

Supplemental Memorandum

To: STATE BOARD MEMBERS

Date: June 2, 2003

From: Susan M. Bennett, Administrator, Educational Options Office

Re: ITEM # 18

Subject Regulations for Administering, Scoring, and Reporting Locally Adopted Tests of Achievement for Use as Indicators in the Alternative Schools Accountability Model.

ATTACHMENT I: [Proposed Emergency Regulations for the Alternative Schools Accountability Model Pre-Post Assessments \(pages 1-9\)](#)

Title 5. EDUCATION

Division 1. State Department of Education

Chapter 2.

Subchapter 4.

Article 2.5 or 3.5 (Sections 1047-1061 available)

or Article 5 (Sections 1068-1200 available).

Alternative Schools Accountability Model Pre-Post Assessments

Add Sections XXXXX to read:

§ XXXXX. Application of this Article.

This article shall only apply to schools that are registered in the Alternative Schools Accountability Model (ASAM) and have chosen to adopt a pre-post assessment instrument as an indicator for use in the ASAM.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 52052, Education Code.

§ XXXXX. Definitions.

For the purposes of this article, the following definitions apply:

- (a) “Pre-post assessment instrument” is an assessment instrument available for adoption as an indicator of achievement by schools in the ASAM.
- (b) “Pre-test” is an initial assessment given no later than 20 instructional days following the pupil’s first day of enrollment in the ASAM school.
- (c) “Post-test” is an assessment given after a minimum of 30 days of instruction following the administration of the pre-test.
- (d) “ASAM test site coordinator” means the ASAM school principal or other district employee designated by the district superintendent to oversee the acquisition, and the secure distribution, administration, scoring, and reporting of pre-post assessment instruments at the school site.
- (e) “Test Administrator” means a certificated employee or paraprofessional employee of a school district trained in the administration of a pre-post assessment instrument by the ASAM test site coordinator.
- (f) “Long-term student” is a student who has been continuously enrolled in the ASAM school for a minimum of 90 consecutive school days during the school year.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 52052, Education Code

§ XXXXX. Administration of Pre-Post Assessment Instruments

(a) In order to yield reliable and valid results, each pre-post assessment instrument shall be administered in accordance with directions provided in the publisher's assessment administration manual.

(b) The school's ASAM test site coordinator shall oversee the administration of all pre-post assessment instruments to ensure adherence to the directions provided in the publisher's assessment administration manual.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 52052, Education Code.

§ XXXXX. Test Administrator Eligibility.

Any certificated employee of a school district trained in the administration of the pre-post assessment instrument may administer the assessment. Trained paraprofessional employees of the district may administer the pre-post assessment instrument under the direct supervision of a trained certificated employee.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 52052, Education Code.

§ XXXXX. Security and Storage Requirements.

(a) To ensure security of the pre-post assessment instruments, all ASAM assessment test site coordinators (coordinators) shall sign the ASAM Pre-Post Assessment Security Agreement as set forth in subdivision (b).

(b) The ASAM Pre-Post Assessment Security Agreement shall be as follows:

ASAM PRE-POST ASSESSMENT SECURITY AGREEMENT

The coordinator acknowledges by his or her signature on this form that the ASAM pre-post assessment instruments are secure assessments and agrees to each of the following conditions to ensure test security:

(1) The coordinator will take all necessary precautions to safeguard all pre-post assessment instruments and assessment materials by limiting access to persons within the school district with a responsible, professional interest in the assessment instruments' security.

(2) The coordinator will keep on file the names of persons having access to pre-post assessment

instruments and assessment materials. All persons having access to the materials shall be required by the coordinator to sign the ASAM Pre-Post Assessment Security Affidavit that will be kept on file in the school and school district office.

(3) The coordinator will keep the pre-post assessment instruments and assessment materials in a secure, locked location, limiting access to only those persons responsible for assessment security, except on actual administration dates.

(4) The coordinator will be responsible for ensuring the security of all scoring activities whether done at the school site, the district office, or by an external contractor.

By signing my name to this document, I am assuring that I and anyone having access to the pre-post assessment instruments will abide by the above conditions.

By: _____

Title: _____

School: _____

School District: _____

Date: _____

(c) All persons having access to the ASAM pre-post assessment instruments, including but not limited to the coordinator and test administrators shall acknowledge the limited purpose of their access to the assessment instruments by signing ASAM Pre-Post Assessment Security Affidavit set forth in subdivision (d).

(d) The ASAM Pre-Post Test Security Affidavit shall be as follows:

ASAM PRE-POST ASSESSMENT SECURITY AFFIDAVIT

I acknowledge that I will have access to the ASAM pre-post assessment instruments for the purpose of administering or scoring the assessments. I understand that these materials are highly secure, and it is my professional responsibility to protect their security as follows:

(1) I will not divulge the contents of the pre-post assessment instruments to any other person.

(2) I will not copy any part of the pre-post assessment instruments or assessment materials.

(3) I will keep the pre-post assessment instruments secure until the assessments are actually distributed to pupils or, in the case of computer-administered assessments, the pupils actually log on to begin the assessments.

(4) I will limit pupils' access to the pre-post assessment instruments and assessment to the actual testing periods.

(5) I will not permit pupils to remove pre-post assessment instruments and assessment materials from the room where testing takes place.

(6) I will not disclose, or allow to be disclosed, the contents of, or the scoring keys to, the pre-post assessment instruments.

(7) I will return all pre-post assessment instruments and assessment materials to the designated coordinator upon completion of the assessment administration.

(8) I will not interfere with the independent work of any pupil taking a pre-post assessment and I will not compromise the security of the assessment instrument by means including, but not limited to:

(A) Providing pupils with access to pre-post assessment questions prior to administration of the assessment instrument.

(B) Copying, reproducing, transmitting, distributing or using in any manner inconsistent with test security all or any portion of any secure pre-post assessment instrument.

(C) Coaching pupils during administration of the assessment instrument or altering or interfering with the pupils' responses in any way.

(D) Making answer keys available to pupils.

(E) Failing to follow security rules for distribution and return of secure pre-post assessment instruments as directed, or failing to account for all secure pre-post assessment instruments and assessment materials before, during, and after their administration.

(F) Failing to follow administration directions specified in the publisher's assessment administration manual.

(G) Participating in, directing, aiding, counseling, assisting in, or encouraging any of the acts prohibited in this section.

Signed: _____

Print Name: _____

Position: _____

School: _____

School District: _____

Date: _____

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 52052, Education Code.

§ XXXXX. Scoring.

All pre-post assessment instruments shall be scored under the supervision of the coordinator. Scoring shall be done following the instructions and using the answer keys provided by the publisher of the specific pre-post assessment instrument.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 52052, Education Code.

§ XXXXX. Record Keeping.

ASAM schools shall maintain original pre-post assessment answer documents in a secure manner for a period of at least three (3) years. Printed reports summarizing the student's performance may substitute for an original answer document for computer-administered assessment instruments. Printed paper copies of test scores from computer-administered assessment instruments shall be kept on file in a secure manner for a period of three (3) years.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 52052, Education Code.

§ XXXXX. Reporting.

School districts that have adopted a pre-post assessment instrument, as an indicator of achievement for an ASAM, school shall submit the following information for each long-term student enrolled in the school. The information shall be submitted in a format provided by the California Department of Education.

- (a) Local student Identification number (as available).
- (b) Test name and form.
- (c) Dates pre-post assessment instruments were administered.
- (d) Scores on each assessment instrument.
- (e) Student demographics:
 - (1) Date of birth.
 - (2) Grade level.
 - (3) Gender.
 - (4) Language fluency and home language.

(5) Special program participation.

(6) Testing adaptations or accommodations.

(7) Amount of time in school district and in California public schools.

(8) Ethnicity.

(9) Parent education level.

(10) Handicapping condition or disability.

This information is for the purpose of aggregate analyses only.

Districts shall submit the ASAM pre-post assessment instrument results by July 31 each year.

NOTE: Authority cited: Section 33031, Education Code. Reference: Section 52052, Education Code.

FINDING OF EMERGENCY

The State Board of Education (SBE) finds that an emergency exists and that the adoption of emergency regulations for the administration, scoring, and reporting of locally adopted pre-post assessment instruments for use as indicators in the Alternative Schools Accountability Model (ASAM) are now necessary for the immediate preservation of the public peace, health and safety, or general welfare. These regulations are required to allow the ASAM schools that selected locally adopted pre-post assessments as an accountability indicator to administer these instruments for the 2003-2004 school year. Year-round ASAM schools will begin their school year on July 1, 2003 and require regulations in order begin using the instruments at that time.

SPECIFIC FACTS SHOWING THE NEED FOR IMMEDIATE ACTION

The Public Schools Accountability Act (PSAA) of 1999, SB 1X, Chapter 3, Statutes of 1999 [Article 2, Section 52052 (g)] requires that all schools be held accountable through the state's accountability system. The ASAM provides a critical measure of accountability for alternative schools with insufficient data to be held accountable under California's main accountability system. To be fully functional, the ASAM requires its schools to be able to measure student performance using pre-post assessment instruments. If regulations are not put in place immediately, the pre-post assessment instruments will not be available as ASAM indicators for the coming school year, and implementation of the fully functional accountability system for alternative schools in California will be delayed a full academic year.

The regulations for administration, scoring, and reporting the pre-post assessment indicators could not be developed earlier for several reasons. The SBE required that California Department of Education (CDE) carry out a rigorous review process before the pre-post assessment instruments could be approved for use in the ASAM. This process, in turn, depended on securing necessary funding and a contractor prior to completing the review process in Fall 2003. The SBE approved four pre-post assessment instruments in November 2003 and directed CDE to contact additional publishers and the publishers of instruments that had provided insufficient information to request additional submissions for a second review process. Following the second review, the SBE approved four additional pre-post assessment instruments in February 2003. CDE then developed guidelines for administering and reporting the pre-post assessments and the SBE approved the guidelines conditionally in May 2003 pending the development and adoption of regulations.

It is imperative that these regulations be finalized through the emergency regulation process so that schools can begin using the pre-post assessment instruments as ASAM indicators for the 2003-2004 school year. Specifically, year-round ASAM schools will begin their school year on July 1, 2003 and need regulations to guide the administration and reporting of the instruments from the beginning of their school year.

Authority and Reference

Authority: Section 33031, Education Code.

Reference: Section 52052, Education Code.

Informative Digest

The Public Schools Accountability Act (PSAA) of 1999, SB 1X, Chapter 3, Statutes of 1999 [Article 2, Section 52052 (g)] required that by... *July 1, 2000 the Superintendent of Public Instruction, with the approval of the State Board of Education, shall develop an alternative accountability system for schools with fewer than 100 pupils, and for schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, and alternative schools, including continuation high schools and independent study schools.* The SBE approved the framework for the Alternative Schools Accountability Model (ASAM) developed by the PSAA Advisory Committee in July 2000.

More than 1,100 alternative schools currently participate in the ASAM. They include schools defined in law such as continuation schools, community day schools, county juvenile court schools, county community schools, California Youth Authority schools, and opportunity schools; as well as other alternative schools. Schools in the ASAM enroll high-risk students at the elementary, middle, and high school levels. Accountability that accurately reflects the growth of students enrolled in these schools must be based on multiple indicators of progress reflecting academic performance as well as other aspects of growth. Moreover, it must be based on data for students enrolled for a minimum period required for consistent delivery of instruction and must reflect the progress of those students during the time they are enrolled in the school.

Students in ASAM schools typically function far below grade-level standards. They also show extremely high levels of mobility, moving in and out of programs and schools on a routine basis. Pre-post assessment instruments are viewed as extremely valuable indicators of academic growth for these students because they can be sensitive to gains during their typically short enrollment periods.

Regulations to guide the administration and reporting of the pre-post assessment instruments must be adopted on an emergency basis so that schools registered in the ASAM can adopt and use the instruments as indicators of achievement throughout the 2003-2004 school year.

Mandate on Local Agencies or School Districts

The SBE has determined that Sections XXXXX – XXXXX do not impose a mandate on local agencies or school districts (formal analysis will be done upon approval of Emergency regs by the Board).

Cost Estimate

(Formal analysis will be done after Emergency regulations are approved by the Board. If no cost is found – the following statement applies:) The SBE has determined that the regulation will involve no cost or savings to any State agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable costs or savings to local agencies or school districts under Section 17561 of the Government Code, and no costs or savings in federal funding to the State.