

GENERAL WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
FEBRUARY 2003 AGENDA
Item No. W-2

<p>TITLE: Alhambra School District (ASD) Academic Performance Index (API) Waiver. Specifically, the ASD requests a waiver of Title 5, CCR, Sections 1032(d)(1) and (3) to allow the school to be included in the API for the current year (2002) or at least the subsequent year (2003). The district had “adult testing irregularities.”</p> <p>CDSIS: 39-7-2002</p>	<p><u> X </u> ACTION</p> <p><u> </u> INFORMATION</p> <p><u> </u> PUBLIC</p> <p><u> </u> HEARING</p> <p><u> </u> CONSENT</p>
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RECOMMENDATION:

The Department recommends: Denial, Per *Education Code* Section 33051(a)(1), the educational needs of the pupils are not adequately addressed.

Summary of Previous State Board of Education Discussion and Action:

Waiver has been scheduled to two other SBE meetings but one time there was a failed motion to deny and the waiver was withdrawn by the district one other time.

Summary of Key Issue(s):

The Title 5 Regulation that the ASD is asking to waive was specifically adopted by the State Board of Education (SBE) to protect the educational needs of the pupils. This regulation requires that a school’s API be considered invalid if the local educational agency notifies the California Department of Education (CDE) of adult testing irregularities at the school affecting 5% or more of the pupils tested.

In this instance, the Mark Keppel High School Math Department Chair confused the Stanford 9 test administration manual with the Golden State Examination (GSE) test administration manual. The GSE allows for use of calculators in one of the two GSE Mathematics testing sessions. Use of calculators is prohibited on the Stanford 9 mathematics tests. On the day of the Stanford 9 test, the Math Department Chair reviewed the GSE test administration manual, and contacted the six teachers scheduled to administer the mathematics tests during the next period to inform them that use of calculators was permitted. Later in the day, the Math Chair realized her error, but by then, the testing period was complete.

A total of 137 students (9.23% of the CDE’s projection of 1483 students tested in spring 02) were present in these classes, and the assistant principal found, through review with the Math Chair and the math teachers, that 93 students (6.2% of students tested) had used calculators on the test.

In 1999-2000 the district was designated a “at risk” school for a School Improvement status. They met their growth targets in 2000-2001 and were hoping that this years API, if it could be “validated” by this waiver, would allow them to leave the School Improvement Status.

The September 2001 SBE meeting, the SBE was presented with criteria to use to evaluate adult testing irregularities wavier requests for the 2001 awards cycle and beyond. The criteria for API validity

requires that the irregularity is self-reported and the irregularity involves less than five percent of the number of students tested. The CDE is recommending denial of this waiver, because the number of students affected was well over 5% (9.23%), and because six teachers, six classrooms, and all questions on the tests that were administered (Algebra I, Algebra II, and Geometry) were impacted, thus creating a significant material effect. The district has the responsibility to ensure that all teachers receive sufficient training prior to the testing date, so that a mistake such as the one that occurred at Mark Keppel would be questioned and resolved before the test was given.

The Public Schools Accountability Act (PSAA) was based on educational needs of students, particularly that of improving student achievement. Specifically the Academic Performance Index (API) and resultant award programs were designed to reward schools that exceeded their performance targets, i.e. growth in student achievement. Key to the success of the API is the notion that it is a valid means of measurement. In order to ensure that the API scores are valid, proper administration of the Stanford 9 test, which currently provides the data that is used to generate the API score, is crucial. Improper administration of the test causes the scores to be invalid, which can impugn the integrity of the entire system. In this instance, not only did the testing irregularities impact 9.23% of the students, but impacted every question on every subtest administered to those students, a situation which could have been avoided if the teachers had received proper training. The CDE considers this a significant breach of security and therefore recommends denial of this waiver.

Authority for the waiver: *Education Code* Section 33050

Bargaining unit(s) consulted on: 05/29/02, 06/07/02

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: Steve Kornfeld, President ATA, Gloria Tauson, President Elect, ATA, Darlene Perez, President, CSEA

Public hearing identified by (choose one or more):

posting in a newspaper

posting at each school

Other (At district office,

public library, and city hall)

Public hearing held on: 6/10/02

Local board approval date: 6/10/02

Advisory committee(s) consulted: Not Specified

Objections raised (choose one): None

Approved

Date consulted: 5/29/02

Effective dates of request: 2001-2002 testing year

Fiscal Analysis (as appropriate):

No state fiscal impact is expected as a result of approving this waiver. Mark Keppel High School will benefit financially, to the detriment of all other schools eligible for awards.

Background Information: Waiver request forms and supporting documents are attached.