



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 12, 2022

The Honorable Tony Thurmond
Superintendent
California Department of Education
1430 N Street
Sacramento, CA 95814

Dr. Linda Darling-Hammond
President
California State Board of Education
1430 N Street, Room 5111
Sacramento, CA 95814

Dear Superintendent Thurmond and Dr. Darling-Hammond:

I am writing in response to California's request on March 18, 2022, and updated on July 19, 2022, to the U.S. Department of Education (Department) to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA), using the COVID-19 State Plan Addendum (Addendum). California requested these amendments to account for short-term changes to its system of annual meaningful differentiation for the 2021-2022 school year due to extraordinary circumstances related to the COVID-19 pandemic and in response to the waivers the Department granted California from the accountability requirements of the ESEA for the 2019-2020 and 2020-2021 school years and the assessment requirements for the 2019-2020 school year.

Specifically, California requested the amendments to:

- Shift forward long-term goals for academic achievement, graduation rate, and progress in achieving English language proficiency by two years.
- Use only the "status" portion (i.e., current year performance only) of each of its indicators and not use the "change" portions (i.e., measuring the difference between current year and prior year performance on an indicator) in its system of annual meaningful differentiation for school year 2021-2022.
- Exclude its College/Career Readiness indicator and only use its Suspension Rate indicator as a measure of school quality or student success in its system of annual meaningful differentiation for school year 2021-2022.
- Identify schools in fall 2023, after identifying schools in fall 2022, for comprehensive support and improvement (CSI) based on low performance, CSI based on low graduation rate, and additional targeted support and improvement (ATSI).
- Modify its methodology to identify schools for targeted support and improvement due to consistently underperforming subgroups to only use data from school year 2021-2022 rather than two consecutive years of data.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- Not count the 2019-2020 or 2020-2021 school years towards the number of years in which a school must meet the criteria in order to exit CSI and ATSI status.
- Modify its exit criteria for schools identified for CSI and ATSI that will be eligible to exit status in fall 2022 to use the status performance level rather than the performance color that is based on both status and change. The school or student subgroup in the school must (1) no longer meet the criteria for identification and (2) have improved performance on the indicators (including an increase in the status portion of each indicator) compared to when the school was initially identified.
- Modify the State-determined number of a years that a school identified for ATSI has to meet the exit criteria; ATSI schools identified in the fall of 2018, 2019, 2022, and 2023 will all have until fall 2026 to meet the exit criteria.

I am approving California's short-term changes to its ESEA consolidated State plan. This letter and California's approved Addendum for the 2021-2022 school year will be posted on the Department's website along with the currently approved version of California's ESEA consolidated State plan (available at: <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/>). Because I am also approving changes through the Addendum that are not limited to the 2021-2022 school year (e.g., shifted long-term goals, modified school identification timeline, number of years a school identified for ATSI has to meet exit criteria), the State must submit an updated ESEA consolidated State plan that incorporates those approved changes at a later date.

Please be aware that approval of this amendment to California's consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is California's responsibility to comply with these civil rights requirements.

I know that you are doing all in your power to support your districts and schools to ensure the health and well-being of students and educators. Thank you for your dedication to this effort. If you have any questions, please contact my staff at OESE.TitleI-a@ed.gov.

Sincerely,

/s/

James F. Lane, Ed.D.
Senior Advisor, Office of the Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

cc: Joseph Saenz, California Department of Education