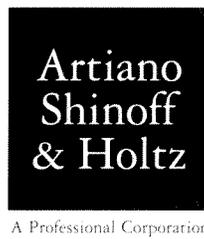


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**RECEIVED**  
February 23, 2016  
**Commission on  
State Mandates**

February 23, 2016

Heather Halsey  
Executive Director  
COMMISSION ON STATE MANDATES  
980 9th Street, Suite 300  
Sacramento, CA 95814

**Re: Claimants' Rebuttal Comments to Department of Finance Comments-  
Draft Parameters & Guidelines  
California Assessment of Student Performance and Progress (CAASPP)  
Test Claim 14-TC-01 and 14-TC-04**

Dear Ms. Halsey:

The following is provided in rebuttal to the Department of Finance's ("DOF") comments to the Draft Parameters & Guidelines ("P & G's") dated February 16, 2016.

**Section I.**

Claimants' oppose DOF's comments regarding Section I that the phrase, "to support the administration of computer-based assessments" is limited to activities related to using computers. The decision states, "..., the state provided \$1.25 billion to support the implementation of CCSS, including, "expenditures necessary to support the administration of computer-based assessments and provide high-speed, high-bandwidth Internet connectivity for the purpose of administration of computer-based assessments." (Decision, p.20)

As such, we oppose DOF's proposed changes to the Draft Parameters & Guidelines that the \$1.25 billion in Common Core implementation funding is considered offsetting revenues if used by a school district on *any* of the reimbursable CAASPP activities.

**Section V.**

Claimants' oppose DOF's comments regarding Section V, requiring that the claimants maintain a "technology infrastructure and device inventory that was replaced to accommodate the CAASPP summative assessments." DOF's proposal is not supported by the test claim statute, regulation or any other authority.

**Claimants' Comments on Draft Parameters & Guidelines  
California Assessment of Student Performance and Progress (CAASPP)  
Test Claim 14-TC-01 And 14-TC-04**

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Generally the devices or other equipment replaced are below the fixed asset threshold for inventories / audits / and reporting. Additionally, having an inventory list would not determine if the equipment met the CAASPP standards and if the equipment is still used by the LEA for its intended non-CAASPP purpose. Effectively, DOF is requesting an inventory of pencils that have been replaced by computing devices.

Equally important is that the test claim statute and regulations do not require Local Education Agencies ("LEA") to use existing equipment during the "administration of computer-based assessments." As such, LEA have the discretion to purchase the necessary tools to implement the mandate, regardless of their pre-CAASPP fixed assets inventory. The legislature provided the LEA with the discretion to purchase the necessary equipment without other government agencies reviewing the decision. Otherwise, claimants would be required to maintain another set of mandated reports annually to analyze existing resources and minimum standards necessary to run the most current version of CAASPP.

These fixed assets were purchased to benefit other organizational goals including student access to technology and digital learning resources. Furthermore, the test claim statutes/regulations did not require that equipment purchased for CAASPP be used exclusively for assessments. Therefore, LEA need not "lock up the equipment" when it is not being used for assessments. Students use of equipment for instruction and assessments eliminates problems of transitioning from their normal device to the SBAC device, that otherwise might affect their performance on the test.

**Hardware Specifications.**

LEA mandated activities to provide hardware specifications: minimum and recommended; is well supported by the test claim statute and regulations. DOF's comments are misguided. Earplugs and microphones must be included in thousands of students with special needs (504 plans/IEPs), as well as students that may have limited keyboarding skills and require microphones to perform optimally on the assessment. Further, there are issues of health and safety that surround sharing the equipment.

DOF's comments that "it is critical that the parameters and guidelines are clear that any technology costs claimed that are in excess of the minimum technology requirements will not be reimbursed," and that there is "no reference to earplugs" must be denied. There is also no reference to keyboards; power off buttons; electricity, internet connection, etc. DOF's unreasonable attempts to narrowly define the LEA's ability to seek reimbursement is unsupported by the test claim statutes and regulations.

Heather Halsey  
Executive Director  
COMMISSION ON STATE MANDATES

February 23, 2016  
Page 3

**Claimants' Comments on Draft Parameters & Guidelines  
California Assessment of Student Performance and Progress (CAASPP)  
Test Claim 14-TC-01 And 14-TC-04**

Thank you for your cooperation.

Sincerely,

ARTIANO SHINOFF & HOLTZ  
*A Professional Corporation*



Arthur M. Palkowitz

AMP: ml

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento 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 25, 2016, I served the:

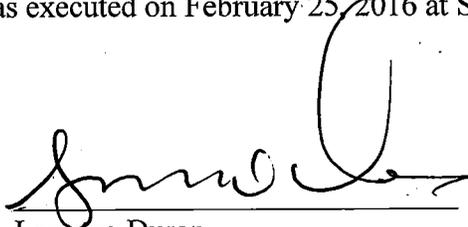
**Claimant Rebuttal Comments on Draft Parameters and Guidelines**

*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, 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 25, 2016 at Sacramento, California.



Lorenzo Duran  
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# COMMISSION ON STATE MANDATES

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**Last Updated:** 2/9/16

**Claim Number:** 14-TC-01 and 14-TC-04

**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:

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