

**ZARAGOZA-DIAZ & ASSOCIATES**  
**MARTHA ZARAGOZA-DIAZ**

**MEMORANDUM**

**To:** CABE Board Members  
**From:** Martha Zaragoza Diaz, Lobbyist  
**Subject:** Legislative Report  
**Date:** March 1, 2015  
**Cc:** Jan Gustafson Corea, Executive Director

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**I. LCFF: Evaluation Rubrics**

**A. Collaborative Effort by CABE, Californians Together and CRLA on Rubrics to Analyze Strengths and Limitations of District LCAPs Specific to English Learners.**

As was reported to Board members at several past board meetings, CABE, in collaboration with Californians Together, California Rural Legal Assistance and the Center for Equity for English Learners (CEEL) worked on the development of a tool that could be used by district administrators, parents, teachers, school board members and advocates to identify the strengths and limitations of a district's programs and services specific to English Learners included in their LCAPs.

On February 15, 2015, Californians Together released this significant and important tool, a set of rubrics that address 10 focus areas with high impact on English learners. It is hoped that the rubrics contained in the publication "***Does Your Local Accountability Plan Deliver on the Promise of Improved or Increased Services to English Learners***" will help stakeholders prioritize what needs to be improved and addressed in the annual revision of the LCAPs. These rubrics should give direction to school districts on how to actualize the equity vision and intent of the LCFF.

The rubrics are aligned to the research based practices documented by Drs. Patricia Gandara and María Estela Zarate in their recent publication titled "Seizing the Opportunity to Narrow the Achievement Gap for English Learners: Research-based Recommendations for the Use of LCFF Funds" from the Civil Rights Project at UCLA.

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Permission is granted to duplicate, distribute and post these rubrics for use in the districts and community but ask that they be attributed to Californians Together, CABE, CRLA and CEEL. The publication will be forwarded to you via a separate email or you can refer to this link for the publication:

[www.ciclt.net/ul/calto/Final\\_full\\_LCAP\\_rubrics\\_1.pdf](http://www.ciclt.net/ul/calto/Final_full_LCAP_rubrics_1.pdf). Please forward to other administrators, teachers, parents or community folks that you work or interact with.

### **B. Work Continues on Proposed Evaluation Rubrics**

The State Board of Education will review and comment on the “**Draft Evaluation Rubrics-February 2015**” proposed by West Ed on March 11, 2015. This draft is a result of a series of regional public comment sessions held throughout California, a policy stakeholder session and presentations at various statewide organization conferences and meetings. Input from these sessions was used by the Evaluation Rubrics Design Group (RDG) to inform the development of the draft evaluation rubrics. **West Ed has scheduled six more input sessions on the draft evaluation rubrics during the month of March and April 2015.**

Please refer to this link to identify when an input session is scheduled in your area:

[http://lcff.wested.org/wpcontent/uploads/2015/02/Regional\\_Notice\\_March\\_April15\\_Final.pdf](http://lcff.wested.org/wpcontent/uploads/2015/02/Regional_Notice_March_April15_Final.pdf).

All of the input sessions will be held in County Offices of Education.

Summaries of comments shared at the input sessions can be found at

<http://www.wested.org/>.

Pursuant to Education Code section 52064.5, the evaluation rubrics:

- Allow LEAs to evaluate their strengths, weaknesses and areas that require improvement;
- Assist county superintendents of schools to identify needs and focus technical assistance and
- Assist the Superintendent of Public Instruction to direct interventions when warranted.

The evaluation rubrics must provide standards for school districts and individual school sites performance and expectations for improvement in regard to each of the identified LCFF 8 state priorities.

The evaluation rubrics are comprised of a three part analysis with complementary tools and resources; data analysis, outcome analysis and practice analysis. The evaluation rubrics are to support any LEA level strategic planning process, including the development, implementation, and ongoing

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progress monitoring related to the LCAPs and Annual Updates. They are to serve as tools to ensure LEAs are able to align resources to implement strategies that result in meaningful improvement in student-level outcomes.

Here is the link to the draft evaluation rubrics:

<http://www.cde.ca.gov/be/ag/ag/yr15/documents/mar15item06a3.pdf>.

Several representatives from CIBE (including myself) and Californians Together attended the stakeholders meeting on the first version of the “conceptual” rubrics. The following concerns were expressed by us as well as other persons representing other unduplicated pupils (pupils in the foster youth system and economically disadvantaged pupils):

- Absence of rubrics specific to unduplicated pupils and other student subgroups in all of the components
- Absence of rubrics specific to pupils in the elementary grades
- Absence of “out of the box” rubrics for the parent engagement component and student outcomes component.
- Need to include information/data specific to each unduplicated pupil in the “Equity” component.
- Need to translate into other languages the evaluation rubrics and affiliated tools and resources.

Additionally other stakeholders at the meeting expressed the need to include state performance standards, use FCMAT tool as a model, have a separate list of metrics for charter schools and alternative schools, allow districts to determine which of the components are the most important for them to address, less is more and allow for local flexibility.

In order to address our EL concerns, representatives of CIBE and Californians Together continue to participate in the broader LCFF coalition facilitated by Public Advocates and ACLU. I will forward the final Coalition letter forwarded to Janelle Kubineck-West Ed, with specific recommendations in a separate email. I would like to thank Jan and Shelly for all their work in providing essential input specific to ELs!

## **II. PSAA Report and Recommendations**

At its January 2015 meeting, the SBE received an update on the work of the PSAA Advisory Committee with regard to moving toward a multiple measures’ approach to accountability. Since its adoption in 1999, the API represents a single composite score that reflects the quality of schools based on student performance on statewide standardized tests in English-language arts,

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mathematics, history/social science, and science. In 2012, the PSAA was charged to implement the components of *EC* sections 52052 through 52052.9 (as amended by Senate Bill 1458, Chapter 577, Statutes of 2012) by researching indicators such as graduation data and student preparedness for college and career for possible inclusion into the API. The SBE acknowledged at the January 2015 meeting that the PSAA's report provides an important contribution to the transition to a new accountability system and recognizes that a holistic approach to accountability that includes the LCFF state priorities that were subsequently adopted in 2013 is now necessary. Because the API is one component of the LCFF state priorities, it is important to move beyond the API to a broader set of measures that capture the basic conditions of learning, pupil outcomes, and engagement.

President Kirst summarized the complexity of the API and the requirement to integrate a college and career readiness index into the API as the state is transitioning to a new accountability system. Pursuant to *EC* Section 52052 (as amended by AB 484, Chapter 489, Statutes of 2013), the Superintendent, with the approval of the SBE, is authorized to suspend the API for the 2013–14 and 2014–15 school years. Furthermore, as the state adopts new standards-based assessments (please see March 2015 SBE meeting Item 3), there is an opportunity for these test results to measure actual student growth in future years. Per CDE and SBE, developing a system that measures student growth will take time and may make comparability across schools or school districts a challenge.

Recommendations of the PSAA Committee include, but are not limited to the following:

- Develop a new state accountability system that reports multiple measures in a manner that allows for comparability across schools and LEAs.
- In 2014-15 school year suspend the API which would allow for deliberation of the potential revision of the API relative to the transition of a new accountability system.
- Adoption of a multiple measures accountability system will require legislation because the API is embedded in many areas of the Education Code (such as open enrollment).

There appears to be broad support from stakeholders on all of the aforementioned recommendations of the PSAA Committee. Please note that the proposed accountability system does not include the primary language assessment nor the English Language Proficiency test.

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### III. Legislation

#### A. Sponsored Legislation: SB 750 (Mendoza) English Language Education

CABE and Californians Together are sponsoring one bill this year; a clean up bill on the State Seal of Biliteracy and Long Term English Learners. This bill is SB 750 authored by Senator Mendoza. The bill address technical problems regarding the lack of test scores and its impact on determining eligibility for the state seal of biliteracy and the need for further clarification regarding data specific to long term English learners. The California Department of Education is a co-sponsor of this bill as well. There will be revisions/amendments made to this bill pursuant to CDE requests. I will forward you the bill in a separate email.

Upon the request of Senator Mendoza, I spent a lot of time writing language that would have provided funding for dual language immersion programs. Jan our Executive Director and Kris Nichols spent a lot of time working on identifying costs specific to the dual language immersion programs. State Superintendent of Public Instruction Torlakson also was very interested in pursuing this type of legislation as well. Language provided to Senator Mendoza and the SPI's language was very similar. However, based upon meetings and conversations with key legislators and key legislative staff, it was decided that now is not the time to pursue such legislation. So pursuing additional funding for dual language immersion programs has been dropped. Additionally it was also decided not to pursue our bill on the state recognition of district's with multiple pathways to biliteracy.

However it is expected that a Senate Select Committee on Dual Language Immersion Programs will be approved by the Senate President pro Tempore for the purpose of identifying key policy and fiscal issues as well as identifying specific recommendations specific to the promotion of Dual Language Immersion Programs. It is anticipated that CABE and Californians Together will be actively involved in shaping the hearings of this Select Committee.

#### B. Other Legislation

Below is a list of bills introduced thus far that you should be aware of. This is not a comprehensive list.

- **AB 600 (Alejo) State Board of Education (Spot Bill)**
- **SB 409 (de Leon) English Learners: Reclassification Report**

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- **SB 416 (Huff) Public Schools: Repeal of Funding Programs**

The intent of this bill is to repeal obsolete code sections in the Education Code. Among other provisions, this bill proposes to repeal the Chacon Moscone Bilingual Education Act and the State Bilingual Teacher Training Assistance program.

- **SB 172 (Liu) California High School Exit Exam: Suspension** This bill would add a new requirement, that the Superintendent convene an advisory panel consisting of specified individuals to provide recommendations to the Superintendent on the continuation of the high school exit examination and on alternative pathways to satisfy specified high school graduation requirements, to those recommendations to be submitted by the Superintendent.
- **AB 47 (McCarthy) PreSchool Report** This bill would require the Department of Education to report to the Legislature and Department of Finance, by June 1, 2016, a plan for expanding the state preschool program to all eligible low-income children who do not have access to one year of state preschool or transitional kindergarten. The bill would require the report to contain an analysis of the need for new facilities for the state preschool program in order to provide access to all eligible children.
- **AB 711 (Santiago) School Curriculum: Foreign Languages** This bill would require the state board, on or before January 1, 2017, to adopt specified national content standards for teaching foreign languages in kindergarten and grades 1 to 12, inclusive, pursuant to recommendations developed by the Superintendent.