



September 4, 2020

Dr. Linda Darling-Hammond, President
California State Board of Education
1430 N Street, Suite 5111
Sacramento, CA 95814

Vía email (sbe@cde.ca.gov)

RE: Item3: Approval of Local Educational Agency Plans as Required by the Every Student Succeeds Act through the Completion of the Local Control and Accountability Plan (LCAP) Federal Addendum

Dear President Darling-Hammond:

We represent organizations that advocate on behalf of students, parents, community members, and educators in our state's public schools. We are united by a common belief that all schools and districts must address long-standing inequities of opportunity and should offer every student an excellent education that prepares them for college, career, and civic life. Below we provide feedback on the approval of LCAP addenda in accordance with the federal Every Student Succeeds Act (ESSA).

When this item was initially posted as part of the Board's July 2020 meeting, along with several other advocates, we raised concerns that the Board would be approving plans that the public had not been given the opportunity to review. We appreciate that staff removed the agenda item from consideration in July to allow the public and presumably Board members to review the plans in detail before they were approved.

Unfortunately, the item posted today appears very similar to the July item, simply removed from proposed consent. The item includes only three examples of addenda and no links to the other nearly 2,000 LEAs' LCAP addenda, which are expected to be approved. The item states, "On August 26, 2020, the CDE sent a letter to all LEA's informing them of the SBE's plans to take action to approve the Addendum during the September 2020 meeting and strongly encouraged them to post their Addendum on their web page with their adopted Local Control and Accountability Plan to provide transparency to their stakeholders." This is an inadequate response and inconsistent with earlier guidance on how to engage stakeholders. Unfortunately, very few districts have followed even this minimal suggestion for transparency by posting their addenda to their websites leaving a majority of the addenda a mystery to the public.

Even more concerning, of the few LEA plans stakeholders have reviewed, most do not meet Federal ESSA's requirements. ESSA Section 1112(b)(2) requires LEAs to identify and plan to address any disparities in students of color and low-income students' access to properly placed and credentialed and experienced teachers (using the federal terms and the state definitions for ineffective, inexperienced and out-of-field teachers).

We are aware that the CDE conducted a webinar and provided additional written guidance and provided contact information in a [website](#) to help LEAs comply with the equity reporting requirement. However, it appears that there has been no serious effort to iterate a review or verify any of the information provided to the CDE staff.

It is unclear if CDE staff made any effort to confirm the veracity of LEA self-reported claims to "iterate" and recommend districts' addenda for approval. This is of particular concern considering previously pulling this item off consent knowing there was stakeholder concern. At the very least, we believe the Board should inquire publicly of the CDE regarding the process used to analyze the submittals and why the CDE staff would have chosen an example that does not withstand simple scrutiny.

For instance, the example from Bakersfield City School District attests it has zero ineffective teachers, i.e. misassigned or teaching without credential. Per the addendum the data was collected from the "District's HR Department." However, a simple search using the Commission on Teacher Credentialing data tool demonstrates that Bakersfield City Schools had 167 teachers teaching with permits and 9 with waivers in 2018-19 and had similar counts in previous years. The addendum now claims based on the district's submittal that there are no ineffective teachers and therefore incorrectly no need to conduct an equity analysis or provide the required narrative as per the CDE guidance:

“Complete responses for this provision of the LCAP Federal Addendum will address the following in narrative form:

- *Describe the LEA's process for identifying disparities that result in low-income and minority students being taught at higher rates than other students by ineffective/misassigned, inexperienced, or out-of-field teachers.*

- *Describe the distribution of ineffective/misassigned, inexperienced, and out-of-field teachers working with low-income students.*
- *Describe the distribution of ineffective/misassigned, inexperienced, and out-of-field teachers working with minority students.*
- *Describe how the LEA engaged stakeholders in its process for identifying strategies for addressing disparities that result in low-income and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers.*
- *Describe the actions the LEA will take to address any disparities discovered during the equity data analysis process (including actions/services included in its LCAP for Priority 1—Basic Services).”*

As nonprofit stakeholder organizations we do not have the time or resources the legislature has allocated to the Superintendent and CDE to support the work of the Board. In this example alone, we believe the Board, stakeholders and parents are not well served. To be clear, for any parent or stakeholder paying attention, Bakersfield believes it has no ineffective teachers.

There is no evidence within this item to demonstrate that CDE staff have done anything other than recommend the Board rubber stamp the plans submitted by the LEA's. We question whether CDE staff have scrutinized the addenda carefully and specifically what rubric was used to recommend plans for approval. We urge the Board to request the Superintendent to explicitly outline how staff reviewed the plans and why, for example, LEAs such as Bakersfield City School District is being recommended for approval when they are providing inaccurate information to the federal government.

If these funds are to be used to close historical, and now widening achievement gaps caused by COVID-19, California should be taking this exercise more seriously. A parent or community member of Bakersfield reviewing this item would be under the impression that their district is making headway in ensuring that students of color and low-income students have effective teachers, but that assumption would be inaccurate.

We believe that putting 98 pages of LEAs listed for approval without any information on how these plans were scrutinized, let alone opportunities for public or stakeholder input, risks negatively impacting hundreds of thousands of California's high need students.

Finally, we believe it is improper for the Board to condone CDE staff passively allowing LEAs to obfuscate stakeholder engagement and recommend approval without verifying that CDE guidance was followed by each LEA to be accountable for the use of federal funds and address the needs of disadvantaged students and English learners.

We urge the Board to refrain from approving LEA addenda until the Board is confident the staff have verified the accuracy of LEA reporting and stakeholders have had the opportunity to engage the LEAs as directed by the CDE guidance to ensure they meet the requirements of ESSA and California's ESSA state plan.

Respectfully,

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