# INITIAL STATEMENT OF REASONS

California Assessment of Student Performance and Progress (CAASPP)

## INTRODUCTION

Pursuant to Education Code (EC) section 60640, the California Department of Education (CDE) has developed the California Assessment of Student Performance and Progress (CAASPP) System, which includes the following assessments: the Smarter Balanced Assessment Consortium computer-based summative assessments for English language arts/literacy (ELA) and mathematics; the California Science Test (CAST), aligned with the California Next Generation Science Standards (CA NGSS); the California Alternate Assessments (CAAs) for ELA, Mathematics, and Science, aligned with the Core Content Connectors; and the California Spanish Assessment (CSA), aligned with the Common Core State Standards en Español. CAASPP test results are used to improve teaching and learning in schools and local educational agencies (LEAs) in California. In addition, the CAASPP tests are developed, administered, and reported in accordance with federal requirements.

All CAASPP assessments are administered within a CAASPP LEA testing window designated by each LEA within the larger CAASPP state testing window. The LEA’s testing window may begin on the day in which 66 percent of the school's or track's annual instructional days have been completed, but no earlier than the start of the state testing window, and testing may continue up to and including the last day of instruction for the regular school's or track's annual calendar, but no later than the end of the state testing window.

The state testing window for all CAASPP assessments—with the exception of the CAA for Science—begins no earlier than the second Tuesday in January of each year. The state testing window for the CAA for Science begins on a date in September as determined by the CDE so that each of the CAA for Science performance tasks can be embedded within the instruction relevant to each performance task. Currently, per the California Code of Regulations, title 5 (5CCR), section 855, the state testing window for all CAASPP assessments ends each year on July 15, or on the weekday following July 15 if July 15 was not a weekday.

Following the end of the CAASPP state testing window, the CDE’s testing contractor, ETS, moves all tests that have not been completed to the post-administration processes of scoring and reporting. Prior to the public release of all aggregate results to the Test Results for California’s Assessments website at [https://caaspp-elpac.ets.org](https://caaspp-elpac.ets.org/), ETS and the CDE conducts a series of quality control processes to ensure that all individual and aggregate data reported is correct.

## PROBLEM AGENCY INTENDS TO ADDRESS

In September 2023, Governor Newsom signed Senate Bill (SB) No. 293, which amends EC section 60641 to require the CDE to make statewide summative CAASPP results publicly available on or before October 15 each year and for the State Board of Education’s (SBE) calendar for delivering results to the CDE to be consistent with that deadline. In order to allow sufficient time for the CDE and ETS to complete all necessary post-administration processes prior to the release of results, the CDE finds it necessary to amen 5 CCR section 855 to reflect that the CAASPP state testing window will close no later than June 30 each year.

## BENEFITS ANTICIPATED FROM REGULATORY ACTION

The anticipated benefit of enacting the proposed amendments is that the CDE and ETS will have sufficient time to effectively, consistently, and reliably complete all post-administration processes—including annual scoring, reporting, and quality control processes—prior to the public release of aggregate CAASPP results on or before October 15, as now required by EC section 60641. Additionally, the proposed amendments support increased local control, and strengthen an LEA’s ability to access achievement results in a timely manner so that achievement data can be used for the purposes for guiding instruction, gauging students’ readiness for career and college, and for meeting state and federal accountability requirements.

## SPECIFIC PURPOSE OF EACH SECTION – GOV. CODE SECTION 11346.2(b)(1)

The specific purpose of each adoption or amendment, and the rationale for the determination that each adoption or amendment is reasonably necessary to carry out the purpose of which it is proposed, together with a description of the public problem, administrative requirement, or other condition or circumstance that each adoption or amendment is intended to address, is as follows:

General changes were made to the proposed regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions.

**SECTION 855**

**Section 855(a)** is amended to remove “2015–16” and to add “2023–2024.” This is necessary because the testing windows described in the sections to follow will go into effect beginning in the 2023–2024 administration.

**Section 855(a)(1)** is amended to remove “July 15” and to add “June 30.” This is necessary because the testing window described in this section is proposed to end no later than June 30. This will allow CDE and ETS the necessary time to effectively, consistently, and reliably complete all post-administration processes prior to the public release of the statewide summative CAASPP results on or before October 15 each year as now required by EC section 60641.

**Section 855(a)(1)** is amended to remove “or the next weekday following the 15th” and to add “or the weekday preceding the 30th.” This is necessary because the testing window described in this section is proposed to end no later than the weekday preceding June 30 if June 30 is not a weekday.

**Section 855(a)(2)** is amended to remove “July 15” and to add “June 30.” This is necessary because the testing window described in this section is proposed to end no later than June 30. This will allow CDE and ETS the necessary time to effectively, consistently, and reliably complete all post-administration processes prior to the public release of the statewide summative CAASPP results on or before October 15 each year as now required by EC section 60641.

**Section 855(a)(2)** is amended to remove “or the next weekday following the 15th” and to add “or the weekday preceding the 30th.” This is necessary because the testing window described in this section is proposed to end no later than the weekday preceding June 30 if June 30 is not a weekday.

## Economic Impact ASSESSMENT PER GOV. CODE SECTION 11346.3(b)

### Purpose:

The proposed regulations are necessary for state implementation of EC section 60641 and for the consistent and timely reporting of CAASPP results to the public.

### Creation or Elimination of Jobs within the State of California:

The proposed regulations are designed to adjust the timeline on which the CDE and ETS begin post-administration processes, such as scoring, reporting, and other quality control processes to ensure all data is correct and reliable. The CDE and ETS have reviewed data from prior years’ test administration and have confirmed that only a few LEAs have selected testing windows that end in July and no tests have been administered in the time between June 30 and July 15 in prior years, so this change will have little to no effect on LEAs’ administration of assessments. These regulations do not eliminate any jobs that already exist in relation to the administration of the CAASPP nor do the regulations create any more jobs than what already exist in relation to the CAASPP.

### Creation of New or Elimination of Existing Businesses within the State of California:

The proposed regulations are designed to adjust the timeline on which the CDE and ETS begin post-administration processes—including scoring, reporting, and other quality control processes—necessary to ensure all data is complete, correct, and reliable. Adoption of the regulations will not create new or eliminate existing businesses within the State of California; the regulations apply to and impact only the CDE, ETS, and LEAs, and do not apply to or impact businesses.

### Expansion of Businesses or Elimination of Businesses Currently Doing Business within the State of California:

The proposed regulations are designed to adjust the timeline on which the CDE and ETS begin post-administration processes, such as scoring, reporting, and other quality control processes. Adoption of the regulations will not expand or eliminate existing businesses within the State of California; the regulations apply to and impact only LEAs and do not apply to or impact businesses within California.

### Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment – Gov. Code Section 11346.1(b)(1):

The anticipated benefit of the regulations is to the welfare of California students by ensuring the CDE and ETS will have sufficient time to effectively, consistently, and reliably complete all post-administration processes before the required public release on or before October 15 pursuant to EC section 60641. Moreover, the proposed regulations will support increased local control, and strengthen an LEA’s ability to access achievement results in a timely manner so that achievement data can be used to guide instruction, gauge California students’ readiness for career and college, and to meet state and federal accountability requirements.

These proposed regulations will have no adverse effect nor benefit on worker safety or the State’s environment.

### Reasonable Alternatives that Would Lessen the Impact on Small Businesses – Gov. Code Section 11346.2(b)(4)(B):

The SBE has not identified any alternatives that would lessen any adverse impact on small business.

### Evidence Relied Upon to Support the Initial Determination that the Regulations Will Not Have a Significant Adverse Economic Impact on Business – Gov. Code Section 11346.2(b)(5):

The proposed regulations only apply to LEAs and would have no impact on the private sector, including small businesses, because all processes performed by the CDE and ETS within the proposed timeline remain unchanged and do not have any additional impact on businesses.

## OTHER REQUIRED SHOWINGS

### Studies, Reports or Documents Relied Upon – Gov. Code. Section 11346.2(b)(3):

The SBE did not rely upon any technical, theoretical, or empirical studies, reports, or documents in proposing the adoption, amendment, or repeal of these regulations.

### Reasonable Alternatives Considered or Agency’s Reasons for Rejecting Those Alternatives – Gov. Code Section 11346.2(b)(4)(A):

No other alternatives were presented to or considered by the SBE.

### Analysis of Whether the Regulations are an Efficient and Effective Means of Implementing the Law in the Least Burdensome Manner – Gov. Code Section 11346.3(e):

The proposed regulations have been determined to be the most efficient and effective means of implementing the law in the least burdensome manner.

### Determination of Inconsistent/Incompatible Existing Regulations – Gov. Code Section 11346.5(a)(3)(D):

An evaluation of the proposed regulations has determined they are not inconsistent/incompatible with existing regulations, pursuant to Government Code section 11346.5(a)(3)(D). After conducting a review for any regulations that would relate to or affect this area of law, the SBE has concluded that these are the only regulations that concern the CAASPP regulations.

11-29-2023 [California Department of Education]