



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 11, 2018

The Honorable Michael W. Kirst
President
California State Board of Education
1430 N Street, Suite 5111
Sacramento, CA 95814

The Honorable Tom Torlakson
Superintendent of Public Instruction
California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Dear President Kirst and Superintendent Torlakson:

Thank you for resubmitting California's consolidated State plan on May 30, 2018, regarding how the State will implement requirements of covered programs under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), and of the amended McKinney-Vento Homeless Assistance Act (McKinney-Vento Act). I am writing to provide feedback based on the U.S. Department of Education's (the Department's) review of your consolidated State plan, which was shared with the California team in a conference call on June 5, 2018.

As noted in the enclosed table, the Department is requesting clarifying or additional information to ensure the State's plan meets all applicable statutory and regulatory requirements. Please note that, once the plan is approved, California may propose an amendment to its plan when additional data or information are available, consistent with ESEA section 1111(a)(6)(B). However, the Department cannot approve the State plan until the State provides sufficient information to determine that it meets all applicable requirements.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Thank you for the important work that you and your staff are doing to support the transition to the ESSA. The Department looks forward to working with you to ensure that all children have the opportunity to reach their full potential. Please contact Nkemjika Ofodile-Carruthers at OSS.California@ed.gov if you have any questions.

Sincerely,

/s/

Jason Botel
Principal Deputy Assistant Secretary,
Delegated the authority to perform the
functions and duties of the position of
Assistant Secretary, Office of
Elementary and Secondary Education

Enclosure

cc: Governor Jerry Brown

Items That Require Additional Information or Revision in California’s Consolidated State Plan

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)	
A.4.iii.a.2: Academic Achievement Measurements of Interim Progress	<ul style="list-style-type: none"> • Within its resubmitted State plan, CDE identified measurements of interim progress (MIPs) for Academic Achievement through language stating “approximate status after three years.” The statute requires that the State set long-term goals and MIPs for Academic Achievement. Because CDE set approximate MIPs, it has not met this requirement.
A.4.iii.b.3: Graduation Rate Measurements of Interim Progress	<ul style="list-style-type: none"> • Within its resubmitted State plan, CDE identified MIPs for Graduation Rate through language stating “approximate status after three years.” The statute requires that the State set long-term goals and MIPs for Graduation Rate. Because CDE set approximate MIPs, it has not met this requirement.
A.4.iii.c.2: Progress in Achieving English Language Proficiency Measurements of Interim Progress	<ul style="list-style-type: none"> • Within its resubmitted State plan, CDE identified MIPs for Progress in Achieving English Language Proficiency through language stating “approximate status after three years.” The statute requires that the State set long-term goals and MIPs for Progress in Achieving English Language Proficiency. Because CDE set approximate MIPs, it has not met this requirement.
A.4.iv.b: Other Academic Indicator for Elementary and Secondary Schools that are Not High Schools	<ul style="list-style-type: none"> • The ESEA requires a State to describe an indicator for public elementary and secondary schools that are not high schools (i.e., the Other Academic indicator) that includes a measure of student growth, if determined appropriate by the State, or another valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance. While CDE indicates that it will use chronic absenteeism as its Other Academic Achievement indicator for K-8 schools and secondary schools that are not high schools, it does not provide sufficient information as to how the indicator is calculated (i.e., how the performance levels are determined) and how it will meaningfully differentiate among schools in California. As a result, it is unclear whether the statutory requirements are met.
A.4.iv.e: School Quality or Student Success Indicator(s)	<ul style="list-style-type: none"> • The ESEA requires a State’s accountability system to annually measure, for all students and separately for each subgroup of students, one or more indicators of each School Quality or Student Success that allow for meaningful differentiation in school performance, and are valid, reliable, comparable, and statewide. In the description of the college and career indicator (CCI), CDE notes that students who take the alternate assessment aligned with alternate academic achievement standards would not be included in this indicator. As a result, CDE does not meet the requirement for this indicator to include all students. In addition, CDE does not provide sufficient information to determine whether the indicator meaningfully differentiates among schools nor does it sufficiently describe how the indicator is calculated

	<p>(i.e., how the performance levels are determined). CDE must also clarify if this indicator will be utilized in the 2018-19 school year.</p> <ul style="list-style-type: none"> • For high school identification, CDE also proposes to use chronic absenteeism as a School Quality or Student Success indicator; however, it is unclear if this indicator will be utilized in the 2018-19 school year. Additionally, while generally permissible as a School Quality or Student Success indicator, the same concerns noted above about the inclusion of chronic absenteeism as an Other Academic indicator apply to chronic absenteeism as a School Quality or Student Success indicator. This includes a lack of sufficient information as to how the indicator is calculated (i.e., how the performance levels are determined) and how it will meaningfully differentiate among schools in California. As a result, it is not clear that the statutory requirements are met.
<p>A.4.vi.f: Targeted Support and Improvement Schools—Additional Targeted Support and Improvement Schools</p>	<ul style="list-style-type: none"> • The ESEA requires a State to describe in its State plan its methodology for identifying schools for additional targeted support and improvement (ATSI) in which any subgroup of students, on its own, would lead to identification for comprehensive support and improvement (CSI), using the same methodology as used for identifying schools for CSI. CDE identifies a methodology for identifying schools for ATSI as any school with a student group that meets the definition of “consistently underperforming.” While CDE may identify schools for ATSI from <i>among</i> the schools identified as having one or more consistently underperforming subgroup, it must use the same methodology as CDE uses to identify schools for CSI. • It is unclear whether CDE will identify schools for additional targeted support and improvement (ATSI) by the beginning of the 2018-2019 school year, consistent with the Secretary’s April 2017 Dear Colleague letter that provided additional flexibility. CDE notes that it will begin identifying schools for ATSI in 2021, noting that is the first time the State will have schools with consistently underperforming subgroups from which to identify schools for additional targeted support. While in the future CDE may identify schools for additional targeted support from <i>among</i> the schools identified as having one or more consistently underperforming subgroup, once those schools have been identified, schools must first be identified for additional targeted support in the beginning of the 2018-19 school year.