

GENERAL WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JANUARY 2004 AGENDA
Item No. W-18

TITLE: Request by various school district(s) on behalf of (6 possible) school(s) in Cohort II of the Immediate Intervention and/Underperforming Schools Program (IIUSP) postponed Nov 14, 2002, (Invalid API) to waive sanctions in portions of E.C. 52055.5(b), in effect to keep the schools on “watch” for another year.	<u>X</u> ACTION
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RECOMMENDATION: Some individual waivers and recommendations are attached, more may follow in a Last Minute Memorandum.

Summary of Previous State Board of Education Discussion and Action:

On November 12, 2003, the State Board of Education (SBE) heard Item 23: Immediate Intervention/Underperforming Schools Program (II/USP): Proposed intervention for (Cohorts I and II) schools that failed to show significant growth.

A decision on schools without valid API growth data was deferred until the January 2004 Board meeting in order to establish alternative criteria and provide these schools with an opportunity to demonstrate growth in student achievement and thus obtain a waiver to be placed on “watch” for another year.

At the Board’s direction, Department and State Board staff collaboratively developed an **alternative method for schools with invalid growth APIs to demonstrate significant growth**. The criteria were provided to each affected district to determine if their school(s) made significant growth, thus qualifying to receive an “approval” recommendation on waivers for **6 possible Cohort II schools with Invalid API’s** (see attached list).

Summary of Key Issues:

The districts on behalf to these schools request a waiver from being deemed **state-monitored**, waiving portions of E.C. 52055.5(b), thus keeping the schools on “watch” for another year. It would be inappropriate to allow schools to exit the program based on the achievement of the alternative criteria since the law is explicit that schools may only exit “watch” status by making all their API growth targets. See attached documents.

Additional schools may be added in the Last Minute Memorandum.

Fiscal Analysis (as appropriate):

Elementary and Middle schools receive **\$75,000** to conduct the SAIT Process. High Schools receive **\$100,000** to conduct the SAIT Process. All schools may apply for additional funds to conduct the SAIT, up to \$125,000. However, the additional funding must be approved by CDE and Finance. **In addition, all schools in the IIUSP/Sanctions receive \$150 per student** for at least two years and possibly three.

Attachments: 1) [List of 6 Possible Cohort II Schools](#)

- 2) [Description of Alternative Growth Criteria for INVALID Cohort II School](#)
- 3) [Instructions for Calculating the Percentage of Students At or Above Proficient on the California Standards Tests](#)
- 4) [Format for Presenting the Percentage of Students At or Above Proficient on the California Standards Tests](#)
- 5) [Individual analysis, legal requirements and CDE Recommendations for four Cohort II Schools with IVALID API's](#)

All documents are attached for each one in this order:

CDSIS-19-12-2003	Los Angeles USD	Bancroft Middle School	Approval
“ “	“ “	Fairfax Senior High School	Approval
CDSIS-13-12-2003	Jurupa USD	Rubidoux High School	Denial
CDSIS-15-12-2003	San Diego USD	O'Farrell High School	Denial

Immediate Intervention Underperforming Schools (II/USP)

Potentially Subject to State Intervention

This is a list of the 6 Cohort II II/USP schools with **Invalid** API's that failed to demonstrate significant growth. On November 12-13, 2003, the California State Board of Education deferred action on these schools until the next California State Board of Education meeting in January 2004.

Schools Deferred for Review in January 2004

County	District	School
Alameda	Hayward Unified	Tennyson High
Los Angeles	Los Angeles Unified	Bancroft (Hubert Howe) Middle
Los Angeles	Los Angeles Unified	Fairfax Senior High
Riverside	Jurupa Unified	Rubidoux High
San Diego	San Diego Unified	O'Farrell Community Charter
Ventura	Rio Elementary	Rio Plaza Elementary

Description of Alternative Growth Criteria for INVALID Cohort II Schools

At the November 2003 State Board meeting, the Board deferred taking action regarding sanctions for II/USP schools without valid APIs. At that time, the Board indicated that criteria would be developed that would allow schools without valid APIs to demonstrate growth. I'm calling to provide you with the criteria that were developed by the Department, in consultation with State Board staff, for demonstrating growth. If your school(s) meets the criteria you will need to submit a waiver requesting the Board to keep the school "on watch" for another year. The waiver must be received by the Department no later than 5:00 p.m. on December 8th. If your school(s) does not meet the criteria, you should anticipate that the school(s) will be deemed state-monitored at the January Board meeting. The criteria for demonstrating growth for Cohort 2 II/USP schools are as follows:

Elementary schools must demonstrate that:

- The percentage of students (schoolwide) at or above the proficient level on the California Standards test in English/language arts increased by at least one percentage point from 2001 to 2002 **and** from 2002 to 2003 (note: 0.99 does not equal 1.00), **and**
- The percentage of students (schoolwide) at or above the proficient level on the California Standards test in Mathematics Standards increased by at least one percentage point from 2002 to 2003.

Middle Schools must demonstrate that:

- The percentage of students at or above the proficient level (schoolwide) on the California Standards test in English/language arts increased by at least one percentage point from 2001 to 2002 **and** from 2002 to 2003 (note: 0.99 does not equal 1.00), **and**
- The percentage of students (schoolwide) at or above the proficient level on the California Standards tests in the Mathematics Standards, General Mathematics and Algebra I increased by at least one percentage point from 2002 to 2003.

High schools must demonstrate that:

- The percentage of students (schoolwide) at or above the proficient level on the California Standards test in English/language arts increased by at least one percentage point from 2001 to 2002 **and** from 2002 to 2003 (note: 0.99 does not equal 1.00), **and**
- The percentage of students (schoolwide) at or above the proficient level on the California Standards test in General Mathematics, Algebra I, and Geometry increased by at least one percentage point from 2002 to 2003.

The waiver may be submitted before the local governing board approves the waiver request. However, the local governing board must approve the waiver by January 5, 2004 and the Waiver Office must be notified of the action taken no later than noon on January 6, 2004. The Waiver Office number is (916) 319-0592.

Instructions for Calculating the Percentage of Students At or Above Proficient on the California Standards Tests

School data for the table (number of students tested and percent advanced and proficient) may be obtained from the STAR website.

For middle schools math calculations, use the results for California Standards tests, the General Math test and Algebra 1.

For high schools math calculations, use the results for the General Math test, Algebra 1 and Geometry.

For elementary math calculations and all English Language Arts calculations, use all grades tested.

Calculation is done separately by content and for each year required (2001,2002 or 2003). Complete a Chart for each year. (Note: Only Cohort II should provide 2001 data for English/language arts)

Percentage of students Proficient and above is calculated by dividing the sum of row 'c' by sum of row 'b'.

Gain is calculated by subtracting the previous year results from the current year results.

**Format for Presenting the Percentage of Students At or Above Proficient on the
California Standards Tests**

	Subject Area (ELA or Mathematics)								
Row	Year: _____	Grade/ Course	Totals						
a	Percent of Students Proficient and Advanced (from STAR website)								
b	Number of Students Tested (from STAR website)								Sum row b all cells
c	Number of Student Proficient and Above (which is a x b)								Sum row c all cells
d	Percentage of student Proficient and Advanced (calculate by dividing the sum of row 'c' by sum of row 'b').								

Summary Table						
	2001 (ELA for Cohort II Only)	2002 (ELA for Cohort II Only)	Difference	2002	2003	Difference
ELA						
Mathematics						

Include percent for each subject and year and calculate the difference (+ or -)

Item W-18
Individual District/ School - Schools with a Invalid API
Waivers of Sanctions – Cohort II

CDSIS-19-12-2003	Los Angeles Unified School District for Fairfax Senior High and Bancroft (Hubert Howe) Middle Schools
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CDE Recommendation:

Approval: CDE recommends Fairfax Senior High and Bancroft (Hubert Howe) Middle Schools be placed on “watch” status for the 2003-04 school year.

Analysis:

Fairfax Senior High has met the criteria established by the Department of Education and State Board staff for schools without 2003 valid Growth APIs. The percentage of students at or above proficient on the 2002 California Standards English/language arts test increased by 3.06% from 2001 and the percentage of students at or above proficient on the 2003 California Standards English/language arts test increased by 4.73% from 2002. The percentage of students at or above proficient on the 2003 California Standards Mathematics Tests (general math, algebra, and geometry) increased by 2.20%.

Bancroft Middle School has also met the established criteria. The percentage of students at or above proficient on the 2002 California Standards English/language arts test increased by 4.5% from 2001 and the percentage of students at or above proficient on the 2003 English/language arts test increased by 1.03% from 2002. The percentage of students at or above proficient on the 2003 mathematics standards tests (mathematics standards and algebra,) increased by 2.15%.

If the Board grants the waiver, both schools would be placed on “watch” status for the 2003-2004 school year. If the schools make all their growth targets on the 2004 API, they will exit the program.

Fiscal Analysis for this school’s waiver request:

If the waiver is granted, a total of \$830,050 in Title I funds would be saved:

- \$525,700 for Fairfax High School (\$100,000 for the services of a SAIT and \$425,700 in Title I funds to implement the recommended corrective actions), and
- \$304,350 for Bancroft Middle School (\$75,000 for the services of a SAIT and \$229,350 in Title I funds to implement the recommended corrective actions).

See attached waiver document for all other legal requirements.

Item W-18
Individual District/ School - Schools with a Invalid API
Waivers of Sanctions – Cohort II

CDSIS-13-12-2003	Jurupa Unified School District for Rubidoux High School
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CDE Recommendation:

Denial per E.C. 33051(a)(1). CDE recommends that the school be deemed state-monitored, a SAIT be assigned, and that the district be allocated the appropriate SAIT and corrective action funds. The Department also recommends that the local governing board be allowed to retain its legal rights, duties, and responsibilities with respect to Rubidoux High School.

Analysis:

Although the data provided by Sanford Systems indicates that Rubidoux High School made growth on a simulated API, the school does not meet the criteria established by the Department of Education and State Board staff for schools with invalid APIs (see table below).

Summary Table Indicating the Growth in Percentage of Students Scoring At or Above Proficient on the CST			
	2002	2003	Difference
English/Language Arts	19.5%	20%	+.5%
Mathematics (general math, algebra, and geometry)	6.64%	6.61%	-.03%

Also, based on the 2003 California Standards Test, 80% of the students scored below proficient in English/Language Arts and 96% of the students scored below proficient in algebra I. Therefore, Department staff believes the school would benefit from the services of a SAIT, especially in the area of mathematics.

	Percent of students at or above proficient	Percent of students at basic	Percent of students at below or far below basic
English/Language Arts	20%	36%	44%
Algebra I	4%	17%	79%

Fiscal Analysis for this school's waiver request:

If the waiver is denied, Rubidoux High School would receive \$100,000 to help support the services of a SAIT and \$389,550 to implement the recommended corrective actions.

See attached waiver document for all other legal requirements.

Item W-18
Individual District/ School - Schools with a Invalid API
Waivers of Sanctions – Cohort II

CDSIS- 15-12-2003	San Diego Unified School District for O’Farrell Community School, (Charter)
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CDE Recommendation:

Denial per E.C. 33051(a)(1). CDE recommends that the school be deemed state-monitored, a SAIT be assigned, and that the district be allocated the appropriate SAIT and corrective action funds. The Department also recommends that the local governing board be allowed to retain its legal rights, duties, and responsibilities with respect to O’Farrell Community School.

Analysis:

As indicated by the data presented by O’Farrell Community School, the percentage of students at or above proficient on the English/language arts standards increased from 19.8% in 2001 to 25.2% in 2003. Although the school did not show 1 percentage point growth in each year, the Department staff believe the school has met the intent of the criteria for English/language arts. However, in mathematics the percentage of students scoring at or above proficient went down 2.1 percentage points. (Please note: the percentage of students proficient in math is based upon the general mathematics test and algebra I test.)

As stated in O’Farrell’s waiver request, the criteria for demonstrating significant growth for schools without a valid API are indeed more stringent than for schools with valid APIs. However, when the Board decided to provide an opportunity for schools to demonstrate significant growth through an alternative method, Department and Board staff agreed that schools without a valid API should be held to a higher standard, if for no other reason than to reinforce the importance of the state’s accountability program.

Based on the 2003 California Standards Test, 75.9% of the students scored below proficient in English/language arts and 90% percent of the students scored below proficient in algebra 1 (see table below). Since O’Farrell was unable to meet the established criteria for demonstrating growth in mathematics and because the results of the California Standards test indicate the school could benefit from the services of a SAIT, the Department recommends that O’Farrell be deemed state-monitored.

2003 California Standards Tests			
	Percent of students at or above proficient	Percent of students at basic	Percent of students at below or far below basic
English/Language Arts	23.6%	37.1%	38.8%
Algebra I	9%	21%	69%

Fiscal Analysis for this school’s waiver request:

If the waiver is denied, O’Farrell Community School would receive \$75,000 to help support the services of a SAIT and \$231,150 to implement the recommended corrective actions from Title I Funds.

See attached waiver document for all other legal requirements.