

## AGENDA

### ASSEMBLY BUDGET SUBCOMMITTEE NO. 2 ON EDUCATION FINANCE

Assemblymember Kevin McCarty, Chair

TUESDAY, MAY 5, 2015

9:00 AM - STATE CAPITOL, ROOM 444

#### ISSUES TO BE HEARD

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**ISSUES TO BE HEARD****00 CALIFORNIA DEPARTMENT OF EDUCATION**

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**ISSUE 1: SPECIAL EDUCATION PROGRAMS**

The issue for the Subcommittee to consider is background on Special Education and a recent March 2015 Task Force report. This issue is informational only.

**PANELISTS**

- Rachel Ehlers, Legislative Analyst's Office
- Gina Plate, Chair of the State's Advisory Commission on Special Education
- Public Comment

**BACKGROUND**

Special education is the “catch-all” term that encompasses the specialized services that schools provide for disabled students. State special education funds total about \$4 billion annually and were carved out of the Local Control Funding Formula (LCFF). Federal law requires schools to provide “specially defined instruction, and related services, at no cost to parents, to meet the unique needs of a child with a disability.” The law requires schools to provide disabled students with these special supports from age 3 until age 22, or until they graduate from high school, whichever happens first. These services are in addition to what a nondisabled student receives.

About 699,500 students with disabilities (SWDs) receive special education services in California, comprising about 10 percent of the state's public school enrollment. Specific learning disabilities—including dyslexia—are the most common diagnoses requiring special education services (affecting about 4 percent of all K–12 students), followed by speech and language impairments. While the overall prevalence of students with autism and chronic health problems still is relatively rare (each affecting 1 percent or less of all public school students), the number of students diagnosed with these disabilities has increased notably over the past decade.

Federal law only requires schools to provide special education services to students with diagnosed disabilities that interfere with their educational attainment. To determine a student's need and eligibility for special education, schools must conduct a formal evaluation process. If schools determine that general education programs cannot adequately meet a disabled student's needs, they develop Individualized Education Programs (IEPs) to define the additional services the school will provide. Each student's IEP differs based on his or her particular disability and needs. Specialized academic instruction is the most common service that schools provide. This category includes any kind of specific practice that adapts the content, methodology, or delivery of instruction to help SWDs access the general curriculum. Other commonly provided services include speech and language assistance and various types of therapies for physical and psychological needs that may be impeding a SWD's

educational attainment. Although federal law encourages schools to educate disabled students in mainstream settings, most (about three-quarters) of special education services are delivered in settings other than regular classrooms.

**Special Education Local Plan Areas.** Because economies of scale often improve both programmatic outcomes and cost-effectiveness, special education funding and some services are administered regionally by 127 Special Education Local Plan Areas (SELPA) rather than by the approximately 1,000 school districts in the state. Most SELPAs are collaborative consortia of nearby districts, county offices of education (COEs), and charter schools, although some large districts have formed their own independent SELPAs, and three SELPAs consist of only charter schools.

California relies primarily on a “census-based” funding methodology that allocates special education funds to SELPAs based on the total number of students attending, regardless of students’ disability status. This funding model implicitly assumes that SWDs—and associated special education costs—are relatively equally distributed among the general student population and across the state. The amount of per-pupil funding each SELPA receives varies based on historical factors. After receiving its allocation, each SELPA develops a local plan for how to allocate funds to the school districts and charter schools in its region based on how it has chosen to organize special education services for SWDs.

Some performance indicators suggest SWDs generally are performing well, whereas other indicators are less encouraging. For example, performance on standardized tests (including those specifically designed for SWDs) has improved over the past several years, but a majority of SWDs still fail to meet state and federal achievement expectations. As SWDs near the end of their time receiving special education services, data show that about 60 percent of SWDs graduate on time with a high school diploma and about two-thirds of SWDs are engaged productively after high school (with about half enrolled in an institute of higher education and 15 percent competitively employed within one year after high school).

#### **TASK FORCE RECENT REPORT**

The California Statewide Special Education Task Force was formed in 2013 to study the causes of the state’s poor outcomes for students with disabilities – infants, toddlers, preschoolers, and students in the kindergarten-through-high-school system, from birth to age 22, all serves in California under the Individuals with Disabilities Education Act (IDEA). Made up of a group of representative stakeholders, the group was charged with studying exactly why special education is not more successful and what must be changed in both policy and practice to improve services for all children. The full report, subcommittee reports and additional information is available at: <http://www.smcoe.org/about-smcoe/statewide-special-education-task-force/>

The Task Force recommendations include the following:

- State-level commitment to aligning policies, practices, and systems of support across initiatives.
- Clearly and thoroughly articulated and disseminated statewide standards of practice based on the following:
  - Universal design for learning.

- A tiered school and classroom system designed to coordinate and provide support to all students and that is primarily located in general education. This system incorporates a response to intervention approach and addresses both:
  - academics and
  - social-emotional learning and positive behavioral support and practices.
- A system for training current teachers and school administrators on evidence-based practices, including transition strategies, culturally responsive teaching, technology, and youth and family involvement.

**STAFF COMMENTS/QUESTIONS**

The Subcommittee may wish to pose the following questions to the panelists:

- 1) Which recommendations from the report are the highest priorities?
- 2) Given the potential for additional one-time Proposition 98 resources, are there one-time needs for improving special education services that the Legislature should consider?

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**Staff Recommendation: Informational Only.**

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**ISSUE 2: STATE SPECIAL SCHOOLS**

The issue for the Subcommittee to consider is funding proposals in the Governor's Budget related to State Special Schools.

**PANELISTS**

- Rachel Ehlers, Legislative Analyst's Office
- Monique Ramos, Department of Education
- Department of Finance
- Public Comment

**BACKGROUND**

The Governor's proposal provides \$3 million in non-Proposition 98 General Fund for deferred maintenance at the State Special Schools. There also is a Capital Outlay Budget Change Proposal (COBCP) before the Legislature for a proposed capital outlay project at the Fremont School for the Deaf (\$1.8 million to build a middle school activity center).

According to the LAO, the California School for the Deaf in Fremont, enrolls 433 students, of whom 135 are in the elementary program (including infant/preschool services through 5th grade), 92 are in middle school (grades 6 through 8), and 206 are in high school. Overall, about half of the students attend as day students while half live at the school during the week. The Fremont campus includes three activity centers for students. The activity center for middle school students may not be used for students after September 30, 2015, as it is in a 40-year old modular building which is not Field Act compliant. According to the CDE, the cost to remove the current building and make the site safe for children would be approximately \$230,000.

**Governor's Budget Proposal.** The Governor proposes to provide \$1.749 million in non-Proposition 98 General Fund to construct a new building for the middle school activity center at the California School for the Deaf in Fremont. The project would replace the old modular 1,920 square foot building with a new 2,160 square foot permanent building and would include new walkways, fencing, patio area, accessible parking, manhole and storm drain inlets, and renovated landscaping. The interior of the building would contain a large game room, video viewing area, concession snack bar, bathrooms, storage, refrigerator and freezers, and data equipment cabinet.

**Legislative Analyst's Office Analysis and Recommendations.** The LAO notes that this request is one of many capital outlay projects that have been identified by the state, many of which represent responses to serious health and safety needs which they believe are of a higher priority. The LAO also notes that this project is not vital to the core instructional program for students at the California School for the Deaf in Fremont. The LAO also notes that although revenues are increasing, most if not all, of the increase will go to Proposition 98, leaving very little General Fund available for other priorities, such as Medi-Cal and child care among others. Finally, the LAO notes that although rejecting this project at this time

would create some challenges for the school in scheduling of activities for students, the school does have the ability to use other existing spaces to accommodate student social events. The LAO recommends that the Legislature reject this request at this time given the limited availability of non-Proposition 98 General Fund and pressing General Fund needs.

<b>STAFF COMMENTS/QUESTIONS</b>
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The Subcommittee may wish to pose the following questions to the panelists:

- 1) If this proposal is not funded, what is the impact on the core instructional activities of the State Special School at Fremont?
- 2) Are there lower cost alternatives?

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**Staff Recommendation: Hold open the funding requests in the Governor's Budget related to State Special Schools.**

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**ISSUE 3: TECHNOLOGY INFRASTRUCTURE**

The issue for the Subcommittee to consider is the implementation of resources dedicated to and Governor's Budget proposals for technology infrastructure in California schools. Schools have a greater need to provide internet access to their students that ever before with the advent of statewide online testing. The Governor's 2015-16 budget provides a total of \$108.8 million in funding to address school sites that have no or limited internet connectivity.

**PANELISTS**

- Cindy Kazanis, Department of Education
- Luis Wong, Imperial County Office of Education
- Monique Ramos, Department of Education
- Natasha Collins, Legislative Analyst's Office
- Amber Alexander, Department of Finance
- Public Comment

**BACKGROUND**

Most schools connect to their school district office or county office of education which then connects to a high-speed internet backbone (a series of fiber-optic cables that run across large distances) operated by the Corporation for Education Network Initiatives in California (CENIC). The K-12 High Speed Network (HSN) grant pays for internet connections from the district or county office of education to the CENIC backbone. CENIC is a non-profit organization that provides internet services to educational agencies in California.

The HSN was established in 2004-05, when the state provided funding for a HSN grant, which was awarded to the Imperial County Office of Education. The HSN assists schools with connecting to the internet through CENIC. According to the LAO, the HSN received about \$8 million annually in Proposition 98 General Fund and also receives about \$6 million per year in subsidies for internet services purchased from commercial providers. The HSN also has a projected reserve of \$14.3 million in 2014-15, built up over time as the cost of internet services has decreased.

According to the HSN, the ability of school access to the internet varies across the state due to a variety of reasons, available infrastructure is often the biggest barrier – both remote, rural areas and low-income, urban areas face issues related to lack of infrastructure. Other barriers include limited technical capacity in school staff, limited dedicated state funds in recent years, and geographic diversity. While the HSN has been working to increase internet access across the state for the past decade, recent state policies have made this access a greater priority than ever before.

The new statewide assessment system, currently under development, not only aligns with new state academic content standards, but also requires computer-based, and in some cases computer-adaptive, assessments to replace many assessments that were previously paper and pencil exams. LEAs have faced challenges in upgrading their technology needs, not just hardware and software needs, but also internet connectivity and load capacity (how

any students can take the assessment at one time). In the spring of 2014, the new English language arts and mathematics exams were field tested by approximately 95 percent of students in grades 3 through 8 and currently LEAs are administering the first operational version of the assessment. Of the approximately 3.2 million students in grades 3 through 8 and eleven, being assessed in the spring of 2015, it is estimated that only 1,800 will be assessed using a paper pencil version (26 schools that lack adequate bandwidth to provide the online assessment).

Recognizing the critical need for many schools to upgrade their internet access in the face of new assessment requirements, the 2014-15 budget provided \$26.7 million for the Broadband Infrastructure Improvement Grants (BIIG) program. These funds were for improvement of network connectivity infrastructure for schools, specifically infrastructure known as the “last mile” connection. The last mile is typically the connection from the school to the school district office or county office of education.

According to a HSN report, “Connecting California’s Children 2015: Assessing and Improving Network Connectivity Infrastructure in California’s K-12 Public Schools”, BIIG funds are being provided to upgrade connectivity to 227 sites. These grantees were determined through a multi-step process. First priority was given to schools that were unable to administer the CAASP field test in 2014 due to last mile connectivity, with second priority for those schools that had to limit other internet use in order to conduct the tests. After site needs were validated and reviewed, 291 sites were eligible for BIIG funds. Sites that ultimately are receiving BIIG funds do not get funds that go directly to schools, instead funds are managed by the HSN and pay for one-time costs to upgrade circuits, construction, installation, and equipment. Also, ongoing monthly costs are covered through June 30, 2016. Sites receiving BIIG grants will have dramatically improved network speeds, access to statewide research and education network, access to higher connectivity at lower costs, and most will have scalable connections to ensure room for future growth, as well as ensuring the sites can provide the new online assessments.

Of the 291 eligible sites, 64 sites initially did not receive a solution, and after continued work by the HSN, this number is now down to 47. Of these 9 schools cannot test onsite and 38 must shut down other operations in order to provide the online assessment. According to the HSN report, there are a variety of reasons these sites may not have received bids including a too-short timeframe to prepare a bid for the complex solutions some sites may need, geographical isolation of sites, or lack of business opportunities for vendors. At this time, CDE and the HSN have indicated that the remaining 47 sites would receive solutions within the current year BIIG grant. These solutions would be limited to satellite and microwave which have limitations for reliability and scalability, however have a shelf life of 7-10 years. BIIG funding is one of many sources of that LEAs can use to meet their technology needs. The state has provided a variety of funds sources that LEAs may use for technology, including: LCFF funding, a one-time allocation of \$1.25 billion of Proposition 98 funding in the 2013-14 year for implementation of state standards, \$401 million in mandates backlog funding in the 2014-15 budget that may be used for any purpose, although legislation included intent language that it be used for implementing common core standards. Additionally, LEAs are eligible for state and federal internet subsidies that can pay for up to 95 percent of monthly service costs.



The HSN recently released “Connecting California’s Children 2015, Supplemental Report: Findings and Observations” in April of 2015. Language in last year’s budget required the HSN to provide information on network connectivity in California’s K-12 system. The report makes the following observations (and contains strategies to meet the goals around each observation):

- Technical support of network infrastructure varies across the state.
- Some of California’s K-12 public schools continue to lack access to last and middle mile infrastructure.
- Some school sites cannot fully utilize last mile connections because their internal infrastructure is inadequate.
- State and national reports call for expanded broadband capacity to meet 21st Century goals for teaching, learning, and assessments.
- Data collection on connectivity in K-12 schools is inconsistent, and impacts local planning.

**Governor’s Proposal.** The Governor proposes to provide \$100 million in one-time Proposition 98 funding to support internet connectivity and infrastructure for schools. This funding would go out through the same BIIG program from the current year and would use the same eligibility and priority ranking criteria as last year to address the remaining sites, likely to provide fiber optic internet infrastructure to remaining sites.

The Governor also proposes to use \$8.8 million from the HSN’s reserve funds for to provide BIIG grants in 2015-16. This would reduce the HSN reserve from \$14.3 to \$5.5 million (38 percent of the annual budget). The Governor proposes that the remaining reserve is needed to cover uncertainties in the timing federal internet subsidies and for anticipated replacement of equipment in 2018-19.

**Legislative Analyst’s Office Analysis and Recommendations.** The LAO notes that of the remaining sites from the 2014-15 BIIG effort, the 9 schools that cannot administer the online assessment enroll less than 60 test-taking students and the 38 schools that must shut down other activities to administer the assessment enroll less than 2,000 test-taking students. Therefore the cost per student to upgrade these sites is significant; the LAO cites data from CDE that one BIIG-eligible site received only one bid for \$10 million to serve just five test taking students (the bid was not accepted). The LAO also notes that there still are other options available to these sites which would be far less costly, including satellite and microwave Internet connections which would allow students to take the test online, testing a small number of students at a time, busing students to a library or other site with internet access, or using paper/pencil assessments (available through 2016-17).

In addition, the LAO notes that the state has little information about HSN expenditures. The annual audit required of the program is currently included within a larger Imperial County Office of Education audit and as such does not break out detail on operations and expenditures.

As a result of its analysis, the LAO recommends that the Legislature:

- Not fund sites with extraordinary costs, but considering setting a maximum per-pupil amount if reasonable based on HSN information.

- Require the HSN audit to be separate from the Imperial County Office of Education audit to provide more transparency, including requiring a list of expenditures, revenues, and reserves.
- Not provide the HSN with a new Proposition 98 General Fund budget appropriation in 2015-16 and instead require the HSN to use \$8.3 million in reserve funds for 2015-16 operations. This would free up \$8.3 million in Proposition 98 funds for other uses.
- Re-evaluate the need for an appropriate reserve level for HSN in 2016-17 with the additional audit information.

<b>STAFF COMMENTS/QUESTIONS</b>
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The Subcommittee may wish to pose the following questions to the panelists:

- 1) How confident are we that the resources in the Governor's Budget could be fully absorbed in the coming years? What happens if we wait?
- 2) What strategies are in place to evaluate the effectiveness of our investments in BIIG and with HSN? Can and should these be improved?

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**Staff Recommendation: Hold open.**

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**ISSUE 4: STUDENT TESTING / ASSESSMENTS**

The Subcommittee will review California’s statewide student assessment system, which is in the process of being updated to reflect the state’s adoption of new statewide content standards. Legislation passed over the past few years has eliminated several assessments that were aligned to prior academic content standards, and provided for a transition to assessments that are aligned to the Common Core State Standards (CCSS) in English language arts and mathematics, English language development standards and Next Generation Science Standards. This item reviews existing assessments and those under development and associated costs.

**PANELISTS**

- Edgar Cabral, Legislative Analyst’s Office
- Monique Ramos, Department of Education
- Keric Ashley, Department of Education
- Department of Finance
- Public Comment

**BACKGROUND**

**Performance.** Student performance on the California Standards Tests (CSTs) has improved significantly over the past 10 years. The percentage of students scoring advanced or proficient on the eighth grade English–language arts exam has almost doubled—from 30 percent to 57 percent—in the past 10 years. Performance has improved at similar rates for both low–income and non–low–income students. Student performance also has improved at similar rates on mathematics exams and in English–language arts at other grade levels. The CSTs were based on the academic content standards adopted by California in 1997. Beginning in spring 2015, assessments in mathematics and English–language arts will be based on the Common Core State Standards. These assessments were developed by the Smarter Balanced Assessment Consortium, which includes 21 states. As part of the transition to the new exams, California suspended the CSTs in spring 2014. Thus, no performance data is available for 2014.

**California Ranks Near Bottom on National Tests.** The National Assessment of Educational Progress, a federal assessment conducted nationwide, has California ranking near the bottom in tests of reading and mathematics for fourth and eighth grades. Although the performance of non–low–income students tends to rank somewhat higher than that of low–income students, both groups perform lower than their peers in other states. California’s performance compared to other states has not changed significantly in the past 10 years. In addition to having lower performance compared to other states, California also has among the largest “achievement gaps”—the difference between the scores of low–income and non–low–income students. In fourth grade reading, for example, California’s achievement gap is ranked 45th in the country. (That is, 44 states have achievement gaps that are smaller than California.)

**California Assessment of Student Performance and Progress (CAASPP).** AB 484 (Bonilla), Chapter 489, Statutes of 2013 authorized a new statewide assessment system for California’s schools, the California Assessment of Student Performance and Progress (CAASPP). Specifically, CAASP covers the following assessments:

- English Language Arts (ELA) and Mathematics: Summative Assessments for grades 3 through 8, inclusive and grade 11.
- Science: Grade level assessments at least once in each of the following: 3-5, 6-9 and 10-12 (currently administered in grades 5, 8, and 10).
- California Alternate Performance Assessment for the above ELA, mathematics, and science assessments.
- Early Assessment Program in grade 11.
- Primary Language Assessments.

Of these assessments, in 2014-15, only Smarter Balanced Summative Assessments in ELA and Mathematics are aligned to the state's most recently adopted standards. In the other subject areas, new assessments are under development and until they are operational, local educational agencies will be continuing to use existing assessments, aligned to previous standards. The existing primary language assessment is not a required assessment and LEAs may continue to administer this assessment at their own expense.

Once fully implemented, this new suite of statewide assessments will align with new state academic content standards, but also require computer-based, and in some cases computer-adaptive, assessments to replace many assessments that were previously paper and pencil exams.

### **1) English Language Arts and Math Assessments**

The State Board of Education (SBE) adopted common core state standards in language arts and mathematics on August 2, 2010. To address the need for standards-aligned statewide assessments, the state joined the Smarter Balanced Assessment Consortium (SBAC) in June 2011 to develop ELA and mathematics assessments aligned to the common core standards. In the spring of 2014, the new English language arts and mathematics exams were field tested by approximately 95 percent of students in grades 3 through 8. Starting March 10, 2015, the testing window opened on the first statewide administration of the new summative assessments in English language arts/literacy and mathematics. These new assessments are computer-based and include computer-adaptive multiple choice questions as well as performance tasks. Of the approximately 3.2 million students in grades 3 through 8 and eleven being assessed in the spring of 2015, it is estimated that only 1,800 will be assessed using a paper pencil version (26 schools that lack adequate bandwidth to provide the online assessment).

According to the Department of Education, as of April 24:

- Local educational agencies where testing has begun: 1,106
- Number of students that started a summative assessment: 1,633,196
- Summative assessments completed
  - English language arts/literacy test: 573,299
  - Mathematics test: 366,794

The spring 2015 administration of Smarter Balanced ELA and mathematics will result in individual scores that specify a student's proficiency level. These will be first provided to individual students, schools, and local educational agencies and then available to the public in late 2015. Students in grade 11 may choose to release the results of their ELA and

mathematics exams to California Community Colleges and California State Universities to provide an early indicator of a student's readiness for college-level coursework in English and mathematics under the Early Assessment Program. Students can use these results to inform the coursework they undertake in grade 12 as they prepare for post-secondary education and placement at the California Community Colleges and California State Universities.

## **2) Science Assessments**

The Next Generation Science Standards (NGSS) for grades kindergarten through grade 12 were adopted by the State Board of Education in September of 2013. Under federal law, students must be assessed in science at least once in each of the following grade spans: 3-5, 6-9, and 10-12. Until an NGSS-aligned assessment is operational, LEAs are required to continue to administer science assessments aligned with the state's old standards in grades 5, 8, and 10. Funds were provided in 2014-15 (\$4 million) towards the development of an NGSS-aligned assessment, however CDE anticipates the actual work of developing an assessment will not begin until spring of 2016, with an operational assessment likely in 2018-19, due to the complexity of translating the new standards into test items.

## **3) Assessments for Students with Disabilities**

California includes students with disabilities in statewide assessments as required by federal law. The current Smarter Balanced ELA and mathematics assessments include options for assessing students with disabilities using accessibility supports and accommodations; this takes the place of the previously used California Modified Assessment (CMA). The CMA was used to assess students with disabilities who have an individualized education plan that requires modifications.

Federal regulations also require the inclusion of students who cannot participate in the general statewide assessment system. Currently, the California Alternate Performance Assessment (CAPA) in science is used to meet the assessment needs of this population of students until the alternate CA NGSS assessment is available. In July 2015, the SBE eliminated CAPA testing in ELA and mathematics and directed the CDE to explore other options for spring 2015 and beyond. A new version of the California Alternate Assessment for ELA and mathematics is under development and, according to CDE, field testing of the examination will be completed in June 2015, with an operational assessment anticipated to be in place by spring 2016.

## **4) Primary Language Assessment**

California has also historically provided for a primary language assessment for English learner students to demonstrate mastery of reading/language arts standards. Currently, the state allows LEAs the option of continuing to administer the existing Standards-based Test in Spanish (STS) until a successor assessment is operational. LEAs may also administer the STS to students enrolled in dual-immersion programs at their own expense. Funds were provided in 2014-15 (\$2 million) to begin development of a primary language assessment(s). According to CDE, thus far, required stakeholder meetings have occurred and a statutorily-required report to the SBE is anticipated to be released in July 2015. CDE anticipates that pilot testing on a Spanish primary language assessment could occur in 2016-17, field testing in 2017-18, and a fully operational exam may be available in 2018-19.

**Assessment of Language Development.** The state currently administers an annual assessment to determine the progress of English learners in developing English language proficiency. The current assessment for this purpose is the California English Language Development Test (CELDT). Legislation passed in 2013 [SB 201 (Lui) Ch. 478, Statutes of 2013] authorized the development of a new English Language Proficiency Assessment. This new assessment will differ from the current annual assessment in that it will include an assessment for initial identification of English Learners and an annual assessment to gauge a student's progress towards English proficiency. The new assessment will also be aligned to the CCSS, including the new English language development standards. Work on this new assessment began in 2012-13 under the existing CELDT contract by identifying CELDT test questions that are aligned to the new standards and can be used in a new assessment. (One of the major cost drivers of any assessment is developing an adequate item bank of test questions.) Funds were provided through contract savings in 2013-14 and \$6.7 million in Proposition 98 General Fund was provided in the 2014-15 Budget Act for development of the new English Language Proficiency Assessment for California (ELPAC).

CDE is in the process of contracting for the development of the ELPAC assessment, and will provide an update after the May Revision on progress and the need for additional or re-appropriation of funding. Although, the ELPAC went out to bid as a pencil and paper based assessment, the request for proposals specified that the contractor must be able to transition to a computer-based assessment in the future. According to the CDE, an operational ELPAC will be available in 2017-18. Until the ELPAC is in place, the state will continue to administer the existing CELDT to meet federal Title III of the Elementary and Secondary Education Act reporting requirements.

**California High School Exit Exam (CAHSEE).** Current law requires students, as a condition of graduating from high school, to successfully complete specified coursework, any locally-imposed graduation requirements, and pass the CAHSEE. The CAHSEE assesses students in ELA and mathematics. Students first take this test in grade ten. If they do not pass the test in grade ten, they have more chances to take the test. In grade eleven, they can take the test two times. In grade twelve, they have up to five times to take the test. The CAHSEE is not aligned to the new common core standards in ELA and mathematics. The current CAHSEE contract expires in October of 2015 and CDE is working with the Department of General Services on options for extending the current contract or initiating a new contract.

Pending legislation (SB 172, Liu) would suspend the administration of the CAHSEE and the requirement that students pass this exam as a condition of graduation from high school, during the 2016-17 through 2018-19 school years, or when the CAHSEE is no longer available. The bill would also require reporting on the potential replacement of the CAHSEE.

**Other Assessments.** The CDE also maintains a variety of other assessment contracts, such as the California High School Proficiency Exam, the Physical Fitness Test, and other outreach and technical reporting contracts.

**Assessment Funding.** Statewide assessments have historically been split-funded between federal Title VI funds and Proposition 98 General Fund. The 2014-15 budget included funding appropriate to begin transitioning to a new assessment system, including the first

administration of the new Smarter Balanced ELA and mathematics assessments in grades three through eight and eleven. In addition, funding was provided for development of new science and primary language assessments.

The CAASPP administration and assessment contract has been awarded to the Educational Testing Service (ETS) for activities through 2018. CDE has been in negotiations with ETS and the final contract is currently before the State Board of Education for final approval. The ETS contract covers administration of the assessments, including technology, scoring, reporting, and development of new assessments. CDE is also a member of the Smarter Balanced Assessment Consortium (SBAC), which owns the item bank (exam questions) and tools, such as formative assessments and the digital library. The state pays \$9.55 million annually to the SBAC, which currently has contracted with the University of California, Los Angeles to cover the cost of consortium-managed services such as access to the summative and interim assessments, access to the digital library, continued test development, and validity studies. The SBAC provided some tools (interim assessments) later in the year than originally planned and used additional data from the California field test in their standards setting work. As a result, the SBAC is providing a credit or approximately \$1.5 million to California. The amount of the credit will be finalized in May following the approval of the SBAC budget in April. The CDE will provide confirmation and proposal to use these funds at the May Revision. CDE's estimated costs for statewide assessments in 2015-16 are summarized below:

<b>Proposed 2015-16 Statewide Student Assessment Costs</b>			
<b>Assessment Activity</b>	<b>Prop 98 Projected Costs</b>	<b>Federal Fund Projected Costs</b>	<b>TOTAL Projected Costs</b>
<b>Other Assessment-Related Contracts</b>	\$ 1,483,416	\$ 600,000	\$ 2,083,416
<b>English Language Development Assessment</b>			
Administration of CELDT		\$ 7,443,000	\$ 7,443,000
Development of ELPAC	\$ 8,500,000		\$ 8,500,000
<b>High School Exit Examination</b>	\$ 5,894,000	\$ 5,172,000	\$ 11,066,000
<b>High School Exit Examination Evaluation</b>	\$310,130	\$ 39,870	\$350,000
<b>California Assessment of Student Assessment System</b>			
CAASPP 2014-15 administration (current contract ends December 2015)	\$ 7,622,101		\$ 7,622,101
CAASPP 2015-16, 2016-17, 2017-18 administrations (July 2015 through December 2018)	\$ 68,943,899	\$ 7,075,000	\$ 76,018,899
SBAC Consortium	\$ 9,550,000		\$ 9,550,000
Independent Evaluation	\$ 700,000		\$ 700,000
<b>Assessment Apportionments</b>	\$ 23,723,200		\$ 23,723,200
<b>High School Proficiency Exam</b>	\$ 1,244,000		\$ 1,244,000
<b>Reimbursements for High School Proficiency Exam</b>	\$ (1,244,000)		\$ (1,244,000)
<b>Totals</b>	\$ 126,726,746	\$ 20,329,870	\$ 147,056,616

<b>STAFF COMMENTS/QUESTIONS</b>
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The Subcommittee may wish to pose the following questions to the panelists:

- 1) CDE has reported a savings of \$1.5 million out of \$4 million provided for the development of science assessments in 2014-15 and \$1.9 million out of \$2 million provided for the development of primary language assessments. Which activities was the test contractor unable to complete and has this delayed development of these assessments?
- 2) Under the state's contract with SBAC, California chose to purchase and offer a variety of tools for our LEAs such as formative assessments, diagnostic assessments, and a digital library. Are all of these tools available and are teachers and LEAs currently using them?
- 3) This coming winter, scores for the new summative ELA and mathematics assessments will be released for the first time. What is the state's plan for helping LEAs, teachers, students, parents, and policy makers understand this first round of results?

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**Staff Recommendation: Information only. The budgeted amounts for statewide assessments will be updated at the May Revision based on final cost estimates.**

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**ISSUE 5: TEACHER PREPARATION AND SUPPORT PROGRAMS**

The Subcommittee will hear from the California Department of Education and other stakeholders regarding the current state of affairs for teacher preparation and support programs in the state.

**PANELISTS**

- Monique Ramos, California Department of Education
- Commission on Teacher Credentialing
- Legislative Analyst's Office
- Department of Finance
- Public Comment

**BACKGROUND**

**Beginning Teacher Support and Assessment.** BTSA Induction, an acronym for "Beginning Teacher Support and Assessment" Induction, is a state-funded program co-sponsored by the California Department of Education (CDE) and the Commission on Teacher Credentialing (CTC). The program engages preliminary credentialed teachers in a job-embedded formative assessment system of support and professional growth to fulfill the requirements for the California Clear Multiple Subjects, Single Subject, and Education Specialist credentials. BTSA Induction programs are locally designed and implemented in accordance with the Standards of Quality and Effectiveness for Professional Teacher Induction Programs and aligned to the California Standards for the Teaching Profession.

The Beginning Teacher Support and Assessment (BTSA) Induction program began in 1992 with a focus on the retention of teachers in California as a primary purpose and has since expanded to become the primary pathway to teacher licensure in California. Senate Bill 1422 (Bergeson Act) authorized the BTSA program and created a panel to review teacher credentialing in California. As a result of SB 1422, the following BTSA vision and goals were identified:

- Improve participating teacher performance
- Improve teaching of students from diverse backgrounds
- Increase new teacher satisfaction
- Retain capable teachers

In 1998, Senate Bill 2042 established a two-year system featuring advanced study and support leading to a clear teaching credential (BTSA Induction) while the passage of Assembly Bill 2210 in 2004 established BTSA Induction as the required route for teachers to obtain a clear teaching credential. Finally, in 2007, Senate Bill 1209 was passed which eliminated duplicative requirements for teachers holding a preliminary credential and allowed charter school teachers to be eligible for funding through the BTSA Induction program.

**Peer Assistance and Review.** The Peer Assistance and Review (PAR) Program is funded by a combination of sources, including state and county funds. LEAs develop the program, with some having created a comprehensive system to serve all teachers, including

probationary, volunteer, and referred participating teachers. PAR is designed to provide a comprehensive support structure for teachers in the areas of subject matter knowledge, teaching strategies, classroom management skills and the California Standards for the Teaching Profession (CSTP). Participating teachers may be either voluntary or referred. A consulting teacher works with participating teachers to assist in learning new skills and strategies, and to meet the performance objectives included in a Performance Improvement Plan (PIP). The PAR program is non-evaluative and confidential.

A Consulting Teacher (CT) is an exemplary educator who has been chosen on the basis of consistently high performance, extensive experience, education and professional development, and a commitment to serving fellow educators as a role model and mentor. A Participating Teacher (PT) may be a new hire or veteran educator with many years of experience. Any teacher may request the services offered by the PAR program, and their participation remains strictly confidential. PTs select the focus of their activities from the standards included in the CSTP. In collaboration with the CT, activities are chosen with a goal of improving the PT's performance in the chosen standards.

Referred Teachers are tenured or veteran educators. Teachers are automatically referred to PAR if they receive an unsatisfactory evaluation in subject matter knowledge, teaching strategies, or both on their formal evaluation. Referred Teachers receive support from a Consulting Teacher with a concentration on the performance objectives mentioned in the PIP. Support activities may include classroom observations, one-on-one consultation, workshops, conferences and other professional development.

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**Staff Recommendation: Informational only.**

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**ISSUE 6: AFTER-SCHOOL PROGRAMS**

The issue for the Subcommittee to consider is a request from advocates for additional funding to assist in supporting the ASES program.

**PANELISTS**

- Shannon Roth, Youth Development Director, Sacramento Chinese Community Service Center
- California Department of Education
- Carolyn Chu, Legislative Analyst's Office
- Department of Finance
- Public Comment

**BACKGROUND**

The Subcommittee is in receipt of a proposal from the California After School Coalition and LA's BEST for an augmentation of \$54 million in Proposition 98 funds to the After School Education and Safety (ASES) program. The advocates state that the augmentation is needed to cover the cost of mounting operating expenses for these programs, including the costs of implementing the new statutory minimum wage obligations (\$36 million for a full year to cover the July 1, 2014 increase and \$18 million for the second, a half year increase effective January 1, 2016). They state that beginning with 2016-17, a full year's increase is anticipated to be \$72 million. The California Afterschool Advocacy Alliance also supports the request.

The advocates contend that school districts and community-based organizations (CBOs) that provide ASES programs are struggling to comply with costs of doing business without sacrificing the quality of after school programs. "For nearly 25 years, after school programs have been a major part of the safety net for low-income families, especially when there is no stay-at-home parent during the day. After school allows parents to keep their jobs, knowing that their children are safely off the streets receiving meaningful academic and enrichment services. By enacting Proposition 49 in 2002, creating the ASES program, voters statewide agreed with the initiative's declaration that "after school programs have become a necessity, not a luxury." ASES now has a statewide capacity of 400,000 slots annually but actually serves a larger number of unduplicated low-income students. There are 4000 state-funded after school programs. These elementary and middle school programs serve the highest need schools, which have nearly double the average number of students eligible for free and reduced lunch and more than double the average number of English learners."

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**Staff Recommendation: Hold open.**

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**ISSUE 7: CDE STATE OPERATIONS**

The issue for the Subcommittee to consider is the requests for state operations funding for the California Department of Education (CDE) included in the Governor’s Budget proposal. The Department of Finance, CDE, and LAO will present and comment on each of the proposals in brief.

**PANELISTS**

- Department of Finance
- California Department of Education
- Legislative Analyst’s Office
- Public Comment

**BACKGROUND**

Governor's Budget Proposal	State General Fund (in 1000s)	Description	LAO Recommendation and Rationale
1. Funding for legal defense of Cruz lawsuit	\$3,675	Provides one-time funding for second year of contract with legal firm to represent state in <i>Cruz v. Californiacase</i> . (Legislature already approved \$3.4 million for first-year of contract in the current year via a section letter.)	<b>Recommendation pending.</b>
2. Kindergarten Program Implementation Report (AB 1719, Ch 723, Weber)	250	Provides one-time funding for CDE to report on characteristics of kindergarten programs across the state. (Estimate based on similarity to cost of already completed Child Care Characteristics Study.)  CDE has indicated the Governor's proposal does not provide sufficient funding to accomplish the required activities, and intends to submit a revised funding estimate/request to the Legislature.	<b>Recommend approval.</b> Implements legislation. Proposed funding reasonably well-aligned with workload.
3. Civil Rights Complaints Management	207	Provides ongoing funding (\$107,000) for one existing unfunded authorized position to respond to complaints and one-time funding (\$100,000) to address backlog of complaints.	<b>Recommend approval.</b> Workload has increased for that division (8 to 10 appeals each month). Proposed funding reasonably well-aligned with workload.

4. Distinguished After School Health Recognition Program (SB 949, Ch 369, Jackson)	177 plus 1.5 PY	<p>Provides one-time funding for CDE to fulfill the requirements of the legislation. 1.0 one-year IT position and 0.5 two-year limited-term consultant positions would develop guidelines for how after school programs could qualify for the recognition program, then post which programs achieved the certification.</p> <p>CDE has indicated the Governor's proposal does not provide sufficient funding to accomplish the required activities, and intends to submit a revised funding estimate/request to the Legislature.</p>	<p><b>Recommend approval.</b> Implements legislation. Proposed funding reasonably well-aligned with workload.</p>
5. State Board of Education (SBE) workload related to charter schools	151	<p>Provides funding for portions of three existing SBE staff who work on charter school issues for the Board and Governor. Backfills federal Public School Charter Grant funding that is expected to be notably reduced in upcoming fiscal year.</p>	<p><b>Recommend waiting for May Revision updates.</b> Updated information as to the availability of federal funds (ongoing grant and carryover) expected in the May Revision.</p>
6. Statewide Model County Programs Project, (AB 2276, Ch 901, Bocanegra)	137	<p>Provides one-time funding for CDE to fulfill the requirements of the legislation. Requirements include working with other entities to study counties that are successfully transferring juvenile court school students back to other schools, developing a statewide model for successful practices, and submitting a report with recommendations by 1/1/2016.</p>	<p><b>Recommend approval.</b> Implements legislation. Proposed funding reasonably well-aligned with workload.</p>
7. Health Framework: Sexual Abuse/Trafficking Prevention Education (SB 1165, Ch 713, Mitchell)	135	<p>Provides one-time funding for CDE to fulfill the requirements of the legislation. CDE would contract with a researcher/writer to draft a sex trafficking and sexual abuse section for possible inclusion in the next version of the state's Health Framework.</p>	<p><b>Recommend approval.</b> Implements legislation. Proposed funding reasonably well-aligned with workload.</p>
8. Smarter Balanced Technical Hosting Solution Project Oversight	85	<p>Provides one-time funding for 9 months of an Independent Project Oversight Consultant (IPOC). The California Department of Technology (CalTech) required an IPOC for two years. The 2014-15 Budget Act provided the first year of funding.</p>	<p><b>Recommend approval.</b> Funds oversight consultants required by CalTech. Only 9 months of funding is necessary because CDE is expected to have current-year savings it can carry over to cover costs in first 3 months of 2015-16 (contained in April Letter proposal).</p>

<p>9. Staff for CDE Early Education and Support Division</p>	<p>61</p>	<p>Provides ongoing funding to upgrade a position provided in the <i>2014-15 Budget Act</i> from Associate Governmental Program Analyst to Consultant. Also converts both of the two positions that were provided in 2014-15 Budget Act from limited-term to permanent (with associated annual cost of \$203,000).</p>	<p><b>Recommend approval.</b> Administrative workload recently has increased for that division (due to program expansions). Proposed funding reasonably well-aligned with workload.</p>
<p>10. Bullying and Cyberbullying Online Training Modules (AB 1993, Ch 418, Fox)</p>	<p>43</p>	<p>Provides one-time funding for half of an existing position to assemble and post a bullying training module in compliance with legislation. The staff person would use existing resources, including federal training materials and coordinators of a former school safety grant program, to create the module.</p>	<p><b>Recommend approval.</b> Implements legislation. Proposed funding reasonably well-aligned with workload.</p>
<p>11. Standardized Account Code Structure (SACs) Replacement Project</p>	<p>3,600 Plus 2,500 Federal Funds</p>	<p>SACs is the system the state uses to collect and report financial data from school districts, county offices of education and some charter schools. SACs is currently a fragmented system that required considerable manual inputs and has many components that are not supported by current operating systems. CDE proposed a replacement SACs system to address these issues, and had an approved Feasibility Study Report in 2011 estimating costs of \$5.9 million. In 2014, CDE submitted a special project report that shows total project costs of \$21.2 million based on updated data needs and complexity. DOF is currently reviewing a change of project scope, schedule, and cost for the May Revision and will need to submit a Section 11 letter to the Legislature prior to CDE entering a contract. This Section 11 letter will likely be submitted around the May Revision.</p>	<p><b>Recommend hold open.</b> The Legislature may want to review the Section 11 Letter and any cost revisions in the May Revision.</p>

**STAFF COMMENTS/QUESTIONS**

The Subcommittee may wish to pose the following question to the panelists:

- 1) For CDE, are there priorities for state operations that were not resourced in the Governor’s Budget?

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**Staff Recommendation: Hold open.**

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**ISSUE 8: SPRING FINANCE LETTER**

The issue for the Subcommittee to consider is the administration's Spring Finance Letter on CDA issues, also called an "April Letter." The Department of Finance (DOF) proposes the following adjustments to various K-12 state operations (support) and local assistance items in the 2015-16 budget. These items are considered technical adjustments, mostly to update federal budget appropriation levels so they match the latest estimates and utilize funds consistent with current programs and policies. No issues have yet been raised with any of the items listed.

**PANELISTS**

- Department of Finance
- California Department of Education
- Legislative Analyst's Office
- Public Comment

**BACKGROUND**

The contents of the April 1 letter are:

**Federal Funds – State Operations (Support) and Local Assistance**

1. **Item 6100-001-0890, Support, State Department of Education (SDE). Add One-Time Federal Trust Fund for Child Nutrition Program Training and Oversight (Issue 360)**—It is requested that this item be increased by \$2,091,000 Federal Trust Fund to reflect the availability of one-time funding to support training, technical assistance, and oversight of school food authorities in response to changes in the federal Healthy, Hunger-Free Kids Act of 2010 (Act).

In an effort to improve federal child nutrition programs, the Act contained many new requirements, including changes to meal patterns and nutritional standards and increased oversight of program sponsors. The Act also provides administrative funds specifically for state agencies to provide technical assistance to school food authorities on changes to the meal and nutrition requirements.

It is further requested that provisional language be added as follows to conform to this action:

- X. Of the funds appropriated in this item, \$2,091,000 is provided on a one-time basis to support statewide training, technical assistance, and oversight of school food authorities regarding changes to meal and nutritional standards contained in the federal Healthy, Hunger-Free Kids Act of 2010.
2. **Item 6100-001-0890, Support, State Department of Education (SDE). Amendment to California Longitudinal Pupil Achievement Data System Provisional Language (Issue 623)**—It is requested that Provision 16 of this item be amended to remove outdated provisional language as follows. This technical change would have no effect on the total amount budgeted in the item.

"16. Of the funds appropriated in this item, \$6,636,000 is for the California Longitudinal Pupil Achievement Data System (CALPADS), which is to meet the requirements of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) and Chapter 1002 of the Statutes of 2002. These funds are payable from the Federal Trust Fund to the State Department of Education (SDE). Of this amount, \$5,641,000 is federal Title VI funds and \$995,000 is federal Title II funds. These funds are provided for the following purposes: \$3,254,000 for systems housing and maintenance provided by the Office of Technology Services (OTEC); \$908,000 for costs associated with necessary system activities; \$790,000 for SDE staff, and \$710,000 for various other costs, including hardware and

software costs, indirect charges, Department of General Services charges, and operating expenses and equipment. ~~As a condition of receiving these funds, SDE shall ensure the following work has been completed prior to making final vendor payments: a Systems Operations Manual, as specified in the most current contract, has been delivered to SDE and all needed documentation and knowledge transfer of the system has occurred; all known software defects have been corrected; the system is able to receive and transfer data reliably between the state and local educational agencies within timeframes specified in the most current contract; system audits assessing data quality, validity, and reliability are operational for all data elements in the system; and SDE is able to operate and maintain CALPADS over time.~~ As a further condition of receiving these funds, the SDE shall not add additional data elements to CALPADS, require local educational agencies to use the data collected through the CALPADS for any purpose, or otherwise expand or enhance the system beyond the data elements and functionalities that are identified in the most current approved Feasibility Study and Special Project Reports and the CALPADS Data Guide v4.4. In addition, \$974,000 is for SDE data management staff responsible for fulfilling certain federal requirements not directly associated with CALPADS.”

3. **Item 6100-113-0890, Local Assistance, Student Assessment Program (Issue 624)**—It is requested that Schedule (5) of this item be decreased by \$738,000 federal Title VI funds to align to the federal grant award. Federal funds for state assessments are provided for costs associated with the development and administration of the California Assessment of Student Performance and Progress, the English Language Development Test, and the California High School Exit Exam.
4. **Item 6100-119-0890, Local Assistance, Neglected and Delinquent Children Program (Issue 177)**—It is requested that this item be increased by \$209,000 federal Title I funds to align to the federal grant award. This program provides supplemental instruction, including math and literacy activities, to children and youth in state institutions for juveniles and in adult correctional institutions to ensure that these youth make successful transitions to school or employment.
5. **Item 6100-125-0890, Local Assistance, Migrant Education Program and English Language Acquisition Program (Issues 178 and 179)**—It is requested that Schedule (1) of this item be increased by \$10,074,000 federal Title I, Part C funds to reflect the availability of \$10,073,000 in one-time carryover funds and a \$1,000 increase to the federal grant award. This program provides educational support services to meet the needs of highly-mobile children.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in Schedule (1), \$10,073,000 is provided in one-time federal Title I, Part C carryover funds to support the existing program.

It is also requested that Schedule (3) of this item be decreased by \$2,722,000 federal Title III funds to reflect the availability of \$1,188,000 in one-time carryover funds and a \$3,910,000 reduction to the federal grant award. This program provides services to help students attain English proficiency and meet grade level academic standards.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in Schedule (3), \$1,188,000 is provided in one-time federal Title III carryover funds to support the existing program.

6. **Item 6100-134-0890, Local Assistance, School Improvement Grant Program and Basic Elementary and Secondary Education Act Program (Issues 626 and 625)**—It is requested that Schedule (3) of this item be increased by \$2,301,000 federal Title I funds to reflect the availability of \$2,835,000 in one-time carryover funds and a \$534,000 reduction to the federal grant award. The SDE awards school improvement grants to local educational agencies (LEAs) with the persistently lowest-achieving Title I schools to implement evidence based strategies for improving student achievement.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in Schedule (3), \$2,835,000 is provided in one-time carryover funds to support the existing program



It is further requested that Schedule (4) of this item be increased by \$1,699,000 federal Title I funds to reflect the availability of \$4 million in one-time carryover funds and a \$2,301,000 reduction to the available federal grant award. LEAs use these funds to support services that assist low-achieving students enrolled in the highest poverty schools.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in Schedule (4), \$4,000,000 is provided in one-time carryover funds to support the existing program.

7. **Item 6100-136-0890, Local Assistance, McKinney-Vento Homeless Children Education Program (Issue 180)**—It is requested that Schedule (1) of this item be increased by \$497,000 federal Title I, Part C funds to reflect the availability of \$573,000 in one-time carryover funds and a \$76,000 reduction to the available federal grant award. This program provides a liaison to ensure homeless students have access to education, support services, and transportation.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in this item, \$573,000 is provided in one-time federal Title I, Part C carryover funds to support the existing program.

8. **Item 6100-137-0890, Local Assistance, Rural and Low-Income School Program (Issue 181)**—It is requested that this item be increased by \$206,000 federal Title VI funds to reflect the availability of \$68,000 in one-time carryover funds and a \$138,000 increase to the federal grant award. This program provides financial assistance to rural districts to help them meet federal accountability requirements and to conduct activities of the federal Elementary and Secondary Education Act program.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in this item, \$68,000 is provided in one-time federal Title VI carryover funds to support the existing program.

9. **Item 6100-156-0890, Local Assistance, Adult Education Program (Issue 284)**—It is requested that this item be increased by \$8,105,000 federal Title II funds to reflect the availability of \$5 million in one-time carryover funds and a \$3,105,000 increase to the federal grant award. The Adult Education Program supports the Adult Basic Education, English as a Second Language, and Adult Secondary Education programs.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in this item, \$5,000,000 is provided in one-time carryover funds to support the existing program.

10. **Item 6100-166-0890, Local Assistance, Vocational Education Program (Issue 285)**—It is requested that this item be increased by \$8,333,000 federal Carl D. Perkins Vocational and Technical Education Act funds to reflect the availability of \$8,413,000 in one-time carryover funds and a \$80,000 reduction to the federal grant award. The Vocational Education Program develops the academic, vocational, and technical skill of students in high school, community colleges, and regional occupational centers and programs.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in this item, \$8,413,000 is provided in one-time carryover funds to support the existing program.

11. **Item 6100-193-0890, Local Assistance, Mathematics and Science Partnership Program (Issue 286)**—It is requested that this item be increased by \$278,000 federal Title II funds to reflect the availability of \$112,000 in one-time carryover funds and a \$166,000 increase to the federal grant award. The Mathematics and Science Partnership Program provides competitive grants to partnerships of low-

performing schools and institutions of higher education to provide staff development and curriculum support to mathematics and science teachers.

It is further requested that provisional language be added as follows to conform to this action:

X. Of the funds appropriated in this item, \$112,000 is provided in one-time carryover funds to support the existing program.

**General Fund and Other Adjustments**

- 12. **Items 6100-001-0001 and 6100-491, Support, SDE, Reappropriate One-Time Savings (Issues 042, and 621)**— It is requested that Item 6100-001-0001 be increased by \$28,000 General Fund to support Independent Project Oversight Consultant services for the implementation of the Smarter Balanced Technical Hosting Solution. Funding was appropriated in the 2014 Budget Act for this purpose. However, effective July 1, 2014, the California Department of Technology decreased their billing rate for these services, resulting in savings.

It is also requested that Item 6100-491 be added as follows to conform to these actions:

6100-491—Reappropriation, Department of Education. The amount specified in the following citation is reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2016:

0001—General Fund.

- 1. \$28,000 in Item 6110-001-0001, Budget Act of 2014 (Ch. 25, Stats. of 2014), to support Independent Project Oversight Consultant services for the implementation of the Smarter Balanced Technical Hosting Solution.

**DISCUSSION AND VOTE:**

- 13. **Addition of Budget Bill Item 6100-170-0001, Local Assistance, Career Technical Education (CTE) Program (Issue 282)**—It is requested that Item 6100-170-0001 be added and that \$810,000 in one-time reimbursement carryover funds be provided for the CTE Program. Specifically, \$220,000 would allow for the completion of three projects that could not be completed in the current year due to contract delays, \$275,000 would fund a contract for an evaluation of the pilot Linked Learning Program, and \$315,000 would be allocated to existing participants of the pilot Linked Learning Program.

It is further requested that Item 6100-170-0001 be added as follows to conform to this action:

6100-170-0001—For local assistance, Department of Education, pursuant to Section 88532 of the Education Code..... 0

- (1) 5205092-Career Technical Education Initiative .....810,000
- (2) Reimbursements to 5205092-Career Technical Education Initiative.....-810,000

Provisions:

- 1. Of the funds appropriated in this item, \$810,000 reflects one-time reimbursement carryover funds. Specifically, \$220,000 is to complete unfinished projects of the CTE Online development, the California Partnership Academies Special Project, and the Leadership Development Institutes, \$275,000 is to complete an evaluation of the pilot Linked Learning Program, and \$315,000 is for grants to the existing participants of the pilot Linked Learning Program. (Technical adjustment pending additional DOF information.)

**Staff Recommendation: Hold open. A reference back to the detail of this agenda will be included for voting purposes at May Revision hearings.**

**ISSUE 9: CDE UNIFORM COMPLAINT PROCEDURE AND LGBT CONCERNS**

The Subcommittee will review an issue that has been raised to its attention for discussion.

**PANELISTS**

- Jo Michael, Advocate, Equality California
- California Department of Education
- Department of Finance
- Legislative Analyst's Office
- Public Comment

**BACKGROUND**

The Subcommittee is in receipt of a letter from Assemblymember Phil Ting and communication from Equality California requesting review of the California Department of Education's (CDE's) compliance with state regulations in processing discrimination appeals submitted by lesbian, gay, bisexual, and transgender (LGBT) students in California's K-12 local education agencies (LEAs). The Gay Lesbian Straight Education Network's 2013 National School Climate Survey found that 91% of California LGBT students report hearing anti-LGBT remarks, 7 in 10 reported being called names or threatened, nearly one-third report physical harassment or assault, and 46% report cyberbullying.

State regulations allow students to appeal an LEA's decision regarding discrimination cases to the CDE through the uniform complaint process. In order to determine whether a LEA's decision was correct, the CDE must determine if substantial evidence exists to support their decision in 60 days. Assemblymember Ting and the advocates contend that there is strong evidence that delays and backlogs have unduly encumbered the ability for complainants to have their issues adequately reviewed and resolved by CDE.

In 2013, the California Bureau of State Audits reported that students are not receiving a prompt review of their appeals or the benefit of an independent review of their complaints. More specifically, the CDE did not always conduct a review of student appeals within the required 60 day period or obtain all required information necessary to review the appeal. The State Auditor recommended that, by Spring 2014, the CDE report to the Senate and Assembly Budget Subcommittees on Education what, if any, actions the Department has taken to improve their processing of appeals. The Auditor also recommended that the state consider directing resources or taking other actions to address this situation.

**STAFF COMMENTS/QUESTIONS**

The Subcommittee may wish to pose the following question to the panelists:

- 1) For CDE, what steps has the department taken to respond to the issues identified in the audit findings?

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**Staff Recommendation: Hold open.**

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