February 23, 2017

Christopher J. Steinhauser, Superintendent  
Long Beach Unified School District  
1515 Hughes Way  
Long Beach, CA 90810-1839

Dear Superintendent Steinhauser:

We are in receipt of your letter requesting a waiver for the Long Beach Unified School District (LBUSD) to administer the SAT in place of the grade eleven Smarter Balanced assessments for mathematics and English language arts/literacy (ELA) for the 2016–17 school year.

While we appreciate your desire to provide LBUSD students with the tools necessary to help them graduate from high school ready for college, California Education Code (EC) sections 60640–60649 are non-waivable education codes, as detailed at the California Department of Education (CDE) Non Waivable Education Codes Web page at http://www.cde.ca.gov/re/lr/wr/nonwaivable.asp. In addition, the waiver you request raises a number of concerns related to the use of the SAT. These concerns include: alignment to the state adopted content standards, fairness to all students, accessibility for those students who are English learners and/or have a disability, comparability of reported results, student privacy, and the potential impact on LBUSD’s state and federal funding eligibility.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), requires that states have valid, reliable, and fair assessments aligned with state-determined challenging academic standards. To evaluate assessment programs and individual assessments, the U.S. Department of Education (ED) has developed a process for states to submit evidence for peer review to document that the testing program and its various components meet requirements for validity, reliability and fairness.

Among the requirements for peer review is an independent evaluation of the alignment of a given test to the state’s adopted content standards. The SAT has not received an independent review of its alignment to the depth and breadth of California’s adopted Common Core State Standards (CCSS). Because the SAT was developed for a different purpose than measuring achievement relative to the CCSS it is very likely that the assessment will not satisfy an independent evaluation without significant revisions to serve the purposes of state tests as required by ESSA in California. Furthermore, the peer review process requires extensive evidence that the test development process was specific to the needs of assessing the state’s standards. This was not the case for the SAT, which was developed for the purpose of determining readiness for college level work, independent of the content standards or curricula used for instruction. As such, the SAT would require significant adaptation before it could be used for accountability purposes in California since it does not meet the validity requirements
required by the ED on state assessment and accountability systems. To date, no state has been approved through peer review to use the SAT as its high school assessment of student achievement.

Second, ESSA requires that state assessments must provide valid and reliable measurement across the entire spectrum of performance of the students who will be tested. The state test must accurately assess the performance of all students including very low performing students, students with disabilities, and English learners. As a college entrance examination, the SAT is designed to estimate how likely students are to be successful in college, not to measure the level of achievement for every student. The SAT is not designed to measure the low end of the performance spectrum well. By only offering the SAT to students in your district, low performing students would be able to validly claim that the SAT discriminated against them because of limitations in the range of measurement provided by the test.

Third, students who take the SAT are not afforded the same set of supports and accommodations provided by state sanctioned assessments. Students with disabilities and English learners in your district would be at a disadvantage compared to students in other districts in terms of demonstrating what they know and could do. None of the current embedded supports and accommodations provided by the Smarter Balanced assessments are available on the SAT. Further, many of the non-embedded supports and accommodations available in the current assessments are not available for the SAT, or if they are used, may result in invalidation of the test score for college admission purposes. This would deny students who use those accommodations one of the benefits of the SB assessment that all other students currently receive.

Fourth, the SAT does not report results on the same scale as the current assessments, nor has there been a standard setting process applied to SAT scores that are based on the requirements of the CCSS. The SAT would need to go through a standard setting process using performance level descriptors based on the CCSS. A mere correspondence study cannot determine the meaning of student’s scores. While a particular level of performance on the SAT might be said to equate to the Smarter Balanced assessment scale score for “met standard”, without a standard setting anchored in the CCSS, there would be no way to determine if the scores provided equivalent information. Additionally, the lack of comparability of the scores would provide misleading information for individuals attempting to compare the performance of schools in different school districts. Therefore, stakeholders would not have a transparent picture of a student’s mastery of California’s CCSS.

Fifth, not administering the state sanctioned grade eleven assessment may affect the amount of funds disbursed to the LBUSD. The CDE apportions funds to local educational agencies on the basis of the actual number of students tested using currently administered California Assessment of Student Performance and Progress assessments. Without statewide assessment data, both ESSA Title I, Part A and Individuals with Disabilities Education Act funds could likely be jeopardized because the SAT would not meet the federal requirements of assessments used in furtherance of these Acts.
Finally, data ownership and student privacy are also significant concerns. Typically, the College Board retains ownership of student data and, if a student provides permission, sells those data to colleges. California law requires that all student data generated through school-sponsored activities must remain the property of the state and may not be sold, even with a student’s prior permission.

In short, California has concerns about the SAT’s lack of demonstrated alignment with the CCSS; its limited range of measurement; comparatively few supports and accommodations available to English learners and students with disabilities (meaning stakeholders would not have a true picture of a student’s mastery of the CCSS); and the ability to protect student data. We believe the current state sanctioned assessments provide more accurate and meaningful information about what students are learning through a computer adaptive assessment. This gives teachers and parents better information to help students succeed in school and prepare for college and a 21st Century career. The high school Smarter Balanced assessments capitalize on the strengths of computer adaptive testing—efficient and precise measurement across the full range of achievement and timely turnaround of results. The current California mathematics and ELA assessments, as mandated by California EC Section 60640, allow students to demonstrate their mastery of multiple academic standards and apply classroom knowledge to solving real-world problems, one of the key goals for the CCSS. The current Smarter Balanced assessments are cost effective, valid and reliable, measure all performance levels, provide appropriate supports and accommodations, have passed peer review, and are compliant with state data privacy laws.

If you have any questions regarding the content of this letter, please contact Keric Ashley, Deputy Superintendent, District, School and Innovation Branch, at the California Department of Education, by phone at 916-319-0637 or by e-mail at kashley@cde.ca.gov.

Sincerely,

Tom Torlakson
State Superintendent of Public Instruction
California Department of Education

Michael W. Kirst
President
California State Board of Education

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