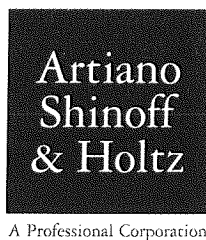


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RECEIVED
March 18, 2016
**Commission on
State Mandates**

March 18, 2016

LATE FILING

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

**Re: Claimants' Comments to Proposed Decision
Draft Parameters & Guidelines
California Assessment of Student Performance and Progress (CAASPP)
Test Claim 14-TC-01 and 14-TC-04**

Dear Ms. Halsey:

The following comments are provided in response to the proposed Draft Parameters & Guidelines ("P & G's") dated March 11, 2016.

A. Proposed Reimbursable Activities:

Claimants shall maintain supporting documentation showing how their existing inventory of computing devices and accessories, technology infrastructure, and broadband internet service is not sufficient to administer the CAASPP test to all eligible pupils in the testing window, based on the minimum technical specifications identified by the contractor(s) or consortium.

The above proposed requirement is unreasonable and is unsupported by previous P & G's decisions or the test claim statutes. Generally, devices or other equipment replaced are below the fixed asset threshold for inventories, audits and reporting. Maintaining an inventory list of computing devices and accessories, technology infrastructure, and broadband, along with their technical specifications is burdensome and unworkable.

What is required by the test claim statutes and regulations is that devices and accessories purchased, whether to replace outdated equipment or is additional equipment meets the minimum technical specifications identified by the contractor(s) or consortium. This is consistent with the Department of Finance's request for District's to provide documentation evidencing the devices and technology purchased that is required to provide a sufficient number of computing devices, connected to the internet at sufficient speed to permit administration of the CAASPP assessment to all eligible pupils within a district.

**Claimants' Comments on Draft Parameters & Guidelines
California Assessment of Student Performance and Progress (CAASPP)
Test Claim 14-TC-01 And 14-TC-04**

B. Technology Infrastructure

Legacy systems used by California Districts for assessments are not all currently compatible and reliable. ¹ For the P & G's to instruct disallowance of reimbursement based on a District's possessing legacy system is unreasonable and overbroad. (Proposed Decision; p.4-5) "...This document is intended to be a living document that provides districts with basic information that is necessary to assist them in their plans for the continued use of legacy systems as instructional resources and as delivery devices for online assessments. Many districts will, by design or by need, have to consider the implementation of changes to their systems of information technology. This may include some elements of new hardware in the form of desktops, laptops, and thin clients, as well as devices less familiar to district IT support personnel, including mobile devices such as tablets. Changes in devices may require subsequent changes to networks such as including new wireless networks or upgrading existing wireless networks. Many districts will have to establish new policies to address the new technologies such as 1:1 initiative, processes for checking computers out through the school's library/ media center, moving devices from class to class in a cart, and the use of student-owned/managed devices." (Exhibits; p.155)

Reliance of several exhibits from the SBAC website is misguided. For example, one report states, "These data and reviews indicate that the administration of online adaptive assessments, similar to those administered in a number of Smarter Balanced states at this time, can largely be executed with the hardware and infrastructure that exists in schools today." This report is not specific for California and its application unreliable being dated "8/1/2014." With new technology specifications occurring annually, upgrading systems "collectively" for efficiency is essential for handling the traffic of testing thousands of students simultaneously.

C. Report the purchase price paid for fixed assets (including computers) necessary to implement the reimbursable activities, in accordance with Section IV.A of these parameters and guidelines. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

Districts do not have the option to "rent" devices and technology infrastructure during the testing period. ² "But for" the mandated activities, claimants would not have incurred expenses of computing devices, servers, carts, peripheral infrastructure equipment, fiber optic cabling, electrical cords, hardware and software, while reimbursement of "downstream costs" is well

¹ The CAASPP exhibits relied upon are reflective of districts located nationwide and are not California specific.

² Since the "the test claim statutes/regulations did not require equipment purchased for CAASPP be used exclusively for assessments," claimants are unable to provide any evidence in support. (Prop. Decision p. 27)

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES

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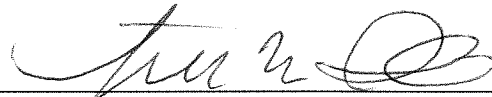
**Claimants' Comments on Draft Parameters & Guidelines
California Assessment of Student Performance and Progress (CAASPP)
Test Claim 14-TC-01 And 14-TC-04**

supported by previous P & G decisions as unintended consequences of the mandated activities. It would be a waste of public funds for Districts to purchase additional equipment during the non-testing period while the mandated equipment is left unused.

Conclusion

For the P & G's to take away discretion of local school districts to comply with the above requirements, by individuals potentially lacking the necessary technological expertise, impedes the District's legal obligation, is burdensome and unreasonably restrictive. Districts have no other alternative than to purchase the computing devices, bandwidth or technology infrastructure.

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 March 21, 2016, I served the:

Claimants' Late Comments on Proposed Decision and Parameters and Guidelines

California Assessment of Student Performance and Progress (CAASPP),

14-TC-01 and 14-TC-04

Education Code Section 60640, as amended by Statutes 2013, Chapter 489 (AB 484)

and Statutes 2014, Chapter 32 (SB 858); California Code of Regulations, Title 5,

Sections 850, 852, 853, 853.5, 857, 861(b)(5), and 864, as added or amended by

Register 2014, Nos. 6, 30, and 35

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 March 21, 2016 at Sacramento, California.



Jill L. Magee
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 3/14/16

Claim Number: 14-TC-01 and 14-TC-04

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.)

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