



CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

January 25, 2013

John E. Deasy, Ph.D.
Superintendent of Schools
Los Angeles Unified School District
333 South Beaudry Avenue, 24th Floor
Los Angeles, CA 90017

Dear Superintendent Deasy:

Thank you for your letter of January 11, 2013, commenting on my report recently submitted to the Governor and Legislature, *Recommendations for Transitioning to a Future Assessment System*.

I want to take this opportunity to fully respond to the letter you sent to me, and, subsequently, released to the media. It was good to hear that you were excited about the new generation of student assessments. I assure you that my recommendations are aimed at delivering a system that is designed to ensure that all students, including those who struggle and those who excel, are successful in meeting the demands of the Common Core State Standards (CCSS).

However, the misstatements contained in your letter caused me great concern. I am disappointed that you chose to respond in this manner, despite our previous agreements to stay in touch by phone when issues arise.

First, addressing your concerns regarding our process, I assure you that this report depended upon a tremendous outreach effort to districts throughout the state of California, including Los Angeles Unified School District (LAUSD). Contrary to your assertions, large and small districts from across California shared their concerns during the development of this report and its recommendations. The report represents months of work and input received from more than 2,000 stakeholders including students, parents, community members, school administrators, business leaders, and experts in the areas of measurement, English learners, and students with disabilities.

It is important for you to know that LAUSD staff did, in fact, take part in both a CDE-sponsored regional public meeting held at the Orange County Office of Education and in an invitation-only, teacher/administrator focus group held in Los Angeles. Collective comments from both of these meetings are available in my report in Appendix C (Focus Group Feedback) and Appendix E (Regional Public Meeting Feedback). We would be happy to provide the names of your staff who participated.

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In addition, there were other numerous opportunities for you and your staff to provide input in this process over the last two years, including legislative hearings in 2011 and discussions of this issue at every meeting of the State Board of Education throughout 2012. Paid representatives of your district attended many, if not all, of these meetings.

Furthermore, the CDE also created an on-line survey to gather additional input. We received feedback and insight from more than 1,600 superintendents, school board members, parents, teachers, and others—including at least sixteen responses from LAUSD staff.

I do not know why you were not aware of this public process created to facilitate the requirements of AB 250 (Brownley), despite your staff's participation in these events. However, it is neither fair nor acceptable to blame the CDE for this situation, or to allege the LAUSD was not offered opportunities to provide input into the process that led to development of the report.

And finally, I would like to correct the reference in your letter that the report was "developed by a work group." As State Superintendent, I was required by law to prepare this report and required by law to submit it to the Legislature. The report is not a product of a work group – it is a report of my recommendations. I developed these recommendations based on extensive input from over 2,000 stakeholders and interested parties. Included in this input was a work group that was entirely comprised of individuals to meet the requirements set forth in law. These individuals were recommended by the Association of California School Administrators, the California School Boards Association, the California State Board of Education, the California Teachers Association, and other Education Coalition organizations. And while I greatly appreciated the work group input as well as the input of the additional 2000 stakeholders, the report itself and the recommendations it outlines are mine and I stand behind them.

As to the policy concerns you raised, these are important issues. I want to make sure that we provide as much clarity as possible and offer appropriate technical assistance to you and your staff where that may be helpful. Below are my comments to each of the five concerns you described in your letter.

Points 1 and 2 (Grade 9 and 10 Assessments): You indicated that students in grade nine would not be assessed in ELA or mathematics (including Algebra). You are correct; we believe that in order to build the kind of state-wide assessments necessary to meet the needs of California students and teachers, we need to stop using outdated assessments aligned to a former set of standards as soon as possible. We believe the suspension will provide some necessary savings, both in resources and time, to

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effectively rebuild our assessment system as well as provide time and space for our districts and schools to focus on implementing the CCSS.

Given your concerns about monitoring student progress, I think you would agree that locally developed benchmark assessments and teacher-developed formative tools can quite often provide a more instructionally sensitive way to monitor student performance and obtain provide valuable information to monitor and adjust instruction. In fact, it is my understanding that the CORE districts are building interim and formative tools aligned to the CCSS. It seems very likely that these tools you and your colleagues are developing would be an appropriate, effective way to monitor student performance. My assessment staff and I stand ready to assist with any technical questions you may have as you move forward with that development process.

Please note that recommendation 8 in my report calls for the state to support the statewide purchase of the Smarter Balanced Assessment Consortium (SBAC) interim and formative tools. SBAC is currently discussing the possibility of including items and secure assessments for high school grades outside of grade eleven. California is strongly supporting this change to the current SBAC scope. We agree that interim and formative assessments can provide an instructionally sensitive way to measure student progress. We support your efforts to make use of tools to do that.

Point 3 (English Learner Reclassification): I applaud you and your staff for doing the difficult and important work of drafting district-wide reclassification criteria for your English learners. As you point out, *Education Code* Section 52164.6(d) outlines the requirement that reclassification criteria include as one of the elements "An empirically established range of performance in basic skills, based on non-minority English-proficient pupils of the same grade and age, which demonstrates that the pupil is sufficiently proficient in English to succeed in an English-only classroom." This law does not require the use of the California Standards Tests (CST) or the use of other statewide assessments to fulfill this requirement. Benchmark assessments already in use to monitor student performance could potentially meet this requirement and provide more timely results. In addition, the California High School Exit Examination (CAHSEE) could satisfy this requirement for those students in grade ten or higher.

It is also important to note that the current California Standards Test (CST) results could not be used to fully satisfy this reclassification requirement for students in grades one, two, and twelve. I would hope students in those grades are not being denied reclassification simply because they do not currently take an English Language-Arts CST. I trust LAUSD has processes in place to appropriately reclassify students without a statewide assessment score.

Point 4 (Accountability and the Academic Performance Index): As required by recent legislation, CDE has begun the important work of reviewing and revising the Academic Performance Index (API) and determining what indicators, besides test scores, should be used to measure school and district performance. The CDE, through the Public School Accountability Act Advisory Committee, is conducting this process in a very open forum. For future reference, those meeting agendas are posted at the following web site: <http://www.cde.ca.gov/ta/ac/pa/>. We would welcome your participation and encourage LAUSD to provide public comment or direct feedback from you to me as we move forward in shaping the new API.

It would be premature to draw the conclusion that certain high school grades will have too great a weight in the index. In fact, with the suspension of certain tests, the direction to CDE staff is to ensure that schools and districts are "held harmless" in the recalculation of API. In other words, we will ensure that the suspension of assessments will neither negatively nor positively impact the recalculation of the API.

Point 5 (Education Technology): I completely agree that schools and students deserve to have access to appropriate technology to enhance their education. To support that goal, I created an Education Technology Task Force shortly after taking office. The Task Force has strongly recommended that California move towards one-to-one computing in our schools, a recommendation I strongly support.

With regard to the assessment technology infrastructure, California has been active in monitoring school's readiness in administering the SBAC assessments via the Technology Readiness Tool. I am happy to report that schools have, on average, one suitable device for every three students. This is promising news. Also positive are the recently posted SBAC technology specifications that indicate that most legacy systems will be sufficient to administer the assessment. I do understand, however, that not every school will be entirely technology-ready by 2014-15. SBAC will allow for paper-based versions for up to three years, as noted in recommendation number 2 of my report.

Toward the goal of closing the digital divide, I have begun policy work with the Council of Chief State School Officers to prepare an advocacy strategy and congressional legislative strategy to increase revenues to assist low-income students and their families in having low to no-cost 24/7 access to the Internet. Please see my attached letter on "e-rate." Getting technology in our classrooms is not just needed for assessments; this is a goal that we must meet for the appropriate 21st century education of our students. I know you share this goal and hope to have your support as we seek ways of meeting this need. I commend your efforts to fully equip your schools and increase the number of internet connecting devices. Your ideas are welcome here, too.

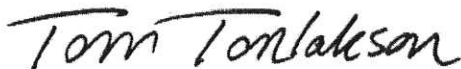
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As to your concern that students/schools will have differing advantages based on when they can administer the assessments (schools with more technology assessing students at the end of the testing window). The Smarter Balanced assessments, as with any summative assessment, will be developed with the testing window in mind. How we assess, the questions that are written, and the cut scores will all be developed knowing that there is a 12-week assessment window. As with any large-scale assessment system, certain technical studies shall be performed and adjustments, if any, should be made based on those outcomes.

Lastly, you suggest that CDE consider allowing LEAs the option of continuing to administer the suspended assessments for local purposes. Of course, I want to move our system as quickly as possible to have all of our students be assessed with rigorous, high quality assessments aligned to the CCSS. However, because of your concern, I have asked my staff to explore the option of allowing an LEA to administer the suspended assessments for local use at their own expense. That being said, I strongly encourage you to consider the cost/benefit of continuing to test your students with an assessment that is not aligned to the CCSS. It is possible that locally developed benchmark assessments or formative tools aligned to the CCSS would better serve your students as they make the transition to the CCSS.

As I believe you agree, despite the challenges involved, California must move forward now so that all children—no matter from where they come or where they live—receive a world-class education that's consistent from school to school, realize their fullest potential, and graduate ready to contribute to the future of our state. Please know that my staff and I stand ready to work with you towards these goals. I have attached a copy of the E-rate letter and attachments.

Sincerely,



Tom Torlakson

Attachment

cc: Honorable Governor Edmund G. Brown Jr.
Assembly Speaker, John Perez
Senate President Pro Tem, Darrell Steinberg
Michael Kirst, President, State Board of Education
Judy Cias, Interim Executive Director, State Board of Education
LAUSD Members Board of Education

