

March 9, 2018

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

Agenda Item #4: The Every Student Succeeds Act – Academic Achievement Issues

Dear President Kirst and Board Members:

We write to comment on proposed amendments to California's ESSA plan. Approved by strong bipartisan margins and signed into law by President Barack Obama in 2015, ESSA is intended, "to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps." (Section 1001) Recent findings from the U.S. Department of Education (ED) review of California's plan confirm it is incomplete, unlawful and does not match the intent of ESSA, underscoring several concerns we have repeatedly reiterated over the last two years.

Accordingly, we support the new California Department of Education (Department) recommendation to comply with the requirement in law to include 11th grade ELA and mathematics scores from assessments administered statewide as the Academic Achievement indicator for 11th grade and high schools, as we have previously recommended. This basic compliance with the law is an important step toward achieving ESSA's purpose in ensuring equitable high-quality education, closure of educational achievement gaps and academic accountability for California's high schools.

It is concerning, then, that this same measure of 11th grade academic proficiency and an objective gauge for student academic outcomes for high schools appears to not be included (per the latest proposal) as a standalone item on the so-called dashboard and California Way approach to accountability. If it's important to know in the accountability provisions for federal funds targeting disadvantaged students in President Obama's signature education law, it should also be important enough for California resources and accountability for success or failure of the California Way.

In considering the Department's other responses to the ED findings, we urge the Board to continue to direct the Department to move toward putting students first and comply with the letter and the spirit of the law to leverage the federal resources governed by ESSA to ensure every child has an equitable opportunity to learn and succeed academically through effective teaching. This can be done in at least two additional ways:

1. **Assign “much greater” weight to academics.** Under California’s current plan, the School Quality or Student Success indicator could outweigh all other indicators because a school could receive a “red” on its academic indicators and not be identified for improvement because of a non-red designation on its School Quality or Student Success indicator. As ED has made clear, ESSA explicitly requires that academic indicators receive much greater weight in the aggregate because academics count when it comes to what parents and the public expect from public schools.
2. **Identify the lowest performing 5% of schools – regardless of their LEA.** Rather than looking at the lowest performing schools overall, California continues to attempt to identify the lowest performing schools *if* they’re in the lowest performing LEAs. In addition to violating ESSA, this will leave tens of thousands of low-income, minority and English learner students at low performing schools without any help at all, simply because their district didn’t get enough reds on the so-called dashboard.

We urge the Board to ensure that further revisions to California’s ESSA plan put students first by prioritizing academics and identifying struggling schools so they can actually receive the extra help the ESSA intends. We also urge the Board to consider the ramifications of two different systems. Leaving the state system separate from the reporting of data for ESSA compliance is unnecessarily complicated and confusing. Reverting to mistakes of the past with incoherent dueling accountability systems will confuse parents, educators and the public. All disadvantaged kids in every California school deserve better. State and local policymakers, educators, and all stakeholders should work together to put the purpose of President Obama’s law into action.

Respectfully,



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President & CEO



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