



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 7.5

Meeting Date: February 18, 2021

Subject: District Assessments – Current District-Wide Student Assessment Practices and SPED Assessments

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Legal Services

Recommendation: Not Applicable.

Background/Rationale: This matter concerns common and special education assessments. The District recognizes that providing stakeholders with timely and useful information on students' academic progress and performance is essential for increasing academic achievement for all learners.

Common assessments include both state required examinations such as The California Assessment of Student Performance and Progress (CAASPP); the English Language Proficiency assessment for California (ELPAC); and Physical Fitness Testing (PFT), as well as District-wide common assessments, which the District has developed.

Regarding special education assessments of students with disabilities, and particularly in light of school closures due to the COVID-19 pandemic, the District has not been able to complete those assessments or hold IEP meetings to discuss those assessments, within 60 days of receiving parental consent as required by Education Code section 56043(c), which has resulted in a decision and required action steps being issued by the California Department of Education (CDE).

The District-wide common assessments are currently not being administered in light of an Arbitrator's decision rendered on January 11, 2021 in Case No. 01-20-0000-2531 and pending the convening of an assessments committee with SCTA. As for the remaining aforementioned assessments, the District is currently working to ensure they

are administered. The District will provide stakeholders with ongoing information about student performance and progress.

Documents Attached:

1. Executive Summary

<p>Estimated Time of Presentation: 45 Minutes Submitted by: Christine Baeta, Chief Academic Officer; Raoul Bozio, In House Counsel Approved by: Jorge A. Aguilar, Superintendent</p>

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



I. Overview/History of Department or Program

SCUSD recognizes that providing stakeholders with timely and useful information on students' academic progress and performance is essential for increasing academic achievement for all learners. The ability to provide such information is dependent on educators' and administrators' access to high-quality, valid, and reliable assessment measures that provide continuous information on what students know and are able to do. Moreover, educators and administrators must be skillful users of assessment data maximizing it to improve teaching and learning and to make decisions about instructional programming. This is even more critical for impacting achievement of students with disabilities, English Learners, and/or those who are performing below grade level.

Current District-Wide Student Assessment Practices/District Common Assessments

Presently, SCUSD is administering District-wide student assessments required by the state. Additionally, SCUSD is administering District-wide student assessments for College Readiness, which is administered by the College Board, International Baccalaureate assessments, and assessments for GATE Identification. The aforementioned assessments are administered annually and include the following:

English Language Proficiency Assessment for California (ELPAC)

The ELPAC is used by the state to assess students who are English Learners. The assessment provides information on student levels of English proficiency and is used to reclassify English Learners. The ELPAC Initial Assessment is given to all new English Learners and the ELPAC Summative is administered on an annual basis to all English Learners.

Smarter Balanced Assessment Consortium (SBAC) for ELA and Math

The SBAC for ELA and Math are online state assessments used to determine if students have mastered grade level standards for the California Common Core Standards. The assessments are administered one time per year in grades 3-8 and 11 only.

California Alternative Assessment (CAA) for ELA and Math

The CAA for ELA and Math is an annual assessment measure administered as an alternative to the SBAC. The assessment is designed for students with the most significant cognitive disabilities and is administered to students in grades 3-6 and 11.

California Science Test (CAST) and California Alternative Assessment for Science (CAA-Science)

The CAST is an online assessment for science that is administered only in grades 5, 8, and one time while a student is in high school. The test is aligned to the Next Generation Science

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



Standards. Similar to the CAA ELA and Math, the CAA Science is an alternative science assessment for students with significant cognitive disabilities.

National Assessment of Educational Progress (NAEP)

The NAEP, commonly referred to as the Nation's Report Card is a national assessment and includes assessments in various subject areas. NAEP is administered annually in grades 4, 8, and 12 and only a random sampling of schools in a district take the NAEP.

Physical Fitness Test

The Physical Fitness test administered in California is Fitnessgram. This assessment is administered in grades 5, 7, and 9 and consists of a battery of fitness assessments in areas such as aerobic capacity, abdominal and upper body strength, and flexibility.

Scholastic Aptitude Test (SAT) and Preliminary Scholastic Aptitude Test (PSAT)

The SAT is a test of academic skills in various content areas that is used by colleges and universities to determine readiness for college and informs admissions decisions. SCUSD administers the SAT system-wide annually to all students in grade 11. The PSAT is a precursor to the SAT and is administered to all 10th grade students. This year the district also administered the PSAT 8/9 to all students in grades 8 and 9. The PSAT and PSAT 8/9 assessments provide students and staff with information on how students are predicted to perform on the SAT and results provide students with information on areas they can work on to improve their performance.

GATE Assessments

SCUSD annually screens students in grades 1 and 3 for Gifted and Talented Education services eligibility using nationally recognized and normed assessments. The district uses the Naglieri Non-Verbal Abilities Assessment (NNAT3), in grade 1 and the Cognitive Abilities Test (CogAT), a problem solving and reasoning test, in grade 3.

Advanced Placement (AP) and International Baccalaureate (IB)

AP and IB assessments are administered to students who are enrolled in AP or IB coursework or demonstrate advanced proficiency with course content, and wish to self-select into the opportunity to complete one or more of these college readiness assessments. These courses are considered college-level courses and students performing at a required level of proficiency on the assessments are able to have the courses count towards college credit. Additionally, these assessments are vital criteria in the College/Career Readiness indicator on the CA School Dashboard.

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



District Common Assessments

In recent years, the state of California has adopted more rigorous college and career focused curricular standards in English Language Arts (ELA), English Language Development (ELD), mathematics, and science and has made substantial changes to state level assessment. As a result, districts have had to critically evaluate their local assessments and assessment practices. An analysis of current District-administered assessments reveals that the District is overly reliant on assessments provided by the state for information on how students are progressing. These assessments are only administered on an annual basis and often there is a lengthy time-lag from when the assessments are administered to when data are available for use which makes it difficult for this information to be used to impact instruction for students.

The District has developed a comprehensive system of District common assessments, which are designed to be administered three to four times a year and include foundational reading, English Language Arts, and math. The assessments at the start of the year are designed to assess unfinished learning of the previous year's learning. The remaining assessments are designed to provide stakeholders with ongoing information about student performance and progress on grade level standards. A copy of the District's assessments plan and calendar is included with the attached supporting documents.

Currently, the District is unable to administer its common assessments pursuant to the Arbitrator's decision rendered on January 11, 2021 in Case No. 01-20-0000-2531. The decision and related documents are accessible on the District's website at: <https://www.scusd.edu/document/source-documents-legal-matters>. A copy of the decision is included with the attached supporting documents.

Consistent with the above decision, the District and SCTA are to convene a committee to come to an agreement on the common assessments which the District will give in addition to those required by the state. As of the time of the posting of this summary, SCTA has not agreed to any dates offered by the District, nor offered any other dates, to convene this committee.

Special Education Assessments

Assessment in special education is a process of collecting information about a student for the purpose of determining eligibility under one or more of the following thirteen eligibility categories:

1. Specific Learning Disability (SLD)
2. Other Health Impairment (OHI)
3. Emotional Disturbance (ED)
4. Speech or Language Impairment (SLI)

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



5. Autism (AUT)
6. Intellectual Disability (ID)
7. Hard of Hearing (HH)
8. Deafness (DEAF)
9. Visual Impairment (VI)
10. Orthopedic Impairment (OI)
11. Deaf-Blindness (DB)
12. Multiple Disabilities (MD)
13. Traumatic Brain Injury (TBI)

In making a determination of eligibility, the Individual Education Plan (IEP) team shall make the decision as to whether or not the assessment results demonstrate that the degree of the student's impairment requires special education and or related services. It is worth noting that a student shall not be determined to be an individual with exceptional needs if the determining factor is one of the following:

- Lack of appropriate instruction in reading
- Lack of appropriate instruction in mathematics
- Due primarily to limited school experience or poor school attendance
- Is a result of environmental, cultural difference, or economic challenges
- Could be corrected through other interventions and supports offered within the general education program.
- Limited-English proficiency

Assessments in special education are historically provided in-person and within educational settings. Further, the majority of standardized assessments are normed to be delivered within in person settings.

School closures, as a result of the COVID-19 pandemic, have impacted the special education assessment process nationwide. The District is collaborating with labor partners to establish a Memorandum of Understanding (MOU) which outlines safety protocols which would enable appropriately credentialed and licensed individuals to provide these assessments as some such assessments need to take place in-person in order for accuracy and to meet the legal standards for same. Further, the greater educational community, including standardized assessment publishers, have invested in the development of assessments which are normed to be provided in virtual settings and online platforms, which allow for a simulated in-person assessment environment.

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



Currently, the District is unable to administer special education assessments due to the lack of a negotiated MOU with its labor partners. However the District continues to analyze the various options available to effectively and efficiently provide valid special education assessments in accordance with COVID-19 safety measures. The history of the District’s bargaining, including its initial proposal and counter-proposals from each party can be found on the District's website: <https://returntogether.scusd.edu/labor-negotiations>.

II. Driving Governance:

Current District-Wide Student Assessment Practices/District Common Assessments

The District’s Equity, Access, and Social Justice Guiding Principle calls for all students to be given an equal opportunity to graduate with the greatest number of post-secondary choices from the widest array of options. Vital to actualizing this principle is having a “comprehensive, coherent and continuous system of assessment” (CA ELA/ELD Framework, 2014) to monitor student progress and ensure that students graduate with the requisite knowledge and skills to meet the demands of any post-secondary option they choose. The District has established the expectation for monitoring and reporting on student progress in various Board policies, including BP 5121, BP 5123, BP 6162.5.

The critical role that academic assessments play in impacting and improving teaching and learning in various academic subject areas is well researched in the California Department of Education [subject matter curricular frameworks](#) for math (2013), ELA/ELD (2014), science (2016), and social science (2016). All frameworks call for a balanced approach to assessments including assessments for learning and assessment of learning. Additionally, the [CA Dyslexia Guidelines](#) (2017) call for universal screening or assessment of all students in reading so that students can be provided with early interventions to address reading difficulties. The guidelines also forefront the importance of ongoing progress monitoring in reading throughout the school year using evidence-based assessments. Similarly, the state has also positioned assessments to screen, diagnose specific learning needs, and progress monitor to inform placement in tiered supports, as foundational and fundamental components of a Multi-Tiered System of Supports (<https://www.cde.ca.gov/ci/cr/ri/mtsscomponents.asp>).

California Education Code also specifies that districts use an assessment of academic achievement in English language Arts along with the state’s English Language Proficiency Assessment for California (ELPAC) to make decisions about English Learner reclassification (EDC TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. -32500]). Districts that have local assessments of academic achievement beyond state assessments are able to provide greater opportunities for students to demonstrate that they have achieved grade level proficiency and to be redesignated as proficient in English.

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



Special Education Assessments

Special education assessments shall be conducted within specific timelines as outlined by state and federal law:

- Education Code Section 56043(a)—Assessment Plans
 - If an assessment for the development or revision of the individualized education program is to be conducted, the parent or guardian of the pupil shall be given, in writing, a proposed assessment plan within 15 days of the referral for assessment not counting days between the pupil's regular school sessions or terms or days of school vacation in excess of five schooldays from the date of receipt of the referral, unless the parent or guardian agrees, in writing, to an extension.
- Education Code 56043(f)(1)—Assessment Timeline
 - Requires that an IEP resulting from “an assessment of a pupil shall be developed within a total time not to exceed 60 calendar days, not counting days between the pupil’s regular school sessions, terms, or days of school vacation in excess of five schooldays, from the date of receipt of the parent’s or guardian’s written consent for assessment, unless the parent or guardian agrees in writing to an extension, pursuant to Section 56344.

Further, the District has special education policies and procedures in place for documenting and responding to initial special education evaluations, re-evaluations, and related procedural safeguards for parents and timelines as required by state and federal regulations located at Administrative Regulation 6164.4 and the District’s 2018-19 special education handbook.

III. Budget:

Current District-Wide Student Assessment Practices/District Common Assessments

District common assessments are intended to monitor student achievement and inform academic, social-emotional, and career and college readiness intervention efforts.

Special Education Assessments

Special education assessments are mandated to inform student eligibility for special education supports and services and ensure students have access to a free and appropriate public education within the District as required by state and federal law. District common assessments are informative data measures for IEP teams to consider when conducting special education assessments.

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



IV. Goals, Objectives and Measures:

Current District-Wide Student Assessment Practices/District Common Assessments

The District needs to have a comprehensive system of assessments to monitor student progress and to be able to provide objective information to students, parents, teachers administrators, the superintendent and the board of education on whether or not students are making adequate progress towards grade level readiness and meeting standards. Having regular, reliable information on student progress will enable the District to provide timely interventions to students as a necessary part of a multi-tiered system of support.

Special Education Assessments

The District's Special Education Department utilizes an online database, Special Education Information System (SEIS), for its special education data management system. This system supports our team with monitoring special education timelines and development of individualized IEP documentation.

It is important to note that the health of the District's data system and consistency by the users is imperative to having accurate data. Due to the natural consequence of data entry and opportunities for error, the Special Education Department is collaborating with site administration, education specialists, and related service providers in a weekly data review process to ensure the system is reporting accurate data.

V. Major Initiatives:

Current District-Wide Student Assessment Practices/District Common Assessments

Each of the assessments the District administers provides valuable information on student achievement. However, there are significant limitations in relying heavily on assessments that are required by the state, are administered only in certain grade levels, and where data are only reported annually. Table 1 attached hereto as "Table 1 - Grade levels Currently Assessed" provides a summary of each of the assessments and the grade levels they are administered.

The table illustrates the information gaps that occur within the assessment system which relies on our current assessments. For almost every grade, the students are assessed only once per year unless they are an English Learner. Furthermore, most of these assessments occur in the spring with months between when the assessments take place and when final data are reported to the district. This information lag means that teachers do not receive information on student performance until after the students have left their care.

A single spring administration of an assessment also means that there is no system-wide and

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



objective information being provided to educators, administrators, parents/guardians, and students regarding whether or not students are making adequate progress towards grade level readiness and meeting standards. The ability to provide meaningful and aligned interventions and supports is also compromised.

The chart also reveals that for English Learners, the problem is even more acute and impacts their opportunities to qualify for reclassification. This is evident in the early grade levels where the only assessment being administered may be ELPAC. Without a common academic achievement assessment, the district is unable to reclassify EL students.

The District is to convene an assessment committee with SCTA to agree upon common assessments to provide critical information to monitor student progress, inform teaching and learning and cycles of continuous improvement, and support programmatic decision making.

Special Education Assessments

Three complaints were filed with the California Department of Education (CDE) on November 20, 2020; January 6, 2021; and January 22, 2021 alleging, among other things, a violation of the District's obligation to timely conduct special education assessments and specifically, to conduct special education assessments within 60 days of receiving signed parental authorization for assessment. Following the (CDE) January 19, 2021 investigation report (attached hereto) on the first of these complaints, the District and the CDE's special education team held a February 2, 2021 meeting, wherein the District agreed with CDE's finding that the District failed to comply with Education Code 56043(f)(1). The District intends to work with CDE regarding implementation of its corrective actions and has begun providing weekly updates and responsive information to CDE regarding the same. The District anticipates similar findings and corrective actions to be issued by CDE in the two additional matters.

The corrective actions include the following:

1. For Student One, on or before February 22, 2021, the District shall provide evidence that it has completed the student's assessments, convened an IEP meeting to review them, and determined the student's services. If the IEP team determines compensatory services are needed, over and above the regular IEP services for the student, the District shall also provide the educational rights holder a plan for the provision of compensatory services, if agreed to by the educational rights holder, based on the delay in completing the assessments and timely holding and completing the IEP. Acceptable evidence should include a copy of the completed assessment report(s), the completed IEP and the compensatory service plan if applicable.
2. On or before February 2, 2021, the District special education director or designee shall

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



provide this report to the District's board of education. Acceptable evidence should include a copy of the meeting notes.

3. On or before February 2, 2021, the District shall provide training to all District special education assessment administrators, school site special education case managers, and assessment service providers, regarding EC Section 56043(f)(1) and the findings of this case, with a directive to comply with the law. Acceptable evidence should include a copy of the training agenda and a list of recipients and training participants, including their titles and verification of attendance. Training by webinar or other electronic means is acceptable, and dividing training sessions to accommodate the scheduling needs of attendees is acceptable.
4. On or before February 2, 2021, the District shall provide the CDE a list of students who have either an overdue initial or triennial reevaluation assessment. The list shall include the name of the student, the original initial/triennial due date, the current progress on the students' assessments, and the date in which an IEP meeting will be held to review assessment data. Acceptable evidence should include a copy of the list.
5. On or before February 2, 2021, the District shall develop a plan, using the information in the list prepared in response to corrective action four above, that ensures all overdue assessments from March to November 20, 2020, will be completed by July 30, 2021. The plan must include the number of assessments that will be completed weekly and by whom, whether District staff or qualified, non-District, contracted assessors. Acceptable evidence should include a copy of the plan.
6. On or before February 19, 2021, the District shall provide evidence of written communication with the individual affected parents/guardians of the students in the lists compiled corrective action 4, that describes the District's plan for completing the individual student assessments respectively. Acceptable evidence should include copies of the letters.
7. On or before July 30, 2021, the District shall have provided the CDE with weekly spreadsheets or weekly reports, between the date of this report and July 30, 2021, showing outstanding assessments and IEP meetings to discuss assessments completed, as identified in the plan prepared in response to corrective action five above. Acceptable evidence should include a copy of the weekly spreadsheet or report.
8. On or before July 30, 2021, based on the students' completed IEPs, if the IEP teams determine compensatory services are needed, over and above the regular IEP services for the students respectively, the District shall provide letters to the parents/guardians respectively, with a plan for the provision of compensatory services as appropriate, if agreed to by the parent/guardian, based on the delay in completing the assessments and timely holding and completing the IEPs. Acceptable evidence should include a copy of the students' IEPs and plans for providing compensatory services over and above the

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



regular services already included in the students' IEPs, if applicable.

VI. Results:

Current District-Wide Student Assessment Practices/District Common Assessments

See attachments:

- "ELPAC Results"
- "ELA Common District Assessments Participation and Performance Results"
- "Math Common District Assessments Participation and Performance Results"

Special Education Assessments

Currently, according to data from the SEIS system, the District has 420 outstanding initial assessments and 431 outstanding triennial assessments.

VII. Lessons Learned/Next Steps:

Current District-Wide Student Assessment Practices/District Common Assessments

As SCUSD has worked to expand its assessment practices and increase opportunities to provide stakeholders with information on student academic needs, we have learned several lessons including but not limited to the following:

- District common assessments need to be aligned to a guaranteed and viable curriculum for each and every student.
- District common assessments give vital information pertaining to whether students are learning the necessary standards of the guaranteed and viable curriculum in each grade level.
- District common assessments are necessary to provide timely interventions to students on an as needed basis as part of a multi-tiered system of support. These interventions could be site or District-based. An example of a District-based intervention is the Expanded Learning Summer Program.
- District common assessments are necessary to give English Learner students multiple opportunities to reclassify. This is especially pertinent in the grade levels which are not assessed by the SBAC, who would have no opportunity to reclassify without District Common Assessments.
- As per the Office of Civil Rights, District common assessments are necessary to give students equitable opportunities to be GATE identified.
- District common assessments are necessary to evaluate the effectiveness of interventions and programs.
- District common assessments are necessary to provide school teams with regular, objective data to inform cycles of continuous improvement.
- District common assessments are necessary to provide the District with information on

Board of Education Executive Summary

Legal Department

Information Item Regarding District Assessments – Current District-Wide Student Assessment Practices/District Common Assessments and Special Education Assessments
February 18, 2021



where the curriculum is weak, so we can provide targeted professional learning to teachers.

- Building an effective assessment system is an ongoing endeavor and must be carefully monitored.
- Building the capacity of educators, administrators, and support staff to be skillful users of assessment data is of utmost importance and is ongoing work.

Our next steps include the following:

- To convene an assessment committee with the SCTA to agree upon District common assessments.
- Provide ongoing professional learning for administrators and educators on data analysis and using assessment results to inform instruction.
- Finalize communication protocol for stakeholders.
- Finalize student reporting for parents and guardians.
- Evaluate the assessments items annually and revise as needed.

Special Education Assessments

The District was appreciative for the opportunity for our Special Education team, which included the District Superintendent, Chief Academic Officer, and Legal Counsel, to meet with the CDE's Special Education team on February 2, 2021 to discuss CDE's January 19, 2021 Investigation Report for Case S-0297-20/21. At the meeting, the District confirmed their agreement with the Decision's findings that the District has failed to comply with Education Code section 56043(f)(1), which requires convening an IEP team meeting to review an assessment within 60 days of calendar days (not counting days between the pupil's regular school sessions, terms or days of school vacation in excess of five schooldays) from the date of receipt of the parent's or guardian's written consent for assessment, unless the parent or guardian agrees in writing to an extension.

The District is diligently working to take necessary steps to satisfy the requirement to assess its students with disabilities consistent with the corrective actions set forth in the decision and the District intends to work with CDE regarding implementation of the District-wide corrective actions.

At the February 2, 2021, it was agreed that the District would provide CDE with an initial response and update on Friday, February 5, 2021, concerning its progress on the corrective actions included in the Decision. Thereafter, the District will provide weekly assessment progress updates to CDE as required by the decision.