) Each year the LEA shall notify parents or guardians of their pupil's participation
19 in the CAASPP assessment system in accordance with Education Code section 60604.

20 (b) The notification to parents or guardians, as defined in subdivision (a), shall
21 include a notice of the provisions outlined in Education Code section 60615.

22 (c) A parent or guardian may annually submit to the school a written request to
23 excuse his or her child from any or all parts of any test provided pursuant to Education
24 Code section 60640 for the school year. If a parent or guardian submits an exemption
25 request after testing has begun, any test(s) completed before the request is submitted
26 will be scored and the results reported to the parent or guardian and included in the
27 pupil's records. An LEA and its employees may discuss the CAASPP assessment
28 system with parents and may inform parents of the availability of exemptions under
29 Education Code section 60615. The LEA and its employees shall not solicit or
30 encourage any written exemption request on behalf of any child or group of children.

31 NOTE: Authority cited: Sections 33031 and 60640, Education Code. Reference:
32 Sections 60604, 60605, 60607, 60612, 60615, 60640 and 60641, Education Code.

1 **§ 853. Administration.**

2 (a) The CAASPP tests pursuant to Education Code section 60640 shall be
3 administered, scored, transmitted, and/or returned by LEAs in accordance with the
4 manuals or other instructions provided by the contractor or CDE for administering,
5 scoring, transmitting, and/or returning the tests, unless specifically provided otherwise
6 in this subchapter, including instructions for administering the test with universal tools,
7 designated supports, and accommodations specified in section 853.5. The procedures
8 shall include, but are not limited to, those designed to ensure the uniform and
9 standardized administration, and scoring of the tests to pupils, the security and integrity
10 of the test content and test items, and the timely provision of all required pupil and
11 school level information.

12 (b) If available, an LEA may utilize a paper-pencil version of any CBT of the
13 CAASPP assessment system, in accordance with Education Code section 60640(e), if
14 the LEA identifies the pupils that are unable to access the CBT version of the test.

15 (c) Interim assessments and formative assessment tools shall be made available to
16 LEA(s) for use during the school year. Use of interim assessments and formative
17 assessment tools shall not be considered advance preparation for a CAASPP test as
18 defined in Education Code section 60611. LEAs that use interim assessments and/or
19 formative assessment tools shall abide by the consortium/contractor(s) administration
20 and use requirements. Any scoring of any performance tasks for the interim
21 assessment and formative assessment tools is the responsibility of the LEA.

22 NOTE: Authority cited: Sections 33031 and 60640, Education Code. Reference:
23 Sections 60603, 60605, 60611, 60640 and 60642.6, Education Code.

24
25 **§ 853.5. Use of Universal Tools, Designated Supports, and Accommodations.**

26 (a) All pupils (including English learners and students with disabilities) shall be
27 permitted the following embedded universal tools on the CAASPP tests for English
28 language arts (including the components of reading, writing, and listening) and
29 mathematics as specified below:

30 (1) breaks for reading, writing, listening, and mathematics;

31 (2) calculator for specific mathematic items;

32 (3) digital notepad for reading, writing, listening, and mathematics;

- 1 (4) English dictionary for writing (ELA-performance task – pupil long essay(s) not
2 short paragraph responses);
- 3 (5) English glossary for reading, writing, listening, and mathematics;
- 4 (6) expandable passages for reading, writing, listening, and mathematics;
- 5 (7) global notes for writing (ELA-performance task – pupils long essay(s) not short
6 paragraph responses);
- 7 (8) highlighter for reading, writing, listening, and mathematics;
- 8 (9) keyboard navigation for reading, writing, listening, and mathematics;
- 9 (10) mark for review for reading, writing, listening, and mathematics;
- 10 (11) math tools for specific mathematics items;
- 11 (12) spell check for specific writing items;
- 12 (13) strikethrough for reading, writing, listening, and mathematics;
- 13 (14) writing tools for specific pupil generated responses; or
- 14 (15) zoom for reading, writing, listening, and mathematics.
- 15 (b) All pupils (including English learners and students with disabilities) shall be
16 permitted the following non-embedded universal tools on the CAASPP tests for English
17 language arts (including the components of reading, writing, and listening),
18 mathematics, science, and primary language as specified below:
- 19 (1) breaks;
- 20 (2) English dictionary for ELA performance task – pupil long essay(s) not short
21 paragraph responses;
- 22 (3) scratch paper;
- 23 (4) thesaurus for ELA performance task – pupil long essay(s) not short paragraph
24 responses;
- 25 (5) color overlay for science and primary language test;
- 26 (6) math tools (i.e., ruler, protractor) for specific mathematics items;
- 27 (7) simplify or clarify test administration directions (does not apply to test questions);
- 28 or
- 29 (8) pupil marks in paper-pencil test booklet (other than responses including
30 highlighting).
- 31 (c) All pupils (including English learners and students with disabilities) shall be
32 permitted the following embedded designated supports, unless otherwise designated,

- 1 when determined for use by an educator or group of educators, on the CAASPP tests
2 for English language arts (including the components of reading, writing, and listening)
3 and mathematics as specified below:
- 4 (1) color contrast for reading, writing, listening, and mathematics;
 - 5 (2) masking for reading, writing, listening, and mathematics;
 - 6 (3) text-to-speech for writing, listening, mathematics and reading items not
7 passages;
 - 8 (4) translated test directions for mathematics;
 - 9 (5) translations (glossary) for mathematics;
 - 10 (6) translations (stacked) for mathematics; or
 - 11 (7) turn off any universal tool for reading, writing, listening, and mathematics.
- 12 (d) All pupils (including English learners and students with disabilities) shall be
13 permitted the following non-embedded designated supports when determined for use
14 by an educator or a group of educators, on the CAASPP tests for English language arts
15 (including the components of reading, writing, and listening), mathematics, science,
16 and primary language as specified below:
- 17 (1) translated directions for mathematics, science and primary language test;
 - 18 (2) bilingual dictionary for writing;
 - 19 (3) access to translation glossaries/word lists for science and primary language test;
 - 20 (4) color contrast for reading, writing, listening, and mathematics;
 - 21 (5) color overlay for reading, writing, listening, and mathematics;
 - 22 (6) magnification;
 - 23 (7) read aloud for writing, listening, mathematics and reading items not reading
24 passages;
 - 25 (8) scribe for reading, listening, and mathematics;
 - 26 (9) separate setting for reading, writing, listening, and mathematics;
 - 27 (10) translations (glossary) for mathematics, science and primary language test;
 - 28 (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling
29 headphones); or
 - 30 (12) special lighting or acoustics, assistive devices (specific devices may require
31 CAASPP contractor certification), and/or special or adaptive furniture.
- 32 (e) The following embedded accommodations shall be provided on the CAASPP

- 1 tests for English language arts (including the components of reading, writing, and
2 listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:
- 3 (1) American Sign Language for listening and mathematics;
 - 4 (2) braille for reading, writing, listening, and mathematics;
 - 5 (3) closed captioning for listening; or
 - 6 (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11.
- 7 (f) The following non-embedded accommodations shall be provided on the CAASPP
8 tests for English language arts (including the components of reading, writing, and
9 listening), mathematics, science, and primary language when specified in a pupil's IEP
10 or Section 504 Plan:
- 11 (1) read aloud for primary language test;
 - 12 (2) American Sign Language for listening, mathematics, and science;
 - 13 (3) braille for paper-pencil tests;
 - 14 (4) abacus for mathematics and science;
 - 15 (5) alternate response options for reading, writing, listening, and mathematics;
 - 16 (6) calculator for specific mathematics items;
 - 17 (7) multiplication table for mathematics beginning in grade 4;
 - 18 (8) print on demand for reading, writing, listening, and mathematics;.
 - 19 (9) read aloud for reading passages in grades 6 through 8, inclusive, and grade 11;
20 blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have
21 adequate braille skills;
 - 22 (10) scribe for writing, science, and primary language test;
 - 23 (11) speech-to-text;
 - 24 (12) large-print version of a paper-pencil test;
 - 25 (13) separate setting for science and primary language test; or
 - 26 (14) administration of the test at the most beneficial time of day to the pupil.
- 27 (g) An LEA may submit a request in writing to the CDE, prior to the administration of
28 a CAASPP test for approval for the use of an accessibility support. The LEA CAASPP
29 coordinator or the CAASPP test site coordinator shall make the request on behalf of the
30 LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall
31 respond to the request within four business days from the date of receipt of the written
32 request. Written requests must include:

- 1 (1) LEA name and CDS code;
 - 2 (2) school/test site and school code;
 - 3 (3) school/test site address, city, and zip code;
 - 4 (4) LEA CAASPP coordinator name, phone number, and email address;
 - 5 (5) CAASPP test site coordinator name, phone number, and email address;
 - 6 (6) school/test site testing window dates;
 - 7 (7) SSID(s) for the pupil(s) for which the accessibility support is being requested;
 - 8 (8) CAASPP test and grade; and
 - 9 (9) the accessibility support being requested.
- 10 (h) Accessibility supports that change the construct being measured by a CAASPP
11 test invalidate the test score and results in a score that cannot be compared with other
12 CAASPP results. Scores for pupils' tests with accessibility supports that change the
13 construct being measured by a CAASPP test will not be counted as participating in
14 statewide testing (and impacts the accountability participation rate indicator) but pupils
15 will still receive individual score reports with their actual score. The following non-
16 embedded accessibility supports have been determined to change the construct being
17 measured on the CAASPP tests for English language arts (including the components
18 for reading, writing, and listening), mathematics, science, and primary language and
19 are specified below, but not limited to:
- 20 (1) English dictionary for reading, listening, mathematics, science, and primary
21 language;
 - 22 (2) thesaurus for reading, listening, mathematics, science and primary language;
 - 23 (3) translated test directions for reading, writing, or listening;
 - 24 (4) bilingual dictionary for reading, listening, mathematics, science and primary
25 language;
 - 26 (5) translations (glossary) for reading, writing, and listening;
 - 27 (6) read aloud for reading passages in grades 3, 4, and 5;
 - 28 (7) American Sign Language for reading passages in grades 3, 4, and 5 and
29 reading passages for primary language;
 - 30 (8) calculator for non-specified mathematics items or science;
 - 31 (9) math tools (i.e., ruler, protractor) for non-specified mathematics items; and
32 (10) multiplication table for mathematics in grade 3.

1 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
2 Sections 60605 and 60640, Education Code; 34 C.F.R. Sections 200.1 and 300.160(b).

3

4 **§ 854. Advance Preparation for the Tests. [REPEALED]**

5 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
6 Sections 60605, 60611 and 60640, Education Code.

7

8 **§ 855. Testing Period.**

9 (a)(1) For the 2013-14 school year, each LEA shall administer the Smarter
10 Balanced field tests for ELA and mathematics in the manner prescribed by the CDE
11 pursuant to the authority granted by Education Code section 60640(f)(2).

12 (2) For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and
13 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades
14 5, 8, and 10, shall be administered to each pupil during a testing window of 25
15 instructional days that includes 12 instructional days before and after completion of 85
16 percent of the school's, track's, or program's instructional days. Testing for all pupils,
17 including makeup testing, is to be completed within this 25 instructional day window. If
18 an LEA elects to administer the primary language test, it shall do so during this same
19 testing window.

20 (b) Beginning in the 2014-15 school year, the CAASPP tests pursuant to Education
21 Code sections 60640(b) shall be administered to each pupil during the following testing
22 windows:

23 (1) Unless otherwise stated in these regulations, the testing window shall not begin
24 until at least 66 percent of a school's annual instructional days have been completed,
25 and testing may continue up to and including the last day of instruction for the regular
26 school calendar. For a 180-day school year, 66 percent of a school year occurs after
27 the 120th instructional day. This allows for a 12-week window for testing.

28 (2) For the grade 11 Smarter Balanced assessments and CAASPP tests
29 administered after January 2015, the testing window shall not begin until at least 80
30 percent of a school's annual instructional days have been completed, and testing may
31 continue up to and including the last day of instruction for the regular school calendar.
32 For a 180-day school year, 80 percent of a school year occurs after the 144th

1 instructional day. This allows for a 7-week window for testing.

2 (3) The CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and
3 mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be
4 administered to each pupil during a testing window of 25 instructional days that
5 includes 12 instructional days before and after completion of 85 percent of the school's,
6 track's, or program's instructional days unless the SBE makes a determination by the
7 close of its September 2014 regular meeting that these tests shall be administered
8 during the window defined in subdivision (b)(1) above. If an LEA elects to administer
9 the primary language test, it shall do so during this same window as these tests.

10 (c) The CDE, with the approval of the SBE President or designee, may require
11 LEAs to more fully utilize the testing window and may also limit the usage of the interim
12 assessments in instances where the CDE determines that it is necessary to do so to
13 ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not
14 exceeded.

15 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
16 Sections 60605, 60640, 60641 and 60642.5, Education Code.

17

18 **§ 857. LEA CAASPP Coordinator.**

19 (a) On or before September 30 of each school year, the superintendent of each LEA
20 shall:

21 (1) designate from among the employees of the LEA an LEA CAASPP coordinator;

22 (2) identify school with pupils unable to access the CBT version of a CAASPP
23 test(s) in accordance with Education Code section 60640(e); and

24 (3) report to the CAASPP contractor(s) the number of pupils enrolled in the school
25 identified in subdivision (2) that are unable to access the CBT version of a CAASPP
26 test.

27 (b) The LEA CAASPP coordinator, or the LEA superintendent, shall be available
28 through September 29 of the following school year to complete the LEA testing
29 activities. The LEA shall notify the contractor(s) of the identity and contact information
30 for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP
31 coordinator shall serve as the LEA representative and the liaison between the LEA and
32 the contractor(s) and the LEA and the CDE for all matters related to the CAASPP

1 assessment system.

2 (c) The LEA CAASPP coordinator's responsibilities shall be those defined in the
3 contractor's(s') or consortium's administrative manuals and documentation, and shall
4 include, but are not limited to, overseeing the LEA's preparation, registration,
5 coordination, training, assessment technology, administration, security, and reporting of
6 the CAASPP tests.

7 (d) The LEA CAASPP coordinator shall ensure current and ongoing compliance
8 with the minimum technology specifications as identified by the CAASPP contractor(s)
9 or consortium.

10 (e) The LEA CAASPP coordinator shall ensure the training of all CAASPP test site
11 coordinators who will oversee the test administration at each school or test site.

12 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
13 Sections 47079.5, 52052, 60604, 60605, 60610, 60630, 60640 and 60643, Education
14 Code.

15

16 **§ 858. CAASPP Test Site Coordinator.**

17 (a) At each test site, including, but not limited to, each elementary, middle, and high
18 school or other grade-span designated school, each charter school, each court-school,
19 each school or program operated by an LEA, and all other public programs serving
20 pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall
21 designate a CAASPP test site coordinator from among the employees of the LEA. The
22 CAASPP test site coordinator, or the site principal or his or her designee, shall be
23 available to the LEA CAASPP coordinator by telephone through September 29 of the
24 following school year for purposes of resolving discrepancies or inconsistencies in
25 materials or errors in reports.

26 (b) The CAASPP test site coordinator's responsibilities shall be those defined in the
27 contractor's(s') and CDE's administrative manuals and documentation, and shall
28 include, but are not limited to, overseeing the test site's preparation, coordination,
29 training, registration, administration, security, and reporting of the CAASPP tests.

30 (c) The CAASPP test site coordinator shall be responsible for the training of test
31 examiners, translators, proctors, and scribes.

32 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:

1 Sections 60602.5, 60604, 60605, 60610, 60630 and 60640, Education Code.

2

3 **§ 859. CAASPP Test Security Agreement and Test Security Affidavit.**

4 (a) All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the
5 CAASPP Test Security Agreement, set forth in subdivision (b), before receiving any of
6 the test materials or tests administered pursuant to Education Code section 60640.

7 (b) The CAASPP Test Security Agreement shall be as follows:

8

CAASPP TEST SECURITY AGREEMENT

9 I acknowledge by my signature on this form that the California Assessment of
10 Student Performance and Progress (CAASPP) tests pursuant to Education Code
11 section 60640 are secure tests and agree to each of the following conditions to ensure
12 test security:

13 (1) I will take all necessary precautions to safeguard all tests and test materials,
14 whether paper-based or computer-based assessments, by limiting access to only
15 persons within the LEA who are responsible for, and have professional interest in, the
16 tests' security.

17 (2) I will keep on file the names of all persons who have been trained in the
18 administration of CAASPP tests and all persons with access to tests and test materials,
19 whether paper-based or computer-based assessments. I have and shall have all other
20 persons having access to the tests and test materials read and sign the CAASPP Test
21 Security Affidavit that will be kept on file in the LEA office.

22 (3) Except during the administration of the tests, I will keep the paper-pencil tests,
23 and their test materials in a securely locked room that can be entered only with a key or
24 keycard and, when possible, in a locked storage cabinet within that room.

25 (4) I will securely destroy all print-on-demand papers, scratch paper, and other
26 documents as prescribed within the contractor's(s') or consortium's administrative
27 manuals and documentation.

28 (5) With the exception of subdivision (6) below, I will deliver tests and test materials
29 or allow electronic access thereto, only on actual testing dates and only to those
30 persons who have executed CAASPP Test Security Affidavits.

31 (6) For the CAPA test, I will keep all tests and testing materials in the manner set
32 forth above in subdivisions (3) and (5) except during actual testing administration or

1 when being used by test examiners to prepare for and to administer the assessment. I
2 will adhere to the contractor's directions for the distribution of the assessment materials
3 to test examiners.

4 By signing my name to this document, I am assuring that I have completely read
5 and will abide by the above conditions.

6 Signed:

7 Print Name:

8 Title:

9 LEA:

10 Date:

11 (c) All test examiners, proctors, translators, scribes, and any other persons having
12 access to any of the tests and test materials, assessment technology, or tests
13 administered pursuant to Education Code section 60640, shall acknowledge the limited
14 purpose of their access to the tests by signing the CAASPP Test Security Affidavit set
15 forth in subdivision (d).

16 (d) The CAASPP Test Security Affidavit shall be as follows:

17 CAASPP TEST SECURITY AFFIDAVIT

18 I acknowledge that I will have access to one or more of the California Assessment
19 of Student Performance and Progress (CAASPP) tests pursuant to Education Code
20 section 60640, for the purpose of administering the test(s). I understand that these
21 materials are highly secure and may be under copyright restrictions and it is my
22 professional responsibility to protect their security as follows:

23 (1) I will not divulge the contents of the tests and test materials to any other person
24 through verbal, written, or any other means of communication. This includes, but is not
25 limited to, sharing or posting test content via the Internet or by email without the
26 express written permission of the CDE.

27 (2) I will not copy or take a photo of any part of the test(s) or test materials. This
28 includes, but is not limited to, photocopying (including enlarging) and recording without
29 prior expressed written permission of the CDE.

30 (3) Except during the actual testing administrations or as otherwise provided for by
31 law, I will keep the test(s) and test materials secure until the test(s) are actually
32 distributed to pupils when tests and testing materials are checked in and out by the

1 CAASPP test site coordinator. Keeping materials secure means that testing materials
2 are required to be kept in a securely locked room that can be entered only with a key or
3 keycard and, when possible, in a locked storage cabinet within that room.

4 (4) I will limit access to the test(s) and test materials by test examinees to the actual
5 testing periods when they are taking the test(s). I understand that only pupils who are
6 testing and LEA staff participating in the test administration who have signed a test
7 security affidavit may be in the room when and where a test is being administered.

8 (A) I will keep all assigned, generated, or created usernames, passwords and logins
9 secure and not divulge pupil personal information to anyone.

10 (B) I will not allow anyone other than the assigned pupils to log into their assigned
11 test. I may assist a pupil with using their information to log into their assigned test.

12 (C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in
13 using another pupil's information.

14 (D) I will not include, nor will I display, a pupil's name and Statewide Student
15 Identifier (SSID) together in any written or electronic format.

16 (5) I will not allow pupils to access electronic devices that allow them to access
17 outside information, communicate with other pupils, or photograph or copy test content.
18 This includes, but is not limited to, cell phones, personal digital assistants (PDAs),
19 tablets, laptops, cameras, and electronic translation devices.

20 (6) I will collect and account for all materials following each testing session and will
21 not permit pupils to remove any test materials by any means from the room(s) where
22 testing takes place. After each testing session, I will count all test booklets and answer
23 documents before allowing any pupil to leave the testing room and/or ensure that all
24 pupils have properly logged off the computer system.

25 (7) I will not review any achievement test questions, passages, performance tasks,
26 or other test items independently or with pupils or any other person at any time,
27 including before, during, or following testing. I understand that this includes any
28 discussion between LEA staff for training or professional development whether one-on-
29 one or in a staff meeting.

30 (8) I will not, for any achievement test, develop scoring keys, review any pupil
31 responses, or prepare answer documents. I understand that this includes coaching
32 pupils or providing any other type of assistance to pupils that may affect their

1 responses. This includes, but is not limited to, both verbal cues (e.g., interpreting,
2 explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice
3 inflection, pointing, or nodding head) to the correct answer (anything that may indicate
4 correct or incorrect answers), or completing or changing pupils' answers.

5 (9) I will return all test materials to the designated CAASPP test site coordinator
6 each day upon completion of testing. I understand that all test booklets, answer
7 documents, and scratch paper shall be returned to the CAASPP test site coordinator
8 each day immediately after testing has been completed for storage or confidential
9 destruction.

10 (10) If I will administer and/or observe the administration of CAPA, which means
11 that I am a certificated or a licensed LEA employee and a trained CAPA Examiner, I will
12 keep all the CAPA materials in a securely locked room, and, when possible, in a locked
13 storage cabinet within that room except when I am preparing for the administration,
14 administering or observing the administration of the assessment to pupils.

15 (11) I will actively supervise pupils throughout the testing session to make sure that
16 they are working on the correct test section or part, marking their answers in the correct
17 section of their answer documents, following instructions, and are accessing only
18 authorized materials (embedded and/or non-embedded universal tools, designated
19 supports, or accommodations) needed for the test being administered.

20 (12) I will administer the test(s) in accordance with the directions for test
21 administration and test administration manuals prepared by the CAASPP testing
22 contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I
23 understand that the unauthorized copying, sharing, or reusing of any test booklet, test
24 question, performance task, or answer document by any means is prohibited. This
25 includes, but is not limited to, photocopying, recording, emailing, messaging (instant,
26 text, or multimedia messaging service, or digital application), using a camera/camera
27 phone, and sharing or posting test content via the Internet without the express prior
28 written permission of the CDE.

29 (13) I have been trained to administer the tests. By signing my name to this
30 document, I am assuring that I have completely read this affidavit and will abide by the
31 above conditions.

32 Signed:

1 Print Name:

2 Position:

3 School:

4 LEA:

5 Date:

6 (e) To maintain the security of the CAASPP assessment system, all LEA CAASPP
7 coordinators and CAASPP test site coordinators shall immediately, within 24 hours,
8 notify the CDE of any security breaches or testing irregularities occurring either before,
9 during, or after the test administration(s).

10 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
11 Sections 60602.5, 60605 and 60640, Education Code.

12

13 **§ 861. Data Elements for Test Registration and State and Federal Reporting.**

14 (a) In order to assess pupils pursuant to Education Code section 60640 and meet
15 state and federal accountability and reporting obligations, each LEA shall provide any
16 and all program and demographic pupil data requested by the CDE for inclusion in
17 California Longitudinal Pupil Achievement Data System (CALPADS).

18 (b) In addition to the demographic and program data required to be reported in
19 section 861(a), LEAs shall report to the CDE the following information:

20 (1) if an eligible pupil is not tested due to a significant medical emergency;

21 (2) if a pupil used an accommodation(s);

22 (3) if a pupil had special testing conditions and/or reasons for not being tested (e.g.,
23 parent or guardian exemption);

24 (4) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code;
25 and

26 (5) if a pupil in grade 2 was administered a diagnostic assessment pursuant to
27 Education Code section 60644.

28 (c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate
29 prior to LEA registration and throughout the testing window. The CDE shall provide
30 LEAs reasonable notification prior to pupil demographic and program data being
31 extracted from CALPADS for purposes of test registration, individual pupil reports and
32 reports aggregated to the LEA, and state and federal accountability reporting.

1 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
2 Sections 49079.5, 52052, 60605, 60630, 60640, 60641 and 60643, Education Code; 7
3 C.F.R. Sections 245.2(a)(1)-(4), 245.3 and 245.6.

4

5 **§ 862. Apportionment Information Report.**

6 (a) Annually, the CDE shall make available electronically to each LEA an
7 apportionment information report with the following information provided to the
8 contractor by the LEA pursuant to sections 853 and 861 by grade level:

9 (1) The number of pupils enrolled in each school and in the LEA on the first day of
10 testing.

11 (2) The number of pupils in each school and in the LEA tested with the alternate
12 assessment.

13 (3) The number of pupils in each school and in the LEA exempted from testing at
14 the request of their parents or guardians pursuant to Education Code section 60615.

15 (4) The number of pupils who were administered any portion of the CAASPP
16 assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2),
17 60640(b)(4), or 60640(c)(3) through the use of CBT.

18 (5) The number of pupils who were administered any portion of the CAASPP
19 assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2),
20 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.

21 (6) The number of pupils with demographic information only who were not tested for
22 any reason other than a parent or guardian exemption.

23 (7) The number of English language learners who were administered a primary
24 language test aligned to the English language arts standards pursuant to Education
25 Code section 60640(b)(5)(B).

26 (8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic
27 assessment pursuant to Education Code section 60644.

28 (b) To be eligible for apportionment payment for the CAASPP assessments, LEAs
29 must meet the following conditions:

30 (1) The LEA has returned all secure test materials, and

31 (2) The LEA CAASPP coordinator has certified the accuracy of the apportionment
32 information report for assessments administered during the school year, which is either;

1 (A) transmitted electronically in a manner prescribed by the contractor(s) and/or the
2 CDE by December 31, or

3 (B) if transmitted in any manner after December 31, the apportionment information
4 report must be accompanied by a waiver request as provided by Education Code
5 section 33050. For those apportionment information reports transmitted after December
6 31, apportionment payment is contingent upon the availability of an appropriation for
7 this purpose in the fiscal year in which the testing window began.

8 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
9 Sections 60610, 60615, 60640 and 60641, Education Code.

10

11 **§ 862.5. Apportionment to LEAs.**

12 (a) The amount of funding to be apportioned to the LEA, shall be the amount
13 established by the SBE per the number of tests administered to eligible pupils, and the
14 number of pupils enrolled on the first day of testing who were not tested in the LEA.

15 The number of tests administered and the number of pupils not tested shall be
16 determined by the certification of the LEA CAASPP coordinator pursuant to section
17 862. For purposes of this portion of the apportionment, administration of the tests
18 includes the following items:

19 (1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test
20 site coordinators, staff training and other staff expenses related to testing.

21 (2) All expenses incurred at the LEA and school/test site(s) related to testing.

22 (3) All transportation costs of delivering and retrieving tests and test materials within
23 the LEA and to NPSs.

24 (4) All costs associated with transmitting the pupil report(s) to parents/guardians.

25 (5) All costs associated with activities intended to provide the complete and
26 accurate data required in section 861.

27 (b) This amount does not include any funding for the purposes of reimbursing any
28 LEA for primary language tests for non-eligible pupils.

29 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
30 Sections 60640 and 60643, Education Code.

31

32

1 **§ 863. CAASPP Pupil Reports and Cumulative Record Labels.**

2 (a) The LEA shall forward or transmit pupil results for the tests conducted pursuant
3 to Education Code section 60640 to each pupil's parent or guardian within 20 working
4 days from receipt of the results from the contractor.

5 (b) If the LEA receives the reports for the tests conducted pursuant to Education
6 Code section 60640 from the contractor after the last day of instruction for the school
7 year, the LEA shall make the report available to the parent or guardian no later than the
8 first 20 working days of the next school year.

9 (c) Schools are responsible for maintaining pupil's scores with the pupil's permanent
10 school records or for entering the scores into electronic pupil records, and for
11 forwarding or transmitting the results to schools to which pupils matriculate or transfer.
12 Schools may annotate the scores when the scores may not accurately reflect pupils'
13 achievement due to illness or testing irregularities.

14 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
15 Sections 49062, 49068, 60607, 60640, and 60641, Education Code.

16

17 **§ 864. LEA Compliance with Contractor Requirements.**

18 (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

19 (b) In order for the state to meet its obligations in the development, administration,
20 and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

21 (1) comply with any and all requests from CAASPP contractor(s) in accordance with
22 Education Code section 60641; and

23 (2) abide by any and all instructions provided by the CAASPP contractor or
24 consortium, whether written or oral, that are presented for training or provided for in the
25 administration of a CAASPP test.

26 NOTE: Authority cited: Sections 33031, 60605, 60613 and 60640, Education Code.

27 Reference: Sections 60605, 60610, 60640, 60641 and 60643, Education Code; 20

28 U.S.C. Section 1232g; and 34 C.F.R. Section 99.3.

29

30 **§ 864.5. Test Order Information. [REPEALED]**

31 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

32 Sections 60605, 60640 and 60643, Education Code.

1 **§ 865. Transportation. [REPEALED]**

2 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
3 Section 60640, Education Code.

4

5 **§ 866. School District Delivery. [REPEALED]**

6 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
7 Sections 60605, 60640, 60642.5 and 60643, Education Code.

8

9 **§ 867. Test Site Delivery and Return. [REPEALED]**

10 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
11 Sections 60640 and 60642.5, Education Code.

12

13 **§ 867.5. Retrieval of Materials by Contractor. [REPEALED]**

14 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
15 Sections 60640, 60642.5 and 60643, Education Code.

16

17 **§ 868. Discrepancy Resolution for Standards-based Achievement Tests and Any
18 Primary Language Test. [REPEALED]**

19 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
20 Sections 60605, 60640 and 60643, Education Code.

21

22

23

24

25

26

27

28

29

30

31

1 Title 5. EDUCATION

2 Division 1. California Department of Education

3 Chapter 2. Pupils

4 Subchapter 3.75. California Assessment of Student Performance and Progress

5 (CAASPP)

6 Article 1. General

7 § 850. Definitions.

8 For the purposes of these regulations, the Measurement of Academic Performance
9 and Progress assessment system (as established in Education Code section 60640
10 and known as "MAPP") shall be designated the California Assessment of Student
11 Performance and Progress (CAASPP), and the following terms shall have the following
12 meanings:

13 (a) "Accommodations" means ~~supports~~ resources documented in a pupil's
14 individualized education program (IEP) or Section 504 Plan which the pupil regularly
15 uses in the classroom for instruction and/or assessments(s) and that are either utilized
16 in the assessment environment or consist of changes in procedures or materials that
17 increase equitable access during the assessment ~~and that do not~~. Accommodations
18 cannot fundamentally alter the comparability of scores.

19 ~~(b) "Accessibility supports" means supports that may or may not (because they~~
20 ~~have not been previously identified) invalidate the measurement of the test; these~~
21 ~~supports are not universal tools, designated, supports, or accommodations (i.e., read-~~
22 ~~a-loud-of passages in grades 3 through 5). An LEA shall notify the CDE in writing prior~~
23 ~~to the use of the accessibility support(s).~~

24 ~~(b)(c)~~ "Achievement tests" means any summative standardized test that measures
25 the level of performance that a pupil has achieved on state-adopted content standards.

26 (c) "Adaptive engine" refers to the mechanism utilized in a computer-adaptive
27 assessment that adjusts the difficulty of grade-level test questions throughout an
28 assessment based on student responses.

29 (d) "Alternate assessment" means an assessment as provided in Education Code
30 section 60640(k) and its test materials developed to measure the level of performance
31 for a pupil with disabilities who is unable to take the consortium summative assessment
32 in English language arts and mathematics pursuant to Education Code section

1 60640(b)(1) or are unable to take an assessment of science pursuant to Education
2 Code section 60640(b)(2), even with accommodations resources.

3 (e) "Assessment delivery system" means a set of web applications that manage the
4 registration of pupils for tests, the delivery of those tests to the pupils, scoring of test
5 items, integration of item scores into an overall test score, and delivery of scores to the
6 Data Warehouse.

7 (f)(e) "Assessment technology platform" means the electronic systems used to
8 display items, accept item responses, store, deliver, score the tests and restrict access
9 to outside sources, as well as report and manage assessment results. Testing
10 Assessment technology includes, but is not limited to, computing devices, testing
11 software applications, network hardware, and other technology required to administer
12 the tests.

13 (g)(f) "California Alternate Performance Assessment (CAPA)" is the alternate
14 assessment and its test materials as provided in Education Code section 60640(k) for
15 pupils with significant cognitive disabilities.

16 (h)(g) "California Modified Assessment (CMA)" is the alternate assessment and its
17 test materials for science based on modified achievement standards.

18 (i)(h) "California Standards Tests (CSTs)" is the assessment and its test materials
19 that measure the degree to which pupils are achieving the state content standards
20 pursuant to Education Code section 60605.

21 (i) "Computer-based tests (CBTs)" means tests administered using an electronic
22 computing device.

23 (j) "Data Warehouse" means a comprehensive storehouse of all Smarter Balanced
24 test registrations and results and a system to generate reports on, or extracts of, that
25 data.

26 (k)(f) "Designated supports" are features resources which the pupil regularly uses in
27 the classroom for instruction and/or assessment(s) and that are available for use by
28 any pupil for whom the need has been indicated, prior to the assessment
29 administration, by an educator or group of educators or specified in a pupil's IEP or
30 Section 504 Plan.

31 (l)(k) "Eligible pupil," with the exception of subdivisions (1) through (3) below, is any
32 pupil taking an assessment pursuant to Education Code section 60640, who is not

1 exempt from participation in assessments pursuant to Education Code section 60615
2 or who is not a recently arrived English learner pupil exempt from participating in the
3 English Language Arts assessment pursuant to Education Code section 60640(f)(1).

4 (1) For the primary language test, an eligible pupil is an English learner with a
5 primary language for which a test is optional pursuant to Education Code section
6 60640.

7 (2) For CAPA, an eligible pupil is any pupil in grades 2 through 11, inclusive, who
8 has an IEP that designates the use of the alternate assessment.

9 (3) For the CMA, an eligible pupil is any pupil in grades 5, 8, or 10, who has an IEP
10 that designates the use of the modified assessment in science.

11 ~~(m)(l)~~ “Embedded” means a support resource, whether a universal tool, designated
12 support, or accommodation, that is part of the assessment technology platform for the
13 computer-based administered CAASPP tests.

14 ~~(n)(m)~~ “Grade” means the grade in which the pupil is enrolled at the time of testing,
15 as determined by the local educational agency.

16 (o) “Individualized aid” means a type of resource that a pupil regularly uses in a
17 classroom for instruction and/or assessment that has not been previously identified as
18 a universal tool, designated support or accommodation. Because an individualized aid
19 has not been previously identified as a universal tool, designated support or
20 accommodation, it may or may not invalidate the measurement of the test(s).

21 ~~(p)(n)~~ “Local educational agency (LEA)” means a county office of education, school
22 district, state special school, or direct-funded charter school as described in Education
23 Code section 47651. LEA superintendent, for purposes of these regulations, includes
24 an administrator of a direct-funded charter school.

25 ~~(q)(e)~~ “Non-embedded” means a support resource, whether a universal tool,
26 designated support, or accommodation, that may be provided by the LEA and is not
27 part of the assessment technology platform for the computer-based administered
28 CAASPP tests.

29 ~~(r)(p)~~ “Nonpublic schools (NPS)” are nonpublic, nonsectarian schools as set forth in
30 Education Code section 56034.

31 ~~(s)(e)~~ “Primary language test” means a test as provided in Education Code sections
32 60640(b) and (c) and its test materials in each primary language for which a test is

1 available for English learners. The primary language test is the Standards-based Tests
2 in Spanish (STS).

3 (t) "Pupil" refers to a student enrolled in a California public school.

4 (u)(f) "Recently arrived English learner" means a pupil designated as an English
5 learner who is in his or her first 12 months of attending a school in the United States as
6 specified in Education Code section 60603(v).

7 (v) "Registration system" means the mechanism that provides administrators with
8 the tools to manage users and pupils participating in CAASPP computer-based
9 assessments. The engine uses a role-specific design to restrict access to certain tasks
10 based on the user's designated role as well as manage pupils' default test settings,
11 designated supports, and accommodations.

12 (w) "Resource(s)" refers to a universal tool, designated support, accommodation,
13 and/or an individualized aid.

14 (x)(s) "Scribe" is an employee of the LEA or a person assigned by an NPS to
15 implement a pupil's IEP who has signed a CAASPP Test Security Affidavit and is
16 required has received training to transcribe a pupil's responses to the format required
17 by the test. A pupil's parent or guardian is not eligible to be the pupil's scribe.

18 (y)(t) A "significant medical emergency" is a significant accident, trauma, or illness
19 (mental or physical) that precludes a pupil from taking the achievement tests. An
20 accident, trauma, or illness is significant if the pupil has been determined by a licensed
21 physician to be unable to participate in the tests.

22 (z)(u) "Smarter Balanced Assessment Consortium (Smarter Balanced)" is the multi-
23 state consortium responsible for the development of the English language arts and
24 mathematics summative assessments administered pursuant to Education Code
25 section 60640(b)(1) and the interim assessments and formative assessment tools
26 administered pursuant to Education Code section 60642.6.

27 (aa)(v) "Standards-based Tests in Spanish (STS)" are the achievement tests and its
28 test materials that are administered at the option of the LEA as the primary language
29 test as provided in Education Code sections 60640(b) and (c) for pupils whose primary
30 language is Spanish or to pupils enrolled in a dual immersion program that includes
31 Spanish.

32 (ab) "Streamlining" means an accommodation on a computer-based assessment

1 that provides an alternate display of an item, stacked into instructions, stimuli, and
2 response choices.

3 ~~(ac)(w)~~ “Test examiner” is an employee or contractor of an LEA or an NPS who has
4 signed a CAASPP Test Security Affidavit and has received ~~been trained~~ training to
5 administer the tests and ~~has signed a CAASPP Test Security Affidavit~~. For an the
6 alternate assessment, the test examiner must be a certificated or licensed school,
7 district, or county staff member.

8 ~~(ad)(x)~~ “Test materials” include, but are not limited to, administration manuals,
9 administrative materials, test booklets, assessment technology platform, practice tests,
10 scratch paper, and test answer documents, ~~as part of the administration of the~~
11 ~~CAASPP tests.~~

12 ~~(ae)(y)~~ “Test proctor” is an employee of an LEA, or a person assigned by an NPS to
13 implement a pupil’s IEP or Section 504 Plan, who has signed a CAASPP Test Security
14 Affidavit and has received training designed to prepare him or her to assist the test
15 examiner in the administration of tests ~~within the CAASPP assessment system.~~

16 ~~(af)(z)~~ “Translator” is a person who has been assigned to translate the test
17 directions into the pupil’s primary language pursuant to sections 853.5 and 853.7, who
18 has signed a Test Security Affidavit as identified in section 859(d), and who has
19 received training specifically designed to prepare him or her to assist the test examiner
20 in the administration of the assessments pursuant to Education Code section 60640. A
21 pupil’s parent or guardian is not eligible to be the pupil’s translator. A translator must
22 be:

- 23 (1) an employee of an LEA;
- 24 (2) an employee of the NPS; or
- 25 (3) a person supervised by an employee of an LEA or an employee of the NPS.

26 ~~(ag)(aa)~~ “Universal tools” are resources ~~accessibility features~~ of the CAASPP tests
27 that are available to all pupils.

28 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
29 Sections 306, 47605, 47605.8, 47651, 56034, 60603, 60604, 60605, 60615, 60640,
30 60642.5 and 60642.6, Education Code; 34 C.F.R. Sections 200.1(d), ~~200.1(e)~~ and
31 ~~200.1(f)~~ and 300.160; 5 CCR 11967.6.

32

1 **Article 2. Achievement Tests and Any Primary Language Test**

2 **§ 851. Pupil Testing.**

3 (a) LEAs shall administer the achievement tests and may administer the primary
4 language test pursuant to Education Code section 60640 to each eligible pupil enrolled
5 in an LEA on the date testing begins in the pupil's school or LEA.

6 (b) No later than start of the 2014-2015 school year, for the purposes of the
7 CAASPP assessment system, a charter school which is not an LEA as defined in
8 direct-funded pursuant to Education Code section 47651 60603(o) shall test with,
9 dependent on, the LEA that granted the charter or was designated the oversight
10 agency by the ~~local governing board~~ State Board of Education (SBE).

11 (c) LEAs shall make arrangements for the testing of all eligible pupils in alternative
12 education programs or programs conducted off campus, including, but not limited to,
13 non-classroom based programs, continuation schools, independent study, community
14 day schools, county community schools, juvenile court schools, or NPSs.

15 (d) No test may be administered in a home or hospital except by a test examiner.
16 No test shall be administered to a pupil by the parent or guardian of that pupil. This
17 subdivision does not prevent classroom aides from assisting in the administration of the
18 test under the supervision of a test examiner, provided that the classroom aide does
19 not assist his or her own child, and that the classroom aide signs a security affidavit.

20 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
21 Sections 47651, 48645.1, 60603, 60605 and 60640, Education Code.

22
23 **§ 852. Pupil Exemptions.**

24 (a) Each year the LEA shall notify parents or guardians of their pupil's participation
25 in the CAASPP assessment system in accordance with Education Code section 60604.

26 (b) The notification to parents or guardians, as defined in subdivision (a), shall
27 include a notice of the provisions outlined in Education Code section 60615.

28 (c) A parent or guardian may annually submit to the school a written request to
29 excuse his or her child from any or all parts of any test provided pursuant to Education
30 Code section 60640 for the school year. If a parent or guardian submits an exemption
31 request after testing has begun, any test(s) completed before the request is submitted
32 will be scored and the results reported to the parent or guardian and included in the

1 pupil's records. An LEA and its employees may discuss the CAASPP assessment
2 system with parents and may inform parents of the availability of exemptions under
3 Education Code section 60615. The LEA and its employees shall not solicit or
4 encourage any written exemption request on behalf of any child or group of children.

5 NOTE: Authority cited: Sections 33031 and 60640, Education Code. Reference:
6 Sections 60604, 60605, 60607, 60612, 60615, 60640 and 60641, Education Code.

7 8 **§ 853. Administration.**

9 (a) The CAASPP tests pursuant to Education Code section 60640 shall be
10 administered, scored, transmitted, and/or returned by LEAs in accordance with the
11 manuals or other instructions provided by the contractor or CDE for administering,
12 scoring, transmitting, and/or returning the tests, unless specifically provided otherwise
13 in this subchapter, including instructions for administering the test with universal tools,
14 designated supports, and accommodations specified in sections 853.5 and 853.7. The
15 procedures shall include, but are not limited to, those designed to ensure the uniform
16 and standardized administration, and scoring of the tests to pupils, the security and
17 integrity of the test content and test items, and the timely provision of all required pupil
18 and school level information.

19 (b) The primary mode of administration of a CAASPP test shall be via a computing
20 device, the use of an assessment technology platform, and the adaptive engine.

21 (c)(b) If available, an LEA may utilize a paper-pencil version of any GBT computer-
22 based assessment (CBA) of the CAASPP assessment system, in accordance with
23 Education Code section 60640(e), and if the LEA identifies the pupils that are unable to
24 access the GBT CBA version of the test.

25 (d)(e) Interim assessments and formative assessment tools shall be made available
26 to LEA(s) for use ~~during the school year~~. Use of interim assessments and formative
27 assessment tools shall not be considered advance preparation for a CAASPP test as
28 defined in Education Code section 60611. LEAs that use interim assessments and/or
29 formative assessment tools shall abide by the consortium/contractor(s) administration
30 and use requirements. Any scoring of any performance tasks for the interim
31 assessment ~~and formative assessment tools~~ is the responsibility of the LEA.

32 NOTE: Authority cited: Sections 33031 and 60640, Education Code. Reference:

1 Sections 60602.5, 60603, 60605, 60611, 60640 and 60642.6, Education Code.

2
3 **§ 853.5. Use of Universal Tools, Designated Supports, and Accommodations.**

4 (a) All pupils (~~including English learners and students with disabilities~~) shall be
5 permitted the following embedded universal tools on the CAASPP tests for English
6 language arts (including the components of reading, writing, and listening) and
7 mathematics as specified below:

8 (1) breaks for reading, writing, listening, and mathematics;

9 (2) calculator for specific mathematic items;

10 (3) digital notepad for reading, writing, listening, and mathematics;

11 (4) English dictionary for writing (ELA-performance task – pupil long essay(s) not
12 short paragraph responses);

13 (5) English glossary for reading, writing, listening, and mathematics;

14 (6) expandable passages for reading, writing, listening, and mathematics;

15 (7) global notes for writing (ELA-performance task – pupils long essay(s) not short
16 paragraph responses);

17 (8) highlighter for reading, writing, listening, and mathematics;

18 (9) keyboard navigation for reading, writing, listening, and mathematics;

19 (10) mark for review for reading, writing, listening, and mathematics;

20 (11) math tools for specific mathematics items;

21 (12) spell check for specific writing items;

22 (13) strikethrough for reading, writing, listening, and mathematics;

23 (14) writing tools for specific pupil generated responses; or

24 (15) zoom for reading, writing, listening, and mathematics.

25 (b) All pupils (~~including English learners and students with disabilities~~) shall be
26 permitted the following non-embedded universal tools on the CAASPP tests for English
27 language arts (including the components of reading, writing, and listening),
28 mathematics, science, and primary language as specified below:

29 (1) breaks;

30 (2) English dictionary for ELA performance task – pupil long essay(s) not short
31 paragraph responses;

32 (3) scratch paper;

33 (4) thesaurus for ELA performance task – pupil long essay(s) not short paragraph

- 1 responses;
- 2 (5) color overlay for science and primary language test;
- 3 (6) math tools (i.e., ruler, protractor) for specific mathematics items;
- 4 (7) simplify or clarify test administration directions (does not apply to test questions);
- 5 or
- 6 (8) pupil marks in paper-pencil test booklet (other than responses including
- 7 highlighting).

8 (c) All pupils (~~including English learners and students with disabilities~~) shall be

9 permitted the following embedded designated supports, ~~unless otherwise designated,~~

10 when determined for use by an educator or group of educators, or specified in a pupil's

11 IEP or Section 504 Plan on the CAASPP tests for English language arts (including the

12 components of reading, writing, and listening) and mathematics as specified below:

- 13 (1) color contrast for reading, writing, listening, and mathematics;
- 14 (2) masking for reading, writing, listening, and mathematics;
- 15 (3) text-to-speech for writing, listening, mathematics, and reading items but not
- 16 reading passages;
- 17 (4) translated test directions for mathematics;
- 18 (5) translations (glossary) for mathematics;
- 19 (6) translations (stacked) for mathematics; or
- 20 (7) turn off any universal tool for reading, writing, listening, and mathematics.

21 (d) All pupils (~~including English learners and students with disabilities~~) shall be

22 permitted the following non-embedded designated supports when determined for use

23 by an educator or a group of educators, or specified in a pupil's IEP or Section 504

24 Plan on the CAASPP tests for English language arts (including the components of

25 reading, writing, and listening), mathematics, science, and primary language as

26 specified below:

- 27 (1) translated directions for mathematics, science and primary language test;
- 28 (2) bilingual dictionary for writing;
- 29 (3) access to translation glossaries/word lists for science and primary language test;
- 30 (4) color contrast for reading, writing, listening, and mathematics;
- 31 (5) color overlay for reading, writing, listening, and mathematics;
- 32 (6) magnification;

- 1 (7) read aloud for writing, listening, mathematics, and reading items but not reading
2 passages;
- 3 (8) scribe for reading, listening, and mathematics;
- 4 (9) separate setting for reading, writing, listening, and mathematics;
- 5 (10) translations (glossary) for mathematics, science and primary language test;
6 (only for consortium-provided glossaries that correspond to the embedded designated
7 supports in subdivision (c)).
- 8 (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling
9 headphones); or
- 10 (12) special lighting or acoustics, assistive devices (specific devices may require
11 CAASPP contractor certification), and/or special or adaptive furniture-;
- 12 (13) translations (glossary) for science and primary language test; or
13 (14) administration of the test at the most beneficial time of day for the pupil.
- 14 (e) The following embedded accommodations shall be provided on the CAASPP
15 tests for English language arts (including the components of reading, writing, and
16 listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:
- 17 (1) American Sign Language for listening and mathematics;
- 18 (2) braille for reading, writing, listening, and mathematics;
- 19 (3) closed captioning for listening; or
- 20 (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11; or
21 (5) streamlining for reading, writing, listening, and mathematics.
- 22 (f) The following non-embedded accommodations shall be provided on the CAASPP
23 tests for English language arts (including the components of reading, writing, and
24 listening), mathematics, science, and primary language when specified in a pupil's IEP
25 or Section 504 Plan:
- 26 (1) read aloud for primary language test;
- 27 (2) American Sign Language for listening, mathematics, and science;
- 28 (3) braille for paper-pencil tests;
- 29 (4) abacus for mathematics and science;
- 30 (5) alternate response options for reading, writing, listening, and mathematics;
- 31 (6) calculator for specific mathematics items;
- 32 (7) multiplication table for mathematics beginning in grade 4;

- 1 (8) print on demand for reading, writing, listening, and mathematics;
- 2 (9) read aloud for reading passages in grades 6 through 8, inclusive, and grade 11;
- 3 blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have
- 4 adequate braille skills;
- 5 (10) scribe for writing, science, and primary language test;
- 6 (11) speech-to-text; or
- 7 (12) large-print version of a paper-pencil test; or
- 8 ~~(13) separate setting for science and primary language test; or~~
- 9 ~~(14) administration of the test at the most beneficial time of day to the pupil.~~

10 (g) An LEA may submit a request in writing to the CDE, prior to the administration of
11 a CAASPP test for approval for the use of an ~~accessibility support~~ individualized aid.

12 The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the
13 request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP
14 testing. The CDE shall respond to the request within four business days from the date
15 of receipt of the written request. Written requests must include:

- 16 (1) LEA name and CDS code;
- 17 (2) school/test site and school code;
- 18 (3) school/test site address, city, and zip code;
- 19 (4) LEA CAASPP coordinator name, phone number, and email address;
- 20 (5) CAASPP test site coordinator name, phone number, and email address;
- 21 (6) school/test site testing window dates;
- 22 (7) SSID(s) for the pupil(s) for which the ~~accessibility support~~ individualized aid is
23 being requested;
- 24 (8) CAASPP test and grade; and
- 25 (9) the ~~accessibility support~~ individualized aid being requested.

26 (h) ~~Accessibility supports~~ Individualized aids that change the construct being
27 measured by a CAASPP test invalidate the test score and results in a score that cannot
28 be compared with other CAASPP results. Scores for pupils' tests with ~~accessibility~~
29 ~~supports~~ individualized aids that change the construct being measured by a CAASPP
30 test will not be counted as participating in statewide testing (and impacts the
31 accountability participation rate indicator) but pupils will still receive individual score
32 reports with their actual score. The following non-embedded ~~accessibility supports~~

1 individualized aids have been determined to change the construct being measured on
2 the CAASPP tests for English language arts (including the components for reading,
3 writing, and listening), mathematics, science, and primary language and are specified
4 below, but not limited to:

5 (1) English dictionary for reading, listening, mathematics, science, and primary
6 language;

7 (2) thesaurus for reading, listening, mathematics, science and primary language;

8 (3) translated test directions for reading, writing, or listening;

9 (4) bilingual dictionary for reading, listening, mathematics, science and primary
10 language;

11 (5) translations (glossary) for reading, writing, and listening;

12 (6) read aloud for reading passages in grades 3, 4, and 5;

13 (7) American Sign Language for reading passages in grades 3, 4, and 5 and
14 reading passages for primary language;

15 (8) calculator for non-specified mathematics items or science;

16 (9) math tools (i.e., ruler, protractor) for non-specified mathematics items; and

17 (10) multiplication table for mathematics in grade 3.

18 (i) If a consortium (in which California is a participant) approves of a universal
19 tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a)
20 through (f), the CDE shall allow its use.

21 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
22 Sections 60605 and 60640, Education Code; 34 C.F.R. Sections 200.1 and 300.160(b).

24 **§ 853.7. Use of Designated Supports for English Learners.**

25 (a) An English learner (EL) shall be permitted the following embedded designated
26 supports, when determined for use by an educator or group of educators, who may
27 seek input from a parent(s) or guardian(s), on the CAASPP tests for English language
28 arts (including the components of reading, writing, and listening) and mathematics as
29 specified below:

30 (1) color contrast for reading, writing, listening, and mathematics;

31 (2) masking for reading, writing, listening, and mathematics;

32 (3) text-to-speech for writing, listening, mathematics and reading items, but not

1 passages;

2 (4) translated test directions for mathematics;

3 (5) translations (glossary) for mathematics;

4 (6) translations (stacked) for mathematics; or

5 (7) turn off any universal tool for reading, writing, listening, and mathematics.

6 (b) An EL shall be permitted the following non-embedded designated supports when
7 determined for use by an educator or a group of educators, who may seek input from a
8 parent(s) or guardian(s), on the CAASPP tests for English language arts (including the
9 components of reading, writing, and listening), mathematics, science, and primary
10 language as specified below:

11 (1) translated directions for mathematics, science and primary language test;

12 (2) bilingual dictionary for writing;

13 (3) access to translation glossaries/word lists for science and primary language test;

14 (4) color contrast for reading, writing, listening, and mathematics;

15 (5) color overlay for reading, writing, listening, and mathematics;

16 (6) magnification;

17 (7) read aloud for writing, listening, mathematics, and reading items but not reading

18 passages;

19 (8) scribe for reading, listening, and mathematics;

20 (9) separate setting;

21 (10) translations (glossary) for mathematics (only for consortium-provided
22 glossaries that correspond to the embedded designated supports in subdivision (a));

23 (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling
24 headphones);

25 (12) special lighting or acoustics, assistive devices (specific devices may require
26 CAASPP contractor certification), and/or special or adaptive furniture;

27 (13) translations (glossary) for science and primary language test; or

28 (14) administration of the test at the most beneficial time of day for the pupil.

29 NOTE: Sections 33031, 60605 and 60640, Education Code. Reference: Sections 306,
30 60605 and 60640, Education Code; 34 C.F.R. Section 200.2.

1 **§ 854. Advance Preparation for the Tests. [REPEALED]**

2 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
3 Sections 60605, 60611 and 60640, Education Code.

4
5 **§ 855. Testing Period.**

6 (a)(1) For the 2013-14 school year, each LEA shall administer the Smarter
7 Balanced field tests for ELA and mathematics in the manner prescribed by the CDE
8 pursuant to the authority granted by Education Code section 60640(f)(2).

9 (2) For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and
10 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades
11 5, 8, and 10, shall be administered to each pupil during a testing window of 25
12 instructional days that includes 12 instructional days before and after completion of 85
13 percent of the school's, track's, or program's instructional days. Testing for all pupils,
14 including makeup testing, is to be completed within this 25 instructional day window. If
15 an LEA elects to administer the primary language test, it shall do so during this same
16 testing window.

17 (b) Beginning in the 2014-15 school year, the CAASPP tests pursuant to Education
18 Code sections 60640(b) shall be administered to each pupil during the following testing
19 windows:

20 (1) Unless otherwise stated in these regulations, the testing window shall not begin
21 until at least 66 percent of a school's annual instructional days have been completed,
22 and testing may continue up to and including the last day of instruction for the regular
23 school calendar. For a 180-day school year, 66 percent of a school year occurs after
24 the 120th instructional day. This allows for a 12-week window for testing.

25 (2) For the grade 11 Smarter Balanced assessments and CAASPP tests
26 administered after January 2015, the testing window shall not begin until at least 80
27 percent of a school's annual instructional days have been completed, and testing may
28 continue up to and including the last day of instruction for the regular school calendar.
29 For a 180-day school year, 80 percent of a school year occurs after the 144th
30 instructional day. This allows for a 7-week window for testing.

31 (3) The CST and CMA for science in grades 5, 8, and 10, and CAPA, or its
32 successor alternate assessment, for ELA and mathematics in grades 2 through 11 and

1 science in grades 5, 8, and 10 shall be administered to each pupil during a testing
2 window of 25 instructional days that includes 12 instructional days before and after
3 completion of 85 percent of the school's, track's, or program's instructional days unless
4 the SBE makes a determination by the close of its September 2014 regular meeting
5 that these tests shall be administered during the window defined in subdivision (b)(1)
6 above. If an LEA elects to administer the primary language test, it shall do so during
7 this the same window as these tests.

8 (c) The CDE, with the approval of the SBE President or designee, may require
9 LEAs to more fully utilize the testing window and may also limit the usage of the interim
10 assessments in instances where the CDE determines that it is necessary to do so to
11 ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not
12 exceeded.

13 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
14 Sections 60605, 60640, 60641 and 60642.5, Education Code.

15
16 **§ 857. LEA CAASPP Coordinator.**

17 (a) On or before September 30 of each school year, the superintendent of each LEA
18 shall:

19 (1) designate from among the employees of the LEA an LEA CAASPP coordinator;

20 (2) identify school(s) with pupils unable to access the ~~GBT~~ CBA version of a
21 CAASPP test(s) in accordance with Education Code section 60640(e); and

22 (3) report to the CAASPP contractor(s) the number of pupils enrolled in the school
23 identified in subdivision (2) that are unable to access the ~~GBT~~ CBA version of a
24 CAASPP test.

25 (b) The LEA CAASPP coordinator, or the LEA superintendent, shall be available
26 through September 29 30 of the following school year to complete the LEA testing
27 activities. The LEA shall notify the contractor(s) of the identity and contact information
28 for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP
29 coordinator shall serve as the LEA representative and the liaison between the LEA and
30 the contractor(s) and the LEA and the CDE for all matters related to the CAASPP
31 assessment system.

32 (c) The LEA CAASPP coordinator's responsibilities shall be those defined in the

1 contractor's(s') or consortium's administrative manuals and documentation, and shall
2 include, but are not limited to, overseeing the LEA's preparation, registration,
3 coordination, training, assessment technology, administration, security, and reporting of
4 the CAASPP tests.

5 (d) The LEA CAASPP coordinator shall ensure current and ongoing compliance
6 with the minimum technology specifications as identified by the CAASPP contractor(s)
7 or consortium.

8 (e) The LEA CAASPP coordinator shall ensure the training of all CAASPP test site
9 coordinators who will oversee the test administration at each school or test site.

10 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
11 Sections 47079.5, 52052, 60604, 60605, 60610, 60630, 60640 and 60643, Education
12 Code.

13
14 **§ 858. CAASPP Test Site Coordinator.**

15 (a) At each test site, including, but not limited to, each elementary, middle, and high
16 school or other grade-span designated school, each charter school, each court-school,
17 each school or program operated by an LEA, and all other public programs serving
18 pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall
19 designate a CAASPP test site coordinator from among the employees of the LEA. The
20 CAASPP test site coordinator, or the site principal or his or her designee, shall be
21 available to the LEA CAASPP coordinator by telephone through September 29 30 of
22 the following school year for purposes of resolving discrepancies or inconsistencies in
23 materials or errors in reports.

24 (b) The CAASPP test site coordinator's responsibilities shall be those defined in the
25 contractor's(s') and CDE's administrative manuals and documentation, and shall
26 include, but are not limited to, overseeing the test site's preparation, coordination,
27 training, registration, administration, security, and reporting of the CAASPP tests.

28 (c) The CAASPP test site coordinator shall be responsible for the training of test
29 examiners, translators, proctors, and scribes.

30 (d) The CAASPP test site coordinator shall be responsible for ensuring that all
31 designated supports, accommodations and individualized aids are correctly entered
32 into the registration system and provided to the pupil(s) identified to receive the

1 designated supports and/or accommodations.

2 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
3 Sections 60602.5, 60604, 60605, 60610, 60630 and 60640, Education Code.

4

5 **§ 859. CAASPP Test Security Agreement and Test Security Affidavit.**

6 (a) All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the
7 CAASPP Test Security Agreement, set forth in subdivision (b), before receiving any of
8 the test materials or tests administered pursuant to Education Code section 60640.

9 (b) The CAASPP Test Security Agreement shall be as follows:

10

CAASPP TEST SECURITY AGREEMENT

11

12

13

14

I acknowledge by my signature on this form that the California Assessment of
Student Performance and Progress (CAASPP) tests pursuant to Education Code
section 60640 are secure tests and agree to each of the following conditions to ensure
test security:

15

16

17

18

(1) I will take all necessary precautions to safeguard all tests and test materials,
whether paper-based or computer-based assessments, by limiting access to only
persons within the LEA who are responsible for, and have professional interest in, the
tests' security.

19

20

21

22

23

(2) I will keep on file the names of all persons who have been trained in the
administration of CAASPP tests and all persons with access to tests and test materials,
whether paper-based or computer-based assessments. I have and shall have all other
persons having access to the tests and test materials read and sign the CAASPP Test
Security Affidavit that will be kept on file in the LEA office.

24

25

26

(3) Except during the administration of the tests, I will keep the paper-pencil tests,
and their test materials in a securely locked room that can be entered only with a key or
keycard and, when possible, in a locked storage cabinet within that room.

27

28

29

(4) I will securely destroy all print-on-demand papers, scratch paper, and other
documents as prescribed within the contractor's(s') or consortium's administrative
manuals and documentation.

30

31

32

(5) With the exception of subdivision (6) below, I will deliver tests and test materials
or allow electronic access thereto, only on actual testing dates and only to those
persons who have executed CAASPP Test Security Affidavits.

1 (6) For the CAPA test an alternate assessment (CAPA or its successor alternate
2 assessment), I will keep all tests and testing materials in the manner set forth above in
3 subdivisions (3) and (5) except during actual testing administration or when being used
4 by test examiners to prepare for and to administer the assessment. I will adhere to the
5 contractor's directions for the distribution of the assessment materials to test
6 examiners.

7 By signing my name to this document, I am assuring that I have completely read
8 and will abide by the above conditions.

9 Signed: _____

10 Print Name: _____

11 Title: _____

12 LEA: _____

13 Date: _____

14 (c) All test examiners, proctors, translators, scribes, LEA CAASPP coordinators and
15 CAASPP test site coordinators, and any other persons having access to any of the
16 tests and test materials, assessment technology platform, registration system, adaptive
17 engine, or tests administered pursuant to Education Code section 60640, shall
18 acknowledge the limited purpose of their access to the tests by signing the CAASPP
19 Test Security Affidavit set forth in subdivision (d).

20 (d) The CAASPP Test Security Affidavit shall be as follows:

21 CAASPP TEST SECURITY AFFIDAVIT

22 I acknowledge that I will have access to one or more of the California Assessment
23 of Student Performance and Progress (CAASPP) tests pursuant to Education Code
24 section 60640, for the purpose of administering the test(s). I understand that these
25 materials are highly secure and may be under copyright restrictions and it is my
26 professional responsibility to protect their security as follows:

27 (1) I will not divulge the contents of the tests and test materials to any other person
28 through verbal, written, or any other means of communication. This includes, but is not
29 limited to, sharing or posting test content via the Internet or by email without the
30 express written permission of the CDE.

31 (2) I will not copy or take a photo of any part of the test(s) or test materials. This
32 includes, but is not limited to, photocopying (including enlarging) and recording without

1 prior expressed written permission of the CDE.

2 (3) Except during the actual testing administrations or as otherwise provided for by
3 law, I will keep the test(s) and test materials secure until the test(s) are actually
4 distributed to pupils when tests and testing materials are checked in and out by the
5 CAASPP test site coordinator. Keeping materials secure means that testing materials
6 are required to be kept in a securely locked room that can be entered only with a key or
7 keycard and, when possible, in a locked storage cabinet within that room.

8 (4) I will limit access to the test(s) and test materials by test examinees to the actual
9 testing periods when they are taking the test(s). I understand that only pupils who are
10 testing and LEA staff participating in the test administration who have signed a test
11 security affidavit may be in the room when and where a test is being administered.

12 (A) I will keep all assigned, generated, or created usernames, passwords and logins
13 secure and not divulge pupil personal information to anyone other than the pupil to
14 whom the information pertains for the purpose of logging on to the assessment delivery
15 system.

16 (B) I will not allow anyone other than the assigned pupils to log into their assigned
17 test. I may assist a pupil with using their information to log into their assigned test.

18 (C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in
19 using another pupil's information.

20 ~~(D) I will not include, nor will I display, a pupil's name and Statewide Student~~
21 ~~Identifier (SSID) together in any written or electronic format.~~

22 (5) I will not allow pupils to access electronic devices that allow them to access
23 outside information, communicate with other pupils, or photograph or copy test content.
24 This includes, but is not limited to, cell phones, personal digital assistants (PDAs),
25 tablets, laptops, cameras, and electronic translation devices.

26 (6) I will collect and account for all materials following each testing session and will
27 not permit pupils to remove any test materials by any means from the room(s) where
28 testing takes place. After each testing session, I will count all test booklets and answer
29 documents before allowing any pupil to leave the testing room and/or ensure that all
30 pupils have properly logged off the ~~computer system~~ assessment delivery system.

31 (7) I will not review any achievement test questions, passages, performance tasks,
32 or other test items independently or with pupils or any other person at any time,

1 including before, during, or following testing. I understand that this includes any
2 discussion between LEA staff for training or professional development whether one-on-
3 one or in a staff meeting.

4 (8) I will not, for any achievement test, develop scoring keys, review any pupil
5 responses, or prepare answer documents. I understand that this includes coaching
6 pupils or providing any other type of assistance to pupils that may affect their
7 responses. This includes, but is not limited to, both verbal cues (e.g., interpreting,
8 explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice
9 inflection, pointing, or nodding head) to the correct answer (anything that may indicate
10 correct or incorrect answers), or completing or changing pupils' answers.

11 (9) I will return all test materials to the designated CAASPP test site coordinator
12 each day upon completion of testing. I understand that all test booklets, answer
13 documents, and scratch paper shall be returned to the CAASPP test site coordinator
14 each day immediately after testing has been completed for storage or confidential
15 destruction.

16 (10) If I will administer and/or observe the administration of an alternate assessment
17 (CAPA or its successor alternate assessment) CAPA, which means that I am a
18 certificated or a licensed LEA employee and a trained ~~CAPA Examiner~~, I will keep all
19 the alternate assessment (CAPA or its successor alternate assessment) CAPA
20 materials in a securely locked room, and, when possible, in a locked storage cabinet
21 within that room except when I am preparing for the administration, administering or
22 observing the administration of the assessment to pupils.

23 (11) I will actively supervise pupils throughout the paper-pencil testing session to
24 ~~make~~ ensure that they are working on the correct test section or part, marking their
25 answers in the correct section of their answer documents, following instructions, and
26 are accessing only authorized materials (~~embedded and/or non-embedded universal~~
27 tools, designated supports, or accommodations, or individualized aids) needed for the
28 test being administered.

29 (12) I will actively supervise pupils throughout the testing session and verify that
30 pupils have selected the appropriate assessment for the testing session and have
31 completed any necessary preceding test sections and/or classroom activities.

32 (13)(12) I will administer the test(s) in accordance with the directions for test

1 administration and test administration manuals prepared by the CAASPP testing
2 contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I
3 understand that the unauthorized copying, sharing, or reusing of any test booklet, test
4 question, performance task, or answer document by any means is prohibited. This
5 includes, but is not limited to, photocopying, recording, emailing, messaging (instant,
6 text, or multimedia messaging service, or digital application), using a camera/camera
7 phone, and sharing or posting test content via the Internet without the express prior
8 written permission of the CDE.

9 (14)(13) I have been trained to administer the tests. By signing my name to this
10 document, I am assuring that I have completely read this affidavit and will abide by the
11 above conditions.

12 Signed: _____

13 Print Name: _____

14 Position: _____

15 School: _____

16 LEA: _____

17 Date: _____

18 (e) To maintain the security of the CAASPP assessment system, all LEA CAASPP
19 coordinators and CAASPP test site coordinators shall immediately, within 24 hours,
20 notify the CDE of any security breaches or testing irregularities occurring either before,
21 during, or after the test administration(s).

22 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
23 Sections 60602.5, 60605 and 60640, Education Code.

24

25 **§ 861. Data Elements for Test Registration and State and Federal Reporting.**

26 (a) In order to assess pupils pursuant to Education Code section 60640 and meet
27 state and federal accountability and reporting obligations, each LEA shall provide any
28 and all program and demographic pupil data requested by the CDE for inclusion in
29 California Longitudinal Pupil Achievement Data System (CALPADS).

30 (b) In addition to the demographic and program data required to be reported in
31 section 861(a), LEAs shall report to the CDE the following information:

32 (1) if an eligible pupil is not tested due to a significant medical emergency;

- 1 (2) if a pupil used a designated support;
2 (3) if a pupil used an individualized aid;
3 (4)(2) if a pupil used an accommodation(s);
4 (5)(3) if a pupil had special testing conditions and/or reasons for not being tested
5 (e.g., parent or guardian exemption);
6 (6)(4) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school
7 code; and
8 (7)(5) if a pupil in grade 2 was administered a diagnostic assessment pursuant to
9 Education Code section 60644.

10 (c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate
11 prior to LEA registration and throughout the testing window. The CDE shall provide
12 LEAs reasonable notification prior to pupil demographic and program data being
13 extracted from CALPADS for purposes of test registration, individual pupil reports and
14 reports aggregated to the LEA, and state and federal accountability reporting.

15 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
16 Sections 49079.5, 52052, 60605, 60630, 60640, 60641 and 60643, Education Code; 7
17 C.F.R. Sections 245.2(a)(1)-(4), 245.3 and 245.6.

18
19 **§ 862. Apportionment Information Report.**

20 (a) Annually, the CDE shall make available electronically to each LEA an
21 apportionment information report with the following information provided to the
22 contractor by the LEA pursuant to sections 853 and 861 by grade level:

23 (1) The number of pupils enrolled in each school and in the LEA on the first day of
24 testing.

25 (2) The number of pupils in each school and in the LEA tested with the alternate
26 assessment.

27 (3) The number of pupils in each school and in the LEA exempted from testing at
28 the request of their parents or guardians pursuant to Education Code section 60615.

29 (4) The number of pupils who were administered any portion of the CAASPP
30 assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2),
31 60640(b)(4), or 60640(c)(3) through the use of CBT.

32 (5) The number of pupils who were administered any portion of the CAASPP

1 assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2),
2 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.

3 (6) The number of pupils with demographic information only who were not tested for
4 any reason other than a parent or guardian exemption.

5 (7) The number of English language learners who were administered a primary
6 language test aligned to the English language arts standards pursuant to Education
7 Code section 60640(b)(5)(B).

8 (8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic
9 assessment pursuant to Education Code section 60644.

10 (b) To be eligible for apportionment payment for the CAASPP assessments, LEAs
11 must meet the following conditions:

12 (1) The LEA has returned all secure test materials, and

13 (2) The LEA CAASPP coordinator has certified the accuracy of the apportionment
14 information report for assessments administered during the school year, which is either;

15 (A) transmitted electronically in a manner prescribed by the contractor(s) and/or the
16 CDE by December 31, or

17 (B) if transmitted in any manner after December 31, the apportionment information
18 report must be accompanied by a waiver request as provided by Education Code
19 section 33050. For those apportionment information reports transmitted after December
20 31, apportionment payment is contingent upon the availability of an appropriation for
21 this purpose in the fiscal year in which the testing window began.

22 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
23 Sections 60610, 60615, 60640 and 60641, Education Code.

24
25 **§ 862.5. Apportionment to LEAs.**

26 (a) The amount of funding to be apportioned to the LEA, shall be the amount
27 established by the SBE per the number of tests administered to eligible pupils, and the
28 number of pupils enrolled on the first day of testing who were not tested in the LEA.

29 The number of tests administered and the number of pupils not tested shall be
30 determined by the certification of the LEA CAASPP coordinator pursuant to section
31 862. For purposes of this portion of the apportionment, administration of the tests
32 includes the following items:

1 (1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test
2 site coordinators, staff training and other staff expenses related to testing.

3 (2) All expenses incurred at the LEA and school/test site(s) related to testing.

4 (3) All transportation costs of delivering and retrieving tests and test materials within
5 the LEA and to NPSs.

6 (4) All costs associated with transmitting the pupil report(s) to parents/guardians.

7 (5) All costs associated with activities intended to provide the complete and
8 accurate data required in section 861.

9 (b) This amount does not include any funding for the purposes of reimbursing any
10 LEA for primary language tests for non-eligible pupils.

11 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
12 Sections 60640 and 60643, Education Code.

13
14 **§ 863. CAASPP Pupil Reports and Cumulative Record Labels.**

15 (a) The LEA shall forward or transmit pupil results for the tests conducted pursuant
16 to Education Code section 60640 to each pupil's parent or guardian within 20 working
17 days from receipt of the results from the contractor.

18 (b) If the LEA receives the reports for the tests conducted pursuant to Education
19 Code section 60640 from the contractor after the last day of instruction for the school
20 year, the LEA shall make the report available to the parent or guardian no later than the
21 first 20 working days of the next school year.

22 (c) Schools are responsible for maintaining pupil's scores with the pupil's permanent
23 school records or for entering the scores into electronic pupil records, and for
24 forwarding or transmitting the results to schools to which pupils matriculate or transfer.
25 Schools may annotate the scores when the scores may not accurately reflect pupils'
26 achievement due to illness or testing irregularities.

27 NOTE: Authority cited: Sections 33031, 60605 and 60640, Education Code. Reference:
28 Sections 49062, 49068, 60607, 60640, and 60641, Education Code.

29
30 **§ 864. LEA Compliance with Contractor Requirements.**

31 (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

32 (b) In order for the state to meet its obligations in the development, administration,

1 and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

2 (1) comply with any and all requests from CAASPP contractor(s) in accordance with
3 Education Code section 60641; and

4 (2) abide by any and all instructions provided by the CAASPP contractor or
5 consortium, whether written or oral, that are presented for training or provided for in the
6 administration of a CAASPP test.

7 NOTE: Authority cited: Sections 33031, 60605, 60613 and 60640, Education Code.

8 Reference: Sections 60605, 60610, 60640, 60641 and 60643, Education Code; 20

9 U.S.C. Section 1232g; and 34 C.F.R. Section 99.3.

10
11 **§ 864.5. Test Order Information. [REPEALED]**

12 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

13 Sections 60605, 60640 and 60643, Education Code.

14
15 **§ 865. Transportation. [REPEALED]**

16 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

17 Sections 60605, 60640, 60642.5 and 60643, Education Code.

18
19 **§ 867. Test Site Delivery and Return. [REPEALED]**

20 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

21 Sections 60640 and 60642.5, Education Code.

22
23 **§ 867.5. Retrieval of Materials by Contractor. [REPEALED]**

24 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

25 Sections 60640, 60642.5 and 60643, Education Code.

26
27 **§ 868. Discrepancy Resolution for Standards-based Achievement Tests and Any**
28 **Primary Language Test. [REPEALED]**

29 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

30 Sections 60605, 60640 and 60643, Education Code.

31
32 8-22-14 [California Department of Education]

WestlawNext™

2014 CA REG TEXT 350845 (NS)

California Regulation Text - Netscan 5 CA ADC 850, 851, 852, 853, 854, 855, 857, 858, 859, 861, 862, 863, 864, 865, 866, 867, 868; 5 CA ADC 853.5, 7; 5 CA ADC 862.5; 5 CA ADC 864.5; 5 C...

NETSCAN

2014 CA REG TEXT 350845 (NS)

California Regulation Text - Netscan

5 CA ADC 850, 851, 852, 853, 854, 855, 857, 858, 859, 861, 862, 863, 864, 865, 866, 867, 868; 5 CA ADC 853.5, 7; 5 CA ADC 862.5; 5 CA ADC 864.5; 5 CA ADC 867.5

Regulations Filed with the Secretary of State

September 05, 2014

Effective: August 27, 2014

Education

FULL TEXT OF REGULATION(S)

Measurement of Academic Performance and Progress

The State Board of Education submitted this timely certificate of compliance to make permanent the emergency regulations adopted in OAL file no. 2014-0124-04E and re-adopted in OAL file no. 2014-0716-03EE.

5 CA ADC 850

5 CA ADC 850. Definitions.

For the purposes of these regulations, the Measurement of Academic Performance and Progress assessment system (as established in Education Code section 60640 and known as MAPP) shall be designated the California Assessment of Student Performance and Progress (CAASPP), and the following terms shall have the following meanings:

(a) Accommodations means resources documented in a pupil's individualized education program (IEP) or Section 504 Plan which the pupil regularly uses in the classroom for instruction and/or assessments(s) and that are either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment. Accommodations cannot fundamentally alter the comparability of scores.

(b) Achievement tests means any summative standardized test that measures the level of performance that a pupil has achieved on state-adopted content standards.

(c) Adaptive engine refers to the mechanism utilized in a computer-adaptive assessment that adjusts the difficulty of grade-level test questions throughout an assessment based on student responses.

(d) Alternate assessment means an assessment as provided in Education Code section 60640(k) and its test materials developed to measure the level of performance for a pupil with disabilities who is unable to take the consortium summative assessment in English language arts and mathematics pursuant to Education Code section 60640(b)(1) or are unable to take an assessment of science pursuant to Education Code section 60640(b)(2), even with resources.

(e) Assessment delivery system means a set of web applications that manage the registration of pupils for tests, the delivery of those tests to the pupils, scoring of test items, integration of item scores into an overall test score, and delivery of scores to the Data Warehouse.

(f) Assessment technology platform means the electronic systems used to display items, accept item responses, store, deliver, score the tests and restrict access to outside sources, as well as report and manage assessment results. Assessment technology includes, but is not limited to, computing devices, testing software applications, network hardware, and other technology required to administer the tests.

(g) California Alternate Performance Assessment (CAPA) is the alternate assessment and its test materials as provided in Education Code section 60640 (k) for pupils with significant cognitive disabilities.

(h) California Modified Assessment (CMA) is the alternate assessment and its test materials for science based on modified achievement standards.

(i) California Standards Tests (CSTs) is the assessment and its test materials that measure the degree to which pupils are achieving the state content standards pursuant to Education Code section 60605.

(j) Data Warehouse means a comprehensive storehouse of all Smarter Balanced test registrations and results and a system to generate reports on, or extracts of, that data.

(k) Designated supports are resources which the pupil regularly uses in the classroom for instruction and/or assessment(s) and that are available for use by any pupil for whom the need has been indicated, prior to the assessment administration, by an educator or group of educators or specified in a pupil's IEP or Section 504 Plan.

(l) Eligible pupil, with the exception of subdivisions (1) through (3) below, is any pupil taking an assessment pursuant to Education Code section 60640, who is not exempt from participation in assessments pursuant to Education Code section 60615 or who is not a recently arrived English learner pupil exempt from participating in the English Language Arts assessment pursuant to Education Code section 60640(f)(1).

(1) For the primary language test, an eligible pupil is an English learner with a primary language for which a test is optional pursuant to Education Code section 60640.

(2) For CAPA, an eligible pupil is any pupil in grades 2 through 11, inclusive, who has an IEP that designates the use of the alternate assessment.

(3) For the CMA, an eligible pupil is any pupil in grades 5, 8, or 10, who has an IEP that designates the use of the modified assessment in science.

(m) Embedded means a resource, whether a universal tool, designated support, or accommodation, that is part of the assessment technology platform for the computer-based CAASPP tests.

(n) Grade means the grade in which the pupil is enrolled at the time of testing, as determined by the local educational agency.

(o) Individualized aid means a type of resource that a pupil regularly uses in a classroom for instruction and/or assessment that has not been previously identified as a universal tool, designated support or accommodation. Because an individualized aid has not been previously identified as a universal tool, designated support or accommodation, it may or may not invalidate the measurement of the test(s).

(p) Local educational agency (LEA) means a county office of education, school district, state special school, or direct-funded charter school as described in Education Code section 47651. LEA superintendent, for purposes of these regulations, includes an administrator of a direct-funded charter school.

(q) Non-embedded means a resource, whether a universal tool, designated support, or accommodation, that may be provided by the LEA and is not part of the assessment technology platform for the computer-based CAASPP tests.

(r) Nonpublic schools (NPS) are nonpublic, nonsectarian schools as set forth in Education Code section 56034.

(s) Primary language test means a test as provided in Education Code sections 60640(b) and (c) and its test materials in each primary language for which a test is available for English learners. The primary language test is the Standards-based Tests in Spanish (STS).

(t) Pupil refers to a student enrolled in a California public school.

- (u) Recently arrived English learner means a pupil designated as an English learner who is in his or her first 12 months of attending a school in the United States as specified in Education Code section 60603(v).
- (v) Registration system means the mechanism that provides administrators with the tools to manage users and pupils participating in CAASPP computer-based assessments. The engine uses a role-specific design to restrict access to certain tasks based on the user's designated role as well as manage pupils' default test settings, designated supports, and accommodations.
- (w) Resource(s) refers to a universal tool, designated support, accommodation, and/or an individualized aid.
- (x) Scribe is an employee of the LEA or a person assigned by an NPS to implement a pupil's IEP who has signed a CAASPP Test Security Affidavit and has received training to transcribe a pupil's responses to the format required by the test. A pupil's parent or guardian is not eligible to be the pupil's scribe.
- (y) A significant medical emergency is a significant accident, trauma, or illness (mental or physical) that precludes a pupil from taking the achievement tests. An accident, trauma, or illness is significant if the pupil has been determined by a licensed physician to be unable to participate in the tests.
- (z) Smarter-Balanced Assessment Consortium (Smarter Balanced) is the multi-state consortium responsible for the development of the English language arts and mathematics summative assessments administered pursuant to Education Code section 60640(b)(1) and the interim assessments and formative assessment tools administered pursuant to Education Code section 60642.6.
- (aa) Standards-based Tests in Spanish (STS) are the achievement tests and the test materials that are administered at the option of the LEA as the primary language test as provided in Education Code sections 60640(b) and (c) for pupils whose primary language is Spanish or to pupils enrolled in a dual immersion program that includes Spanish.
- (ab) Streamlining means an accommodation on a computer-based assessment that provides an alternate display of an item, stacked into instructions, stimuli, and response choices.
- (ac) Test examiner is an employee or contractor of an LEA or an NPS who has signed a CAASPP Test Security Affidavit and has received training to administer the tests. For an alternate assessment, the test examiner must be a certificated or licensed school, district, or county staff member.
- (ad) Test materials include, but are not limited to, administration manuals, administrative materials, test booklets, assessment technology platform, practice tests, scratch paper, and test answer documents.
- (ae) Test proctor is an employee of an LEA, or a person assigned by an NPS to implement a pupil's IEP or Section 504 Plan, who has signed a CAASPP Test Security Affidavit and has received training designed to prepare him or her to assist the test examiner in the administration of tests.
- (af) Translator is a person who has been assigned to translate the test directions into the pupil's primary language pursuant to sections 853.5 and 853.7, who has signed a Test Security Affidavit as identified in section 859(d), and who has received training specifically designed to prepare him or her to assist the test examiner in the administration of the assessments pursuant to Education Code section 60640. A pupil's parent or guardian is not eligible to be the pupil's translator. A translator must be:
- (1) an employee of an LEA;
 - (2) an employee of the NPS; or
 - (3) a person supervised by an employee of an LEA or an employee of the NPS.
- (ag) Universal tools are resources of the CAASPP tests that are available to all pupils.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.
 Reference: Sections 306, 47605, 47605.8, 47651, 56034, 60603, 60604, 60605, 60615, 60640, 60642.5 and 60642.6, Education Code; 34 C.F.R. Sections 200.1 (d) 200.1(e), 200.1(f) and 300.160; and 5 CCR 11967.6.

HISTORY

1. New subchapter 3.75 (sections 850-874) and section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New subchapter 3.75 (sections 850-874) and section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. New article 1 heading, amendment of subsection (c), new subsections (g)-(h) and amendment of Note filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 10-26-98 order, including amendment of Note, transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).
6. Amendment of subsections (a), (c) and (f), repealer of subsections (g)-(h) and amendment of Note filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
8. Repealer of subsection (d), subsection relettering, new subsections (f)(1)-(g) and amendment of Note filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 11-27-2000 order transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).
10. Amendment of subsections (a), (f)(1) and (g), new subsections (h)-(m) and amendment of Note filed 2-3-2004; operative 2-3-2004 pursuant to Government Code section 11343.4 (Register 2004, No. 6).
11. Amendment filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
12. Amendment of section and Note filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
13. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
14. Amendment of subchapter heading, repealer and new section and amendment of Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
15. Amendment of subchapter heading, repealer and new section and amendment of Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL

by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

16. Certificate of Compliance as to 7-23-2014 order, including amendment of subsection (a), repealer of subsection (b), subsection relettering, new subsection (c), amendment of subsection (d), new subsections (e), (j), (o), (t), (v), (w) and (ab), repealer of subsection (i), subsection relettering, amendment of newly designated subsections (f), (i), (k), (l), (m), (p), (q), (u), (x), (aa) and (ac) -(ag), and amendment of Note, transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).

5 CA ADC 851

5 CA ADC 851. Pupil Testing.

(a) LEAs shall administer the achievement tests and may administer the primary language test pursuant to Education Code section 60640 to each eligible pupil enrolled in an LEA on the date testing begins in the pupil's school or LEA.

(b) No later than start of the 2014-2015 school year, for the purposes of the CAASPP assessment system, a charter school which is not an LEA as defined in Education Code section 60603(o) shall test with, dependent on, the LEA that granted the charter or was designated the oversight agency by the State Board of Education (SBE).

(c) LEAs shall make arrangements for the testing of all eligible pupils in alternative education programs or programs conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or NPSs.

(d) No test may be administered in a home or hospital except by a test examiner. No test shall be administered to a pupil by the parent or guardian of that pupil. This subdivision does not prevent classroom aides from assisting in the administration of the test under the supervision of a test examiner, provided that the classroom aide does not assist his or her own child, and that the classroom aide signs a security affidavit.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.

Reference: Sections 47651, 48645.1, 60603, 60605 and 60640, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 5-5-98 order, including amendment of subsections (a) and (d), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).

4. Editorial correction of subsection (b) (Register 98, No. 44).

5. New article 2 heading and amendment of subsections (a) and (c) filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.

6. Certificate of Compliance as to 10-26-98 order, including amendment of subsection (d), transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).

7. Amendment of article heading filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be

transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.

8. Certificate of Compliance as to 11-27-2000 order transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).

9. Amendment of article heading, section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).

10. Amendment of article heading, section and Note filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).

11. Amendment of article heading, subsections (a)-(b) and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).

12. Amendment of article heading, section and Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

13. Amendment of article heading, section and Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

14. Certificate of Compliance as to 7-23-2014 order, including amendment of subsection (b), transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).

5 CA ADC 852

5 CA ADC 852. Pupil Exemptions.

(a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.

(b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.

(c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children.

Note: Authority cited: Sections 33031 and 60640, Education Code. Reference: Sections 60604, 60605, 60607, 60612, 60615, 60640 and 60641, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 5-5-98 order, including amendment of section, transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).

4. Amendment of subsection (b) filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).
6. Amendment of subsection (b) filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 11-27-2000 order, including further amendment of subsection (a), transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).
8. Amendment of subsection (b) and amendment of Note filed 2-3-2004; operative 2-3-2004 pursuant to Government Code section 11343.4 (Register 2004, No. 6).
9. Repealer of subsection (a) designator and subsection (b) filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
10. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
11. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
12. Amendment of section and Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
13. Amendment of section and Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.
14. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 853

5 CA ADC 853. Administration.

- (a) The CAASPP tests pursuant to Education Code section 60640 shall be administered, scored, transmitted, and/or returned by LEAs in accordance with the manuals or other instructions provided by the contractor or CDE for administering, scoring, transmitting, and/or returning the tests, unless specifically provided otherwise in this subchapter, including instructions for administering the test with universal tools, designated supports, and accommodations specified in sections 853.5 and 853.7. The procedures shall include, but are not limited to, those designed to ensure the uniform and standardized administration, and scoring of the tests to pupils, the security and integrity of the test content and test items, and the timely provision of all required pupil and school level information.
- (b) The primary mode of administration of a CAASPP test shall be via a computing device, the use of an assessment technology platform, and the adaptive engine.
- (c) If available, an LEA may utilize a paper-pencil version of any computer-based assessment (CBA) of the CAASPP assessment system, in accordance with Education Code section 60640(e), and if the LEA identifies the pupils that are unable to access the CBA version of the test.
- (d) Interim assessments and formative assessment tools shall be made available to LEA(s) for use. Use of interim assessments and formative assessment tools shall not be considered advance preparation for a CAASPP test as defined in Education Code section 60611. LEAs that use interim assessments and/or

formative assessment tools shall abide by the consortium/contractor(s) administration and use requirements. Any scoring of any performance tasks for the interim assessment is the responsibility of the LEA.

Note: Authority cited: Sections 33031 and 60640, Education Code. Reference: Sections 60602.5, 60603, 60605, 60611, 60640 and 60642.6, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order, including new subsections (c) and (d), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Amendment of subsections (a) and (c) filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).
6. Amendment filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
8. New subsection (d), subsection relettering and amendment of newly designated subsection (e) filed 11-8-2000; operative 12-8-2000 (Register 2000, No. 45).
9. Amendment of subsections (a) and (b) filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 11-27-2000 order transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).
11. Amendment of subsection (a), repealer of former subsections (b)-(e), new subsections (b) and (c) and amendment of Note filed 2-3-2004; operative 2-3-2004 pursuant to Government Code section 11343.4 (Register 2004, No. 6).
12. Amendment of subsections (b)-(c) filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
13. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
14. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
15. Amendment of section and Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
16. Amendment of section and Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

17. Certificate of Compliance as to 7-23-2014 order, including amendment of subsection (a), new subsection (b), subsection relettering, amendment of newly designated subsections (c) and (d) and amendment of Note, transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).

5 CA ADC 853.5

5 CA ADC 853.5. Use of Universal Tools, Designated Supports, and Accommodations.

(a) All pupils shall be permitted the following embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:

- (1) breaks for reading, writing, listening, and mathematics;
- (2) calculator for specific mathematic items;
- (3) digital notepad for reading, writing, listening, and mathematics;
- (4) English dictionary for writing (ELA-performance task - pupil long essay(s) not short paragraph responses);
- (5) English glossary for reading, writing, listening, and mathematics;
- (6) expandable passages for reading, writing, listening, and mathematics;
- (7) global notes for writing (ELA-performance task - pupils long essay(s) not short paragraph responses);
- (8) highlighter for reading, writing, listening, and mathematics;
- (9) keyboard navigation for reading, writing, listening, and mathematics;
- (10) mark for review for reading, writing, listening, and mathematics;
- (11) math tools for specific mathematics items;
- (12) spell check for specific writing items;
- (13) strikethrough for reading, writing, listening, and mathematics;
- (14) writing tools for specific pupil generated responses; or
- (15) zoom for reading, writing, listening, and mathematics.

(b) All pupils shall be permitted the following non-embedded universal tools on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) breaks;
- (2) English dictionary for ELA performance task - pupil long essay(s) not short paragraph responses;
- (3) scratch paper;
- (4) thesaurus for ELA performance task - pupil long essay(s) not short paragraph responses;
- (5) color overlay for science and primary language test;
- (6) math tools (i.e., ruler, protractor) for specific mathematics items;
- (7) simplify or clarify test administration directions (does not apply to test questions); or
- (8) pupil marks in paper-pencil test booklet (other than responses including highlighting).

(c) All pupils shall be permitted the following embedded designated supports when determined for use by an educator or group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts

(including the components of reading, writing, and listening) and mathematics as specified below:

- (1) color contrast for reading, writing, listening, and mathematics;
- (2) masking for reading, writing, listening, and mathematics;
- (3) text-to-speech for writing, listening, mathematics, and reading items but not reading passages;
- (4) translated test directions for mathematics;
- (5) translations (glossary) for mathematics;
- (6) translations (stacked) for mathematics; or
- (7) turn off any universal tool for reading, writing, listening, and mathematics.

(d) All pupils shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators or specified in a pupil's IEP or Section 504 Plan on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:

- (1) translated directions for mathematics, science and primary language test;
- (2) bilingual dictionary for writing;
- (3) access to translation glossaries/word lists for science and primary language test;
- (4) color contrast for reading, writing, listening, and mathematics;
- (5) color overlay for reading, writing, listening, and mathematics;
- (6) magnification;
- (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
- (8) scribe for reading, listening, and mathematics;
- (9) separate setting;
- (10) translations (glossary) for mathematics; (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (c)).
- (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
- (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
- (13) translations (glossary) for science and primary language test; or
- (14) administration of the test at the most beneficial time of day for the pupil.

(e) The following embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

- (1) American Sign Language for listening and mathematics;
- (2) braille for reading, writing, listening, and mathematics;
- (3) closed captioning for listening;
- (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11; or
- (5) streamlining for reading, writing, listening, and mathematics.

(f) The following non-embedded accommodations shall be provided on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language when specified in a pupil's IEP or Section 504 Plan:

- (1) read aloud for primary language test;
- (2) American Sign Language for listening, mathematics, and science;
- (3) braille for paper-pencil tests;
- (4) abacus for mathematics and science;
- (5) alternate response options for reading, writing, listening, and mathematics;
- (6) calculator for specific mathematics items;
- (7) multiplication table for mathematics beginning in grade 4;
- (8) print on demand for reading, writing, listening, and mathematics;
- (9) read aloud for reading passages in grades 6 through 8, inclusive, and grade 11; blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have adequate braille skills;
- (10) scribe for writing, science, and primary language test;
- (11) speech-to-text; or
- (12) large-print version of a paper-pencil test.

(g) An LEA may submit a request in writing to the CDE, prior to the administration of a CAASPP test for approval for the use of an individualized aid. The LEA CAASPP coordinator or the CAASPP test site coordinator shall make the request on behalf of the LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall respond to the request within four business days from the date of receipt of the written request. Written requests must include:

- (1) LEA name and CDS code;
- (2) school/test site and school code;
- (3) school/test site address, city, and zip code;
- (4) LEA CAASPP coordinator name, phone number, and email address;
- (5) CAASPP test site coordinator name, phone number, and email address;
- (6) school/test site testing window dates;
- (7) SSID(s) for the pupil(s) for which the individualized aid is being requested;
- (8) CAASPP test and grade; and
- (9) the individualized aid being requested.

(h) Individualized aids that change the construct being measured by a CAASPP test invalidate the test score and results in a score that cannot be compared with other CAASPP results. Scores for pupils' tests with individualized aids that change the construct being measured by a CAASPP test will not be counted as participating in statewide testing (and impacts the accountability participation rate indicator) but pupils will still receive individual score reports with their actual score. The following non-embedded individualized aids have been determined to change the construct being measured on the CAASPP tests for English language arts (including the components for reading, writing, and listening), mathematics, science, and primary language and are specified below, but not limited to:

- (1) English dictionary for reading, listening, mathematics, science, and primary language;
- (2) thesaurus for reading, listening, mathematics, science and primary language;

- (3) translated test directions for reading, writing, or listening;
 - (4) bilingual dictionary for reading, listening, mathematics, science and primary language;
 - (5) translations (glossary) for reading, writing, and listening;
 - (6) read aloud for reading passages in grades 3, 4, and 5;
 - (7) American Sign Language for reading passages in grades 3, 4, and 5 and reading passages for primary language;
 - (8) calculator for non-specified mathematics items or science;
 - (9) math tools (i.e., ruler, protractor) for non-specified mathematics items; and
 - (10) multiplication table for mathematics in grade 3.
- (i) If a consortium (in which California is a participant) approves of a universal tool(s), designated support(s), and/or accommodation(s) not listed in subdivisions (a) through (f), the CDE shall allow its use.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.
Reference: Sections 60605 and 60640, Education Code; and 34 C.F.R. Sections 200.1 and 300.160(b).

HISTORY

1. New section filed 2-3-2004; operative 2-3-2004 pursuant to Government Code section 11343.4 (Register 2004, No. 6).
2. Amendment of section heading and section filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
3. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
4. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
5. Amendment of section heading, section and Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
6. Amendment of section heading, section and Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 7-23-2014 order, including amendment of subsections (a), (b), (c), (c)(3), (d), (d)(7), (d)(9)-(12), (e)(3)-(4), (f)(11)-(12), (g), (g)(7), (g)(9) and (h), new subsections (d)(13)-(14), (e)(5) and (i), and repealer of subsections (f)(13)-(14), transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).

5 CA ADC 853.7

5 CA ADC 853.7. Use of Designated Supports for English Learners.

- (a) An English learner (EL) shall be permitted the following embedded designated supports, when determined for use by an educator or group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening) and mathematics as specified below:
- (1) color contrast for reading, writing, listening, and mathematics;
 - (2) masking for reading, writing, listening, and mathematics;
 - (3) text-to-speech for writing, listening, mathematics and reading items, but not passages;

- (4) translated test directions for mathematics;
 - (5) translations (glossary) for mathematics;
 - (6) translations (stacked) for mathematics; or
 - (7) turn off any universal tool for reading, writing, listening, and mathematics.
- (b) An EL shall be permitted the following non-embedded designated supports when determined for use by an educator or a group of educators, who may seek input from a parent(s) or guardian(s), on the CAASPP tests for English language arts (including the components of reading, writing, and listening), mathematics, science, and primary language as specified below:
- (1) translated directions for mathematics, science and primary language test;
 - (2) bilingual dictionary for writing;
 - (3) access to translation glossaries/word lists for science and primary language test;
 - (4) color contrast for reading, writing, listening, and mathematics;
 - (5) color overlay for reading, writing, listening, and mathematics;
 - (6) magnification;
 - (7) read aloud for writing, listening, mathematics, and reading items but not reading passages;
 - (8) scribe for reading, listening, and mathematics;
 - (9) separate setting;
 - (10) translations (glossary) for mathematics (only for consortium-provided glossaries that correspond to the embedded designated supports in subdivision (a));
 - (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling headphones);
 - (12) special lighting or acoustics, assistive devices (specific devices may require CAASPP contractor certification), and/or special or adaptive furniture;
 - (13) translations (glossary) for science and primary language test; or
 - (14) administration of the test at the most beneficial time of day for the pupil.

Note: Sections 33031, 60605 and 60640, Education Code. Reference: Sections 306, 60605 and 60640, Education Code; and 34 C.F.R. Section 200.2.

HISTORY

1. New section adopted as part of Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014; effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).
5 CA ADC 854

5 CA ADC 854. Advance Preparation for the Tests. [Repealed]

Note: Authority cited: Sections 33031 and 60605, Education Code. Reference: Sections 60605, 60611 and 60640, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 5-5-98 order, including amendment of subsection (b), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Amendment filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).
6. Amendment of subsection (a) filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
8. Amendment of section heading, section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
9. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
10. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
11. Repealer filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
12. Repealer refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.
13. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 855

5 CA ADC 855. Testing Period.

- (a)(1) For the 2013-14 school year, each LEA shall administer the Smarter Balanced field tests for ELA and mathematics in the manner prescribed by the CDE pursuant to the authority granted by Education Code section 60640(f)(2).
- (2) For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10, shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days. Testing for all pupils, including makeup testing, is to be completed within this 25 instructional day window. If an LEA elects to administer the primary language test, it shall do so during this same testing window.
- (b) Beginning in the 2014-15 school year, the CAASPP tests pursuant to Education Code sections 60640(b) shall be administered to each pupil during the following testing windows:
- (1) Unless otherwise stated in these regulations, the testing window shall not begin until at least 66 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 66 percent of a school year occurs after the 120th instructional day. This allows for a 12-week window for testing.
- (2) For the grade 11 Smarter Balanced assessments and CAASPP tests administered after January 2015, the testing window shall not begin until at

least 80 percent of a school's annual instructional days have been completed, and testing may continue up to and including the last day of instruction for the regular school calendar. For a 180-day school year, 80 percent of a school year occurs after the 144th instructional day. This allows for a 7-week window for testing.

(3) The CST and CMA for science in grades 5, 8, and 10, and CAPA, or its successor alternate assessment, for ELA and mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be administered to each pupil during a testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's, track's, or program's instructional days unless the SBE makes a determination by the close of its September 2014 regular meeting that these tests shall be administered during the window defined in subdivision (b)(1) above. If an LEA elects to administer the primary language test, it shall do so during the same window.

(c) The CDE, with the approval of the SBE President or designee, may require LEAs to more fully utilize the testing window and may also limit the usage of the interim assessments in instances where the CDE determines that it is necessary to do so to ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not exceeded.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.

Reference: Sections 60605, 60640, 60641 and 60642.5, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order, including amendment of subsection (c), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Amendment of subsection (c) filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
6. Amendment filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 11-27-2000 order, including further amendment of subsection (a) and Note, transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).
8. Amendment of section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
9. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
10. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
11. Repealer and new section and amendment of Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

12. Repealer and new section and amendment of Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

13. Certificate of Compliance as to 7-23-2014 order, including amendment of subsection (b)(3), transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4 (b)(3) (Register 2014, No. 35).

5 CA ADC 857

5 CA ADC 857. LEA CAASPP Coordinator.

(a) On or before September 30 of each school year, the superintendent of each LEA shall:

- (1) designate from among the employees of the LEA an LEA CAASPP coordinator;
- (2) identify school(s) with pupils unable to access the CBA version of a CAASPP test(s) in accordance with Education Code section 60640(e); and
- (3) report to the CAASPP contractor(s) the number of pupils enrolled in the school identified in subdivision (2) that are unable to access the CBA version of a CAASPP test.

(b) The LEA CAASPP coordinator, or the LEA superintendent, shall be available through September 30 of the following school year to complete the LEA testing activities. The LEA shall notify the contractor(s) of the identity and contact information for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP coordinator shall serve as the LEA representative and the liaison between the LEA and the contractor(s) and the LEA and the CDE for all matters related to the CAASPP assessment system.

(c) The LEA CAASPP coordinator's responsibilities shall be those defined in the contractor's(s') or consortium's administrative manuals and documentation, and shall include, but are not limited to, overseeing the LEA's preparation, registration, coordination, training, assessment technology, administration, security, and reporting of the CAASPP tests.

(d) The LEA CAASPP coordinator shall ensure current and ongoing compliance with the minimum technology specifications as identified by the CAASPP contractor(s) or consortium.

(e) The LEA CAASPP coordinator shall ensure the training of all CAASPP test site coordinators who will oversee the test administration at each school or test site.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.
Reference: Sections 47079.5, 52052, 60604, 60605, 60610, 60630, 60640 and 60643, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of subsection (b)(5) (Register 98, No. 42).
4. Certificate of Compliance as to 5-5-98 order, including amendment of subsections (a) and (c), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
5. Amendment filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99

or emergency language will be repealed by operation of law on the following day.

6. Certificate of Compliance as to 10-26-98 order, including amendment of subsection (d), transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).
7. Amendment filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 12-16-99 order, including amendment of subsection (a), transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
9. Amendment of subsections (a), (b)(2), (b)(5)-(6) and (c) filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 11-27-2000 order transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).
11. Amendment of section heading, section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
12. Amendment of subsections (a), (b)(3) and (b)(5)-(6) filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
13. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
14. Amendment of section heading, repealer and new section and amendment of Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
15. Amendment of section heading, repealer and new section and amendment of Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.
16. Certificate of Compliance as to 7-23-2014 order, including amendment of subsections (a)(2), (a)(3) and (b), transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).

5 CA ADC 858

5 CA ADC 858. CAASPP Test Site Coordinator.

(a) At each test site, including, but not limited to, each elementary, middle, and high school or other grade-span designated school, each charter school, each court-school, each school or program operated by an LEA, and all other public programs serving pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall designate a CAASPP test site coordinator from among the employees of the LEA. The CAASPP test site coordinator, or the site principal or his or her designee, shall be available to the LEA CAASPP coordinator by telephone through September 30 of the following school year for purposes of resolving discrepancies or inconsistencies in materials or errors in reports.

(b) The CAASPP test site coordinator's responsibilities shall be those defined in the contractor's(s') and CDE's administrative manuals and documentation, and shall include, but are not limited to, overseeing the test site's preparation, coordination, training, registration, administration, security, and reporting of the CAASPP tests.

(c) The CAASPP test site coordinator shall be responsible for the training of test examiners, translators, proctors, and scribes.

15. Certificate of Compliance as to 7-23-2014 order, including amendment of subsection (a) and new subsection (d), transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).

5 CA ADC 859

5 CA ADC 859. CAASPP Test Security Agreement and Test Security Affidavit.

(a) All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the CAASPP Test Security Agreement, set forth in subdivision (b), before receiving any of the test materials or tests administered pursuant to Education Code section 60640.

(b) The CAASPP Test Security Agreement shall be as follows:

CAASPP TEST SECURITY AGREEMENT

I acknowledge by my signature on this form that the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640 are secure tests and agree to each of the following conditions to ensure test security:

(1) I will take all necessary precautions to safeguard all tests and test materials, whether paper-based or computer-based assessments, by limiting access to only persons within the LEA who are responsible for, and have professional interest in, the tests' security.

(2) I will keep on file the names of all persons who have been trained in the administration of CAASPP tests and all persons with access to tests and test materials, whether paper-based or computer-based assessments. I have and shall have all other persons having access to the tests and test materials read and sign the CAASPP Test Security Affidavit that will be kept on file in the LEA office.

(3) Except during the administration of the tests, I will keep the paper-pencil tests, and their test materials in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will securely destroy all print-on-demand papers, scratch paper, and other documents as prescribed within the contractor's(s') or consortium's administrative manuals and documentation.

(5) With the exception of subdivision (6) below, I will deliver tests and test materials or allow electronic access thereto, only on actual testing dates and only to those persons who have executed CAASPP Test Security Affidavits.

(6) For an alternate assessment (CAPA or its successor alternate assessment), I will keep all tests and testing materials in the manner set forth above in subdivisions (3) and (5) except during actual testing administration or when being used by test examiners to prepare for and to administer the assessment. I will adhere to the contractor's directions for the distribution of the assessment materials to test examiners.

By signing my name to this document, I am assuring that I have completely read and will abide by the above conditions.

Signed: _____

Print Name: _____

Title: _____

LEA: _____

Date: _____

(c) All test examiners, proctors, translators, scribes, LEA CAASPP coordinators and CAASPP test site coordinators, and any other persons having access to any of the tests and test materials, assessment technology platform, registration

system, adaptive engine, or tests administered pursuant to Education Code section 60640, shall acknowledge the limited purpose of their access to the tests by signing the CAASPP Test Security Affidavit set forth in subdivision (d).

(d) The CAASPP Test Security Affidavit shall be as follows:

CAASPP TEST SECURITY AFFIDAVIT

I acknowledge that I will have access to one or more of the California Assessment of Student Performance and Progress (CAASPP) tests pursuant to Education Code section 60640, for the purpose of administering the test(s). I understand that these materials are highly secure and may be under copyright restrictions and it is my professional responsibility to protect their security as follows:

(1) I will not divulge the contents of the tests and test materials to any other person through verbal, written, or any other means of communication. This includes, but is not limited to, sharing or posting test content via the Internet or by email without the express written permission of the CDE.

(2) I will not copy or take a photo of any part of the test(s) or test materials. This includes, but is not limited to, photocopying (including enlarging) and recording without prior expressed written permission of the CDE.

(3) Except during the actual testing administrations or as otherwise provided for by law, I will keep the test(s) and test materials secure until the test(s) are actually distributed to pupils when tests and testing materials are checked in and out by the CAASPP test site coordinator. Keeping materials secure means that testing materials are required to be kept in a securely locked room that can be entered only with a key or keycard and, when possible, in a locked storage cabinet within that room.

(4) I will limit access to the test(s) and test materials by test examinees to the actual testing periods when they are taking the test(s). I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a test security affidavit may be in the room when and where a test is being administered.

(A) I will keep all assigned, generated, or created usernames, passwords and logins secure and not divulge pupil personal information to anyone other than the pupil to whom the information pertains for the purpose of logging on to the assessment delivery system.

(B) I will not allow anyone other than the assigned pupils to log into their assigned test. I may assist a pupil with using their information to log into their assigned test.

(C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in using another pupil's information.

(5) I will not allow pupils to access electronic devices that allow them to access outside information, communicate with other pupils, or photograph or copy test content. This includes, but is not limited to, cell phones, personal digital assistants (PDAs), tablets, laptops, cameras, and electronic translation devices.

(6) I will collect and account for all materials following each testing session and will not permit pupils to remove any test materials by any means from the room(s) where testing takes place. After each testing session, I will count all test booklets and answer documents before allowing any pupil to leave the testing room and/or ensure that all pupils have properly logged off the assessment delivery system.

(7) I will not review any achievement test questions, passages, performance tasks, or other test items independently or with pupils or any other person at any time, including before, during, or following testing. I understand that this includes any discussion between LEA staff for training or professional development whether one-on-one or in a staff meeting.

(8) I will not, for any achievement test, develop scoring keys, review any pupil responses, or prepare answer documents. I understand that this includes coaching pupils or providing any other type of assistance to pupils that may affect their responses. This includes, but is not limited to, both verbal cues (e.g., interpreting, explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice inflection, pointing, or nodding head) to the correct answer (anything that may indicate correct or incorrect answers), or completing or changing pupils' answers.

(9) I will return all test materials to the designated CAASPP test site coordinator each day upon completion of testing. I understand that all test booklets, answer documents, and scratch paper shall be returned to the CAASPP test site coordinator each day immediately after testing has been completed for storage or confidential destruction.

(10) If I will administer and/or observe the administration of an alternate assessment (CAPA or its successor alternate assessment), which means that I am a certificated or a licensed LEA employee and a trained examiner, I will keep all the alternate assessment (CAPA or its successor alternate assessment) materials in a securely locked room, and, when possible, in a locked storage cabinet within that room except when I am preparing for the administration, administering or observing the administration of the assessment to pupils.

(11) I will actively supervise pupils throughout the paper-pencil testing session to ensure that they are working on the correct test section or part, marking their answers in the correct section of their answer documents, following instructions, and are accessing only authorized materials (non-embedded universal tools, designated supports, accommodations, or individualized aids) needed for the test being administered.

(12) I will actively supervise pupils throughout the testing session and verify that pupils have selected the appropriate assessment for the testing session and have completed any necessary preceding test sections and/or classroom activities.

(13) I will administer the test(s) in accordance with the directions for test administration and test administration manuals prepared by the CAASPP testing contractor(s), or any additional guidance provided by the CAASPP test contractor (s). I understand that the unauthorized copying, sharing, or reusing of any test booklet, test question, performance task, or answer document by any means is prohibited. This includes, but is not limited to, photocopying, recording, emailing, messaging (instant, text, or multimedia messaging service, or digital application), using a camera/camera phone, and sharing or posting test content via the Internet without the express prior written permission of the CDE.

(14) I have been trained to administer the tests. By signing my name to this document, I am assuring that I have completely read this affidavit and will abide by the above conditions.

Signed: _____

Print Name: _____

Position: _____

School: _____

LEA: _____

Date: _____

(e) To maintain the security of the CAASPP assessment system, all LEA CAASPP coordinators and CAASPP test site coordinators shall immediately, within 24 hours, notify the CDE of any security breaches or testing irregularities occurring either before, during, or after the test administration(s).

Note: Authority cited: Sections 33031 and 60605, Education Code. Reference: Sections 60602.5, 60605 and 60640, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order, including amendment of subsections (c) and (d), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Amendment of subsections (b) and (c)-(e) filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).
6. Amendment filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 11-27-2000 order transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).
8. New subsections (b)(4) and (b)(5) and amendment of Note filed 2-3-2004; operative 2-3-2004 pursuant to Government Code section 11343.4 (Register 2004, No. 6).
9. Amendment filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
10. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
11. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
12. Amendment of section heading, repealer and new section and amendment of Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
13. Amendment of section heading, repealer and new section and amendment of Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.
14. Certificate of Compliance as to 7-23-2014 order, including amendment of subsections (b)(6), (c) and (d)(4)(A), repealer of subsection (d)(4)(D), amendment of subsections (d)(6) and (d)(10)-(11), new subsection (d)(12) and subsection renumbering, transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4 (b)(3) (Register 2014, No. 35).

5 CA ADC 861

5 CA ADC 861. Data Elements for Test Registration and State and Federal Reporting.

(a) In order to assess pupils pursuant to Education Code section 60640 and meet state and federal accountability and reporting obligations, each LEA shall provide any and all program and demographic pupil data requested by the CDE for inclusion in California Longitudinal Pupil Achievement Data System (CALPADS).

(b) In addition to the demographic and program data required to be reported in section 861(a), LEAs shall report to the CDE the following information:

- (1) if an eligible pupil is not tested due to a significant medical emergency;
- (2) if a pupil used a designated support;
- (3) if a pupil used an individualized aid;
- (4) if a pupil used an accommodation(s);
- (5) if a pupil had special testing conditions and/or reasons for not being tested (e.g., parent or guardian exemption);
- (6) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code; and
- (7) if a pupil in grade 2 was administered a diagnostic assessment pursuant to Education Code section 60644.

(c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate prior to LEA registration and throughout the testing window. The CDE shall provide LEAs reasonable notification prior to pupil demographic and program data being extracted from CALPADS for purposes of test registration, individual pupil reports and reports aggregated to the LEA, and state and federal accountability reporting.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.
Reference: Sections 49079.5, 52052, 60605, 60630, 60640, 60641 and 60643, Education Code; and 7 C.F.R. Sections 245.2(a)(1)-(4), 245.3 and 245.6.

HISTORY

1. New section adopted by the Department of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order, including amendment of subsection (a), repealer of subsections (a)(10) and (a)(11), and amendment of Note, transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Amendment of subsections (a) and (a)(8) and new subsection (a)(10) filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
6. Amendment of section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
7. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
8. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
9. Amendment of section heading, repealer and new section and amendment of Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
10. Amendment of section heading, repealer and new section and amendment of Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

11. Certificate of Compliance as to 7-23-2014 order, including new subsections (b)(2)-(3) and subsection renumbering, transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).

5 CA ADC 862

5 CA ADC 862. Apportionment Information Report.

(a) Annually, the CDE shall make available electronically to each LEA an apportionment information report with the following information provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level:

- (1) The number of pupils enrolled in each school and in the LEA on the first day of testing.
- (2) The number of pupils in each school and in the LEA tested with the alternate assessment.
- (3) The number of pupils in each school and in the LEA exempted from testing at the request of their parents or guardians pursuant to Education Code section 60615.
- (4) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.
- (5) The number of pupils who were administered any portion of the CAASPP assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.
- (6) The number of pupils with demographic information only who were not tested for any reason other than a parent or guardian exemption.
- (7) The number of English language learners who were administered a primary language test aligned to the English language arts standards pursuant to Education Code section 60640(b)(5)(B).
- (8) Beginning in 2014-15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to Education Code section 60644.

(b) To be eligible for apportionment payment for the CAASPP assessments, LEAs must meet the following conditions:

- (1) The LEA has returned all secure test materials, and
- (2) The LEA CAASPP coordinator has certified the accuracy of the apportionment information report for assessments administered during the school year, which is either;
 - (A) transmitted electronically in a manner prescribed by the contractor(s) and/or the CDE by December 31, or
 - (B) if transmitted in any manner after December 31, the apportionment information report must be accompanied by a waiver request as provided by Education Code section 33050. For those apportionment information reports transmitted after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the testing window began.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.
Reference: Sections 60610, 60615, 60640 and 60641, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order, including amendment of subsection (a), repealer of subsection (a)(5), subsection renumbering, and amendment of subsections (b)(2) and (c), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Repealer of subsections (c)-(d) filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).
6. Amendment of subsections (a) and (b)(2) filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
8. Amendment of subsections (a)-(a)(3) and repealer of subsection (a)(5) filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 11-27-2000 order transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).
10. Amendment of section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
11. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
12. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
13. Amendment of section and Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
14. Amendment of section and Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.
15. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 862.5

5 CA ADC 862.5. Apportionment to LEAs.

(a) The amount of funding to be apportioned to the LEA shall be the amount established by the SBE per the number of tests administered to eligible pupils, and the number of pupils enrolled on the first day of testing who were not tested in the LEA. The number of tests administered and the number of pupils not tested shall be determined by the certification of the LEA CAASPP coordinator pursuant to section 862. For purposes of this portion of the apportionment, administration of the tests includes the following items:

- (1) All staffing costs, including the LEA CAASPP coordinator and the CAASPP test site coordinators, staff training and other staff expenses related to testing.
- (2) All expenses incurred at the LEA and school/test site(s) related to testing.

(3) All transportation costs of delivering and retrieving tests and test materials within the LEA and to NPSS.

(4) All costs associated with transmitting the pupil report(s) to parents/guardians.

(5) All costs associated with activities intended to provide the complete and accurate data required in section 861.

(b) This amount does not include any funding for the purposes of reimbursing any LEA for primary language tests for non-eligible pupils.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.

Reference: Sections 60640 and 60643, Education Code.

HISTORY

1. Renumbering of former section 870 to new section 862.5, including amendment of section and Note, filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).

2. Amendment of section heading, section and Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

3. Amendment of section heading, section and Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

4. Certificate of Compliance as to 7-23-2014 order, including amendment of subsection (a), transmitted to OAL 7-16-2014 and filed 8-27-2014; amendments effective 8-27-2014 pursuant to Government Code section 11343.4(b)(3) (Register 2014, No. 35).

5 CA ADC 863

5 CA ADC 863. CAASPP Pupil Reports and Cumulative Record Labels.

(a) The LEA shall forward or transmit pupil results for the tests conducted pursuant to Education Code section 60640 to each pupil's parent or guardian within 20 working days from receipt of the results from the contractor.

(b) If the LEA receives the reports for the tests conducted pursuant to Education Code section 60640 from the contractor after the last day of instruction for the school year, the LEA shall make the report available to the parent or guardian no later than the first 20 working days of the next school year.

(c) Schools are responsible for maintaining pupil's scores with the pupil's permanent school records or for entering the scores into electronic pupil records, and for forwarding or transmitting the results to schools to which pupils matriculate or transfer. Schools may annotate the scores when the scores may not accurately reflect pupils' achievement due to illness or testing irregularities.

Note: Authority cited: Sections 33031, 60605 and 60640, Education Code.

Reference: Sections 49062, 49068, 60607, 60640 and 60641, Education Code.

HISTORY

1. New section adopted by the Department of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 5-5-98 order, including amendment of Note, transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).

4. Amendment of subsection (b) filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.

5. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).

6. Amendment of section heading, section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).

7. Amendment of subsections (a) and (b) filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).

8. Amendment of section heading, section and Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

9. Amendment of section heading, section and Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

10. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 864

5 CA ADC 864 LEA Compliance with Contractor Requirements.

(a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

(b) In order for the state to meet its obligations in the development, administration, and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

(1) comply with any and all requests from CAASPP contractor(s) in accordance with Education Code section 60641; and

(2) abide by any and all instructions provided by the CAASPP contractor or consortium, whether written or oral, that are presented for training or provided for in the administration of a CAASPP test.

Note: Authority cited: Sections 33031, 60605, 60613 and 60640, Education Code. Reference: Sections 60605, 60610, 60640, 60641 and 60643, Education Code; 20 U.S.C. Section 1232g; and 34 C.F.R. Section 99.3.

HISTORY

1. New section adopted by the Department of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 5-5-98 order, including amendment of Note, transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).

4. Amendment of section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).

5. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).

6. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).

7. Amendment of section heading, section and Note filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

8. Amendment of section heading, section and Note refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

9. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 864.5

5 CA ADC 864.5. Test Order Information. [Repealed]

Note: Authority cited: Sections 33031 and 60605, Education Code. Reference: Sections 60605, 60640 and 60643, Education Code.

HISTORY

1. New section filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.

2. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).

3. Amendment filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.

4. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).

5. Amendment of subsections (a), (a)(7) and (d) filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.

6. Certificate of Compliance as to 11-27-2000 order transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).

7. Amendment of section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).

8. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).

9. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).

10. Repealer filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

11. Repealer refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

12. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 865

5 CA ADC 865. Transportation. [Repealed]

Note: Authority cited: Sections 33031 and 60605, Education Code. Reference: Section 60640, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Amendment of subsection (a) filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
6. Amendment of section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
7. Amendment of subsections (a) and (c) filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
8. Repealer filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
9. Repealer refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 866

5 CA ADC 866. School District Delivery. [Repealed]

Note: Authority cited: Sections 33031 and 60605, Education Code. Reference: Sections 60605, 60640, 60642.5 and 60643, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order, including amendment of subsection (a), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Amendment of subsection (a), repealer of subsection (b) and subsection relettering filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).

6. Amendment of section and Note filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.

7. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).

8. Amendment filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.

9. Certificate of Compliance as to 11-27-2000 order, including further amendment of subsection (b), transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).

10. Amendment of section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).

12. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).

13. Amendment of section and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).

14. Repealer filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

15. Repealer refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

16. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 867

5 CA ADC 867. Test Site Delivery and Return. [Repealed]

Note: Authority cited: Sections 33031 and 60605, Education Code. Reference: Sections 60640 and 60642.5, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 5-5-98 order transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).

4. Amendment of subsections (b)-(c) filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.

5. Certificate of Compliance as to 11-27-2000 order, including further amendment of subsection (c), transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).

6. Amendment of section heading, section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).

7. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).

8. Repealer filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

9. Repealer refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

10. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 867.5

5 CA ADC 867.5. Retrieval of Materials by Contractor. [Repealed]

Note: Authority cited: Sections 33031 and 60605, Education Code. Reference: Sections 60640, 60642.5 and 60643, Education Code.

HISTORY

1. New section filed 10-26-98 as an emergency; operative 10-26-98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 2-23-99 or emergency language will be repealed by operation of law on the following day.

2. Certificate of Compliance as to 10-26-98 order transmitted to OAL 2-23-99 and filed 4-6-99 (Register 99, No. 15).

3. Repealer of subsection (a) designator, repealer of subsection (b) and amendment of Note filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.

4. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).

5. Amendment filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.

6. Certificate of Compliance as to 11-27-2000 order, including further amendment of section, transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).

7. Amendment of section heading, section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).

8. Amendment filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).

9. Repealer filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.

10. Repealer refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.

11. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

5 CA ADC 868

5 CA ADC 868. Discrepancy Resolution for Standards-Based Achievement Tests and Any Primary Language Test. [Repealed]

Note: Authority cited: Sections 33031 and 60605, Education Code. Reference: Sections 60605, 60640 and 60643, Education Code.

HISTORY

1. New section adopted by the State Board of Education and filed 1-2-98 as an emergency; operative 1-2-98 (Register 98, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-2-98 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 5-5-98 as an emergency; operative 5-5-98 (Register 98, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-2-98 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 5-5-98 order, including amendment of subsections (c) and (d), transmitted to OAL 9-2-98 and filed 10-14-98 (Register 98, No. 42).
4. Amendment of section and Note filed 12-16-99 as an emergency; operative 12-16-99 (Register 99, No. 51). A Certificate of Compliance must be transmitted to OAL by 4-14-2000 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 12-16-99 order transmitted to OAL 4-14-2000 and filed 5-26-2000 (Register 2000, No. 21).
6. Amendment of subsection (c) filed 11-27-2000 as an emergency; operative 1-1-2001 (Register 2000, No. 48). A Certificate of Compliance must be transmitted to OAL by 5-1-2001 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 11-27-2000 order transmitted to OAL 3-28-2001 and filed 5-9-2001 (Register 2001, No. 19).
8. Amendment of section heading, section and Note filed 8-22-2005; operative 9-21-2005 (Register 2005, No. 34).
9. Amendment of section heading and section filed 11-8-2006; operative 12-8-2006 (Register 2006, No. 45).
10. Amendment of section heading, subsections (a)(1)(B)-(c) and Note filed 4-13-2011; operative 5-13-2011 (Register 2011, No. 15).
11. Repealer filed 2-3-2014 as an emergency; operative 2-3-2014 (Register 2014, No. 6). A Certificate of Compliance must be transmitted to OAL by 8-4-2014 or emergency language will be repealed by operation of law on the following day.
12. Repealer refiled 7-23-2014 as an emergency; operative 7-23-2014 (Register 2014, No. 30). A Certificate of Compliance must be transmitted to OAL by 10-21-2014 or emergency language will be repealed by operation of law on the following day.
13. Certificate of Compliance as to 7-23-2014 order transmitted to OAL 7-16-2014 and filed 8-27-2014 (Register 2014, No. 35).

End of Document © 2015 Thomson Reuters. No claim to original U.S. Government Works.

NETSCAN

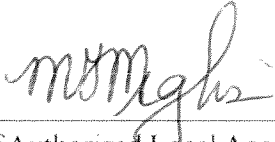
8. CLAIM CERTIFICATION

*Read, sign, and date this section and insert at the end of the test claim submission.**

This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim submission is true and complete to the best of my own knowledge or information or belief.

Micheline G. Miglis

Print or Type Name of Authorized Local Agency
or School District Official



Signature of Authorized Local Agency or
School District Official

Superintendent, Plumas County Office of Education

Print or Type Title

09 March 2015

Date

** If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the test claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

8. CLAIM CERTIFICATION

*Read, sign, and date this section and insert at the end of the test claim submission.**

This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim submission is true and complete to the best of my own knowledge or information or belief.

Micheline G. Miglis

Print or Type Name of Authorized Local Agency
or School District Official

Superintendent, Plumas Unified School District

Print or Type Title



Signature of Authorized Local Agency or
School District Official

03/march/2015

Date

** If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the test claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

8. CLAIM CERTIFICATION

*Read, sign, and date this section and insert at the end of the test claim submission.**

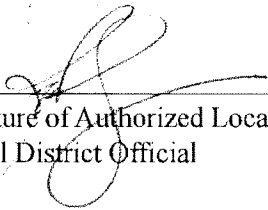
This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim submission is true and complete to the best of my own knowledge or information or belief.

John Snavelly

Print or Type Name of Authorized Local Agency
or School District Official

Superintendent, Porterville Unified School District

Print or Type Title



Signature of Authorized Local Agency or
School District Official

3/9/2015

Date

** If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the test claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

8. CLAIM CERTIFICATION

*Read, sign, and date this section and insert at the end of the test claim submission.**

This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim submission is true and complete to the best of my own knowledge or information or belief.

Richard L. Miller

Print or Type Name of Authorized Local Agency
or School District Official

Superintendent, Santa Ana Unified School District

Print or Type Title



Signature of Authorized Local Agency or
School District Official

3.13.2015

Date

** If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the test claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

8. CLAIM CERTIFICATION

*Read, sign, and date this section and insert at the end of the test claim submission.**

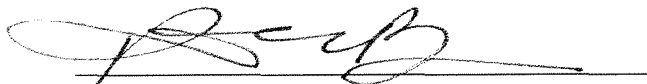
This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim submission is true and complete to the best of my own knowledge or information or belief.

Ramona Bishop

Print or Type Name of Authorized Local Agency
or School District Official

Superintendent, Vallejo Unified School District

Print or Type Title



Signature of Authorized Local Agency or
School District Official

3/17/15

Date

** If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the test claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Solano and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On March 16, 2015, I served the:

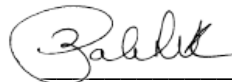
Claimant Rebuttal Comments and California Educational Technology Professionals Association Comments

California Assessment of Student Performance and Progress (CAASPP), 14-TC-01 Education Code Sections 60602, 60603, 60604, 60607, 60610, 60611, 60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810, 99300, and 99301; Statutes 2013-2014, Chapter 489 (AB 484); Statutes 2014 Chapter 32, (SB 858); Statutes 2014, Chapter 327 (AB 1599); California Code of Regulations, Title 5, Section 850 through 864, inclusive; (Register 2014, No. 30; Effective Date: July 23, 2014)

Plumas County Office of Education, Plumas Unified School District, Porterville Unified School District, Santa Ana Unified School District, and Vallejo City Unified School District, Claimants

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 16, 2015 at Sacramento, California.



Heidi J. Palchik
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 3/13/15

Claim Number: 14-TC-01

Matter: California Assessment of Student Performance and Progress (CAASPP)

Claimants: Plumas County Office of Education
Plumas Unified School District
Porterville Unified School District
Santa Ana Unified School District
Vallejo City Unified School District

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

Amber Alexander, *Department of Finance*

Education Systems Unit, 915 L Street, Sacramento, CA 95814

Phone: (916) 445-0328

Amber.Alexander@dof.ca.gov

Socorro Aquino, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

Harmeet Barkschat, *Mandate Resource Services, LLC*

5325 Elkhorn Blvd. #307, Sacramento, CA 95842

Phone: (916) 727-1350

harmeet@calsdrc.com

Lacey Baysinger, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-0254

lbaysinger@sco.ca.gov

Andrea Bennett, Executive Director, *California Educational Technology Professionals As*

915 L Street, Sacramento, CA, United States, ,

Phone: (916) 402-2471

andrea.bennett@cetpa.net

Mike Brown, *School Innovations & Advocacy*
5200 Golden Foothill Parkway, El Dorado Hills, CA 95762
Phone: (916) 669-5116
mikeb@sia-us.com

Laurie Bruton, Superintendent, *San Lorenzo Valley Unified School District*
325 Marion Ave, Ben Lomond, CA 95005
Phone: (831) 336-5194
lbruton@slvusd.org

J. Bradley Burgess, *MGT of America*
895 La Sierra Drive, Sacramento, CA 95864
Phone: (916) 595-2646
Bburgess@mgtamer.com

Gwendolyn Carlos, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-0706
gcarlos@sco.ca.gov

David Cichella, *California School Management Group*
3130-C Inland Empire Blvd., Ontario, CA 91764
Phone: (209) 834-0556
dcichella@csmcentral.com

Joshua Daniels, Attorney, *California School Boards Association*
3251 Beacon Blvd, West Sacramento, CA 95691
Phone: (916) 669-3266
jdaniels@csba.org

Marieta Delfin, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-4320
mdelfin@sco.ca.gov

Andra Donovan, *San Diego Unified School District*
Legal Services Office, 4100 Normal Street, Room 2148, , San Diego, CA 92103
Phone: (619) 725-5630
adonovan@sandi.net

Donna Ferebee, *Department of Finance*
915 L Street, Suite 1280, Sacramento, CA 95814
Phone: (916) 445-3274
donna.ferebee@dof.ca.gov

Chris Ferguson, *Department of Finance*
Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-3274
Chris.Ferguson@dof.ca.gov

Susan Geanacou, *Department of Finance*
915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274
susan.geanacou@dof.ca.gov

Paul Golaszewski, *Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8341
Paul.Golaszewski@lao.ca.gov

Robert Groeber, Assistan Superintendent, *Visalia Unified School District*
5000 West Cypress Ave P.O. Box, Visalia, CA 93278-5004
Phone: (559) 730-7529
rgroeber@visalia.k12.ca.us

Wendy Gudalewicz, Superintendent, *Cupertino Union School District*
10301 Vista Drive, Cupertino, CA 95014-2091
Phone: (408) 252-3000
gudalewicz_wendy@cusdk8.org

Ed Hanson, *Department of Finance*
Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
ed.hanson@dof.ca.gov

Mark Ibele, *Senate Budget & Fiscal Review Committee*
California State Senate, State Capitol Room 5019, Sacramento, CA 95814
Phone: (916) 651-4103
Mark.Ibele@sen.ca.gov

Cheryl Ide, Associate Finance Budget Analyst, *Department of Finance*
Education Systems Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Cheryl.ide@dof.ca.gov

Ian Johnson, Principal Program Budget Analyst, *Department of Finance*
Education Systems Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Ian.Johnson@dof.ca.gov

Matt Jones, *Commission on State Mandates*
980 9th Street, Suite 300, Sacramento, CA 95814
Phone: (916) 323-3562
matt.jones@csm.ca.gov

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Jillian Kissee, *Department of Finance*
915 L Street, Sacramento, Ca
Phone: (916) 445-0328
jillian.kissee@dof.ca.gov

Sarah Koligian, Superintendent, *Tulare Joint Union High School District*
426 North Blackstone, Tulare, CA 93274-4449

Phone: (559) 688-2021
sarah.koligian@tulare.k12.ca.us

Jennifer Kuhn, Deputy, *Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8332
Jennifer.kuhn@lao.ca.gov

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Nancy Lentz, Administrative Assistant to the Superintendent, *Santa Cruz City Schools District*
405 Old San Jose Road, Soquel, CA 95073
Phone: (831) 429-3410
nlentz@sccs.net

Kathleen Lynch, *Department of Finance (A-15)*
915 L Street, Suite 1280, 17th Floor, Sacramento, CA 95814
Phone: (916) 445-3274
kathleen.lynch@dof.ca.gov

Michelle Mendoza, *MAXIMUS*
17310 Red Hill Avenue, Suite 340, Irvine, CA 95403
Phone: (949) 440-0845
michellemendoza@maximus.com

Yazmin Meza, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Yazmin.meza@dof.ca.gov

Micheline G. Miglis, Superintendent, *Plumas County Office of Education*
Plumas Unified School District, 1446 E. Main, Quincy, CA 95971
Phone: (530) 283-6500
mmiglis@pcoe.k12.ca.us

Richard L. Miller, Superintendent, *Santa Ana Unified School District*
1601 East Chestnut Avenue, Santa Ana, CA 92701
Phone: (714) 558-5512
rick.miller@sausd.us

Meredith Miller, Director of SB90 Services, *MAXIMUS*
3130 Kilgore Road, Suite 400, Rancho Cordova, CA 95670
Phone: (972) 490-9990
meredithcmiller@maximus.com

Michael Milliken, Superintendent, *Belmont-Redwood Shores School District*
2960 Hallmark Drive, Belmont, CA 94802-2999
Phone: (650) 637-4800
mmilliken@brssd.org

Robert Miyashiro, *Education Mandated Cost Network*

1121 L Street, Suite 1060, Sacramento, CA 95814
Phone: (916) 446-7517
robertm@sscal.com

Jameel Naqvi, Analyst, *Legislative Analysts' Office*
Education Section, 925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8331
Jameel.naqvi@lao.ca.gov

Keith Nezaam, *Department of Finance*
915 L Street, 8th Floor, Sacramento, CA 95814
Phone: (916) 445-8913
Keith.Nezaam@dof.ca.gov

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Don Olson, Superintendent, *Del Norte County Office of Education*
301 W. Washington Blvd, Crescent City, CA 95531
Phone: (707) 464-0200
dolson@delnorte.k12.ca.us

Christian Osmena, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
christian.osmena@dof.ca.gov

Arthur Palkowitz, *Stutz Artiano Shinoff & Holtz*
Claimant Representative
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@sashlaw.com

Keith Petersen, *SixTen & Associates*
P.O. Box 340430, Sacramento, CA 95834-0430
Phone: (916) 419-7093
kbsixten@aol.com

Mark Rewolinski, *MAXIMUS*
625 Coolidge Drive, Suite 100, Folsom, CA 95630
Phone: (949) 440-0845
markrewolinski@maximus.com

Sandra Reynolds, *Reynolds Consulting Group, Inc.*
P.O. Box 894059, Temecula, CA 92589
Phone: (951) 303-3034
sandrareynolds_30@msn.com

Kathy Rios, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-5919
krios@sco.ca.gov

David Scribner, Max8550

2200 Sunrise Boulevard, Suite 240, Gold River, CA 95670
Phone: (916) 852-8970
dscribner@max8550.com

Steve Shields, Shields Consulting Group, Inc.

1536 36th Street, Sacramento, CA 95816
Phone: (916) 454-7310
steve@shieldscg.com

Socorro Shiels, Superintendent, Santa Rosa City Schools

211 Ridgway Ave, Santa Rosa, CA 95401
Phone: (707) 528-5181
sshiels@srcs.k12.ca.us

John Snavelly, Superintendent, Porterville Unified School District

600 West Grand Avenue, Porterville, CA 93257
Phone: (559) 792-2455
jsnavely@portervilleschools.org

Jim Spano, Chief, Mandated Cost Audits Bureau, State Controller's Office

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-5849
jspano@sco.ca.gov

Dennis Speciale, State Controller's Office

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
DSpeciale@sco.ca.gov

Meg Svoboda, Senate Office of Research

1020 N Street, Suite 200, Sacramento, CA
Phone: (916) 651-1500
meg.svoboda@sen.ca.gov

Amy Tang-Paterno, Educational Fiscal Services Consultant, California Department of Education

Government Affairs, 1430 N Street, Suite 5602, Sacramento, CA 95814
Phone: (916) 322-6630
ATangPaterno@cde.ca.gov

Jolene Tollenaar, MGT of America

2001 P Street, Suite 200, Sacramento, CA 95811
Phone: (916) 443-9136
jolene_tollenaar@mgtamer.com

Brian Uhler, Legislative Analyst's Office

925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8328
brian.uhler@lao.ca.gov

Marichi Valle, San Jose Unified School District

855 Lenzen Avenue, San Jose, CA 95126
Phone: (408) 535-6141

mvalle@sjusd.org

Ronald D. Wenkart, General Counsel, *Orange County Department of Education*

200 Kalmus Drive P.O. Box, Costa Mesa, CA 92628-9050

Phone: (714) 966-4220

rwenkart@ocde.us

Judy D. White, Superintendent, *Moreno Valley Unified School District*

25634 Alessandro Blvd, Moreno Valley, CA 92553

Phone: (915) 571-7500

jdwhite@mvusd.net

**State of California
Office of Administrative Law**

In re:
Board of Education

Regulatory Action:

Title 5, California Code of Regulations

Adopt sections:

Amend sections: 850, 851, 852, 853, 853.5,
855, 857, 858, 859, 861,
862, 862.5, 863, 864

Repeal sections: 854, 864.5, 865, 866, 867,
867.5, 868

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

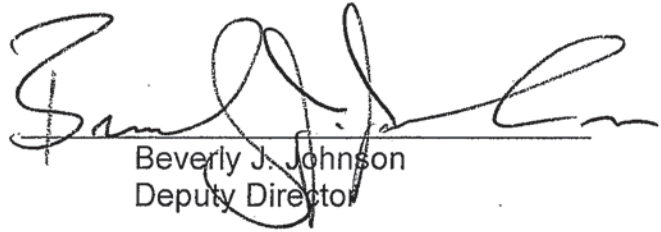
OAL File No. 2014-0124-04 E

This emergency rulemaking by the State Board of Education amends and repeals sections of Title 5 of the California Code of Regulations commencing with section 850 and ending with section 868. Education Code section 60640, as established by AB 484, effective January 1, 2014, deletes provisions that established the Standardized Testing and Reporting Program and establishes California Assessment of Student Performance and Progress.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 2/3/2014 and will expire on 8/5/2014. The Certificate of Compliance for this action is due no later than 8/4/2014.

Date: 2/3/2014



Beverly J. Johnson
Deputy Director

For: DEBRA M. CORNEZ
Director

Original: Susan Burr
Copy: Hillary Wirick

D. 400 (REV. 01-2013)

OAL FILE NUMBERS

NOTICE FILE NUMBER

REGULATORY ACTION NUMBER

EMERGENCY NUMBER

Z-2014-0117-03

2014-0124-04E

For use by Office of Administrative Law (OAL) only

2014 JAN 24 PM 4:13

OFFICE OF ADMINISTRATIVE LAW

ENDORSED FILED IN THE OFFICE OF

2014 FEB -3 PM 3:47

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
State Board of Education

AGENCY FILE NUMBER (if any)

PUBLICATION OF NOTICE (Complete for publication in Notice Register)

SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
NOTICE TYPE Notice re Proposed Regulatory Action <input type="checkbox"/> Other <input type="checkbox"/>		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
ONLY USE	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

SUBMISSION OF REGULATIONS (Complete when submitting regulations)

SUBJECT OF REGULATION(S) <u>Assessment of Student Performance and Progress</u>		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)		
ACTION(S) AFFECTED List all section number(s) individually. Attach additional sheet if needed.	ADOPT	
	AMEND	850, 851, 852, 853, 853.5, 855, 857, 858, 859, 861, 862, 862.5, 863, 864
	REPEAL	854, 864.5, 865, 866, 867, 867.5, 868

TYPE OF FILING

Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)		<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Other (Specify) _____	

BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs, title 1, §44 and Gov. Code §11347.1)

EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
 Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State §100 Changes Without Regulatory Effect Effective other (Specify) _____

CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
 Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

CONTACT PERSON My Wirick, Regulations Analyst	TELEPHONE NUMBER (916) 319-0644	FAX NUMBER (Optional) (916) 319-0155	E-MAIL ADDRESS (Optional) hwirick@cde.ca.gov
--	------------------------------------	---	---

I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>My Brian Holloway</i>	DATE 1/9/14
NAME AND TITLE OF SIGNATORY Brisson Holloway, General Counsel	

395

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 03 2014

Office of Administrative Law

- 1 • The State Board of Education has illustrated changes to the original text in the
2 following manner: text originally proposed to be added is underlined; text proposed
3 to be deleted is displayed in ~~strikeout~~.
4

5 **Title 5. EDUCATION**

6 **Division 1. California Department of Education**

7 **Chapter 2. Pupils**

8 **Subchapter 3.75. Standardized Testing and Reporting Program California**
9 **Assessment of Student Performance and Progress (CAASPP)**

10 **Article 1. General**

11 **§ 850. Definitions.**

12 For the purposes of the ~~Standardized Testing and Reporting (STAR) Program~~, the
13 following terms shall have the following meanings unless the context indicates
14 otherwise:

15 (a) ~~“Accommodations” means any variation in the assessment environment or~~
16 ~~process that does not fundamentally alter what the test measures or affect the~~
17 ~~comparability of scores.~~

18 (b) ~~“Administration period” means one of multiple test administration periods used~~
19 ~~by school districts with schools or programs on non-traditional calendars that begin and~~
20 ~~complete the school year at various times and have staggered vacation periods to~~
21 ~~ensure that all pupils are tested at approximately the same point in the instructional~~
22 ~~year.~~

23 (c) ~~“Alternate assessment” means an assessment as provided in Education Code~~
24 ~~section 60640(e) and its test materials developed to measure the degree to which~~
25 ~~pupils with exceptional needs who are unable to take the California Standards Tests~~
26 ~~(CSTs) even with accommodations or modifications are achieving the state content~~
27 ~~standards. The alternate assessments for the STAR Program are the California~~
28 ~~Alternate Performance Assessment and the California Modified Assessment (CMA).~~
29 ~~The student shall not be allowed to take both the California Alternate Performance~~
30 ~~Assessment (CAPA) and the California Modified Assessment (CMA). Students shall~~
31 ~~take CAPA in all subject areas, CSTs in all subject areas, CMA in all subject areas, or a~~
32 ~~combination of CSTs and CMA in the subject areas being assessed.~~

33 (d) ~~“Alternate performance assessment” means an alternate assessment as~~

1 provided in Education Code section 60640(e) and its test materials for pupils with
2 significant cognitive disabilities. The alternate performance assessment for the STAR
3 Program is the California Alternate Performance Assessment.

4 (e) "California Alternate Performance Assessment (CAPA)" is the alternate
5 assessment as provided in Education Code section 60640(e) and its test materials for
6 pupils with significant cognitive disabilities.

7 (f) "California Modified Assessment (CMA)" is the alternate assessment based on
8 modified achievement standards as provided in Education Code section 60640(e) and
9 its test materials.

10 (g) "California Standards Tests (CSTs)" means an assessment as provided in
11 Education Code section 60642.5 and its test materials that measures the degree to
12 which pupils are achieving the state content standards.

13 (h) "CDE" means the California Department of Education.

14 (i) "Eligible pupil" is any pupil who is not otherwise exempted pursuant to Education
15 Code section 60615.

16 (1) For the primary language test, an eligible pupil is an English learner in grades 2
17 to 11, inclusive, with a primary language for which a test is required or optional
18 pursuant to Education Code section 60640.

19 (2) For the California Alternate Performance Assessment, an eligible pupil is any
20 pupil in grades 2 to 11, inclusive, who has an individualized education program (IEP)
21 that designates the use of the alternate performance assessment and is unable to take
22 the CSTs even with accommodations or modifications.

23 (3) For the CMA, an eligible pupil is any pupil in grades 3 to 11, inclusive, who has
24 an IEP, meets the State Board of Education (SBE) adopted eligibility criteria described
25 in paragraphs (A) through (E) below, and whose IEP designates the use of the modified
26 assessment in one or more content areas. The SBE adopted eligibility criteria for
27 guiding IEP teams in making decisions about which students with disabilities may
28 participate in the CMA are based, in part, on Title 34 of the Code of Federal
29 Regulations, Part 200, Title 1, Improving the Academic Achievement of the
30 Disadvantaged. Those criteria are as follows:

31 (A) Previous Participation.

32 1. CSTs. The student shall have taken the CST in a previous year and scored

1 ~~Below Basic or Far Below Basic in the subject area being assessed by the CMA and~~
2 ~~may have taken the CSTs with modifications; or~~

3 ~~2. CAPA. The student shall have taken the CAPA Level II-V in two previous years~~
4 ~~and received a performance level of either Proficient or Advanced. The student shall~~
5 ~~not be allowed to take both the CAPA and CMA.~~

6 ~~(B) Progress Based on Multiple Measures and Objective Evidence. The student's~~
7 ~~disability has precluded the student from achieving grade-level proficiency, as~~
8 ~~demonstrated by such objective evidence as the student's performance on the CSTs~~
9 ~~and other assessments that can validly document academic achievement within the~~
10 ~~year covered by the student's IEP plan. The determination of the student's progress~~
11 ~~must be based on multiple measurements, over a period of time, that are valid for the~~
12 ~~subjects being assessed. The student will not receive a proficient score on the CSTs~~
13 ~~(even with provision of accommodations) based on evidence from multiple, valid, and~~
14 ~~objective measures of student progress (or lack of progress).~~

15 ~~(C) Response to Appropriate Instruction.~~

16 ~~1. The student's progress to date in response to appropriate grade-level instruction,~~
17 ~~including special education and related services designed to address the student's~~
18 ~~individual needs, is such that, even if significant growth occurs, the IEP team is~~
19 ~~reasonably certain that the student will not achieve grade-level proficiency within the~~
20 ~~year covered by the student's IEP plan.~~

21 ~~2. The student who is assessed with the CMA has access to the curriculum,~~
22 ~~including instruction and materials for the grade in which the student is enrolled.~~

23 ~~3. The student's IEP includes grade-level California content standards-based goals~~
24 ~~and support in the classroom for a subject or subjects assessed by the CMA.~~

25 ~~4. The student has received special education and related services to support~~
26 ~~access to and progress in the general curriculum in which the student is enrolled.~~

27 ~~5. The IEP team has determined that the student will not achieve grade-level~~
28 ~~proficiency even with instructional intervention.~~

29 ~~(D) High School Diploma. The student who takes alternate assessments based on~~
30 ~~modified academic achievement standards is not precluded from attempting to~~
31 ~~complete requirements as defined by the State for a regular high school diploma.~~

32 ~~(E) Parents Are Informed. Parents of the students selected to be assessed with the~~

1 CMA are informed that their child's achievement will be measured based on modified
2 achievement standards.

3 (j) "Grade" means the grade assigned to the pupil by the school district at the time
4 of testing.

5 (k) "Modification" means any variation in the assessment environment or process
6 that fundamentally alters what the test measures or affects the comparability of scores.

7 (l) "Modified assessment" means an alternate assessment based on modified
8 achievement standards as provided in Education Code section 60640(e) and its test
9 materials. The modified assessment for the STAR Program is the CMA.

10 (m) "Nonpublic schools (NPS)" are nonpublic, nonsectarian schools as set forth in
11 California Education Code section 56034.

12 (n) "Primary language test" means an assessment as provided in Education Code
13 sections 60640(f)(1) and (2) and 60640(g) and its test materials in each primary
14 language for which a test is available for English learners. The primary language test
15 for the STAR Program is the Standards-based Tests in Spanish.

16 (o) "School districts" includes elementary, high school, and unified school districts;
17 county offices of education; any charter school that for assessment purposes does not
18 elect to be part of the school district or county office of education that granted the
19 charter; any statewide benefit charter; and any other charter school chartered by the
20 SBE.

21 (p) "Scribe" is an employee of the school district, or a person assigned by a
22 nonpublic school to implement a pupil's IEP who has signed a STAR Test Security
23 Affidavit and is required to transcribe a pupil's responses to the format required by the
24 test. A pupil's parent or guardian is not eligible to be the pupil's scribe.

25 (q) A "significant medical emergency" is a significant accident, trauma, or illness
26 (mental or physical) that precludes a pupil in grades 2 to 11, inclusive, from taking the
27 standards-based achievement tests. An accident, trauma, or illness is significant if the
28 pupil has been determined by a licensed physician to be unable to participate in the
29 tests.

30 (r) "Standards-based achievement tests" means an assessment that measures the
31 degree to which pupils are achieving the state content standards as provided in
32 Education Code sections 60640(e) alternate assessment(s), Education Code section

1 ~~60642.5 CSTs and its test materials, and Education Code section 60640(f)(3)~~
2 ~~Standards-based Tests in Spanish, and its test materials. The STAR Program alternate~~
3 ~~assessments, the California Alternate Performance Assessment and the CMA, are~~
4 ~~standards-based achievement tests.~~

5 ~~(s) "Standards-based Tests in Spanish" is the standards-based achievement test as~~
6 ~~provided in Education Code section 60640(f)(3), and its test materials, that is~~
7 ~~administered as the primary language test as provided in Education Code sections~~
8 ~~60640(f) and (g) for pupils whose primary language is Spanish.~~

9 ~~(t) "Test examiner" is an employee or contractor of a school district or a non-public~~
10 ~~school who has been trained to administer the tests and has signed a STAR Test~~
11 ~~Security Affidavit. For the alternate performance assessment, the test examiner must~~
12 ~~be a certificated or licensed school, district, or county staff member.~~

13 ~~(u) "Test materials" include administration manuals, administrative materials, test~~
14 ~~booklets, practice tests, and test answer documents provided as part of the~~
15 ~~administration of the STAR Program assessments.~~

16 ~~(v) "Test proctor" is an employee of a school district, or a person assigned by a~~
17 ~~nonpublic school to implement a pupil's IEP, who has signed a STAR Test Security~~
18 ~~Affidavit and has received training designed to prepare him or her to assist the test~~
19 ~~examiner in the administration of tests within the STAR Program.~~

20 ~~(w) "Translator" is a person who has been assigned to translate the test directions~~
21 ~~into the pupil's primary language pursuant to section 853.5(f), who has signed a Test~~
22 ~~Security Affidavit as identified in section 859(d), and who has received training~~
23 ~~specifically designed to prepare him or her to assist the test examiner in the~~
24 ~~administration of the STAR Program assessments. A pupil's parent or guardian is not~~
25 ~~eligible to be the pupil's translator. A translator must be:~~

26 ~~(1) an employee of the school district;~~

27 ~~(2) an employee of the nonpublic school; or~~

28 ~~(3) supervised by an employee of the school district or an employee of the~~
29 ~~nonpublic school.~~

30 ~~(x) "Variation" means a change in the manner in which a test is presented or~~
31 ~~administered, or in how a test taker is allowed to respond, and includes, but is not~~
32 ~~limited to, accommodations and modifications.~~

1 (y) "Writing portion of the English language arts tests" is the performance
2 component of the standards-based achievement tests.

3 For the purposes of these regulations, the Measurement of Academic Performance
4 and Progress assessment system (as established in Education Code section 60640
5 and known as "MAPP") shall be designated the California Assessment of Student
6 Performance and Progress (CAASPP), and the following terms shall have the following
7 meanings:

8 (a) "Accommodations" means supports documented in a pupil's individualized
9 education program (IEP) or Section 504 Plan that are utilized in the assessment
10 environment or consist of changes in procedures or materials that increase equitable
11 access during the assessment and that do not fundamentally alter the comparability of
12 scores.

13 (b) "Accessibility supports" means supports that may or may not (because they
14 have not been previously identified) invalidate the measurement of the test; these
15 supports are not universal tools, designated supports, or accommodations (e.g., read-
16 a-loud of passages in grades 3 through 5). An LEA shall notify the CDE in writing prior
17 to the use of the accessibility support(s).

18 (c) "Achievement tests" means any summative standardized test that measures the
19 level of performance that a pupil has achieved on state-adopted content standards.

20 (d) "Alternate assessment" means an assessment as provided in Education Code
21 section 60640(k) and its test materials developed to measure the level of performance
22 for a pupil with disabilities who is unable to take the consortium summative assessment
23 in English language arts and mathematics pursuant to Education Code section
24 60640(b)(1) or are unable to take an assessment of science pursuant to Education
25 Code section 60640(b)(2), even with accommodations.

26 (e) "Assessment technology platform" means the electronic systems used to display
27 items, accept item responses, store, deliver, score the tests and restrict access to
28 outside sources, as well as report and manage assessment results. Testing technology
29 includes, but is not limited to, computing devices, testing software applications, network
30 hardware, and other technology required to administer the tests.

31 (f) "California Alternate Performance Assessment (CAPA)" is the alternate
32 assessment and its test materials as provided in Education Code section 60640(k) for

1 pupils with significant cognitive disabilities.

2 (g) "California Modified Assessment (CMA)" is the alternate assessment and its test
3 materials for science based on modified achievement standards.

4 (h) "California Standards Tests (CSTs)" is the assessment and test materials that
5 measure the degree to which pupils are achieving the state content standards pursuant
6 to Education Code section 60605.

7 (i) "Computer-based tests (CBTs)" means tests administered using an electronic
8 computing device.

9 (j) "Designated supports" are features that are available for use by any pupil for
10 whom the need has been indicated, prior to the assessment administration, by an
11 educator or group of educators.

12 (k) "Eligible pupil," with the exception of subdivisions (1) through (3) below, is any
13 pupil who is not exempt from participation in assessments pursuant to Education Code
14 section 60615 or who is not a recently arrived English learner pupil exempt from
15 participating in the English Language Arts assessment pursuant to Education Code
16 section 60640(f)(1).

17 (1) For the primary language test, an eligible pupil is an English learner with a
18 primary language for which a test is optional pursuant to Education Code section
19 60640.

20 (2) For CAPA, an eligible pupil is any pupil in grades 2 through 11, inclusive, who
21 has an IEP that designates the use of the alternate assessment.

22 (3) For the CMA, an eligible pupil is any pupil in grades 5, 8, or 10, who has an IEP
23 that designates the use of the modified assessment in science.

24 (l) "Embedded" means a support, whether a universal tool, designated support, or
25 accommodation, that is part of the assessment technology platform for the computer-
26 administered CAASPP tests.

27 (m) "Grade" means the grade in which the pupil is enrolled at the time of testing, as
28 determined by the local educational agency.

29 (n) "Local educational agency (LEA)" means a county office of education, school
30 district, state special school, or direct-funded charter school as described in Education
31 Code section 47651.

32 (o) "Non-embedded" means a support, whether a universal tool, designated

1 support, or accommodation, that may be provided by the LEA and is not part of the
2 assessment technology platform for the computer-administered CAASPP tests.

3 (p) "Nonpublic schools (NPS)" are nonpublic, nonsectarian schools as set forth in
4 Education Code section 56034.

5 (q) "Primary language test" means a test as provided in Education Code sections
6 60640(b) and (c) and its test materials in each primary language for which a test is
7 available for English learners. The primary language test is the Standards-based Tests
8 in Spanish (STS).

9 (r) "Recently arrived English learner" means a pupil designated as an English
10 learner who is in his or her first 12 months of attending a school in the United States.

11 (s) "Scribe" is an employee of the LEA or a person assigned by an NPS to
12 implement a pupil's IEP who has signed a CAASPP Test Security Affidavit and is
13 required to transcribe a pupil's responses to the format required by the test. A pupil's
14 parent or guardian is not eligible to be the pupil's scribe.

15 (t) A "significant medical emergency" is a significant accident, trauma, or illness
16 (mental or physical) that precludes a pupil from taking the achievement tests. An
17 accident, trauma, or illness is significant if the pupil has been determined by a licensed
18 physician to be unable to participate in the tests.

19 (u) "Smarter-Balanced Assessment Consortium (Smarter Balanced)" is the multi-
20 state consortium responsible for the development of the English language arts and
21 mathematics summative assessments administered pursuant to Education Code
22 section 60640(b)(1) and the interim assessments and formative assessment tools
23 administered pursuant to Education Code section 60642.6.

24 (v) "Standards-based Tests in Spanish (STS)" are the achievement tests and test
25 materials that are administered as the primary language test as provided in Education
26 Code sections 60640(b) and (c) for pupils whose primary language is Spanish.

27 (w) "Test examiner" is an employee or contractor of an LEA or an NPS who has
28 been trained to administer the tests and has signed a CAASPP Test Security Affidavit.
29 For the alternate assessment, the test examiner must be a certificated or licensed
30 school, district, or county staff member.

31 (x) "Test materials" include, but are not limited to, administration manuals,
32 administrative materials, test booklets, assessment technology platform, practice tests,

1 scratch paper, and test answer documents, as part of the administration of the
2 CAASPP tests.

3 (y) "Test proctor" is an employee of an LEA, or a person assigned by an NPS to
4 implement a pupil's IEP or Section 504 Plan, who has signed a CAASPP Test Security
5 Affidavit and has received training designed to prepare him or her to assist the test
6 examiner in the administration of tests within the CAASPP assessment system.

7 (z) "Translator" is a person who has been assigned to translate the test directions
8 into the pupil's primary language pursuant to section 853.5, who has signed a Test
9 Security Affidavit as identified in section 859(d), and who has received training
10 specifically designed to prepare him or her to assist the test examiner in the
11 administration of the assessments pursuant to Education Code section 60640. A pupil's
12 parent or guardian is not eligible to be the pupil's translator. A translator must be:

13 (1) an employee of an LEA;

14 (2) an employee of the NPS; or

15 (3) a person supervised by an employee of an LEA or an employee of the NPS.

16 (aa) "Universal tools" are accessibility features of the CAASPP tests that are
17 available to all pupils.

18 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.

19 Reference: Sections 47605, 47605.8, 47651, 56034, 60603, 60604, 60605, 60615,
20 60640, and 60642.5 and 60642.6, Education Code; 34 C.F.R. Sections 200.1(d), (e)
21 and (f), 300.160; 5 CCR 11967.6.

22
23 **Article 2. Standards-Based Achievement Tests, ~~Alternate Assessments,~~**
24 **and Any Primary Language Test**

25 **§ 851. Pupil Testing.**

26 (a) ~~School districts~~ LEAs shall administer the standards-based achievement tests
27 and may administer the primary language test, ~~if any,~~ pursuant to Education Code
28 section 60640 to each eligible pupil enrolled in a school district an LEA on the date
29 testing begins in the pupil's school or ~~school district~~ LEA.

30 (b) No later than start of the 2014-2015 school year, for the purposes of the
31 CAASPP assessment system, a charter school which is not direct-funded pursuant to
32 Education Code section 47651 shall test with, dependent on, the LEA that granted

1 the charter or was designated the oversight agency by the local governing board.

2 ~~(c)(b)~~ School districts LEAs shall make ~~whatever~~ arrangements are necessary to for
3 the testing of all eligible pupils in alternative education programs or programs
4 conducted off campus, including, but not limited to, non-classroom based programs,
5 continuation schools, independent study, community day schools, county community
6 schools, juvenile court schools, or ~~nonpublic schools~~ NPSs.

7 ~~(d)(e)~~ No test may be administered in a home or hospital except by a test examiner.
8 No test shall be administered to a pupil by the parent or guardian of that pupil. This
9 subdivision does not prevent classroom aides from assisting in the administration of the
10 test under the supervision of a test examiner, provided that the classroom aide does
11 not assist his or her own child, and that the classroom aide signs a security affidavit.

12 NOTE: Authority cited: Sections 33031, ~~and~~ 60605 and 60640, Education Code.

13 Reference: Sections 47651, 48645.1, 60603, 60605 and 60640, Education Code.

14
15 **§ 852. Pupil Exemptions.**

16 (a) Each year the LEA shall notify parents or guardians of their pupil's participation
17 in the CAASPP assessment system in accordance with Education Code section 60604.

18 (b) The notification to parents or guardians, as defined in subdivision (a), shall
19 include a notice of the provisions outlined in Education Code section 60615.

20 (c) A parent or guardian may annually submit to the school a written request to
21 excuse his or her child from any or all parts of any test provided pursuant to Education
22 Code section 60640 for the school year. If a parent or guardian submits an exemption
23 request after testing has begun, any test(s) completed before the request is submitted
24 will be scored and the results reported to the parent or guardian and included in the
25 pupil's records. ~~A school district~~ An LEA and its employees may discuss the STAR
26 ~~Program~~ CAASPP assessment system with parents and may inform parents of the
27 availability of exemptions under Education Code section 60615. ~~The school district~~ LEA
28 and its employees shall not solicit or encourage any written exemption request on
29 behalf of any child or group of children.

30 NOTE: Authority cited: Sections 33031 and 60640 ~~60605~~, Education Code. Reference:
31 Sections 60604, 60605, 60607, 60612, 60615, 60640 and 60641, Education Code.

32

1 **§ 853. Administration.**

2 (a) The standards-based achievement tests and the primary language test, if any,
3 CAASPP tests pursuant to Education Code section 60640 shall be administered,
4 scored, transmitted, and/or returned by school districts LEAs in accordance with the
5 manuals or other instructions provided by the contractor or CDE for administering,
6 scoring, transmitting, and/or returning the tests, unless specifically provided otherwise
7 in this subchapter, including instructions for administering the test with variations,
8 accommodations, and modifications universal tools, designated supports, and
9 accommodations specified in section 853.5. The procedures shall include, but are not
10 limited to, those designed to ensure the uniform and standardized administration, and
11 scoring of the tests to pupils, the security and integrity of the test content and test
12 items, and the timely provision of all required pupil and school level information.

13 (b) If available, an LEA may utilize a paper-pencil version of any CBT of the
14 CAASPP assessment system, in accordance with Education Code section 60640(e), if
15 the LEA identifies the pupils that are unable to access the CBT version of the test.

16 (c) Interim assessments and formative assessment tools shall be made available to
17 LEA(s) for use during the school year. Use of interim assessments and formative
18 assessment tools shall not be considered advance preparation for a CAASPP test as
19 defined in Education Code section 60611. LEAs that use interim assessments and/or
20 formative assessment tools shall abide by the consortium/contractor(s) administration
21 and use requirements. Any scoring of any performance tasks for the interim
22 assessment and formative assessment tools is the responsibility of the LEA.

23 NOTE: Authority cited: Sections 42004, 33031 and 60640 60605, Education Code.

24 Reference: Sections 60603, 60605, 60611, and 60640 and 60642.6, Education Code.

25
26 **§ 853.5. Use of Universal Tools, Designated Supports, and Variations,**
27 **Accommodations, and Modifications.**

28 ~~(a) School districts may provide all pupils the following variations on the CSTs, the~~
29 ~~CMA, and the Standards-based Tests in Spanish:~~

30 ~~(1) have test directions simplified or clarified.~~

31 ~~(2) write in test booklets; for example, underlining, highlighting, or working math~~
32 ~~problems. Tests booklets for grades 2 and 3 must have any marks other than those in~~

1 ~~response circles erased or pupil responses must be transcribed into new test booklet(s)~~
2 ~~by a school, school district, or nonpublic school employee who has signed the STAR~~
3 ~~Test Security Affidavit to ensure that the tests can be scored.~~

4 ~~(3) test in a small group setting.~~

5 ~~(4) have as much time as needed within a single sitting to complete a test or test~~
6 ~~part on the standards-based achievement tests.~~

7 ~~(b) School districts may provide all pupils the following testing variations on the~~
8 ~~CSTs, the CMA, and the Standards-based Tests in Spanish if regularly used in the~~
9 ~~classroom:~~

10 ~~(1) special or adaptive furniture.~~

11 ~~(2) special lighting, special acoustics, noise canceling devices, visual magnifying~~
12 ~~equipment or audio amplification equipment.~~

13 ~~(3) an individual carrel or study enclosure.~~

14 ~~(4) test individually in a separate room provided that an employee of the school,~~
15 ~~school district, or nonpublic school, who has signed the STAR Test Security Affidavit,~~
16 ~~directly supervises the pupil.~~

17 ~~(5) colored overlay, mask, or other means to maintain visual attention to the test or~~
18 ~~test questions.~~

19 ~~(6) Manually Coded English or American Sign Language to present directions for~~
20 ~~administration.~~

21 ~~(c) Eligible pupils with disabilities who have an IEP and pupils with a Section 504~~
22 ~~Plan shall be permitted the following presentation, response, or setting~~
23 ~~accommodations on the CSTs, the CMA, and the Standards-based Tests in Spanish, if~~
24 ~~specified in the eligible pupil's IEP or Section 504 Plan:~~

25 ~~(1) large print versions.~~

26 ~~(2) test items enlarged if the font size is larger than that used on large print versions~~
27 ~~is required.~~

28 ~~(3) Braille transcriptions provided by the test contractor.~~

29 ~~(4) audio or oral presentation of the mathematics, science, or history-social science~~
30 ~~tests.~~

31 ~~(5) Manually Coded English or American Sign Language to present test questions~~
32 ~~on the mathematics, science, or history-social science tests.~~

1 ~~(6) for grades 4 to 11 responses marked in test booklet and transferred to the~~
2 ~~answer document by a school, school district, or nonpublic school employee who has~~
3 ~~signed the STAR Test Security Affidavit.~~

4 ~~(7) responses dictated orally, in Manually Coded English or American Sign~~
5 ~~Language to a scribe for selected response items (e.g., multiple choice test questions).~~

6 ~~(8) responses dictated to a scribe, audio recorder, or speech-to-text converter on~~
7 ~~the writing portion of the English language arts tests, and the pupil indicates all spelling~~
8 ~~and language conventions.~~

9 ~~(9) use of word processing software with spell and grammar check tools turned off~~
10 ~~on the writing portion of the English language arts tests.~~

11 ~~(10) use of an assistive device that does not interfere with the independent work of~~
12 ~~the student on the multiple choice or writing portion of the test.~~

13 ~~(11) supervised breaks within a section of the test.~~

14 ~~(12) administration of the test at the most beneficial time of day to the pupil.~~

15 ~~(13) administration of any test or test part to be given in a single sitting over more~~
16 ~~than one day except for the writing portion of the English language arts tests.~~

17 ~~(14) test administered by a test examiner to a pupil at home or in the hospital.~~

18 ~~(15) audio or oral presentation of any prompts or passages present in the STAR~~
19 ~~writing portion of the English language arts tests.~~

20 ~~(16) Manually Coded English or American Sign Language to present any prompts or~~
21 ~~passages present in the STAR writing portion of the English language arts tests.~~

22 ~~(d) In addition to the accommodations set forth in section 853.5(c), a pupil who is~~
23 ~~eligible to take the CMA as defined in section 850(f), shall be permitted the following~~
24 ~~presentation, response, or setting accommodations on the CMA if specified in the~~
25 ~~eligible pupil's IEP:~~

26 ~~(1) audio or oral presentation of test questions and answer options on the multiple-~~
27 ~~choice portion of the English language arts tests.~~

28 ~~(2) Manually Coded English or American Sign Language to present test questions~~
29 ~~on the multiple choice portion of the English language arts tests.~~

30 ~~(3) use of a calculator on the mathematics test in grade 5.~~

31 ~~(4) use of manipulatives on the mathematics and science tests.~~

32 ~~(e) Eligible pupils with disabilities shall be permitted the following modifications on~~

1 the CSTs and the Standards-based Tests in Spanish if specified in the eligible pupil's
2 IEP or Section 504 Plan:

3 ~~(1) calculators, arithmetic tables, and formulas or mathematics manipulatives not
4 provided in the test materials on the mathematics or science tests.~~

5 ~~(2) audio or oral presentation of the multiple choice portion of the English language
6 arts tests.~~

7 ~~(3) Manually Coded English or American Sign Language to present test questions
8 on the multiple choice portion of the English language arts tests.~~

9 ~~(4) spellcheckers, grammar checkers, or word processing software programs that
10 check or correct spelling and/or grammar on the writing portion of the English language
11 arts tests.~~

12 ~~(5) mechanical or electronic devices or other assistive devices that are not used
13 solely to record the pupil's responses, including, but not limited to, transcribers, scribes,
14 voice recognition or voice to text software, and that identify a potential error in the
15 pupil's response or that correct spelling, grammar or conventions on the writing portion
16 of the English language arts tests.~~

17 ~~(6) responses dictated orally, in Manually Coded English or American Sign
18 Language to provide an essay response to a scribe and the scribe provides spelling,
19 grammar, and language conventions.~~

20 ~~(7) dictionary.~~

21 ~~(f) If the school district, pupil's IEP team or Section 504 Plan proposes a variation
22 for use on the standards-based achievement tests or the primary language test, if any,
23 that has not been listed in this section, the school district may submit to the CDE for
24 review of the proposed variation.~~

25 ~~(g) Identified English learner pupils shall be permitted the following testing variations
26 if regularly used in the classroom or for assessment:~~

27 ~~(1) Tested in a separate room with other English learners provided that an
28 employee of the school, school district, or nonpublic school, who has signed the Test
29 Security Affidavit, directly supervises the pupil.~~

30 ~~(2) Additional supervised breaks following each section within a test part provided
31 that the test section is completed within a testing day. A test section is identified by a
32 "STOP" at the end of it.~~

1 ~~(3) The test directions printed in the test administration manual may be translated~~
2 ~~into an English learner's primary language. English learners shall have the opportunity~~
3 ~~to ask clarifying questions about any test directions presented orally in their primary~~
4 ~~language.~~

5 ~~(4) Access to translation glossaries/word lists for the standards-based achievement~~
6 ~~tests in mathematics, science, and history-social science (English to primary language).~~
7 ~~The translation glossaries/word lists are to include only the English word or phrase with~~
8 ~~the corresponding primary language word or phrase. The glossaries or word lists shall~~
9 ~~include no definitions, parts of speech, or formulas.~~

10 (a) All pupils (including English learners and students with disabilities) shall be
11 permitted the following embedded universal tools on the CAASPP tests for English
12 language arts (including the components of reading, writing, and listening) and
13 mathematics as specified below:

14 (1) breaks for reading, writing, listening, and mathematics;

15 (2) calculator for specific mathematic items;

16 (3) digital notepad for reading, writing, listening, and mathematics;

17 (4) English dictionary for writing (ELA-performance task – pupil long essay(s) not
18 short paragraph responses);

19 (5) English glossary for reading, writing, listening, and mathematics;

20 (6) expandable passages for reading, writing, listening, and mathematics;

21 (7) global notes for writing (ELA-performance task – pupils long essay(s) not short
22 paragraph responses);

23 (8) highlighter for reading, writing, listening, and mathematics;

24 (9) keyboard navigation for reading, writing, listening, and mathematics;

25 (10) mark for review for reading, writing, listening, and mathematics;

26 (11) math tools for specific mathematics items;

27 (12) spell check for specific writing items;

28 (13) strikethrough for reading, writing, listening, and mathematics;

29 (14) writing tools for specific pupil generated responses; or

30 (15) zoom for reading, writing, listening, and mathematics.

31 (b) All pupils (including English learners and students with disabilities) shall be
32 permitted the following non-embedded universal tools on the CAASPP tests for English

1 language arts (including the components of reading, writing, and listening),

2 mathematics, science, and primary language as specified below:

3 (1) breaks;

4 (2) English dictionary for ELA performance task – pupil long essay(s) not short
5 paragraph responses;

6 (3) scratch paper;

7 (4) thesaurus for ELA performance task – pupil long essay(s) not short paragraph
8 responses;

9 (5) color overlay for science and primary language test;

10 (6) math tools (i.e., ruler, protractor) for specific mathematics items;

11 (7) simplify or clarify test administration directions (does not apply to test questions);

12 or

13 (8) pupil marks in paper-pencil test booklet (other than responses including
14 highlighting).

15 (c) All pupils (including English learners and students with disabilities) shall be
16 permitted the following embedded designated supports, unless otherwise designated,
17 when determined for use by an educator or group of educators, on the CAASPP tests
18 for English language arts (including the components of reading, writing, and listening)
19 and mathematics as specified below:

20 (1) color contrast for reading, writing, listening, and mathematics;

21 (2) masking for reading, writing, listening, and mathematics;

22 (3) text-to-speech for writing, listening, mathematics and reading items not
23 passages;

24 (4) translated test directions for mathematics;

25 (5) translations (glossary) for mathematics;

26 (6) translations (stacked) for mathematics; or

27 (7) turn off any universal tool for reading, writing, listening, and mathematics.

28 (d) All pupils (including English learners and students with disabilities) shall be
29 permitted the following non-embedded designated supports when determined for use
30 by an educator or a group of educators, on the CAASPP tests for English language arts
31 (including the components of reading, writing, and listening), mathematics, science,
32 and primary language as specified below:

- 1 (1) translated directions for mathematics, science and primary language test;
- 2 (2) bilingual dictionary for writing;
- 3 (3) access to translation glossaries/word lists for science and primary language test;
- 4 (4) color contrast for reading, writing, listening, and mathematics;
- 5 (5) color overlay for reading, writing, listening, and mathematics;
- 6 (6) magnification;
- 7 (7) read aloud for writing, listening, mathematics and reading items not reading

8 passages;

- 9 (8) scribe for reading, listening, and mathematics;
- 10 (9) separate setting for reading, writing, listening, and mathematics;
- 11 (10) translations (glossary) for mathematics, science and primary language test;
- 12 (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling
- 13 headphones); or
- 14 (12) special lighting or acoustics, assistive devices (specific devices may require
- 15 CAASPP contractor certification), and/or special or adaptive furniture.

16 (e) The following embedded accommodations shall be provided on the CAASPP
17 tests for English language arts (including the components of reading, writing, and
18 listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

- 19 (1) American Sign Language for listening and mathematics;
- 20 (2) braille for reading, writing, listening, and mathematics;
- 21 (3) closed captioning for listening; or
- 22 (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11.

23 (f) The following non-embedded accommodations shall be provided on the CAASPP
24 tests for English language arts (including the components of reading, writing, and
25 listening), mathematics, science, and primary language when specified in a pupil's IEP
26 or Section 504 Plan:

- 27 (1) read aloud for primary language test;
- 28 (2) American Sign Language for listening, mathematics, and science;
- 29 (3) braille for paper-pencil tests;
- 30 (4) abacus for mathematics and science;
- 31 (5) alternate response options for reading, writing, listening, and mathematics;
- 32 (6) calculator for specific mathematics items;

- 1 (7) multiplication table for mathematics beginning in grade 4;
2 (8) print on demand for reading, writing, listening, and mathematics;.
3 (9) read aloud for reading passages in grades 6 through 8, inclusive, and grade 11;
4 blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have
5 adequate braille skills;
6 (10) scribe for writing, science, and primary language test;
7 (11) speech-to-text;
8 (12) large-print version of a paper-pencil test;
9 (13) separate setting for science and primary language test; or
10 (14) administration of the test at the most beneficial time of day to the pupil.
11 (g) An LEA may submit a request in writing to the CDE, prior to the administration of
12 a CAASPP test for approval for the use of an accessibility support. The LEA CAASPP
13 coordinator or the CAASPP test site coordinator shall make the request on behalf of the
14 LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall
15 respond to the request within four business days from the date of receipt of the written
16 request. Written requests must include:
17 (1) LEA name and CDS code;
18 (2) school/test site and school code;
19 (3) school/test site address, city, and zip code;
20 (4) LEA CAASPP coordinator name, phone number, and email address;
21 (5) CAASPP test site coordinator name, phone number, and email address;
22 (6) school/test site testing window dates;
23 (7) SSID(s) for the pupil(s) for which the accessibility support is being requested;
24 (8) CAASPP test and grade; and
25 (9) the accessibility support being requested.
26 (h) Accessibility supports that change the construct being measured by a CAASPP
27 test invalidate the test score and results in a score that cannot be compared with other
28 CAASPP results. Scores for pupils' tests with accessibility supports that change the
29 construct being measured by a CAASPP test will not be counted as participating in
30 statewide testing (and impacts the accountability participation rate indicator) but pupils
31 will still receive individual score reports with their actual score. The following non-
32 embedded accessibility supports have been determined to change the construct being

1 measured on the CAASPP tests for English language arts (including the components
2 for reading, writing, and listening), mathematics, science, and primary language and
3 are specified below, but not limited to:

4 (1) English dictionary for reading, listening, mathematics, science, and primary
5 language;

6 (2) thesaurus for reading, listening, mathematics, science and primary language;

7 (3) translated test directions for reading, writing, or listening;

8 (4) bilingual dictionary for reading, listening, mathematics, science and primary
9 language;

10 (5) translations (glossary) for reading, writing, and listening;

11 (6) read aloud for reading passages in grades 3, 4, and 5;

12 (7) American Sign Language for reading passages in grades 3, 4, and 5 and
13 reading passages for primary language;

14 (8) calculator for non-specified mathematics items or science;

15 (9) math tools (i.e., ruler, protractor) for non-specified mathematics items; and

16 (10) multiplication table for mathematics in grade 3.

17 NOTE: Authority cited: Sections 42004, 33031, and 60605 and 60640, Education Code.

18 Reference: Sections 60605 and 60640, Education Code; 34 C.F.R. Sections 200.1 and
19 300.160(b).

20
21 **§ 854. Advance Preparation for the Tests. [REPEALED]**

22 ~~(a) Except for materials specifically provided by the CDE or its agents, no program~~
23 ~~or materials shall be used by any school district or employee of a school district that are~~
24 ~~specifically formulated or intended to prepare pupils for the standards-based~~
25 ~~achievement tests, or the primary language test, if any. No administration or use of an~~
26 ~~alternate or parallel form shall be used as practice for any pupils.~~

27 ~~(b) Practice tests provided by the contractor as part of the standards-based~~
28 ~~achievement tests and the primary language test, if any, for the limited purpose of~~
29 ~~familiarizing pupils with the use of scannable test booklets or answer sheets and the~~
30 ~~format of test items are not subject to the prohibition of subdivision (a).~~

31 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

32 Sections 60605, 60611 and 60640, Education Code.

1 **§ 855. Testing Period.**

2 ~~(a)(1) The standards-based achievement tests and the primary language test, if~~
3 ~~any, except as specified below shall be administered to each pupil during a testing~~
4 ~~window of 25 instructional days that includes 12 instructional days before and after~~
5 ~~completion of 85% of the school's, track's, or program's instructional days. Testing for~~
6 ~~all pupils, including makeup testing, is to be completed within this 25 instructional day~~
7 ~~window.~~

8 ~~(2) Each school district shall provide for at least two makeup days of testing for~~
9 ~~pupils who were absent during the period in which any school administered the~~
10 ~~standards-based achievement tests and the primary language test, if any. All makeup~~
11 ~~testing shall occur within five instructional days of the last date that the school district~~
12 ~~administered the tests but not later than the end of the 25 instructional day period~~
13 ~~established in subdivision (a)(1).~~

14 ~~(3) A school district with schools operating on a multitrack year round schedule may~~
15 ~~submit a request to the contractor to begin testing no earlier than the fourth Monday in~~
16 ~~February.~~

17 ~~(b) The writing portion of the English language arts tests shall be administered to~~
18 ~~each eligible pupil only on the day(s) specified annually by the State Superintendent of~~
19 ~~Public Instruction. An eligible pupil for purposes of the writing portion is a pupil taking~~
20 ~~the standards-based achievement tests for a grade at which the writing portion will be~~
21 ~~administered.~~

22 (a)(1) For the 2013-14 school year, each LEA shall administer the Smarter
23 Balanced field tests for ELA and mathematics in the manner prescribed by the CDE
24 pursuant to the authority granted by Education Code section 60640(f)(2).

25 (2) For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and
26 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades
27 5, 8, and 10, shall be administered to each pupil during a testing window of 25
28 instructional days that includes 12 instructional days before and after completion of 85
29 percent of the school's, track's, or program's instructional days. Testing for all pupils,
30 including makeup testing, is to be completed within this 25 instructional day window. If
31 an LEA elects to administer the primary language test, it shall do so during this same
32 testing window.

1 (b) Beginning in the 2014-15 school year, the CAASPP tests pursuant to Education
2 Code sections 60640(b) shall be administered to each pupil during the following testing
3 windows:

4 (1) Unless otherwise stated in these regulations, the testing window shall not begin
5 until at least 66 percent of a school's annual instructional days have been completed,
6 and testing may continue up to and including the last day of instruction for the regular
7 school calendar. For a 180-day school year, 66 percent of a school year occurs after
8 the 120th instructional day. This allows for a 12-week window for testing.

9 (2) For the grade 11 Smarter Balanced assessments and CAASPP tests
10 administered after January 2015, the testing window shall not begin until at least 80
11 percent of a school's annual instructional days have been completed, and testing may
12 continue up to and including the last day of instruction for the regular school calendar.
13 For a 180-day school year, 80 percent of a school year occurs after the 144th
14 instructional day. This allows for a 7-week window for testing.

15 (3) The CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and
16 mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be
17 administered to each pupil during a testing window of 25 instructional days that
18 includes 12 instructional days before and after completion of 85 percent of the school's,
19 track's, or program's instructional days unless the SBE makes a determination by the
20 close of its September 2014 regular meeting that these tests shall be administered
21 during the window defined in subdivision (b)(1) above. If an LEA elects to administer
22 the primary language test, it shall do so during this same window as these tests.

23 (c) The CDE, with the approval of the SBE President or designee, may require
24 LEAs to more fully utilize the testing window and may also limit the usage of the interim
25 assessments in instances where the CDE determines that it is necessary to do so to
26 ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not
27 exceeded.

28 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.

29 Reference: Sections 60605, 60640, 60641 and 60642.5, Education Code.

30
31 **§ 857. LEA CAASPP District STAR Coordinator.**

32 (a) On or before September 30 of each school year, the superintendent of each

1 school district shall designate from among the employees of the school district a district
2 STAR coordinator. The district STAR coordinator, or the school district superintendent
3 or his or her designee, shall be available through August 15 of the following school year
4 to complete school district testing. The school district shall notify the contractor(s) of the
5 identity and contact information, including electronic mail address, if available in the
6 school district, for the district STAR coordinator and for the superintendent and his or
7 her designee, if any. The district STAR coordinator shall serve as the school district
8 representative and the liaison between the school district and the contractor(s) and the
9 school district and the CDE for all matters related to the STAR Program. A school
10 district superintendent may designate a separate STAR program district coordinator for
11 any primary language test.

12 (b) The district STAR coordinator's responsibilities shall include, but not be limited
13 to, all of the following duties:

14 (1) Responding to correspondence and inquiries from the contractor and from the
15 CDE in a timely manner and as provided in the contractor's instructions and these
16 regulations.

17 (2) Determining school district and individual school test and test material needs in
18 conjunction with schools within the district and the contractor, using current enrollment
19 data and communicating school district test material needs to the contractor on or
20 before December 1.

21 (3) Ensuring delivery of tests and test materials to the test sites no more than ten or
22 fewer than five working days before the first day of testing designated by the district.

23 (4) Coordinating the testing and makeup testing days for the school district and for
24 those pupils of the district who are enrolled in nonpublic schools within any required
25 time periods with the school test site coordinators. Overseeing the collection of all pupil
26 data as required to comply with section 861.

27 (5) Maintaining security over the standards-based achievement tests, and the
28 primary language test, if any, and test data using the procedure set forth in section 859.
29 The district STAR coordinator shall sign the security agreement set forth in section 859
30 and submit it to the contractor prior to receipt of the test materials from the contractor.

31 (6) Overseeing the administration of the standards-based achievement tests, and
32 the primary language test, if any, to eligible pupils.

1 ~~(7) Overseeing the collection and return of all test materials and test data to the~~
2 ~~contractor within any required time periods.~~

3 ~~(8) Assisting the contractor and the CDE in the resolution of any discrepancies in~~
4 ~~the test information and materials, including but not limited to, pre-identification files~~
5 ~~and all pupil level data required to comply with sections 861 and 862.~~

6 ~~(9) Immediately notifying the CDE of any security breaches or testing irregularities~~
7 ~~in the district before, during, or after the test administration.~~

8 ~~(10) Ensuring that an answer document is submitted for scoring for each eligible~~
9 ~~pupil enrolled in the district on the first day of testing.~~

10 ~~(11) After receiving summary reports and files from the contractor, the district STAR~~
11 ~~coordinator shall review the files and reports for completeness and accuracy, and shall~~
12 ~~notify the contractor and the CDE of any errors, discrepancies, or incomplete~~
13 ~~information.~~

14 ~~(12) Training test site coordinators to oversee the test administration at each school.~~

15 (a) On or before September 30 of each school year, the superintendent of each LEA
16 shall:

17 (1) designate from among the employees of the LEA an LEA CAASPP coordinator;

18 (2) identify school with pupils unable to access the CBT version of a CAASPP
19 test(s) in accordance with Education Code section 60640(e); and

20 (3) report to the CAASPP contractor(s) the number of pupils enrolled in the school
21 identified in subdivision (2) that are unable to access the CBT version of a CAASPP
22 test.

23 (b) The LEA CAASPP coordinator, or the LEA superintendent, shall be available
24 through September 29 of the following school year to complete the LEA testing
25 activities. The LEA shall notify the contractor(s) of the identity and contact information
26 for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP
27 coordinator shall serve as the LEA representative and the liaison between the LEA and
28 the contractor(s) and the LEA and the CDE for all matters related to the CAASPP
29 assessment system.

30 (c) The LEA CAASPP coordinator's responsibilities shall be those defined in the
31 contractor's(s') or consortium's administrative manuals and documentation, and shall
32 include, but are not limited to, overseeing the LEA's preparation, registration,

1 coordination, training, assessment technology, administration, security, and reporting of
2 the CAASPP tests.

3 (d) The LEA CAASPP coordinator shall ensure current and ongoing compliance
4 with the minimum technology specifications as identified by the CAASPP contractor(s)
5 or consortium.

6 (e) The LEA CAASPP coordinator shall ensure the training of all CAASPP test site
7 coordinators who will oversee the test administration at each school or test site.

8 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.

9 Reference: Sections 47079.5, 52052, 60604, 60605, 60610, 60630, and 60640 and
10 60643, Education Code.

11
12 **§ 858. CAASPP STAR Test Site Coordinator.**

13 ~~(a) At each test site, including but not limited to, each elementary, middle, and high~~
14 ~~school or other grade-span designated school, each charter school, each court school,~~
15 ~~each school or program operated by a school district, and all other public programs~~
16 ~~serving pupils in any of the grades 2 to 11, inclusive, the superintendent of the school~~
17 ~~district or the district STAR coordinator shall designate a STAR test site coordinator~~
18 ~~from among the employees of the school district. The STAR test site coordinator, or the~~
19 ~~site principal or his or her designee, shall be available to the district STAR coordinator~~
20 ~~by telephone through August 15 of the following school year for purposes of resolving~~
21 ~~discrepancies or inconsistencies in materials or errors in reports.~~

22 ~~(b) The STAR test site coordinator's responsibilities shall include, but are not limited to,~~
23 ~~all of the following duties:~~

24 ~~(1) Determining site test and test material needs and communicating the site needs~~
25 ~~to the district STAR coordinator.~~

26 ~~(2) Overseeing the acquisition and distribution of tests and test materials at the test~~
27 ~~site, including but not limited to, distributing test materials to test examiners on each~~
28 ~~day of testing in accordance with the contractor's directions.~~

29 ~~(3) Cooperating with the district STAR coordinator to provide the testing and~~
30 ~~makeup testing days for the site within any required time periods.~~

31 ~~(4) Maintaining security over the standards-based achievement tests, the primary~~
32 ~~language test, if any, and test data. The STAR test site coordinator shall sign the~~

1 security agreement set forth in section 859 and submit it to the district STAR
2 coordinator prior to the receipt of the test materials.

3 ~~(5) Arranging for and overseeing the administration of the standards-based~~
4 ~~achievement tests and the primary language test, if any, to eligible pupils at the test~~
5 ~~site.~~

6 ~~(6) Overseeing the collection and return of all testing materials to the district STAR~~
7 ~~coordinator.~~

8 ~~(7) Assisting the district STAR coordinator, the contractor, and the CDE in the~~
9 ~~resolution of any discrepancies in the test information and materials.~~

10 ~~(8) Overseeing the collection of all pupil level and other data required to comply with~~
11 ~~sections 861 and 862.~~

12 ~~(9) Ensuring that an answer document is submitted for scoring for each eligible pupil~~
13 ~~enrolled in the school on the first day of testing for the standards-based achievement~~
14 ~~tests and the primary language test, if any.~~

15 ~~(10) Ensuring that for each pupil tested only one scannable answer document is~~
16 ~~submitted for scoring, except that for each pupil tested at grades for which the~~
17 ~~contractor has designated the use of more than one answer document. An answer~~
18 ~~document for the STAR writing portion of the English language arts tests administered~~
19 ~~pursuant to section 855(b) shall be submitted in addition to the answer document for~~
20 ~~the multiple choice items.~~

21 ~~(11) Immediately notifying the district STAR coordinator of any security breaches or~~
22 ~~testing irregularities that occur in the administration of the standards-based~~
23 ~~achievement tests or the primary language test, if any, that violate the terms of the~~
24 ~~STAR Security Affidavit in section 859.~~

25 ~~(12) Training test examiners, translators, proctors, and scribes for administering the~~
26 ~~tests.~~

27 (a) At each test site, including, but not limited to, each elementary, middle, and high
28 school or other grade-span designated school, each charter school, each court-school,
29 each school or program operated by an LEA, and all other public programs serving
30 pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall
31 designate a CAASPP test site coordinator from among the employees of the LEA. The
32 CAASPP test site coordinator, or the site principal or his or her designee, shall be

1 available to the LEA CAASPP coordinator by telephone through September 29 of the
2 following school year for purposes of resolving discrepancies or inconsistencies in
3 materials or errors in reports.

4 (b) The CAASPP test site coordinator's responsibilities shall be those defined in the
5 contractor's(s') and CDE's administrative manuals and documentation, and shall
6 include, but are not limited to, overseeing the test site's preparation, coordination,
7 training, registration, administration, security, and reporting of the CAASPP tests.

8 (c) The CAASPP test site coordinator shall be responsible for the training of test
9 examiners, translators, proctors, and scribes.

10 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.

11 Reference: Sections 60602.5, 60604, 60605, 60610, 60630 and 60640, Education
12 Code.

13
14 **§ 859. CAASPP STAR Test Security Agreement and Test Security Affidavit.**

15 ~~(a) All STAR district and test site coordinators (coordinators) shall sign the STAR~~
16 ~~Test Security Agreement set forth in subdivision (b) before receiving any of the test~~
17 ~~materials or tests administered pursuant to Education Code section 60640.~~

18 ~~(b) The STAR Test Security Agreement shall be as follows:~~

19 **STAR TEST SECURITY AGREEMENT**

20 ~~I acknowledge by my signature on this form that standards based achievement~~
21 ~~tests, including the CSTs, the California Alternate Performance Assessment, the CMA,~~
22 ~~and the Standards based Tests in Spanish, are secure tests and agree to each of the~~
23 ~~following conditions to ensure test security:~~

24 ~~(1) I will take all necessary precautions to safeguard all tests and test materials by~~
25 ~~limiting access to persons within the school district with a responsible, professional~~
26 ~~interest in the tests' security.~~

27 ~~(2) I will keep on file the names of all persons having access to tests and test~~
28 ~~materials. All persons having access to the materials shall be required to sign the~~
29 ~~STAR Test Security Affidavit that will be kept on file in the school district office.~~

30 ~~(3) I will keep the CSTs, the California Alternate Performance Assessment, the~~
31 ~~CMA, and the Standards based Tests in Spanish and their test materials in a secure,~~
32 ~~locked location and will deliver tests and test materials only to those persons who have~~

1 ~~executed STAR Test Security Affidavits on actual testing dates as provided in section~~
2 ~~859(d) with the exception of subdivision (4) below.~~

3 ~~(4) I will keep the California Alternate Performance Assessment materials in a~~
4 ~~secure locked location when not being used by examiners to prepare for and to~~
5 ~~administer the assessment. I will adhere to the contractor's directions for the~~
6 ~~distribution of the assessment materials to examiners.~~

7 ~~(5) I will not copy any part of the tests or test materials without written permission~~
8 ~~from the CDE to do so.~~

9 ~~(6) I will not disclose, or allow to be disclosed, the contents of the tests or the test~~
10 ~~instruments. I will not review any test questions, passages, or other test items with any~~
11 ~~other person before, during, or after the test administration.~~

12 ~~(7) I will not develop scoring keys, review any pupil responses, or prepare answer~~
13 ~~documents except as required by the test administration manual(s) prepared by the~~
14 ~~testing contractor.~~

15 ~~By signing my name to this document, I am assuring that I will abide by the above~~
16 ~~conditions.~~

17 Signed: _____

18 Print Name: _____

19 Title: _____

20 School District: _____

21 Date: _____

22 ~~(e) All test examiners, proctors, translators, scribes, and any other persons having~~
23 ~~access to any of the test materials or tests administered pursuant to Education Code~~
24 ~~section 60640 shall acknowledge the limited purpose of their access to the tests by~~
25 ~~signing the STAR Test Security Affidavit set forth in subdivision (d).~~

26 ~~(d) The STAR Test Security Affidavit shall be as follows:~~

27 **STAR TEST SECURITY AFFIDAVIT**

28 I acknowledge that I will have access to one or more of the standards-based
29 achievement tests, including the CSTs, the California Alternative Performance
30 Assessment, the CMA, and the Standards-based Tests in Spanish, and test materials,
31 for the purpose of administering the test(s). I understand that these materials are highly
32 secure, and it is my professional responsibility to protect their security as follows:

1 ~~(1) I will not divulge the contents of the tests to any other person through verbal,~~
2 ~~written, or any other means of communication.~~

3 ~~(2) I will not copy any part of the test(s) or test materials.~~

4 ~~(3) I will keep the test(s) secure until the test(s) are actually distributed to pupils.~~

5 ~~(4) I will limit access to the test(s) and test materials by test examinees to the actual~~
6 ~~testing periods when they are taking the test(s).~~

7 ~~(5) I will collect and account for all materials following each period of testing and will~~
8 ~~not permit pupils to remove test materials from the room where testing takes place.~~

9 ~~(6) I will not review any test questions, passages, or other test items independently~~
10 ~~or with pupils or any other person before, during, or following testing.~~

11 ~~(7) I will not develop scoring keys, review any pupil responses, or prepare answer~~
12 ~~documents except as required by the test administration manual(s) prepared by the~~
13 ~~testing contractor.~~

14 ~~(8) I will return all test materials for the CSTs, the CMA, and the Standards based~~
15 ~~Tests in Spanish to the designated STAR test site coordinator daily upon completion of~~
16 ~~testing.~~

17 ~~(9) I will keep all the California Alternate Performance Assessment materials in~~
18 ~~secure locked storage except when I am administering or observing the administration~~
19 ~~of the assessment to pupils.~~

20 ~~(10) I will administer the test(s) in accordance with the directions for test~~
21 ~~administration and test administration manuals prepared by the testing contractor.~~

22 ~~(11) I have been trained to administer the tests.~~

23 Signed: _____

24 Print Name: _____

25 Position: _____

26 School: _____

27 School District: _____

28 Date: _____

29 ~~(e) To maintain the security of the program, all district STAR coordinators and test~~
30 ~~site coordinators are responsible for inventory control and shall use appropriate~~
31 ~~inventory control forms to monitor and track test inventory.~~

32 (a) All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the

1 CAASPP Test Security Agreement, set forth in subdivision (b), before receiving any of
2 the test materials or tests administered pursuant to Education Code section 60640.

3 (b) The CAASPP Test Security Agreement shall be as follows:

4 CAASPP TEST SECURITY AGREEMENT

5 I acknowledge by my signature on this form that the California Assessment of
6 Student Performance and Progress (CAASPP) tests pursuant to Education Code
7 section 60640 are secure tests and agree to each of the following conditions to ensure
8 test security:

9 (1) I will take all necessary precautions to safeguard all tests and test materials,
10 whether paper-based or computer-based assessments, by limiting access to only
11 persons within the LEA who are responsible for, and have professional interest in, the
12 tests' security.

13 (2) I will keep on file the names of all persons who have been trained in the
14 administration of CAASPP tests and all persons with access to tests and test materials,
15 whether paper-based or computer-based assessments. I have and shall have all other
16 persons having access to the tests and test materials read and sign the CAASPP Test
17 Security Affidavit that will be kept on file in the LEA office.

18 (3) Except during the administration of the tests, I will keep the paper-pencil tests,
19 and their test materials in a securely locked room that can be entered only with a key or
20 keycard and, when possible, in a locked storage cabinet within that room.

21 (4) I will securely destroy all print-on-demand papers, scratch paper, and other
22 documents as prescribed within the contractor's(s') or consortium's administrative
23 manuals and documentation.

24 (5) With the exception of subdivision (6) below, I will deliver tests and test materials
25 or allow electronic access thereto, only on actual testing dates and only to those
26 persons who have executed CAASPP Test Security Affidavits.

27 (6) For the CAPA test, I will keep all tests and testing materials in the manner set
28 forth above in subdivisions (3) and (5) except during actual testing administration or
29 when being used by test examiners to prepare for and to administer the assessment. I
30 will adhere to the contractor's directions for the distribution of the assessment materials
31 to test examiners.

32 By signing my name to this document, I am assuring that I have completely read

1 and will abide by the above conditions.

2 Signed: _____

3 Print Name: _____

4 Title: _____

5 LEA: _____

6 Date: _____

7 (c) All test examiners, proctors, translators, scribes, and any other persons having
8 access to any of the tests and test materials, assessment technology, or tests
9 administered pursuant to Education Code section 60640, shall acknowledge the limited
10 purpose of their access to the tests by signing the CAASPP Test Security Affidavit set
11 forth in subdivision (d).

12 (d) The CAASPP Test Security Affidavit shall be as follows:

13 CAASPP TEST SECURITY AFFIDAVIT

14 I acknowledge that I will have access to one or more of the California Assessment
15 of Student Performance and Progress (CAASPP) tests pursuant to Education Code
16 section 60640, for the purpose of administering the test(s). I understand that these
17 materials are highly secure and may be under copyright restrictions and it is my
18 professional responsibility to protect their security as follows:

19 (1) I will not divulge the contents of the tests and test materials to any other person
20 through verbal, written, or any other means of communication. This includes, but is not
21 limited to, sharing or posting test content via the Internet or by email without the
22 express written permission of the CDE.

23 (2) I will not copy or take a photo of any part of the test(s) or test materials. This
24 includes, but is not limited to, photocopying (including enlarging) and recording without
25 prior expressed written permission of the CDE.

26 (3) Except during the actual testing administrations or as otherwise provided for by
27 law, I will keep the test(s) and test materials secure until the test(s) are actually
28 distributed to pupils when tests and testing materials are checked in and out by the
29 CAASPP test site coordinator. Keeping materials secure means that testing materials
30 are required to be kept in a securely locked room that can be entered only with a key or
31 keycard and, when possible, in a locked storage cabinet within that room.

32 (4) I will limit access to the test(s) and test materials by test examinees to the actual

1 testing periods when they are taking the test(s). I understand that only pupils who are
2 testing and LEA staff participating in the test administration who have signed a test
3 security affidavit may be in the room when and where a test is being administered.

4 (A) I will keep all assigned, generated, or created usernames, passwords and logins
5 secure and not divulge pupil personal information to anyone.

6 (B) I will not allow anyone other than the assigned pupils to log into their assigned
7 test. I may assist a pupil with using their information to log into their assigned test.

8 (C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in
9 using another pupil's information.

10 (D) I will not include, nor will I display, a pupil's name and Statewide Student
11 Identifier (SSID) together in any written or electronic format.

12 (5) I will not allow pupils to access electronic devices that allow them to access
13 outside information, communicate with other pupils, or photograph or copy test content.
14 This includes, but is not limited to, cell phones, personal digital assistants (PDAs),
15 tablets, laptops, cameras, and electronic translation devices.

16 (6) I will collect and account for all materials following each testing session and will
17 not permit pupils to remove any test materials by any means from the room(s) where
18 testing takes place. After each testing session, I will count all test booklets and answer
19 documents before allowing any pupil to leave the testing room and/or ensure that all
20 pupils have properly logged off the computer system.

21 (7) I will not review any achievement test questions, passages, performance tasks,
22 or other test items independently or with pupils or any other person at any time,
23 including before, during, or following testing. I understand that this includes any
24 discussion between LEA staff for training or professional development whether one-on-
25 one or in a staff meeting.

26 (8) I will not, for any achievement test, develop scoring keys, review any pupil
27 responses, or prepare answer documents. I understand that this includes coaching
28 pupils or providing any other type of assistance to pupils that may affect their
29 responses. This includes, but is not limited to, both verbal cues (e.g., interpreting,
30 explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice
31 inflection, pointing, or nodding head) to the correct answer (anything that may indicate
32 correct or incorrect answers), or completing or changing pupils' answers.

1 (9) I will return all test materials to the designated CAASPP test site coordinator
2 each day upon completion of testing. I understand that all test booklets, answer
3 documents, and scratch paper shall be returned to the CAASPP test site coordinator
4 each day immediately after testing has been completed for storage or confidential
5 destruction.

6 (10) If I will administer and/or observe the administration of CAPA, which means
7 that I am a certificated or a licensed LEA employee and a trained CAPA Examiner, I will
8 keep all the CAPA materials in a securely locked room, and, when possible, in a locked
9 storage cabinet within that room except when I am preparing for the administration,
10 administering or observing the administration of the assessment to pupils.

11 (11) I will actively supervise pupils throughout the testing session to make sure that
12 they are working on the correct test section or part, marking their answers in the correct
13 section of their answer documents, following instructions, and are accessing only
14 authorized materials (embedded and/or non-embedded universal tools, designated
15 supports, or accommodations) needed for the test being administered.

16 (12) I will administer the test(s) in accordance with the directions for test
17 administration and test administration manuals prepared by the CAASPP testing
18 contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I
19 understand that the unauthorized copying, sharing, or reusing of any test booklet, test
20 question, performance task, or answer document by any means is prohibited. This
21 includes, but is not limited to, photocopying, recording, emailing, messaging (instant,
22 text, or multimedia messaging service, or digital application), using a camera/camera
23 phone, and sharing or posting test content via the Internet without the express prior
24 written permission of the CDE.

25 (13) I have been trained to administer the tests. By signing my name to this
26 document, I am assuring that I have completely read this affidavit and will abide by the
27 above conditions.

28 Signed: _____

29 Print Name: _____

30 Position: _____

31 School: _____

32 LEA: _____

1 Date: _____

2 (e) To maintain the security of the CAASPP assessment system, all LEA CAASPP
3 coordinators and CAASPP test site coordinators shall immediately, within 24 hours,
4 notify the CDE of any security breaches or testing irregularities occurring either before,
5 during, or after the test administration(s).

6 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
7 Sections 60602.5, 60605 and 60640, Education Code.

8
9 **§ 861. School-By-School Analysis Data Elements for Test Registration and State**
10 **and Federal Reporting.**

11 ~~(a) Each school district shall provide the contractor for the standards-based~~
12 ~~achievement tests and the primary language test, excluding (6), (7), and (8), the~~
13 ~~following information for each pupil enrolled on the first day the tests are administered~~
14 ~~for purposes of the reporting required by the Academic Performance Index of the Public~~
15 ~~Schools Accountability Act (chapter 6.1, commencing with section 52050), section~~
16 ~~60630, and chapter 5 (commencing with section 60640) of the Education Code:~~

17 ~~(1) Pupil's full name.~~

18 ~~(2) Date of birth.~~

19 ~~(3) Grade level.~~

20 ~~(4) Gender.~~

21 ~~(5) English proficiency.~~

22 ~~(6) Primary language.~~

23 ~~(7) Date of English proficiency reclassification.~~

24 ~~(8) If reclassified to fluent English proficient (R-FEP) pupil scored proficient or above~~
25 ~~on the California English Language Arts Standards Test any three years since~~
26 ~~reclassification.~~

27 ~~(9) Program participation.~~

28 ~~(10) Use of accommodations or modifications.~~

29 ~~(11) Statewide Student Identifier.~~

30 ~~(12) Parent or guardian education level.~~

31 ~~(13) School and district California Basic Educational Data System (CBEDS)~~
32 ~~enrollment.~~

1 ~~(14) For English learners, date first enrolled in school in the United States and if~~
2 ~~they have been enrolled in school less than 12 cumulative months at the time of~~
3 ~~testing.~~

4 ~~(15) Documented eligibility to participate in the National School Lunch Program.~~

5 ~~(16) Race/ethnicity.~~

6 ~~(17) Primary disability code.~~

7 ~~(18) Special Education Exit Date.~~

8 ~~(19) County and District for pupils with IEPs if residence is other than where pupil~~
9 ~~attends school or receives services.~~

10 ~~(20) Special testing conditions and/or reasons for not being tested.~~

11 ~~(21) Pupil enrolled in NPS by district based on IEP.~~

12 ~~(22) NPS school code.~~

13 ~~(b) In addition to the demographic data required to be reported in section 861(a),~~
14 ~~school districts may report if an eligible pupil is not tested due to a significant medical~~
15 ~~emergency.~~

16 ~~(c) The information is for the purposes of aggregate analyses only and shall be~~
17 ~~provided and collected as part of the testing materials for the standards-based~~
18 ~~achievement tests and the primary language test.~~

19 ~~(d) School districts shall provide the same information for each eligible pupil~~
20 ~~enrolled in an alternative or off campus program or for pupils placed in nonpublic~~
21 ~~schools as is provided for all other eligible pupils in grades 2 to 11, inclusive.~~

22 ~~(e) If the information required by section 861(a) is incorrect, the school district may~~
23 ~~enter into a separate agreement with the contractor to have the district's student data~~
24 ~~file corrected. The district STAR coordinator shall provide the correct information to the~~
25 ~~contractor within the contractor's timeline. Any costs for correcting the student data~~
26 ~~shall be the district's responsibility.~~

27 (a) In order to assess pupils pursuant to Education Code section 60640 and meet
28 state and federal accountability and reporting obligations, each LEA shall provide any
29 and all program and demographic pupil data requested by the CDE for inclusion in
30 California Longitudinal Pupil Achievement Data System (CALPADS).

31 (b) In addition to the demographic and program data required to be reported in
32 section 861(a), LEAs shall report to the CDE the following information:

1 (1) if an eligible pupil is not tested due to a significant medical emergency;

2 (2) if a pupil used an accommodation(s);

3 (3) if a pupil had special testing conditions and/or reasons for not being tested (e.g.,
4 parent or guardian exemption);

5 (4) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code;
6 and

7 (5) if a pupil in grade 2 was administered a diagnostic assessment pursuant to
8 Education Code section 60644.

9 (c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate
10 prior to LEA registration and throughout the testing window. The CDE shall provide
11 LEAs reasonable notification prior to pupil demographic and program data being
12 extracted from CALPADS for purposes of test registration, individual pupil reports and
13 reports aggregated to the LEA, and state and federal accountability reporting.

14 NOTE: Authority cited: Sections 33031, ~~and~~ 60605 and 60640, Education Code.

15 Reference: Sections 49079.5, ~~52050~~ 52052, 60605, 60630, 60640, 60641 and 60643,
16 Education Code; 7 C.F.R. Sections 245.2(a)(1)-(4), 245.3 and 245.6.

17
18 **§ 862. Apportionment Information Report.**

19 (a) Annually, the CDE shall make available electronically to each school-district LEA
20 shall receive an apportionment information report with the following information
21 provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level
22 for the standards-based achievement tests and the primary language test, if any:

23 (1) The number of pupils enrolled in each school and in the school-district LEA on
24 the first day of testing as indicated by the number of alternate assessments and CSTs,
25 excluding the STAR writing portion of the English language arts tests, answer
26 documents submitted to the test contractor for scoring.

27 (2) The number of pupils in each school and in the school-district LEA tested with
28 the alternate performance assessment.

29 (3) The number of pupils in each school and in the school-district LEA exempted
30 from testing at the request of their parents or guardians pursuant to Education Code
31 section 60615.

32 (4) The number of pupils who were administered any portion of the CSTs or the

1 ~~modified assessment excluding the STAR writing portion of the English language arts~~
2 ~~tests CAASPP assessments pursuant to Education Code sections 60640(b)(1),~~
3 ~~60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.~~

4 ~~(5) The number of pupils who were administered any portion of the CAASPP~~
5 ~~assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2),~~
6 ~~60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.~~

7 ~~(6)(5) The number of pupils with demographic information only who were not tested~~
8 ~~for any reason other than a parent or guardian exemption.~~

9 ~~(7)(6) The number of English language learners who were administered each a~~
10 ~~designated primary language test aligned to the English language arts standards~~
11 ~~pursuant to Education Code section 60640(f)(b)(5)(B).~~

12 ~~(8)(7) The number of English language learners who were administered each~~
13 ~~primary language test pursuant to Education Code section 60640(g) Beginning in 2014-~~
14 ~~15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to~~
15 ~~Education Code section 60644.~~

16 (b) To be eligible for apportionment payment for the ~~standards-based achievement~~
17 ~~tests and the primary language test, if any CAASPP assessments, school districts~~
18 ~~LEAs must meet the following conditions:~~

19 (1) The school district LEA has returned all secure test materials, and

20 (2) The superintendent LEA CAASPP coordinator of each school district has
21 certified the accuracy of the apportionment information report for ~~examinations~~
22 ~~assessments~~ administered during the calendar school year (January 1 through
23 December 31), which is either;

24 (A) ~~postmarked~~ transmitted electronically in a manner prescribed by the
25 contractor(s) and/or the CDE by December 31, or

26 (B) if ~~postmarked~~ transmitted in any manner after December 31, the apportionment
27 information report must be accompanied by a waiver request as provided by Education
28 Code section 33050. For those apportionment information reports ~~postmarked~~
29 transmitted after December 31, apportionment payment is contingent upon the
30 availability of an appropriation for this purpose in the fiscal year in which the testing
31 window began.

32 NOTE: Authority cited: Sections 42004, 33031, and 60605 and 60640, Education Code.

1 Reference: Sections 60610, 60615, and 60640 and 60641, Education Code.

2
3 **§ 862.5. Apportionment to School Districts LEAs.**

4 (a) The amount of funding to be apportioned to the school district LEA for the costs
5 of administering the standards-based achievement tests and the primary language test,
6 if any, shall be the amount established by the SBE to enable school district to meet the
7 requirements of administering the tests, and the primary language test per the number
8 of tests administered to eligible pupils in grades 2 to 11, inclusive, and the number of
9 answer documents returned with only demographic information for pupils enrolled on
10 the first day of testing who were not tested in the school district LEA. The number of
11 tests administered and the number of demographic answer documents pupils not
12 tested shall be determined by the certification of the LEA CAASPP coordinator school
13 district superintendent pursuant to section 862. For purposes of this portion of the
14 apportionment, administration of the standards-based achievement tests and the
15 primary language tests includes the following items:

16 (1) All staffing costs, including the district STAR LEA CAASPP coordinator and the
17 STAR CAASPP test site coordinators, staff training and other staff expenses related to
18 testing.

19 (2) All expenses incurred at the school district LEA and school/test site(s) level
20 related to testing.

21 (3) All transportation costs of delivering and retrieving tests and test materials within
22 the school district LEA and to nonpublic schools NPSs.

23 (4) All costs associated with mailing transmitting the STAR Student pupil Rreport(s)
24 to parents/guardians.

25 (5) All costs associated with pre-identification of answer sheets and consumable
26 test booklets, and other activities intended to provide the complete and accurate data
27 required in section 861 of these regulations.

28 (b) This amount does not include any funding for the purposes of: reimbursing any
29 LEA for primary language tests for non-eligible pupils.

30 (1) reimbursing the costs incurred by any school district pursuant to section 864.5(d)
31 or (e); and

32 (2) reimbursing any school district for primary language tests for non-eligible pupils.

1 (c) ~~If at the time a school district scannable documents are processed by the~~
2 ~~contractor a student data record is missing any of the data elements required in section~~
3 ~~861 of these regulations for the standards based achievement tests, the school district~~
4 ~~shall provide the missing data elements within the time required by the contractor to~~
5 ~~process the documents and meet the contractor's schedule of deliverables under its~~
6 ~~contract with the CDE. The additional costs incurred by the school district to have the~~
7 ~~contractor reprocess the student information to acquire the data required by section~~
8 ~~861 of these regulations shall be withheld from the school district apportionment.~~

9 NOTE: Authority cited: Sections 42004, 33031, and 60605 and 60640, Education Code.
10 Reference: Sections 60640 and 60643, Education Code.

11
12 **§ 863. STAR CAASPP Student Pupil Reports and Cumulative Record Labels.**

13 (a) The school district LEA shall forward or transmit the STAR Student Report pupil
14 results for the designated achievement test and standards based achievement tests
15 conducted and the designated primary language test provided by the contractor(s) to
16 each pupil's test pursuant to Education Code section 60640 to the each pupil's parent
17 or guardian; within ~~no more than~~ 20 working days from receipt of the results report from
18 the contractor.

19 (b) If the school district LEA receives the reports for the designated achievement
20 test and standards based tests, or the designated primary language tests conducted
21 pursuant to Education Code section 60640 from the contractor after the last day of
22 instruction for the school year, the school district LEA shall send the pupil results to the
23 parent or guardian by U.S. mail at the parent's or guardian's last known address. If the
24 report is non-deliverable, the school district shall make the report available to the
25 parent or guardian during no later than the first 20 working days of the next school
26 year.

27 (c) Schools are responsible for maintaining affixing cumulative record labels
28 reporting each pupil's scores to with the pupil's permanent school records or for
29 entering the scores into electronic pupil records, and for forwarding or transmitting the
30 results to schools to which pupils matriculate or transfer. Schools may annotate the
31 scores when the scores may not accurately reflect pupils' achievement due to illness or
32 testing irregularities.

1 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.
2 Reference: Sections 49062, 49068, 60607, 60640, and 60641, and 60607, Education
3 Code.

4
5 **§ 864. Reporting Test Scores LEA Compliance with Contractor Requirements.**

6 No aggregate or group scores or reports that are compiled pursuant to Education
7 Code section 60641 or 60643 shall be reported electronically, in hard copy, or in other
8 media, to any party other than the school or school district where the pupils were
9 tested, if the aggregate or group scores or reports are composed of ten or fewer
10 individual pupil scores. In each instance in which no score is reported for this reason,
11 the notation shall appear "The number of pupils in this category is too small for
12 statistical accuracy or privacy protection." In no case shall any group score be reported
13 that would deliberately or inadvertently make the score or performance of any individual
14 pupil identifiable within the meaning of the Family Educational Rights and Privacy Act.

15 (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

16 (b) In order for the state to meet its obligations in the development, administration,
17 and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

18 (1) comply with any and all requests from CAASPP contractor(s) in accordance with
19 Education Code section 60641; and

20 (2) abide by any and all instructions provided by the CAASPP contractor or
21 consortium, whether written or oral, that are presented for training or provided for in the
22 administration of a CAASPP test.

23 NOTE: Authority cited: Sections 42004, 33031, and 60605, 60613 and 60640,
24 Education Code. Reference: Sections 60605, 60610, 60640, 60641 and 60643,
25 Education Code; 20 U.S.C. Section 1232g; and 34 C.F.R. Section 99.3.

26
27 **§ 864.5. Test Order Information. [REPEALED]**

28 ~~(a) The school district shall provide to the contractor(s), for the standards based~~
29 ~~achievement tests and the primary language test no later than December 1 of the year~~
30 ~~immediately prior to the year of test administration, the following data for each test site~~
31 ~~of the school district, by grade or course level:~~

32 ~~(1) Valid county district school (CDS) codes.~~

1 ~~(2) Number of tests.~~

2 ~~(3) Numbers of special version tests including, but not limited to, Braille and large~~
3 ~~print.~~

4 ~~(4) Number of Directions for Administration needed, by grade level.~~

5 ~~(5) Number of pupils to be tested with the alternate assessments.~~

6 ~~(6) Number of test examiners for the alternate assessments.~~

7 ~~(7) The first and last date of instruction and all non-instructional days during the~~
8 ~~school year for each school in the district and all non-working days for the school~~
9 ~~district.~~

10 ~~(b) The school district shall provide to the contractor for the primary language test~~
11 ~~the following data:~~

12 ~~(1) Whether or not the district has eligible pupils for the tests.~~

13 ~~(2) For all tests sites in the district with eligible pupils, by grade level, the information~~
14 ~~in subdivision (a)(1), (2), (3), and (4).~~

15 ~~(3) First date of testing indicating the dates for each administration period.~~

16 ~~(c) Each school district that elects pre-identification of answer documents shall~~
17 ~~submit an electronic file that includes all of the information required in section 861. The~~
18 ~~file must be submitted in accordance with the timeline, format, and instructions~~
19 ~~provided by the contractor(s).~~

20 ~~(d) If the testing materials are lost or destroyed while in the possession of the school~~
21 ~~district, and the contractor provides the school district with replacement materials, the~~
22 ~~school district is responsible for the cost of all replacement materials.~~

23 ~~(e) If the school district places an order for tests for any school that is excessive, the~~
24 ~~school district is responsible for the cost of materials for the difference between the~~
25 ~~sum of the number of pupil tests submitted for scoring including tests for non-tested~~
26 ~~pupils and 90 percent of the materials ordered. In no event shall the cost to the school~~
27 ~~district for replacement or excessive materials exceed the amount per test booklet and~~
28 ~~accompanying material that is paid to the contractor by the GDE as part of the contract~~
29 ~~for the current year.~~

30 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

31 Sections 60605, 60640 and 60643, Education Code.

32

1 **§ 865. Transportation. [REPEALED]**

2 ~~(a) Upon arrival of the test materials at a single location designated by each school~~
3 ~~district, the district STAR coordinator shall provide the contractor with a signed receipt~~
4 ~~certifying that all cartons were received.~~

5 ~~(b) The security of the test materials that have been duly delivered to the school~~
6 ~~district is the sole responsibility of the school district until all test materials have been~~
7 ~~inventoried, accounted for, and delivered to the common or private carrier designated~~
8 ~~by the contractor for return to the contractor.~~

9 ~~(c) Secure transportation within a school district is the responsibility of the school~~
10 ~~district once materials have been duly delivered to the school district. The school~~
11 ~~district is responsible for secure delivery of test materials to non-public schools.~~

12 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
13 Section 60640, Education Code.

14
15 **§ 866. School District Delivery. [REPEALED]**

16 ~~(a) No school district shall receive its standards based achievement test or primary~~
17 ~~language test materials, if any, more than twenty or fewer than ten working days prior~~
18 ~~to the first day of testing in the school district. A school district that has not received test~~
19 ~~materials from the test contractor at least ten working days before the first date of~~
20 ~~testing in the school district shall notify the test contractor and the CDE on the tenth~~
21 ~~working day before testing is scheduled to begin that the school district has not~~
22 ~~received its materials. Deliveries of test materials to single school districts shall use the~~
23 ~~schedule in section 867.~~

24 ~~(b) A school district and the contractor shall establish a periodic delivery schedule to~~
25 ~~accommodate all test administration periods within the school district. Any schedule~~
26 ~~established must conform to sections 866(a) and (b) for each test administration period.~~

27 ~~(c) No school district shall receive its writing test materials more than ten or fewer~~
28 ~~than five working days before the day on which the writing portion of the English-~~
29 ~~language arts tests are to be administered.~~

30 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
31 Sections 60605, 60640, 60642.5 and 60643, Education Code.

32

1 **§ 867. Test Site Delivery and Return. [REPEALED]**

2 ~~(a) No school or other test site shall receive any designated achievement test,~~
3 ~~standards-based tests, or designated primary language test or related test materials~~
4 ~~more than ten or fewer than five working days prior to the first day of testing scheduled~~
5 ~~at the school or test site.~~

6 ~~(b) All testing materials shall be returned to the school district location designated~~
7 ~~by the district STAR coordinator no more than two working days after testing is~~
8 ~~completed for each test administration period.~~

9 ~~(c) No school or other test site shall receive any writing test materials more than six~~
10 ~~or fewer than two working days before the test administration date.~~

11 ~~(d) Writing test materials shall be returned to the district STAR coordinator no more~~
12 ~~than one day after the day scheduled for makeup testing.~~

13 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
14 Sections 60640 and 60642.5, Education Code.

15
16 **§ 867.5. Retrieval of Materials by Contractor. [REPEALED]**

17 ~~(a) The school district shall ensure that designated achievement test, standards-~~
18 ~~based tests, or designated primary language testing materials are inventoried,~~
19 ~~packaged, and labeled in accordance with instructions from the contractor, and~~
20 ~~returned to a single school district location for pickup by the contractor within five~~
21 ~~working days following completion of testing in the school district and in no event later~~
22 ~~than five working days after each test administration period.~~

23 ~~(b) School districts shall return all writing tests and test materials to the contractor~~
24 ~~no more than two working days after the makeup day specified for the writing test.~~

25 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
26 Sections 60640, 60642.5 and 60643, Education Code.

27
28 **§ 868. Discrepancy Resolution for Standards-based Achievement Tests and Any**
29 **Primary Language Test. [REPEALED]**

30 ~~(a) School districts shall process discrepancies determined by the contractor(s)~~
31 ~~upon receipt of returned tests and test materials pursuant to this subdivision:~~

32 ~~(1) Receipt of a discrepancy notice in writing, via telephone, or via electronic mail by~~

1 the district STAR coordinator for one or more of the following shall require a response
2 from the district STAR coordinator to the contractor within 24 hours.

3 (A) A discrepancy between the quantity of tests and test materials shipped to the
4 school district and the number of tests and test materials returned to the contractor
5 from the school district.

6 (B) Information on scannable documents or test support materials that is
7 inconsistent, incomplete, or missing, according to criteria established with the CDE.

8 (2) The district STAR coordinator shall acknowledge the discrepancy notice via
9 electronic mail, if available in the school district, to the contractor and to the CDE within
10 24 hours of its receipt via electronic mail.

11 (b) The district STAR coordinator shall report any discrepancy in the total amount of
12 the shipment from the contractor within two working days of the receipt of the shipment.
13 If the contractor does not remedy the discrepancy within two working days of the school
14 district report, the school district shall notify the CDE within 24 hours.

15 (c) Any discrepancy in a shipment of standards-based achievement tests or test
16 materials or primary language test or test materials received by a test site from the
17 district STAR coordinator shall be reported to the district STAR coordinator immediately
18 but no later than two working days of the receipt of the shipment at the testing site. The
19 district STAR coordinator shall remedy the discrepancy within two working days.

20 (d) The district STAR coordinator shall report to the contractor any discrepancy
21 reported by a STAR test site coordinator within three working days of receipt of
22 materials at the test site. If the district STAR coordinator does not have a sufficient
23 supply of tests or test materials to remedy any shortage, the contractor shall remedy
24 the shortage by providing sufficient materials directly to the test site within two working
25 days of the notification by the district STAR coordinator.

26 (e) The notices required by this section shall be made by telephone with
27 simultaneous confirmation in writing and by electronic mail.

28 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
29 Sections 60605, 60640 and 60643, Education Code.

30
31
32 1-16-14 [California Department of Education]

BILL ANALYSIS

AB 484

PageA

ASSEMBLY THIRD READING
 AB 484 (Bonilla)
 As Amended May 24, 2013
 2/3 vote. Urgency

EDUCATION 6-0 APPROPRIATIONS 12-3

Ayes:	Buchanan, Campos, Chávez, Nazarian, Ammiano, Williams	Ayes:	Gatto, Bocanegra, Bradford, Ian Calderon, Campos, Eggman, Gomez, Hall, Ammiano, Pan, Quirk, Weber
		Nays:	Donnelly, Linder, Wagner

SUMMARY : Extends authorization for the state's K-12 assessment system from July 1, 2014, to January 1, 2024, and renames it the California Measurement of Academic Performance and Progress for the 21st Century (CalMAPP21) and suspends non-core subject area California Standards Assessments (CSTs) administered under the Standardized Testing and Reporting (STAR) program, beginning in the 2013-14 school year, until new assessments addressing the Common Core State Standards (CCSS) are developed and implemented. Specifically, this bill :

- 1) Defines CalMAPP21 as the comprehensive assessment system using a variety of assessment approaches and item types in both the federal Elementary and Secondary Education Act (ESEA) required and non-required ESEA subject areas.
- 2) Requires only the following STAR assessments to be administered beginning in the 2013-14 school year: a) core subject area CSTs in grades 3-11 necessary to satisfy the federal No Child Left Behind Act of 2001 (NCLB - current version of the ESEA), and b) assessments augmented as part of the Early Assessment Program (EAP) in grade 11 until new CCSS assessments are developed and implemented. The California High School Exit Exam (CAHSEE) is not addressed in this bill.

AB 484

PageB

- 3) Requires all local educational agencies (LEAs) and charter schools, beginning in the 2014-15 school year, to administer consortium assessments in English Language Arts (ELA) and mathematics in grades 3-8 and grade 11 and use these assessments to replace STAR assessments to satisfy federal ESEA requirements.
- 4) Exempts pupils in grades 9 and 10 from taking the achievement tests specified in existing law, as these assessments are not necessary to meet the federal accountability requirements.
- 5) Eliminates the administration of grade 2 assessments, but requires the California Department of Education (CDE), contingent on funding for this purpose and by December 1, 2014, to identify existing grade 2 assessments in ELA and mathematics available for diagnostic use by LEAs and charter schools.
- 6) Exempts, using existing federal flexibility, recently arrived English Language (EL) pupils from taking the consortium ELA assessment.
- 7) Permits the governing board of a school district to administer the existing primary language assessment as specified, until a subsequent primary language assessment aligned to the CCSS in English language arts is adopted.
- 8) Eliminates existing apportionment funding for the administration of the following: a) other achievement tests in grades other than those required under CalMAPP21, b) alternative assessment for individuals with exceptional needs, and c) the primary language assessments.
- 9) Authorizes the CDE, beginning with the 2013-14 school year, to

make available to districts and charter schools suspended STAR test forms and specifies that those who choose to administer suspended assessments to do so at their own expense, as specified.

- 10) Authorizes CDE to enter into contracts to implement CalMAPP21 and requires the State Board of Education (SBE), as it deems necessary, to revise state assessment regulations for the purpose of implementing the new assessment system.
- 11) Requires the Superintendent of Public Instruction (SPI), with SBE

AB 484

PageC

approval, to provide for the development of an alternative assessment for individuals with special needs and the degree by which pupils are achieving the academically rigorous content standards.

- 12) Requires the SPI to make recommendations to the SBE regarding science tests required under NCLB within six months of the adoption of the Next Generation Science Standards (NGSS). This bill also specifies that this recommendation shall include a plan for test development that begins no later than July 1, 2014, as well as the costs estimates for development and implementation of these assessments.
- 13) Requires the SPI to consult with stakeholders and subject matter experts in determining how to assess non-required ESEA subject areas, including, but not limited to, science, mathematics, history-social science, technology, and visual and performing arts. This involves developing a plan by January 15, 2015, as specified.
- 14) Relating to summative assessments for ELA in primary languages other than English, this bill requires all of the following:
- a) Requires the SPI, by November 2014, to consult with stakeholders (including EL experts) to determine if a stand-alone ELA and mathematics primary language assessment is needed to supplement the consortium assessment. This bill specifies that the intent of the Legislature is that an assessment developed pursuant to this provision be included in the state's accountability system.
 - b) Requires the SPI to report and make recommendations to the SBE no later than November 30, 2014, regarding the implementation timeline and costs for a stand-alone ELA summative assessment in primary languages other than English.
 - c) Requires the SPI to develop and administer a primary language assessment no later than the 2016-17 school year.
- 1) Requires CDE to administer an LEA survey to determine how school districts are progressing toward implementation of a technology-enabled assessment system and update the results biannually. Further requires the SPI to make recommendations to the Legislature, on or before January 31, 2014, to identify LEA

AB 484

PageD

needs in order to implement the system.

- 2) Requires CDE to contract for a multi-year independent evaluation of the assessments, with evaluation reports every three years.
- 3) Requires the SPI to submit an annual report to the SBE containing an analysis of the results of the summative assessments administered under the CalMAPP21 and simultaneously make this report available on the Internet.
- 4) Requires the SPI to periodically report to the SBE on the implementation of the CalMAPP21.
- 5) Requires the SPI to make recommendations to the SBE regarding the development of a transitional Academic Performance Index (API) for use as California transitions from the STAR Program to the CalMAPP21.

6) Identifies this as an urgency statute with an effective date of July 1, 2013.

FISCAL EFFECT : According to the Assembly Education Committee, the fiscal effects of this bill are as follows:

1) CalMAPP21 Costs<1> :

a) 2013-14 Fiscal Year (FY) : Total General Fund/Proposition 98 STAR contract and apportionment savings of approximately \$15.1 million to only administer the required ESEA assessments. Of this savings, approximately \$11.3 million is contract savings and \$3.8 million is apportionment savings. The state provides LEAs and charter schools with an apportionment reimbursement of \$2.52 per pupil for administering these assessments.

b) 2014-15 FY and beyond : While the actual costs of administering the Summative Multi-State Assessment Resources for Teachers and Educational Researchers (SMARTER) Balanced Consortium assessments are not finalized, initial estimates indicate annual total costs would be approximately \$97.1

<1>These costs are General Fund/Proposition 98 only and do not include federal funds. The state does receive federal NCLB Title VI funds to offset state assessments costs for the STAR program, the CAHSEE, and the California English Language Development Test.

AB 484
PageE

million General Fund/Proposition 98 at full implementation, which is approximately \$31.1 million General Fund/Proposition 98 more than currently being allocated annually for the STAR program at full implementation. This assumes grades 3-11 are assessed (\$66.4 million) and grade 9, 11, and 12 receive an "add-on" assessment (\$30.7 million). The consortium assessments are vastly different than the current STAR assessments. For example, these assessments are designed to be online and computer adaptive as opposed to the paper - and - pencil STAR assessments currently administered to pupils. Likewise, there will be optional initial and formative assessments as part of this system. These assessments will be given throughout the year to help teachers and administrators receive interim data on how pupils are progressing on academic content throughout the year.

2) Other Costs :

- a) General Fund administrative costs to CDE, likely between \$500,000 and \$1 million, to convene stakeholder groups to discuss the development of an alternative assessment for individuals with exceptional needs, a science assessment aligned to the NGSS, and standards-aligned primary language assessment for EL pupils, as specified.
- b) General Fund/Proposition 98 cost pressure, at least in the tens of millions, to CDE to develop non-required ESEA assessments (e.g., history-social science, science tests at the high school level, primary language assessments, and high school math assessments) and the assessments referenced above for individuals with exceptional needs and EL pupils.
- c) General Fund/Proposition 98 costs likely between \$500,000 and \$1 million, to CDE to contract for a multi-year, independent evaluation of CalMAPP21, as specified.

COMMENTS :

Background : California's state assessment program is comprised of three major testing components, the STAR Program, the English language development test (the California English Language Development Test, (CELDT), is the adopted test), and a high school

AB 484
PageF

exit examination (the California High School Exit Examination, CAHSEE, is currently the designated test). The program also includes a number of smaller, more specialized assessments.

The STAR Program, initially authorized in 1997, requires testing of students in English language arts, mathematics, science, and history/social science at specified grade levels. Today, the STAR Program includes the CSTs, the California Alternate Performance Assessment (CAPA) administered to students with significant cognitive disabilities, the California Modified Assessment (CMA) administered to students whose disabilities preclude them from achieving grade-level proficiency on an assessment of the California content standards with or without testing accommodations, and a Standards-based Test in Spanish (STS) that is administered to Spanish speaking English learners who have been in school in the U.S. less than 12 months or who are receiving instruction in Spanish. Results for STAR tests are reported for the individual pupil, but no accountability attaches to these individual results; the state and federal accountability systems are primarily based on the aggregated STAR test scores from all pupils in a school or school district.

Consortium Assessments : This bill defines consortium assessments as those assessments developed by a multistate collaborative organized to develop a comprehensive system of assessments or formative tools.

For California, this means the SMARTER Balanced Consortium (SBAC). SBAC is a national consortium of 25 states that have been working collaboratively to develop a student assessment system aligned with the CCSS. On June 9, 2011, California joined SBAC as a governing state, which allows California to participate in decision-making. The SBAC is developing an assessment system that will be complete in time for administration during the 2014-15 school year. It will measure ELA and mathematics in grades 3 through 8 and grade 11 across the full range of the CCSS. It is important to note that California's schools may struggle to transition to an online computer adaptive system. In response, the SBAC has ensured it will make available a paper-and-pencil administration option for the summative assessment available to states for three years following the launch of the assessment system (through 2016-17). This bill also contemplates participation in a similar consortium that may develop around the assessment of the NGSS which are scheduled to be considered by the SBE in the Fall of 2013.

Suspension of STAR Program : This bill suspends, effective July 1,

AB 484
Page 6

2013, the administration of assessments required as a part of the STAR Program except for those assessments in the core subject necessary to satisfy the Adequate Yearly Progress requirements of ESEA. ESEA requires assessments in ELA and mathematics to all students in grades 3 to 8, inclusive and grade 10 and science assessments in grades 5, 8, and 10. In the 2014-15 school year with the requirement to use the consortium assessments for ELA and mathematics, this will require the STAR Program only for science testing in grade 5, 8, and 10. It is important to note that there may be unintended consequences of suspending the STAR Program. For example, there are already numerous complaints of a narrowed curriculum; would this narrowing be intensified by assessments that include only ELA, mathematics, and science? In the Assembly Education Committee the author committed to a holistic approach to this assessment system that is consistent with the stated purpose of this system, including the use of assessments as one performance measure of many, without using assessments to drive instruction.

Requirement to Develop Assessments for All Academic Content Standard Areas :

This bill calls for the development of assessments in content areas that are currently not included in the statewide assessment program including assessments that measure the degree to which pupils are achieving the academic content standards in visual and performing arts, foreign languages, physical education, and history/social science. The bill does not specify the grade levels or frequency of the assessments to be developed, but does suggest a drastic expansion of the existing assessment system. In the Assembly Education Committee the author committed to developing a timetable by which the SPI must develop each of the identified assessments.

Related legislation :

SB 247 (Liu), eliminates the requirement that assessments be administered to pupils in grade 2 pursuant to the STAR Program, beginning July 1, 2014, requires the CDE to make available to school districts existing diagnostic assessments that are appropriate for grade 2, and extends the STAR Program by two years to July 1, 2016.

SB 490 (Jackson), encourages CSUs participating in the EAP to sequence their pre-collegiate level courses and transfer-level courses in English and mathematics to CCSS.

Previous legislation :

AB 484
PageH

AB 1458 (Steinberg), Chapter 577, Statutes of 2012, makes changes to the API, and in part specifies achievement test results shall constitute no more than 60% of the value of the API for secondary schools.

AB 1485 (Firebaugh), Chapter 773, Statutes of 2003, in relevant part requires the CDE to use specified federal funds to develop academic assessments, as specified, in the primary languages of limited English proficient pupils.

SB 376 (Alpert), Chapter 828, Statutes of 1997, created the STAR Program and authorized assessments in grades 2-11 until January 1, 2002.

Analysis Prepared by : Jill Rice / ED. / (916) 319-2087
FN:
0000987

California Modified Assessment (CMA) Pilot Test

In April 2007, the United States Department of Education enacted regulations for an alternate assessment based on modified achievement standards. The California Department of Education, in response to the federal regulations, developed and implemented the California Modified Assessment (CMA) as an alternate assessment of the California content standards based on modified achievement standards for children with disabilities who have an individualized education program (IEP).

The use of Smarter Balanced Assessments for English-language arts and mathematics with the appropriate universal tools, designated supports, and/or accommodations replaces the CMA tests for those subjects.

CMA for Science will continue (as part of the implementation of AB 484) to be administered to students with disabilities in grades five, eight, and ten who have an IEP that identifies the use of the CMA for Science until a successor science test is developed.

CMA Blueprints

Provides information on the CMA for English-Language Arts in grades three through eleven, CMA for Mathematics in grades three through seven, CMA for Algebra I, CMA for Geometry, CMA for Science in grades five and eight, and CMA for Life Science in grade ten.

CMA Reference Sheets

Samples of the science reference sheets for the CMA for Science in grade five that are found in the test booklets.

CMA Participation Criteria for Science

Provides assistance to IEP teams in determining how a student should participate in the STAR Program.

Differences Between the CST and the CMA (PDF)

Provides examples of the format changes between the California Standards Test and the California Modified Assessment.

CMA Pilot Executive Summary (DOC)

Provides summary information and finding from the CMA pilot that was conducted in fall 2006.

CMA Pilot (DOC; 22)

Provides information from the CMA pilot that was conducted in fall 2006.

Questions: California Assessment of Student Performance and Progress Office | caaspp@cde.ca.gov | 916-445-8765

California Department of Education
1430 N Street
Sacramento, CA 95814

Last Reviewed: Thursday, February 19, 2015

California Department of Education

**Report to the State Board of Education,
Department of Finance, and State Legislature:**

**Report and Recommendations for the Full Implementation of
Smarter Balanced Summative Assessments as Required by
*Education Code Section 60648.5***



Prepared by:

**Assessment Development and Administration Division
Educational Data Management Division
District, School, and Innovation Branch**

OCTOBER 2014

Description: Report and recommendations on school, district, and state level readiness for the full operational administration of Smarter Balanced summative assessments

Authority: California *Education Code* Section 60648.5

Recipient: Legislature

Due Date: October 1, 2014

California Department of Education
Report and Recommendations for the Full Implementation of Smarter Balanced Summative Assessments as Required by *Education Code* Section 60648.5

Table of Contents

Executive Summary	iv
Introduction	1
Section 1: Background	3
2014–15 California Assessment of Student Performance and Progress (CAASPP) System	3
Smarter Balanced Assessment System in the CAASPP System.....	4
Legislative Requirements for Full Implementation of Smarter Balanced Summative Assessments	6
Section 2: The Spring 2014 Smarter Balanced Field Test: A Test of Readiness for Implementation of the Technology-enabled Assessment System in California	7
Field Test Purpose	7
Field Test Design	7
Preparations for the Field Test.....	7
Data Collection Activities Before, During, and After Field Test	8
Section 3: The Spring 2014 Smarter Balanced Field Test: Evidence of Readiness for Implementation of the Technology-enabled Assessment System in California	10
Criteria and Indicators for Readiness.....	10
Evidence for Readiness	10
Issues to Address Before the 2015 Operational Administration.....	13
Section 4: The California Department of Education (CDE) Commendations and Recommendations	14
Commendations on California’s Progress and Preparation	14
Recommendations on California’s Readiness for Full Implementation in 2015	14
Preparation and Support for Operational Administration.....	15
Preparation and Support for Future Technology-enabled Assessments.....	15
List of Acronyms Used in this Report	17

Appendices

- Appendix A Annotated List of Smarter Balanced Implementation Updates to the State Board of Education (SBE) from January 2013 through May 2014
- Appendix B Spring 2014 Smarter Balanced Field Test Design Details
- Appendix C Summary of California's Preparations for the Spring 2014 Smarter Balanced Field Test
- Appendix D Initial Summary of Post-Field Test Survey Results and Analyses from the 2014 CAASPP Smarter Balanced Field Test Administration (See Attachment 2)
- Appendix E Summary Report on Student Participation in the spring 2014 Field Test
- Appendix F Concurrent User Counts in the spring 2014 Field Test

California Department of Education
Report and Recommendations for the Full Implementation of Smarter Balanced
Summative Assessments as Required by *Education Code* Section 60648.5

Executive Summary

California *Education Code* (*EC*) Section 60648.5 requires that the first full administration of assessments aligned with the Common Core State Standards (CCSS) (i.e., the Smarter Balanced Summative Assessments) for English-language arts (ELA) and mathematics shall occur in the 2014–15 school year unless the State Board of Education (SBE) determines that the assessments cannot be fully implemented. *EC* Section 60648.5 also requires that the CDE provide the SBE, Department of Finance (DOF), and appropriate fiscal and policy committees of the Legislature with a report and recommendations on or before October 1, 2014, regarding how local educational agencies (LEAs) are progressing toward the implementation of a technology-enabled assessment system and the extent to which the Smarter Balanced computer-adaptive summative assessments can be fully implemented. Based on the information contained in this report, the SBE must determine whether the state shall fully implement the Smarter Balanced Summative Assessments for ELA and mathematics in grades three through eight, inclusive, and grade eleven for the 2014–15 school year.

The newly enacted *EC* Section 60640 required the statewide administration of the Smarter Balanced Field Test in 2013–14 (Field Test). The strategic use of the Field Test to help California LEAs transition from a paper-pencil system to a technology-enabled assessment system was further supported by the legislative suspension of the Field Test results for state and federal accountability purposes. To address the requirements of *EC* Section 60648.5, the CDE, in collaboration with contractors and Senior Assessment Fellows, conducted a wide variety of activities to support and prepare LEAs for the spring 2014 Field Test administration. Through these activities, the CDE evaluated LEAs' technology progress as well as the state's readiness to fully implement the Smarter Balanced Summative Assessments in spring 2015.

The CDE, after considering the findings, made the following commendations and recommendations:

- The CDE commends the Governor, State Legislature, DOF, and SBE for their continuing actions to help California transition to its new assessment system. From the adoption of the CCSS to the passage of Assembly Bill (AB) 484 to the appropriation of funding for CCSS and technology for LEAs, the ongoing collaboration of California's leaders and policymakers has been significant. These actions reflect a strong, continuing commitment to the establishment of a sound, credible, and high-quality new assessment system for the state.
- The CDE also commends LEAs, schools, parents/guardians, students, educational organizations, and other stakeholders for their immense

contributions and hard work to prepare for and successfully administer the spring 2014 Field Test in California. Across the state, local organizations and educational communities were deeply involved in preparing technologically and administratively for the Field Test, reflecting a strong commitment of local educators and groups to establish the new assessment system.

- The CDE concurs with the collective findings regarding LEAs' progress toward implementing technology-enabled assessments as well as the extent to which the Smarter Balanced computer-adaptive summative assessments can be fully implemented in 2015 and makes the following recommendations:
 1. Administer the Smarter Balanced technology-enabled summative assessments in spring 2015. Provide the Smarter Balanced paper-pencil assessments to those schools that lack the necessary broadband connectivity for online testing or are unable to administer the braille version online, and encourage those LEAs to develop a plan to overcome these barriers by the 2016–17 school year.
 2. Continue to provide professional development and training for:
 - a. CCSS aligned instruction and assessment,
 - b. Alignment of classroom and assessment accessibility supports, and
 - c. Administration of the Smarter Balanced Summative Assessments.
 3. Provide ongoing support to LEAs that experience technology-related barriers, including information about resources and technical support.
 4. Use the consortium technology-enabled summative assessment development and implementation, as a model, to guide the development and implementation of a computer-based alternate assessment that is aligned with the CCSS in ELA and mathematics. The alternate assessment will be made available to all eligible students with significant cognitive disabilities who have an individualized education program (IEP).

These recommendations support California's continuing goal to provide the highest-quality assessment system that uses the most reliable and valid assessments possible for its teachers, students, schools, LEAs, and the state.

If you have any questions regarding this report, please contact Diane Hernandez, Director, Assessment Development and Administration Division, by phone at 916-319-0803 or by e-mail at CAASPP@cde.ca.gov. This report is also located on the CDE CAASPP Web page at <http://www.cde.ca.gov/ta/tg/ca/>.

Introduction

The purpose of this report is to meet the requirements of EC Section 60648.5 which requires the CDE to provide the SBE, Department of Finance (DOF), and appropriate fiscal and policy committees of the Legislature with a report and recommendations on or before October 1, 2014. The report and recommendations must describe how LEAs are progressing toward the implementation of a technology-enabled assessment system and the extent to which assessments that are aligned with the CCSS in ELA and mathematics can be fully implemented. Based on the information in this report, the SBE must determine whether the state shall fully implement the technology-enabled Smarter Balanced Summative Assessment in ELA and mathematics for grades three through eight, inclusive, and grade eleven for the 2014–15 school year. In addition, the SBE will use the information provided in this report to inform future deliberations regarding additional assessments that may be included in the comprehensive statewide technology-enabled assessment system (e.g., development of the alternate assessment and science assessment).

In order to “test the system” for implementation readiness for a technology-enabled assessment system, the spring 2014 Smarter Balanced Field Test (Field Test) was administered to all eligible students in grades three through eight, inclusive, and grade eleven (a much larger sample than that needed by Smarter Balanced for psychometric studies). To support LEAs with the transition from a paper-pencil system to a technology-enabled one, the CDE, in collaboration with contractors and Senior Assessment Fellows, conducted a wide variety of activities to support and prepare LEAs for the spring 2014 Field Test administration. Through these activities, the CDE evaluated LEA’s technological progress as well as the state’s readiness to fully implement the Smarter Balanced Summative Assessments in spring 2015. This report presents a summary of this information accompanied by detailed appendices for key information and data.

This report begins with a description of the background and context of the Smarter Balanced assessment system and its implementation timeline in Section 1. Section 2 describes the Field Test’s dual purpose and design; preparations for the Field Test; and the data collection activities conducted before, during, and after the Field Test. In Section 3, the criteria, indicators, and evidence used to evaluate progress towards and readiness for a technology-enabled assessment system are presented. Section 3 also includes the issues that will need to be addressed for the operational assessment in 2014–15. Section 4 contains the presentation of the CDE’s commendations and recommendations, based on the findings included in this report, for going forward with the full implementation of the technology-enabled assessments in 2014–15. Finally, the section ends with a list of preparations underway for the 2014–15 operational administration.

Note, for the purpose of this report, “technology-enabled” assessments include both computer-adaptive and computer-based assessments. The spring 2014 Smarter Balanced Summative Assessment Field Test was computer-based and not computer-adaptive. The 2014–15 Smarter Balanced Summative Assessment will be the operational computer-adaptive assessment. In addition, the CDE will explore options to continue to expand the statewide technology-enabled assessment system, such as, computer-based options for the alternate assessment and the science assessment.

Section 1: Background

The journey toward the implementation of Smarter Balanced assessments and a new statewide assessment program in California began in August 2010, when the SBE adopted the Common Core State Standards for ELA and mathematics. This landmark event was followed in June 2011, when California joined the Smarter Balanced Assessment Consortium (Smarter Balanced) as a governing state. With these steps taken and the state's Standardized Testing and Reporting (STAR) Program to sunset in 2014, the State Superintendent of Public Instruction (SSPI) made recommendations in January 2013 for transitioning to a new statewide assessment system. The SSPI's recommendations are located on the CDE Statewide Pupil Assessment System Web page at <http://www.cde.ca.gov/ta/tg/sa/ab250.asp>.

In October 2013, the Legislature and Governor passed AB 484 (Chapter 489, Statutes of 2013, subsequently enacted as California *EC* sections 60640 to 60649), which established California's new assessment system, the California Assessment of Student Performance and Progress (CAASPP) System, replacing the STAR Program on January 1, 2014. The work of the Governor, Legislature, SBE, and CDE reflects the collaboration and commitment of California's leaders and policymakers to move forward with its new statewide assessment system. The Field Test, which effectively began California's transition to the new technology-enabled assessment system, is the focus of this report.

2014–15 California Assessment of Student Performance and Progress (CAASPP) System

The goal of the CAASPP System is to provide assessments that can assist teachers, administrators, students and parents/guardians with a better understanding of college and career readiness. Further, the system will support this objective by promoting high-quality teaching and learning through the use of a variety of assessment approaches and item types. The assessments, where applicable and valid, will produce scores that can be aggregated and disaggregated for the purposes of federal and state accountability. Table 1 shows the assessments scheduled to be included in the CAASPP System for the 2014–15 school year, which will be the first school year of full implementation upon the SBE's approval of the recommendations found in this report. The assessments are to be administered in the spring of each school year.

Table 1. 2014–15 CAASPP System

Required Assessments for State and Federal Accountability Purposes	Smarter Balanced Summative Assessments: ELA and mathematics in grades three through eight and grade eleven
	California Standards Test for Science: Grades five, eight, and ten
	California Modified Assessment for Science: Grades five, eight, and ten
	California Alternate Performance Assessment (CAPA): Science in grades five, eight, and ten
	Alternative Assessment Field Testing: ELA and mathematics in grades three through eight and grade eleven
Optional Assessments	Early Assessment Program ELA and mathematics in grade eleven (anticipated to become available as part of the Smarter Balanced summative assessments in 2014–15)
	Standards-based Test in Spanish Reading/language arts in grades two through eleven for Spanish-speaking English learners who either receive instruction in Spanish or who have been enrolled in the U.S. for less than twelve months

The CAASPP System is one component of California’s broad statewide assessment system, which, in addition to the CAASPP System, includes for 2014–15 the California English Language Development Test, California High School Exit Examination, California High School Proficiency Examination, High School Equivalency Tests, National Assessment of Educational Progress, and Physical Fitness Test. More information about the CAASPP System is located on the CDE CAASPP System Web page at <http://www.cde.ca.gov/ta/tg/ca/>; further information about California’s broad assessment system is located on the CDE Testing Web page at <http://www.cde.ca.gov/ta/tg/>.

Smarter Balanced Assessment System in the CAASPP System

The Smarter Balanced assessment system includes three components: (1) summative assessments, (2) interim assessments, and (3) formative assessment practices. The primary goal of Smarter Balanced is to provide summative assessments that are valid, fair, and reliable and that provide accurate measurements of student performance. The computer-adaptive summative assessments are administered to all students who are not eligible for the alternative assessments in grades three through eight, inclusive, and grade eleven.

The Smarter Balanced assessment system’s overarching goal is to ensure that all students leave high school prepared for postsecondary success in college and career through increased student learning and improved teaching. Table 2 shows the three components of the Smarter Balanced assessment system.

Table 2. 2014–15 Smarter Balanced Assessment System

System Components	<p>Summative Assessments</p> <ul style="list-style-type: none"> • Computer-adaptive section of multiple-choice items • Short constructed responses • Extended response items • Computer-based section requiring performance tasks • Administered at the end of each school year • Online reporting system to provide: (1) assessment results; and (2) reports that show student achievement and progress toward mastery of the CCSS
	<p>Interim Assessments (optional)</p> <ul style="list-style-type: none"> • To provide educators and LEAs with actionable information about student progress throughout the year • Will be computer-adaptive and include performance tasks • To be made available for local and school use during the school year
	<p>Formative Assessment Practices (housed in Digital Library -optional)</p> <ul style="list-style-type: none"> • Designed to promote the use of formative assessment practices in the classroom • Portal for professional development materials, resources, and tools available to all California Kindergarten through grade 12 (K–12) educators • Available throughout the school year to help K-12 teachers in California

In developing the Smarter Balanced assessment components, considerable efforts were made by Smarter Balanced to ensure that the assessments are fair, valid, and accessible through the development of the *Accessibility and Accommodations Framework* (January 26, 2014) and the *Usability, Accessibility, and Accommodations Guidelines* (August 1, 2014). These documents are available on the Smarter Balanced Support for Under-Represented Students Web page at <http://www.smarterbalanced.org/parents-students/support-for-under-represented-students/>. More information about Smarter Balanced is located on the Smarter Balanced Web site at <http://www.smarterbalanced.org/>.

Legislative Requirements for Full Implementation of Smarter Balanced Summative Assessments

EC sections 60640–49 set forth provisions for the implementation of the Smarter Balanced assessments. For the 2013–14 school year, the Field Test was required to be administered. Sections 2 and 3 focus on the Field Test. Table 3 shows key milestones in the journey toward the implementation of Smarter Balanced assessments.

Table 3. Smarter Balanced Implementation Timeline

August 2010	California adopts the CCSS for ELA and mathematics.
June 2011	California joins the Smarter Balanced Assessment Consortium as a governing state.
January 2013	SSPI presents recommendations for transitioning California to a future statewide assessment system.
Spring 2013	Selected California LEAs participate in Smarter Balanced assessment pilot test.
Fall 2013	CDE allocates \$1.25 billion in funding to LEAs to support the integration of academic content standards to support instruction. CDE conducts and reports results to SBE regarding a Technology Preparedness Survey of California LEAs.
October 2013	AB 484 signed by Governor, establishing the CAASPP System.
January 2014	CAASPP System replaces the STAR Program on January 1, 2014, authorizing the use of the Smarter Balanced assessments for California.
Fall 2013 – Spring 2014	California and Smarter Balanced prepare for the spring 2014 Smarter Balanced Field Test.
Spring 2014	Administration of the spring 2014 Smarter Balanced Field Test. Contractors, on behalf of the CDE, conduct pre-, mid-, and post-Field Test surveys and focus groups.
Fall 2014	The SSPI reports to the SBE, DOF, and Legislature on LEA technology progress and on California’s readiness for full implementation of Smarter Balanced assessments. CDE allocates \$26.7 million in funding for the K–12 High Speed Network (K12HSN) to perform a comprehensive network connectivity assessment and provide grant funds to LEAs with the greatest infrastructure needs. Smarter Balanced conducts achievement level setting for Smarter Balanced summative assessment; SBE to adopt achievement levels.
Fall 2014 – Spring 2015	California and Smarter Balanced prepare for 2015 Smarter Balanced operational test.
Spring 2015	Administration of the 2015 Smarter Balanced computer-adaptive operational test.
Fall 2015	2015 Smarter Balanced results available for students, and parents/guardians.

Section 2: The Spring 2014 Smarter Balanced Field Test: A Test of Readiness for Implementation of the Technology-enabled Assessment System in California

Section 2 includes a description of the Field Test purpose and design; the preparation and support activities undertaken by state and LEAs for the Field Test; and data and feedback collection efforts made before, during, and after the Field Test to evaluate California's progress towards and readiness for the full implementation of the technology-enabled summative assessments in 2014–15.

Field Test Purpose

The Field Test served a dual purpose in California. First, it allowed California to participate with other consortium states in field testing mathematics and ELA items in preparation for use in the operational assessments. Second, it allowed the CDE to conduct a “test of the system” at state and local levels to determine readiness and prepare for implementation of the new computer-based assessments in 2014–15.

Field Test Design

Between March 25 and June 6, 2014, the Field Test was administered to all students who did not meet eligibility requirements for the CAPA in grades three through eight, inclusive, and grade eleven. Students in grades nine and ten were also included in the scientific sample. Due to student results not being used for accountability purposes, students and LEAs were able to focus efforts on the shifts required in organization, training, and administration of the new technology-enabled test while students had a chance to experience the new test content and testing environment in a low-stakes context. Appendix B provides details about the Field Test sampling structure, scheduling and testing windows, and minimum technology requirements.

Preparations for the Field Test

In 2013, California policymakers and administrators faced the challenges involved in updating state-level administrative systems; establishing the contractor, processes, and procedures for administration; communicating and coordinating efforts at all levels; and providing training and resources to LEA staff, teachers, students, and parents/guardians. Coordinated efforts and supports from the Governor, Legislature, DOF, CDE, SBE, Smarter Balanced, and various service and system providers allowed the state and LEAs to successfully prepare for the computer-based Field Test. These extensive efforts included:

- The 2013–14 state budget, AB 86 (Chapter 48, Statutes of 2013), Section 85, appropriated \$1.25 billion to support the integration of academic content standards for instruction.
- The 2014–15 state budget (Senate Bill 852, Statutes of 2014) appropriated \$26.7 million for the K12HSN to allocate network connectivity infrastructure grants and perform a comprehensive network connectivity assessment. The grant recipients are scheduled to be announced in January 2015. Grant awards will be provided to LEAs that are currently unable to administer the CAASPP System computer-based assessments and are in critical need of network connectivity.
- Extensive outreach to LEAs included in-person training, direct phone support, video training modules, regular news flashes, and many other activities that helped prepare LEAs to administer the spring 2014 Smarter Balanced Field Test.

The Field Test was administered only online without a paper-pencil alternative, posing an added challenge and opportunity to state and local staff to problem-solve and prepare for online testing. Appendix C provides a summary of the preparations carried out between 2013 and 2014 for the spring 2014 Smarter Balanced Field Test. An annotated list of the updates on the Field Test provided to the SBE from January 2013 through May 2014 can be found in Appendix A.

Data Collection Activities Before, During, and After the Field Test

Data and feedback collected through activities conducted by the CDE before, during, and after the Field Test to prepare and support LEAs helped the CDE to understand LEAs' experiences of the Field Test administration, including areas where progress has been made, and areas where additional support will be needed. Below are the various sources of data and feedback collected by the CDE to assess the progress and readiness for LEAs to administer technology-enabled assessments:

2013 Technology Preparedness Survey – This survey was available for LEAs to complete before the Field Test, between June and September 5, 2013. The CDE developed and conducted a survey of the technology readiness of California LEAs to gauge the current status and technological needs at that time, particularly the technology resources needed to implement the Smarter Balanced system of assessments. Details of the survey findings are available on the SBE Web site at <http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-oct13item01.doc>.

2014 Educational Testing Service (ETS) Outreach, Surveys, and Focus Groups – ETS, on behalf of the CDE, gathered feedback about readiness and the Field Test in five ways:

1. Before and during testing, the Senior Assessment Fellows and ETS conducted outreach activities to help promote the transition to online testing as well as customized training to sites that required it.
2. An online pre-test survey was administered to LEA testing and technology coordinators from February through early April 2014. This activity gathered information about early readiness and follow-up outbound calls were made to any of the LEAs who were having trouble and needed help.
3. A mid-test survey was the second online survey administered to LEA CAASPP coordinators from April through June 2014 once testing had begun. This survey was conducted to learn about the successes and challenges experienced by LEAs. This information was used to help LEAs having difficulty with various aspects of test administration.
4. A post-test survey was sent to all LEA testing and technology coordinators, and test administrators from June through August 2014 after the completion of the Field Test to determine readiness as well as best practices. The results of this survey and analyses from the Field Test administration are provided in Appendix D. (Attachment 2)
5. Post-test focus group meetings were held during July 2014, after the Field Test, to gather feedback from LEA and school staff. The purpose of the focus groups was to determine readiness, best practices, and areas where improvement was needed.

2014 Senior Assessment Fellows LEA Feedback Reports – Feedback was gathered from LEA and school staff after on-site trainings, workshops, and presentations made by the Senior Assessment Fellows on behalf of the CDE during spring 2014.

2014 San Joaquin County Office of Education (SJCOE) Parent/Guardian and Student Focus Groups – The SJCOE, on behalf of the CDE, conducted post-field test focus groups of parents/guardians and students July through September 2014 to obtain feedback on experiences with the Field Test, access to technology, communications, access and use of practice and training tests, and preparation for 2015 operational testing.

Section 3:

The Spring 2014 Smarter Balanced Field Test: Evidence of Readiness for Implementation of the Technology-enabled Assessment System in California

EC Section 60648.5 requires the CDE to report on: (1) how LEAs are progressing toward the implementation of a technology-enabled assessment system and (2) the extent to which the Smarter Balanced computer-adaptive summative assessments can be fully implemented. Section 3 presents the criteria, indicators, and evidence used by the CDE to evaluate the progress and readiness of California for a full operational administration of the Smarter Balanced assessments in 2015. It also describes the issues to be addressed before the full operational administration.

Criteria and Indicators for Readiness

Table 4 lists the criteria and indicators developed by the CDE to serve as a guide in addressing the requirements of *EC* 60648.5.

Table 4. Criteria and Indicators for Readiness

Criteria	Indicators
1. Did LEA respondents indicate improvement in technological readiness from before the Field Test to after the Field Test?	<p style="text-align: center;">Suggested Progress in Technology Readiness</p> <p style="text-align: center;">Proportion of LEA survey respondents reporting being prepared before the field test compared to proportion reporting being prepared after the field test</p>
2. Was there a high and successful level of participation in the spring 2014 Field Test?	<p style="text-align: center;">Significant LEA and Student Participation in Field Test</p> <p style="text-align: center;">Significant proportion of LEAs and students participating in the Smarter Balanced Field Test to provide evidence that LEAs accomplished the technological and procedural requirements to administer the Field Test</p>
3. Was the Field Test participation regarding technology productive?	<p style="text-align: center;">Positive LEA Feedback of Readiness After Field Test</p> <p style="text-align: center;">Positive LEA post-Field Test feedback to reflect readiness and lessons learned for implementation</p>

Evidence of Readiness

Data from surveys, focus groups, trainings, presentations, and reports of student participation in the Field Test were reviewed and noted in gathering data to address the criteria and indicators. The results from respondents describe the available evidence of

LEA progress and readiness for operational implementation of Smarter Balanced assessments. The majority of selected data findings summarized in this report are taken from the post-field test survey and focus group report prepared by the ETS under the direction of the CDE.

Suggested Progress in Technology Readiness – To investigate progress in LEA respondents’ in technology readiness, the CDE reviewed results on readiness perceptions and progress from various quantitative and qualitative reports between 2013 and 2014. The *Initial Summary of Post-Field Test Survey Results and Analyses from the 2014 CAASPP Smarter Balanced Field Test Administration* (see Appendix D, Attachment 2) provided by ETS, presents results on readiness consistent with other findings reviewed and is summarized in this subsection. Table 5 presents the ETS results suggested progress in readiness for Smarter Balanced computer-based assessment implementation:

Table 5. Progress in Technology Readiness

Findings: Suggested Progress in Technology Readiness
<p>Major Findings</p> <p>A majority of study participants—survey respondents and focus group attendees—reported that they are ready for online operational testing in 2015. Responses indicated that experience gained through field testing contributed to increased readiness. Participants also identified areas that needed improvement at both the statewide and LEA levels.</p> <p>Rating Technology Readiness Before the Field Test (Question 112)</p> <p>A total of 41 percent of the LEA coordinator respondents (n=422) indicated that technologically their LEA was ready (21 percent), significantly ready (12 percent) or highly ready (8 percent) before the Field Test.</p> <p>Rating Technology Readiness After the Field Test (Question 113)</p> <p>A total of 68 percent of the LEA coordinator respondents (n=424) indicated that technologically their LEA was ready (38 percent), significantly ready (18 percent), highly ready (12 percent) after the Field Test.</p>

Significant LEA and Student Participation in Field Test – The CDE reviewed participation counts from the spring 2014 Field Test and developed a list of California’s Smarter Balanced participation results by test type (computer-adaptive test [CAT] or performance task [PT]), content area (ELA or mathematics), completion (started and completed), and grade level breakout. Students in grades three through eight were required to be tested, and participation rates for these grade levels were high. Participation rates for grade eleven were less than those for grades three through eight because grade eleven testing was optional. Appendix E provides a listing of the CDE participation reporting. Table 6 displays the key findings from the participation data show significant levels of student participation in the Field Test:

Table 6. LEA and Student Participation in Field Test

Findings: Significant LEA and Student Participation in Field Test	
ELA	<ul style="list-style-type: none"> • 90 percent of students in grades three through eight who were eligible to test completed the ELA CAT and 46 percent completed the ELA PT. <ul style="list-style-type: none"> – 63 percent of students in grade eleven who were eligible to test completed the ELA CAT and 32 percent completed the ELA PT.
Mathematics tests	<ul style="list-style-type: none"> • 92 percent of students in grades three through eight who were eligible to test completed the mathematics CAT and 48 percent completed the mathematics PT. <ul style="list-style-type: none"> – 62 percent of students in grade eleven who were eligible to test completed the mathematics CAT and 32 percent completed the mathematics PT CAT and PT tests. • 95 percent of students in grades three through eight took a CAT (in either ELA or mathematics) and a PT (in either ELA or mathematics). <ul style="list-style-type: none"> – 65 percent of students in grade eleven took a CAT (in either ELA or mathematics) and a PT (in either ELA or mathematics).

CAT = Computer-adaptive test, PT = Performance task

Appendix F provides a chart showing the numbers of concurrent users during the four testing windows of the Field Test. These concurrent user counts show the range of user levels that occurred from March through June 2014. On April 29, 2014, the number of concurrent users peaked at 185,000, which was approximately 30 percent of capacity for the network connection between the K12HSN/California Research Education Network (CalREN) and the Smarter Balanced test delivery system.

Smarter Balanced has made the paper-pencil test available for three years to allow LEAs to overcome technological barriers to administering the online assessments. The CDE is taking steps to identify schools that will require the paper-pencil administration for the 2015 testing due to broadband connectivity issues and students who will need the braille version of the Smarter Balanced test. The CDE is also encouraging and providing support for LEAs of these schools to help them develop and implement a plan to administer the online test by the 2016–17 school year.

LEA Feedback of Readiness After Field Test – The CDE reviewed results on readiness perceptions from quantitative and qualitative reports in 2014. The ETS post-Field Test report (see Appendix D, Attachment 2) concluded that a majority of survey respondents reported they are ready for online operational testing in 2015, and responses indicated that experience gained through field testing contributed to increased readiness. Qualitative analyses provided information on lessons learned.

An examination of the feedback reports from LEA focus groups, trainings, workshops, and presentations revealed a generally positive Field Test experience by respondents. The feedback also provided information about specific issues that would need to be addressed for the operational administration. Great appreciation was expressed for the work of technology coordinators and divisions in LEAs and for the opportunity to experience the Field Test. The Los Angeles Unified School District Information Technology Division remarked, "Participating in the Field Test was absolutely the right thing to do. We learned a lot, and there was really no other realistic way to learn what we did. Cooperation from CDE/Smarter Balanced was critical."

Issues to Address Before the 2015 Operational Administration

Data gathering activities during 2014 included results describing the challenges and lessons learned in administering the Field Test as well as issues to address before the 2014 operational administration of the Smarter Balanced Summative Assessments. The CDE reviewed the ETS post-Field Test report results (see Appendix D, Attachment 2) and feedback reports from other LEA focus groups, trainings, workshops, and presentations regarding this topic. The ETS results were very similar to and consistent with the other LEA feedback reports and are summarized in this subsection.

The ETS survey responses to two questions (Questions 114 and 115, open-ended) revealed the following feedback from LEA coordinator respondents:

Preparations – Students need to take field tests in addition to developing computer skills. For teachers and staff, they also need to work with the Field Test, become trained on using the testing devices, and improve their general computer literacy and proficiency with administering the tests.

Scheduling – Scheduling is a big challenge viewed by LEA coordinators. A large proportion of LEA coordinators (74 percent) reported it was difficult to predict the amount of time students need in completing the test. This sentiment was also observed in the ETS focus group study. Being flexible seemed to be the strategy used by many LEA coordinators.

Technology – LEA coordinators recognized that their technology infrastructure needed updating and they need to increase their bandwidth. They also reported that they need more devices for testing. They recommended devices that worked well for them and also the ones that did not work well.

Support for Staff – LEA coordinators reported it is important to provide site-based technology support for schools and have a sufficient number of proctors in the room during testing.

Accommodations and Designated Supports – LEA coordinators commented on the need for better understanding of, planning for, and training on designated supports. They also reported that there is a need to develop a process for identifying students' eligibility for various supports.

Section 4: The California Department of Education (CDE) Commendations and Recommendations

The CDE provides the following commendations and recommendations for full implementation of the Smarter Balanced summative assessments in 2015.

Commendations on California's Progress and Preparation

The CDE commends the Governor, State Legislature, DOF, and SBE for their continuing actions to transition California's assessment system. From the adoption of the CCSS to the passage of AB 484 to the appropriation of funding for CCSS and technology for LEAs, the ongoing collaboration of California's leaders and policy makers has been significant. These actions reflect a strong, continuing commitment toward establishing a sound, credible, and high quality new assessment system for the state.

The CDE also commends LEAs, schools, students, parents/guardians, and educational organizations and stakeholders for their immense contributions and hard work to prepare for and successfully administer the spring 2014 Field Test in California. All across the state, local organizations and educational communities were deeply involved in preparing technologically and administratively for the test, reflecting an equally strong commitment of local educators and groups toward establishing the new assessment system.

Recommendations on California's Readiness for Full Implementation in 2015

The CDE concurs with the collective findings regarding LEAs' progress toward implementing technology-enabled assessments as well as the extent to which the Smarter Balanced computer-adaptive summative assessments can be fully implemented in 2015 and makes the following recommendations:

1. Administer the Smarter Balanced technology-enabled summative assessments in spring 2015. Provide the Smarter Balanced paper-pencil assessments to those schools that lack the necessary broadband connectivity for online testing or are unable to administer the braille version online, and encourage those LEAs to develop a plan to overcome these barriers by the 2016–17 school year.
2. Continue to provide professional development and training for:
 - a. CCSS aligned instruction and assessment,
 - b. Alignment of classroom and assessment accessibility supports, and
 - c. Administration of the Smarter Balanced Summative Assessments.
3. Provide ongoing support to LEAs that experience technology-related barriers, including information about resources and technical support.

4. Use the consortium technology-enabled summative assessment development and implementation, as a model, to guide the development and implementation of a computer-based alternate assessment that is aligned with the CCSS in ELA and mathematics. The alternate assessment will be made available to all eligible students with significant cognitive disabilities who have an individualized education program (IEP).

Preparation and Support for Operational Administration

In response to the findings reported in the post-test survey results and analyses conducted by ETS (Appendix D, Attachment 2), the CDE, Senior Assessment Fellows, and designated assessment contractors are working to meet the needs identified for preparation and support. For example, both the CDE and ETS have refreshed the Web pages that pertain to Smarter Balanced for ease of access for all users. Messaging from the CDE, the Senior Assessment Fellows, and its contractors continue to stress the importance of interacting with the Practice and Training Tests and encourage the use of technology in the classroom for both teachers and students. ETS has made the Practice and Training Tests accessibility a priority selection on the ETS CAASPP Web site at <http://www.caaspp.org>.

The early availability of resources and training materials is also a priority. As highlighted in the survey results, LEAs want materials earlier to allow for extended training for all of their staff. Monthly Webcasts are being presented on the most timely information about the Smarter Balanced Assessment System, the technology to support online assessments, and specific information around the *Universal Tools, Designated Supports, and Accommodations*, the *Individual Student Assessment Accessibility Profile* Tool, and the new Test Operations Management System. Webcasts targeting these topics and others have been presented and immediately archived on the Smarter Balanced Assessment System Web page at (<http://www.cde.ca.gov/ta/tg/sa/>), or are currently in development to assist LEAs. Shortened manuals containing user-specific and/or topic specific information is currently being developed to allow LEA CAASPP Coordinators access to some of the key tools they have requested.

Preparation and Support for Future Technology-enabled Assessments

California's investment in the Field Test will benefit not only the future implementation of the Smarter Balanced operational assessment, but will also provide critical information to inform the development of future assessments that will be included in the CAASPP System. In particular, the state should consider adopting a similar process to "test the system" when developing the alternative assessments for students with significant cognitive disabilities that align with the CCSS in ELA and mathematics. Similar to the Smarter Balanced Assessment System, there is a desire to provide computer-based alternate assessments that support the larger statewide technology-enabled CAASPP System.

California students with significant cognitive disabilities did not participate in the 2013–14 Smarter Balanced Field Test, but continued to participate in the CAPA with test results reported and used for accountability. California is eager to move forward with an alternate assessment that is aligned with the CCSS in ELA and mathematics and provide a similar opportunity for students with significant cognitive disabilities to receive the same valuable opportunity to “test the system” as our general education students did.

In the 2014–15 school year, California will implement a new computer-based alternate assessment in ELA and mathematics aligned with the CCSS with the intent of field testing all eligible students. This plan is in the best interest of our students, teachers, and schools and consistent with our successful Smarter Balanced Field Test.

Accordingly, California is requesting a waiver under Section 9401 of the Elementary and Secondary Education Act (ESEA) of the requirements in Title I, Part A, as amended, and their associated regulatory provisions. This waiver will allow California to improve how our State, districts, and schools effectively serve students with significant cognitive disabilities and allow us to properly field test new alternate assessments without creating an unduly burdensome double testing situation in grades three through eight, inclusive, and grade eleven for this special student population.

Based on experiences with the spring 2014 Smarter Balanced Field Test, the CDE proposes this waiver as a significant first step toward the implementation of a technology-enabled assessment. The opportunity to conduct a field test will allow assessment and technology coordinators, in addition to teachers, students, and parents/guardians, to prepare for the transition from a field test to the implementation of a full operational assessment. For example, exposure to practice tests and changes in test schedules, and the opportunity to interface with technology and designated supports, are central to the success of implementation. Therefore, the state is preparing to apply these lessons learned to the development and implementation of the alternate assessment.

List of Acronyms Used in this Report

AB	Assembly Bill
CAASPP	California Assessment of Student Performance and Progress
CaIREN	California Research Education Network
CAPA	California Alternate Performance Assessment
CAT	computer-adaptive test
CCSS	Common Core State Standards
CDE	California Department of Education
DOF	Department of Finance
EC	<i>Education Code</i>
ELA	English-language arts
ESEA	Elementary and Secondary Education Act
ETS	Educational Testing Service
Field Test	2014 Smarter Balanced Field Test
K–12	Kindergarten through grade twelve
K12HSN	K–12 High Speed Network
LEA	local educational agency
PT	performance task
SBE	State Board of Education
SJCOE	San Joaquin County Office of Education
SSPI	State Superintendent of Public Instruction
STAR	Standardized Testing and Reporting

Appendix A

Annotated List of Smarter Balanced Implementation Updates to the State Board of Education from January 2013 through September 2014

Below is an annotated list of updates that were presented to the State Board of Education (SBE) regarding the implementation of the Smarter Balanced Assessment System. The SBE Items and Information Memoranda may be retrieved at the SBE Web page at <http://www.cde.ca.gov/be/>

January 2013 (Item 8)

The California Department of Education (CDE) presented to the SBE the SSP's recommendations to the Legislature for the future statewide assessment system and engaged in discussion with the SBE regarding the recommendations.

March 2013 (Item 9)

The CDE presented the first update on the future statewide assessment system and Smarter Balanced assessment development activities, including the initial Achievement Level Descriptors (ALDs) and college content readiness policy.

May 2013 (Item 3)

The CDE and Smarter Balanced Executive Director Joe Willhoft presented an update on Smarter Balanced assessment development activities:

- Smarter Balanced sustainability plan
- Initial ALDs and college content readiness policy
- Spring 2013 Pilot Test and Practice Tests
- Digital Library

July 2013 (Item 5)

The SBE received an update from the CDE on Smarter Balanced assessment development activities, including:

- Release of Practice Tests
- Feedback from CDE staff observations of the spring 2013 Pilot Test
- California educator involvement in item development and Digital Library development activities
- Available resources to help gauge the technology readiness of local educational agencies (LEAs)
- Initial cost estimates for implementing the Smarter Balanced system of assessments

Appendix A (cont.)

September 2013 (Item 3)

The CDE presented information to the SBE on Smarter Balanced assessment activities, including:

- Legislative developments
- Findings from the CDE Technology Preparedness Survey
- Report on research regarding the costs of statewide student testing
- Research regarding computer-based versus paper-based testing
- Review of the draft Accessibility and Accommodations Guidelines
- Developments for the spring 2014 Smarter Balanced Field Test
- Comparison of costs for the development and administration of the English-language arts (ELA) and mathematics portions of the Standardized Testing and Reporting (STAR) Program and the Smarter Balanced assessment system

September 26, 2013 (October Memorandum to SBE)

The SSPI provided the SBE with results of the Technology Preparedness Survey.

November 2013 (Item 8)

The CDE provided the SBE with the following updates:

- Highlights of Assembly Bill 484
- Information on the availability of the Smarter Balanced Usability, Accessibility, and Accommodations Guidelines
- Technology Readiness Tool
- Changes to the new registration system with the California Longitudinal Pupil Achievement Data System
- Collaboration activities of the CDE and the K–12 High Speed Network

January 2014 (Item 4)

The CDE provided the SBE with an update on statewide assessment transition activities, including:

- Establishment of the California Assessment of Student Performance and Progress (CAASPP) System
- Spring 2014 Smarter Balanced Field Test preparation activities
- Information about the Smarter Balanced Usability, Accessibility, and Accommodations Guidelines
- CDE and Educational Testing Service (ETS) training modules for California LEAs
- CAASPP technology update

Appendix A (cont.)

March 2014 (Item 13)

The CDE provided the SBE with the following updates:

- CAASPP activities
- Outreach efforts to prepare LEAs for the Smarter Balanced Field Test
- Smarter Balanced Digital Library
- Spring 2014 Smarter Balanced Field Test
- National Center and State Collaborative (NCSC) activities
- Planning of the science assessment stakeholder meetings

May 2014 (Item 3)

The CDE provided the SBE with an update on:

- Progress of the Smarter Balanced Field Test
- Details of the Smarter Balanced Practice and Training Tests
- Digital Library
- Smarter Balanced Field Test Online Reporting System
- NCSC for the development of alternate assessments

July 2014 (Item 22)

The CDE provided the SBE with an update on:

- CAASPP activities
- Details of the Smarter Balanced Field Test
- Results of the Mid-test survey
- Planning of the Post-test survey
- Focus group meetings
- Future outreach activities for the 2015 operational assessments

July 2014 (Item 5)

The SBE approved the contract amendment to extend the ETS contract through December 31, 2015.

September 2014 (Item 2)

The CDE provided the SBE with an update on:

- Smarter Balanced focus groups and post-test survey results
- Technology update
- Outreach activities to prepare for the 2015 Smarter Balanced operational assessment
- Science assessment stakeholder meetings
- Alternate assessment and NCSC

September 2014 (Item 3)

The SBE approved the Memorandum of Understanding with Smarter Balanced for the 2014–17 school years.

Appendix B

Spring 2014 Smarter Balanced Field Test Design Details

The spring 2014 Smarter Balanced computer-enabled field test (Field Test) design encompassed the sampling structure, scheduling and testing windows, and minimum technology requirements.

Sampling Structure

The Field Test sampling for California included a scientific sample of students who were required to be tested and a larger sample that incorporated other students who volunteered to be tested. A scientific sample of 20 percent of students across all member states was selected to participate in the Field Test, 10 percent to participate in the English-language arts (ELA) test, and 10 percent to participate in the mathematics test. In California, over 680,000 students were selected to participate in the scientific sample, comprising approximately 36 percent of the total Smarter Balanced Field Test sample. For grades nine and ten, a small sample of students were selected for vertical scaling purposes. The scientific sample included students in grades three through eleven who were selected to represent the demographic characteristics of each member state. Table 1 below presents the California scientific sample sizes by content area and grade level.

Table 1 Number of California Students Selected for the Scientific Sample of the Smarter Balanced Spring 2014 Field Test

Grade Level	Scientific Sample Size for ELA	Scientific Sample Size for Mathematics
3	31,825	35,194
4	34,743	37,050
5	34,560	37,596
6	35,002	38,797
7	35,448	39,998
8	36,545	41,941
9	9,433	9,433
10	9,433	9,433
11	91,061	113,530
Total	318,050	362,972

Appendix B (cont.)

In addition to the scientific sample, all California local educational agencies (LEAs) were required by Assembly Bill 484 to participate in the Field Test in accordance with procedures set forth by the California Department of Education. With the exception of students who participate in the California Alternate Performance Assessment, English learners enrolled in school in the United States for less than twelve months, or students with a parent/guardian exemption, all students in grades three through eight were expected to participate in either the ELA or mathematics Field Test. For grades nine and ten, only students selected for the scientific sample were expected to participate. For grade eleven, only students in the scientific sample were expected to participate in the Field Test, and all other grade eleven students were encouraged to participate. All grade eleven students, including those who participated in the Field Test, had the option to participate in the Early Assessment Program.

Scheduling and Testing Windows

Schools in California were assigned to two of four specific windows in which to administer the Field Tests from March 25 through June 6, 2104. Assignments were made for each school in each LEA and posted online by county. Table 2 below shows the testing windows.

Table 2 California Spring 2014 Field Test Windows

Test Windows	Test Window Dates LEAs Started Testing
Window 1	March 25 through April 4, 2014
Window 2	April 7 through April 25, 2014
Window 3	April 28 through May 16, 2014
Window 4*	May 19 through June 6, 2014

*LEAs and schools were not assigned to Window 4; however, it was used for test extensions as needed.

Minimum Technology Requirements

Based on preliminary survey responses' LEAs and schools had minimum technology requirements to participate in the Field Test. To promote ease of implementation, the online Field Test assessment system was designed to operate within the technology infrastructures that currently exist in most California schools. Accordingly, the system was designed to work on a variety of older hardware and operating system configurations. Details about the minimum technology requirements can be found in the Smarter Balanced report, *Technology Strategy Framework and Testing Device Requirements*, available on the Smarter Balanced Technology Web page at <http://www.smarterbalanced.org/smarter-balanced-assessments/technology/>.

Appendix C

Summary of California's Preparations for the Spring 2014 Smarter Balanced Field Test

This summary provides descriptions of the preparations carried out, mainly in 2013 and 2014, to prepare for the spring 2014 Smarter Balanced field test (Field Test), which has helped California to be well prepared for the 2015 Smarter Balanced operational administration. Many of the descriptions were taken from the regular Smarter Balanced updates provided by the California Department of Education (CDE) to the State Board of Education (SBE) at each meeting beginning in March 2013. Described are the state-level preparations for implementation, state support to increase local educational agency (LEA) preparedness, LEA activities to increase preparedness, and Smarter Balanced preparations.

State Level Preparations for Implementation

Since joining the Smarter Balanced Assessment Consortium in 2011, California's multilevel involvement in the development of the Smarter Balanced assessments has allowed the CDE to become informed about the Field Test and operational test administrations and to plan, anticipate, and provide in advance the activities and supports needed to prepare for the Field Test and operational test administrations. The strategic statewide preparation for transitioning to the new assessment system includes several major activities to update state-level programs and systems.

Common Core State Standards (CCSS) Implementation Plan – Foremost among these activities was the development of the *Common Core State Standards Systems Implementation Plan for California* (April 2014), of which the new assessments are an important element. (The document is available on the CDE CCSS Web page at <http://www.cde.ca.gov/re/cc/>). The plan describes the philosophy of and strategies for the successful integration of new kindergarten through grade twelve (K–12) academic content standards that permeate both well before and far beyond those grade levels. California's standards-based educational system is one in which standards, curriculum, assessment, and accountability are in alignment in order to support student attainment of the standards. Teachers and local school officials, in collaboration with families and community partners, use the CCSS to help students achieve academic success.

Regulations for the California Assessment of Student Performance and Progress (CAASPP) – Another key state-level preparation activity has been the adoption of regulations. As required by *Education Code (EC)* Section 60640(q), the SBE adopted permanent regulations governing CAASPP in July 2014. Before that, initial regulations had been adopted as emergency regulations to immediately implement the CAASPP System, including the administration, scoring, and reporting of assessments.

Appendix C (cont.)

Presentations to California's Education Coalition (EDCO) – Essential to making the transition to new assessments and a new assessment system has been the efforts of the CDE to communicate clear, specific, and timely information to all stakeholders about the upcoming changes. It has been especially important to communicate to and hear from leaders in key educational organizations. In order to alert those leaders about the new changes and timelines for transition, the CDE began making presentations in February 2013 to California's EDCO representatives from the California School Boards Association, Association of California School Administrators, California County Superintendents Educational Services Association (CCSESA), California Federation of Teachers, Parent Teacher Association, University of California, California State University, California Community Colleges, Service Employees International Union, California State Employees Association, and LEAs. These educational organization leaders then disseminated the information to their constituencies. The presentations have been posted on the CDE Smarter Balanced Presentations Web page at <http://www.cde.ca.gov/ta/tg/sa/sbac-pres.asp> so that others can benefit from the information.

California Longitudinal Pupil Achievement Data System (CALPADS) Integration – Of great importance to the success of the spring 2014 Field Test and to the readiness for operational administration was the integration of the CALPADS and the Test Information Distribution Engine (TIDE) system. The CDE updated CALPADS to provide student enrollment, demographic, and program data to the Smarter Balanced test registration system, known as the TIDE system, before and during the Field Test. Doing so required that LEAs update specific student-level data elements in CALPADS on a frequent and consistent basis, especially before and during the testing windows. The CDE submitted student-level registration files in time for Smarter Balanced to process for the Field Test.

Smarter Balanced Technology Joint Work Group – State-level coordination and collaboration were and continue to be important activities in increasing the readiness of LEAs across the state. The Smarter Balanced Technology Joint Work Group was formed, and met in December 2013 and January 2014, to discuss and coordinate efforts to support the technology preparation of LEAs, particularly for the spring 2014 Field Test. The Joint Work Group is comprised of members from the CDE, CCSESA subcommittees (the Curriculum and Instruction Steering Committee's Regional Assessment Network and the Technology and Telecommunications Steering Committee), California's K–12 High Speed Network (K12HSN), and representatives from statewide technology-related professional associations. The Joint Work Group determined priority areas for policies and delegation of authority; technology procurement, deployment, and scheduling; professional development, training, and human resource issues; communication; student access and accommodations; and project management, issue escalation, and resolution.

Appendix C (cont.)

Smarter Balanced Hosting – Another major state-level technology system update was the planning and development for hosting data. California, as a member of Smarter Balanced, is responsible for hosting its own Smarter Balanced assessment delivery. Included in the state-hosted requirements are item scoring, test delivery, test administration, test registration, and an adaptive engine. In order to review the potential hosting alternatives, which will begin with the spring 2015 assessment, the CDE contracted with Sabot Technologies to conduct an analysis on the alternatives, costs, and recommendations for hosting. The analysis concluded that the currently viable alternative for hosting is through a vendor. The results of the report by Sabot Technologies will be used to develop risk management and mitigation strategies, vendor Requests for Submission, and other hosting-related solicitations so that state-level hosting will be established for the spring 2015 operational testing.

State Support to Increase LEA Preparedness

As Assembly Bill (AB) 484, introduced in February 2013, and progressed toward its passage in October 2013, state policymakers and administrators realized that the change to an entirely new statewide student assessment system would be extremely challenging and would require significant development at all levels across the state. Even more challenging was the fact that the new assessments would be computer-based, requiring significant resources, funding, and training at the local level. To start preparing for a transition to new assessments, the state took strategic steps during 2013 and 2014 to increase the preparedness of LEAs for technology-enabled testing. A key step toward technology readiness was the appropriation of funding to support the integration of academic content standards for instruction and the implementation of CCSS. In addition, a variety of entities worked together, particularly between fall 2013 and spring 2014, to assist California LEAs by providing resources, technical and administrative assistance, outreach, and communications. Four divisions of the CDE, the Educational Testing Service (ETS), four Senior Assessment Fellows designated by the State Superintendent of Public Instruction (SSPI), the San Joaquin County Office of Education (SJCOE), and the K12HSN worked tirelessly on a number of activities and events to provide resources, tools, and assistance to LEAs. The work of each of these entities, as well as the steps taken by the SSPI, SBE, Legislature, and Governor, were critical in making substantive progress to enable California to be ready for spring 2014.

Policy and Program Leadership and Coordination – The work of the CDE’s Assessment Development and Administration Division (ADAD) has been key in bringing about the needed progress to make the Field Test successful. The ADAD provided the leadership and guidance regarding test content, administration, regulations, and policy interpretation. The Division had the role of coordinating the efforts of all of the entities toward the common goal of ensuring readiness. The ADAD also provided ongoing communication through presentations, Webinars, Webcasts, Field Test Flashes, and Smarter Balanced Updates to LEAs. It recruited educators for ongoing participation in

Appendix C (cont.)

Smarter Balanced development activities, including reviews of administration materials, training materials, and test item reviews and audits.

Administration Assistance, Resources Development, and Communications – ETS, through a contract with the CDE, provided administration assistance, help with resources development, and ongoing communication to LEAs about Field Test administration. ETS staff developed a test-delivery portal customized for California to protect student-level data from leaving the state; produced a customized test administration manual; organized the Field Test administration, including test content (i.e., content areas by school and grade level) and testing window assignments to LEAs; developed Webcasts to train LEAs in the uploading of student information in conjunction with CALPADS; produced videos about key procedures and concepts; provided an online forum in collaboration with the CDE to help problem solve LEA administration issues; and provided ongoing support to LEAs through the California Technical Assistance Center. ETS, on behalf of the CDE, conducted 30 in-person regional workshops for LEA CAASPP coordinators and technology coordinators and, in coordination with the CDE, Smarter Balanced, and other CDE contractors, presented a series of training modules for California LEAs to prepare for the spring 2014 Field Test. ETS developed and conducted a mid-test and a post-test survey as well as eight post-test focus groups of LEA coordinators, site coordinators, and test administrators to obtain feedback on training, support, technology, scheduling, accommodations, and Field Test format issues.

Four Senior Assessment Fellows, on behalf of the CDE, spearheaded the collaboration, relationships, and communication between the CDE and LEAs to ensure the successful implementation of the CAASPP System, including the spring 2014 Field Test. The Senior Assessment Fellows worked with the CDE, ETS, SJCOE, EDCO, and LEAs to identify, develop, and provide information and trainings for multiple stakeholder groups (teachers, students, parents/guardians, test administrators, and community members); to assist and support training sessions provided by the test contractor; to deliver presentations for small and large, urban, rural, and suburban LEAs throughout the state; to meet with county and district assessment directors and curriculum coordinators; and to provide intensive support to LEAs where it was determined that a higher than expected risk for low- or non-completion of the Field Test existed. Resources targeted both general and special populations of students. The Senior Assessment Fellows provided both on-site and online support to LEAs to help district personnel evaluate technology and training readiness, identify potential gaps, and locate the resources needed to effectively administer the Field Test.

On behalf of the CDE, the SJCOE provided informational flyers and videos related to the Field Test. The videos, in English and Spanish, were done by students and for students. The SJCOE also provided templates of parent/guardian notification letters

Appendix C (cont.)

regarding the Field Test, which were provided in several languages. The SJCOE conducted and reported on three post-test focus group meetings of parents/guardians and students to obtain feedback on support, communication, understanding, and processes.

Technology – Of particular importance to helping LEAs become ready for a technology-enabled assessment system was support for technology and network issues. The CDE conducted the 2013 Technology Preparedness Survey for LEAs in order to gauge the readiness of LEAs for online testing. The CDE’s Educational Data Management Division (EDMD) provided the leadership, analyses, and resources in the technological areas of preparing for the Field Test at both the state and the LEA levels. It coordinated and provided support for the use of the Smarter Balanced Technology Readiness Calculator to help schools estimate the number of days it will take to administer the Smarter Balanced summative assessments. The Technology Readiness Tool (TRT) survey helped LEAs gauge their level of readiness to administer the Smarter Balanced summative assessments. To assist LEAs in completing the TRT, the EDMD developed technology training videos and Webinars. The EDMD also coordinated with the California Smarter Balanced Technology Joint Work Group, the K12HSN project, and the Corporation for Education Network Initiatives in California representing technology and curriculum stakeholders to address and resolve technology and network related concerns for the Smarter Balanced Field Test and operational administration. The EDMD provided assistance in developing the hosting framework for California to participate in the Smarter Balanced assessment system and host the spring 2014 Field Test.

CALPADS – The EDMD provided leadership and assistance in working with CALPADS. Together with the CDE’s Technology Services Division, the EDMD developed and maintained a process for uploading student enrollment data from CALPADS to the new test registration system, TIDE, and trained LEAs on the importance of CALPADS as the single source of registration information for TIDE.

Network and Bandwidth – The EDMD was instrumental in coordinating with the K12HSN project, an organization aimed at bringing high performance, advanced services network capacity to California’s K–12 schools. The K12HSN worked jointly with the EDMD to assist LEAs in understanding the role of the K12HSN and preparing for the Field Test. To help with technology procurement and deployment, the K12HSN released several informational brochures for LEAs (*Network at a Glance*, *Network Capacity Worksheet*, and *Ed-Tech Ecosystems*). The K12HSN encouraged LEAs to use the DataLINK program to report connectivity data and related information for California K–12 schools and LEAs. It tested the latency of servers from the Rackspace servers to the K12HSN. The K12HSN and the American Institutes for Research monitored the system for total concurrent users (test server capacity).

Appendix C (cont.)

Technology Funding – The CDE’s School Fiscal Services Division allocated funding to LEAs from the state budget appropriation of \$1.25 billion. These funds helped LEAs, charter schools, and state special schools to purchase devices and upgrade their network infrastructure prior to field testing. AB 86 (Chapter 48, Statutes of 2013), Section 85, appropriated \$1.25 billion to support the integration of academic content standards in instruction. The CDE apportioned \$625 million in August 2013, and the remaining \$625 million in October 2013. More information about this funding is located on the CDE CCSS Implementation Funds Web page at <http://www.cde.ca.gov/fg/fo/profile.asp?id=3434> and the CDE CCSS Implementation FAQ Web page at <http://www.cde.ca.gov/fg/aa/ca/commoncorefaq.asp>.

LEA Activities to Increase Preparedness

Many LEAs began working in 2010 to implement the CCSS and have continued in their ongoing commitment by devoting significant levels of time and resources to prepare for the implementation of the Smarter Balanced assessments. Using information, resources, and support from the state, LEAs have been evaluating their own readiness prior to, during, and after the Field Test and working to identify and address critical areas of need, such as technology and networking capabilities, staffing preparedness, facilities availability, and scheduling adequacy. They have been focusing efforts to accurately learn and communicate large amounts of new information about the test components, items, processes, and administration to their staff, students, and parents/guardians. Some larger LEAs, such as San Diego Unified School District and Los Angeles Unified School District, conducted surveys after the spring 2014 Field Test in order to identify their areas of concern, address technology gaps, and improve support for the future Smarter Balanced assessments

Identifying Priority Areas– LEAs also made time to attend state workshops and trainings; view videos, Webinars, and Webcasts; read and understand manuals; and provide feedback to surveys and focus groups conducted by the state. At debriefing meetings conducted as part of onsite trainings and workshops, LEAs identified areas of highest-priority need in order to increase their readiness. Their feedback helped to notify the state of areas needing additional support and also helped to alert their own staff of areas that may need attention at the local level. The local commitment and efforts of LEAs appear to be continuing after the Field Test. One comment from a school district director of assessment and accountability at a spring 2014 meeting was, “Even after the Field Test LEAs are still obtaining technology and are still improving in order to get ready for the spring 2015 operational administration.”

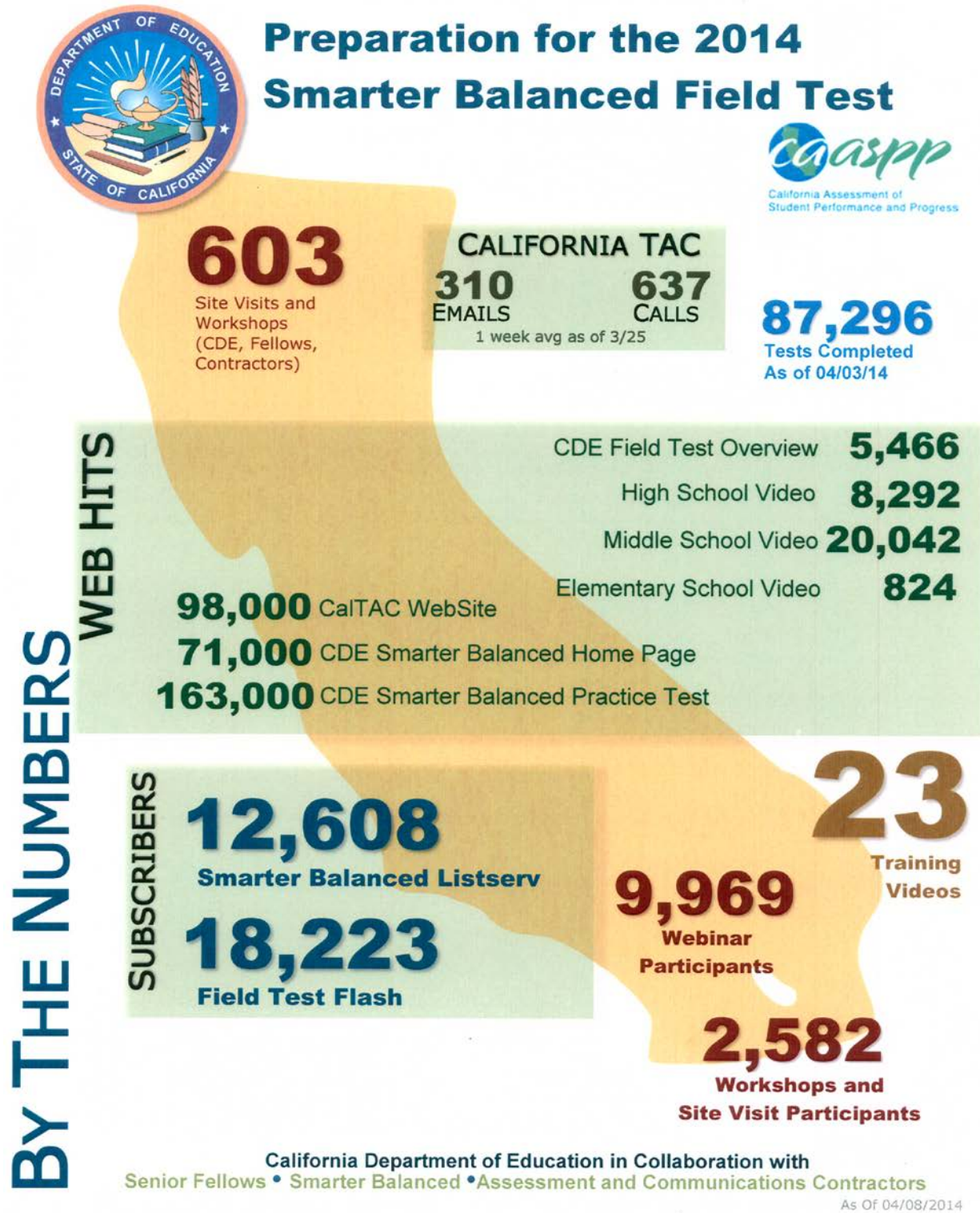
Smarter Balanced Preparations

Smarter Balanced carried out activities to meet its responsibilities in regard to the administration of the spring 2014 Field Test, and many other activities are currently

Appendix C (cont.)

underway or continuing. The content for the Smarter Balanced summative assessments was developed and field-tested and is being refined. Resources for the Field Test have been developed and posted online, such as test manuals, user guides, accessibility guidelines and supports, technical resources, a Field Test communications tool kit, test delivery portal, and training modules. Smarter Balanced provided the assessments for the spring 2014 Field Test, which included test processing, scoring, and analyses, and provided online Practice and Training Tests for students to become familiar with the test content and computer-based processes. It developed and posted information on minimum technology requirements, a Technology Readiness Calculator, and TRT for LEAs to assess their readiness. It developed and posted a secure online reporting system for authorized users. In the future, Smarter Balanced will provide test results information.

Appendix C (cont.)



BY THE NUMBERS

Appendix D

Initial Summary of Post-Field Test Survey Results and Analyses from the 2014 CAASPP Smarter Balanced Field Test Administration, is located in Attachment 2.

Appendix E

Summary Report on Student Participation in the spring 2014 Field Test

The following five tables present data on student participation in the spring 2014 Smarter Balanced Field Test for California. Tables 1 and 2 provide data for English-language arts (ELA), and Tables 3 and 4 provide data for mathematics. Tables 1 and 3 show student participation on the computer-adaptive test (CAT) component, and Tables 2 and 4 show student participation on the performance task (PT) component. Table 5 presents data on students who took no test, students who took at least one test, and students who took at least one CAT and one PT. The data in the tables show results by each grade level tested (i.e., grades three through eight inclusive, and grade eleven), the total for all grade levels tested, and the total for the grade levels required to be tested (i.e., grades three through eight). Participation for grade eleven was less than for the other grade levels tested because grade eleven testing was optional.

Table 1. ELA CAT Student Participation

Grade	Overall*	Not Tested**		Started Test		Completed Test	
	N	N	Percent	N	Percent	N	Percent
3	472,972	24,945	5.3%	448,027	94.7%	436,852	92.4%
4	469,077	28,995	6.2%	440,082	93.8%	431,642	92.0%
5	467,556	28,083	6.0%	439,473	94.0%	431,307	92.2%
6	460,467	29,944	6.5%	430,523	93.5%	409,413	88.9%
7	464,024	33,716	7.3%	430,308	92.7%	404,211	87.1%
8	471,848	41,121	8.7%	430,727	91.3%	401,882	85.2%
11***	479,979	156,763	32.7%	323,216	67.3%	301,634	62.8%
Total, All Grades	3,285,923	343,567	10.5%	2,942,356	89.5%	2,816,941	85.7%
Total, Grades 3 through 8	2,805,944	186,804	6.7%	2,619,140	93.3%	2,515,307	89.6%

* Number of students who were eligible to test in the California Longitudinal Pupil Achievement Data System (CALPADS) during the testing window and who did not take the California Alternate Performance Assessment (CAPA)

** Number and percent of students who did not log onto the test

*** Grade eleven testing was optional

Appendix E (cont.)

Table 2. ELA PT Student Participation

Grade	Overall*	Not Tested**		Started Test		Completed Test	
	N	N	Percent	N	Percent	N	Percent
3	472,972	247,479	52.3%	225,493	47.7%	221,701	46.9%
4	469,077	246,943	52.6%	222,134	47.4%	218,561	46.6%
5	467,556	246,091	52.6%	221,465	47.4%	218,682	46.8%
6	460,467	242,443	52.7%	218,024	47.3%	212,481	46.1%
7	464,024	247,335	53.3%	216,689	46.7%	209,989	45.3%
8	471,848	260,715	55.3%	211,133	44.7%	202,273	42.9%
11***	479,979	321,521	67.0%	158,458	33.0%	152,964	31.9%
Total, All Grades	3,285,923	1,812,527	55.2%	1,473,396	44.8%	1,436,651	43.7%
Total, Grades 3 through 8	2,805,944	1,491,006	53.1%	1,314,938	46.9%	1,283,687	45.7%

* Number of students who were eligible to test in CALPADS during the testing window and who did not take the CAPA

** Number and percent of students who did not log onto the test

*** Grade eleven testing was optional

Appendix E (cont.)

Table 3. Mathematics CAT Student Participation

Grade	Overall*	Not Tested**		Started Test		Completed Test	
	N	N	Percent	N	Percent	N	Percent
3	472,972	24,235	5.1%	448,737	94.9%	444,926	94.1%
4	469,077	28,192	6.0%	440,885	94.0%	436,333	93.0%
5	467,556	26,250	5.6%	441,306	94.4%	435,973	93.2%
6	460,467	29,898	6.5%	430,569	93.5%	421,135	91.5%
7	464,024	35,602	7.7%	428,422	92.3%	414,416	89.3%
8	471,848	41,288	8.8%	430,560	91.2%	414,545	87.9%
11***	479,979	168,911	35.2%	311,068	64.8%	298,094	62.1%
Total, All Grades	3,285,923	354,376	10.8%	2,931,547	89.2%	2,865,422	87.2%
Total, Grades 3 through 8	2,805,944	185,465	6.6%	2,620,479	93.4%	2,567,328	91.5%

* Number of students who were eligible to test in CALPADS during the testing window and who did not take the CAPA

** Number and percent of students who did not log onto the test

*** Grade eleven testing was optional

Appendix E (cont.)

Table 4. Mathematics PT Student Participation

Grade	Overall*	Not Tested**		Started Test		Completed Test	
	N	N	Percent	N	Percent	N	Percent
3	472,972	242,892	51.4%	230,080	48.6%	228,164	48.2%
4	469,077	238,595	50.9%	230,482	49.1%	228,796	48.8%
5	467,556	237,777	50.9%	229,779	49.1%	227,296	48.6%
6	460,467	239,466	52.0%	221,001	48.0%	217,495	47.2%
7	464,024	244,834	52.8%	219,190	47.2%	214,898	46.3%
8	471,848	244,262	51.8%	227,586	48.2%	223,277	47.3%
11***	479,979	321,725	67.0%	158,254	33.0%	154,342	32.2%
Total, All Grades	3,285,923	1,769,551	53.9%	1,516,372	46.1%	1,494,268	45.5%
Total, Grades 3 through 8	2,805,944	1,447,826	51.6%	1,358,118	48.4%	1,339,926	47.8%

* Number of students who were eligible to test in CALPADS during the testing window and who did not take the CAPA

** Number and percent of students who did not log onto the test

*** Grade eleven testing was optional

Appendix E (cont.)

Table 5. Participation in No Test, One Test, and One CAT and One PT

Grade	Overall*	No Test**		One Test***		One CAT & One PT****	
	N	N	Percent	N	Percent	N	Percent
3	472,972	9,328	2.0%	463,644	98.0%	454,311	96.1%
4	469,077	8,641	1.8%	460,436	98.2%	451,293	96.2%
5	467,556	8,352	1.8%	459,204	98.2%	449,567	96.2%
6	460,467	9,497	2.1%	450,970	97.9%	437,326	95.0%
7	464,024	12,837	2.8%	451,187	97.2%	433,842	93.5%
8	471,848	16,655	3.5%	455,193	96.5%	436,417	92.5%
11*****	479,979	131,292	27.4%	348,687	72.6%	310,025	64.6%
Total, All Grades	3,285,923	196,602	6.0%	3,089,321	94.0%	2,972,781	90.5%
Total, Grades 3 through 8	2,805,944	65,310	2.3%	2,740,634	97.7%	2,662,756	94.9%

* Number of students who were eligible to test in (CALPADS) during the testing window and who did not take the CAPA

** Number and percent of students who did not log onto any test

*** Number and percent of students who logged onto any test

**** Number and percent of students who took a CAT (in either ELA or mathematics) and a PT (in either ELA or mathematics)

***** Grade eleven testing was optional

Appendix F

Concurrent User Counts in the Spring 2014 Field Test

California Spring 2014 Field Test Concurrent Users by Testing Window

Testing Window (Dates)*	Average Number of Concurrent Users	Maximum Number of Concurrent Users
Window 1 March 25 to April 4, 2014	22,234	26,183
Window 2 April 7 to April 25, 2014	63,425	142,770
Window 3 April 28 to May 16, 2014	95,508	184,448
Window 4 May 19 to June 13, 2014	8,572	22,509

* Local educational agencies (LEAs) and schools were not assigned to Testing Window 4, however, it was used for test extensions as needed.

Smarter Balanced Field Test Questions and Answers

Questions and answers about the Smarter Balanced Field Test that will be administered in spring 2014.

Last Updated: May 7, 2014

Assembly Bill (AB) 484, which was signed by the Governor on October 2, 2013, requires all California local educational agencies (LEAs) to participate in the spring 2014 Smarter Balanced Field Test. This document provides answers to questions about requirements and expectations of LEA participation in the spring 2014 Field Test.

- [Purpose](#)
- [LEA and Student Participation](#)
- [Technology Requirements](#)
- [Registration](#)
- [Administration Logistics](#)
- [CALPADS and TIDE](#)
- [Student Supports for the Smarter Balanced Field Tests](#)
- [Parents and Guardians](#)

Notes:

For policy related questions, contact the CAASPP Office at 916-445-8765 or caaspp@cde.ca.gov

For technical questions, contact the CalTAC Help Desk at 800-955-2954 or caltac@ets.org.

Purpose

1. What is the purpose of the spring 2014 Smarter Balanced Field Test (FT)?

Field testing is critical to ensure that assessment items are accessible to all students and produce results that are valid, reliable, and fair. The spring 2014 Smarter Balanced FT will test the performance of over 20,000 newly developed test items and evaluate the test delivery system. Items deemed suitable for use on the live (i.e., operational) tests, which will begin in the 2014-15 school year, will be used to populate the test item bank. Also, the FT will help ensure that the Smarter Balanced assessment items are placed on an accurate scale to determine final achievement levels (i.e., cut scores) as well as their corresponding descriptors.

2. Will individual student, school, or district score reports be generated from the FT?

No. A field test is not designed to be a valid and reliable measure of student achievement; rather, it is designed to help the test developers evaluate whether the tests, individual items, and the technology platform work as intended before the first operational administration. As a result, neither a state nor its LEAs are required to report field-test results—either individual student results to parents and teachers or on State or local ESEA report cards. In addition, AB 484 specifically prohibits the production of individual student scores from the FT unless they are determined to be valid and reliable.

3. What role will the FT play in meeting state and/or federal accountability requirements?

None. The data resulting from the FT will not be factored into any state or federal accountability calculations.

4. Did the Smarter Balanced spring 2013 Pilot Test influence the FT?

Yes. Data and survey results from the Smarter Balanced Pilot Test were used to inform the development of the FT, including but not limited to adjustments and improvements to: overall test design; estimated student testing time; test and item directions; item specifications; display of test items including associated pictures, graphs, or other materials; interactive item types; and scoring rubrics.

[Top of page](#)

LEA and Student Participation

5. Who will take the FT?

AB 484 requires all California LEAs to participate in the FT. Student participation requirements are as follows:

Grades three through eight: All students are expected to participate.

Grades nine and ten: Only students selected for the scientific sample are expected to participate.

Grade eleven: All students selected for the scientific sample are expected to participate. All other students are encouraged to participate. (Please note that all grade eleven students, including those who participate in the FT, may participate in the Early Assessment Program.)

The only students exempt from participating in the Smarter Balanced FT are students who will take the California Alternate Performance Assessment (CAPA) and, for the English-language arts (ELA) FT only, English learners who have attended school in the United States for less than 12 months.

6. What are the benefits of participating in the spring 2014 FT?

By participating in the Smarter Balanced FT, students, teachers, and administrators will receive valuable exposure to and experience with the California's future assessment system. Students will gain hands-on experience with the functionality of innovative technology-enhanced items and newly designed performance tasks with related classroom activities. Teachers and administrators will gain valuable experience with administration logistics, which will help them better prepare for a smooth and successful participation in the operational assessments, which will begin in the 2014–15 school year. LEAs will benefit from learning where their technology gaps may be, enabling them to fully prepare for the operational assessments. California will benefit by having the diversity of its student population included in the analysis of test and item quality and development of achievement level scores and descriptors.

7. Can LEAs volunteer to be included in the scientific sample of the FT?

No. The scientific sample will be determined by the California Department of Education (CDE) and Educational Testing Services (ETS).

8. For the Field Test, how does an LEA handle the issue of students without SSIDs? (added 25-April-2014)

When an LEA enrolls or learns of students without SSIDs, the SSIDs must be requested through the procedures outlined under [CALPADS SSID and Enrollment Procedures](#). Once the SSIDs are obtained for these students, the students can be scheduled to participate in the Field Test as long as the date is within the testing window for the school.


9. Which LEA holds responsibility for the students placed in a nonpublic school (NPS)? (added 25-April-2014)

The LEA that placed the students in the NPS has responsibility for those students.

10. Can site administrators, including those at NPSs, have test administrator access? (added 25-April-2014)

Yes. All site administrators have test administrator access.

11. Will the CDE provide a template for LEAs to use with NPSs and directions on how to coordinate with out-of-state NPSs? (added 25-April-2014)

No. According to the *California Code of Regulations, Title 5, Section 851*, this is the responsibility of the LEAs. For additional information, please follow the information in the [Test Administrator Manual](#)  (PDF).


[Top of page](#)

Technology Requirements

12. Whom should an LEA contact if it needs to upgrade its technology to be compatible with the Smarter Balanced operational tests? (updated 07-May-2014)

The LEA should contact the CalTAC Help Desk at 800-955-2954 or caltac@ets.org

13. What are the minimum technology requirements for the FT?

To promote ease of implementation, the online FT assessment system has been designed to operate within the technology infrastructures that currently exist in most schools. Accordingly, the system works on a variety of older hardware and operating system configurations, such as Windows XP and Mac OS X 10.4.4. More information about the minimum technology requirements can be found in the report "Smarter Balanced Technology Strategy Framework and Testing Device Requirements," available on the [Technology Page of the Smarter Balanced Web site](#) . LEAs should consult these minimum technology specifications prior to any technology purchases.

[Top of page](#)

Registration

14. How are students be registered for the FT?

Using data from the California Longitudinal Pupil Achievement Data System (CALPADS), the CDE will upload student demographic and program-level data to the FT registration system (i.e., Test Information Distribution Engine) on behalf of LEAs.

15. Are LEAs be required to provide any student information as part of the registration process? (updated 07-May-2014)


Yes. LEAs must enter required student designated supports and accommodations into the FT registration system.

16. Can LEAs correct demographic and/or program data that appear in the FT registration system? (updated 05-Mar-2014)

Yes. All corrections to student demographic and/or program-level data must be made by LEAs through CALPADS. The corrections will appear in the FT registration system within 48 hours.

[Top of page](#)

Administration Logistics

17. **When does the FT occur?** (updated 07-May-2014)
The FT will be conducted across Smarter Balanced member states between March 18 and June 6, 2014. As during the spring 2013 Pilot Test, schools will assess students within a shorter window within this date range. Each school has been assigned a six-week window  in which to administer the FT.
18. **What content is tested in the FT?** (updated 07-May-2014)
The 2014 FT will engage students in online assessments in mathematics and ELA aligned with the Common Core State Standards. Most students will take a FT that contains both mathematics and ELA items, but a small percentage of students will be assessed in only one content area.
19. **How long does will the FT take to administer?** (updated 07-May-2014)
LEAs can expect the administration of the FT to take approximately 3.5 hours per student. This is approximately the same length as the operational assessments. The FT is intended to be administered over multiple sessions of about 45 minutes each, but may be administered in shorter or longer sessions as appropriate for the students and the school.
20. **Can students from multiple grade levels be assessed during the same test session?**
Yes. Students from multiple grade levels can be assessed concurrently in the same room while an administrator uses a computer to monitor the progress of students who are testing.
21. **What item types will the FT include?**
The FT will engage students in a computer-based component and performance task component. Item types will include those that will be found on the operational assessments beginning in the 2014-15 school year: multiple-choice, matching, fill-in tables, drag and drop, graphing, short text, long essay. Each FT will include a performance task.
22. **What does the term “stimulus” refer to in test items—the question, the reading passage, or both?** (updated 07-May-2014)
The stimulus may be any text, including reading passages that the student reads before answering the test item. A test item is a test question, a reading passage, or a performance task.
23. **Is the FT be adaptive?**
No. The FT will give students an experience similar to that of the operational test in that each student will take a performance task component and a component designed to test new items for the adaptive test. During the FT, students will encounter the same mix of content, item types, and cognitive complexity that will be present on the 2015 operational test.
24. **Is there be a paper-and-pencil version of the FT?**
No. The FT is meant to “test the test” mimicking as close as possible the operational testing conditions. Therefore, the FT is strictly a computer-based modality. However, for the operational assessments that begin in the 2014-15 school year, a paper-and-pencil version will be available for up to three years to provide ample opportunity for LEAs to build their technology infrastructure.
25. **Is the use of scratch paper allowed during the Field Test?**
Yes. The use of scratch paper is permitted as a non-embedded universal tool, as specified in the Smarter Balanced Usability, Accessibility, and Accommodations Guidelines.
26. **The Test Security Affidavit that appears in the CAASPP regulations states, “I will not include, nor will I display, a pupil’s name and Statewide Student Identifier (SSID) together in any written or electronic format.” Does this statement prohibit a CAASPP test examiner from providing each pupil with their *first name only* and SSID in written or electronic format in order for the pupil to log into the FT?** (added 05-Mar-2014)
No. The regulations prohibit a pupil’s full (i.e., first and last) name and SSID from appearing together in any written or electronic format. For the purposes of CAASPP testing (including the FT), a test examiner may provide each pupil, in a written or electronic format, with his or her *first name only* and SSID. These two pieces of information, which are required for the pupil to log into the FT, together are considered secure material. Therefore, they must be provided to, and viewable only by, the pupil to whom the login information pertains. In addition, either format in which this information is provided must be returned to the CAASPP test site coordinator immediately after testing for confidential destruction.

[Top of page](#)

CALPADS and TIDE


(added 07-May-2014)

27. **What is the fastest way to get a replacement password for a site coordinator or a test administrator?**
This must be done by contacting the CalTAC Help Desk at 800-955-2954 or caltac@ets.org.
28. **What is the “streamlined interface” accommodation allowed in TIDE?**
The streamlined interface accommodation provides students with an alternate display of the item and stimulus with more white space and a separation of instructions from the question.
29. **Where in TIDE can LEAs indicate that a student was opted out from testing?**
Currently, TIDE does not have capability for LEAs to specify that a student did not test because of parental opt-out. Please be aware that parent exemptions from testing are currently not reported through CALPADS. Per state law, as a condition to receiving apportionment funding, LEAs will be required to track and provide to the CDE the number of parent exemptions by grade for each student not tested with any portion of the required Smarter Balanced field test, CSTs in science, CMA in science, or CAPA assessments. This information will be collected through the 2014 CAASP Apportionment Information Report in October 2014. More information regarding these apportionment reports will be provided in October 2014.

[Top of page](#)

Student Supports for the Smarter Balanced Field Tests

(added 07-May-2014)

30. **Which accommodations are available for the FT?**
The [Smarter Balanced Usability, Accessibility, and Accommodations Guidelines](#) provide a list of the available tools, supports, and accommodations for use on the FT. The *Guidelines* also include guidance on the recommended use of each tool, support, and accommodation for specific student access needs.
31. **Generating the Braille version of the Smarter Balanced Field Test requires the use of a very expensive printer. If an LEA has a student who requires a Braille version, may this student be tested in another LEA that has the special printer?** (added 07-May-2014)
Yes. The test administrator from the student’s LEA should accompany the student to the site where testing will take place and log in to create a test session from that location.
32. **What is the difference between text-to-speech and read-aloud, as allowed on the Field Test?** (updated 07-May-2014)
“Text-to-speech” refers to an embedded designated support or accommodation in which the text of the item or passages, depending on the subject and grade, is read aloud to the student via embedded technology and delivered to the student through headphones. Text-to-speech does not require a separate setting. “Read-aloud” refers to a non-embedded version of the same designated support or accommodation in which the text is read to the student by a human reader. The read-aloud must be administered in a separate setting to allow for one-to-one administration without disturbing other students being tested.
33. **Are there specific qualifications that a “reader” has to meet for the read-aloud designated support or accommodation?** (added 07-May-2014)
Please see the [Guidelines for Read Aloud, Test Reader](#)  (PDF), which provide guidelines and training requirements for the readers. Also see the CAASPP regulations (sections 850–68).

[Top of page](#)

Parents and Guardians

(added 07-May-2014)

34. **Where can parents and/or guardians find information about the Smarter Balanced Field Test?** (added 07-May-2014)
Parents and/or guardians can go to the [Students/Parents tab on the Spring 2014 Smarter Balanced Web page](#) to find out more information about the Smarter Balanced Field Test.
35. **What procedures are in place to ensure student privacy for the Smarter Balanced Field Test?** (added 07-May-2014)
Federal and state privacy laws, including the Family Educational Rights and Privacy Act of 2001 (20 U.S.C. Sec. 1232g) (FERPA), ensure privacy in all CAASPP assessments. The student-level data used to evaluate the responses of California students to the Smarter Balanced field-test questions are stripped of personally identifiable information and encrypted prior to being shared with the Smarter Balanced consortium.
36. **Is it sufficient for a parent to indicate, in writing, that his or her child is to be opted out from the Smarter Balanced Field Test, or must the parent specify English-language arts and/or mathematics?** (added 07-May-2014)
Yes, it is sufficient for a parent to indicate that his or her child is to be opted out from the Smarter Balanced Field Test. If the parent is requesting an opt-out for a specific test only, the test should be specifically listed.

For More Information

Questions about the FT should be directed to the CDE California Assessment of Student Performance and Progress Office by phone at 916-445-8765 or by e-mail at caaspp@cde.ca.gov.

[Top of page](#)

Related Content

- [Assembly Bill 484 Questions and Answers](#) - Questions and answers regarding Assembly Bill (AB) 484, which establishes California's new statewide student assessment system. AB 484 was signed into law on October 2, 2013.
- [Spring 2014 Smarter Balanced Field Test](#) - Information on the Smarter Balanced Field Test that will be administered in spring 2014.

Questions: California Assessment of Student Performance and Progress Office | caaspp@cde.ca.gov | 916-445-8765

California Department of Education
1430 N Street
Sacramento, CA 95814

Last Reviewed: Wednesday, May 28, 2014

FINAL STATEMENT OF REASONS

California Assessment of Academic Performance and Progress (CAASPP)

UPDATE OF INITIAL STATEMENT OF REASONS

The original proposed text was made available for public comment for at least 45 days from February 1, 2014 through March 17, 2014. Five individuals submitted comments during the 45-day comment period.

A public hearing was held at 1:30 p.m. on March 17, 2014, at the California Department of Education (CDE). Four individuals attended the public hearing and provided input.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF FEBRUARY 1, 2014 THROUGH MARCH 17, 2014.

GABRIELLE JACKSON, Teacher – 4th Grade - Abraham Lincoln Elem. School

Comment: Commenter states opposition to the legislation establishing the CAASPP as the main assessment required by students “on the grounds that it is harmful to children and young people and it disrupts the normal teaching and learning relationship between a teacher and her pupils.”

Response: The comment does not address the proposed regulations and therefore no response is required.

Comment: Commenter states that according to Education Code it is the intent of the Legislature that parents, classroom teachers, and other educators, pupil representatives, institutions of higher education, business community members, and the public be involved, in an active and ongoing basis, in the design and implementation of the statewide pupil assessment system and the development of assessment instruments and this has not been done. Commenter also states “We teachers have been told we will not be able to actually see the questions on the field test this year.”

Response: The comment does not address the proposed regulations and therefore no response is required.

Comment: Commenter states “The ed code also says its intent is to minimize instructional time devoted to the test. We have been told we need to spend much instructional time practicing for the test.”

Response: The comment does not address the proposed regulations and therefore no response is required.

Comment: Commenter states, “Teachers should be able to develop tests which are appropriate for her students, not have them made by a private company for profit. It also states in the ed code tests should be suited to local communities, that is completely the opposite of what CAASPP does.”

Response: The comment does not address the proposed regulations and therefore no response is required.

Comment: Commenter strongly urges reconsideration of “this harmful and inappropriate test” and states “it is also strongly biased against students who are

impoverished since it tests computer skills as much as anything else, and children with a computer at home will do better than those who do not have one.”

Response: The comment does not address the proposed regulations and therefore no response is required.

SPIEGEL COLEMAN, EXEC. DIR., CALIFORNIANS TOGETHER

Comment: Commenter proposes in Recommendation 1 that the permanent regulations have a “stand-alone section” within section 853.5¹ clearly identifying the variations (now designated supports) that are available to ELs. This stand-alone section should clearly identify the supports available to ELs and the process by which parents/guardians are assured their children will receive those supports.

Accept: The comment is accepted insofar as the CDE has added section 853.7 to the regulations so that there will be a “stand alone” section pertaining to the designated supports available to ELs and that this section will specify that LEAs may consider parental or guardian input in determining appropriate designated supports. The comment is also accepted insofar as section 858(d) has been added which designates a particular person to be responsible for ensuring that all designated supports, appropriate accommodations, and pre-approved individualized aids are entered into the registration system and provided to the proper pupil.

Comment: Commenter proposes in Recommendation 2 that the CDE provide a clear and consistent statewide process for educators to follow in determining whether designated supports should be made available to a pupil. Specifically, commenter believes that the determination about whether embedded and non-embedded designated supports should be provided to an EL pupil should be made by an educator or group of educators familiar with the student and the designated supports available, the parents or guardian and the student. The determination should be made according to a consistent process that considers the supports the student receives in the classroom and for other assessments, in order to maximize the performance of these students.

Accept in Part and Reject In Part: The CDE accepts the comment in part in that the new section 853.7 specifically provides that the LEA may seek parent or guardian input in determining designated supports. The comment is rejected in that the decision as to whether or not a pupil should receive a designated support, and the process for making that decision, is best left to the local level.

Comment: Commenter proposes in Recommendation 3 adding a new section which would require that LEAs make a determination with respect to every EL pupil whether or not the pupil could use a designated support. Specifically, the commenter recommends adding the following subdivision (e) to section 853.5²:

¹ The comment refers to section “835” but, there is no section 835 in Title 5 regulations and, based on the content of the comments, it appears to be merely a typo and that the commenter was commenting on section 853.5.

² Again, the comment refers to section “835.5” and there is no section 835.5 in Title 5 regulations. Based on the content of the comments, it appears to be merely a typo and that the commenter was commenting on section 853.5.

“An LEA shall determine for each of its pupils identified as English learners whether one or more of the designated supports in subdivisions (c) and (d) of this section are appropriate for use on any of the CAASPP tests. This determination shall include input from the student and the student’s parent/guardian and shall consider supports regularly used in the classroom and for other assessments.”

Reject: Sections 853.5 and 853.7 do not preclude an EL pupil from receiving any designated supports that an educator, or a group of educators, feels is appropriate so long as the resource is identified prior to testing and is a resource regularly used in the classroom for instruction and/or assessment(s). The intent is to provide the LEA with flexibility to provide all pupils, which includes EL pupils, as well as others, necessary resources for participating in assessments. Mandating that LEAs make affirmative determinations concerning the appropriateness of a designated support(s) for all ELs would create an unfunded mandate and there is nothing in the CAASPP law allowing for the creation of a state mandate. The process by which an LEA determines whether a pupil needs a designated support is best left to the local level.

Comment: Commenter proposes in Recommendation 4 “that the permanent regulation include language that would require the provision of data to the CDE as to the number of English Learner students who requested designated support(s), and the number and type of designated support(s) that was actually provided.”

Reject: The addition is unnecessary as the data compilation requested in this regulation is already required to be compiled and reported by the CDE pursuant to Education Code section 60643(b)(7)(F) and (G) and 20 U.S.C. 6311(b)(2)(C)(v) and (b)(3)(C)(xiii).

DOUGLAS J. McRAE, EDUCATIONAL MEASUREMENT SPECIALIST

Comment: Commenter contends that the interim assessments that will be available mirror the summative assessments and believes that these interim tools are unethical means of “teaching to the test.” He recommends the deletion of section 853(c) which reads, “Use of interim assessments and formative assessment tools shall not be considered advanced preparation for CAASPP test as defined in Education Code section 60611.”

Reject: The CDE disagrees with the commenter that the use of interim assessments should be prohibited. The Legislature has specifically expressed its intent that interim assessments be available for use by LEAs at no cost pursuant to Education Code section 60642.6.

Comment: Commenter recommends repealing sections 855(a), which requires LEAs to administer the Smarter Balanced Field Tests for ELA and mathematics in 2013-14 and also the CST, CMA and CAPA for certain subjects and grades. Commenter also recommends bringing back section 854, deleted from the current version of the regulations, with some minor revisions, so that section would read as follows:

- (a) No program or materials shall be used by any school district or employee of a school district that are specifically formulated or intended to prepare pupils for standards-based achievement tests, or primary language tests, if any. No

administration or use of an alternate or parallel form should be used as practice for any pupils.

- (b) Practice tests provided by the contractor as part of the standards-based achievement tests and the primary language tests, if any, for the limited purpose of familiarizing pupils with computerized formats of test items are not subject to the prohibition of subdivision (a).

The commenter notes that the recommended language would ban the use of the interim assessments that mirror Smarter Balanced summative assessments but would not ban practice tests provided by Smarter Balanced for the limited purpose of familiarizing pupils with the tests.

Reject: As to the comment regarding the elimination of section 855(a), commenter does not give reasons why it should be repealed and thus the comment is rejected. As to the commenter's proposed addition of former section 854 for the purpose of banning the use of interim assessments, such an amendment would be inconsistent with Education Code sections 60603(n) and 60642.6 which expressly permit the availability and use of interim assessments.

Comment: Commenter recommends the deletion of section 854(b)(1) in its entirety. That section prescribes a 12-week window for testing. The commenter instead recommends much shorter testing windows be established. The commenter further recommends modifying section 854(b)(2). That section establishes a separate 7-week testing window for grade 11 Smarter Balanced assessments and CAASPP assessments after January 2015. The commenter recommends that section be amended by replacing "For the grade11" with "For grades 3-8 and grade 11." The commenter believes that, for grades 3-8 and grade 11, the testing window should last just five weeks with the last two weeks available for emergency make-up testing. Together, the commenter believes that shortening these testing spans will provide a sound educational measurement testing window for large scale standards-based tests, balancing the need for test security and for comparability of scores.

Reject: Education Code section 60640(c)(5) provides for the SBE to approve "testing periods" or windows. The testing periods or windows chosen reflect the test windows established by the consortium.

Comment: Commenter recommends the deletion of Article 2, section 855(c), stating that if the K-12 High Speed Network does not have the capacity to allow LEAs and schools to test when they judge best within the windows, the state needs to delay initiation of statewide computer-administered tests until the state provides adequate technology capacity.

Reject: The CDE needs the flexibility so if there is an excessive load on the K-12 High Speed Network it can request of the SBE President or designee (with cause) temporary limitations on the administration of interim assessments (a draw on the K-12 High Speed Network) and require LEAs to more effectively spread out their pupil testing across a wider span of the testing window thereby reducing the load on the network. Delaying the computer-based testing until another year, as commenter suggests, would conflict with the CAASPP statutes.

Comment: Commenter recommends deleting section 857(d)³ and replacing it with the language below. The commenter reasons that section 857(d) is absurd as CAASPP coordinators don't have authority to ensure compliance as authority is vested with the local school board. Commenter believes the following suggested language is more appropriate:

The LEA CAASPP coordinator shall ascertain the LEA's compliance with the minimum technology specifications as identified by the CAASPP's contractor(s) or consortium on an annual basis, and if the LEA's compliance does not meet those specifications, the LEA CAASPP coordinator shall recommend to the LEA Superintendent, the LEA School Board, and the CDE that the LEA utilize paper-and-pencil tests rather than computer-administered tests for the current school year.

Reject: The suggested replacement language is rejected as it is the Legislature's intent, as stated in Education Code section 60602.5(a)(6), that the assessments be administered, where feasible, via technology.

Comment: Commenter recommends additional language in section 861 regarding the information that must be entered into the "test information engine," specifically adding all Special Education accommodations and designated supports as well as all English Language Learner's designated supports.

Accept in Part and Reject in Part: Accept in that section 861 will be amended to add to the required data to be reported, if a pupil used a designated support and if a pupil used an approved individualized aid. The comment is rejected insofar as requiring the data to be disaggregated by subgroups in these regulations is unnecessary as those data will be compiled and reported pursuant to Education Code section 60643(b)(7)(F) and (G) and 20 U.S.C. sections 6311(b)(2)(C)(v) and (b)(3)(C)(xiii).

LAUREN GIARDINA, STAFF ATTORNEY, DISABILITY RIGHTS CALIFORNIA

Comment: Commenter states that they are troubled that section 853.5(d) does not automatically grant supports to students who have accommodations or modifications already written into their IEP or 504 plans.

Accept: The comment is accepted in that, for additional clarity, the phrase, "or specified in a pupil's IEP or Section 504 Plan" shall be added after the phrase "educator or group of educators" to sections 853.5(d) and 850(i) to make it clear that any non-embedded designated supports contained in an IEP or Section 504 Plan will be provided to a pupil. This phrase will also be added to section 853.5(c) to clarify that any embedded designated supports contained in an IEP or Section 504 Plan will also be provided to a pupil.

Comment: Commenter is also concerned about section 853.5(d) in that this section does not specify a timeline or procedure for requesting designated supports or an appeal of denials of those supports. Without such timelines or appeals specified, commenter feels it is possible that a student may not receive their denial in a timely

³ The CDE assumes that the comment, which referred to section 847(d) was a typo and was meant to refer to 857(d) as there is no section 847(d) in the proposed regulations.

manner and may be forced to take the exam without the necessary accommodations, which may impact the validity of the test results.

Reject: As proposed, section 850(j) would define designated supports to be, “resources that are available for use by any pupil for whom the need has been indicated, prior to the assessment administration, by an educator or group of educators and which the pupil regularly uses in the classroom for instruction and/or assessment(s).” The definition provides the LEA the timeline and the CDE defers to the LEA on how to best implement the timeline and address any appeals of denial of a particular designated support. Concerns about a designated support(s) for a pupil with an IEP or Section 504 Plan should be addressed through those processes.

Comment: Commenter is also concerned with sections 853.5(e) and (f). The commenter states that they are concerned that students who require accommodations, modifications or supports that do not have an IEP or Section 504 plan will not be able to receive testing support. Second, commenter is concerned that those with an IEP or Section 504 Plan may not have all of the necessary supports listed in their IEP or Section 504 Plans. The commenter recommends that the “regulations specify a procedure for requesting accommodations that are not in the IEP and for appealing denials of such requests.”

Reject: As to the first concern, students who require resources but do not have an IEP or Section 504 Plan can still receive any and all universal tools as well as any designated supports that have been determined for use by an educator or a group of educators. In addition, the LEA can seek approval of any individualized aid not otherwise enumerated in the regulations on behalf of the student pursuant to section 853.5(g). As to the second concern, that students with an IEP or Section 504 Plan may require a resource that is not listed in their IEP or Section 504 Plans, such a resource will be provided if it is a universal tool available to all students, a designated support determined for that pupil’s use by an educator or a group of educators or an individualized aid if the LEA has sought and received approval for its use by the CDE pursuant to sections 853.5(g).

Comment: Commenter states that the supports enumerated in the regulations in Sections 853.5(a)-(f), “are not exhaustive” and that there may be supports included in a pupil’s IEP or Section 504 Plan that are not listed in the regulations. Commenter suggests that the CDE consider “providing any testing accommodations listed in an IEP or 504 automatically and not just limit the provision of such accommodations to those listed in these sections.”

Reject: It is not possible to develop a comprehensive listing of all the possible testing resources for students with every type of disability for all different tests or test items. Section 853.5(g) provides a mechanism to seek approval for the use of a resource that is included in a pupil’s IEP or Section 504 Plan but that is not included in the list of universal tools, designated supports or accommodations in these regulations.

BILL LUCIA, PRESIDENT AND CEO, EdVOICE

Comment: Commenter states that section 851(b) “conflicts with current law” and exceeds the SBE’s authority. Commenter states that section 851(b) restricts the flexibility granted all charter schools and that Education code section 47651 includes no provision that establishes the authority to adopt the language of this regulation.

Commenter further states that while Education Code section 60603(o) includes direct-funded charter schools in the definition of a “local educational agency” for purposes of assessments, it does not define what a locally-funded charter school is for purposes of the assessments and that “without any explicit mention of locally-funded charter schools, these regulations mandate new levels of oversight from a local governing board.”

Accept in Part and Reject in Part: The comment is accepted in that section 851(b) has been amended for purposes of clarification and to connect the regulation more directly to the statutes being implemented. The comment is rejected in that the SBE has neither exceeded its authority nor created new levels of oversight. Education Code section 47651(a) addresses the distinction between a charter school that receives funding directly from the State of California and a charter school that receives funding through the LEA that granted its charter or was designated the oversight agency by the SBE pursuant to Education Code section 47605(k)(1). The former type of charter school is a “direct-funded” charter school and the latter charter school is a “locally-funded” charter school. All SBE-authorized charters and statewide benefit charters are direct-funded charters. Education Code section 60603(o) explicitly states, for the first time, that direct-funded charter schools are “LEAs” at least for purposes of the administering CAASPP assessments. As an LEA, a direct-funded charter school would be directly responsible for the administration and scoring of CAASPP assessments. The SBE is charged with implementing the CAASPP statutory scheme and must clarify and make specific how charter schools that are not LEAs are to administer CAASPP assessments. Pursuant to Government Code section 11342.2, regulations propounded by state agencies are automatically valid when there is express authority for the agency to adopt regulations to implement statutes [which there is pursuant to Education Code section 60640(q)], the regulations are necessary to implement, interpret, make specific or otherwise carryout the provisions of the statute, the regulations are not inconsistent or in conflict with any statute and the regulations are reasonably necessary to effectuate the purpose of the statute. The proposed amended regulation meets this standard.

RIGEL MASSARO, POLICY AND LEGAL ADVOCATE, PUBLIC ADVOCATES, INC.

Comment: Commenter recommends “that 1) a determination about designated supports be made for every EL; 2) this determination be made by educators familiar with the EL, and include the ELs’ parent/guardian and the EL student; and 3) that this determination consider the supports the EL uses in the classroom and for other assessments.”

Accept in Part and Reject in Part: The comment is accepted in that the regulations have been amended to add section 853.7 to specify that in determining whether an EL should have a designated support, input of a parent or guardian may be sought. The comment is rejected in that the regulations already allow for ELs to receive any and all designated supports listed in the regulation and allows an LEA to consider the resources that the EL uses in the classroom and for assessments. The SBE does not believe additional mandates are necessary and that the LEAs are in the best position to identify and determine the need of all students, including ELs.

Comment: Commenter states that “‘when determined’ suggests that individual determinations are optional” and that “While determination about designated supports is appropriately optional for most English only students, this determination should be

mandatory for all ELs.” The Commenter goes on to suggest that “a mandatory and individualized determination is consistent with federal law, which states that state assessments ‘shall’ provide for “...the inclusion of limited English proficient students, who shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency as determined under paragraph (7);” 20. U.S.C. 6311(b)(3)(C)(ix)(III).

Reject: Sections 853.5 and 853.7 do not preclude an EL pupil from receiving any designated supports that an educator, or a group of educators, feels is appropriate so long as the support is identified prior to testing and is a support regularly used in the classroom for instruction and/or assessment(s). Mandating in the regulations that LEAs make an affirmative determination concerning every ELs need for a designated support(s) is not required by federal law and would create an unfunded mandate when there is nothing in the CAASPP law creating a state mandate. The process by which an LEA determines whether a pupil needs a designated support is best left to the local level.

Comment: Commenter states that the manuals “must include reference to the process by which the educator(s)” “determination of whether a student needs a designated support is communicated to the LEA CAASPP Coordinator or Test Site Coordinator.”

Accept in Part and Reject in Part: The comment is accepted in that the regulations propose to designate the person to be responsible for correctly processing designated supports and accommodations into the registration system. Subdivision (d) proposes changing section 858 as follows:

The CAASPP test site coordinator shall be responsible for ensuring that all designated supports and accommodations are correctly entered into the registration system and provided to the pupil(s) identified to receive the designated supports and/or accommodations.

The comment is rejected in that the regulations should not specifically dictate what is to be included in the contractor’s manual.

Comment: Commenter states “We suggest that the proposed permanent regulations amend the designated supports to include the variations previously allowed to ELs” under the Standardized Testing and Reporting (STAR) program.

The four EL testing variations, previously allowed under STAR regulations at sections 853.5(g)(1)-(4) are rejected from inclusion in the amended regulations for the following reasons:

Subcomment 1: Section 853.5(g)(1): Tested in a separate room with other EL learners provided that an employee of the school, school district or nonpublic school, who has signed the Test Security Affidavit, directly supervises the pupil.

Reject: Addition of this specific variation as a designated support is unnecessary. Sections 853.5(d)(9) and 853.7(b)(9) provide as a non-embedded designated support “separate setting.” LEAs may provide this non-embedded designated support to any

pupil, including any and all ELs, if it is determined appropriate by an educator or group of educators and, under the proposed regulations, an educator or group of educators may determine that ELs should be placed together in a separate setting.

Subcomment 2: Section 853.5(g)(2): Additional supervised breaks following each section within a test part provided that the test section is completed within a testing day. A test section is identified by “STOP” at the end of it.

Reject: Addition of this section is unnecessary as sections 853.5(a)(1) and (b)(1) provide for “breaks” (or a pause) for all pupils, which includes ELs.

Subcomment 3: Section 853.5(g)(3): The test directions printed in the test administration manual may be translated into an ELs primary language. ELs shall have the opportunity to ask clarifying questions about any test directions presented orally in their primary language.

Reject: Smarter Balanced does not include clarifying questions about test directions in a student’s primary language among the list of resources. Any pupil may request such resources pursuant to the mechanism in section 853.5(g).

Subcomment 4: Section 853.5(g)(4): Access to translation glossaries/word lists for the standard based achievement tests in mathematics, science and history social science (English-to-primary language). The translation glossaries/word lists are to include only the English word or phrase with the corresponding primary language word or phrase. The glossaries or word lists shall include no definitions, parts of speech or formulas.

Reject: Smarter Balanced does not include these as among the list of resources. Any pupil may request such resources pursuant to the mechanism in section 853.5(g).

PUBLIC HEARING, MARCH 17, 2014

Four individuals were present at the public hearing: Martha Diaz, representing Californians Together (Shelly Spiegel Coleman) also submitted written comments (addressed above); Doug McRae, also submitted written comments (addressed above); Marge Crawford and Jordan White, Rocklin Unified School District staff, provided oral comments listed below.

MARGE CRAWFORD, ASST. SUPT., ROCKLIN UNIFIED SCHOOL DISTRICT

Comment: Commenter voiced support for the Smarter Balanced assessments.

Response: No response required.

JORDAN WHITE, ROCKLIN UNIFIED SCHOOL DISTRICT

Comment: Commenter voiced support for the Smarter Balanced assessments.

Response: No response required.

After the 45-day comment period, the following changes were made to the proposed text of the regulations and sent out for a 15-Day comment period:

The following amendments occur throughout the regulations:

- Renumbering for consistency;

- “Accessibility support” has been deleted and replaced with “individualized aid.” This amendment is necessary as individualized aid was deemed a more appropriate term
- Computer-based testing (CBT) in these regulations has been changed to computer-based assessments (CBA). This amendment is necessary for clarity and consistency because CBA is defined in Education Code section 60603(e).
- In sections 850(a), (k), and (o), the word “support” has been replaced with “resources.” This amendment is necessary as resources is deemed a more appropriate term.

Proposed section 850(a) is amended to add the requirement that accommodations must be regularly used in the classroom for instruction and/or assessments. This amendment is necessary to conform to Smarter Balanced requirements.

Proposed section 850(b) is deleted. This deletion is necessary as “accessibility supports” is no longer a term used in these regulations.

Proposed section 850(c) adds the definition of “Adaptive engine.” This definition is necessary as the term is now used in section 853(b).

Proposed section 850(d) is amended to delete the word “accommodations” and replace it with “resources.” This amendment is necessary for clarity and consistency of terminology.

Proposed section 850(e) is amended to add a definition for “Assessment delivery system.” This is necessary as the term is now used in sections 859(d)(4)(A) and 859(d)(6).

Proposed section 850(f)(formerly (e)) is amended to change “Testing” to “Assessment.” This amendment is necessary for clarity and consistency.

Proposed section 850(i)(formerly (h)) is amended to add “its” before “test materials.” This amendment is necessary for clarity and consistency.

Former proposed section 850(i) is deleted. This deletion is necessary as the term computer-based assessments is already defined in Education Code section 60603(e) and thus that term should be utilized in the regulations.

Proposed section 850(j) is amended to add a definition for “Data Warehouse.” This amendment is necessary as the term is now used in section 850(e).

Proposed section 850(k)(formerly (j)) is amended to replace “features” with resources, and add “or specified in a pupil’s IEP or Section 504 Plan.” These amendments are necessary for clarity and consistency. In addition, this section is amended to add the requirement that resources must be regularly used in the classroom for instruction and/or assessments. This amendment is necessary to conform to Smarter Balanced requirements.

Proposed section 850(l)(formerly (k)) is amended to add “taking an assessment pursuant to Education Code section 60640.” This amendment is necessary for specificity as not all pupils in the state of California take CAASPP assessments.

Proposed section 850(o) adds the definition “Individualized aid.” This addition is necessary as the term is now used in the regulations.

Proposed section 850(p) is amended to add the statement that an LEA Superintendent, for purposes of the CAASPP regulations, includes an administrator of a direct-funded charter school. This is necessary for clarity as charter schools have administrators and not superintendents.

Proposed section 850(t) adds the definition “pupil.” This addition is necessary to acknowledge that the CAASPP statutes do not apply to students outside the public school system.

Proposed section 850(u)(formerly (r)) is amended to add “as specified in Education Code section 60603(v).” This amendment is necessary for clarification and consistency.

Proposed section 850(v) adds the definition “registration system.” This definition is necessary because the term is now used in sections 858(d) and 859(c).

Proposed section 850(w) adds the definition “resource(s).” This definition is necessary because the term is now used consistently throughout these amended proposed regulations.

Proposed section 850(x)(formerly (s)) amends “is required” to “has received training”. This is necessary to conform with consortium requirements for scribes.

Proposed section 850(aa) (formerly (v)) is amended to add “at the option of the LEA” and “or pupils enrolled in a dual immersion program that includes Spanish.” These amendments are necessary to conform to Education Code section 60640.

Proposed section 850(ab) adds the definition “streamlining.” This definition is necessary as that term has been added to section 853.5 as an embedded accommodation.

Proposed section 850(ac)(formerly (w)) has been reworded for clarification purposes and for consistency with the definition of test proctor in section (ae).

Proposed section 850(ad)(formerly (x)) is amended to delete “as part of the administration of the CAASPP tests.” This amendment is necessary to eliminate redundant and unnecessary language.

Proposed section 850(ae)(formerly (y)) is amended to delete “within the CAASPP assessment system.” This amendment is necessary to eliminate redundant and unnecessary language.

Proposed section 850(af)(formerly (z)) is amended to add section 853.7 since that section is added to the regulations and utilizes the term “translator.”

Proposed section 850(ag)(formerly (aa)) is amended to change “accessibility features” to “resources.” This amendment is necessary for clarity and consistency.

Proposed section 851(b) is amended to replace a “charter school which is not direct-funded pursuant to Education Code section 47651” to “a charter school which is not an LEA as defined in Education Code section 60603(o).” This amendment is necessary for clarification and to connect the regulation more directly to the statutes being implemented. It is also amended to replace “the local governing board” with the “State Board of Education.” This amendment is necessary as Education Code section 47651 (referenced in Section 60603(o)), specifically refers to Section 47605(k)(1) which permits designation of an oversight agency by the State Board of Education and not a local governing board.

Proposed section 853(a) is amended to add reference to section 853.7. This amendment is necessary because designated supports are referenced in section 853.7 for ELs.

Proposed section 853(b) is added to these regulations. This addition is necessary to emphasize the intent expressed by the Legislature in Education Code section 60602.5(a)(6).

Proposed section 853(d) is amended to delete “for use during the school year.” This amendment is necessary because during the school year is unnecessary due to year-round availability. The words “and formative assessment tools” are deleted for consistency and clarity as formative tools are provided by the State and require no scoring.

Proposed sections 853.5(a), (b), (c), and (d) are amended to delete the parenthetical phrase “(including ELs and students with disabilities).” This parenthetical, which was added at the January 2014 SBE meeting to continue the practice established in STAR regulations of highlighting in regulations supports available to the EL pupils, is no longer necessary because a stand-alone regulation has been added specifying the designated supports available for ELs. The “all pupils” language is inclusive of all pupils, including ELs and students with disabilities.

Subdivision (c) is amended to delete “unless otherwise indicated.” This is necessary as this language is superfluous.

Subdivision (c)(3) is also amended to add “reading” before “passages.” This amendment is necessary for clarity and consistency.

Subdivisions (c) and (d) are also amended by adding “or specified in a pupil’s IEP or Section 504 Plan.” This is necessary to clarify that a group of educators includes an IEP or Section 504 Plan team. Subdivisions (c) and (d) are also amended to add the word

“but” before “not reading passages.” These amendments are necessary for consistency and clarity.

Proposed section 853.5(d)(9) is amended to strike reading, writing, listening and mathematics. The amendment is necessary because these resources are available in all CAASSP tests.

Proposed section 853.5(d)(10) is amended to eliminate science and primary language tests, and to clarify for which languages a glossary is available in mathematics. This amendment is necessary because Smarter Balanced provides glossaries only in the languages it supports. LEAs cannot develop additional glossaries for mathematics.

Proposed section 853.5(d)(13) is added to include LEA developed translation glossaries for science and primary language. This amendment is necessary to differentiate between LEA-developed glossaries and those provided by Smarter Balanced.

Proposed section 853.5(d)(14) is added to include “administration of the test at the most beneficial time of day for the pupil.” This addition, which was formerly a non-embedded accommodation under section 853.5(f)(14), is necessary because it is more appropriate that the resource is deemed a designated support.

Proposed section 853.5(e)(5) is added to include streamlining for reading, writing, listening and mathematics. This addition is necessary to conform to the resources permitted by the Smarter Balanced consortium.

Proposed section 853.5(f)(13) is deleted because section 853.5(d)(9) has been amended to include separate setting for all CAASPP tests.

Proposed section 853.5(f)(14) is deleted and moved to section 853.5(d)(14) because it is a more appropriate designation for this resource.

Proposed section 853.5(i) is added to specify that if a consortium in which California participates approves of a universal tool, designated support and/or accommodation(s) not listed in the regulations, the CDE shall allow its use. This addition is necessary because the CDE wants to make sure that pupils are permitted to use all appropriate resources provided by a consortium in which California participates.

Proposed section 853.7 is added as a “stand-alone” section to highlight the designated supports available to ELs and to emphasize that parent and guardian input may be sought. This addition is included in response to comments from the stakeholders.

Proposed section 855(b)(3) is amended to remove “as these tests.” This amendment is necessary for clarity.

Proposed sections 857(b) and 858(a) are amended to change the date from September 29 to September 30. These amendments are necessary to be consistent with the date in section 857(a).

Proposed section 858(d) is added to specify that it is the CAASPP test site coordinator who is responsible for ensuring that all designated supports and accommodations are correctly entered into the registration system and provided to the pupil identified to receive the designated supports and/or accommodations. This addition is necessary to help ensure that pupils receive the resources they should be receiving under these regulations.

Proposed section 859(b)(6) is amended to replace “the CAPA test” with “an alternate assessment (CAPA or its successor alternate assessment).” This amendment is necessary because the CDE is working to replace the CAPA test with another alternate assessment so these regulations will continue to apply in the event that a new alternate assessment is introduced.

Proposed section 859(c) is amended to add “LEA CAASPP coordinator and CAASPP test site coordinators” for consistency with section 859(b)(2). It is also amended to add “platform” to assessment technology and “registration system, adaptive engine.” These amendments are to clarify all of the parts that comprise the CBA.

Proposed section 859(d)(4)(A) is amended to add “Other than the pupil to whom the information pertains for the purpose of logging on to the assessment delivery system.” This amendment is necessary to ensure that a pupil, and only that pupil, can receive his/her own information for purposes of logging into the system.

Proposed section 859(d)(4)(D) is deleted. This deletion is necessary as it is covered by section 859(d)(4)(A).

Proposed section 859(d)(6) is amended to change “computer system” to “assessment delivery system.” This amendment is necessary for clarity and consistency.

Proposed section 859(d)(10) is amended to replace reference to “CAPA” with a reference to “an alternate assessment (CAPA or its successor alternate assessment).” This amendment is necessary because the CDE is working to replace the CAPA test with another alternate assessment so these regulations will continue to apply in the event that a new alternate assessment is introduced.

Proposed section 859(d)(11) is amended to add “paper-pencil” to provide clarity of the type of test. It is also amended to delete “embedded and/or” because these resources are only available in the CBA. “Individualized aids” is added to the list of resources available on the “paper-pencil” tests because an IEP and/or Section 504 Plan team may identify an unlisted resource as necessary.

Proposed section 859(d)(12) is added to these regulations. This addition is necessary to ensure active supervision and to ensure that appropriate assessments are given in the correct order.

Proposed section 861(b)(2) is amended to add “if a pupil used a designated support.” This amendment is necessary for purposes of required data reporting.

Proposed section 861(b)(3) is amended to add “if a pupil used an individualized aid.” This amendment is necessary for purposes of required data reporting.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE 15-DAY COMMENT PERIOD FROM MAY 8, 2014 THROUGH MAY 23, 2014, INCLUSIVE.

SHELLY SPIEGEL COLEMAN, EXEC. DIR., CALIFORNIANS TOGETHER

Comment 1: Commenter states, “The proposed regulations’ (sic) maintains the language of “when determined” suggesting that this determination is optional. While a determination about designated supports is appropriately optional for most English only students, this determination should be mandatory for all ELs. This does not mean that every EL by definition requires use of one or more designated supports. It does mean that a *determination* must be made for every EL student regarding whether and which designated supports they will be able to access on the CAASPP.”

Comment 2: Commenter recommends that students be included in decision of appropriate designated supports for the CAASPP tests and that the educator(s) be familiar with the student’s characteristics.

Comment 3: Commenter states “The proposed amendments ‘permit’ the use of designated supports once a determination has been made for an EL student. We strongly believe that once determined to be necessary by an educator(s) and the parent(s)/guardian(s), the designated support **should** be given to the EL student.”

The commenter proposes to address concerns #1, 2, and 3 by deleting sections 853.7 (a) and (b) and replacing those subdivisions as set forth below:

“(a) An educator or group of educators familiar with the student’s characteristics and needs shall determine for each of its pupils identified as English learners whether one or more of the designated supports in subdivisions (a) and (b) of this section are appropriate for use on any of the CAASPP tests. This determination shall include input from the student and the student’s parent/guardian and shall consider supports regularly used in the classroom and for other assessments. Upon determination, one or more of the embedded or designated supports shall be provided to the English Learner student(s), on the CAASPP tests for English language arts (including the components of the reading, writing and listening) and mathematics as specified below....”

“(b) An educator or group of educators familiar with the student’s characteristics and needs shall determine for each of its pupils identified as English learners whether one or more of the designated supports in subdivisions (a) and (b) of this section are appropriate for use on any of the CAASPP tests. This determination shall include input from the student and the student’s parent/guardian and shall consider supports regularly used in the classroom and for other assessments. Upon determination, one or more of the non- embedded or designated supports shall be provided to the English Learner student(s), on the CAASPP tests for English language

arts (including the components of the reading, writing and listening) and mathematics, science and primary language as specified below....“

Reject: Section 853.7 does not preclude an EL pupil from receiving any designated supports that an educator, or a group of educators, feels is appropriate so long as the designated support, as defined in section 851(k), is identified prior to testing and is a support regularly used in the classroom for instruction and/or assessment(s). Nothing precludes an LEA from locally requiring that educator or educators are familiar with the student’s characteristics or reach a joint decision on which designated supports to provide. Furthermore, nothing precludes a pupil from advocating for the use of a designated support to an educator or an LEA from seeking pupil input on the use of a designated support. *Mandating* in the regulations that LEAs make an affirmative determination concerning every ELs need for a designated support(s), that students be included in this mandatory determination and that the educator making this decision be required to be familiar with the pupil are mandates not required by federal law and would create unfunded mandates through regulation when there is nothing in the CAASPP law creating such mandates. The process by which an LEA determines whether an EL needs a designated support is best left to the local level. As to the comment that section 853.7 be amended to require that an EL “should” be given designated supports determined to be necessary rather than “permitted,” this change is unnecessary as section 853.7 already gives an EL pupil the right to any and all designated supports that have been determined for his or her use by an educator or group of educators.

Comment 4: Commenter recommends that “the permanent regulations include language that would require the provision of data to the CDE as to the number of English Learner students who requested designated support(s), and the number and type of designated support(s) that was actually provided.” The commenter proposes that the permanent regulations be amended to add a new subdivision (c) to section 853.7 to read:

“ The district or SBAC shall provide to the state the number of English Learners identified as needing designated supports and the number and type of designated supports actually provided to English Learners. This data shall be submitted at the same time SBAC assessment data is forwarded to the state.”

Reject: Addition of this section would be beyond the scope of the statute. Neither state nor federal law require the collection of the number of EL students who request designated supports nor the number and type of designated supports actually provided. Inclusion of this recommendation would constitute an unfunded state mandate. Additionally, AB 110, Chapter 20, Statutes of 2013, in section 6100-001-0890 states, “(22.)... As a further condition of receiving these funds, the SDE shall not add additional data elements to CALPADS, require local educational agencies to use the data collected through the CALPADS for any purpose, or otherwise expand or enhance the system beyond the data elements and functionalities that are identified in the most current approved Feasibility Study and Special Project Reports and the CALPADS Data Guide v4.1.” Nevertheless, the CDE will collect, disaggregate and report data on which

pupils have been designated EL and which pupils have had designated supports and/or accommodations made available to them in accordance with the federal accountability and technical requirements.

KIMBERLY RODRIGUEZ, ASSOC. OF CALIFORNIA SCHOOL ADMINISTRATORS

Comment 1: Commenter suggests reorganizing section 855(b)(2) to clearly delineate between the testing window for 11th grade SB assessments administered after January 2015 and CAASSPP assessments administered after January 2015. Commenter is specifically concerned that the proposed window for the grade 11 SB assessments is too late in the academic year (after 80 percent of instruction), that it is only 7 weeks and that the timing interferes with Advanced Placement testing.

Comment 2: Commenter is concerned about language that authorizes CDE, with the approval of the SBE or designee, to “require LEAs to more fully utilize the testing window” and “about the ability of CDE to alter the testing window.” Additionally, the commenter is concerned about language that authorizes CDE to limit the use of interim assessments in instances where it determines that is necessary to do so to ensure the capacity of the CA K-12 High Speed Network (K12HSN).

Response: No response required because these comments do not address amendments proposed during this 15-day comment period. However, the CDE wishes to reiterate that the CDE needs the flexibility so if there is an excessive load on the K-12 High Speed Network it can request of the SBE President or designee (with cause) temporary limitations on the administration of interim assessments (a draw on the K-12 High Speed Network) and require LEAs to more effectively spread out their pupil testing across a wider span of the testing window thereby reducing the load on the network. As an additional note, at no time during the 2014 field test did the K-12 High Speed Network reach capacity (500,000 concurrent students). The highest concurrent student count was 184,481 students on Tuesday, April 29, 2014.

GINA PLATE, CHAIR, CALIFORNIA ADVISORY COMMISSION ON SPECIAL EDUCATION

Comment: The commenter expresses concern that when the regulations refer to the state’s current alternative assessment, the California Alternative Performance Assessment (CAPA), there is no mention of important language specifically included in AB 484, which is “until a successor alternative assessment is implemented.” Commenter expresses commitment to obtaining a new alternative state assessment for students with cognitive disabilities and believes that adding this language in the regulations where CAPA is mentioned is important, as CAPA is no longer supported by teachers and administrators.

Response: While no response is required because this comment does not address amendments proposed during this 15-day comment period, the CDE responds as follows: Education Code section 60640(b)(3) states that the CAPA will continue “until a successor assessment is implemented” and the CDE anticipates the adoption of a successor alternate assessment in the near future. Thus, when addressing the alternate assessment for pupils with significant cognitive disabilities in these regulations, the CDE intended to refer to “CAPA or its successor alternate assessment” as demonstrated by the references in the regulations in sections 859(b)(6) and 859(d)(10). Sections 850(l)(2) and 855(b)(3), however, were inadvertently not similarly modified when addressing CAPA to include the reference to “or its successor alternate assessment”

and, thus, conforming, non-substantive changes have been now made to both sections.

BILL LUCIA, PRESIDENT AND CEO, EdVOICE

Comment: Commenter believes that “section 851(b) of the proposed regulations is not required by current law and creates unnecessary burdens and restrictions on charter schools and authorizing districts. The commenter states that “the regulation in §851(b) restricts the flexibility granted all charter schools by stating that ‘for the purposes of the CAASPP assessment system a charter school which is not an LEA as defined in Education Code section 60603(0) shall test with, and dependent on, the LEA that granted the charter or was designated the oversight agency by the State Board of Education (SBE).” The commenter proposes that the permanent regulations be amended to require only “coordination” of locally-funded schools with their LEA, giving the locally-funded charter school the option to select whether to administer tests independently or in conjunction with the authorizing LEA.

Reject: Prior to AB 484, the Education Code required that STAR tests be administered by “school districts.” The Legislature did not define what entities constituted “school districts” for the purposes of administering STAR testing, so it was left to the discretion of the SBE, when drafting STAR regulations, to address what entities constituted a “school district” for purposes of administration of STAR testing. As set forth in former Section 850(o), a school district was defined at that time by the SBE to include, “any charter school that for assessment purposes does not elect to be part of the school district or county office of education that granted the charter.” AB 484 removed the ability of the SBE to continue this flexibility for charter schools. AB 484 provides that CASSPP testing is to be administered by LEAs, not school districts; furthermore AB 484 expressly codified which entities constitute an “LEA” for purposes of administering the CAASPP testing. Education Code section 60603(o) states that an LEA in this context means “a county office of education, school district, state special school or direct-funded charter school as described in Section 47651.” Since AB 484 specifically grants authority only to LEAs, not individual schools, to conduct and administer CAASPP testing, and since a locally-funded charter school is, by statute, not an LEA for purposes of conducting and administering CAASPP testing, the suggestion offered by the commenter, to continue in the regulations to allow locally-funded charter schools to choose whether to independently administer CAASPP testing, must be rejected, as accepting this suggestion would conflict with the express terms of the implementing legislation.

DOUGLAS J. McRAE, EDUCATIONAL MEASUREMENT SPECIALIST

Comment 1: The commenter would like to delete the sentence in section 853(d) [formerly 853(c)] that states “Use of interim assessments and formative tools shall not be considered advance preparation for a CAASPP test as defined in Education Code Section 60611.” The commenter believes that the Smarter Balanced interim tests mirror the summative assessments and thus are an unethical means of “teaching to the test” and should be prohibited rather than exempted from EC Section 60611’s prohibition via regulation.

Comment 2: The commenter would like to see section 854’s language reinstated, instead of repealed, but to delete the parenthetical in subdivision (a) that begins, “Except for materials specifically provided by the CDE or its agents...”: The new section

854 would read: “(a) No program or materials shall be used by any school district or employee of a school district that are specifically formulated or intended to prepare pupils for standards-based achievement tests, or primary language tests, if any. No administration or use of an alternate or parallel form should be used as practice for any pupils.” And “(b) Practice tests provided by the contractor as part of the standards-based achievement tests and the primary language tests, if any, for the limited purpose of familiarizing pupils with computerized formats of test items are not subject to the prohibition of subdivision (a).”

Comment 3: The commenter would like to delete section 855(b)(1) and instead modify section 855(b)(2) by replacing the words “For the grade 11” with the words “For grades 3-8 and grade 11” thereby making only one window for testing ELA and mathematics beginning after at least 80 percent of a school’s annual instructional days have been completed. Commenter advocates this change on his belief that a 12-week window is too long.

Comment 4: The commenter would like to delete section 855(c). The commenter believes that the requirement LEAs move testing windows due to lack of technology capacity in California state-provided K12HSN is an “insult” to the LEA and that the state should “delay initiation of statewide computer-administered tests until the state provides adequate technology capacity.”

Comment 5: The commenter would like to replace language in section 857(d) with “The LEA CAASPP coordinator shall ascertain the LEA’s compliance with the minimum technology specifications as identified by the CAASPP’s contractor(s) or consortium on an annual basis, and if the LEA’s compliance does not meet those specifications, the LEA CAASPP coordinator shall recommend to the LEA Superintendent, the LEA School Board, and the CDE that the LEA utilize paper-and-pencil tests rather than computer-administered tests for the current school year.”

Comment 6: The commenter would like to add language to section 861 “regarding information that has to be entered into the test information engine regarding all Special Education students’ accommodations and designated supports allowed by Individual Education Plans (IEPs) as well as all English Learners’ designated supports allowed by LEA policy to this section.”

Response to Comments 1–6: No response required because these comments do not address amendments proposed during this 15-day comment period.

Comment 7 (Page 15): The commenter requests “that CDE staff review the regulatory process for CAASPP to date and examine to date and all cases where specific consortium language (mostly Smarter Balanced) was used to either justify inclusion of regulatory language or reject recommendations for amended regulatory language, and remove or amend all regulatory language based on specific consortium agreement or requirements language.” Specifically commenter refers to sections 850(a), (k) and (x), 853(d)(10), 853.5(d)(13), (e)(5), (g)(3) and (g)(4) as all being flawed due to their justification based on consortium requirements.

Reject: The Education Code, as amended by AB 484, clearly provides that the CDE should adopt and administer the summative assessments provided by a multi-state consortium of which California has chosen to be a member, which is the Smarter Balanced assessment consortium. The regulations are consistent with Smarter-Balanced consortium’s recommendations and requirements, consistent with the Legislature’s specific intent.

Comment 8 (Page 16): The commenter requests that regulatory language be inserted at new section 858(d) to set forth a complete listing of all the different designated supports and accommodations that the test site coordinator may have to enter into the test engine and a specific process to follow to enter the information.

Reject: The suggestion is rejected as unnecessary. Sections 853.5 and 853.7 identify all designated supports and/or accommodations that may be required to be entered into the system. Regulations are not necessary to mandate “how” an LEA shall enter the information into the system or to restate a listing of available designated supports and accommodations.

Comment 9 (Page 17): The commenter requests that the second sentence of section 859(d)(4) (“I understand that only pupils who are testing and LEA staff participating in the test administration who have signed a test security affidavit may be in the room when and where a test is being administered”) be eliminated or replaced with “regulatory language that permits local districts to allow CAASPP testing sessions observations at local discretion.” Commenter believes the regulatory language is too broad and would bar all CDE staff, SBE members, legislators and CDE contractor personnel from being in the testing environment despite such presence being necessary to perform their job duties.

Reject: The CDE believes that the second sentence of this regulation is necessary to ensure the integrity and security of the testing environment by expressly limiting the people that the LEA may allow into the testing room. The CDE does not agree with the commenter that the sentence is overbroad and would bar CDE staff and CDE contractor personnel from being able to observe the testing process. Education Code section 60641 requires that CDE staff “ensure that LEA’s produce valid individual pupil results” and Education Code section 60643 requires that CDE contractor personnel “ensure compliance with the conditions and requirements of the testing contract,” which includes monitoring the testing process. Therefore, when necessary to comply with these statutory responsibilities, the law would still permit CDE staff and/or CDE contractor personnel to be present when the test is being administered.

ERIC PREMACK, CHARTER SCHOOLS DEVELOPMENT CENTER

Comment 1: Commenter states that “Under the prior definition, a charter was allowed to choose whether to be a ‘school district’ for purposes of these regulations and, as such, could elect to implement the related assessments either independently or in conjunction with a local school district. Under the proposed rule, only direct-funded charter schools would fit the new definition of ‘local education agency (section 850(p)) and charter schools that do not fit this definition ‘shall test’ with and dependent on, the LEA that granted the charter or was designated the oversight agency by the State Board of Education.’ (section 851(b))” Furthermore, commenter states “While Education Code section 60603(o) does define ‘local education agencies’ as including ‘direct-

funded charter schools' it is silent as to how locally-funded charter schools fit into the statutory scheme and does not mandate or require locally-funded charter schools to test with and be dependent upon the LEA that granted their charter." Commenter claims a less burdensome and more practical alternative would be for the regulations to allow locally-funded charter schools to choose whether to test with the LEA or independently of the LEA.

Reject: Prior to AB 484, the Education Code required that STAR tests be administered by "school districts." The Legislature did not define what entities constituted "school districts" for the purposes of administering STAR testing, so it was left to the discretion of the SBE, when drafting STAR regulations, to address what entities constituted a "school district" for purposes of administration of STAR testing. As set forth in former Section 850(o), a school district was defined at that time by the SBE to include, "any charter school that for assessment purposes does not elect to be part of the school district or county office of education that granted the charter." AB 484 removed the ability of the SBE to continue this flexibility for charter schools. AB 484 provides that CASSPP testing is to be administered by LEAs, not school districts; furthermore AB 484 expressly codified which entities constitute an "LEA" for purposes of administering the CAASPP testing. Education Code section 60603(o) states that an LEA in this context means "a county office of education, school district, state special school or direct-funded charter school as described in Section 47651." Since AB 484 specifically grants authority only to LEAs, not individual schools, to conduct and administer CAASPP testing, and since a locally-funded charter school is, by statute, not an LEA for purposes of conducting and administering CAASPP testing, the suggestion offered by the commenter, to continue in the regulations to allow locally-funded charter schools to choose whether to independently administer CAASPP testing, must be rejected, as accepting this suggestion would conflict with the express terms of the implementing legislation.

Comment 2: Commenter states that "If the requirement to be dependent upon the LEA that granted the charter is to remain, the proposed rule presumably would impose a new state mandate on both the granting LEA and the charter school, both of which are reimbursable."

Reject: A charter school as part of their charter application may choose to be either locally funded or direct funded and as such must accept the responsibilities of their decision. Locally funded charters have the option to become direct funded charter schools or make the necessary arrangements with the LEA granting their charter or designated oversight agency. In addition, the regulation is not an unfunded state mandate as Education Code section 60640(l) specifically requires that the Superintendent apportion funds to LEAs for purposes of administering the CAASPP assessments. Furthermore, CAASPP fulfills, in part, the state's obligation for testing all students in ELA, mathematics, and science under the mandates of the Elementary and Secondary Education Act (ESEA).

NON-SUBSTANTIVE EDITS MADE TO REGULATIONS AFTER 15-DAY COMMENT PERIOD

Education Code section 60640(b)(3) states that the CAPA will continue "until a successor assessment is implemented" and the CDE anticipates the adoption of a

successor alternate assessment in the near future. When addressing the assessment for pupils with significant cognitive disabilities in these regulations, the CDE intended to refer to “CAPA or its successor alternative assessment” as demonstrated by the references in sections 859(b)(6) and 859(d)(10). Sections 850(l)(2) and 855 (b)(3) were not similarly modified when addressing CAPA to include the reference to “or its successor alternate assessment” and, thus, conforming non-substantive changes have been made to sections 850(l)(2) and 855(b)(3).

ALTERNATIVES DETERMINATION

The SBE has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

No alternatives have been brought to the SBE or CDE’s attention and given the underlying statutory requirements; the SBE has been unable to come up with any reasonable alternatives.

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose any mandate on local agencies or school districts.

Forty-Nine States and Territories Join Common Core Standards Initiative

NGA Center, CCSSO Convene State-led Process to Develop Common English-language arts and Mathematics Standards

June 01, 2009

WASHINGTON— The National Governors Association Center for Best Practices (NGA Center) and the Council of Chief State School Officers (CCSSO) today released the names of the states and territories that have joined the Common Core State Standards Initiative: **Alabama; Arizona; Arkansas; California; Colorado; Connecticut; Delaware; District of Columbia; Florida; Georgia; Hawaii; Idaho; Illinois; Indiana; Iowa; Kansas; Kentucky; Louisiana; Maine; Maryland; Massachusetts; Michigan; Minnesota; Mississippi; Montana; Nebraska; Nevada; New Hampshire; New Jersey; New Mexico; New York; North Carolina; North Dakota; Ohio; Oklahoma; Oregon; Pennsylvania; Puerto Rico; Rhode Island; South Dakota; Tennessee; Utah; Vermont; Virgin Islands; Virginia; Washington; West Virginia; Wisconsin; Wyoming.**

In the twenty-six years since the release of *A Nation at Risk*, states have made great strides in increasing the academic rigor of education standards. Yet, America's children still remain behind other nations in terms of academic achievement and preparedness to succeed.

By signing on to the common core state standards initiative, governors and state commissioners of education across the country are committing to joining a state-led process to develop a common core of state standards in English language arts and mathematics for grades K-12. These standards will be research and evidence-based, internationally benchmarked, aligned with college and work expectations and include rigorous content and skills.

"To maintain America's competitive edge, we need all of our students to be prepared and ready to compete with students from around the world," said **NGA Vice Chair Vermont Gov. Jim Douglas**. "Common standards that allow us to internationally benchmark our students' performance with other top countries have the potential to bring about a real and meaningful transformation of our education system to the benefit of all Americans."

"As state school chiefs, we have been discussing and building momentum for state-led, voluntary common standards that are both rigorous and internationally benchmarked for the past two years," stated **CCSSO President and Arkansas Commissioner of Education Ken James**. "The broad level of commitment we have received from states across the nation for this unprecedented effort is both gratifying and exciting. It also clearly illustrates that this is an idea whose time has arrived."

The Common Core State Standards Initiative is being jointly led by the NGA Center and CCSSO in partnership with Achieve, Inc; ACT and the College Board. It builds directly on recent efforts of leading organizations and states that have focused on developing college-and career-ready standards and ensures that these standards can be internationally benchmarked to top-performing countries around the world.

The goal is to have a common core of state standards that states can voluntarily adopt. States may choose to include additional standards beyond the common core as long as the common core represents

at least 85 percent of the state's standards in English language arts and mathematics.

"Measuring our students against international benchmarks is an important step," said **Virginia Gov. Timothy Kaine**. "Today, we live in a world without borders. It not only matters how Virginia students compare to those in surrounding states – it matters how we compete with countries across the world."

"Only when we agree about what all high school graduates need to be successful will we be able to tackle the most significant challenge ahead of us: transforming instruction for every child," said **CCSSO President-Elect and Maine Education Commissioner Sue Gendron**. "Common standards will provide educators clarity and direction about what all children need to succeed in college and the workplace and allow states to more readily share best practices that dramatically improve teaching and learning. Our graduates and frankly, the future of our economy, cannot wait any longer for our educational practices to give equal opportunity for success to every student."

The NGA Center and CCSSO are coordinating the process to develop these standards and have created an expert validation committee to provide an independent review of the common core state standards, as well as the grade-by-grade standards. This committee will be composed of nationally and internationally recognized and trusted education experts who are neutral to – and independent of – the process. The college and career ready standards are expected to be completed in July 2009. The grade-by-grade standards work is expected to be completed in December 2009.

###

Founded in 1908, the National Governors Association (NGA) is the collective voice of the nation's governors and one of Washington, D.C.'s most respected public policy organizations. Its members are the governors of the 50 states, three territories and two commonwealths. NGA provides governors and their senior staff members with services that range from representing states on Capitol Hill and before the Administration on key federal issues to developing and implementing innovative solutions to public policy challenges through the NGA Center for Best Practices. For more information, visit www.nga.org.

[The Council of Chief State School Officers \(CCSSO\)](http://www.ccsso.org) is a nonpartisan, nationwide, nonprofit organization of public officials who head departments of elementary and secondary education in the states, the District of Columbia, the Department of Defense Education Activity, and five U.S. extra-state jurisdictions. CCSSO provides leadership, advocacy, and technical assistance on major educational issues. The Council seeks member consensus on major educational issues and expresses their views to civic and professional organizations, federal agencies, Congress, and the public. www.ccsso.org



Printed from the NGA Website.

Development Process

The state-led effort to develop the Common Core State Standards was launched in 2009 by state leaders, including governors and state commissioners of education from 48 states, two territories and the District of Columbia (http://www.nga.org/cms/home/news-room/news-releases/page_2009/col2-content/main-content-list/title_fifty-one-states-and-territories-join-common-core-state-standards-initiative.html), through their membership in the National Governors Association Center for Best Practices (NGA Center) and the Council of Chief State School Officers (CCSSO). State school chiefs and governors recognized the value of consistent, real-world learning goals and launched this effort to ensure all students, regardless of where they live, are graduating high school prepared for college, career, and life.

The standards are informed by:

- The best state standards already in existence
- The experience of teachers, content experts, states, and leading thinkers
- Feedback from the public

The full list of criteria used to develop the standards is available here (<http://www.corestandards.org/assets/Criteria.pdf>).

Timeline for the Development of College- and Career-Readiness Standards and K-12 Standards

State education standards have been around since the early 1990s. By the early 2000s, every state had developed and adopted its own learning standards that specify what students in grades 3-8 and high school should be able to do. Every state also had its own definition of proficiency, which is the level at which a student is determined to be sufficiently educated at each grade level and upon graduation. This lack of standardization was one reason why states decided to develop the Common Core State Standards in 2009.

The development of the Common Core State Standards is a success story of meaningful, state-led change to help all students succeed.

During the development process, the standards were divided into two categories:

- **First, the college- and career-readiness standards**, which address what students are expected to know and understand by the time they graduate from high school
- **Second, the K-12 standards**, which address expectations for elementary school through high school

The college- and career-readiness standards were developed first and then incorporated into the K-12 standards in the final version of the Common Core we have today. The National Governors Association (NGA) and the Council Chief State School Officers (CCSSO) received nearly 10,000 comments on the standards during two public comment periods. Many of the comments from teachers, parents, school administrators, and other citizens concerned with education policy helped shape the final version of the standards.

Teachers played a critical role in development

The Common Core State Standards drafting process relied on teachers and standards experts from across the country. Teachers were involved in the development process in four ways:

- 1) They served on the Work Groups and Feedback Groups for the ELA and math standards.
- 2) The National Education Association (NEA), American Federation of Teachers (AFT), National Council of Teachers of Mathematics (NCTM), and National Council of Teachers of English (NCTE), among other organizations were instrumental in bringing together teachers to provide specific, constructive feedback on the standards
- 3) Teachers were members of teams states convened to provide regular feedback on drafts of the standards.
- 4) Teachers provided input on the Common Core State Standards during the two public comment periods.

U

Complete Timeline

[2007](#) | [2008](#) | [2009](#) | [2010](#) | [2011](#) | [2012](#) | [2013](#) | [2014](#)

2007 ()

- ▶ **NOVEMBER 2007:**
State chiefs discuss developing common standards during CCSSO's Annual Policy Forum in Columbus, Ohio.

2008 ()

▶ DECEMBER 2008:

NGA, CCSSO, and Achieve release *Benchmarking for Success: Ensuring U.S. Students Receive a World-Class Education* (http://www.edweek.org/media/benchmarking_for_success_dec_2008_final.pdf). The report, guided by an advisory group that included governors, state education chiefs, and leading education researchers, recommended states “upgrade state standards by adopting a common core of internationally benchmarked standards in math and language arts for grades K-12 to ensure that students are equipped with the necessary knowledge and skills to be globally competitive.”

2009 ()

▶ APRIL 2009:

NGA and CCSSO convene governors’ education policy advisors and chief state school officers in Chicago to discuss creation of the Common Core State Standards Initiative. As a result, NGA and CCSSO invite states to commit to a process to develop common standards in English language arts/literacy and mathematics. Based on the interest from states, work to develop the standards commenced.

▶ MAY 2009:

Development begins on the college and career ready standards to address what students are expected to know and understand by the time they graduate from high school. Following that work, an initial feedback group receives the first draft of college and career readiness graduation standards for review.

▶ JUNE 2009:

CCSSO and NGA announce (http://www.nga.org/cms/home/news-room/news-releases/page_2009/col2-content/main-content-list/title_forty-nine-states-and-territories-join-common-core-standards-initiative.html) commitment from governors and chief state school officers from 49 states and territories to participate in a state-led process to develop common standards in for English language arts/literacy and mathematics. By September, the final tally will include 51 states and territories.

▶ JULY 2009:

States and [feedback group](#) (<http://www.nga.org/files/live/sites/NGA/files/pdf/2010COMMONCOREK12TEAM.PDF>) provide further guidance to CCSSO and NGA on draft college and career readiness standards.

- ▶ **SUMMER 2009:**
 To prepare to develop the grade by grade standards based on the college and career readiness standards, steps are taken to organize the development and review process. Formal work groups and feedback groups (<http://www.nga.org/files/live/sites/NGA/files/pdf/2010COMMONCOREK12TEAM.PDF>) are created to develop and review the K-12 standards. Teachers were involved in the work groups and at every stage of review.
- ▶ **SEPTEMBER 2009:**
 NGA and CCSSO release (http://www.nga.org/cms/home/news-room/news-releases/page_2009/col2-content/main-content-list/title_common-core-state-standards-available-for-comment.html) for public comment a draft of college and career ready standards (a product of input from the standards' writing team, state education agency leaders, and a panel of outside education experts and practitioners). Nearly 1,000 responses, summarized here (<http://www.corestandards.org/assets/CorePublicFeedback.pdf>), were received from educators and the public.
- ▶ **OCTOBER 2009:**
 States and feedback group provide additional comments. A validation committee (http://www.corestandards.org/assets/CommonCoreReport_6.10.pdf), formed earlier in the year to provide independent, expert validation of the process of identify Common Core State Standards, comments on college and career readiness standards.
- ▶ **NOVEMBER 2009:**
 First draft of the K-12 grade by grade college and career readiness standards is released for comment by chiefs and other state education agency staff (the states). This draft – the college and career readiness standards – is incorporated into the grade by grade standards and are now known as the “K-12 grade by grade college and career readiness standards.”
- ▶ **DECEMBER 2009:**
 Validation committee provides edits and feedback on draft of K-12 grade by grade college and career readiness standards.

2010 ()

- ▶ **JANUARY 2010:**
 CCSSO and NGA request states' feedback on a revised draft of the K-12 grade by grade college and career readiness standards. Several independent reviews of the standards begin.

▶ **FEBRUARY 2010:**

Revised version of K-12 grade by grade college and career readiness standards distributed to states.

▶ **MARCH 2010:**

CCSSO and NGA [release \(http://www.nga.org/cms/home/news-room/news-releases/page_2010/col2-content/main-content-list/title_draft-k-12-common-core-state-standards-available-for-comment.html\)](http://www.nga.org/cms/home/news-room/news-releases/page_2010/col2-content/main-content-list/title_draft-k-12-common-core-state-standards-available-for-comment.html) draft K-12 grade by grade college and career readiness standards for public comment on www.corestandards.org (<http://www.corestandards.org/>). Educators and members of the public provide comments, summarized [here \(http://www.corestandards.org/assets/k-12-feedback-summary.pdf\)](http://www.corestandards.org/assets/k-12-feedback-summary.pdf).

▶ **JUNE 2010:**

NGA and CCSSO [release \(http://www.nga.org/cms/home/news-room/news-releases/page_2010/col2-content/main-content-list/title_national-governors-association-and-state-education-chiefs-launch-common-state-academic-standards.html\)](http://www.nga.org/cms/home/news-room/news-releases/page_2010/col2-content/main-content-list/title_national-governors-association-and-state-education-chiefs-launch-common-state-academic-standards.html) the final Common Core State Standards.

CCSSO and NGA release [report \(http://www.corestandards.org/assets/CommonCoreReport_6.10.pdf\)](http://www.corestandards.org/assets/CommonCoreReport_6.10.pdf) summarizing the work of the validation committee, which reviewed the standards and found them:

- Reflective of the core knowledge and skills in ELA and mathematics that students need to be college- and career-ready;
- Appropriate in terms of their level of clarity and specificity;
- Comparable to the expectations of other leading nations;
- Informed by available research or evidence;
- The result of processes that reflect best practices for standards development;
- A solid starting point for adoption of cross-state common core standards; and
- A sound basis for eventual development of standards-based assessments.

2011 ()

- ▶ States and territories undergo their own processes for reviewing, adopting, and (in some states) ratifying the adoption of the Common Core State Standards. In each case, after reviewing the new standards, state boards of education members, governors, legislators, and/or chief state school officers took action to replace their existing standards with the Common Core State Standards.

2012 ()

- ▶ States and territories undergo their own processes for reviewing, adopting, and (in some states) ratifying the adoption of the Common Core State Standards. In each case, after reviewing the new standards, state boards of education members, governors, legislators, and/or chief state school officers took action to replace their existing standards with the Common Core State Standards.

2013 ()

- ▶ As of December 2013, 45 states, the Department of Defense Education Activity, Washington D.C., Guam, the Northern Mariana Islands and the U.S. Virgin Islands have adopted the CCSS in ELA/literacy and math. They are now in the process of implementing the standards locally.

2014 ()

- ▶ As of June 2014, 43 states (<http://www.corestandards.org/standards-in-your-state>), the Department of Defense Education Activity, Washington D.C., Guam, the Northern Mariana Islands and the U.S. Virgin Islands have adopted the CCSS in ELA/literacy and math. They are now in the process of implementing the standards locally.

Adoption

Once the development process concluded, states began voluntarily adopting (<http://www.corestandards.org/standards-in-your-state/>) the Common Core State Standards based on their existing process for education standard adoption. In most states, the state school board members formally adopted the standards. In others, the decision was made or ratified by the state superintendent of education, State Legislature, or governor.

Today, 43 states, the District of Columbia, four territories, and the Department of Defense Education Activity (DoDEA) have adopted the Common Core and are implementing the standards according to their own timelines. To learn more about the standards in your state and for information on how states that adopted the Common Core are implementing them, visit the “Standards in Your State” (<http://www.corestandards.org/standards-in-your-state/>) section.

ARCHIVED INFORMATION

U.S. Secretary of Education Duncan Announces Winners of Competition to Improve Student Assessments

Two winning applications composed of 44 States and D.C. Win Grants to Fund Assessments Based on Common Core Standards

SEPTEMBER 2, 2010

Contact: Press Office, (202) 401-1576, press@ed.gov ([mailto: press@ed.gov](mailto:press@ed.gov))


In an effort to provide ongoing feedback to teachers during the course of the school year, measure annual student growth, and move beyond narrowly-focused bubble tests, the U.S. Department of Education has awarded two groups of states grants to develop a new generation of tests. The new tests will be aligned to the higher standards that were recently developed by governors and chief state school officers and have been adopted by 36 states. The tests will assess students' knowledge of mathematics and English language arts from third grade through high school.


The grant requests, totaling approximately \$330 million, are part of the Race to the Top competition and will be awarded to the Partnership for Assessment of Readiness for College and Careers (PARCC) and the SMARTER Balanced Assessment Consortium (SBAC) in the amounts of approximately \$170 and \$160 million respectively.


"As I travel around the country the number one complaint I hear from teachers is that state bubble tests pressure teachers to teach to a test that doesn't measure what really matters," said Duncan. "Both of these winning applicants are planning to develop assessments that will move us far beyond this and measure real student knowledge and skills."

The Partnership for Assessment of Readiness for College and Careers is a coalition of 26 states including AL, AR, AZ, CA, CO, DC, DE, FL, GA, IL, IN, KY, LA, MA, MD, MS, ND, NH, NJ, NY, OH, OK, PA, RI, SC and TN.

More Resources

 [Letter to governors \(http://www2.ed.gov/programs/racetothetop-assessment/governors-letter.html\)](http://www2.ed.gov/programs/racetothetop-assessment/governors-letter.html)

 [Applications and Scores \(http://www2.ed.gov/programs/racetothetop-assessment/applicant.html\)](http://www2.ed.gov/programs/racetothetop-assessment/applicant.html)

 [Secretary's remarks on assessment at Achieve meeting \(http://www.ed.gov/news/speeches/beyond-bubble-tests-next-generation-assessments-secretary-\)](http://www.ed.gov/news/speeches/beyond-bubble-tests-next-generation-assessments-secretary-)

The SMARTER Balanced Assessment Consortium is a coalition of 31 states including AL, CO, CT, DE, GA, HI, IA, ID, KS, KY, ME, MI, MO, MT, NC, ND, NH, NJ, NM, NV, OH, OK, OR, PA, SC, SD, UT, VT, WA, WI, and WV. The assessments will be ready for use by the 2014-15 school year.

"Given that these assessment proposals, designed and developed by the states, were voluntary, it was impressive to see a vast majority of states choose to participate," said Duncan.

The PARCC coalition will test students' ability to read complex text, complete research projects, excel at classroom speaking and listening assignments, and work with digital media. PARCC will also replace the one end-of-year high stakes accountability test with a series of assessments throughout the year that will be averaged into one score for accountability purposes, reducing the weight given to a single test administered on a single day, and providing valuable information to students and teachers throughout the year.

The SMARTER coalition will test students using computer adaptive technology that will ask students tailored questions based on their previous answers. SMARTER will continue to use one test at the end of the year for accountability purposes, but will create a series of interim tests used to inform students, parents, and teachers about whether students are on track.


For both consortia, these periodic assessments could replace already existing tests, such as interim assessments that are in common use in many classrooms today. Moreover, both consortia are designing their assessment systems with the substantial involvement of experts and teachers of English learners and students with disabilities to ensure that these students are appropriately assessed.


The parameters of the competition were informed by 10 public and expert input meetings that the Department hosted across the country last winter. Forty-two invited assessment experts joined nearly 1,000 members of the public and officials from 37 states plus Washington D.C. for over 50 hours of public and expert input on critical questions about assessment and assessment design.

The winning applicants were selected by a panel of peer reviewers. Due to the highly technical nature of the Race to the Top Assessment Competition, the Department sent invitations to two groups of individuals to serve as peer reviewers: 1) experts who served as panelists for the Race to the Top Assessment public meetings (these were nominated by the director of the National Academies of Sciences' Board on Testing and Assessment, by the U. S. Department of Education's National Technical Advisory Council chair, and/or by Department experts); and 2) persons experienced as peer reviewers in the Title I review of State assessment systems (all recruited on the basis of assessment expertise). The Department specifically solicited individuals with experience and expertise in K-12 assessment design, development, implementation, and use for instructional improvement, and those with expertise in complex organizational and project leadership and management.

Tags: Race to the Top Assessment Program (/category/program/race-top-assessment-program) P-12 Reform (/category/keyword/p-12-reform) Press Releases (/news/press-releases)

arne-duncans-remarks-state-l)

 Press call
(<http://www.ed.gov/news/audio/2010/09/09022010.mp3>)

 Press call transcript
(<http://www.ed.gov/news/audio/2010/09/09022010.doc>)

How Do I Find...?

- Student loans, forgiveness (<http://www2.ed.gov/fund/grants-college.html?src=rn>)

- College accreditation (<http://ope.ed.gov/accreditation/>)
- No Child Left Behind (<http://www2.ed.gov/nclb/landing.jhtml?src=rn>)
- FERPA (<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn>)
- FAFSA (<http://fafsa.ed.gov/>)
- 1098-E Tax Form (<http://www.ed.gov/1098-e>)
- More... (<http://www2.ed.gov/about/top-tasks.html>)

Information About...

- Transforming Teaching (<http://www.ed.gov/teaching>)
- Family and Community Engagement (<http://www.ed.gov/family-and-community-engagement>)
- Early Learning (<http://www.ed.gov/early-learning>)
- K-12 Reforms (<http://www.ed.gov/k-12reforms>)
- More... (<http://www.ed.gov/priorities>)

Search press releases

Find By Month

- April 2015 (</news/press-releases/monthly/201504>)
- March 2015 (</news/press-releases/monthly/201503>)
- February 2015 (</news/press-releases/monthly/201502>)
- January 2015 (</news/press-releases/monthly/201501>)
- December 2014 (</news/press-releases/monthly/201412>)
- November 2014 (</news/press-releases/monthly/201411>)
- October 2014 (</news/press-releases/monthly/201410>)
- September 2014 (</news/press-releases/monthly/201409>)
- August 2014 (</news/press-releases/monthly/201408>)
- July 2014 (</news/press-releases/monthly/201407>)
- June 2014 (</news/press-releases/monthly/201406>)
- May 2014 (</news/press-releases/monthly/201405>)
- All Press Releases (</news/press-releases>)

Connect



Facebook

(<http://www.facebook.com/SecretaryArneDuncan>)



Twitter (<http://www.twitter.com/usedgov>)



YouTube (<http://www.youtube.com/user/usedgov>)



Email

(https://public.govdelivery.com/accounts/USED/subscriber/new/topic_id=USED_5)



RSS (<https://www.ed.gov/feed>)



Google+

More > (<http://www2.ed.gov/about/overview/focus/social-media.html>)

Our mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Student Loans (<http://www2.ed.gov/fund/grants-college.html?src=ft>)

Repaying Loans (<http://studentaid.ed.gov/repay-loans?src=ft>)

Defaulted Loans (<http://studentaid.ed.gov/repay-loans/default?src=ft>)

Loan Forgiveness (<http://studentaid.ed.gov/repay-loans/forgiveness-cancellation?src=ft>)

Loan Servicers (<http://studentaid.ed.gov/repay-loans/understand/servicers?src=ft#who-is-my-loan-servicer>)

Grants & Programs (<http://www2.ed.gov/fund/grants-apply.html?src=ft>)

Apply for Pell Grants (<http://www.fafsa.ed.gov/?src=ft>)

Grants Forecast (<http://www2.ed.gov/fund/grant/find/edlite-forecast.html?src=ft>)

Apply for a Grant (<http://www2.ed.gov/fund/grant/apply/grantapps/index.html?src=ft>)

Eligibility for Grants (<http://www2.ed.gov/programs/find/elig/index.html?src=ft>)

Laws & Guidance (<http://www2.ed.gov/policy/landing.jhtml?src=ft>)

No Child Left Behind (<http://www2.ed.gov/nclb/landing.jhtml?src=ft>)

FERPA (<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=ft>)

Civil Rights (<http://www2.ed.gov/about/offices/list/ocr/know.html?src=ft>)

Data & Research (<http://www2.ed.gov/rschstat/landing.jhtml?src=ft>)

Education Statistics (<http://nces.ed.gov/?src=ft>)

Postsecondary Education Data (<http://nces.ed.gov/ipeds/?src=ft>)

State Education Data (<http://eddataexpress.ed.gov/?src=ft>)

Nation's Report Card (<http://nces.ed.gov/nationsreportcard/?src=ft>)

What Works Clearinghouse (<http://ies.ed.gov/ncee/wwc/?src=ft>)

About Us (<http://www2.ed.gov/about/landing.jhtml?src=ft>)

Contact Us (<http://www2.ed.gov/about/contacts/gen/index.html?src=ft>)

ED Offices (<http://www2.ed.gov/about/offices/list/index.html?src=ft>)

Jobs (<http://www.ed.gov/jobs?src=ft>)

Press Releases (<http://www.ed.gov/news/?src=ft>)

FAQs (<http://answers.ed.gov/?src=ft>)

Budget, Performance (<http://www2.ed.gov/about/overview/focus/performance.html?src=ft>)

Notices (<http://www2.ed.gov/notices/index.html?src=ft>) FOIA (<http://www2.ed.gov/policy/gen/leg/foia/foiatoc.html?src=ft>)

Privacy (<http://www2.ed.gov/notices/privacy/index.html?src=ft>)

Accessibility (<http://www2.ed.gov/notices/accessibility/index.html?src=ft>)

Security (<http://www2.ed.gov/notices/security/index.html?src=ft>)

Information Quality (<http://www2.ed.gov/policy/gen/guid/infoqualguide.html?src=ft>)

Inspector General (<http://www2.ed.gov/about/offices/list/oig/index.html?src=ft>)

Whitehouse.gov (<http://www.whitehouse.gov/>) USA.gov (<http://www.usa.gov/>) Benefits.gov (<http://www.benefits.gov/>)

Regulations.gov (<http://www.regulations.gov/>)

Race to the Top Program Executive Summary



U.S. Department of Education
Washington, D.C. 20202

November 2009

“It's time to stop just talking about education reform and start actually doing it.
It's time to make education America's national mission.”
– President Barack Obama, November 4, 2009

BACKGROUND

On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act of 2009 (ARRA), historic legislation designed to stimulate the economy, support job creation, and invest in critical sectors, including education. The ARRA lays the foundation for education reform by supporting investments in innovative strategies that are most likely to lead to improved results for students, long-term gains in school and school system capacity, and increased productivity and effectiveness.

The ARRA provides \$4.35 billion for the Race to the Top Fund, a competitive grant program designed to encourage and reward States that are creating the conditions for education innovation and reform; achieving significant improvement in student outcomes, including making substantial gains in student achievement, closing achievement gaps, improving high school graduation rates, and ensuring student preparation for success in college and careers; and implementing ambitious plans in four core education reform areas:

- Adopting standards and assessments that prepare students to succeed in college and the workplace and to compete in the global economy;
- Building data systems that measure student growth and success, and inform teachers and principals about how they can improve instruction;
- Recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most; and
- Turning around our lowest-achieving schools.

Race to the Top will reward States that have demonstrated success in raising student achievement and have the best plans to accelerate their reforms in the future. These States will offer models for others to follow and will spread the best reform ideas across their States, and across the country.

KEY TIMING

The Department plans to make Race to the Top grants in two phases. States that are ready to apply now may do so in Phase 1; States that need more time may apply in Phase 2. States that apply in Phase 1 but are not awarded grants may reapply for funding in Phase 2, together with States that are applying for the first time in Phase 2. Phase 1 grantees may not apply for additional funding in Phase 2.

Notices Published:	November 2009
Technical Assistance:	
Informational Conference Calls:	November and December 2009
Technical Assistance Workshops:	December 3 in Denver, CO; December 10 in Washington, D.C.
Other Events	TBD
Applications:	
Phase 1 Applications Due:	January 19, 2010
Phase 1 Awards Announced:	April 2010
Phase 2 Applications Due:	June 1, 2010
Phase 2 Awards Announced:	September 2010

OVERVIEW OF PROGRAM AND POINTS

Selection Criteria

A. State Success Factors (125 points)

- (A)(1) Articulating State's education reform agenda and LEAs' participation in it (65 points)
- (A)(2) Building strong statewide capacity to implement, scale up, and sustain proposed plans (30 points)
- (A)(3) Demonstrating significant progress in raising achievement and closing gaps (30 points)

B. Standards and Assessments (70 points)

- (B)(1) Developing and adopting common standards (40 points)
- (B)(2) Developing and implementing common, high-quality assessments (10 points)
- (B)(3) Supporting the transition to enhanced standards and high-quality assessments (20 points)

C. Data Systems to Support Instruction (47 points)

- (C)(1) Fully implementing a statewide longitudinal data system (24 points)
- (C)(2) Accessing and using State data (5 points)
- (C)(3) Using data to improve instruction (18 points)

D. Great Teachers and Leaders (138 points)

- (D)(1) Providing high-quality pathways for aspiring teachers and principals (21 points)
- (D)(2) Improving teacher and principal effectiveness based on performance (58 points)
- (D)(3) Ensuring equitable distribution of effective teachers and principals (25 points)
- (D)(4) Improving the effectiveness of teacher and principal preparation programs (14 points)
- (D)(5) Providing effective support to teachers and principals (20 points)

E. Turning Around the Lowest-Achieving Schools (50 points)

- (E)(1) Intervening in the lowest-achieving schools and LEAs (10 points)
- (E)(2) Turning around the lowest-achieving schools (40 points)

F. General Selection Criteria (55 points)

- (F)(1) Making education funding a priority (10 points)
- (F)(2) Ensuring successful conditions for high-performing charters and other innovative schools (40 points)
- (F)(3) Demonstrating other significant reform conditions (5 points)

Priorities

Priority 1: Absolute Priority – Comprehensive Approach to Education Reform

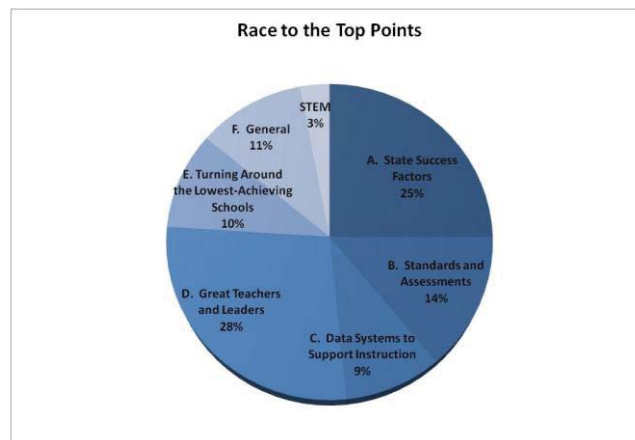
Priority 2: Competitive Preference Priority – Emphasis on Science, Technology, Engineering, and Mathematics (STEM) (15 points, all or nothing)

Priority 3: Invitational Priority – Innovations for Improving Early Learning Outcomes

Priority 4: Invitational Priority – Expansion and Adaptation of Statewide Longitudinal Data Systems

Priority 5: Invitational Priority – P-20 Coordination, Vertical and Horizontal Alignment

Priority 6: Invitational Priority – School-Level Conditions for Reform, Innovation, and Learning



ELIGIBILITY REQUIREMENTS

A State must meet the following requirements in order to be eligible to receive funds under this program.

(a) The State's applications for funding under Phase 1 and Phase 2 of the State Fiscal Stabilization Fund program must be approved by the Department prior to the State being awarded a Race to the Top grant.

(b) At the time the State submits its application, there must not be any legal, statutory, or regulatory barriers at the State level to linking data on student achievement (as defined in this notice) or student growth (as defined in this notice) to teachers and principals for the purpose of teacher and principal evaluation.

PRIORITIES

Priority 1: Absolute Priority -- Comprehensive Approach to Education Reform

To meet this priority, the State's application must comprehensively and coherently address all of the four education reform areas specified in the ARRA as well as the State Success Factors Criteria in order to demonstrate that the State and its participating LEAs are taking a systemic approach to education reform. The State must demonstrate in its application sufficient LEA participation and commitment to successfully implement and achieve the goals in its plans; and it must describe how the State, in collaboration with its participating LEAs, will use Race to the Top and other funds to increase student achievement, decrease the achievement gaps across student subgroups, and increase the rates at which students graduate from high school prepared for college and careers.

Priority 2: Competitive Preference Priority -- Emphasis on Science, Technology, Engineering, and Mathematics (STEM). (15 points, all or nothing)

To meet this priority, the State's application must have a high-quality plan to address the need to (i) offer a rigorous course of study in mathematics, the sciences, technology, and engineering; (ii) cooperate with industry experts, museums, universities, research centers, or other STEM-capable community partners to prepare and assist teachers in integrating STEM content across grades and disciplines, in promoting effective and relevant instruction, and in offering applied learning opportunities for students; and (iii) prepare more students for advanced study and careers in the sciences, technology, engineering, and mathematics, including by addressing the needs of underrepresented groups and of women and girls in the areas of science, technology, engineering, and mathematics.

Priority 3: Invitational Priority – Innovations for Improving Early Learning Outcomes.

The Secretary is particularly interested in applications that include practices, strategies, or programs to improve educational outcomes for high-need students who are young children (pre-kindergarten through third grade) by enhancing the quality of preschool programs. Of particular interest are proposals that support practices that (i) improve school readiness (including social, emotional, and cognitive); and (ii) improve the transition between preschool and kindergarten.

Priority 4: Invitational Priority – Expansion and Adaptation of Statewide Longitudinal Data Systems.

The Secretary is particularly interested in applications in which the State plans to expand statewide longitudinal data systems to include or integrate data from special education programs, English language learner programs,¹ early childhood programs, at-risk and dropout prevention programs, and school climate and culture programs, as well as information on student mobility, human resources (*i.e.*, information on teachers, principals, and other staff), school finance, student health, postsecondary education, and other

¹ The term English language learner, as used in this notice, is synonymous with the term limited English proficient, as defined in section 9101 of the ESEA.

relevant areas, with the purpose of connecting and coordinating all parts of the system to allow important questions related to policy, practice, or overall effectiveness to be asked, answered, and incorporated into effective continuous improvement practices.

The Secretary is also particularly interested in applications in which States propose working together to adapt one State's statewide longitudinal data system so that it may be used, in whole or in part, by one or more other States, rather than having each State build or continue building such systems independently.

Priority 5: Invitational Priority -- P-20 Coordination, Vertical and Horizontal Alignment.

The Secretary is particularly interested in applications in which the State plans to address how early childhood programs, K-12 schools, postsecondary institutions, workforce development organizations, and other State agencies and community partners (*e.g.*, child welfare, juvenile justice, and criminal justice agencies) will coordinate to improve all parts of the education system and create a more seamless preschool-through-graduate school (P-20) route for students. Vertical alignment across P-20 is particularly critical at each point where a transition occurs (*e.g.*, between early childhood and K-12, or between K-12 and postsecondary/careers) to ensure that students exiting one level are prepared for success, without remediation, in the next. Horizontal alignment, that is, coordination of services across schools, State agencies, and community partners, is also important in ensuring that high-need students (as defined in this notice) have access to the broad array of opportunities and services they need and that are beyond the capacity of a school itself to provide.

Priority 6: Invitational Priority -- School-Level Conditions for Reform, Innovation, and Learning.

The Secretary is particularly interested in applications in which the State's participating LEAs (as defined in this notice) seek to create the conditions for reform and innovation as well as the conditions for learning by providing schools with flexibility and autonomy in such areas as--

- (i) Selecting staff;
- (ii) Implementing new structures and formats for the school day or year that result in increased learning time (as defined in this notice);
- (iii) Controlling the school's budget;
- (iv) Awarding credit to students based on student performance instead of instructional time;
- (v) Providing comprehensive services to high-need students (as defined in this notice) (*e.g.*, by mentors and other caring adults; through local partnerships with community-based organizations, nonprofit organizations, and other providers);
- (vi) Creating school climates and cultures that remove obstacles to, and actively support, student engagement and achievement; and
- (vii) Implementing strategies to effectively engage families and communities in supporting the academic success of their students.

SELECTION CRITERIA

A. State Success Factors (125 points)

(A)(1) Articulating State's education reform agenda and LEAs' participation in it (65 points)

The extent to which—

- (i) The State has set forth a comprehensive and coherent reform agenda that clearly articulates its goals for implementing reforms in the four education areas described in the ARRA and improving student outcomes statewide, establishes a clear and credible path to achieving these goals, and is consistent with the specific reform plans that the State has proposed throughout its application; (5 points)
- (ii) The participating LEAs (as defined in this notice) are strongly committed to the State's plans and to effective implementation of reform in the four education areas, as evidenced by Memoranda of Understanding (MOUs) (as set forth in Appendix D)² or other binding agreements between the State and its participating LEAs (as defined in this notice) that include— (45 points)
 - (a) Terms and conditions that reflect strong commitment by the participating LEAs (as defined in this notice) to the State's plans;
 - (b) Scope-of-work descriptions that require participating LEAs (as defined in this notice) to implement all or significant portions of the State's Race to the Top plans; and
 - (c) Signatures from as many as possible of the LEA superintendent (or equivalent), the president of the local school board (or equivalent, if applicable), and the local teachers' union leader (if applicable) (one signature of which must be from an authorized LEA representative) demonstrating the extent of leadership support within participating LEAs (as defined in this notice); and
- (iii) The LEAs that are participating in the State's Race to the Top plans (including considerations of the numbers and percentages of participating LEAs, schools, K-12 students, and students in poverty) will translate into broad statewide impact, allowing the State to reach its ambitious yet achievable goals, overall and by student subgroup, for— (15 points)
 - (a) Increasing student achievement in (at a minimum) reading/language arts and mathematics, as reported by the NAEP and the assessments required under the ESEA;
 - (b) Decreasing achievement gaps between subgroups in reading/language arts and mathematics, as reported by the NAEP and the assessments required under the ESEA;
 - (c) Increasing high school graduation rates (as defined in this notice); and
 - (d) Increasing college enrollment (as defined in this notice) and increasing the number of students who complete at least a year's worth of college credit that is applicable to a degree within two years of enrollment in an institution of higher education.

(A)(2) Building strong statewide capacity to implement, scale up, and sustain proposed plans (30 points)

The extent to which the State has a high-quality overall plan to—

- (i) Ensure that it has the capacity required to implement its proposed plans by— (20 points)
 - (a) Providing strong leadership and dedicated teams to implement the statewide education reform plans the State has proposed;
 - (b) Supporting participating LEAs (as defined in this notice) in successfully implementing the education reform plans the State has proposed, through such activities as identifying promising practices, evaluating these practices' effectiveness, ceasing ineffective practices, widely disseminating and replicating the effective practices statewide, holding participating LEAs (as defined in this notice) accountable for progress and performance, and intervening where necessary;
 - (c) Providing effective and efficient operations and processes for implementing its Race to the Top grant in such areas as grant administration and oversight, budget reporting and monitoring, performance measure tracking and reporting, and fund disbursement;

² See Appendix D for more on participating LEA MOUs and for a model MOU.

(d) Using the funds for this grant, as described in the State's budget and accompanying budget narrative, to accomplish the State's plans and meet its targets, including, where feasible, by coordinating, reallocating, or repurposing education funds from other Federal, State, and local sources so that they align with the State's Race to the Top goals; and

(e) Using the fiscal, political, and human capital resources of the State to continue, after the period of funding has ended, those reforms funded under the grant for which there is evidence of success; and

(ii) Use support from a broad group of stakeholders to better implement its plans, as evidenced by the strength of statements or actions of support from— (10 points)

(a) The State's teachers and principals, which include the State's teachers' unions or statewide teacher associations; and

(b) Other critical stakeholders, such as the State's legislative leadership; charter school authorizers and State charter school membership associations (if applicable); other State and local leaders (e.g., business, community, civil rights, and education association leaders); Tribal schools; parent, student, and community organizations (e.g., parent-teacher associations, nonprofit organizations, local education foundations, and community-based organizations); and institutions of higher education.

(A)(3) Demonstrating significant progress in raising achievement and closing gaps (30 points)

The extent to which the State has demonstrated its ability to—

(i) Make progress over the past several years in each of the four education reform areas, and used its ARRA and other Federal and State funding to pursue such reforms; (5 points)

(ii) Improve student outcomes overall and by student subgroup since at least 2003, and explain the connections between the data and the actions that have contributed to— (25 points)

(a) Increasing student achievement in reading/language arts and mathematics, both on the NAEP and on the assessments required under the ESEA;

(b) Decreasing achievement gaps between subgroups in reading/language arts and mathematics, both on the NAEP and on the assessments required under the ESEA; and

(c) Increasing high school graduation rates.

B. Standards and Assessments (70 points)

State Reform Conditions Criteria

(B)(1) Developing and adopting common standards (40 points)

The extent to which the State has demonstrated its commitment to adopting a common set of high-quality standards, evidenced by (as set forth in Appendix B)—

(i) The State's participation in a consortium of States that— (20 points)

(a) Is working toward jointly developing and adopting a common set of K-12 standards (as defined in this notice) that are supported by evidence that they are internationally benchmarked and build toward college and career readiness by the time of high school graduation; and

(b) Includes a significant number of States; and

(ii) (20 points)

(a) For Phase 1 applications, the State's high-quality plan demonstrating its commitment to and progress toward adopting a common set of K-12 standards (as defined in this notice) by August 2, 2010, or, at a minimum, by a later date in 2010 specified by the State, and to implementing the standards thereafter in a well-planned way; or

(b) For Phase 2 applications, the State's adoption of a common set of K-12 standards (as defined in this notice) by August 2, 2010, or, at a minimum, by a later date in 2010 specified by the State in a high-quality plan toward which the State has made significant progress, and its commitment to implementing the standards thereafter in a well-planned way.³

³ Phase 2 applicants addressing selection criterion (B)(1)(ii) may amend their June 1, 2010 application submission through August 2, 2010 by submitting evidence of adopting common standards after June 1, 2010.

(B)(2) Developing and implementing common, high-quality assessments (10 points)

The extent to which the State has demonstrated its commitment to improving the quality of its assessments, evidenced by (as set forth in Appendix B) the State’s participation in a consortium of States that—

- (i) Is working toward jointly developing and implementing common, high-quality assessments (as defined in this notice) aligned with the consortium’s common set of K-12 standards (as defined in this notice); and
- (ii) Includes a significant number of States.

Reform Plan Criteria

(B)(3) Supporting the transition to enhanced standards and high-quality assessments (20 points)

The extent to which the State, in collaboration with its participating LEAs (as defined in this notice), has a high-quality plan for supporting a statewide transition to and implementation of internationally benchmarked K-12 standards that build toward college and career readiness by the time of high school graduation, and high-quality assessments (as defined in this notice) tied to these standards. State or LEA activities might, for example, include: developing a rollout plan for the standards together with all of their supporting components; in cooperation with the State’s institutions of higher education, aligning high school exit criteria and college entrance requirements with the new standards and assessments; developing or acquiring, disseminating, and implementing high-quality instructional materials and assessments (including, for example, formative and interim assessments (both as defined in this notice)); developing or acquiring and delivering high-quality professional development to support the transition to new standards and assessments; and engaging in other strategies that translate the standards and information from assessments into classroom practice for all students, including high-need students (as defined in this notice).

C. Data Systems to Support Instruction (47 points)

State Reform Conditions Criteria

(C)(1) Fully implementing a statewide longitudinal data system (24 points)

The extent to which the State has a statewide longitudinal data system that includes all of the America COMPETES Act elements (as defined in this notice).

Reform Plan Criteria

(C)(2) Accessing and using State data (5 points)

The extent to which the State has a high-quality plan to ensure that data from the State’s statewide longitudinal data system are accessible to, and used to inform and engage, as appropriate, key stakeholders (e.g., parents, students, teachers, principals, LEA leaders, community members, unions, researchers, and policymakers); and that the data support decision-makers in the continuous improvement of efforts in such areas as policy, instruction, operations, management, resource allocation, and overall effectiveness.⁴

(C)(3) Using data to improve instruction (18 points)

The extent to which the State, in collaboration with its participating LEAs (as defined in this notice), has a high-quality plan to—

- (i) Increase the acquisition, adoption, and use of local instructional improvement systems (as defined in this notice) that provide teachers, principals, and administrators with the information and resources they need to inform and improve their instructional practices, decision-making, and overall effectiveness;
- (ii) Support participating LEAs (as defined in this notice) and schools that are using instructional improvement systems (as defined in this notice) in providing effective professional development to teachers,

⁴ Successful applicants that receive Race to the Top grant awards will need to comply with the Family Educational Rights and Privacy Act (FERPA), including 34 CFR Part 99, as well as State and local requirements regarding privacy.

principals, and administrators on how to use these systems and the resulting data to support continuous instructional improvement; and

(iii) Make the data from instructional improvement systems (as defined in this notice), together with statewide longitudinal data system data, available and accessible to researchers so that they have detailed information with which to evaluate the effectiveness of instructional materials, strategies, and approaches for educating different types of students (*e.g.*, students with disabilities, English language learners, students whose achievement is well below or above grade level).

D. Great Teachers and Leaders (138 points)

State Reform Conditions Criteria

(D)(1) Providing high-quality pathways for aspiring teachers and principals (21 points)

The extent to which the State has—

(i) Legal, statutory, or regulatory provisions that allow alternative routes to certification (as defined in this notice) for teachers and principals, particularly routes that allow for providers in addition to institutions of higher education;

(ii) Alternative routes to certification (as defined in this notice) that are in use; and

(iii) A process for monitoring, evaluating, and identifying areas of teacher and principal shortage and for preparing teachers and principals to fill these areas of shortage.

Reform Plan Criteria

(D)(2) Improving teacher and principal effectiveness based on performance (58 points)

The extent to which the State, in collaboration with its participating LEAs (as defined in this notice), has a high-quality plan and ambitious yet achievable annual targets to ensure that participating LEAs (as defined in this notice)—

(i) Establish clear approaches to measuring student growth (as defined in this notice) and measure it for each individual student; (5 points)

(ii) Design and implement rigorous, transparent, and fair evaluation systems for teachers and principals that (a) differentiate effectiveness using multiple rating categories that take into account data on student growth (as defined in this notice) as a significant factor, and (b) are designed and developed with teacher and principal involvement; (15 points)

(iii) Conduct annual evaluations of teachers and principals that include timely and constructive feedback; as part of such evaluations, provide teachers and principals with data on student growth for their students, classes, and schools; and (10 points)

(iv) Use these evaluations, at a minimum, to inform decisions regarding— (28 points)

(a) Developing teachers and principals, including by providing relevant coaching, induction support, and/or professional development;

(b) Compensating, promoting, and retaining teachers and principals, including by providing opportunities for highly effective teachers and principals (both as defined in this notice) to obtain additional compensation and be given additional responsibilities;

(c) Whether to grant tenure and/or full certification (where applicable) to teachers and principals using rigorous standards and streamlined, transparent, and fair procedures; and

(d) Removing ineffective tenured and untenured teachers and principals after they have had ample opportunities to improve, and ensuring that such decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

(D)(3) Ensuring equitable distribution of effective teachers and principals (25 points)

The extent to which the State, in collaboration with its participating LEAs (as defined in this notice), has a high-quality plan and ambitious yet achievable annual targets to—

(i) Ensure the equitable distribution of teachers and principals by developing a plan, informed by reviews of prior actions and data, to ensure that students in high-poverty and/or high-minority schools (both as defined in this notice) have equitable access to highly effective teachers and principals (both as defined in

this notice) and are not served by ineffective teachers and principals at higher rates than other students; and (15 points)

(ii) Increase the number and percentage of effective teachers (as defined in this notice) teaching hard-to-staff subjects and specialty areas including mathematics, science, and special education; teaching in language instruction educational programs (as defined under Title III of the ESEA); and teaching in other areas as identified by the State or LEA. (10 points)

Plans for (i) and (ii) may include, but are not limited to, the implementation of incentives and strategies in such areas as recruitment, compensation, teaching and learning environments, professional development, and human resources practices and processes.

(D)(4) Improving the effectiveness of teacher and principal preparation programs (14 points)

The extent to which the State has a high-quality plan and ambitious yet achievable annual targets to—

(i) Link student achievement and student growth (both as defined in this notice) data to the students' teachers and principals, to link this information to the in-State programs where those teachers and principals were prepared for credentialing, and to publicly report the data for each credentialing program in the State; and

(ii) Expand preparation and credentialing options and programs that are successful at producing effective teachers and principals (both as defined in this notice).

(D)(5) Providing effective support to teachers and principals (20 points)

The extent to which the State, in collaboration with its participating LEAs (as defined in this notice), has a high-quality plan for its participating LEAs (as defined in this notice) to—

(i) Provide effective, data-informed professional development, coaching, induction, and common planning and collaboration time to teachers and principals that are, where appropriate, ongoing and job-embedded. Such support might focus on, for example, gathering, analyzing, and using data; designing instructional strategies for improvement; differentiating instruction; creating school environments supportive of data-informed decisions; designing instruction to meet the specific needs of high-need students (as defined in this notice); and aligning systems and removing barriers to effective implementation of practices designed to improve student learning outcomes; and

(ii) Measure, evaluate, and continuously improve the effectiveness of those supports in order to improve student achievement (as defined in this notice).

E. Turning Around the Lowest-Achieving Schools (50 points)

State Reform Conditions Criteria

(E)(1) Intervening in the lowest-achieving schools and LEAs (10 points)

The extent to which the State has the legal, statutory, or regulatory authority to intervene directly in the State's persistently lowest-achieving schools (as defined in this notice) and in LEAs that are in improvement or corrective action status.

Reform Plan Criteria

(E)(2) Turning around the lowest-achieving schools (40 points)

The extent to which the State has a high-quality plan and ambitious yet achievable annual targets to—

(i) Identify the persistently lowest-achieving schools (as defined in this notice) and, at its discretion, any non-Title I eligible secondary schools that would be considered persistently lowest-achieving schools (as defined in this notice) if they were eligible to receive Title I funds; and (5 points)

(ii) Support its LEAs in turning around these schools by implementing one of the four school intervention models (as described in Appendix C): turnaround model, restart model, school closure, or transformation model (provided that an LEA with more than nine persistently lowest-achieving schools may not use the transformation model for more than 50 percent of its schools). (35 points)

F. General (55 points)

State Reform Conditions Criteria

(F)(1) Making education funding a priority (10 points)

The extent to which—

- (i) The percentage of the total revenues available to the State (as defined in this notice) that were used to support elementary, secondary, and public higher education for FY 2009 was greater than or equal to the percentage of the total revenues available to the State (as defined in this notice) that were used to support elementary, secondary, and public higher education for FY 2008; and
- (ii) The State's policies lead to equitable funding (a) between high-need LEAs (as defined in this notice) and other LEAs, and (b) within LEAs, between high-poverty schools (as defined in this notice) and other schools.

(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools (40 points)

The extent to which—

- (i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools;
- (ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools;
- (iii) The State's charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues;
- (iv) The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and
- (v) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

(F)(3) Demonstrating other significant reform conditions (5 points)

The extent to which the State, in addition to information provided under other State Reform Conditions Criteria, has created, through law, regulation, or policy, other conditions favorable to education reform or innovation that have increased student achievement or graduation rates, narrowed achievement gaps, or resulted in other important outcomes.

DEFINITIONS

Alternative routes to certification means pathways to certification that are authorized under the State's laws or regulations, that allow the establishment and operation of teacher and administrator preparation programs in the State, and that have the following characteristics (in addition to standard features such as demonstration of subject-matter mastery, and high-quality instruction in pedagogy and in addressing the needs of all students in the classroom including English language learners and student with disabilities): (a) can be provided by various types of qualified providers, including both institutions of higher education and other providers operating independently from institutions of higher education; (b) are selective in accepting candidates; (c) provide supervised, school-based experiences and ongoing support such as effective

mentoring and coaching; (d) significantly limit the amount of coursework required or have options to test out of courses; and (e) upon completion, award the same level of certification that traditional preparation programs award upon completion.

College enrollment refers to the enrollment of students who graduate from high school consistent with 34 CFR 200.19(b)(1) and who enroll in an institution of higher education (as defined in section 101 of the Higher Education Act, P.L. 105-244, 20 U.S.C. 1001) within 16 months of graduation.

Common set of K-12 standards means a set of content standards that define what students must know and be able to do and that are substantially identical across all States in a consortium. A State may supplement the common standards with additional standards, provided that the additional standards do not exceed 15 percent of the State's total standards for that content area.

Effective principal means a principal whose students, overall and for each subgroup, achieve acceptable rates (*e.g.*, at least one grade level in an academic year) of student growth (as defined in this notice). States, LEAs, or schools must include multiple measures, provided that principal effectiveness is evaluated, in significant part, by student growth (as defined in this notice). Supplemental measures may include, for example, high school graduation rates and college enrollment rates, as well as evidence of providing supportive teaching and learning conditions, strong instructional leadership, and positive family and community engagement.

Effective teacher means a teacher whose students achieve acceptable rates (*e.g.*, at least one grade level in an academic year) of student growth (as defined in this notice). States, LEAs, or schools must include multiple measures, provided that teacher effectiveness is evaluated, in significant part, by student growth (as defined in this notice). Supplemental measures may include, for example, multiple observation-based assessments of teacher performance.

Formative assessment means assessment questions, tools, and processes that are embedded in instruction and are used by teachers and students to provide timely feedback for purposes of adjusting instruction to improve learning.

Graduation rate means the four-year or extended-year adjusted cohort graduation rate as defined by 34 CFR 200.19(b)(1).

Highly effective principal means a principal whose students, overall and for each subgroup, achieve high rates (*e.g.*, one and one-half grade levels in an academic year) of student growth (as defined in this notice). States, LEAs, or schools must include multiple measures, provided that principal effectiveness is evaluated, in significant part, by student growth (as defined in this notice). Supplemental measures may include, for example, high school graduation rates; college enrollment rates; evidence of providing supportive teaching and learning conditions, strong instructional leadership, and positive family and community engagement; or evidence of attracting, developing, and retaining high numbers of effective teachers.

Highly effective teacher means a teacher whose students achieve high rates (*e.g.*, one and one-half grade levels in an academic year) of student growth (as defined in this notice). States, LEAs, or schools must include multiple measures, provided that teacher effectiveness is evaluated, in significant part, by student growth (as defined in this notice). Supplemental measures may include, for example, multiple observation-based assessments of teacher performance or evidence of leadership roles (which may include mentoring or leading professional learning communities) that increase the effectiveness of other teachers in the school or LEA.

High-minority school is defined by the State in a manner consistent with its Teacher Equity Plan. The State should provide, in its Race to the Top application, the definition used.

High-need LEA means an LEA (a) that serves not fewer than 10,000 children from families with incomes below the poverty line; or (b) for which not less than 20 percent of the children served by the LEA are from families with incomes below the poverty line.

High-need students means students at risk of educational failure or otherwise in need of special assistance and support, such as students who are living in poverty, who attend high-minority schools (as defined in this notice), who are far below grade level, who have left school before receiving a regular high school diploma, who are at risk of not graduating with a diploma on time, who are homeless, who are in foster care, who have been incarcerated, who have disabilities, or who are English language learners.

High-performing charter school means a charter school that has been in operation for at least three consecutive years and has demonstrated overall success, including (a) substantial progress in improving student achievement (as defined in this notice); and (b) the management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

High-poverty school means, consistent with section 1111(h)(1)(C)(viii) of the ESEA, a school in the highest quartile of schools in the State with respect to poverty level, using a measure of poverty determined by the State.

High-quality assessment means an assessment designed to measure a student's knowledge, understanding of, and ability to apply, critical concepts through the use of a variety of item types and formats (*e.g.*, open-ended responses, performance-based tasks). Such assessments should enable measurement of student achievement (as defined in this notice) and student growth (as defined in this notice); be of high technical quality (*e.g.*, be valid, reliable, fair, and aligned to standards); incorporate technology where appropriate; include the assessment of students with disabilities and English language learners; and to the extent feasible, use universal design principles (as defined in section 3 of the Assistive Technology Act of 1998, as amended, 29 U.S.C. 3002) in development and administration.

Increased learning time means using a longer school day, week, or year schedule to significantly increase the total number of school hours to include additional time for (a) instruction in core academic subjects, including English; reading or language arts; mathematics; science; foreign languages; civics and government; economics; arts; history; and geography; (b) instruction in other subjects and enrichment activities that contribute to a well-rounded education, including, for example, physical education, service learning, and experiential and work-based learning opportunities that are provided by partnering, as appropriate, with other organizations; and (c) teachers to collaborate, plan, and engage in professional development within and across grades and subjects.⁵

Innovative, autonomous public schools means open enrollment public schools that, in return for increased accountability for student achievement (as defined in this notice), have the flexibility and authority to define their instructional models and associated curriculum; select and replace staff; implement new structures and formats for the school day or year; and control their budgets.

Instructional improvement systems means technology-based tools and other strategies that provide teachers, principals, and administrators with meaningful support and actionable data to systemically manage continuous instructional improvement, including such activities as: instructional planning; gathering information (*e.g.*, through formative assessments (as defined in this notice), interim assessments (as defined in this notice), summative assessments, and looking at student work and other student data); analyzing information with the support of rapid-time (as defined in this notice) reporting; using this information to inform decisions on appropriate next instructional steps; and evaluating the effectiveness of the actions taken. Such systems promote collaborative problem-solving and action planning; they may also integrate instructional data with student-level data such as attendance, discipline, grades, credit accumulation, and student survey results to provide early warning indicators of a student's risk of educational failure.

Interim assessment means an assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic

⁵ Research supports the effectiveness of well-designed programs that expand learning time by a minimum of 300 hours per school year. (See Frazier, Julie A.; Morrison, Frederick J. "The Influence of Extended-year Schooling on Growth of Achievement and Perceived Competence in Early Elementary School." *Child Development*. Vol. 69 (2), April 1998, pp.495-497 and research done by Mass2020.) Extending learning into before- and after-school hours can be difficult to implement effectively, but is permissible under this definition with encouragement to closely integrate and coordinate academic work between in-school and out-of school. (See James-Burdumy, Susanne; Dynarski, Mark; Deke, John. "When Elementary Schools Stay Open Late: Results from The National Evaluation of the 21st Century Community Learning Centers Program." <http://www.mathematica-mpr.com/publications/redirect_PubsDB.asp?strSite=http://epa.sagepub.com/cgi/content/abstract/29/4/296> Educational Evaluation and Policy Analysis, Vol. 29 (4), December 2007, Document No. PP07-121.)

standards, and produces results that can be aggregated (*e.g.*, by course, grade level, school, or LEA) in order to inform teachers and administrators at the student, classroom, school, and LEA levels.

Involved LEAs means LEAs that choose to work with the State to implement those specific portions of the State’s plan that necessitate full or nearly-full statewide implementation, such as transitioning to a common set of K-12 standards (as defined in this notice). Involved LEAs do not receive a share of the 50 percent of a State’s grant award that it must subgrant to LEAs in accordance with section 14006(c) of the ARRA, but States may provide other funding to involved LEAs under the State’s Race to the Top grant in a manner that is consistent with the State’s application.

Low-minority school is defined by the State in a manner consistent with its Teacher Equity Plan. The State should provide, in its Race to the Top application, the definition used.

Low-poverty school means, consistent with section 1111(h)(1)(C)(viii) of the ESEA, a school in the lowest quartile of schools in the State with respect to poverty level, using a measure of poverty determined by the State.

Participating LEAs means LEAs that choose to work with the State to implement all or significant portions of the State’s Race to the Top plan, as specified in each LEA’s agreement with the State. Each participating LEA that receives funding under Title I, Part A will receive a share of the 50 percent of a State’s grant award that the State must subgrant to LEAs, based on the LEA’s relative share of Title I, Part A allocations in the most recent year, in accordance with section 14006(c) of the ARRA. Any participating LEA that does not receive funding under Title I, Part A (as well as one that does) may receive funding from the State’s other 50 percent of the grant award, in accordance with the State’s plan.

Persistently lowest-achieving schools means, as determined by the State: (i) Any Title I school in improvement, corrective action, or restructuring that (a) Is among the lowest-achieving five percent of Title I schools in improvement, corrective action, or restructuring or the lowest-achieving five Title I schools in improvement, corrective action, or restructuring in the State, whichever number of schools is greater; or (b) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years; and (ii) Any secondary school that is eligible for, but does not receive, Title I funds that (a) Is among the lowest-achieving five percent of secondary schools or the lowest-achieving five secondary schools in the State that are eligible for, but do not receive, Title I funds, whichever number of schools is greater; or (b) Is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years.

To identify the lowest-achieving schools, a State must take into account both (i) The academic achievement of the “all students” group in a school in terms of proficiency on the State’s assessments under section 1111(b)(3) of the ESEA in reading/language arts and mathematics combined; and (ii) The school’s lack of progress on those assessments over a number of years in the “all students” group.

Rapid-time, in reference to reporting and availability of locally-collected school- and LEA-level data, means that data are available quickly enough to inform current lessons, instruction, and related supports.

Student achievement means—

(a) For tested grades and subjects: (1) a student’s score on the State’s assessments under the ESEA; and, as appropriate, (2) other measures of student learning, such as those described in paragraph (b) of this definition, provided they are rigorous and comparable across classrooms.

(b) For non-tested grades and subjects: alternative measures of student learning and performance such as student scores on pre-tests and end-of-course tests; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across classrooms.

Student growth means the change in student achievement (as defined in this notice) for an individual student between two or more points in time. A State may also include other measures that are rigorous and comparable across classrooms.

Total revenues available to the State means either (a) projected or actual total State revenues for education and other purposes for the relevant year; or (b) projected or actual total State appropriations for education and other purposes for the relevant year.

America COMPETES Act elements means (as specified in section 6401(e)(2)(D) of that Act): (1) a unique statewide student identifier that does not permit a student to be individually identified by users of the

system; (2) student-level enrollment, demographic, and program participation information; (3) student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete P-16 education programs; (4) the capacity to communicate with higher education data systems; (5) a State data audit system assessing data quality, validity, and reliability; (6) yearly test records of individual students with respect to assessments under section 1111(b) of the ESEA (20 U.S.C. 6311(b)); (7) information on students not tested by grade and subject; (8) a teacher identifier system with the ability to match teachers to students; (9) student-level transcript information, including information on courses completed and grades earned; (10) student-level college readiness test scores; (11) information regarding the extent to which students transition successfully from secondary school to postsecondary education, including whether students enroll in remedial coursework; and (12) other information determined necessary to address alignment and adequate preparation for success in postsecondary education.

Q

PROGRAMS (/PROGRAMS/LANDING.JHTML?SRC=LN)

RACE TO THE TOP FUND

- Purpose**
[\(/programs/racetothetop/index.html\)](/programs/racetothetop/index.html)

Funding Status
[\(/programs/racetothetop/funding.html\)](/programs/racetothetop/funding.html)
- Eligibility**
[\(/programs/racetothetop/eligibility.html\)](/programs/racetothetop/eligibility.html)

Laws, Regs, & Guidance
[\(/programs/racetothetop/legislation.html\)](/programs/racetothetop/legislation.html)
- Applicant Info**
[\(/programs/racetothetop/applicant.html\)](/programs/racetothetop/applicant.html)

Resources
[\(/programs/racetothetop/resources.html\)](/programs/racetothetop/resources.html)
- Awards**
[\(/programs/racetothetop/awards.html\)](/programs/racetothetop/awards.html)

FAQs
[\(/programs/racetothetop/faq.html\)](/programs/racetothetop/faq.html)
- Performance**
[\(/programs/racetothetop/performance.html\)](/programs/racetothetop/performance.html)

Contacts
[\(/programs/racetothetop/contacts.html\)](/programs/racetothetop/contacts.html)

[Office of the Deputy Secretary Home \(/about/offices/list/ods/\)](/about/offices/list/ods/)









Awards

Scopes of Work Decision Letters

[Awards/Scopes of Work Decision Letters](#) | [State Scopes of Work and Budgets \(/programs/racetothetop/state-scope-of-work/\)](/programs/racetothetop/state-scope-of-work/) | [Amendments/Decision Letters \(/programs/racetothetop/amendments/\)](/programs/racetothetop/amendments/)

The Secretary announced the winners for Phase 1 (<http://www.ed.gov/news/press-releases/delaware-and-tennessee-win-first-race-top-grants>) of Race to the Top on March 29, 2010, the winners for Phase 2 (<http://www.ed.gov/news/press-releases/nine-states-and-district-columbia-win-second-round-race-top-grants>) on August 24, 2010, and the winners for Phase 3 (<http://www.ed.gov/news/press-releases/department-education-awards-200-million-seven-states-advance-k-12-reform>) on December 22, 2011. Within 90 days of the award, grantees were responsible for submitting Scopes of Work for all of the State's participating local educational agencies (LEAs) and a Scope of Work for the State's overall project consistent with its approved plan. State and LEA Scopes of Work must include specific goals, activities, timelines, budgets, key personnel, and annual targets for key performance measures.

Phases 1 and 2

State	Award Letter	Scopes of Work—Decision Letters
Delaware	 PDF (171K) (/programs/racetothetop/phase1-awards/delaware.pdf) (as of June 2010)	 PDF (148K) (/programs/racetothetop/sow-letters/delaware.pdf) (as of July 2010)
District of Columbia	 PDF (62.1K) (/programs/racetothetop/phase2-awards/district-of-columbia.pdf) (as of September 2010)	 PDF (212K) (/programs/racetothetop/sow-letters/district-of-columbia.pdf) (as of February 2011)
Florida	 PDF (63.5K) (/programs/racetothetop/phase2-awards/florida.pdf) (as of September 2010)	 PDF (507K) (/programs/racetothetop/sow-letters/florida.pdf) (as of November 2011)
	 PDF (63.5K) (/programs/racetothetop/phase2-awards/georgia2.pdf) (as of July 2011)	 PDF (29K) (/programs/racetothetop/sow-letters/georgia2.pdf) (as of July 2011)

Georgia	awards/georgia.pdf) (as of September 2010)	PDF (220K) (/programs/racetothetop/sow-letters/georgia.pdf) (as of February 2011)
Hawaii	PDF (63.5K) (/programs/racetothetop/phase2-awards/hawaii.pdf) (as of September 2010)	PDF (61K) (/programs/racetothetop/sow-letters/hawaii.pdf) (as of March 2011)
Maryland	PDF (63.5K) (/programs/racetothetop/phase2-awards/maryland.pdf) (as of September 2010)	PDF (172K) (/programs/racetothetop/sow-letters/maryland2.pdf) (as of April 2011) PDF (196K) (/programs/racetothetop/sow-letters/maryland.pdf) (as of February 2011)
Massachusetts	PDF (63.5K) (/programs/racetothetop/phase2-awards/massachusetts.pdf) (as of September 2010)	PDF (144K) (/programs/racetothetop/sow-letters/massachusetts.pdf) (as of January 2011)
New York	PDF (63.5K) (/programs/racetothetop/phase2-awards/new-york.pdf) (as of September 2010)	PDF (110K) (/programs/racetothetop/sow-letters/new-york.pdf) (as of July 2011)
North Carolina	PDF (63.6K) (/programs/racetothetop/phase2-awards/north-carolina.pdf) (as of September 2010)	PDF (200K) (/programs/racetothetop/sow-letters/north-carolina.pdf) (as of January 2011)
Ohio	PDF (63.5K) (/programs/racetothetop/phase2-awards/ohio.pdf) (as of September 2010)	PDF (196K) (/programs/racetothetop/sow-letters/ohio.pdf) (as of January 2011)
Rhode Island	PDF (63.6K) (/programs/racetothetop/phase2-awards/rhode-island.pdf) (as of September 2010)	PDF (196K) (/programs/racetothetop/sow-letters/rhode-island.pdf) (as of April 2011)
Tennessee	PDF (238K) (/programs/racetothetop/phase1-awards/tennessee.pdf) (as of July 2010)	PDF (196K) (/programs/racetothetop/sow-letters/tennessee.pdf) (as of February 2011)

Phase 3

State	Award Letter	Scopes of Work—Decision Letters
Arizona	PDF (254K) (/programs/racetothetop/phase3-awards/arizona.pdf) (as of December 2011)	PDF (94K) (/programs/racetothetop/sow-letters/arizona.pdf) (as of June 2012)
Colorado	PDF (254K) (/programs/racetothetop/phase3-awards/colorado.pdf) (as of December 2011)	PDF (66K) (/programs/racetothetop/sow-letters/colorado.pdf) (as of May 2012)
Illinois	PDF (254K) (/programs/racetothetop/phase3-awards/illinois.pdf) (as of December 2011)	PDF (188K) (/programs/racetothetop/sow-letters/illinois.pdf) (as of August 2012)
Kentucky	PDF (254K) (/programs/racetothetop/phase3-awards/kentucky.pdf) (as of December 2011)	PDF (107K) (/programs/racetothetop/sow-letters/kentucky.pdf) (as of July 2012)
Louisiana	PDF (254K) (/programs/racetothetop/phase3-awards/louisiana.pdf) (as of December 2011)	PDF (51K) (/programs/racetothetop/sow-letters/louisiana.pdf) (as of February 2013)
New Jersey	PDF (254K) (/programs/racetothetop/phase3-awards/new-jersey.pdf) (as of December 2011)	PDF (37K) (/programs/racetothetop/sow-letters/new-jersey.pdf) (as of June 2012)
Pennsylvania	PDF (254K) (/programs/racetothetop/phase3-awards/pennsylvania.pdf) (as of December 2011)	PDF (106K) (/programs/racetothetop/sow-letters/pennsylvania.pdf) (as of March 7, 2013)



(/print/programs/racetothetop/awards.html)

Printable view (/print/programs/racetothetop/awards.html)



SHARE



(http://www.addthis.com/bookmark.php?v=250)

Last Modified: 03/18/2013

How Do I Find...

- Student loans, forgiveness (</fund/grants-college.html?src=rn>)
- College accreditation (<http://ope.ed.gov/accreditation/>)
- No Child Left Behind (</nclb/landing.jhtml?src=rn>)
- FERPA (</policy/gen/guid/fpco/ferpa/index.html?src=rn>)
- FAFSA (<http://fafsa.ed.gov/>)
- 1098-E Tax Form (<http://www.ed.gov/1098-e>)
- 2015 Budget Proposal (<http://www.ed.gov/budget15>)

[More > \(/about/top-tasks.html?src=rn\)](/about/top-tasks.html?src=rn)

Information About...

- Transforming Teaching (<http://www.ed.gov/teaching>)
- Family and Community Engagement (<http://www.ed.gov/family-and-community-engagement>)
- Early Learning (<http://www.ed.gov/early-learning>)
- K-12 Reforms (<http://www.ed.gov/k-12reforms>)

[More > \(http://www.ed.gov/priorities\)](http://www.ed.gov/priorities)

Connect



Facebook

(<http://www.facebook.com/SecretaryArneDuncan>)



Twitter (<http://twitter.com/usedgov>)



YouTube (<http://www.youtube.com/user/usedgov>)



Email

(https://public.govdelivery.com/accounts/USED/subscriber/new?topic_id=USED_5)



RSS (<http://www.ed.gov/feed>)



Google+

(<https://plus.google.com/+usdepartmentofeducation>)

[More > \(http://www2.ed.gov/about/overview/focus/social-media.html?src=rn\)](http://www2.ed.gov/about/overview/focus/social-media.html?src=rn)

Related Topics

• **No Related Topics Found**

Student Loans

(</fund/grants-college.html?src=ft>)

Repaying Loans (<http://studentaid.ed.gov/repay-loans?src=ft>)

Defaulted Loans (<http://studentaid.ed.gov/repay-loans/default?src=ft>)

Loan Forgiveness (<http://studentaid.ed.gov/repay-loans/forgiveness-cancellation?src=ft>)

Loan Servicers (<https://studentaid.ed.gov/repay-loans/understand/servicers?src=ft#who-is-my-loan-servicer>)

Grants & Programs

(</fund/grants-apply.html?src=ft>)

Apply for Pell Grants (<http://www.fafsa.ed.gov/?src=ft>)

Grants Forecast (</fund/grant/find/edlite-forecast.html?src=ft>)

Apply for a Grant (</fund/grant/apply/grantapps/index.html?src=ft>)

Eligibility for Grants (</programs/find/elig/index.html?src=ft>)

Laws & Guidance

(</policy/?src=ft>)

No Child Left Behind (</nclb/?src=ft>)

[FERPA \(/policy/gen/guid/fpco/ferpa/index.html?src=ft\)](#)

[Civil Rights \(/about/offices/list/ocr/know.html?src=ft\)](#)

Data & Research

[\(/rschstat/?src=ft\)](#)

[Education Statistics \(http://nces.ed.gov/?src=ft\)](#)

[Postsecondary Education Data \(http://nces.ed.gov/ipeds/?src=ft\)](#)

[State Education Data \(http://eddataexpress.ed.gov/?src=ft\)](#)

[Nation's Report Card \(http://nces.ed.gov/nationsreportcard/?src=ft\)](#)

[What Works Clearinghouse \(http://ies.ed.gov/ncee/wwc/?src=ft\)](#)

About Us

[\(/about/?src=ft\)](#)

[Contact Us \(/about/contacts/gen/?src=ft\)](#)

[ED Offices \(/about/offices/list/?src=ft\)](#)

[Jobs \(http://www.ed.gov/jobs/?src=ft\)](#)

[Press Releases \(http://www.ed.gov/news/?src=ft\)](#)

[FAQs \(https://answers.ed.gov/?src=ft\)](#)

[Budget, Performance \(/about/overview/focus/performance.html?src=ft\)](#)

[Notices \(/notices/index.html?src=ft\)](#) [FOIA \(/policy/gen/leg/foia/foiatoc.html?src=ft\)](#) [Privacy \(/notices/privacy/index.html\)](#)
[Accessibility \(/notices/accessibility/index.html\)](#) [Security \(/notices/security/index.html?src=ft\)](#) [Information quality \(/policy/gen/guid/infoqualguide.html?src=ft\)](#)
[Inspector General \(/about/offices/list/oig/index.html?src=ft\)](#) [Whitehouse.gov \(http://www.whitehouse.gov/\)](#) [USA.gov \(http://www.usa.gov/\)](#)
[Benefits.gov \(http://www.benefits.gov/\)](#) [Regulations.gov \(http://www.regulations.gov/\)](#)

SENATE RULES COMMITTEE	AB 2812
Office of Senate Floor Analyses	
1020 N Street, Suite 524	
(916) 445-6614 Fax: (916)	
327-4478	

THIRD READING

Bill No: AB 2812
 Author: Mazzone (D)
 Amended: 8/25/00 in Senate
 Vote: 21

SENATE EDUCATION COMMITTEE : 11-0, 7/5/00
 AYES: Alpert, McPherson, Alarcon, Chesbro, Dunn, Hayden,
 Hughes, Knight, Monteith, Sher, Vasconcellos

SENATE APPROPRIATIONS COMMITTEE : 13-0, 8/23/00
 AYES: Johnston, Alpert, Bowen, Burton, Escutia, Johnson,
 Karnette, Kelley, Leslie, McPherson, Mountjoy, Perata,
 Vasconcellos

ASSEMBLY FLOOR : 76-0, 5/31/00 - See last page for vote

SUBJECT : California Assessment of Academic Achievement

SOURCE : Secretary for Education

DIGEST : This bill repeals existing requirements that the State Board of Education (SBE) adopt an assessment of applied academic skills, known informally as a "matrix test", upon joint certification of the Superintendent of Public Instruction (SPI) and the SBE that the current standardized test of basic skills and "augmentation" have been further augmented with a writing sample to be administered once in elementary school and once in middle school.

ANALYSIS : Current law sets forth a comprehensive design
 CONTINUED

AB 2812
 Page

2

for assessment of California pupils in grades 2 through 11. The current law, which was first established in 1995 by AB 265 (Chapter 975, Alpert) calls for the SBE to adopt academically rigorous content and performance standards for the core curricular areas of reading, writing, mathematics, history/social science and science. School districts are not required to teach to the standards, but a variety of incentives and accountability measures have been established that require schools to be accountable for meeting the "voluntary" standards. The standards are to be assessed by a SBE adopted test of applied academic skills that is to be administered to pupils in grades 4 (reading, writing and math only), 5 (history/social science and science only), and 8 and 10.

In 1997, at the request of Governor Wilson, the system of allowing local districts to choose standardized and nationally normed tests from a list of tests acceptable to the State Board was repealed, and the SBE was required to adopt a single publisher's test for use in all schools. The SBE choose the Stanford Achievement Test, Form 9 (SAT-9) which continues to be used today.

Since a nationally normed and standardized test, by definition, is aligned to national and not California standards, current law requires that the "off the shelf" test be "augmented" with additional questions reflecting California standards. Augmentation questions have been developed and administered for the past two years, although the validity of the augmentations have been questioned on the grounds that they are written to voluntary standards that have not yet been implemented and the mathematics questions may lack technical reliability.

Instead of adopting performance standards that described required skills, the SBE asked Harcourt Educational Measurement, publisher of the SAT-9, to recommend scores on the nationally normed test that could be adopted as "performance levels." California thus has academic content standards, and will have "cut scores" that indicate acceptable performance levels on the content based test, but currently no assessment of applied academic skills is part of our annual testing system. In response to concern that subjects, such as writing, cannot be properly assessed

AB 2812
Page

3

using only the multiple choice questions found on the SAT-9 and augmentation, the SBE has plans to incorporate writing samples into the annual testing program.

The current authorization for state testing programs is scheduled to repeal on January 1, 2002.

This bill :

1. Repeals requirements for the adoption and administration of a test of applied academic skills ("matrix test") at such time as the SPI and the SBE issue a joint certification that the nationally normed standardized test of basic skills, as augmented, has been further augmented to require writing samples of pupils once in elementary school and once in middle school.
2. Requires that the nationally normed standardized test of basic skills include the use of a direct writing assessment once in elementary school and once in middle or junior high school.
3. Clarifies that the SBE shall ensure that the statewide assessment system yields valid, reliable individual pupil scores and where applicable, aggregate school scores, school district scores, and statewide scores of pupils and assesses basic academic skills and the extent to which pupils are meeting content standards, including the use of a direct writing assessment or other applied academic skills if deemed valid and reliable and if resources are made available for their use.
4. Deletes a requirement that the SBE shall award contracts to develop performance standards according to a competitive bidding procedure.
5. Extends various reporting deadlines.

Comments

What is a matrix test? Matrix testing means that individual pupils in the same classroom are administered different questions drawn from a larger item pool so that a larger set of content and skills can be tested without

AB 2812
Page

4

making the test too long to administer. Because each pupil answers a different set of questions, responses from several pupils must be combined to obtain a response that is valid for the group, but not the individual. Matrix tests are not used to test individuals, but are typically used to test whole schools or school systems. The National Assessment of Academic Progress (NAEP), which is the only test administered in all 50 states, is a matrix test. It was NAEP 4th grade reading scores that showed California next to last and sparked several recent efforts at reform of reading instruction.

What is wrong with matrix testing? Opponents of matrix testing claim that it is not valid for small schools although designers of the NAEP test testified in an interim hearing last year that a matrix can be made valid for any size group by simply adjusting the size of the sample of questions. Matrix opponents also believe that the lack of individual scores means that individual pupils, having no stake in the outcome represented by a personal score, will fail to take the test seriously. Such apathy is a problem

for any test, including the SAT-9, for which there are no individual consequences. To alleviate some of the problem, the matrix, like the augmentation, would simply be imbedded in the SAT-9 test so the pupil would not know which questions count for individual versus collective scores.

Why do we need more than a standardized test? The idea that the California Test of Applied Academic Skills would be administered as a "matrix" test was rooted in the notion that a test of all of the skills and content in the California standards would take too much testing time, and testing a smaller set of items would lead students and teachers to ignore the standards not included on the test. One of the major reasons for having an applied test of academic skills was to "keep the system honest" by testing the full range of standards and thereby avoiding the "dumbing down" of curriculum as students and teachers concentrate on the narrow range of basic skills items that are tested on a nationally normed, and generic, test of basic skills.

FISCAL EFFECT : Appropriation: No Fiscal Com.: Yes
Local: No

According to the Department of Finance, funds already included in the current year budget for the Matrix test development would be sufficient to cover the cost of the writing assessment. In addition, the Commission on State Mandates ruled last month that the cost of the actual administration of the exam is not reimbursable because the State already pays for the instructional minutes and teacher time necessary to administer the exam. Other costs associated with the program such as shipping, handling, demographic editing, and coordination were found to be reimbursable to the extent they are not covered by the \$2.52 per pupil apportionment. Based on a mandate test claim that has been filed, the apportionment is sufficient to cover these costs.

SUPPORT : (Unable to verify due to time constraints)

Secretary for Education (source)
California Business for Education Excellence
California County Boards of Education

ASSEMBLY FLOOR :
AYES: Aaenestad, Ackerman, Alquist, Aroner, Ashburn, Bates, Battin, Baugh, Bock, Brewer, Briggs, Calderon, Campbell, Cardenas, Cardoza, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Dutra, Firebaugh, Florez, Frusetta, Gallegos, Granlund, Havice, Honda, House, Jackson, Kaloogian, Keeley, Knox, Kuehl, Leach, Lempert, Leonard, Longville, Lowenthal, Machado, Maddox, Maldonado, Mazzone, McClintock, Migden, Nakano, Olberg, Oller, Robert Pacheco, Rod Pacheco, Papan, Pescetti, Reyes, Romero, Runner, Scott, Shelley, Steinberg, Strickland, Strom-Martin, Thompson, Thomson, Torlakson, Villaraigosa, Vincent, Washington, Wayne, Wesson, Wiggins, Wildman, Wright, Zettel, Hertzberg

NC:s1 8/27/00 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

**** END ****


[Test Results](#)
[Research Files](#)
[Search](#)
[Help](#)
[About STAR](#)
[Contact Us](#)
[Home](#)
[Main Page](#)
[Program Resources](#)
[CDE Home](#)

About STAR 2006

[Program Background](#) | [STAR Reports Grades and Subjects Reported](#)

Program Background

The governor signed Senate Bill 376 authorizing the Standardized Testing and Reporting (STAR) Program in October 1997. The State Board of Education, as required by statute, designated the Stanford Achievement Test Series, Ninth Edition (Stanford 9) as the national norm-referenced achievement tests for the Program. These tests were first administered to students in grades two through eleven in California public schools during spring 1998 and were last administered as part of the STAR Program during spring 2002. School districts were required to administer the tests to all students in grades two through eleven except for:

- Students who were receiving special education services with individualized education programs (IEPs) that specified that the students were to have an alternate assessment, and
- Students whose parents/guardians submitted written requests to exempt the students from testing.

Students in grades two through eleven were tested in reading, language, and mathematics. Students in grades two through eight were also tested in spelling, and students in grades nine through eleven were tested in science and social science. All questions on the tests were multiple choice. The purpose of the Stanford 9 was to compare each student's achievement of general skills taught throughout the United States to the achievement of a national sample of students tested in the same grade at the same time of the school year.

In 1998, the State Board of Education designated the Spanish Assessment of Basic Education, Second Edition (SABE/2) as the primary language test for the Program. Beginning in spring 1999, Spanish-speaking English learners who were enrolled in California public schools less than 12 months when testing began were required to take the SABE/2, as well as taking the Stanford 9 and the Stanford 9 Augmentation/California Standards Tests (CSTs). Districts were given the option of also testing Spanish-speaking English learners enrolled in California public schools 12 months or more with the SABE/2.

During the 1998–99 school year, multiple-choice questions were developed specifically to assess the California English-Language Arts and Mathematics Content Standards. These questions that were initially referred to as the Stanford 9 Augmentation were administered for the first time during spring 1999. Students received California Standards Test scores based on questions selected from the Stanford 9 tests and the California-specific questions. The California Standards Tests (CSTs) then evolved during the next several years.

- 2000 Stand-alone mathematics CSTs that used no Stanford 9 questions developed for grades 8–11
- 2001 Stand-alone history-social science and science CSTs developed and administered in grades 9–11
Writing component added to the grade 4 and 7 English-Language Arts CSTs
Performance levels reported for English-Language Arts CSTs
- 2002 Performance levels reported for all CSTs
The grade 4 and 7 writing components combined with the multiple-choice components to produce the English-Language Arts CST scores
- 2003 Grade 9 History-Social Science CST moved to grade 8
All CSTs administered as stand-alone tests
- 2004 Grade 5 Science CST added
- 2006 Grade 8 Science and Grade 10 Life Science CSTs added

The purpose of the CSTs is to determine students' achievement of the California Content Standards for each grade or course. Students' scores are compared to preset criteria to determine if the students' performance on the test is advanced, proficient, basic, below basic, or far below basic. The state target is for all students to score at the proficient and advanced levels.

The legislature reauthorized the STAR Program during 2002, and the State Board of Education selected the

California Achievement Tests, Sixth Edition Survey (CAT/6 Survey) to replace the Stanford 9 as the national norm-referenced test for the Program beginning with the spring 2003 test administration. The State Board also authorized the development of the California Alternate Performance Assessment (CAPA), an individually administered assessment for students with significant cognitive disabilities whose disabilities preclude them from taking the CSTs and CAT/6 Survey even with modifications. The CAPA assesses the California English-Language Arts and Mathematics Content Standards that were identified as appropriate for students with significant cognitive disabilities. The CAPA was first administered during spring 2003.

During 2005, the State Board of Education designated the Aprenda: La prueba de logros en español, Tercera edición (Aprenda 3) to replace the Spanish Assessment of Basic Education, Second Edition (SABE/2) as the designated primary language test (DPLT) for the STAR Program. Beginning in spring 2006, Spanish-speaking English learners (limited-English proficient students) who were receiving instruction in Spanish or who had been enrolled in school in the United States less than 12 months when testing began were required to take the Aprenda 3 in addition to taking the CSTs and the CAT/6 Survey. Districts had the option of administering the Aprenda 3 to Spanish-speaking English learners who had been enrolled in school in the United States 12 months or more who were not receiving instruction in Spanish. The changes were from new state laws that became effective on January 1, 2006.

The 2006 STAR Program included four components:

- California Standards Tests (CSTs)
- California Alternate Performance Assessment (CAPA)
- California Achievement Tests, Sixth Edition Survey (CAT/6 Survey) — grades 3 and 7
- Aprenda: La prueba de logros en español, Tercera edición (Aprenda 3)

The governor signed legislation reauthorizing the STAR Program through 2011 during August 2004. The reauthorized program reduced the CAT/6 Survey to grades three and seven. No other changes affected the spring 2005 administration.

The CSTs are a major component of California's accountability system for schools and districts. CST and CAPA results are the major component used for calculating each school's Academic Performance Index (API). These results are also used for determining if elementary and middle schools are making adequate yearly progress (AYP) in helping all students become proficient on the state's content standards as required by the federal No Child Left Behind (NCLB) Act of 2001. Schools use CST results to identify seniors eligible for the California Golden State Seal Merit Diploma. The eligibility requirements for the diploma are posted at www.cde.ca.gov/ta/tg/sr/documents/meriteligibility.doc.

California Department of Education

©2015 California Department of Education

Page generated 5/21/2015 12:34:59 PM

California Department of Education

Report to the Governor, the Legislature, and the Legislative Analyst's Office: Standardized Testing and Reporting Program: Annual Report to the Legislature



Prepared by:

**Assessment Development and Administration Division
District, School, and Innovation Branch**

June 2013

Description: Annual update on the Standardized Testing and Reporting Program

Authority: California Education Code Section 60604(b)

Recipient: The Governor, the Legislature, and the Legislative Analyst's Office

Due Date: March 1, 2013

California Department of Education

**Report to the Governor, the Legislature, and the Legislative Analyst’s Office:
Standardized Testing and Reporting Program:
Annual Report to the Legislature**

Table of Contents

Executive Summary i

Program Information..... 1

Standardized Testing and Reporting Program Update..... 4

Reauthorization of Statewide Pupil Assessment System 6

Superintendent Recommendation for 2014 STAR Program Test Administration 7

Transition Activities in Current Standardized Testing and Reporting Contract 9

Cost Projections 11

 Projected Annual Costs 11

 Projected Contract Costs..... 12

 Projected Local Educational Agency Apportionment Costs 13

Timeline 13

 STAR Program Timeline..... 14

 STAR Program: 2013 and 2014 Administrations 15

California Department of Education

Report to the Governor, the Legislature, and the Legislative Analyst's Office: Standardized Testing and Reporting Program: Annual Report to the Legislature

Executive Summary

California *Education Code* Section 60604(b) requires the State Superintendent of Public Instruction to develop and annually update for the Legislature a five-year cost projection, implementation plan, and timetable for implementing the Standardized Testing and Reporting (STAR) Program.

The **Program Information** section of this report provides general background information regarding the STAR Program. The **STAR Program Update** section of this report provides a brief discussion of changes made to the STAR Program during 2012.

The **Reauthorization of the Statewide Assessment System** section of this report provides information regarding legislative intent that the reauthorization of the statewide assessment system conform to the reauthorization of the federal Elementary and Secondary Education Act and include assessments aligned to the Common Core State Standards (CCSS) and identifies available resources that provide information about activities related to the CCSS and the development of new CCSS-aligned assessments.

The **Superintendent Recommendation for 2014 STAR Program Test Administration and Transition Activities in Current STAR Contract** sections of this report describe proposed and current activities to assist in the transition to a new assessment system.

The **Cost Projections** section provides information on projected STAR contract and local educational agency apportionment costs through the July 1, 2014, inoperative date and subsequent January 1, 2015, repeal date for the STAR Program.

The **Timeline** section provides the overlapping contract activities that will occur each fiscal year for the 2013 and 2014 test administrations of the STAR Program.

If you have any questions regarding this report, please contact John Boivin, Administrator, STAR Program Office, by phone at 916-319-0575 or by e-mail at jboivin@cde.ca.gov.

You will find this report on the California Department of Education STAR Web page at <http://www.cde.ca.gov/ta/tg/sr/documents/star2013legrpt.doc>. If you need a copy of this report, please contact John Boivin.

California Department of Education

Report to the Governor, the Legislature, and the Legislative Analyst's Office: Standardized Testing and Reporting Program: Annual Report to the Legislature

Program Information

This report provides information about the Standardized Testing and Reporting (STAR) Program as it relates to California *Education Code (EC)* Section 60604(b), which requires the submission of an annual report to the California State Legislature. *EC* Section 60604(b) states:

The superintendent shall develop and annually update for the Legislature a five-year cost projection, implementation plan, and timetable for implementing the program described in subdivision (a). The annual update shall be submitted on or before March 1 of each year to the chairperson of the fiscal subcommittee considering budget appropriations in each house. The update shall explain any significant variations from the five-year cost projection for the current year budget and the proposed budget.

The Legislature established the STAR Program in 1997, per *EC* Section 60640, to measure how well local educational agencies (LEAs) provide instruction covering—and how well students in grades two through eleven in California public schools are achieving—the knowledge and skills identified in California's content standards in the subject areas of English–language arts (ELA), mathematics, science, and history–social science. *EC* Section 60642.5 required the California Department of Education (CDE), with the approval of the State Board of Education (SBE), to develop tests aligned with the adopted California content standards. The ELA and mathematics content standards were adopted by the SBE in 1997. The science and history–social science content standards were adopted in 1998. **Note:** While the STAR Program is based on the ELA and mathematics standards adopted in 1997, the Common Core State Standards (CCSS) for ELA and mathematics were adopted in by the SBE in 2010 and will be the basis for future assessments. The STAR Program was last reauthorized in 2004. The STAR Program inoperative date is now July 1, 2014, with a subsequent repeal date of January 1, 2015.

The STAR Program is the cornerstone of the current statewide pupil assessment system. The purposes of the STAR tests are to (1) provide individual student results to students, parents/guardians, and teachers; (2) produce school-, district-, and county-level results for grades two through eleven that allow the state to monitor, by means of the Academic Performance Index (API), schools' progress toward meeting state performance targets; and (3) produce results that allow the federal government to monitor the Adequate Yearly Progress (AYP) of schools and LEAs toward meeting the accountability targets of the federal Elementary and Secondary Education Act (ESEA). Under the requirements of the ESEA, all states accepting Title I federal funds for use by

LEAs must assess students in reading/language arts and mathematics in grades three through eight and once in grades ten through twelve and in science once during each of three specified grade spans: grades three through five, six through nine, and ten through twelve. STAR tests are used to meet ESEA requirements.

All contracts for the development, purchase, or administration of the STAR Program tests are subject to approval by the SBE. The STAR Program test blueprints specifying the standards and number of items to be tested on each standard included in the tests are developed by testing contractors, reviewed by content experts, and approved by the SBE. The performance levels used in the STAR Program (i.e., advanced, proficient, basic, below basic, and far below basic) and the cut scores used to identify students' performance levels for the STAR Program tests are all approved by the SBE.

The STAR Program currently consists of four separate assessment components covering various subjects and administered annually to approximately 4.7 million students in grades two through eleven. The current four components are as follows:

- The California Standards Tests (CSTs): Measuring students' achievement of California's content standards in the subjects of ELA, mathematics, science, and history–social science. The CSTs are administered in English.
- The California Modified Assessment (CMA): An alternate assessment measuring students' achievement of California's content standards on the basis of modified achievement standards in the subjects of ELA, mathematics, and science for eligible pupils with disabilities who have an individualized education program (IEP) and meet the CMA eligibility criteria adopted by the SBE. The CMA is administered in English.
- The California Alternate Performance Assessment (CAPA): An alternate assessment measuring students' achievement of California's content standards in the subjects of ELA, mathematics, and science. The CAPA is for students with an IEP who have significant cognitive disabilities and who are unable to take the CSTs with the appropriate accommodations and/or modifications and/or the CMA with the appropriate accommodations. The CAPA is administered in the same language used to provide instruction to the student.
- The Standards-based Tests in Spanish (STS): Measuring students' achievement of California's content standards for ELA that address reading/language arts and California's content standards for mathematics. The STS are administered in Spanish to Spanish-speaking English learners (ELs) who either receive instruction in Spanish or who have been enrolled in school in the United States for less than 12 months. Those students also are administered the CSTs and/or the CMA in English. At the option of the school district, schools also can use the STS to test Spanish-speaking ELs who have been in a United States school for 12 months or more and who are not receiving instruction in Spanish. Per *EC* Section 60640.2, enacted in 2012, the SBE has approved allowing LEAs the

Standardized Testing and Reporting Program: Annual Report to the Legislature
California Department of Education

option to test non-ELs in dual language immersion programs with the STS, at the cost of the LEA, beginning with the 2013 test administration.

It is important to note that the STS is not simply a translation or transadaptation of the CSTs into Spanish. Although the STS shares the same test blueprint with the CSTs, the STS follows an independent procedure for test development and establishment of performance levels.

Table 1 shows the STAR Program assessments by grade and/or content area and indicates their use for state or federal accountability purposes. The table also indicates the specific CSTs augmented for use as part of the voluntary Early Assessment Program (EAP) administered in collaboration with The California State University (CSU), with results made available to California Community Colleges, if they so choose, to assess the college readiness of students in grade eleven. You can find more information regarding the STAR Program on the CDE STAR Web page at <http://www.cde.ca.gov/ta/tg/sr/>.

Table 1. STAR Assessments by Grade and/or Content Area

Grade and/or Content Area	Used for Federal Accountability: Title I or Title III	Used in State Accountability
STAR Grade-Level Assessments		
Grade 2 ELA and Mathematics (CST and CAPA)	X	X
Grade 3 ELA and Mathematics (CST, CMA, and CAPA)	X	X
Grade 4 ELA and Mathematics (CST, CMA, and CAPA)	X	X
Grade 5 ELA, Mathematics, and Science (CST, CMA, and CAPA)	X	X
Grade 6 ELA and Mathematics (CST, CMA, and CAPA)	X	X
Grade 7 ELA and Mathematics (CST, CMA, and CAPA)	X	X
Grade 8 ELA and Science (CST, CMA, and CAPA)	X	X
Grade 8 Mathematics (CAPA)	X	X
Grade 8 History–Social Science (CST)		X
Grade 9 ELA (CST, CMA, and CAPA)		X
Grade 9 Mathematics (CAPA)		X
Grade 10 ELA (CST and CMA)		X
Grade 10 ELA, Mathematics, and Science (CAPA)	X	X
Grade 10 Life Science (CST and CMA)	X	X
Grade 11 ELA (CST, CMA, CAPA, and EAP*)		X
Grade 11 Mathematics (CAPA)		X
Grade 11 U.S. History (CST)		X
STAR Grade-Level Primary Language Assessments		
Grade 2 Reading/Language Arts (RLA) and Mathematics (STS)		
Grade 3 RLA and Mathematics (STS)		
Grade 4 RLA and Mathematics (STS)		
Grade 5 RLA and Mathematics (STS)		

*The EAP is an augmentation of specific CSTs in collaboration with The California State University

Table 1. STAR Assessments by Grade and/or Content Area (cont.)

Grade and/or Content Area	Used for Federal Accountability: Title I or Title III	Used in State Accountability
STAR Grade-Level Primary Language Assessments (cont.)		
Grade 6 RLA and Mathematics (STS)		
Grade 7 RLA and Mathematics (STS)		
Grade 8 RLA and Mathematics (STS)		
Grade 9 RLA and Mathematics (STS)		
Grade 10 RLA and Mathematics (STS)		
Grade 11 RLA and Mathematics (STS)		
STAR End-of-Course Assessments		
Algebra I (CST and CMA)	X (grades 7 and 8)	X
General Mathematics (CST)	X (grade 8)	X
Geometry (CST and CMA)	X (grade 8)	X
Algebra II (CST and EAP*)		X
Summative High School Mathematics (CST and EAP*)		X
Integrated Mathematics 1 (CST)		X
Integrated Mathematics 2 (CST)		X
Integrated Mathematics 3 (CST)		X
Biology (CST)		X
Chemistry (CST)		X
Earth Science (CST)		X
Physics (CST)		X
Integrated/Coordinated Science 1 (CST)		X
Integrated/Coordinated Science 2 (CST)		X
Integrated/Coordinated Science 3 (CST)		X
Integrated/Coordinated Science 4 (CST)		X
World History (CST)		X
STAR Primary Language End-of-Course Assessments		
Algebra I (STS)		
Geometry (STS)		

*The EAP is an augmentation of specific CSTs in collaboration with The California State University.

No further STAR Program tests or test items are planned for development. Absent reauthorization, the final STAR Program test administration will be in the spring of 2014 with the final technical reports and remaining contract tasks to be completed by December 2014.

Standardized Testing and Reporting Program Update

In 2012, the SBE approved an amendment to the current STAR Program contract with Educational Testing Service (ETS) to extend the contract period for one year to cover the 2014 test administration (not to exceed the scope of work tasks and costs approved for the 2013 test administration).

Standardized Testing and Reporting Program: Annual Report to the Legislature
California Department of Education

The SBE also approved the elimination of all new CST item development for the 2013 and 2014 test administrations, and previously administered (pre-equated) forms from different administrations will be used. The planned use of pre-equated forms will enable a quicker turnaround time of student-level CST scores in 2013, and LEAs will receive student-level CST scores as part of a secure electronic file as soon as two weeks after they return all testing materials to ETS for scoring. These early reports will provide preliminary scores for individual students in an electronic format but will not include state-, county-, or district-level aggregate reports or any paper reports. LEAs will continue to receive paper reports for all the STAR tests, including STAR Student Reports, which are to be forwarded to parents or guardians. All paper reports will be provided to LEAs by August 8 per *EC* Section 60641(b).

To bolster test security, on-site test site security audits and the mark discrimination report process were reinstated in the STAR Program contract beginning with the 2012 test administration. These two activities were eliminated from the STAR contract for the 2009 through 2011 test administrations as part of the budget reductions per the 2009 Budget Act and approved by the Department of Finance. Annual security audits are conducted at selected test sites throughout the state by ETS. Audits are performed before, during, and after test administration to monitor how closely the required procedures were followed and to document any issues that were observed. ETS will also complete a mark discrimination analysis (erasure analysis) after each administration to determine whether there are any significant irregularities in the student response patterns and will report the findings to the CDE. The contractor measures the extent to which a response was erased and changed to a different answer. By tracking instances where the number and pattern of student erasures greatly exceed normal ranges, the State can identify specific classrooms where an irregularity may have occurred. The CDE notifies district superintendents in October of each year if the erasure analysis indicates a potential testing irregularity in schools in their district and requests that the district conduct an investigation to determine the causes of the excessive erasures and submit a response to the CDE.

As a first step toward utilizing a single source of data for LEAs, beginning with the 2013 test administration, California Longitudinal Pupil Achievement Data System (CALPADS) Fall 1 enrollment will replace student demographic information for assessment and accountability purposes. LEAs will no longer be required to provide California Basic Educational Data System (CBEDS) enrollment information previously collected through STAR answer documents or pre-identification services. STAR answer documents and data systems have been modified to implement this change.

In 2012, Assembly Bill (AB) 1521 was chaptered by Governor Edmund G. Brown Jr., adding *EC* Section 60640.2 into law allowing the CDE, subject to the approval of the SBE, to make available to LEAs any STAR primary language test developed per *EC* Section 60640(f) for students who are enrolled in a dual language immersion program and who are either nonlimited English proficient or redesignated fluent English proficient. The STS is the only primary language test developed per *EC* Section

60640(f). An LEA that chooses to administer the primary language assessment pursuant to *EC* Section 60640.2 will do so at its own expense and will enter into an agreement for that purpose with the state testing contractor, ETS. The cost for the assessment will be the same for all LEAs and will not exceed the marginal cost of the assessment including any cost the CDE incurs in implementing *EC* Section 60640.2. In January 2013, the SBE approved providing LEAs the option to administer the STS to non-EL students in dual language immersion programs at the cost of the LEA. ETS is taking steps to implement this new law for the 2013 test administration.

In 2012, an independent alignment study of the CMA was conducted by Data Recognition Corporation to satisfy the U.S. Department of Education (ED) peer review requirement that California provide independent evidence of alignment between the assessments used to calculate AYP and the content standards on which those assessments are based. The alignment study can be found on the CDE STAR Technical Reports Web page at <http://www.cde.ca.gov/ta/tg/sr/technicalrpts.asp>.

Reauthorization of Statewide Pupil Assessment System

This report addresses only the STAR Program as currently configured in state law through its final test administration in 2014. Per *EC* Section 60601, the STAR Program shall become inoperative on July 1, 2014, and as of January 1, 2015, is repealed unless a later enacted statute that is enacted before January 1, 2015, deletes or extends the dates on which it becomes inoperative and is repealed. In 2010, *EC* Section 60604.5 was added to state law addressing the intent of the Legislature regarding the reauthorization of the statewide pupil assessment system; these include that future assessments must conform to assessment requirements of any reauthorization of the federal ESEA or any other federal law that effectively replaces ESEA and align with Common Core State Standards (CCSS) with at least 85 percent of items to address the CCSS.

In August 2010, the SBE adopted the CCSS for ELA and mathematics as proposed by the California Academic Content Standards Commission. You can find information about the CCSS on the CDE CCSS Resources Web page at <http://www.cde.ca.gov/ci/cc/>.

In June 2011, California joined the Smarter Balanced Assessment Consortium (SBAC) as a governing state. The SBAC is a national consortium of 25 states working collaboratively to develop a student assessment system aligned to the CCSS. The SBAC focus is on assessing students annually in grades three through eight in ELA and mathematics and once in grades ten through twelve under current federal requirements. You can find information regarding the SBAC on the CDE SBAC Web page at <http://www.cde.ca.gov/ta/tg/sa/smarterbalanced.asp>.

Standardized Testing and Reporting Program: Annual Report to the Legislature California Department of Education

In September 2012, California joined the National Center and State Collaborative (NCSC) consortium as a Tier II state in the development of an assessment for students with an IEP who have a significant cognitive disability (the student population currently taking the CAPA as part of the STAR Program). A Tier II state will only receive materials after they have been shaped into proposed final form. The feedback of Tier II states will help to refine the products for future use. The CDE's Assessment Development and Administration Division and Special Education Division are working collaboratively on this project to provide support and information to the field and to work with the NCSC. The use of any NCSC assessments developed would require approval by the State Superintendent of Public Instruction (SSPI) and the SBE. You can find information regarding the NCSC on the NCSC Web site at <http://www.ncscpartners.org/>.

EC Section 60604.5 also directed the SSPI to consult with specific stakeholders to develop recommendations, including a transition plan, on the reauthorization of California's pupil assessment system. You can find the SSPI's recommendation report and transition plan, *Recommendations for Transitioning California to a Future Assessment System*, on the CDE Statewide Pupil Assessment System Web page at <http://www.cde.ca.gov/ta/tg/sa/ab250.asp>.

Superintendent Recommendation for 2014 Standardized Testing and Reporting Program Test Administration

As part of the *Recommendations for Transitioning California to a Future Assessment System* discussed above, the SSPI recommends, beginning in the 2013–14 school year, to suspend all STAR Program assessments that are not required to meet ESEA requirements or used in the EAP. The following STAR assessments required for the ESEA would continue to be administered until the new SBAC, alternate, and science assessments are fully developed and implemented:

- CST/CMA/CAPA in ELA in grades three through eight
- CST/CMA/CAPA in mathematics in grades three through seven
- CST General Mathematics and CST/CMA Algebra I, CST/CMA Geometry, CST Algebra II, CST Integrated Mathematics 1, 2, and 3 end of course assessments in grade eight
- CST/CMA/CAPA in science in grades five, eight, and ten
- CAPA in ELA and mathematics in grade ten

The SSPI also recommends, for the purpose of continuing the highly successful EAP, to allow schools to offer the following STAR Program assessments to meet the EAP requirements. These would include the following assessments for students in grade eleven only:

Standardized Testing and Reporting Program: Annual Report to the Legislature
California Department of Education

- Grade 11 CST in ELA
- CST Algebra II
- CST High School Summative Math

Because the EAP does not use all CST items on the above assessments as part of the scoring of EAP results, it is anticipated that the above tests will utilize a single answer document and test booklet that will include only those CST items used in EAP scoring along with the additional EAP questions, thus, reducing testing time for the EAP. The cost savings derived from the EAP utilizing the STAR management system for ordering, delivery, return of materials, reporting of scores, etc., will continue.

The SSPI recommends adjusting API calculations and reporting to accommodate suspension of any assessments. Suspending assessments and adjusting API reporting in this way will allow staff and stakeholders to focus attention, efforts, and resources on building a new assessment and accountability system.

Assembly Member Susan Bonilla has authored Assembly Bill 484, the SSPI's sponsored bill to implement the SSPI recommendations. One of the benefits of the suspension would be to use the potential cost savings for planning and facilitation of the transition to new assessments and to further the development and/or acquisition of new assessments, particularly in the areas of math and science where there may be greater urgency. Table 2 presents the cost savings that are anticipated from the SSPI's proposal to suspend grade-level and end-of-course tests. The savings are broken down into contract savings and non-contract savings.

Table 2. Anticipated Savings from State Superintendent of Public Instruction Proposal to Suspend Assessments

Assessment/Apportionment to be Suspended	Anticipated Reductions
Anticipated Contract Savings for 2014 Test Administration: Across 2012–13, 2013–14, and 2014–15 fiscal years (FY):	
California Standards Tests (CSTs)	\$ 4,081,000
California Alternate Performance Assessment (CAPA)	\$ 287,000
California Modified Assessment (CMA)	\$ 329,000
Standards-Based Tests in Spanish (STS)	\$ 3,665,000
Transition Program Activities (one-time expenditure)	\$ 2,080,000
CMA Item Development	\$ 198,000
CAPA Item Development	\$ 165,000
STS Item Development (included above)	\$ -
10% Administrative & Project Management Reductions	\$ 542,000
Contract Savings Subtotal:	\$ 11,347,000*

Table 2. Anticipated Savings from State Superintendent of Public Instruction Proposal to Suspend Assessments (continued)

Assessment/Apportionment to be Suspended	Anticipated Reductions
Potential Reduction in Apportionments to Local Educational Agencies: to be disbursed in FY 2014–15 from the 2014–15 FY appropriation for the 2014 Test Administration:	
Grade two testing (all subjects for CSTs/CAPA/CMA)	\$ 1,200,000
Grade nine testing (all subjects for CSTs/CAPA/CMA)	\$ 1,250,000
Grade eleven testing (all subjects for CSTs/CAPA/CMA)	\$ 1,200,000
STS grades two through eleven (all subjects)	\$ 100,000
Apportionment Subtotal:	\$ 3,750,000
Total Savings:	\$ 15,097,000

***Note:** Current total contract costs for the 2013 test administration is \$53.4 million.

Transition Activities in Current Standardized Testing and Reporting Contract

In 2012, the CDE recommended and the SBE approved an ETS contract amendment proposal that included the following activities to assist in the transition to a new assessment system. The STAR contract was amended to include the following activities:

- Standards Crosswalks for CST and CAPA

For ELA and mathematics, ETS staff with expertise in both the CCSS adopted in 2010 and the California content standards (adopted in 1997 and 1998) will compare the two sets of standards to create standards crosswalks for both the CST and the CAPA to determine which specific current California content standards assessed align with the CCSS. The final version of the crosswalks will be presented to the CDE and will be used as the basis for alternate blueprint recommendations discussed below.

- Recommendations for Possible Alternate Blueprints for CST and CAPA

Based on the results of the standards crosswalks discussed above, ETS will make recommendations for the development of alternate CST and CAPA blueprints that align with the CCSS for possible use for the 2014 test administration or as part of the reauthorization of the STAR Program beyond 2014. These alternate blueprints may include any standards that would be appropriate for assessment on a large-scale summative test and for which there are existing items. After review by CDE staff and by a panel of educators, the alternate CST blueprints may be presented to the SBE for discussion and approval.

- CST Item Bank Alignment to the CCSS

After the standards crosswalks have been finalized, ETS will review the California electronic item bank to determine the number of viable ELA and mathematics items for the CST that align to the CCSS. ETS will convene assessment review panels to review and validate the proposed alignments.

- Try-out of Computer-Based Testing Environment for CSTs for Science

ETS administered a computer-based testing (CBT) Try-out October 1–12, 2012. The CBT Tryout was not part of the STAR Program testing and scores were not used as part of assessment reports or for accountability purposes. The CBT Try-out gave LEAs an opportunity to provide feedback on the CBT experience and for California to apply any lessons learned well in advance of changes in test administration that may come in 2015. ETS designed three new online science tests based on the new science frameworks in grades five, eight, and Biology. Students were selected from LEAs representing the demographics of California. ETS also recruited LEAs that represented the spectrum of technology readiness. The results of the CBT Try-out were shared with the SBE as part of a May 2013 SBE agenda item.

- Proposal for Paperless Aggregate Reporting

ETS conducted focus groups with LEAs in 2012 to obtain feedback on features and functionality of a paperless aggregate reporting system. Based on the results of those focus groups, as well as exploring aggregate reporting functions that may be made available through the CALPADS, the CDE may opt to use the ETS Data Manager tool for the 2013 STAR test administration to deliver results and data to LEAs. The ETS Data Manager for California STAR is an interactive data analysis tool that presents STAR results data in a variety of views including lists, tables and charts. If the CDE opts to use the ETS Data Manager tool, users will be able to create their own ad hoc reports, view and print the reports, and download data for import into other programs such as student information systems.

This method of delivery may replace paper reports and compact discs with the exception of STAR Student Reports, which are required by state regulations. Student labels and two copies of the individual Student Reports will continue to be sent to LEAs.

The contract savings from the suspension of item development for the 2013 and 2014 test administrations offset the costs for these new transition tasks as well as providing an opportunity to expedite the receipt of preliminary results to LEAs by eliminating post-equating scoring activities that will no longer be necessary with the reuse of previously administered (previously equated) test forms.

Cost Projections

The annual budget appropriation for the STAR Program provides funding for the following two activities:

- Contract costs—The appropriation from each fiscal year funds the overlapping contract activities for multiple separate test administrations. For example, in fiscal year 2013–14, costs will be incurred to score and report the 2013 test administration; complete test production, delivery, collection, and administration activities for the final STAR 2014 test administration; fund estimated costs for start-up activities for a 2015 test administration as proposed in the *Recommendations for Transitioning California to a Future Assessment System*; and fund estimated costs for proposed start-up activities for a 2015 administration of the SBAC assessments.
- LEA apportionment costs—Apportionments to LEAs are made after the completion of each test administration to reimburse districts for the costs associated with the STAR Program that are above and beyond the CDE’s statewide contract with test contractors. The amount to be apportioned per district is based on the actual number of student answer documents completed and returned for scoring. STAR apportionments reimburse districts for staffing costs, including the district STAR coordinator and the STAR test site coordinators, staff training, and other staff expenses related to testing; testing-related expenses incurred at the LEA level and test site level; transportation costs for delivering and retrieving tests and test materials within the LEA; and costs associated with the pre-identification of answer sheets and consumable test booklets and other activities intended to provide the complete and accurate data required per state regulations.

Projected Annual Costs

Table 3 shows the projected annual fiscal year costs (represented in millions) based on the STAR Program continuing as currently configured in state law through the STAR Program inoperative date of July 1, 2014, and repeal date of January 1, 2015.

Table 3. Projected Annual Fiscal Year Costs

Fiscal Year	Test Administrations	Contract Costs	LEA Apportionments	Total STAR Costs
2012–13	2012, 2013, and 2014	\$53.6 million	\$12.4 million	\$66.0 million
2013–14	2013 and 2014	\$51.0 million	\$12.4 million	\$63.4 million
2014–15	2014	\$9.6 million*	\$12.4 million**	\$22.0 million

*Costs for remaining scoring and reporting tasks for the 2014 test administration.

**The 2014 LEA apportionment reimbursements will be disbursed to LEAs in fiscal year 2014–15 after completion of scoring and reporting of the 2014 test administration in August 2014.

There will be a one-year overlap of the current contract tasks to administer and report the 2013 test administration and the scope of work tasks for the final 2014 test administration. In addition, the tasks related to the administration of the SBAC assessments and/or the proposed future assessment system in 2015 will overlap the tasks for the final 2014 STAR test administration. Projected costs for the proposed new assessment system and administration of SBAC assessments are not included in this report. See the SSPI's recommendation report and transition plan, *Recommendations for Transitioning California to a Future Assessment System*, on the CDE Statewide Pupil Assessment System Web page at <http://www.cde.ca.gov/ta/tq/sa/ab250.asp> for a proposed statewide assessment system for 2015 and beyond.

Both AB 484 and the 2013–14 budget bill would address the suspension of the STAR assessments. If a budget bill that includes the suspension language is passed, savings would occur immediately upon signing. If not, and AB 484 is passed without an urgency clause and is enacted on January 1, 2014, contractor work to construct and print the tests proposed for suspension would have already been completed. The estimated contract savings would be from the 2014 test administration tasks for the delivery, collection, and scoring of the suspended tests. The projected STAR contract costs provided to the Department of Finance for fiscal year 2013–14 included costs for all current STAR assessments to continue at the same cost rates negotiated for the 2013 test administration.

Projected Contract Costs

EC Section 60643 stipulates that the CDE develop and the SBE approve the STAR contract and allows the STAR contract to be developed through negotiations with the testing contractor. The CDE utilizes a competitive request for submissions (RFS) process to recommend a contractor to the SBE for designation. The current STAR contract was awarded by the SBE to ETS in 2006 for the 2007 through 2009 test administrations. The contract was extended by the SBE in 2008 to add the 2010 and 2011 test administrations, in 2010 to add the 2012 and 2013 test administrations, and in 2012 to add the final 2014 test administration. The current STAR contract ends December 31, 2014, and covers work through the 2014 test administration and activities to assist in the transition to a new assessment system.

As a condition of extending the contractor agreement, ETS was required to carry out the following:

1. Absorb the costs of administering the grade four writing components of the ELA assessments for both the CST and the CMA for the 2011, 2012, 2013, and 2014 test administrations without making any offsetting contract savings per provisions in the 2010 Budget Act.

2. Absorb the costs of developing a longitudinal student growth measure without making any offsetting contract savings per provisions in the 2010 Budget Act.
3. Reduce the costs for the 2011–12 fiscal year to \$53.6 million per negotiations held between the Department of Finance staff and ETS.
4. Absorb the one-time costs to field test writing prompts in 2011 for the grade four and grade seven components of the ELA assessments for both the CST and the CMA per negotiations with the CDE.
5. Provide external new item and task reviews in a secure manner through electronic “live meeting” technology at no cost to the state in response to the SBE’s desire to retain the ARPs and the content reviews that were cut as part of the 2009–10 categorical budget reductions.

Projected Local Educational Agency Apportionment Costs

The STAR LEA apportionment costs are funded under a separate Assessment Apportionments schedule in the annual Budget Act that includes funding for apportionments to LEAs for the STAR Program, the CAHSEE, and the CELDT. The proposed 2013–14 Budget Act language provides that the amount appropriated may be used to pay 2012–13 (the 2013 test administration) and previous-year assessment apportionment costs. It is anticipated that the 2014–15 Budget Act language would fund the 2013–14 (the final 2014 test administration) apportionment costs. State testing apportionments are not paid to LEAs until the following fiscal year after all test answer documents have been processed by the contractor and the final number of students tested has been certified by the LEAs. The projected apportionment costs are based on the estimated student enrollment in grades two through eleven to be tested with the CSTs, CMA, or CAPA and the estimated number of Spanish-speaking ELs in those grades to be tested with the STS in addition to the CSTs or CMA.

Timeline

Table 4, on the following page, provides information on the activities that are a part of each current STAR test administration cycle (before, during, and after testing) and the projected costs per fiscal year for the overlapping test administration cycles. Table 5 on page 15 provides information on activities for the 2013 and 2014 test administrations.

Standardized Testing and Reporting Program: Annual Report to the Legislature
California Department of Education

Table 4. Standardized Testing and Reporting Program Timeline

Fiscal Year 2010–11	Fiscal Year 2011–12	Fiscal Year 2012–13	Fiscal Year 2013–14	Fiscal Year 2014–15
2012 Before Testing Technical Assistance Center/Help Desk (customer service) Item Development and Item Reviews Test Forms Construction Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery	2012 During Testing Test Security Checks Administration of: CSTs CAPA CMA STS	2012 After Testing Collection of Materials Test Processing Scoring Test Results to LEAs Test Results to CDE Item Bank Analysis of Results Technical Report		
		2013 Before Testing Technical Assistance Center/Help Desk (customer service) Test Forms Selection Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery	2013 During Testing Test Security Checks Administration of: CSTs CAPA CMA STS	2013 After Testing Collection of Materials Test Processing Scoring Test Results to LEAs Test Results to CDE Item Bank Analysis of Results Technical Report
			2014 (Only assessments required for ESEA or EAP) Before Testing Technical Assistance Center/Help Desk (customer service) Test Forms Selection Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery	2014 (Only assessments required for ESEA or EAP) During Testing Test Security Checks Administration of: CSTs CAPA CMA STS
				2015 Before Testing New STAR (Requires Reauthorization) ----->
				During Testing SBAC Administration ----->
				2016 Before Testing New STAR ----->
\$53.6 million \$12.4 million	\$53.6 million \$12.4 million	\$53.6 million \$12.4 million	\$51.0 million* \$12.4 million* New STAR: Unknown	\$9.6 million \$12.4 million New STAR: Unknown SBAC**: Unknown
\$66.0 million	\$66.0 million	\$66.0 million	\$63.4 million	\$22.0 million

Legend:

- CSTs: California Standards Tests (English–language arts [ELA], mathematics, history–social science, and science)
- CAPA: California Alternate Performance Assessment (ELA, mathematics, and science)
- CMA: California Modified Assessment (ELA, mathematics, and science)
- STS: Standards-based Tests in Spanish (reading/language arts and mathematics)

*Possible savings of approximately \$5.8 million in contract costs and \$3.7 million in reduced apportionment funded need if only assessments required for ESEA or EAP are administered.

**SBAC assessments will be administered only in grades three through eight and in grade eleven.

Table 5. Standardized Testing and Reporting Program: 2013 and 2014 Test Administrations

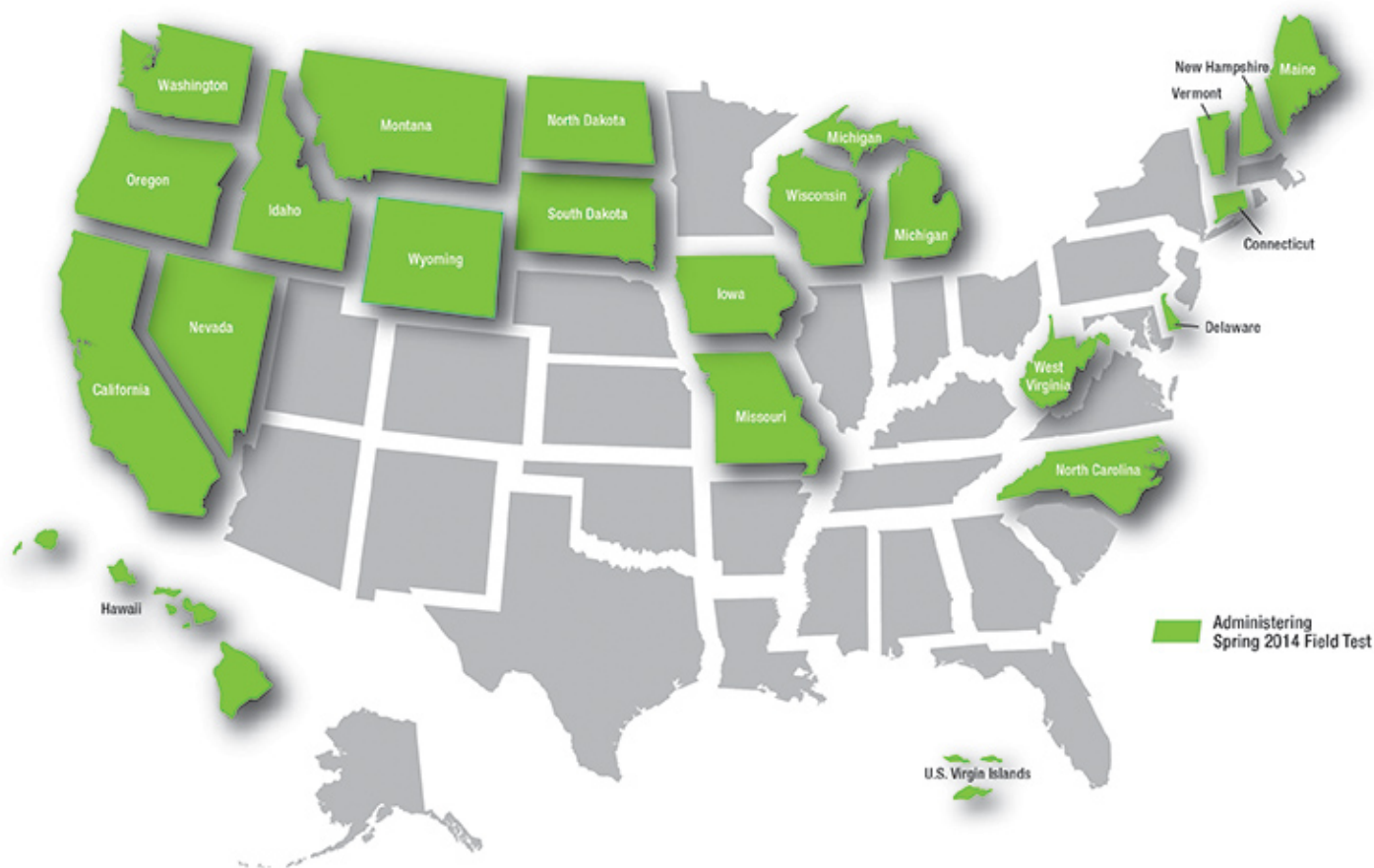
Fiscal Year 2011–12	Fiscal Year 2012–13	Fiscal Year 2013–14	Fiscal Year 2014–15								
<p>Legend:</p> <p>CSTs: California Standards Tests (English–language arts [ELA], mathematics, history–social science, and science)</p> <p>CAPA: California Alternate Performance Assessment (ELA, mathematics, and science)</p> <p>CMA: California Modified Assessment (ELA, mathematics, and science)</p> <p>STS: Standards-based Tests in Spanish (reading/language arts and mathematics)</p>	2013 Administration										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Before Testing</th> <th style="width: 33%;">During Testing</th> <th style="width: 33%;">After Testing</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;">Technical Assistance Center/Help Desk (customer service) -----></td> </tr> <tr> <td> Test Forms Selection Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery </td> <td> Test Security Checks Administration of: CSTs CAPA CMA STS </td> <td> Collection of Materials Test Processing Scoring Test Results to LEAs Test Results to CDE Post-Test Workshops Item Bank Analysis of Results Technical Report </td> </tr> </tbody> </table>			Before Testing	During Testing	After Testing	Technical Assistance Center/Help Desk (customer service) ----->			Test Forms Selection Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery	Test Security Checks Administration of: CSTs CAPA CMA STS
Before Testing	During Testing	After Testing									
Technical Assistance Center/Help Desk (customer service) ----->											
Test Forms Selection Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery	Test Security Checks Administration of: CSTs CAPA CMA STS	Collection of Materials Test Processing Scoring Test Results to LEAs Test Results to CDE Post-Test Workshops Item Bank Analysis of Results Technical Report									
2014 Administration (Only those assessments required for ESEA or EAP)											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Before Testing</th> <th style="width: 33%;">During Testing</th> <th style="width: 33%;">After Testing</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;">Technical Assistance Center/Help Desk (customer service) -----></td> </tr> <tr> <td> Test Forms Selection Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery </td> <td> Test Security Checks Administration of: CSTs CAPA CMA STS </td> <td> Collection of Materials Test Processing Scoring Test Results to LEAs Test Results to CDE Post-Test Workshops Item Bank Analysis of Results Technical Report </td> </tr> </tbody> </table>			Before Testing	During Testing	After Testing	Technical Assistance Center/Help Desk (customer service) ----->			Test Forms Selection Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery	Test Security Checks Administration of: CSTs CAPA CMA STS	Collection of Materials Test Processing Scoring Test Results to LEAs Test Results to CDE Post-Test Workshops Item Bank Analysis of Results Technical Report
Before Testing	During Testing	After Testing									
Technical Assistance Center/Help Desk (customer service) ----->											
Test Forms Selection Answer Document Construction Coordinator Security Affidavits Coordinator Manuals Pretest Workshops/Materials Pre-ID and Ordering Workshops Test Materials Delivery	Test Security Checks Administration of: CSTs CAPA CMA STS	Collection of Materials Test Processing Scoring Test Results to LEAs Test Results to CDE Post-Test Workshops Item Bank Analysis of Results Technical Report									



Field Test

Smarter Balanced conducted a Field Test from March 25 – June 6, 2014 (on request, an optional makeup week was available June 9-13). The Field Test was a practice run of the assessment system that helped ensure that test questions are accurate and fair for all students. It also gave teachers and schools a chance to gauge their readiness in advance of the first operational assessment in spring 2015. All 21

Governing States and the U.S. Virgin Islands participated in the Field Test.



Student and School Participation

More than 4.2 million students in grades 3-8 and 11—including a small sample of students in grades 9 and 10—participated in the Field Test. Administered online, the Field Test closely resembled the summative assessment that

students will participate in during the spring of 2015. Most students completed a test in one subject: either English language arts/literacy or mathematics. While the Smarter Balanced assessment is untimed, each subject area is expected to take 2.5 to 4 hours to complete. Schools administered the Field Test over multiple days. Because questions may be revised or dropped after the Field Test, students will not receive scores. Each Smarter Balanced state individually determined how schools and students would be selected to take the Field Test. In some states, only a representative sample of students participated—10 percent of students for each subject area. In others, the Field Test was administered more broadly. For additional information about Smarter Balanced in your state, [contact your state education agency](#).

An Essential Step in Test Development

The Field Test represents a major milestone toward developing next-generation assessments. It serves several important purposes.

Quality Assurance: The Field Test evaluates the performance of more than 19,000 assessment items and performance tasks—as well as the performance of the online testing system. For test developers, the Field Test shows which questions work well and which ones need to be improved so that they contribute to a fair and accurate assessment of student achievement.

Achievement Standards: Data from the Field Test will allow Smarter Balanced to set preliminary achievement standards in fall 2014. These achievement standards will indicate whether or not students are on track to achieve college and career readiness in English language arts/literacy and mathematics.

Test Administration: For member states, the Field Test provides an opportunity to make sure technology systems and administration logistics are ready for implementation of the assessment system in the 2014-15 school year.

Designed for All Students

Smarter Balanced is committed to producing assessments that are accurate and fair for all students. The Consortium has developed usability, accessibility, and accommodation features to ensure that students have a positive and productive assessment experience that generates fair and accurate estimates of each student's achievement. All usability, accessibility and accommodation features are available for students in the Field Test, consistent with the Smarter Balanced [Usability, Accessibility, and Accommodation Guidelines](#). Further, students with disabilities, English language learners, and English language learners with disabilities are included among Field Test participants. Students took great advantage of these tools and resources during the Field Test, using accessibility and accommodation features in one-third of test sessions.

Developed with Educators

The Field Test represents one of the final stages in a lengthy development process to ensure that the Smarter Balanced Assessment System measures the depth and breadth of the Common Core State Standards. Over the past two years, working with K-12 teachers and higher education faculty, Smarter Balanced developed, reviewed, and tested thousands of assessment items and performance tasks. In 2013, Smarter Balanced conducted a Pilot Test of a smaller number of assessment items in a sample of schools across the country. Information from the Pilot Test informed the development of additional assessment items and performance tasks, accessibility options and accommodations, and the design of the test interface.

For More Information

[Practice and Training Tests](#)

[Field Test Overview](#)

[Field Test Report](#)

MEMORANDUM

DATE: September 26, 2013

TO: MEMBERS, State Board of Education

FROM: TOM TORLAKSON, State Superintendent of Public Instruction

SUBJECT: Implementing the Smarter Balanced Assessments in 2014–15: Findings from the California Department of Education Technology Preparedness Survey.

Summary of Key Issues

In keeping with our on-going efforts to gauge the current status and technological needs of California local educational agencies (LEAs) to administer the Smarter Balanced summative assessments, the California Department of Education (CDE) developed and conducted, the Technology Preparedness Survey. Launched in June 2013, this survey was designed for completion by LEA information technology (IT) directors.

The Technology Preparedness Survey was available for LEAs to complete between June 21, 2013 and September 5, 2013. A total of 880 respondents, representing 683 school districts and 197 charter schools, completed the Technology Preparedness Survey. The responding LEAs serve approximately 87 percent of students enrolled in California public schools. All of California's 25 largest school districts, which serve approximately 1.8 million students, responded to this survey.

Findings

This survey asked school district and charter school IT directors to indicate:

- 1) their current level of confidence to administer the Smarter Balanced assessments today,
- 2) their level of need for technology, peripheral equipment, technical support personnel, and facilities to administer the Smarter Balanced assessments today,
- 3) whether the LEA plans to purchase additional or new technology equipment using funds appropriated by Assembly Bill (AB) 86 to support LEAs in their transition to the Common Core State Standards.

Level of confidence. Respondents were asked to rate their level of confidence (complete confidence, considerable confidence, some level of confidence, and little confidence) of their LEA's readiness to administer the Smarter Balanced assessments if they were administered today, including the current level of readiness in the areas of number of computers with required operating systems, network bandwidth, technical

support personnel, facilities, and additional equipment (e.g., keyboards, headphones, printers, assistive technology products). Table 1 presents the percentage of responses to questions regarding level of confidence.

Overall, respondents indicated more confidence in the adequacy of their LEA’s facilities, network bandwidth, and number of computers with the minimum operating system, and less confidence about the adequacy of their LEA’s technical support personnel and additional equipment, such as headphones and keyboards.

Table 1. Reported Levels of Confidence for Currently Meeting the Minimum Technology Requirements to Administer Smarter Balanced Assessments¹

	Percentage of Respondents with Complete/ Considerable Confidence ²	Percentage of Respondents with Some Level of Confidence	Percentage of Respondents with Little Confidence
Ability to Test all Eligible Students within a 12-Week Testing Window	67%	26%	8%
Adequate Number of Computers with Minimum Operating System	58%	27%	15%
Adequate Network Bandwidth	70%	20%	10%
Adequate Technical Support Personnel	46%	34%	20%
Adequate Facilities	61%	31%	9%
Additional Equipment³	40%	36%	24%

¹ Row totals may not equal 100 percent due to rounding.

² Responses from the “complete” and “considerable” confidence scale points were combined into one category, “complete/considerable” confidence.

³ Examples include keyboards, headphones, printers, and assistive technology products.

The CDE further examined responses from LEAs regarding their level of confidence that they currently have the ability to test all eligible students within a 12-week testing window. Table 2 on the following page presents differences in response rates by district size. A smaller percentage of large school districts (defined as serving more than 20,000 students) reported complete/considerable confidence compared to medium and small school districts. Table 3, also on the following page, presents the percentage of students and schools represented by LEAs in each of the three confidence categories—complete/considerable, some, and little. For example, 58% of the students in LEAs that reported “complete/considerable” confidence are economically disadvantaged. Nearly identical percentages were found in LEAs reporting “some” and “little” levels of confidence.

Table 2. Administering the Smarter Balanced Assessments within a 12-Week Window: Response Rates by District Size¹

	Percentage of Districts with Complete/ Considerable Confidence ²	Percentage of Districts with Some Level of Confidence	Percentage of Districts with Little Confidence
Small (1,000 or fewer students; N=268)	68%	24%	8%
Medium (1,001 to 20,000 students; N=377)	70%	26%	5%
Large (20,001 or more students; N=38)	59%	30%	12%

¹ Row totals may not equal 100 percent due to rounding.

² Responses from the “complete” and “considerable” confidence scale points were combined into one category, “complete/considerable” confidence.

Table 3. Administering the Smarter Balanced Assessments within a 12-Week Window: Demographic Summary of Responding Local Educational Agencies by Level of Confidence

	Complete/ Considerable Level of Confidence ¹	Some Level of Confidence	Little Level of Confidence
Number of Students Represented ²	2,619,826	971,949	283,892
Percentage Hispanic or Latino Students ²	51%	49%	52%
Percentage of White Students ²	23%	26%	22%
Percentage of Asian Students ²	9%	8%	8%
Percentage of African American Students ²	6%	7%	6%
Percentage of English Learner Students ²	31%	29%	32%
Percentage of Economically Disadvantaged Students ²	58%	57%	58%
Percentage of Special Education Students ²	11%	11%	11%
Percentage of Students in Urban Schools ³	48%	40%	33%
Percentage of Students in Suburban Schools ³	37%	44%	48%
Percentage of Students in Rural Schools ³	9%	12%	14%
Percentage of Students in Town Schools ³	6%	4%	5%

¹ Responses from the “complete” and “considerable” confidence scale points were combined into one category, “complete/considerable” confidence.

² Estimated from statewide assessment data used to calculate the Academic Performance Index.

³ Estimated from school-level enrollment.

Within each demographic category (e.g., white, English learner, special education) there was little variation between the percentages of students served by LEAs within each response category. Larger differences were found between the percentages, within each response category, of represented urban and suburban schools. For example, 48% of the schools in LEAs that reported “complete/considerable” confidence are urban, while 33% of the schools in LEAs that reported “little” confidence are urban. Conversely, 37% of the schools in LEAs that reported “complete/considerable” confidence are suburban, while 48% of the schools in LEAs that reported “little” confidence are suburban.

Level of need. Respondents were asked to indicate their level of need (high, moderate, or low) for various types of equipment, professional development for staff related to technology, and facilities in order to implement the Smarter Balanced assessments by type of school (i.e., elementary, middle, and high). Results indicated a consistency in level need by type of school. Table 4 on the following page displays the percentage of LEAs responding to each question regarding level of technological need.

Overall, respondents indicated the greatest need for professional development for staff related to technology. A high need for headphones, laptops, and tablets was also identified. Less need was identified for bandwidth, keyboards, and printers.

Table 4. Reported Levels of Technological Need to Administer Smarter Balanced Assessments in 2014–15¹

	Percentage of Respondents Reporting High Need	Percentage of Respondents Reporting Moderate Need	Percentage of Respondents Reporting Low Need
Desktop	27%	38%	35%
Laptops	44%	34%	22%
Tablets	44%	28%	28%
Keyboards	18%	27%	55%
Headphones	50%	34%	16%
Printers	20%	40%	41%
Assistive Technology	32%	40%	28%
Internet Bandwidth	26%	24%	50%
Internal Bandwidth	29%	27%	43%
Wireless Access	42%	26%	32%
Professional Development	53%	38%	10%
Facilities	27%	40%	33%

¹ Row totals may not equal 100 percent due to rounding.

Use of AB 86 funds for technology purchases. Approximately 88 percent of respondents reported that they plan to purchase additional or new technology equipment using part of the 1.25 billion dollars allocated in AB 86 to prepare for the implementation of the Smarter Balanced assessments.

Attachment(s)

None.

Four Years Later, Are Race to the Top States on Track?



SOURCE: AP/Charles Dharapak

Student James Montalbano, 11th grade, works with teacher Angela Benjamin in the Advanced Placement Physics class at Woodrow Wilson High School in Washington, Friday, February 7, 2014.

By **Tiffany D. Miller** and **Robert Hanna** | March 24, 2014

Race to the Top is a first-of-its kind \$4.35 billion competitive grant program designed to spur state-level education innovation to boost student achievement, close achievement gaps, and prepare students for college and careers. This program is significant not only because of the amount of funds made available for competitive grants to states but also because it pushes them to radically change the way they think about educational improvement. Race to the Top, or RTT, encourages states to rethink current standards and raise expectations for all students. It makes building longitudinal data systems a key component of the program, knowing that unless these systems are in place, there is no systematic way to target professional development for educators, ensure equitable distribution of teachers, or turn around low-performing schools.

Originally authorized in 2009 under the American Recovery and Reinvestment Act, RTT encourages states to develop and implement key reform strategies around four core components:

- Adopting rigorous college- and career-ready standards and assessments
- Recruiting, evaluating, and retaining highly effective teachers and principals
- Building data systems that measure student success and inform teaching and learning
- Turning around low-performing schools

Interested states had to demonstrate collaborative efforts around the proposed reforms, as well as a commitment to emphasize science and mathematics and conditions for innovation, including high-performing charter schools and flexibility around school schedule, staffing, and budget.

In total, 45 states and the District of Columbia applied for funding in three phases. The U.S. Department of Education announced the Phase 1 winners—Delaware and Tennessee—in March 2010. A few months later, the Phase 2 winners—District of Columbia, Florida, Georgia, Hawaii, Maryland, Massachusetts, New York, North Carolina, Ohio, and Rhode Island—were announced. Arizona, Colorado, Illinois, Kentucky, Louisiana, New Jersey, and Pennsylvania were awarded Phase 3 grants in December 2011. All RTT states have four years from receiving their grants to use the new funds, but the U.S. Department of Education has granted some states “no-cost extensions” based on their progress with implementing their plans.

RTT became a model for additional U.S. Department of Education competitive grant programs. The RTT Early Learning Challenge, for example, launched to improve early learning and development programs for low-income and disadvantaged infants, toddlers, and preschoolers. The department also initiated a RTT-District competition, focused on personalizing education for all students, and a RTT Assessment Program to help states that decided to implement more rigorous standards and assessments. Finally, President Barack Obama’s recently released budget included a new Race to the Top for Equity and Opportunity competition, which is organized around different core components but similarly focused on state-level planning and activities to promote school improvement.

March 2014 marks four years since the first grants were announced, and in a little over a year, the RTT funding to these initial set of states will end. Though the department hired three well-respected research firms to conduct a comprehensive evaluation, the results will not be made publicly available for several years. Until then, it is important to assess, to the extent possible, the progress that states are making along the way.

An examination of the U.S. Department of Education’s latest Annual Performance Report, or APR, data around the four core RTT components demonstrates the states’ progress. When necessary, the APRs are supplemented with extant data from other

sources, such as the Government Accountability Office. This preliminary analysis is not comprehensive and focuses on state APR reports to the U.S. Department of Education. Where possible, the analysis makes overarching statements about the RTT states in the aggregate and highlights interesting innovations that a state might be doing under the four core components. This brief does not benchmark states' success against a set of key indicators, as CAP's 2012 report did.

Three overarching findings emerged in the review of the data:

- Many of the lowest-performing schools in RTT states have achieved impressive results in a short period of time. Over the past few years, states reported on the progress of implementing reform models in their lowest-performing schools. Many states described schools where educators and students had improved performance to such an extent that their schools could move out of the ranks of the "lowest-performing." RTT states also showed their willingness to take action by intervening in low-performing schools that failed to improve.
- Four RTT states are at or near full implementation of their educator evaluation systems, and all other states are in the process of implementing their systems. Implementing new, more rigorous educator evaluation systems is technical and arduous work. It is a time-consuming effort that requires significant collaboration from state and district leaders, school administrators, and teachers. It is noteworthy that six states have evaluation systems in full implementation at the four-year mark.
- All RTT states have adopted college- and career-ready standards and are making progress toward implementation of assessments aligned with those standards. States provided educators with professional development opportunities and training on new, more rigorous standards. Although states have made progress, a few are struggling with implementation of the new standards.

State progress under Race to the Top's four components

Race to the Top, one of President Obama's signature education initiatives, seeks to move the needle on student achievement. In his words, "It's time to stop talking about education reform and start actually doing it. It's time to make education America's national mission." To win part of the \$4.35 billion grant, states had to create or accelerate the conditions for substantial education innovation and reform, such as closing achievement gaps, boosting overall student achievement, increasing graduation rates, and ensuring that students are prepared for college and careers.

The U.S. Department of Education granted different levels of funding to states based on budgets given in their applications and set budgets caps for Phase 2 state applications. In the first phase, Delaware received around \$100 million dollars and Tennessee around \$500 million dollars, disbursed over several years of the grant. Another 10 states were awarded grant money in the second phase, including New York and Florida—which were awarded \$700 million, budgeted over multiple years—and

Rhode Island, which received \$75 million. The Department of Education vetted and hired peer reviewers with professional experience in education and evaluating state, district, and school reform to score the applications and provide comments.

All states aligned their comprehensive reform plans around RTT's four core components, which are described in more detail in the following sections.

College- and career-ready standards

The U.S. Department of Education expects RTT states to adopt college- and career-ready standards that are designed to prepare students for college without the need for remediation or provide them with the skills needed for employment after high school. Applicants that demonstrated a commitment to work with other states to develop and adopt high-quality, internationally benchmarked college- and career-ready standards received points.

All RTT states decided to adopt the Common Core State Standards, or CCSS, which meet these requirements. Convened by the National Governors Association and the Council of Chief State School Officers, a group of educators and learning experts developed the CCSS as a set of higher quality student achievement standards. In general, 73 percent of teachers surveyed in states that adopted the Common Core are enthusiastic about its implementation in their classroom.

In RTT applications and APRs, each state has to indicate how it supports statewide transition to the new standards. Across all CCSS states, 62 percent of teachers agree that implementation is going well. RTT states reported providing educators with professional development opportunities and training on the new standards, though some states are further along with implementation than others. New York, for example, is facing implementation challenges with the rollout of the CCSS. In a recent survey of New York teachers, 77 percent said that implementing the standards is challenging. Still, the majority of teachers—67 percent—are enthusiastic about the implementation in their classroom, and 69 percent say that the new standards will have a positive impact on their students' ability to think critically and use reasoning skills.

As with any large reform effort, midcourse corrections might be needed. New York Gov. Andrew Cuomo (D) saw this as an opportunity to improve, and formed a Common Core Implementation Panel—made up of local and national experts, educators, parents, and other stakeholders—to do a comprehensive review of the rollout. Earlier this month, the panel delivered initial recommendations to improve implementation and ensure its success. Similarly, the New York Board of Regents has made proposals to help with implementation.

Not all states are experiencing the same level of difficulty with Common Core implementation. In Tennessee, for example, the state education department trained 42,000 teachers during the 2012-13 school year and the summer of 2013, which accounts for about two-thirds of the state's teacher workforce. The trainings were led

by the state's most effective teachers, who competed to be selected for these coveted leadership roles. The trainings were optional, but the turnout was large. In partnership with the Tennessee State Collaborative on Reforming Education, or SCORE, Tennessee also formed a Common Core Leadership Council to give districts a voice in the transition to the new standards. The council is tasked with advising the state department of education on assessment, creating professional development resources, shaping Common Core pilot programs, and becoming experts and leaders. Similarly, the Delaware Department of Education created an initiative called Common Ground for the Common Core, which brings schools and district representatives from a variety of districts together to work on how to implement the standards in classrooms.

The U.S. Department of Education expects states to begin implementing end-of-year tests aligned with these standards during the 2014-15 school year. These tests would ask students to perform tasks described in the state's standards.

RTT states made great progress toward fully implementing college- and career-ready standards. As states continue to move forward with implementation, it is important to learn from the process and make midcourse corrections when needed to improve its overall success.

Recruiting, evaluating, and retaining highly effective teachers and principals

The U.S. Department of Education asked states to focus on improving teacher and principal quality along the career continuum in grant applications. In doing so, states described how to improve the ways in which their educators are prepared, supported, and evaluated. Improving teacher and principal effectiveness based on performance is a priority. The Department of Education expects evaluation systems to include multiple factors, with student growth data as a significant element. States, districts, and schools must use evaluation data to inform personnel decisions, including promotion, compensation, and retention of highly effective teachers and principals. Finally, evaluation data needs to ensure the equitable distribution of effective teachers and principals—another priority. Incomplete APR data or partially implemented evaluation systems made tracking progress on this indicator for every state a challenge.

Four states are at or near full implementation of educator evaluation systems. In particular, Delaware, Florida, Tennessee, and the District of Columbia are using evaluation systems to inform most system components, including teacher and principal development, promotion, retention of effective teachers and principals, granting tenure or full certification, and removal of ineffective tenured or untenured teachers and principals. All other states are partially implementing or piloting evaluation systems. Rhode Island, for example, had an evaluation system in place during the 2012-13 school year but did not include a student growth component, as required by the U.S. Department of Education.

Implementation has not been without challenges. As documented in media outlets, many RTT states struggled to implement educator evaluation systems. Additionally,

annual reports from state departments of education indicate that both Georgia and Maryland struggled with implementing their systems.³⁴ And at one point, New York and Hawaii faced union challenges around teacher evaluation. A recent Government Accountability Office, or GAO, report found that officials in most RTT states experienced challenges with respect to developing and using evaluation measures, addressing teacher concerns, and building capacity and sustainability. The report further noted that teachers in 11 states expressed concerns about the scale of the change, especially attaching consequences to evaluations. Even states that are now fully implemented, such as Delaware, faced implementation delays. As anyone who has embarked on ambitious education reforms knows, change is never easy and this is incredibly hard work. Yet, even with these challenges, states have moved forward with ambitious reforms to evaluation systems.

APR data suggest that Delaware and Tennessee are making progress on using evaluation systems to ensure the equitable distribution of effective teachers. Sixty-five percent of teachers were rated effective or better in Delaware's high-poverty schools with high concentrations of students of color in 2012-13. In comparison, 58 percent of teachers received this rating in low-poverty schools with small concentrations of students of color. Twenty-five percent were rated highly effective—the highest rating possible—exceeding the state's 20 percent goal. In low-poverty schools serving low concentrations of students of color, 30 percent received this rating. In Tennessee, 72 percent of teachers in high-poverty schools with high concentrations of students of color were rated effective or better, and 48 percent were rated highly effective, surpassing the 30 percent target. In low-poverty schools serving small concentrations of students of color, 83 percent were rated effective or better, and 64 percent were rated highly effective, also surpassing the 45 percent target.

It is also clear that in some states much more work needs to be done. Sixty-one percent of teachers working in high-poverty schools with high concentrations of students of color were rated effective or better in Washington, D.C., down from 71 percent in 2011-12. The percentage of teachers rated effective or better in low-poverty schools with small concentrations of students of color also experienced a decrease—84 percent received this rating in 2012-13, down from 91 percent in 2011-12. Only 15 percent of the District's teachers in high-poverty schools serving large populations of students of color were rated highly effective, missing its 86 percent target. Similarly, in low-poverty schools with small concentrations of students of color, 41 percent of teachers were rated highly effective in 2012-13, far short of its 93 percent target.

Although four RTT states made great progress toward implementing systems to evaluate, reward, and retain effective teachers and principals, more work needs to be done to ensure that great teachers and leaders are in classrooms with the students who need them the most.

Building data systems to ensure success

Virtually all RTT states developed robust data systems to track students from preschool

into postsecondary education, a requirement for RTT funding. RTT requires state data systems to include 12 elements outlined in the America COMPETES Act. State data systems must be able to follow students from pre-kindergarten through college, logging information about their course grades in K-12 and college, including details about when they graduate or drop out. States are also expected to match teachers with their students over time. All but one state follows students across grades through college. At the time of reporting, Ohio had not linked their school data systems with higher education data systems.

States also created or developed data “dashboards” or “portals” for educators to analyze school data, including student performance data, and agency staff provided training for educators to help them use statewide data systems, especially for instructional improvement. For example, Massachusetts has school and district “Profiles” pages that include data on not only school and district academic performance, but also college enrollment rates for graduates of state high schools. And last year, Delaware sent out 29 “data coaches” to work with small groups of teachers to better understand how to use data to improve teaching.

The U.S. Department of Education’s Statewide Longitudinal Data Systems program supported much of this data reform work in RTT states. As part of the American Recovery and Reinvestment Act, this competitive grant program funded states’ work on developing data systems that connect K-12 school data with preschool and postsecondary education and workforce data.

Turning around the lowest-performing schools

Many of the lowest-performing schools in RTT states have achieved impressive results in a short period of time, with states even describing schools where educators and students had improved performance so much that their schools could move out of the ranks of the “lowest-performing,” a RTT priority.

Massachusetts and North Carolina stand out in particular. Massachusetts focused on more than 40 schools for intensive intervention. Fourteen of these schools, including Orchard Gardens in Boston and Homer Street in Springfield, showed such improvement over a few years that Massachusetts removed them from the state’s list of its lowest-performing schools. Likewise, North Carolina worked closely with more than 100 of its lowest-performing schools. At least 20 of these schools, including Oak Hill Elementary in Guilford County and Petree Elementary in Forsyth County, improved students’ math proficiency by more than 10 percentage points over a few years—several points above average growth in the state.

Many RTT states also showed their willingness to take action by intervening in low-performing schools that failed to improve. Over the past few years, states have reported on the progress of implementing reform models in their lowest-performing schools. In most schools targeted for intervention, the state and its districts placed new leaders in these settings and charged them with leading implementation of these

school improvement models. States could provide technical assistance on a case-by-case basis—and did so in many instances—but educators ultimately would enact these models in schools themselves. In their APR reports, states described that their low-performing schools were implementing their improvement models according to the U.S. Department of Education’s guidelines.

Under those guidelines, RTT required states to make bureaucratic changes in order to increase their powers to intervene in “persistently” low-performing schools. In order to be awarded a grant, states had to demonstrate evidence of structural, legislative, and regulatory reforms that are conducive to direct intervention in low-performing schools and plans for future actions to change the “conditions” in which educators operate. It also required states to identify the lowest-performing schools and work with districts to select one of four intervention models to implement in these buildings. Districts and schools most often selected the transformation model, which includes specific whole-school reforms such as replacing the principal and increasing learning time. The “school turnaround” approach is another commonly selected model that includes replacing the principal and rehiring no more than half the school staff. Districts and schools selected the closure and restart models much less frequently.

RTT states differed in the number of schools they were responsible for turning around; this variation was mostly related to the size of their student populations. Florida, for example, targeted more than 70 schools for school improvement, while the District of Columbia targeted around 15.

New York temporarily withheld federal school improvement funding from some schools until their districts submitted plans for new teacher evaluation systems in 2011-12. The state described how these districts delayed some school-level reform activities until the next year.

Georgia took a more active role in providing technical assistance to DeKalb County when Towers High School failed to show adequate progress. The state created a new “District Effectiveness” team to do this work. Likewise, Tennessee moved six of its lowest-performing schools from their public school districts into direct governance by the state. Within this new “Achievement School District,” Tennessee granted education leaders additional flexibilities in managing various resources in these schools—time, money, and people.

Across all states, school improvement remains a work in progress, with new schools moving into the ranks of the lowest performing as other schools move up.

Conclusion

Based on our exploratory review of the most recent APR data, RTT states have made progress toward their goals, yet more work needs to be done, which is unsurprising given the amount of change promised. As reviewed in CAP’s 2012 report, states set ambitious goals in their original plans and it will take time to reach them. Substantial change in education policy is challenging. What is most important, however, is how

states meet those challenges and move past them toward success. States should continue to make midcourse corrections when needed, and the U.S. Department of Education should continue to provide this flexibility, when appropriate.

Though RTT grants end for Phase 1 and 2 states in a little over a year, the work will likely continue given the current policy context. Over the past two years, Secretary of Education Arne Duncan made agreements with most states, including all RTT states, which loosen certain onerous provisions of the No Child Left Behind Act of 2001. In exchange, states committed to implement and continue reforms in domains that are similar to RTT, such as college- and career-ready standards, evaluating teachers, and promoting effective teaching.

In short, the ultimate result of RTT will not be known for several years, as evaluation of the initiative continues. Indeed, many states faced challenges meeting their goals and will likely continue to do so. Although states have struggled through different aspects of the program, RTT sparked significant education reforms, specifically a widespread move to college- and career-ready standards, which is creating conditions for innovation, strengthening educator quality along the career spectrum, and pushing other states that did not receive RTT funds in the same direction. What's more, despite these challenges, RTT states reached important milestones and accomplished a great deal in a short amount of time.

Tiffany D. Miller is Associate Director for School Improvement at the Center for American Progress. Robert Hanna is a Senior Education Policy Analyst at the Center.

To speak with our experts on this topic, please contact:

Print: Liz Bartolomeo (poverty, health care)
202.481.8151 or lbartolomeo@americanprogress.org

Print: Tom Caiazza (foreign policy, energy and environment, LGBT issues, gun-violence prevention)
202.481.7141 or tcaiazza@americanprogress.org

Print: Allison Preiss (economy, education)
202.478.6331 or apreiss@americanprogress.org

Print: Tanya Ardit (immigration, Progress 2050, race issues, demographics, criminal justice)
202.741.6258 or tarditi@americanprogress.org

Print: Chelsea Kiene (women's issues, Talk Poverty, faith)
202.478.5328 or ckiene@americanprogress.org

Print: Elise Shulman (oceans)
202.796.9705 or eshulman@americanprogress.org

Print: Katie Murphy (Legal Progress)

202.495.3682 or kmurphy@americanprogress.org

Spanish-language and ethnic media: Jennifer Molina

202.796.9706 or jmolina@americanprogress.org

TV: Rachel Rosen

202.483.2675 or rrosen@americanprogress.org

Radio: Chelsea Kiene

202.478.5328 or ckiene@americanprogress.org



BETTY T. YEE
California State Controller

April 30, 2015

The Honorable Mark Leno, Chair
Senate Budget and Fiscal Review Committee
Joint Legislative Budget Committee
State Capitol, Room 5019
Sacramento, CA 95814

The Honorable Shirley N. Weber, Chair
Assembly Budget Committee
State Capitol, Room 6026
Sacramento, CA 95814

Michael Cohen, Director
Department of Finance
State Capitol, Room 1145
Sacramento, CA 95814

Re: State Mandated Program Cost Report of Unpaid Claims and Deficiency Pursuant to Government Code Section 17562(b)(2)

Dear Senator Leno, Assemblymember Weber and Mr. Cohen:

Pursuant to the above statutory reference, the amount appropriated for reimbursement of state-mandated programs was insufficient to fully pay the claims filed with the State Controller's Office. The funding deficiencies are the result of claims received after April 1, 2014, and claims that were not fully paid in prior years. They also include the unfunded mandates, which are initial claims filed for new mandated programs, and estimated accrued interest.

Currently, the State owes a total of \$7.7 billion to local agencies, school districts, and community college districts (\$1.9 billion; \$5.3 billion; and \$0.5 billion, respectively). The State's liability slightly decreased by \$47.7 million as compared to last year's deficiency report, mainly due to the \$100 million appropriation to local agencies that cleared some of the pre-2004 mandate backlogs per Budget Act of 2014.

The Honorable Mark Leno
 The Honorable Shirley N. Weber
 Michael Cohen
 April 30, 2015
 Page 2

The following is the deficiency summary as of April 1, 2015:

	Local Agencies	School Districts	Community College Districts	Grand Totals	Schedules (see last Year's report)
Total State Mandate Program Payable Balances as of 04/01/2014	(\$1,922,878,741)	(\$5,302,187,089)	(\$540,752,824)	(\$7,765,818,654)	
State Mandate Appropriations					
Beginning Appropriations, as of 07/01/2014	\$155,803,733	\$66,000	\$32,852	\$155,902,585	A
Add: Receipts and Recovered Receivables	\$23,826,203	\$0	\$0	\$23,826,203	A
Less: Payments	\$143,953,484	\$46,000	\$5,000	\$144,004,484	A, A1
Appropriation Balances as of 04/01/2015	\$35,676,452	\$20,000	\$27,852	\$35,724,304	
State Mandate Program Payable Balances (Claims received as of 04/01/2015)					
Funded Mandates	(\$622,090,158)	(\$4,444,168,303)	(\$210,010,211)	(\$5,276,268,672)	B1
Unfunded Mandates	(\$456,751,424)	(\$751,525,345)	(\$343,814,762)	(\$1,552,091,531)	B2
15-Year Payment Plan (Prop 1A)	(\$618,219,154)	\$0	\$0	(\$618,219,154)	B3
Subtotal State Mandate Program Payable Balances	(\$1,697,060,736)	(\$5,195,693,648)	(\$553,824,973)	(\$7,446,579,357)	
Add: Accrued Interest (Estimated as of 06/30/2015)	(\$158,110,435)	(\$102,308,969)	(\$11,092,034)	(\$271,511,438)	
Grand Total State Mandate Program Payable Balances	(\$1,855,171,171)	(\$5,298,002,617)	(\$564,917,007)	(\$7,718,090,795)	
Net Appropriation Deficiencies as of 04/01/2015	(\$1,819,494,719)	(\$5,297,982,617)	(\$564,889,155)	(\$7,682,366,491)	

In summary, the \$7,682,366,491 deficiency is the amount needed to fully satisfy all state-mandated program liabilities. However, the \$35,724,304 appropriation balance (reflected on page 1 of the report) is from the Budget Acts of 2012 through 2014 and is a result of funds remaining after recovered receivables and fulfilled Budget Act provisions. Since each Budget Act specifies the programs and fiscal years that may be paid, the \$35,724,304 appropriation balance would need to be reappropriated before it can be applied to the current outstanding balance of \$7,718,090,795.

If you have any questions, please contact Jay Lal, by phone at (916) 324-0256.

Sincerely,

(Original Signed By)

BETTY T. YEE

Enclosures

cc: Marianne O'Malley, Managing Principal Analyst, Legislative Analyst's Office
 Heather Halsey, Executive Director, Commission on State Mandates
 Richard J. Chivaro, Chief Counsel, State Controller's Office
 Peggy Collins, Principal Consultant, Joint Legislative Budget Committee

**STATE MANDATED PROGRAM
APPROPRIATION
AND DEFICIENCY REPORT
AS OF APRIL 1, 2015**

CONTENTS

SCHEDULE A: SUMMARY OF STATE MANDATED PROGRAM APPROPRIATION BALANCES, RECEIPTS AND PAYMENTS MADE IN FISCAL YEAR 2014-15	1
SCHEDULE A, SECTION 1: DETAILS OF STATE MANDATED PROGRAM PAYMENTS MADE IN FISCAL YEAR 2014-15	2
SCHEDULE B: SUMMARY OF FUNDED, UNFUNDED, AND 15-YEAR PAYMENT PLAN MANDATES	8
SCHEDULE B, SECTION 1: NET DEFICIENCIES AND SURPLUSES FOR THE FUNDED MANDATES BY FISCAL YEAR	9
SCHEDULE B, SECTION 2: NET DEFICIENCIES AND SURPLUSES FOR THE UNFUNDED MANDATES BY PROGRAM	49
SCHEDULE B, SECTION 3: NET DEFICIENCIES AND SURPLUSES FOR THE 15-YEAR PAYMENT PLAN (PROPOSITION 1A)	65

State Controller's Office
Division of Accounting and Reporting
Schedule B, Section 1: Net Deficiencies and Surpluses for the Funded Mandates by Fiscal Year
As of April 1, 2015

Fiscal Year	Program Name	Legal Reference	Program Number	Program Costs	Program Payments	Established Receivables	Payable Balance	Receivable Balance	Net Balance
School Districts									
2013-14	Academic Performance Index	Ch. 3/99	305	\$ 11,320	\$ -	\$ -	\$ 11,320	\$ -	\$ 11,320
2013-14	AIDS Prevention Instruction II	Ch. 818/91	250	\$ 85,044	\$ -	\$ -	\$ 85,044	\$ -	\$ 85,044
2013-14	California State Teachers' Retirement System (CalSTRS) Service Credit	Ch. 603/94	286	\$ 3,934	\$ -	\$ -	\$ 3,934	\$ -	\$ 3,934
2013-14	Caregiver Affidavits to Establish Residence for School Attendance	Ch. 98/94	172	\$ 39,521	\$ -	\$ -	\$ 39,521	\$ -	\$ 39,521
2013-14	Charter Schools I, II, III	Ch. 781/92	278	\$ 68,418	\$ -	\$ -	\$ 68,418	\$ -	\$ 68,418
2013-14	Charter Schools IV	Ch. 1058/02	337	\$ 56,740	\$ -	\$ -	\$ 56,740	\$ -	\$ 56,740
2013-14	Collective Bargaining and Collective Bargaining Agreement Disclosure	Ch. 961/75	11	\$ 2,022,379	\$ -	\$ -	\$ 2,022,379	\$ -	\$ 2,022,379
2013-14	Comprehensive School Safety Plans I and II	Ch. 736/97	313	\$ 255,538	\$ -	\$ -	\$ 255,538	\$ -	\$ 255,538
2013-14	Consolidated Suspensions, Expulsions, and Expulsion Appeals	Ch. 972/95	330	\$ 223,094	\$ -	\$ -	\$ 223,094	\$ -	\$ 223,094
2013-14	Consolidation of Annual Parent Notification/Schoolsite Discipline Rules/Alternative Schools	Ch. 448/75	272	\$ 313,930	\$ -	\$ -	\$ 313,930	\$ -	\$ 313,930
2013-14	Consolidation of Law Enforcement Agency Notification and Missing Children Reports	Ch. 1117/89	276	\$ 96,859	\$ -	\$ -	\$ 96,859	\$ -	\$ 96,859
2013-14	Consolidation of Notification to Teachers: Pupils Subject to Suspension or Expulsion and Pupil Discipline Records, Notification to Teachers: Pupils Subject to Suspension or Expulsion II	Ch. 1306/89	292	\$ 603,790	\$ -	\$ -	\$ 603,790	\$ -	\$ 603,790
2013-14	County Office of Education Fiscal Accountability Reporting	Ch. 917/87	209	\$ 100,210	\$ -	\$ -	\$ 100,210	\$ -	\$ 100,210
2013-14	Criminal Background Checks	Ch. 588/97	183	\$ 24,654	\$ -	\$ -	\$ 24,654	\$ -	\$ 24,654
2013-14	Criminal Background Checks II	Ch. 594/98	251	\$ 33,464	\$ -	\$ -	\$ 33,464	\$ -	\$ 33,464
2013-14	Expulsion of Pupils Transcript Cost for Appeals	Ch. 1253/75	91	\$ 2,373	\$ -	\$ -	\$ 2,373	\$ -	\$ 2,373
2013-14	Financial and Compliance Audits	Ch. 36/77	192	\$ 36,224	\$ -	\$ -	\$ 36,224	\$ -	\$ 36,224
2013-14	Graduation Requirements (On or after 01/01/2005)	Ch. 498/93	297	\$ 17,975,652	\$ -	\$ -	\$ 17,975,652	\$ -	\$ 17,975,652
2013-14	Habitual Truant	Ch. 1184/75	166	\$ 714,592	\$ -	\$ -	\$ 714,592	\$ -	\$ 714,592
2013-14	High School Exit Examination	Ch. 1/99	268	\$ 564,080	\$ -	\$ -	\$ 564,080	\$ -	\$ 564,080
2013-14	Immunization Records	Ch. 1176/77	32	\$ 280,576	\$ -	\$ -	\$ 280,576	\$ -	\$ 280,576