

Date of Hearing: April 26, 2017

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 1661 (Limón) – As Amended April 17, 2017

**SUBJECT:** School accountability: multiple measures accountability system

**SUMMARY:** Repeals the requirement to develop an Academic Performance Index (API) and replaces it with a requirement to develop a multiple measures public school accountability system based on the state priorities addressed by the local control and accountability plans (LCAPs). Specifically, **this bill:**

- 1) Repeals all statutory provisions related to the development, composition, and use of the API.
- 2) Requires the Superintendent of Public Instruction (SPI), with the approval of the State Board of Education (SBE), to develop a multiple measures public school accountability system based on the state priorities addressed by LCAPs for school districts, county offices of education (COEs), charter schools, and individual schoolsites.
- 3) Requires the accountability system to be based on the performance standards for school district and individual schoolsite performance and expectations for improvement included in the evaluation rubrics adopted by the SBE and to address the accountability requirements in the federal Elementary and Secondary Education Act (ESEA).
- 4) Requires each measure to apply to all numerically significant pupil subgroups at the school or school district or county office of education, including:
  - a) Ethnic subgroups;
  - b) Socioeconomically disadvantaged pupils;
  - c) English learners;
  - d) Pupils with disabilities;
  - e) Foster youth; and
  - f) Homeless youth.
- 5) Defines a numerically significant pupil subgroup as one that consists of at least 30 pupils, except for a subgroup of pupils who are foster youth or homeless youth, for which a numerically significant pupil subgroup is one that consists of at least 15 pupils, as permitted by federal reporting requirements.
- 6) Authorizes the SPI, with the approval of the SBE, and subject to a Budget Act appropriation for this purpose, to develop and implement a program of school quality review that features locally convened panels to visit schools, observe teachers, interview pupils, and examine pupil work.

- 7) Requires the SPI, with the approval of the SBE, to develop an alternative accountability system for schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, nonpublic/nonsectarian schools used for alternative special education placements, and alternative schools serving high-risk pupils, including continuation high schools and opportunity schools.
- 8) Replaces statutory references to the API with references to the multiple measures accountability system for the following:
  - a) COE reports on low performing schools (changes "schools ranked in deciles 1 to 3, inclusive of the API" to "schools at or below the 30<sup>th</sup> percentile");
  - b) Family literacy supplemental grants (changes "schools ranked in deciles 1 to 3, inclusive of the API" to "schools at or below the 30<sup>th</sup> percentile");
  - c) The School Accountability Report Card;
  - d) The authority of a school principal to refuse a teacher transfer request (changes "schools ranked in deciles 1 to 3, inclusive of the API" to "schools at or below the 30<sup>th</sup> percentile");
  - e) Criteria for charter school renewal (changes "ranked in deciles 4 to 10, inclusive, on the API" to "ranked in the top 60 percent");
  - f) Reapplication for a funding determination for charter school non-classroom based instruction;
  - g) The SBE-adopted LCAP template; and
  - h) Eligibility for the Assumption Program of Loans for Education, or APLE (changes "ranked in the lowest two deciles on the Academic Performance Index" to "at or below the 20<sup>th</sup> percentile").
- 9) Repeals the following programs that were required by the expired No Child Left Behind Act and that are not active:
  - a) The Early Warning Program; and
  - b) The No Child Left Behind Liaison Team.
- 10) Conforms to ESSA by requiring the academic achievement of all students to be one of the most important factors in determining whether to renew a charter school.
- 11) Replaces references to the No Child Left Behind Act (NCLB) with references to the Elementary and Secondary Education Act.
- 12) Conforms state law to ESSA by specifying family engagement instead of parent involvement in statute.

**EXISTING LAW:**

- 1) Requires the SPI, with the approval of the SBE to develop the API to measure the performance of schools and school districts, especially the performance of pupils.
- 2) Requires the API to be used for specified accountability purposes, including the identification of academically struggling schools, LCAPs, SARC, charter school renewal, and calculation of Adequate Yearly Progress for NCLB.

**FISCAL EFFECT:** Unknown

**COMMENTS:** The API is no longer used in California, and has been replaced by a multiple measures accountability system. The purpose of **this bill** is to conform statute to current practice.

**Background on the API.** The API was established in 1999 by the Public Schools Accountability Act. It was a single number, ranging from 200 to 1000, and was calculated by converting a student's performance on statewide assessments across multiple content areas into points on the API scale. The state assessments used to calculate the API were:

- California Standards Tests (CSTs) in English language arts, mathematics, history-social science and science in grades 2 through 11
- California Modified Assessment (CMA) in English language arts, mathematics, and science in grades 3 through 11
- California Alternate Performance Assessment (CAPA) in English-language arts and mathematics in grades 2 through 11
- California High School Exit Examination (CAHSEE)

The API was used for a number of accountability purposes, including identifying underperforming schools, inclusion in SARC, certain interdistrict transfer programs, and charter school renewal decisions. The assessments that were used to calculate the API were based on academic content standards adopted pursuant to the 1999 legislation.

In 2010 California adopted the Common Core State Standards (CCSS) in English and mathematics. The CCSS were considered to be an improvement over the previous standards, because they focused on reasoning, problem solving skills, and the application knowledge, rather than simple memorization and acquisition of knowledge. Changing the content standards required that curriculum frameworks, instructional materials, and teacher preparation (both pre- and in-service) had to be changed also. It also invalidated the use of the API, because the assessments on which it was based were no longer aligned to the standards that are currently being taught. Accordingly, the Legislature enacted AB 484 (Bonilla, Chapter 489, Statutes of 2013), which suspended all assessments that were not required by federal law and provided a transition to new assessments aligned to the CCSS. The last year the API was calculated was 2013-14.

**The new accountability system.** California is currently in the process of creating a new system for accountability and continuous improvement. Main components of the new system are:

- The California Assessment of Student Performance and Progress (CAASPP), which was established on January 1, 2014 and replaces the Standardized Testing and Reporting (STAR) program. It consists of the following assessments:
  - The Smarter Balanced summative assessments for English-language arts (ELA) and math in grade 3 through 8 and grade 11;
  - An alternate version of the ELA and math assessments for students with significant cognitive disabilities
  - The California Science Test (CAST) in grades 5 and 8 and a sample of students in grades 10 through 12, inclusive (this test is currently being pilot tested).
  - An alternate version of the CAST for students with significant cognitive disabilities.
  - A Spanish language version of the standards-based tests.
- Local Control and Accountability Plans (LCAPs), which are adopted and annually updated<sup>1</sup> by districts, COEs, and charter schools, are required to address eight state priorities:
  - Appropriate teacher assignment;
  - Implementation of SBE-adopted academic content and performance standards;
  - Parental involvement;
  - Pupil achievement;
  - Pupil engagement;
  - School climate;
  - Access to a broad course of study; and
  - Pupil outcomes.
- The multiple measures Dashboard. In March 2017 the CDE released the California School Dashboard. The Dashboard uses multiple state and local indicators to evaluate school and LEA performance across the eight state priorities that are addressed by the LCAPS, as displayed in the table below.

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<sup>1</sup> Part of the annual update is an assessment of the degree to which the goals and objectives of the prior year plan were achieved. Districts are required to consult with teachers, principals, administrators, other school personnel, local bargaining units, parents, and pupils in developing the LCAP.

**The State and Local Indicators for Each Local Control Funding Formula Priority Area**

Local Control Funding Formula Priority Area	State Indicators	Local Indicators
Basic Services and Conditions at schools (Priority 1)	N/A	Access to textbook, adequate facilities, and appropriately assigned teachers
Implementation of State Academic Standards (Priority 2)	N/A	Annual report on progress in implementing the standards for all content areas
Parent Engagement (Priority 3)	N/A	Annual report on progress toward: (1) seeking input from parents/guardians in decision making; and (2) promoting parental participation in programs
Student Achievement (Priority 4)	Academic Indicator	N/A
Student Achievement (Priority 4)	English Learner Progress Indicator	N/A
Student Engagement (Priority 5)	Graduation Rate Indicator	N/A
Student Engagement (Priority 5)	Chronic Absenteeism Indicator (not available until Fall 2018)	N/A
School Climate (Priority 6)	Suspension Rate Indicator	Administer a Local Climate Survey every other year
Access to a Broad Course of Study (Priority 7)	N/A	College/Career Indicator (Status Only) for the initial release
Outcomes in a Broad Course of Study (Priority 8)	N/A	College/Career Indicator (Status Only) for the initial release

The Dashboard measures performance across two dimensions: status, which is based on the most recent year for each indicator; and change, which is the difference between the most recent

year data and the prior year data. It displays performance at the LEA and school level for all pupils and pupil subgroups. It is available in a public online, interactive format to facilitate the display of data at different levels of detail.

With the development of CAASPP, the local LCAP requirement, and the Dashboard, California has shifted from accountability based on a single number to an accountability system that is focused on continuous improvement through planning, assessment, and evaluation at the local, county, and state levels. The dashboard is the primary piece that replaces the API.

***Percentile calculation.*** Under the API, schools and districts were rank ordered into deciles based on their API scores. For example, county superintendents of schools were required to submit specified reports to districts in their counties that were ranked in deciles 1, 2, or 3. This bill repeals all references to API decile rankings and replaces them with the equivalent percentile ranking of schools. For example, "schools ranked in deciles 1 to 3, inclusive of the API" is changed to "schools at or below the 30<sup>th</sup> percentile of schools."

***Alignment with federal law.*** State law establishes parental involvement programs to qualify for specified federal funds. This bill updates references to federal law in the Education Code and conforms to new federal law by replacing "parental involvement" with "parental and family engagement." This bill also aligns to federal law with respect to charter school renewal or revocation by specifying that academic achievement shall one of the most important factors in determining whether to renew or revoke a charter.

***Nonsubstantive changes.*** This bill makes several nonsubstantive stylistic changes and changes to correct statutory references.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California Superintendent of Public Instruction, Tom Torlakson  
American Civil Liberties Union  
Public Advocates

### **Opposition**

California Charter Schools Association  
Charter Schools Development Center  
EdVoice

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