

2488 Historic Decatur Road
Suite 200
San Diego, California 92106
(619) 232-3122
Fax (619) 232-3264
www.sashlaw.com



Arthur M. Palkowitz, Esq.
apalkowitz@sashlaw.com

RECEIVED
May 11, 2015
**Commission on
State Mandates**

May 11, 2015

LATE FILING

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES
980 9th Street, Suite 300
Sacramento, CA 95814

**Re: Claimants' Comments
California Assessment of Student Performance and Progress (CAASPP)
Test Claim 14-TC-01**

Dear Ms. Halsey:

The following is in response to the Department of Finance ("DOF") comments dated April 27, 2015.

K-12 High Speed Network

In its most recent comment letter from April 27, 2015, DOF asserts that the \$26.7 million included in the 2013-2014 budget for the California K-12 High Speed Network "resulted in project [District CAASPP] costs that were lower than what an individual district or county office of education would have paid" absent the Network's funding. First, this position is entirely unsupported by any evidence. Second, DOF's position confirms that Districts and County Offices of Education do not actually receive these funds directly; they only receive the benefit. Thus, a District or County Office of Education would never incur actual costs that would be reimbursed by this funding source.

Waiver Impacts Adequate Yearly Progress

DOF also contends the NCLB waiver received by California did not, in fact, exempt California from the requirement to administer an assessment in 2013-14 and 2014-15. Even if this is true, DOF has failed to explain why the \$26.7 million is sufficient to cover the cost of the mandate. Moreover, DOF attempts to ignore Claimants' argument that CAASPP is, at the very least, a higher level of service. As was pointed out in Claimants' March 13, 2015 comment letter, STAR made California compliant with NCLB. Yet the SBAC – which is the primary assessment under CAASPP – is a fundamentally different assessment than anything that was administered under STAR. Thus, when California *chose* to replace STAR with CAASPP, it *chose* to establish a higher level of service and created a mandate.

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One Time State Funding is Inadequate.

On March 13, 2015, the California Educational Technology Professionals Association (“CETPA”) submitted comments regarding two statewide surveys that received responses from over 400 Districts and County Offices of Education (“COE”).

The intent of these surveys was to ascertain the level of confidence or concern with technology requirements associated with administering the CAASPP. The attachments to the comments include the following conclusions from the survey:

These numbers supports the same two conclusions in each area. First, districts and COEs hired staff in order to prepare, purchased additional and higher quality devices, and improved their networks to administer the assessment. All of these enhancements required districts and COEs to expend their limited financial resources. Second, as of the beginning of this school year, additional funding was still needed in order for all districts and COEs to have sufficient staffing to provide technical support to administer the assessment, to have a sufficient number and quality of devices to administer the assessment, and to have sufficient network resources to administer the assessment.

The surveys also found significant disparities in how districts and COEs utilized the \$1.25 billion in one-time funding restricted to Common Core implementation.

Extremely strong responses are seen to the perceived need for additional funding to meet these challenges. When asked about whether the one-time funding was sufficient to meet the technology needs of CAASPP, 54% of LEAs said no. When asked about the need for technology-specific funding to meet the challenges of Common Core and 21st Century Learning, in addition to CAASPP, 93% of respondents said there was a need for a moderate to significantly higher investment to meet that future.

While the one-time Common Core funds (which are unclear for the near future) are helpful in the short term, they do not resolve the on-going demands associated with adequate staffing, staff training, equipment replacement, software purchase/licensing updating, broadband maintenance, and appropriate facilities - just to name a few. Too often the conversations regarding technology-readiness in schools focus on the "devices" without a fair consideration of the critically important role of

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staffing, maintenance, software, and planning that must take place in order to make those devices work as intended.

Notably, most districts and COEs spent more than half of this funding on professional development and instructional materials rather than technology. Finally, districts and COEs responded that the survey did not capture the extensive staffing and resources required for districts and COEs to be as ready as they were to administer the assessment and the negative impact (financial and otherwise).

The above excerpts from the comprehensive survey depict the inadequate funding that has been provided to CAASSP. One time appropriations have not covered the full cost of staffing, professional development, instructional materials or expenditures necessary to support the administration of computer-based assessments and provide high-speed, high-bandwidth Internet connectivity for the purpose of administration of computer-based assessments, which normally takes place over a few years. With the Test Claim statues requiring assessments from 2013-2014 until 2019-2020, the total estimated statewide cost is in the range of \$12-\$15 billion dollars.

I declare by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.


Arthur M. Palkowitz
Attorney for Claimants

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On May 12, 2015, I served the:

Claimant Rebuttal Comments

California Assessment of Student Performance and Progress (CAASPP), 14-TC-01
Education Code Sections 60602, 60602.5, 60603, 60604, 60607, 60610, 60611,
60612, 60640, 60641, 60642.6, 60643, 60643.6, 60648, 60648.5, 60649, 60810,
99300, and 99301;

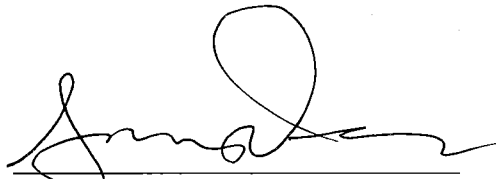
Statutes 2013-2014, Chapter 489 (AB 484); Statutes 2014 Chapter 32, (SB 858);
Statutes 2014, Chapter 327 (AB 1599)

California Code of Regulations, Title 5, Section 850 through 864, inclusive;
(Register 2014, No. 30; Effective Date: July 23, 2014); Certificate of Compliance
(Register 2014, No. 35; Effective Date: August 27, 28, 2014)

Plumas County Office of Education, Plumas Unified School District, Porterville Unified
School District, Santa Ana Unified School District, and Vallejo City Unified School
District, Claimants

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on May 12, 2015 at Sacramento, California.



Lorenzo Duran
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 4/24/15

Claim Number: 14-TC-01

Matter: California Assessment of Student Performance and Progress (CAASPP)

Claimants: Plumas County Office of Education
Plumas Unified School District
Porterville Unified School District
Santa Ana Unified School District
Vallejo City Unified School District

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

Amber Alexander, *Department of Finance*

Education Systems Unit, 915 L Street, Sacramento, CA 95814

Phone: (916) 445-0328

Amber.Alexander@dof.ca.gov

Socorro Aquino, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

Harmeet Barkschat, *Mandate Resource Services, LLC*

5325 Elkhorn Blvd. #307, Sacramento, CA 95842

Phone: (916) 727-1350

harmeet@calsdrc.com

Lacey Baysinger, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-0254

lbaysinger@sco.ca.gov

Andrea Bennett, Executive Director, *California Educational Technology Professionals As*

915 L Street, Sacramento, CA 95814

Phone: (916) 402-2471

andrea.bennett@cetpa.net

Mike Brown, *School Innovations & Advocacy*
5200 Golden Foothill Parkway, El Dorado Hills, CA 95762
Phone: (916) 669-5116
mikeb@sia-us.com

Laurie Bruton, Superintendent, *San Lorenzo Valley Unified School District*
325 Marion Ave, Ben Lomond, CA 95005
Phone: (831) 336-5194
lbruton@slvusd.org

J. Bradley Burgess, *MGT of America*
895 La Sierra Drive, Sacramento, CA 95864
Phone: (916) 595-2646
Bburgess@mgtamer.com

Gwendolyn Carlos, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-0706
gcarlos@sco.ca.gov

David Cichella, *California School Management Group*
3130-C Inland Empire Blvd., Ontario, CA 91764
Phone: (209) 834-0556
dcichella@csmcentral.com

Joshua Daniels, Attorney, *California School Boards Association*
3251 Beacon Blvd, West Sacramento, CA 95691
Phone: (916) 669-3266
jdaniels@csba.org

Marieta Delfin, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-4320
mdelfin@sco.ca.gov

Andra Donovan, *San Diego Unified School District*
Legal Services Office, 4100 Normal Street, Room 2148, , San Diego, CA 92103
Phone: (619) 725-5630
adonovan@sandi.net

Donna Ferebee, *Department of Finance*
915 L Street, Suite 1280, Sacramento, CA 95814
Phone: (916) 445-3274
donna.ferebee@dof.ca.gov

Chris Ferguson, *Department of Finance*
Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-3274
Chris.Ferguson@dof.ca.gov

Susan Geanacou, *Department of Finance*
915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274
susan.geanacou@dof.ca.gov

Paul Golaszewski, *Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8341
Paul.Golaszewski@lao.ca.gov

Robert Groeber, Assistan Superintendent, *Visalia Unified School District*
5000 West Cypress Ave P.O. Box, Visalia, CA 93278-5004
Phone: (559) 730-7529
rgroeber@visalia.k12.ca.us

Wendy Gudalewicz, Superintendent, *Cupertino Union School District*
10301 Vista Drive, Cupertino, CA 95014-2091
Phone: (408) 252-3000
gudalewicz_wendy@cusdk8.org

Ed Hanson, *Department of Finance*
Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
ed.hanson@dof.ca.gov

Mark Ibele, *Senate Budget & Fiscal Review Committee*
California State Senate, State Capitol Room 5019, Sacramento, CA 95814
Phone: (916) 651-4103
Mark.Ibele@sen.ca.gov

Cheryl Ide, Associate Finance Budget Analyst, *Department of Finance*
Education Systems Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Cheryl.ide@dof.ca.gov

Ian Johnson, Principal Program Budget Analyst, *Department of Finance*
Education Systems Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Ian.Johnson@dof.ca.gov

Matt Jones, *Commission on State Mandates*
980 9th Street, Suite 300, Sacramento, CA 95814
Phone: (916) 323-3562
matt.jones@csm.ca.gov

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Jillian Kissee, *Department of Finance*
915 L Street, Sacramento, Ca
Phone: (916) 445-0328
jillian.kissee@dof.ca.gov

Sarah Koligian, Superintendent, *Tulare Joint Union High School District*
426 North Blackstone, Tulare, CA 93274-4449

Phone: (559) 688-2021
sarah.koligian@tulare.k12.ca.us

Jennifer Kuhn, Deputy, *Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8332
Jennifer.kuhn@lao.ca.gov

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Nancy Lentz, Administrative Assistant to the Superintendent, *Santa Cruz City Schools District*
405 Old San Jose Road, Soquel, CA 95073
Phone: (831) 429-3410
nlentz@sccs.net

Kathleen Lynch, *Department of Finance (A-15)*
915 L Street, Suite 1280, 17th Floor, Sacramento, CA 95814
Phone: (916) 445-3274
kathleen.lynch@dof.ca.gov

Michelle Mendoza, *MAXIMUS*
17310 Red Hill Avenue, Suite 340, Irvine, CA 95403
Phone: (949) 440-0845
michellemendoza@maximus.com

Yazmin Meza, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Yazmin.meza@dof.ca.gov

Micheline G. Miglis, Superintendent, *Plumas County Office of Education*
Plumas Unified School District, 1446 E. Main, Quincy, CA 95971
Phone: (530) 283-6500
mmiglis@pcoe.k12.ca.us

Richard L. Miller, Superintendent, *Santa Ana Unified School District*
1601 East Chestnut Avenue, Santa Ana, CA 92701
Phone: (714) 558-5512
rick.miller@sausd.us

Meredith Miller, Director of SB90 Services, *MAXIMUS*
3130 Kilgore Road, Suite 400, Rancho Cordova, CA 95670
Phone: (972) 490-9990
meredithcmiller@maximus.com

Michael Milliken, Superintendent, *Belmont-Redwood Shores School District*
2960 Hallmark Drive, Belmont, CA 94802-2999
Phone: (650) 637-4800
mmilliken@brssd.org

Robert Miyashiro, *Education Mandated Cost Network*

1121 L Street, Suite 1060, Sacramento, CA 95814
Phone: (916) 446-7517
robertm@sscal.com

Jameel Naqvi, Analyst, *Legislative Analysts™s Office*
Education Section, 925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8331
Jameel.naqvi@lao.ca.gov

Keith Nezaam, *Department of Finance*
915 L Street, 8th Floor, Sacramento, CA 95814
Phone: (916) 445-8913
Keith.Nezaam@dof.ca.gov

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Don Olson, Superintendent, *Del Norte County Office of Education*
301 W. Washington Blvd, Crescent City, CA 95531
Phone: (707) 464-0200
dolson@delnorte.k12.ca.us

Christian Osmena, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
christian.osmena@dof.ca.gov

Arthur Palkowitz, *Stutz Artiano Shinoff & Holtz*
Claimant Representative
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@sashlaw.com

Keith Petersen, *SixTen & Associates*
P.O. Box 340430, Sacramento, CA 95834-0430
Phone: (916) 419-7093
kbpsixten@aol.com

Mark Rewolinski, *MAXIMUS*
625 Coolidge Drive, Suite 100, Folsom, CA 95630
Phone: (949) 440-0845
markrewolinski@maximus.com

Sandra Reynolds, *Reynolds Consulting Group, Inc.*
P.O. Box 894059, Temecula, CA 92589
Phone: (951) 303-3034
sandrareynolds_30@msn.com

David Scribner, *Max8550*
2200 Sunrise Boulevard, Suite 240, Gold River, CA 95670
Phone: (916) 852-8970
dscribner@max8550.com

Steve Shields, *Shields Consulting Group, Inc.*

1536 36th Street, Sacramento, CA 95816

Phone: (916) 454-7310

steve@shieldscg.com

Socorro Shiels, Superintendent, *Santa Rosa City Schools*

211 Ridgway Ave, Santa Rosa, CA 95401

Phone: (707) 528-5181

sshields@srcs.k12.ca.us

John Snavely, Superintendent, *Porterville Unified School District*

600 West Grand Avenue, Porterville, CA 93257

Phone: (559) 792-2455

jsnavely@portervilleschools.org

Jim Spano, Chief, Mandated Cost Audits Bureau, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 323-5849

jspano@sco.ca.gov

Dennis Speciale, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-0254

DSpeciale@sco.ca.gov

Meg Svoboda, *Senate Office of Research*

1020 N Street, Suite 200, Sacramento, CA

Phone: (916) 651-1500

meg.svoboda@sen.ca.gov

Amy Tang-Paterno, Educational Fiscal Services Consultant, *California Department of Education*

Government Affairs, 1430 N Street, Suite 5602, Sacramento, CA 95814

Phone: (916) 322-6630

ATangPaterno@cde.ca.gov

Jolene Tollenaar, *MGT of America*

2001 P Street, Suite 200, Suite 200, Sacramento, CA 95811

Phone: (916) 443-9136

jolene_tollenaar@mgtamer.com

Brian Uhler, *Legislative Analyst's Office*

925 L Street, Suite 1000, Sacramento, CA 95814

Phone: (916) 319-8328

brian.uhler@lao.ca.gov

Marichi Valle, *San Jose Unified School District*

855 Lenzen Avenue, San Jose, CA 95126

Phone: (408) 535-6141

mvalle@sjusd.org

Ronald D. Wenkart, General Counsel, *Orange County Department of Education*

200 Kalmus Drive P.O. Box, Costa Mesa, CA 92628-9050

Phone: (714) 966-4220

rwenkart@ocde.us

Judy D. White, Superintendent, *Moreno Valley Unified School District*
25634 Alessandro Blvd, Moreno Valley, CA 92553
Phone: (915) 571-7500
jdwhite@mvusd.net