# Addendum To Finding of Emergency

California Assessment of Student Performance and Progress

## Update To Finding of Emergency

A delay in the release of the California Assessment of Student Performance and Progress (CAASPP) results will precipitate a delay in the ability of local educational agencies (LEAs) to incorporate key data in integral instructional and programmatic decisions for the coming year. This would cause serious harm to the welfare of students and LEAs by adversely affecting the timely delivery of services to students and the LEAs’ ability to set effective academic goals.

One example of this is reclassification of English learners (ELs). Reclassification is the process whereby a student is reclassified from EL status to Fluent English Proficient (RFEP) status. Reclassification can take place at any time during the academic year, immediately upon the student meeting all the criteria. Each LEA establishes a locally approved reclassification process in order to determine when students are eligible for RFEP status changes due to meeting each of the four criteria listed in California Education Code (EC) Section 313 (f).

Criterion 4 of the reclassification criteria requires a comparison of the performance of the pupil in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age, which demonstrates whether the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English. Smarter Balanced Assessment Consortium English language arts scores, LEA benchmarks, or other assessments identified by the LEA that measures progress in English language arts can be used to meet the requirements for Criterion 4.

Timely reclassification allows students (especially in middle and high school) to be placed in core content courses and electives prior to the school year, which would provide more course options for these students’ schedules. Furthermore, moving the release of results earlier in the year will minimize the number of EL students that have their instruction disrupted in the fall when they are removed from their English Language Development courses part way into the term and into mainstream classrooms.

Delayed results also impact the ability of LEAs to engage in the actions needed to create their Local Control and Accountability Plan (LCAP). The LCAP is intended as a comprehensive planning tool to support student outcomes and is an important component of the Local Control Funding Formula (LCFF). Educators, in consultation with students and families, examine data on student performance to improve academic achievement, increase college/career readiness, and support English learners and students with disabilities. Lack of timely CAASPP results will negatively impact an LEA’s ability to use that data to set academic goals.

Following the passage of Senate Bill (SB) 293 in September 2023, the California Department of Education (CDE) began working with its testing contractor, ETS, to determine the bill’s impact on the CDE’s schedule of deliverables related to results reporting for the CAASPP on the Test Results for California’s Assessment website.

Once it was confirmed that a change to the end date of the state testing window would help ensure that all aggregate results could be publicly reported on or before October 15, the CDE began the rulemaking process. In order to accommodate sufficient time for each level of review, revision, and approval, the development and review timeline for these rulemaking documents began in November so that they could be placed on the SBE’s March meeting agenda. The necessary review timeline could not have been accomplished between the time the bill was chaptered in late September and the posting date for the January SBE meeting, and it was determined that March was the earliest date at which the CDE could bring the proposed changes to the SBE for review and approval. This timeline also confirmed that there would be a need for emergency rulemaking so that the proposed changes would go into effect for the 2023–24 administration, as requirements set forth in SB 293 mandate that all 2023–24 CAASPP results be reported on or before October 15, 2024.

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