

October 30, 2015

Mike Kirst, President  
California State Board of Education  
1430 N Street, Suite 5111  
Sacramento, CA 95814

Via email only ([sbe@cde.ca.gov](mailto:sbe@cde.ca.gov))

*Re: SBE November 2015 Agenda Item #11: Developing a New Accountability System/  
Update on the Local Control Funding Formula Evaluation Rubrics*

Dear President Kirst:

We represent a coalition of civil rights, advocacy, community, parent, student and other organizations who have worked diligently on passage and implementation of the Local Control Funding Formula (LCFF). LCFF creates an historic opportunity to focus resources on helping California's neediest students overcome the barriers they face in closing the achievement gap and graduating college and career ready. It also promises a new level of transparency and local engagement for parents, students, and community members in the design of their local schools. As you know, in an effort to give life to these objectives, we have commented jointly multiple times over the last year regarding the State Board of Education's LCFF regulatory proposals and evaluation rubrics/accountability system items.

With these comments, we wish to (a) reiterate our coalition's topline points regarding the current draft WestEd rubric design and (b) provide you with some concrete examples of potential approaches to addressing some of the concerns we have identified.

As an initial matter, we address two overarching points. First, *we were surprised to see the staff memo for this item characterize the State Board as having "endorsed" any aspect of the WestEd draft proposal*, and in particular the three "policy statement" categories around which the rubrics draft is designed (Access & Opportunity; Graduation; College & Career). The entire draft thus far has been presented to the Board as an open, evolving conceptual draft that is no way set in stone. Accordingly, there was no formal action requested of nor taken by the Board concerning endorsement, and counter-proposals for the policy statements such as that presented by the Coalition continue to provide important alternative approaches that should be in the mix of ideas when the Board as a whole actually discusses and decides on key components of the rubrics' design. Importantly, such alternative approaches should also be part of the user-testing process.

Secondly, *we are concerned that the Board is proceeding to abandon the API without first ensuring a new accountability system is in place*. We agree that the current API may not be well-aligned to California's emerging accountability system and that it is appropriate to recommend that the legislature amend the *Education Code* to replace the API. That said, it continues to be important for parents, the public and state and local policymakers to be able to easily assess the quality of their local schools and LEAs. It is also important that all stakeholders understand how that assessment of quality prompts technical assistance or interventions. As such, it is imperative that—within the timeline being contemplated by the SBE for abandoning the API—a new accountability framework (and the significant legislative changes necessary to accomplish this) be identified and adopted.

## Recommendations for Changes to the Current Evaluation Rubrics Draft

We reiterate our appreciation for the significant amount of thought and hard work invested into this effort by staff at the SBE, CDE and WestEd and the progress made to date. We offer these recommendations in the spirit of further advancing the conversation.

### 1. *Restructure the “SBE Policy Statements” to Ensure the School System Drives Students Toward College and Career Readiness and Not Merely Graduation*

As noted in our letter from the September meeting (attached, Section II.A, beginning on page 3), the current WestEd approach identifies three key categories—Access and Opportunity, Graduation, and College and Career Readiness—as “SBE Policy Statements” that will drive the overarching design of the proposed evaluation rubrics and propose a structure for organizing the 8 state priorities and the associated metrics. Those three statements include one about ensuring that students are college and career ready and a separate statement about ensuring that all students graduate from high school.

We think this structuring is problematic for various reasons. Chief among them, it communicates that a key objective of our education system is simply to graduate students *no matter what* knowledge, skills or abilities they may possess. As was [recently shared at an LCFE convening](#) in Los Angeles, some students are concerned that “the[ir] district just wants them to graduate but offers little support in what it takes to get accepted to a good college. **‘It seems like they just want to kick us out of high school, not kick us into college,’** one student said.”

Additionally, this framing conflates the *process* of receiving an education throughout one’s years in schools that prepares one ultimately to graduate college and career ready with the actual *outcome* of graduating college and career ready. Accordingly, we proposed the following revisions to this foundational set of statements:

- All students are provided with access and opportunities that support learning;
- All students are on track to graduate college and career ready, exhibiting early and continuing signs in elementary, middle and high school of college and career readiness;
- All students graduate from high school college and career ready.

Our September letter provides more detail on the benefits of our proposed alternative. Rather than repeating those points here, we refer you to the attached letter. We also attach a sample re-working of the policy statements and the key and associated indicators aligned to them, by way of illustration.

We have yet to hear an adequate explanation for making graduation—regardless of the skills or knowledge imparted to students—an overarching goal of our K-12 system. *We do not understand the rationale for importing a shortcoming of our old system—i.e., the lack of correlation between graduation and college and career readiness— into the core of our new accountability system.* **We hope you will address this question at the upcoming meeting and require that our counter-proposal for the policy statements also be part of the user-testing heading to the field.**

### 2. *Equity Considerations Should Be Reflected in the Summary Display at the LEA and School Level.*

We believe equity is a critical component of district-level or school-level performance and should therefore be incorporated into the summary display format. Put differently, we believe that “equity” considerations must be incorporated into the high-level reflection of overall performance at the LEA and school level, not simply “outcome” and “improvement”. **No LEA’s overall performance should be**

**deemed acceptable or good, etc., if it is masking significant inequities in subgroup outcomes or growth.**

We have attached two possible scenarios illustrating how the equity gap-closing could be made a much-needed third dimension (beyond outcome and growth) for judging school quality. We also note that various other states including Texas, Massachusetts, Kentucky and Michigan—all of which more closely resemble California’s diversity than Alberta, Canada—have included equity analyses in some way in their accountability systems.

Note, the attached samples are just an initial attempt at making equity visible and highlighted as a significant aspect of the rubrics. The LCFF Equity Coalition will be meeting in November to recommend some additional modifications to these attachments as well as exploring the development of other possible options to forward to the Board for consideration. Similarly, the Coalition is not endorsing Texas nor any other states’ particular approach at this time; rather we reference them as proof points that states can and do prioritize subgroup gap-closing in their accountability systems. We will be doing further analyses of these other states’ approaches and would be happy to share our thinking about them.

***3. Identify Key Indicators/Metrics within Grade Spans that Prompt Further Inquiry through Linkages to Other Indicators/Metrics***

We appreciate the work that WestEd and staff have done to map the interrelationship among various metrics and to begin framing a method for presenting data. As noted in our September letter, we were generally supportive of the direction of the conceptual draft, which has not changed materially from the materials distributed for User Acceptance Testing. We recognize the need to narrow or prioritize focus, particularly when it comes to the self-assessment process for LEAs and when identifying areas where technical assistance, support, or intervention should focus, among the many metrics that should ultimately be included in the evaluation rubrics.

Our general support for the framework, however, does not mean we endorse the preliminary identification of which indicators/metrics are “key” and which are associated/related. We continue to believe it is critical that the Board carefully vet the selection of key indicators with the policy stakeholders and affected constituency groups before finalizing those details and look forward to working with you in that process. Moreover, we continue to believe that the key indicators must encompass the full range of the LEA’s education program, i.e., that they are developed to flag issues and identify strengths *at each relevant grade span*, and that the final product include multiple key indicators for a particular grade span that reflect different aspects of what student success looks like. The attached sample re-working of the policy statements referenced in Section II.A, reflects at least one alternate approach that is consistent with our recommendations.

Because this key component of the rubrics remains a work in progress and there were only minor changes from the conceptual draft presented at the September meeting, we do not repeat the full explanation of this concern and possible solutions and instead refer you to our letter for the September meeting (attached, Section II.C, beginning on page 5). We look forward to working with you and staff to refine the framework and the metrics and their summary in the indicators so as to best help guide self-assessment and support for all aspects of LEAs’ educational programs.

***4. Where Standards are Locally Determined, They Should be Research-Based, Aligned with SBE-approved Parameters and Set Through Community Stakeholder Processes.***

We believe that locally-determined metrics that measure progress on the eight state priorities and are used to satisfy the statutory requirement for district and schoolsite standards in those areas should

meet a uniform standard, both in terms of the types of metrics approved and the process by which they are determined. Specifically, we propose that such metrics should be selected by LEAs from a list of metrics which the SBE has certified for use by LEAs as sufficiently research-based. LEAs, in choosing which metrics to adopt and where to set their performance and growth expectations, should be required to consult with the same set of stakeholders the LEA consults with in developing its LCAP, including Parent Advisory Committees, ELACs and DELACs. Also, LEAs should be required to track performance on their adopted metrics over time and should be required to maintain adopted metrics for a minimum of five years so as to assure that local metrics are not changed out so often as to prove unhelpful and to help build evidence and experience across the state of useful locally-determined metrics. In addition, LEAs may adopt additional metrics to measure progress in priority areas that are entirely at the discretion of the local LEA and local stakeholders.

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Before closing, we wish to express appreciation to staff and WestEd for responding to our concern with the prior conceptual draft's labeling as "acceptable" performance on a quality standard anywhere from the 25th to 75th percentile of the LEA distribution on that indicator. The updated materials distributed for the User Acceptance Testing labels this band of the distribution as "Emerging." We believe this change appropriately ensures that the rubrics and whatever aspects of the broader accountability system build on the rubrics do not communicate that being well below average in performance is acceptable, which would be inconsistent with the goal of encouraging continuous improvement. The change does, however, bring us back to one of our overarching comments above concerning the need to have in place a complete accountability system and not simply the rubrics. It is difficult to assess the value of many of the proposed rubrics components without knowing what consequence will flow from any particular proposal as part of the broader accountability framework. Since we do not yet know what it means to be "Emerging" versus "Acceptable" (or "Concern" or "Issue") and how such districts will be supported to continuously improve or (we hope not) allowed to mask continuing problems, we cannot yet judge the ultimate value of this improvement.

Thank you for the opportunity to comment. We very much appreciate meeting with the two Board members and the staff who were willing to sit down with Coalition members and discuss our concerns. We look forward to continuing working with the State Board of Education to realize the full promise of LCFF.

Sincerely,

cc: Members, California State Board of Education  
Karen Stapf Walters, Executive Director, California State Board of Education  
Judy Cias, Chief Counsel, California State Board of Education  
Brooks Allen, Deputy Policy Director and Assistant Legal Counsel, California State Board of Education  
Nancy Brownell, Senior Fellow, Local Control and Accountability  
Michelle Magyar, Local Control Funding Formula  
Jeff Bell, Department of Finance  
Cathy McBride, Governor's Office  
Jannelle Kubinec, Director of National, State and Special Projects, WestEd