



March 8, 2023

Brooks Allen
Executive Director,
California State Board of
Education
1430 N Street, Room 5111
Sacramento, CA 95814

Mary Nicely
Chief Deputy Superintendent
of Public Instruction
1430 N Street
Sacramento, CA 95814

Matt Navo
Executive Director
California Collaborative for
Educational Excellence
1029 J Street, Suite 450
Sacramento, CA 95814

RE: WestEd Evaluation of California's Differentiated Assistance

Dear Executive Director Allen, Chief Deputy Nicely, and Executive Director Navo,

On behalf of the California County Superintendents regarding the WestEd *Evaluation of California's Differentiated Assistance* (Evaluation), we would like to extend our appreciation to the WestEd researchers for the comprehensive nature of the Evaluation. We appreciate the assets-based approach the researchers took to provide data points that county offices of education (COEs) can use to inform our own continuous improvement work as Differentiated Assistance (DA) Providers and DA Recipients. The Evaluation is a fair accounting of the variances we know exist in our system and that must be addressed.

As both DA Providers and DA Recipients, COEs have insight into the challenges and opportunities of DA. This letter outlines our requests and reactions in response to the WestEd researchers' recommendations.

"Continue to Support and Strengthen the Technical Assistance Provided through Differentiated Assistance (DA)."

Request #1: We strongly support this recommendation and urge the Administration to reevaluate the current DA funding formula to provide county offices with the fiscal resources needed to provide more preventative and ongoing support to districts instead of funding reactive interventions after a problem has been identified.

Since 2018, we have observed the DA process not only builds the capacity of local educational agencies (LEAs) in problem-solving but also allows an LEA's DA team members to glean a

deeper understanding of their own district's systems (i.e., attendance, suspension, graduation requirements, etc.). The findings reported in "Element Two" align with our local observations, particularly the statistically significant correlations reported in Tables 13 and 15–18.

Lessons learned from implementing DA have taught us that prevention and ongoing support are more effective than reactive support alone. We need to be able to meet the demand and therefore, our county offices need full-time staff to carry out this work. County offices anticipate we will need additional resources to add staff as we prepare to provide DA to charter schools (see Request #9).

"Extend the Period of Eligibility for DA from 1 Year to 2 Years."

Request #2: We request the state agencies develop a communication plan for districts to explain why they will participate in DA for two consecutive years, regardless of annual identification status.

We applaud the Administration's decision to include this recommendation in the 2023–24 Budget Act trailer bill language. We feel this change will allow the time needed to get beyond a root cause analysis as well as align other school improvement efforts such as the Compliance & Improvement Monitoring Process with DA. However, extending the DA eligibility period for two years could create confusion in the field given districts will continue to be identified annually. Additionally, some districts may not be willing to engage in a two-year DA process, despite it being required as per Education Code. As reported on page 50, "During focus groups and interviews, some DA providers and participants expressed the misconception that participants are not required by law to accept DA. According to statute, they are required to do so [EC § 52071(e)]. However, partly due to this misconception—and perhaps partly because there are no consequences for districts that do not follow this law, as one regional leader pointed out—some DA providers described having the burden of convincing DA-eligible COEs and districts to participate in DA." Additionally, the Evaluation reports the following findings: (a) there is a common misconception that "DA is optional"; (b) variance of LEA "willingness to engage in DA" exists; and (c) some districts believe "DA is punitive" (p. 50). These findings support the need for state agencies to clearly communicate why the DA period will be extended, what districts should expect from the two-year process, and what districts are responsible for doing over the two-year process per California *Education Code* Section 52071.

“Develop a Structure for DA-Eligible Districts Needing Multiyear Support.”

Request #3: We request the Geographic Lead Agencies work with the Administration to refine the proposed language in Section 23 of the Governor’s Budget trailer bill language to propose alternate ways we can support districts that are not making improvements.

We agree with the Administration’s effort to accelerate change for districts that are eligible for DA for three consecutive years. But change happens when continuous improvement work is anchored in disciplined inquiry, according to the [Carnegie Foundation for the Advancement of Teaching and Learning](#). This means engaging in rapid cycles of Plan, Do, Study, Act to learn fast, fail fast, and improve quickly. We, therefore, do not believe the mechanics of the proposed *Education Code* Section 52071(g) are likely to produce improved outcomes for students, a view shared by the seven Geographic Lead Agencies (GeoLeads). We believe a stronger proposal would be to allow the GeoLeads to provide individualized coaching and technical assistance to the COE DA team supporting and working with the district. This model would allow for coherence from the district’s perspective by not changing their DA provider or disrupting the trust that has already been established. The unit of change in this model would be the quality, efficiency, and intensity of the improvement work and would build the capacity of the COE DA team that would ideally benefit other districts. This model also increases the likelihood that the COE DA Teams will be able to better identify if actions or strategies are not creating the intended improvements and can be changed more efficiently. Regardless of the model that is ultimately adopted, we urge additional funding to ensure the GeoLeads have the capacity needed to carry out this new work effectively.

“Reduce Administrative Burden to Free Up System Leaders’ Time to Focus on Improvement”

Request #4: We request to work with the Administration and the state agencies to (1) discuss the mechanics, challenges, and opportunities of the proposed changes to the Local Control and Accountability Plan (LCAP) and the Equity Leads, and (2) share our plans to make the Annual COE DA Summary Report more meaningful.

Overall, we agree with and support the Administration’s trailer bill proposals to create more coherence between the DA and LCAP process. It has always been a best practice to conduct an LCAP review during the root cause analysis stage of DA so including DA in the LCAP makes sense. However, we would like to better understand the thinking behind requiring school

site goals and actions in the district's LCAP as opposed to a School Plan for Student Achievement, for example, which already has district oversight. If the purpose is to provide county-level oversight, we would like to discuss alternate routes that would result in more targeted support to school sites and their lowest-performing student groups.

The researchers recommended the state reduce duplicative reporting requirements and, when creating new accountability measures, remain mindful of the administrative impact on LEAs. We acknowledge that we cannot continue to perform the same actions and expect different results throughout the system. However, we are concerned that some of the proposed changes to the LCAP will unintentionally take away from the system leaders' time to focus on improvement.

We understand the vision of the Equity Leads is to help all schools approach systems change work through an equity lens rather than individual, disconnected equity initiatives. We also understand the vision of the Equity Leads is to place emphasis on building this capacity within the Equity Multiplier school sites. Given the timing of when the LCAP process begins and how long it takes to complete the RFA process, we are concerned that if the RFA process gets delayed beyond the proposed deadline (March 1, 2024), there will be a lack of resources and capacity to support the first year of implementation of the Equity Multiplier schools.

Additionally, we would propose either of the following alternatives to the proposed Equity Lead model. First, to ensure that *all* 58 COEs, the CCEE, and CDE have the resources and staff to prioritize equitable practices, in a universal manner regardless of DA status, given the fact that the System of Support is already intended to be analyzing programs, identifying barriers, and implementing actions that address the needs of all students. If the Equity Leads remain in the budget proposal we recommend they follow the same model as the California Community School Partnership Program. In this model, the county office is designated as the lead technical assistance provider and is encouraged to apply in partnership with community partners and/or institutes of higher education.

If the Equity Leads are established, we ask that the stated purpose of their role relating to racial disparities (Section 24), be further strengthened by replacing "including addressing racial disparities" with "with an emphasis on addressing racial disparities" or "especially addressing racial disparities."

A change that we are making without waiting for a legislative fix is to the "COE Annual DA Summary Report." The Curricular and Improvement Support Committee (CISC) of the California County Superintendents is creating a template for all COEs to use. CISC is using the findings from the Evaluation to inform how we present the information that is required

per Education Code 52066(i) in a more meaningful way. We will be reaching out to request input from the state agencies on the template in the coming weeks to ensure our summary reports will communicate the work of DA more effectively.

“Revisit Eligibility Criteria for DA”

Request #5: We request the Administration and state agencies revisit the DA eligibility criteria for county offices.

The Evaluation states, “the criteria used to identify charter schools for DA are currently different from the criteria used to identify school districts and county offices, which sets a precedent for allowing different criteria for eligibility for county offices” (p. 6). County office-operated student programs have completely different contexts and purposes than comprehensive K-12 school districts, yet the criteria used to calculate DA eligibility is the same for both. Based on the findings of the study, the researchers recommend that the state revisit the criteria used to identify county offices for DA specifically to consider how they might shift DA identification to ensure that eligibility effectively targets those with county-run schools requiring the greatest support as opposed to the current model that identifies county offices in perpetuity.

We appreciate the prioritized attention the CDE has placed on the graduation rate indicator in the 2023 Accountability Workplan, particularly how it impacts our Dashboard Alternative Student Status (DASS) Schools. However, we do not believe the multi-year graduation rate will make a difference for our DASS Schools due to the high mobility rate of our DASS students. By nature of the program, DASS students do not remain in county office-operated programs long enough to graduate in a four, five, or six-year cohort. Therefore, in addition to a multiple-year extended graduation rate, we request the DA criteria change to ensure county offices will not be identified in perpetuity and DA eligibility would effectively target the programs requiring the greatest support. The County Operated Student Programs Committee of the California County Superintendents is prepared to provide recommendations and programmatic insight to inform what new criteria could be.

“Given the Lack of Federal and State Alignment, Study the Implications of Migrating to a Single Method of Identifying LEAs for Support”

Request #6: We request the state agencies develop and distribute guidance on aligning the CSI and ATSI improvement processes with DA.

California is in an upside-down pyramid of accountability with 75% of all schools identified for Additional Targeted Support and Improvement (ATSI) or Comprehensive Support and Improvement (CSI). As February 3, 2023, SBE Information Memorandum points out, approximately 70% of CSI schools are in districts eligible for DA and approximately 80% of ATSI schools are in districts eligible for DA. Districts that are eligible for DA are tasked with leading improvement work in their CSI/ATSI schools. Therefore, it would be helpful to have clear guidance on bridging a district's DA work with their school sites' CSI/ATSI work. Finally, we are looking ahead to the 2023 Dashboard and contemplating the number of CSI schools that could become eligible for DA. According to the ESSA State Plan, CSI schools that do not exit in four consecutive years will become eligible for DA. We are here as thought partners and are prepared to participate in this discussion.

“Conduct a Post-Pandemic Impact Study”

Request #7: We request the Administration use the 2023 Dashboard as year one (of three) for accountability purposes.

Assembly Bill 130 (Chapter 44, Statutes of 2021) prohibited the CDE from comparing Dashboard data prior to 2020 due to the significant disruptions in learning caused by the pandemic. Therefore, for accountability purposes, we urge the state to use the 2023 Dashboard as year one (of three) as opposed to continuing to count back from the 2017 Dashboard. Another reason to use 2023 as a new baseline for accountability is that since 2017, the Dashboard has had a different mix of indicators and circumstances each year. The Evaluation found that DA had a positive impact on multiple measures of student performance, but these positive results were not consistent across all years, which led to the researchers' recommendation to collect more data. We do not feel it is appropriate to keep the accountability clock ticking without regard to the systemic shifts and historic events that have impacted our schools since 2017.

“Develop and Distribute Guidance on Best Practices for Providing DA”

No Request

The researchers recommend the state, in collaboration with leading agencies (e.g., GeoLeads and expert lead agencies identified in the System of Support), use the report's findings as a springboard for further defining high-quality DA and distributing guidance on best practices for providing DA. We see this already happening through the workgroups that have been established by the CCEE and co-facilitated by the CDE and SBE. We appreciate being invited

to the table in these discussions and look forward to continuing this collaborative partnership. Internally, we are developing and distributing our own guidance on best practices for providing DA. CISC updated the [“Differentiated Assistance Guide for LEAs”](#) to accommodate the unique circumstances that will need to be addressed during the current year and updated their facilitation protocols. We commit time at each of our CISC general membership meetings to discuss DA supports and share best practices with one another. Each GeoLead dedicates time and resources to identifying and sharing best practices related to DA with partner counties. Additionally, the County Operated Student Programs Committee, which receives DA, is also allocating time during general membership meetings with the 58 county superintendents to share best practices for driving improvement work in county-operated student programs.

“Evaluate Local Capacity to Provide DA and Target State and Regional Supports Where Capacity Needs Are Greatest”

No request

The variance of capacity to provide high-quality DA has been a topic of much discussion among California County Superintendents and county offices. The data reported in Table 7 of the Evaluation (p. 20) prioritizes the importance of using our current communities of practice to address variances. A statutory change is not necessary to adopt this recommendation to improve as DA providers. For example, during a recent CISC meeting, the San Diego and Riverside County Offices of Education shared their processes and results relating to self-evaluations as DA Providers. They shared their survey questions with all county offices to use with their own districts. The GeoLeads are well-positioned to evaluate the local capacity of county office DA teams to provide and engage in DA with districts and charters. The county offices along with the GeoLeads will work collaboratively with the state agencies to continue to reflect on and apply this recommendation to ensure all LEAs have a “positive experience” (p. 52). We are eager to engage in more discussion on this topic and are also open to feedback on how we can better improve as DA providers.

“Incorporate Opportunities for Peer Learning into the DA Structure”

Request #8: We request the Administration create a lead within the Statewide System of Support to provide DA to county office-operated student programs.

While we appreciate the partnership with the CDE as our DA provider, we have found that peer learning is the most effective in driving continuous improvement within our county-

operated court and community schools. Currently, the majority of county offices eligible for DA have elected to have another COE serve as their DA provider. However, many county offices are or will soon be eligible for DA for three consecutive years or more. We agree with the Evaluation's findings that "it does not make sense for districts or COEs to repeat the same DA process year after year when they are identified for successive years" (p. 5). But, we do not see a proposal for county offices to receive additional DA support before being referred to the CCEE after three years due to the performance of three or more student groups. One suggestion we have is for the Administration to establish a county office lead within the System of Support, who would be tasked with supporting county offices eligible for DA for three consecutive years when one or two student groups are low performing. We are eager to meet and elaborate on this request.

"Prepare for Support for Charter Schools"

Request #9: Similarly to Request #1, we urge the Administration to reevaluate the current DA funding formula to provide county offices with the fiscal resources needed to provide more preventative and ongoing support to charters instead of funding reactive interventions after a problem has been identified.

Providing DA to charters is going to require "new" work on top of the original work that was accounted for when the DA funding formula was established in 2017--18. Preparation for this "new" work is well underway. In fact, county offices across the state report that many charter schools are already requesting Level 1 and, in some cases, Level 2 DA support. [The California County Superintendents 2022-23 LEA DA Facilitation Guide](#) was updated to include guidance to address these needs. Request #9 is based on the fact that county offices are going to need to increase staffing to support their charters similarly to how they support their districts. If we use this year's CSI/ATSI list as a proxy for charter DA eligibility in 2023, we predict the demand will quickly outweigh our resources. While we greatly appreciate the 2022 Budget Act allocation of \$100,000 per eligible charter school, Level 2 (reactive) funding by itself will not enable county offices to fund staffing needs fully. Therefore a reexamination of the COE DA funding formula, particularly the base grant, is critical.

We also request clarification if the \$100,000 allocations will be awarded on behalf of county-operated charter schools since county office-operated court and community school programs do not currently generate DA funding. Charter schools operated by a county office have already established a new community of practice in anticipation of DA. Their key area of focus is to navigate the DA process with their job-alikes throughout the state to support

improvement for our at-promise youth served in these schools. Resources to support their improvement efforts will be needed.

Request #10: We request the state agencies develop a communication plan for charter schools to explain their role and responsibilities in the DA process and align them to their current CSI/ATSI work.

The Evaluation found there is a “major gap with regard to introducing charter schools to DA. Charter school leaders reported receiving no information about DA other than that they had been identified as “eligible and having had no orientation to DA, they also perceived DA as being punitive; as one charter school leader described, school administrators only knew that the school was ‘on the naughty list’” (p. 51). Based on these findings, we anticipate the need for additional support from the state agencies to support the transition from charter authorizers to county offices as the charter schools’ DA providers. The purpose of the communication plan would be to clearly articulate what charters should expect, what charters are required to do, and how the DA process aligns with their current CSI/ATSI process. This request aligns with our Request #2 given the DA process for charters will also be extended to two years.

“Access Funding for the DA Provider That Best Meets Their Needs”

Request #11: We request the current policy for DA funding be maintained.

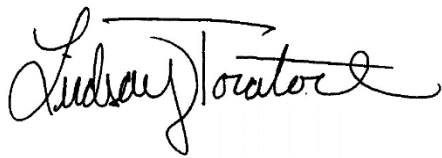
We do not support this particular recommendation from the WestEd researchers because the System of Support was not designed to be a pass-through for funds. While there are a few examples across the state where some DA funding is provided to cover the cost of a third-party DA provider or professional learning, the majority of DA funds are thoughtfully applied to support the district’s improvement work led by the COE. Even in cases where funds are flowed to pay for a third-party DA provider, the county offices have oversight. In fact, the county offices participate in the DA meetings, serve as thought partners, and collect documentation of the progress. Balkanizing the distribution of DA provider funds may also erode the capacity-building within individual COE providers to support DA delivery, thereby undermining coherence and capacity within this core aspect of the Statewide System of Support.

* * *

As county superintendents, we acknowledge the importance of our role within the DA process, as well as the Statewide System of Support, and are committed to the success of

each of the individual students that the system is designed to serve. We appreciate your partnership and look forward to continued opportunities to work together to disrupt and dismantle the systemic inequities that are preventing our students from reaching their fullest potentials. We thank you for your consideration of our requests. To contact the California County Superintendents regarding this letter, please contact Lindsay Tornatore (ltornatore@cacountysupts.org).

Sincerely,

A handwritten signature in black ink, reading "Lindsay Tornatore". The signature is fluid and cursive, with a horizontal line extending from the top of the "L" across the "Tornatore" portion.

Lindsay Tornatore, Ed.D.
Director, Systems Improvement and Student Success
California County Superintendents

cc: Chris Ferguson, California Department of Finance
Amber Alexander, California Department of Finance
Sara Pietrowski, State Board of Education
William McGee, California Department of Education
Nancy Portillo, California Department of Education
Anissa Sonnenburg, California Department of Education
Cindy Kazanis, California Department of Education
Dr. Chris Hartley, California Collaborative for Educational Excellence
Dr. Stephanie Gregson, California Collaborative for Educational Excellence
Mindy Fattig, California Collaborative for Educational Excellence
Nichole Munoz-Murillo, Deputy Legislative Secretary, Office of Governor Gavin Newsom