



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

The Honorable Tony Thurmond
Superintendent
California Department of Education
1430 N Street
Sacramento, CA 95814

February 26, 2019

Dr. Ilene Straus
State Board Vice President
State Board of Education
1430 N Street, Room 5111
Sacramento, CA 95814

Dear Superintendent Thurmond and Dr. Straus:

I am writing in response to the California Department of Education's (CDE's) request on December 10, 2018, to the U.S. Department of Education (Department) to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). Specifically, CDE requested to exclude the Progress in Achieving English Language Proficiency indicator that is required under ESEA section 1111(c)(4)(B)(iv) from its system of annual meaningful differentiation for identification of schools until the 2020-2021 school year based on data from the 2019-2020 school year due to the fact that State is transitioning to a new English language proficiency assessment.

Annually differentiating the performance of each public school in the State using an accountability system that includes all relevant indicator areas, including the Progress in Achieving English Language Proficiency indicator, is important to ensure that the determinations are based on all of the relevant information as determined by the State and consistent with the ESEA. Delaying implementation of these requirements would undermine the intent of the statute that States set high expectations that apply to all students and hold schools accountable for reaching those expectations. As a result, the Department is not able to approve a request to exclude or delay incorporation of any indicator required under ESEA section 1111(c)(4)(B) in its system of annual meaningful differentiation.

We understand CDE recently notified local educational agencies (LEAs) of schools identified for comprehensive support and improvement and additional targeted support and improvement for the 2018-2019 school year based on data from the 2017-2018 school year. Under the ESEA and your approved consolidated State plan, this identification must be based on all required indicators, including the Progress in Achieving English Language Proficiency indicator. To

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ensure that CDE is complying with these requirements and its approved consolidated State plan, please submit documentation within 10 days of receipt of this letter to OSS.California@ed.gov that demonstrates that the identification of those schools included the Progress in Achieving English Language Proficiency indicator.

Thank you for your commitment to and continued focus on enhancing education for all of California's students. If you have any questions, please do not hesitate to reach out to Nkemjika Ofodile-Carruthers of my staff at: OSS.California@ed.gov.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

cc: Shanine Coats, Education Administrator, Performance, Planning and Technology Branch,
CDE