

**State of California
Office of Administrative Law**

In re:
Board of Education

Regulatory Action:

Title 5, California Code of Regulations

Adopt sections:

Amend sections: 850, 851, 852, 853, 853.5,
855, 857, 858, 859, 861,
862, 862.5, 863, 864

Repeal sections: 854, 864.5, 865, 866, 867,
867.5, 868

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

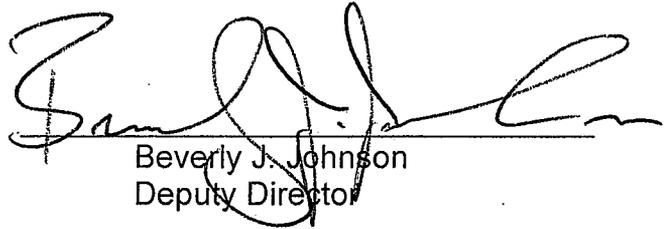
OAL File No. 2014-0124-04 E

This emergency rulemaking by the State Board of Education amends and repeals sections of Title 5 of the California Code of Regulations commencing with section 850 and ending with section 868. Education Code section 60640, as established by AB 484, effective January 1, 2014, deletes provisions that established the Standardized Testing and Reporting Program and establishes California Assessment of Student Performance and Progress.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 2/3/2014 and will expire on 8/5/2014. The Certificate of Compliance for this action is due no later than 8/4/2014.

Date: 2/3/2014



Beverly J. Johnson
Deputy Director

For: DEBRA M. CORNEZ
Director

Original: Susan Burr
Copy: Hillary Wirick

EMERGENCY

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

See instructions on reverse)

For use by Secretary of State only

D. 400 (REV. 01-2013)

DATE FILE NUMBERS	NOTICE FILE NUMBER Z-2014-0117-03	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2014-0124-04E
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For use by Office of Administrative Law (OAL) only

2014 JAN 24 PM 4:13
OFFICE OF ADMINISTRATIVE LAW
REGULATIONS

ENDORSED FILED IN THE OFFICE OF

2014 FEB -3 PM 3:47

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY State Board of Education	AGENCY FILE NUMBER (if any)
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PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
NOTICE TYPE Notice re Proposed Regulatory Action <input type="checkbox"/> Other <input type="checkbox"/>	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
3. ACTION ON PROPOSED NOTICE Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn <input type="checkbox"/>	NOTICE REGISTER NUMBER	PUBLICATION DATE	

SUBMISSION OF REGULATIONS (Complete when submitting regulations)

SUBJECT OF REGULATION(S) Assessment of Student Performance and Progress	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
ACTION(S) AFFECTED List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 850, 851, 852, 853, 853.5, 855, 857, 858, 859, 861, 862, 862.5, 863, 864
	REPEAL 854, 864.5, 865, 866, 867, 867.5, 868

TYPE OF FILING	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Resubmission of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmission of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Other (Specify) _____	

BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs, title 1, §44 and Gov. Code §11347.1)

EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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CK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
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CONTACT PERSON Wy Wirick, Regulations Analyst	TELEPHONE NUMBER (916) 319-0644	FAX NUMBER (Optional) (916) 319-0155	E-MAIL ADDRESS (Optional) hwirick@cde.ca.gov
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I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Misson Holloway</i>	DATE 1/9/14
NAME AND TITLE OF SIGNATORY Misson Holloway, General Counsel	

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ENDORSED APPROVED

FEB 03 2014

Office of Administrative Law

- 1 • The State Board of Education has illustrated changes to the original text in the
2 following manner: text originally proposed to be added is underlined; text proposed
3 to be deleted is displayed in ~~strikeout~~.
4

5 **Title 5. EDUCATION**

6 **Division 1. California Department of Education**

7 **Chapter 2. Pupils**

8 **Subchapter 3.75. Standardized Testing and Reporting Program California**
9 **Assessment of Student Performance and Progress (CAASPP)**

10 **Article 1. General**

11 **§ 850. Definitions.**

12 ~~For the purposes of the Standardized Testing and Reporting (STAR) Program, the~~
13 ~~following terms shall have the following meanings unless the context indicates~~
14 ~~otherwise:~~

15 ~~(a) "Accommodations" means any variation in the assessment environment or~~
16 ~~process that does not fundamentally alter what the test measures or affect the~~
17 ~~comparability of scores.~~

18 ~~(b) "Administration period" means one of multiple test administration periods used~~
19 ~~by school districts with schools or programs on non-traditional calendars that begin and~~
20 ~~complete the school year at various times and have staggered vacation periods to~~
21 ~~ensure that all pupils are tested at approximately the same point in the instructional~~
22 ~~year.~~

23 ~~(c) "Alternate assessment" means an assessment as provided in Education Code~~
24 ~~section 60640(e) and its test materials developed to measure the degree to which~~
25 ~~pupils with exceptional needs who are unable to take the California Standards Tests~~
26 ~~(CSTs) even with accommodations or modifications are achieving the state content~~
27 ~~standards. The alternate assessments for the STAR Program are the California~~
28 ~~Alternate Performance Assessment and the California Modified Assessment (CMA).~~
29 ~~The student shall not be allowed to take both the California Alternate Performance~~
30 ~~Assessment (CAPA) and the California Modified Assessment (CMA). Students shall~~
31 ~~take CAPA in all subject areas, CSTs in all subject areas, CMA in all subject areas, or a~~
32 ~~combination of CSTs and CMA in the subject areas being assessed.~~

33 ~~(d) "Alternate performance assessment" means an alternate assessment as~~

1 provided in Education Code section 60640(e) and its test materials for pupils with
2 significant cognitive disabilities. The alternate performance assessment for the STAR
3 Program is the California Alternate Performance Assessment.

4 (e) "California Alternate Performance Assessment (CAPA)" is the alternate
5 assessment as provided in Education Code section 60640(e) and its test materials for
6 pupils with significant cognitive disabilities.

7 (f) "California Modified Assessment (CMA)" is the alternate assessment based on
8 modified achievement standards as provided in Education Code section 60640(e) and
9 its test materials.

10 (g) "California Standards Tests (CSTs)" means an assessment as provided in
11 Education Code section 60642.5 and its test materials that measures the degree to
12 which pupils are achieving the state content standards.

13 (h) "CDE" means the California Department of Education.

14 (i) "Eligible pupil" is any pupil who is not otherwise exempted pursuant to Education
15 Code section 60615.

16 (1) For the primary language test, an eligible pupil is an English learner in grades 2
17 to 11, inclusive, with a primary language for which a test is required or optional
18 pursuant to Education Code section 60640.

19 (2) For the California Alternate Performance Assessment, an eligible pupil is any
20 pupil in grades 2 to 11, inclusive, who has an individualized education program (IEP)
21 that designates the use of the alternate performance assessment and is unable to take
22 the CSTs even with accommodations or modifications.

23 (3) For the CMA, an eligible pupil is any pupil in grades 3 to 11, inclusive, who has
24 an IEP, meets the State Board of Education (SBE) adopted eligibility criteria described
25 in paragraphs (A) through (E) below, and whose IEP designates the use of the modified
26 assessment in one or more content areas. The SBE adopted eligibility criteria for
27 guiding IEP teams in making decisions about which students with disabilities may
28 participate in the CMA are based, in part, on Title 34 of the Code of Federal
29 Regulations, Part 200, Title 1, Improving the Academic Achievement of the
30 Disadvantaged. These criteria are as follows:

31 (A) Previous Participation.

32 1. CSTs. The student shall have taken the CST in a previous year and scored

1 ~~Below Basic or Far Below Basic in the subject area being assessed by the CMA and~~
2 ~~may have taken the CSTs with modifications; or~~

3 ~~2. CAPA. The student shall have taken the CAPA Level II-V in two previous years~~
4 ~~and received a performance level of either Proficient or Advanced. The student shall~~
5 ~~not be allowed to take both the CAPA and CMA.~~

6 ~~(B) Progress Based on Multiple Measures and Objective Evidence. The student's~~
7 ~~disability has precluded the student from achieving grade-level proficiency, as~~
8 ~~demonstrated by such objective evidence as the student's performance on the CSTs~~
9 ~~and other assessments that can validly document academic achievement within the~~
10 ~~year covered by the student's IEP plan. The determination of the student's progress~~
11 ~~must be based on multiple measurements, over a period of time, that are valid for the~~
12 ~~subjects being assessed. The student will not receive a proficient score on the CSTs~~
13 ~~(even with provision of accommodations) based on evidence from multiple, valid, and~~
14 ~~objective measures of student progress (or lack of progress).~~

15 ~~(C) Response to Appropriate Instruction.~~

16 ~~1. The student's progress to date in response to appropriate grade-level instruction,~~
17 ~~including special education and related services designed to address the student's~~
18 ~~individual needs, is such that, even if significant growth occurs, the IEP team is~~
19 ~~reasonably certain that the student will not achieve grade-level proficiency within the~~
20 ~~year covered by the student's IEP plan.~~

21 ~~2. The student who is assessed with the CMA has access to the curriculum,~~
22 ~~including instruction and materials for the grade in which the student is enrolled.~~

23 ~~3. The student's IEP includes grade-level California content standards-based goals~~
24 ~~and support in the classroom for a subject or subjects assessed by the CMA.~~

25 ~~4. The student has received special education and related services to support~~
26 ~~access to and progress in the general curriculum in which the student is enrolled.~~

27 ~~5. The IEP team has determined that the student will not achieve grade-level~~
28 ~~proficiency even with instructional intervention.~~

29 ~~(D) High School Diploma. The student who takes alternate assessments based on~~
30 ~~modified academic achievement standards is not precluded from attempting to~~
31 ~~complete requirements as defined by the State for a regular high school diploma.~~

32 ~~(E) Parents Are Informed. Parents of the students selected to be assessed with the~~

1 CMA are informed that their child's achievement will be measured based on modified
2 achievement standards.

3 (j) "Grade" means the grade assigned to the pupil by the school district at the time
4 of testing.

5 (k) "Modification" means any variation in the assessment environment or process
6 that fundamentally alters what the test measures or affects the comparability of scores.

7 (l) "Modified assessment" means an alternate assessment based on modified
8 achievement standards as provided in Education Code section 60640(e) and its test
9 materials. The modified assessment for the STAR Program is the CMA.

10 (m) "Nonpublic schools (NPS)" are nonpublic, nonsectarian schools as set forth in
11 California Education Code section 56034.

12 (n) "Primary language test" means an assessment as provided in Education Code
13 sections 60640(f)(1) and (2) and 60640(g) and its test materials in each primary
14 language for which a test is available for English learners. The primary language test
15 for the STAR Program is the Standards-based Tests in Spanish.

16 (o) "School districts" includes elementary, high school, and unified school districts;
17 county offices of education; any charter school that for assessment purposes does not
18 elect to be part of the school district or county office of education that granted the
19 charter; any statewide benefit charter; and any other charter school chartered by the
20 SBE.

21 (p) "Scribe" is an employee of the school district, or a person assigned by a
22 nonpublic school to implement a pupil's IEP who has signed a STAR Test Security
23 Affidavit and is required to transcribe a pupil's responses to the format required by the
24 test. A pupil's parent or guardian is not eligible to be the pupil's scribe.

25 (q) A "significant medical emergency" is a significant accident, trauma, or illness
26 (mental or physical) that precludes a pupil in grades 2 to 11, inclusive, from taking the
27 standards-based achievement tests. An accident, trauma, or illness is significant if the
28 pupil has been determined by a licensed physician to be unable to participate in the
29 tests.

30 (r) "Standards-based achievement tests" means an assessment that measures the
31 degree to which pupils are achieving the state content standards as provided in
32 Education Code sections 60640(e) alternate assessment(s), Education Code section

1 ~~60642.5 CSTs and its test materials, and Education Code section 60640(f)(3)~~
2 ~~Standards-based Tests in Spanish, and its test materials. The STAR Program alternate~~
3 ~~assessments, the California Alternate Performance Assessment and the CMA, are~~
4 ~~standards-based achievement tests.~~

5 ~~(s) "Standards-based Tests in Spanish" is the standards-based achievement test as~~
6 ~~provided in Education Code section 60640(f)(3), and its test materials, that is~~
7 ~~administered as the primary language test as provided in Education Code sections~~
8 ~~60640(f) and (g) for pupils whose primary language is Spanish.~~

9 ~~(t) "Test examiner" is an employee or contractor of a school district or a non public~~
10 ~~school who has been trained to administer the tests and has signed a STAR Test~~
11 ~~Security Affidavit. For the alternate performance assessment, the test examiner must~~
12 ~~be a certificated or licensed school, district, or county staff member.~~

13 ~~(u) "Test materials" include administration manuals, administrative materials, test~~
14 ~~booklets, practice tests, and test answer documents provided as part of the~~
15 ~~administration of the STAR Program assessments.~~

16 ~~(v) "Test proctor" is an employee of a school district, or a person assigned by a~~
17 ~~nonpublic school to implement a pupil's IEP, who has signed a STAR Test Security~~
18 ~~Affidavit and has received training designed to prepare him or her to assist the test~~
19 ~~examiner in the administration of tests within the STAR Program.~~

20 ~~(w) "Translator" is a person who has been assigned to translate the test directions~~
21 ~~into the pupil's primary language pursuant to section 853.5(f), who has signed a Test~~
22 ~~Security Affidavit as identified in section 859(d), and who has received training~~
23 ~~specifically designed to prepare him or her to assist the test examiner in the~~
24 ~~administration of the STAR Program assessments. A pupil's parent or guardian is not~~
25 ~~eligible to be the pupil's translator. A translator must be:~~

26 ~~(1) an employee of the school district;~~

27 ~~(2) an employee of the nonpublic school; or~~

28 ~~(3) supervised by an employee of the school district or an employee of the~~
29 ~~nonpublic school.~~

30 ~~(x) "Variation" means a change in the manner in which a test is presented or~~
31 ~~administered, or in how a test taker is allowed to respond, and includes, but is not~~
32 ~~limited to, accommodations and modifications.~~

1 (y) “Writing portion of the English language arts tests” is the performance
2 component of the standards-based achievement tests.

3 For the purposes of these regulations, the Measurement of Academic Performance
4 and Progress assessment system (as established in Education Code section 60640
5 and known as “MAPP”) shall be designated the California Assessment of Student
6 Performance and Progress (CAASPP), and the following terms shall have the following
7 meanings:

8 (a) “Accommodations” means supports documented in a pupil’s individualized
9 education program (IEP) or Section 504 Plan that are utilized in the assessment
10 environment or consist of changes in procedures or materials that increase equitable
11 access during the assessment and that do not fundamentally alter the comparability of
12 scores.

13 (b) “Accessibility supports” means supports that may or may not (because they
14 have not been previously identified) invalidate the measurement of the test; these
15 supports are not universal tools, designated supports, or accommodations (e.g., read-
16 a-loud of passages in grades 3 through 5). An LEA shall notify the CDE in writing prior
17 to the use of the accessibility support(s).

18 (c) “Achievement tests” means any summative standardized test that measures the
19 level of performance that a pupil has achieved on state-adopted content standards.

20 (d) “Alternate assessment” means an assessment as provided in Education Code
21 section 60640(k) and its test materials developed to measure the level of performance
22 for a pupil with disabilities who is unable to take the consortium summative assessment
23 in English language arts and mathematics pursuant to Education Code section
24 60640(b)(1) or are unable to take an assessment of science pursuant to Education
25 Code section 60640(b)(2), even with accommodations.

26 (e) “Assessment technology platform” means the electronic systems used to display
27 items, accept item responses, store, deliver, score the tests and restrict access to
28 outside sources, as well as report and manage assessment results. Testing technology
29 includes, but is not limited to, computing devices, testing software applications, network
30 hardware, and other technology required to administer the tests.

31 (f) “California Alternate Performance Assessment (CAPA)” is the alternate
32 assessment and its test materials as provided in Education Code section 60640(k) for

1 pupils with significant cognitive disabilities.

2 (g) "California Modified Assessment (CMA)" is the alternate assessment and its test
3 materials for science based on modified achievement standards.

4 (h) "California Standards Tests (CSTs)" is the assessment and test materials that
5 measure the degree to which pupils are achieving the state content standards pursuant
6 to Education Code section 60605.

7 (i) "Computer-based tests (CBTs)" means tests administered using an electronic
8 computing device.

9 (j) "Designated supports" are features that are available for use by any pupil for
10 whom the need has been indicated, prior to the assessment administration, by an
11 educator or group of educators.

12 (k) "Eligible pupil," with the exception of subdivisions (1) through (3) below, is any
13 pupil who is not exempt from participation in assessments pursuant to Education Code
14 section 60615 or who is not a recently arrived English learner pupil exempt from
15 participating in the English Language Arts assessment pursuant to Education Code
16 section 60640(f)(1).

17 (1) For the primary language test, an eligible pupil is an English learner with a
18 primary language for which a test is optional pursuant to Education Code section
19 60640.

20 (2) For CAPA, an eligible pupil is any pupil in grades 2 through 11, inclusive, who
21 has an IEP that designates the use of the alternate assessment.

22 (3) For the CMA, an eligible pupil is any pupil in grades 5, 8, or 10, who has an IEP
23 that designates the use of the modified assessment in science.

24 (l) "Embedded" means a support, whether a universal tool, designated support, or
25 accommodation, that is part of the assessment technology platform for the computer-
26 administered CAASPP tests.

27 (m) "Grade" means the grade in which the pupil is enrolled at the time of testing, as
28 determined by the local educational agency.

29 (n) "Local educational agency (LEA)" means a county office of education, school
30 district, state special school, or direct-funded charter school as described in Education
31 Code section 47651.

32 (o) "Non-embedded" means a support, whether a universal tool, designated

1 support, or accommodation, that may be provided by the LEA and is not part of the
2 assessment technology platform for the computer-administered CAASPP tests.

3 (p) "Nonpublic schools (NPS)" are nonpublic, nonsectarian schools as set forth in
4 Education Code section 56034.

5 (q) "Primary language test" means a test as provided in Education Code sections
6 60640(b) and (c) and its test materials in each primary language for which a test is
7 available for English learners. The primary language test is the Standards-based Tests
8 in Spanish (STS).

9 (r) "Recently arrived English learner" means a pupil designated as an English
10 learner who is in his or her first 12 months of attending a school in the United States.

11 (s) "Scribe" is an employee of the LEA or a person assigned by an NPS to
12 implement a pupil's IEP who has signed a CAASPP Test Security Affidavit and is
13 required to transcribe a pupil's responses to the format required by the test. A pupil's
14 parent or guardian is not eligible to be the pupil's scribe.

15 (t) A "significant medical emergency" is a significant accident, trauma, or illness
16 (mental or physical) that precludes a pupil from taking the achievement tests. An
17 accident, trauma, or illness is significant if the pupil has been determined by a licensed
18 physician to be unable to participate in the tests.

19 (u) "Smarter-Balanced Assessment Consortium (Smarter Balanced)" is the multi-
20 state consortium responsible for the development of the English language arts and
21 mathematics summative assessments administered pursuant to Education Code
22 section 60640(b)(1) and the interim assessments and formative assessment tools
23 administered pursuant to Education Code section 60642.6.

24 (v) "Standards-based Tests in Spanish (STS)" are the achievement tests and test
25 materials that are administered as the primary language test as provided in Education
26 Code sections 60640(b) and (c) for pupils whose primary language is Spanish.

27 (w) "Test examiner" is an employee or contractor of an LEA or an NPS who has
28 been trained to administer the tests and has signed a CAASPP Test Security Affidavit.
29 For the alternate assessment, the test examiner must be a certificated or licensed
30 school, district, or county staff member.

31 (x) "Test materials" include, but are not limited to, administration manuals,
32 administrative materials, test booklets, assessment technology platform, practice tests,

1 scratch paper, and test answer documents, as part of the administration of the
2 CAASPP tests.

3 (y) "Test proctor" is an employee of an LEA, or a person assigned by an NPS to
4 implement a pupil's IEP or Section 504 Plan, who has signed a CAASPP Test Security
5 Affidavit and has received training designed to prepare him or her to assist the test
6 examiner in the administration of tests within the CAASPP assessment system.

7 (z) "Translator" is a person who has been assigned to translate the test directions
8 into the pupil's primary language pursuant to section 853.5, who has signed a Test
9 Security Affidavit as identified in section 859(d), and who has received training
10 specifically designed to prepare him or her to assist the test examiner in the
11 administration of the assessments pursuant to Education Code section 60640. A pupil's
12 parent or guardian is not eligible to be the pupil's translator. A translator must be:

13 (1) an employee of an LEA;

14 (2) an employee of the NPS; or

15 (3) a person supervised by an employee of an LEA or an employee of the NPS.

16 (aa) "Universal tools" are accessibility features of the CAASPP tests that are
17 available to all pupils.

18 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.

19 Reference: Sections 47605, 47605.8, 47651, 56034, 60603, 60604, 60605, 60615,
20 60640, and 60642.5 and 60642.6, Education Code; 34 C.F.R. Sections 200.1(d), (e)
21 and (f), 300.160; 5 CCR 11967.6.

22
23 **Article 2. Standards-Based Achievement Tests, Alternate Assessments,**
24 **and Any Primary Language Test**

25 **§ 851. Pupil Testing.**

26 (a) ~~School districts~~ LEAs shall administer the standards-based achievement tests
27 and may administer the primary language test, if any, pursuant to Education Code
28 section 60640 to each eligible pupil enrolled in a school district an LEA on the date
29 testing begins in the pupil's school or school district LEA.

30 (b) No later than start of the 2014-2015 school year, for the purposes of the
31 CAASPP assessment system, a charter school which is not direct-funded pursuant to
32 Education Code section 47651 shall test with, dependent on, the LEA that granted

1 the charter or was designated the oversight agency by the local governing board.

2 ~~(c)(b)~~ School districts LEAs shall make ~~whatever~~ arrangements are necessary to for
3 the testing of all eligible pupils in alternative education programs or programs
4 conducted off campus, including, but not limited to, non-classroom based programs,
5 continuation schools, independent study, community day schools, county community
6 schools, juvenile court schools, or ~~nonpublic schools~~ NPSs.

7 ~~(d)(e)~~ No test may be administered in a home or hospital except by a test examiner.
8 No test shall be administered to a pupil by the parent or guardian of that pupil. This
9 subdivision does not prevent classroom aides from assisting in the administration of the
10 test under the supervision of a test examiner, provided that the classroom aide does
11 not assist his or her own child, and that the classroom aide signs a security affidavit.

12 NOTE: Authority cited: Sections 33031, ~~and~~ 60605 and 60640, Education Code.

13 Reference: Sections 47651, 48645.1, 60603, 60605 and 60640, Education Code.

14
15 **§ 852. Pupil Exemptions.**

16 (a) Each year the LEA shall notify parents or guardians of their pupil's participation
17 in the CAASPP assessment system in accordance with Education Code section 60604.

18 (b) The notification to parents or guardians, as defined in subdivision (a), shall
19 include a notice of the provisions outlined in Education Code section 60615.

20 (c) A parent or guardian may annually submit to the school a written request to
21 excuse his or her child from any or all parts of any test provided pursuant to Education
22 Code section 60640 for the school year. If a parent or guardian submits an exemption
23 request after testing has begun, any test(s) completed before the request is submitted
24 will be scored and the results reported to the parent or guardian and included in the
25 pupil's records. ~~A school district~~ An LEA and its employees may discuss the STAR
26 ~~Program~~ CAASPP assessment system with parents and may inform parents of the
27 availability of exemptions under Education Code section 60615. ~~The school district~~ LEA
28 and its employees shall not solicit or encourage any written exemption request on
29 behalf of any child or group of children.

30 NOTE: Authority cited: Sections 33031 and 60640 ~~60605~~, Education Code. Reference:
31 Sections 60604, 60605, 60607, 60612, 60615, 60640 and 60641, Education Code.

1 **§ 853. Administration.**

2 (a) The standards-based achievement tests and the primary language test, if any,
3 CAASPP tests pursuant to Education Code section 60640 shall be administered,
4 scored, transmitted, and/or returned by school districts LEAs in accordance with the
5 manuals or other instructions provided by the contractor or CDE for administering,
6 scoring, transmitting, and/or returning the tests, unless specifically provided otherwise
7 in this subchapter, including instructions for administering the test with variations,
8 accommodations, and modifications universal tools, designated supports, and
9 accommodations specified in section 853.5. The procedures shall include, but are not
10 limited to, those designed to ensure the uniform and standardized administration, and
11 scoring of the tests to pupils, the security and integrity of the test content and test
12 items, and the timely provision of all required pupil and school level information.

13 (b) If available, an LEA may utilize a paper-pencil version of any CBT of the
14 CAASPP assessment system, in accordance with Education Code section 60640(e), if
15 the LEA identifies the pupils that are unable to access the CBT version of the test.

16 (c) Interim assessments and formative assessment tools shall be made available to
17 LEA(s) for use during the school year. Use of interim assessments and formative
18 assessment tools shall not be considered advance preparation for a CAASPP test as
19 defined in Education Code section 60611. LEAs that use interim assessments and/or
20 formative assessment tools shall abide by the consortium/contractor(s) administration
21 and use requirements. Any scoring of any performance tasks for the interim
22 assessment and formative assessment tools is the responsibility of the LEA.

23 NOTE: Authority cited: Sections 42004, 33031 and 60640 60605, Education Code.

24 Reference: Sections 60603, 60605, 60611, and 60640 and 60642.6, Education Code.

25
26 **§ 853.5. Use of Universal Tools, Designated Supports, and Variations,**
27 **Accommodations, and Modifications.**

28 ~~(a) School districts may provide all pupils the following variations on the CSTs, the~~
29 ~~CMA, and the Standards-based Tests in Spanish:~~

30 ~~(1) have test directions simplified or clarified.~~

31 ~~(2) write in test booklets; for example, underlining, highlighting, or working math~~
32 ~~problems. Tests booklets for grades 2 and 3 must have any marks other than those in~~

1 ~~response circles erased or pupil responses must be transcribed into new test booklet(s)~~
2 ~~by a school, school district, or nonpublic school employee who has signed the STAR~~
3 ~~Test Security Affidavit to ensure that the tests can be scored.~~

4 ~~(3) test in a small group setting.~~

5 ~~(4) have as much time as needed within a single sitting to complete a test or test~~
6 ~~part on the standards-based achievement tests.~~

7 ~~(b) School districts may provide all pupils the following testing variations on the~~
8 ~~CSTs, the CMA, and the Standards-based Tests in Spanish if regularly used in the~~
9 ~~classroom:~~

10 ~~(1) special or adaptive furniture.~~

11 ~~(2) special lighting, special acoustics, noise-canceling devices, visual magnifying~~
12 ~~equipment or audio amplification equipment.~~

13 ~~(3) an individual carrel or study enclosure.~~

14 ~~(4) test individually in a separate room provided that an employee of the school,~~
15 ~~school district, or nonpublic school, who has signed the STAR Test Security Affidavit,~~
16 ~~directly supervises the pupil.~~

17 ~~(5) colored overlay, mask, or other means to maintain visual attention to the test or~~
18 ~~test questions.~~

19 ~~(6) Manually Coded English or American Sign Language to present directions for~~
20 ~~administration.~~

21 ~~(c) Eligible pupils with disabilities who have an IEP and pupils with a Section 504~~
22 ~~Plan shall be permitted the following presentation, response, or setting~~
23 ~~accommodations on the CSTs, the CMA, and the Standards-based Tests in Spanish, if~~
24 ~~specified in the eligible pupil's IEP or Section 504 Plan:~~

25 ~~(1) large print versions.~~

26 ~~(2) test items enlarged if the font size is larger than that used on large print versions~~
27 ~~is required.~~

28 ~~(3) Braille transcriptions provided by the test contractor.~~

29 ~~(4) audio or oral presentation of the mathematics, science, or history-social science~~
30 ~~tests.~~

31 ~~(5) Manually Coded English or American Sign Language to present test questions~~
32 ~~on the mathematics, science, or history-social science tests.~~

1 ~~(6) for grades 4 to 11 responses marked in test booklet and transferred to the~~
2 ~~answer document by a school, school-district, or nonpublic school employee who has~~
3 ~~signed the STAR Test Security Affidavit.~~

4 ~~(7) responses dictated orally, in Manually Coded English or American Sign~~
5 ~~Language to a scribe for selected response items (e.g., multiple-choice test questions).~~

6 ~~(8) responses dictated to a scribe, audio-recorder, or speech-to-text converter on~~
7 ~~the writing portion of the English language arts tests, and the pupil indicates all spelling~~
8 ~~and language conventions.~~

9 ~~(9) use of word-processing software with spell and grammar check tools turned off~~
10 ~~on the writing portion of the English language arts tests.~~

11 ~~(10) use of an assistive device that does not interfere with the independent work of~~
12 ~~the student on the multiple-choice or writing portion of the test.~~

13 ~~(11) supervised breaks within a section of the test.~~

14 ~~(12) administration of the test at the most beneficial time of day to the pupil.~~

15 ~~(13) administration of any test or test part to be given in a single sitting over more~~
16 ~~than one day except for the writing portion of the English language arts tests.~~

17 ~~(14) test administered by a test examiner to a pupil at home or in the hospital.~~

18 ~~(15) audio or oral presentation of any prompts or passages present in the STAR~~
19 ~~writing portion of the English language arts tests.~~

20 ~~(16) Manually Coded English or American Sign Language to present any prompts or~~
21 ~~passages present in the STAR writing portion of the English language arts tests.~~

22 ~~(d) In addition to the accommodations set forth in section 853.5(c), a pupil who is~~
23 ~~eligible to take the CMA as defined in section 850(f), shall be permitted the following~~
24 ~~presentation, response, or setting accommodations on the CMA if specified in the~~
25 ~~eligible pupil's IEP:~~

26 ~~(1) audio or oral presentation of test questions and answer options on the multiple-~~
27 ~~choice portion of the English language arts tests.~~

28 ~~(2) Manually Coded English or American Sign Language to present test questions~~
29 ~~on the multiple-choice portion of the English language arts tests.~~

30 ~~(3) use of a calculator on the mathematics test in grade 5.~~

31 ~~(4) use of manipulatives on the mathematics and science tests.~~

32 ~~(e) Eligible pupils with disabilities shall be permitted the following modifications on~~

1 ~~the CSTs and the Standards-based Tests in Spanish if specified in the eligible pupil's~~
2 ~~IEP or Section 504 Plan:~~

3 ~~(1) calculators, arithmetic tables, and formulas or mathematics manipulatives not~~
4 ~~provided in the test materials on the mathematics or science tests.~~

5 ~~(2) audio or oral presentation of the multiple-choice portion of the English language~~
6 ~~arts tests.~~

7 ~~(3) Manually Coded English or American Sign Language to present test questions~~
8 ~~on the multiple-choice portion of the English language arts tests.~~

9 ~~(4) spellcheckers, grammar checkers, or word processing software programs that~~
10 ~~check or correct spelling and/or grammar on the writing portion of the English language~~
11 ~~arts tests.~~

12 ~~(5) mechanical or electronic devices or other assistive devices that are not used~~
13 ~~solely to record the pupil's responses, including, but not limited to, transcribers, scribes,~~
14 ~~voice recognition or voice to text software, and that identify a potential error in the~~
15 ~~pupil's response or that correct spelling, grammar or conventions on the writing portion~~
16 ~~of the English language arts tests.~~

17 ~~(6) responses dictated orally, in Manually Coded English or American Sign~~
18 ~~Language to provide an essay response to a scribe and the scribe provides spelling,~~
19 ~~grammar, and language conventions.~~

20 ~~(7) dictionary.~~

21 ~~(f) If the school district, pupil's IEP team or Section 504 Plan proposes a variation~~
22 ~~for use on the standards-based achievement tests or the primary language test, if any,~~
23 ~~that has not been listed in this section, the school district may submit to the CDE for~~
24 ~~review of the proposed variation.~~

25 ~~(g) Identified English learner pupils shall be permitted the following testing variations~~
26 ~~if regularly used in the classroom or for assessment:~~

27 ~~(1) Tested in a separate room with other English learners provided that an~~
28 ~~employee of the school, school district, or nonpublic school, who has signed the Test~~
29 ~~Security Affidavit, directly supervises the pupil.~~

30 ~~(2) Additional supervised breaks following each section within a test part provided~~
31 ~~that the test section is completed within a testing day. A test section is identified by a~~
32 ~~"STOP" at the end of it.~~

1 ~~(3) The test directions printed in the test administration manual may be translated~~
2 ~~into an English learner's primary language. English learners shall have the opportunity~~
3 ~~to ask clarifying questions about any test directions presented orally in their primary~~
4 ~~language.~~

5 ~~(4) Access to translation glossaries/word lists for the standards-based achievement~~
6 ~~tests in mathematics, science, and history-social science (English to primary language).~~
7 ~~The translation glossaries/word lists are to include only the English word or phrase with~~
8 ~~the corresponding primary language word or phrase. The glossaries or word lists shall~~
9 ~~include no definitions, parts of speech, or formulas.~~

10 (a) All pupils (including English learners and students with disabilities) shall be
11 permitted the following embedded universal tools on the CAASPP tests for English
12 language arts (including the components of reading, writing, and listening) and
13 mathematics as specified below:

14 (1) breaks for reading, writing, listening, and mathematics;

15 (2) calculator for specific mathematic items;

16 (3) digital notepad for reading, writing, listening, and mathematics;

17 (4) English dictionary for writing (ELA-performance task – pupil long essay(s) not
18 short paragraph responses);

19 (5) English glossary for reading, writing, listening, and mathematics;

20 (6) expandable passages for reading, writing, listening, and mathematics;

21 (7) global notes for writing (ELA-performance task – pupils long essay(s) not short
22 paragraph responses);

23 (8) highlighter for reading, writing, listening, and mathematics;

24 (9) keyboard navigation for reading, writing, listening, and mathematics;

25 (10) mark for review for reading, writing, listening, and mathematics;

26 (11) math tools for specific mathematics items;

27 (12) spell check for specific writing items;

28 (13) strikethrough for reading, writing, listening, and mathematics;

29 (14) writing tools for specific pupil generated responses; or

30 (15) zoom for reading, writing, listening, and mathematics.

31 (b) All pupils (including English learners and students with disabilities) shall be
32 permitted the following non-embedded universal tools on the CAASPP tests for English

- 1 language arts (including the components of reading, writing, and listening),
2 mathematics, science, and primary language as specified below:
- 3 (1) breaks;
4 (2) English dictionary for ELA performance task – pupil long essay(s) not short
5 paragraph responses;
6 (3) scratch paper;
7 (4) thesaurus for ELA performance task – pupil long essay(s) not short paragraph
8 responses;
9 (5) color overlay for science and primary language test;
10 (6) math tools (i.e., ruler, protractor) for specific mathematics items;
11 (7) simplify or clarify test administration directions (does not apply to test questions);
12 or
13 (8) pupil marks in paper-pencil test booklet (other than responses including
14 highlighting).
- 15 (c) All pupils (including English learners and students with disabilities) shall be
16 permitted the following embedded designated supports, unless otherwise designated,
17 when determined for use by an educator or group of educators, on the CAASPP tests
18 for English language arts (including the components of reading, writing, and listening)
19 and mathematics as specified below:
- 20 (1) color contrast for reading, writing, listening, and mathematics;
21 (2) masking for reading, writing, listening, and mathematics;
22 (3) text-to-speech for writing, listening, mathematics and reading items not
23 passages;
24 (4) translated test directions for mathematics;
25 (5) translations (glossary) for mathematics;
26 (6) translations (stacked) for mathematics; or
27 (7) turn off any universal tool for reading, writing, listening, and mathematics.
- 28 (d) All pupils (including English learners and students with disabilities) shall be
29 permitted the following non-embedded designated supports when determined for use
30 by an educator or a group of educators, on the CAASPP tests for English language arts
31 (including the components of reading, writing, and listening), mathematics, science,
32 and primary language as specified below:

- 1 (1) translated directions for mathematics, science and primary language test;
- 2 (2) bilingual dictionary for writing;
- 3 (3) access to translation glossaries/word lists for science and primary language test;
- 4 (4) color contrast for reading, writing, listening, and mathematics;
- 5 (5) color overlay for reading, writing, listening, and mathematics;
- 6 (6) magnification;
- 7 (7) read aloud for writing, listening, mathematics and reading items not reading
- 8 passages;
- 9 (8) scribe for reading, listening, and mathematics;
- 10 (9) separate setting for reading, writing, listening, and mathematics;
- 11 (10) translations (glossary) for mathematics, science and primary language test;
- 12 (11) noise buffers (e.g., individual carrel or study enclosure, or noise-cancelling
- 13 headphones); or
- 14 (12) special lighting or acoustics, assistive devices (specific devices may require
- 15 CAASPP contractor certification), and/or special or adaptive furniture.

16 (e) The following embedded accommodations shall be provided on the CAASPP
17 tests for English language arts (including the components of reading, writing, and
18 listening) and mathematics when specified in a pupil's IEP or Section 504 Plan:

- 19 (1) American Sign Language for listening and mathematics;
- 20 (2) braille for reading, writing, listening, and mathematics;
- 21 (3) closed captioning for listening; or
- 22 (4) text-to-speech for reading passages for grades 6 through 8, inclusive, and 11.

23 (f) The following non-embedded accommodations shall be provided on the CAASPP
24 tests for English language arts (including the components of reading, writing, and
25 listening), mathematics, science, and primary language when specified in a pupil's IEP
26 or Section 504 Plan:

- 27 (1) read aloud for primary language test;
- 28 (2) American Sign Language for listening, mathematics, and science;
- 29 (3) braille for paper-pencil tests;
- 30 (4) abacus for mathematics and science;
- 31 (5) alternate response options for reading, writing, listening, and mathematics;
- 32 (6) calculator for specific mathematics items;

- 1 (7) multiplication table for mathematics beginning in grade 4;
2 (8) print on demand for reading, writing, listening, and mathematics;
3 (9) read aloud for reading passages in grades 6 through 8, inclusive, and grade 11;
4 blind pupils in grades 3 through 8, inclusive, and grade 11 who do not yet have
5 adequate braille skills;
6 (10) scribe for writing, science, and primary language test;
7 (11) speech-to-text;
8 (12) large-print version of a paper-pencil test;
9 (13) separate setting for science and primary language test; or
10 (14) administration of the test at the most beneficial time of day to the pupil.

11 (g) An LEA may submit a request in writing to the CDE, prior to the administration of
12 a CAASPP test for approval for the use of an accessibility support. The LEA CAASPP
13 coordinator or the CAASPP test site coordinator shall make the request on behalf of the
14 LEA ten business days prior to the pupil's first day of CAASPP testing. The CDE shall
15 respond to the request within four business days from the date of receipt of the written
16 request. Written requests must include:

- 17 (1) LEA name and CDS code;
18 (2) school/test site and school code;
19 (3) school/test site address, city, and zip code;
20 (4) LEA CAASPP coordinator name, phone number, and email address;
21 (5) CAASPP test site coordinator name, phone number, and email address;
22 (6) school/test site testing window dates;
23 (7) SSID(s) for the pupil(s) for which the accessibility support is being requested;
24 (8) CAASPP test and grade; and
25 (9) the accessibility support being requested.

26 (h) Accessibility supports that change the construct being measured by a CAASPP
27 test invalidate the test score and results in a score that cannot be compared with other
28 CAASPP results. Scores for pupils' tests with accessibility supports that change the
29 construct being measured by a CAASPP test will not be counted as participating in
30 statewide testing (and impacts the accountability participation rate indicator) but pupils
31 will still receive individual score reports with their actual score. The following non-
32 embedded accessibility supports have been determined to change the construct being

1 measured on the CAASPP tests for English language arts (including the components
2 for reading, writing, and listening), mathematics, science, and primary language and
3 are specified below, but not limited to:

4 (1) English dictionary for reading, listening, mathematics, science, and primary
5 language;

6 (2) thesaurus for reading, listening, mathematics, science and primary language;

7 (3) translated test directions for reading, writing, or listening;

8 (4) bilingual dictionary for reading, listening, mathematics, science and primary
9 language;

10 (5) translations (glossary) for reading, writing, and listening;

11 (6) read aloud for reading passages in grades 3, 4, and 5;

12 (7) American Sign Language for reading passages in grades 3, 4, and 5 and
13 reading passages for primary language;

14 (8) calculator for non-specified mathematics items or science;

15 (9) math tools (i.e., ruler, protractor) for non-specified mathematics items; and

16 (10) multiplication table for mathematics in grade 3.

17 NOTE: Authority cited: Sections 42004, 33031, and 60605 and 60640, Education Code.

18 Reference: Sections 60605 and 60640, Education Code; 34 C.F.R. Sections 200.1 and
19 300.160(b).

20
21 **§ 854. Advance Preparation for the Tests. [REPEALED]**

22 ~~(a) Except for materials specifically provided by the CDE or its agents, no program~~
23 ~~or materials shall be used by any school district or employee of a school district that are~~
24 ~~specifically formulated or intended to prepare pupils for the standards-based~~
25 ~~achievement tests, or the primary language test, if any. No administration or use of an~~
26 ~~alternate or parallel form shall be used as practice for any pupils.~~

27 ~~(b) Practice tests provided by the contractor as part of the standards-based~~
28 ~~achievement tests and the primary language test, if any, for the limited purpose of~~
29 ~~familiarizing pupils with the use of scannable test booklets or answer sheets and the~~
30 ~~format of test items are not subject to the prohibition of subdivision (a).~~

31 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
32 Sections 60605, 60611 and 60640, Education Code.

1 **§ 855. Testing Period.**

2 ~~(a)(1) The standards-based achievement tests and the primary language test, if~~
3 ~~any, except as specified below shall be administered to each pupil during a testing~~
4 ~~window of 25 instructional days that includes 12 instructional days before and after~~
5 ~~completion of 85% of the school's, track's, or program's instructional days. Testing for~~
6 ~~all pupils, including makeup testing, is to be completed within this 25 instructional day~~
7 ~~window.~~

8 ~~(2) Each school district shall provide for at least two makeup days of testing for~~
9 ~~pupils who were absent during the period in which any school administered the~~
10 ~~standards-based achievement tests and the primary language test, if any. All makeup~~
11 ~~testing shall occur within five instructional days of the last date that the school district~~
12 ~~administered the tests but not later than the end of the 25 instructional day period~~
13 ~~established in subdivision (a)(1).~~

14 ~~(3) A school district with schools operating on a multitrack year round schedule may~~
15 ~~submit a request to the contractor to begin testing no earlier than the fourth Monday in~~
16 ~~February.~~

17 ~~(b) The writing portion of the English language arts tests shall be administered to~~
18 ~~each eligible pupil only on the day(s) specified annually by the State Superintendent of~~
19 ~~Public Instruction. An eligible pupil for purposes of the writing portion is a pupil taking~~
20 ~~the standards-based achievement tests for a grade at which the writing portion will be~~
21 ~~administered.~~

22 (a)(1) For the 2013-14 school year, each LEA shall administer the Smarter
23 Balanced field tests for ELA and mathematics in the manner prescribed by the CDE
24 pursuant to the authority granted by Education Code section 60640(f)(2).

25 (2) For the 2013-14 school year, the CST and CMA for science in grades 5, 8, and
26 10, and CAPA for ELA and mathematics in grades 2 through 11 and science in grades
27 5, 8, and 10, shall be administered to each pupil during a testing window of 25
28 instructional days that includes 12 instructional days before and after completion of 85
29 percent of the school's, track's, or program's instructional days. Testing for all pupils,
30 including makeup testing, is to be completed within this 25 instructional day window. If
31 an LEA elects to administer the primary language test, it shall do so during this same
32 testing window.

1 (b) Beginning in the 2014-15 school year, the CAASPP tests pursuant to Education
2 Code sections 60640(b) shall be administered to each pupil during the following testing
3 windows:

4 (1) Unless otherwise stated in these regulations, the testing window shall not begin
5 until at least 66 percent of a school's annual instructional days have been completed,
6 and testing may continue up to and including the last day of instruction for the regular
7 school calendar. For a 180-day school year, 66 percent of a school year occurs after
8 the 120th instructional day. This allows for a 12-week window for testing.

9 (2) For the grade 11 Smarter Balanced assessments and CAASPP tests
10 administered after January 2015, the testing window shall not begin until at least 80
11 percent of a school's annual instructional days have been completed, and testing may
12 continue up to and including the last day of instruction for the regular school calendar.
13 For a 180-day school year, 80 percent of a school year occurs after the 144th
14 instructional day. This allows for a 7-week window for testing.

15 (3) The CST and CMA for science in grades 5, 8, and 10, and CAPA for ELA and
16 mathematics in grades 2 through 11 and science in grades 5, 8, and 10 shall be
17 administered to each pupil during a testing window of 25 instructional days that
18 includes 12 instructional days before and after completion of 85 percent of the school's,
19 track's, or program's instructional days unless the SBE makes a determination by the
20 close of its September 2014 regular meeting that these tests shall be administered
21 during the window defined in subdivision (b)(1) above. If an LEA elects to administer
22 the primary language test, it shall do so during this same window as these tests.

23 (c) The CDE, with the approval of the SBE President or designee, may require
24 LEAs to more fully utilize the testing window and may also limit the usage of the interim
25 assessments in instances where the CDE determines that it is necessary to do so to
26 ensure that the capacity of the California K-12 High Speed Network (K12HSN) is not
27 exceeded.

28 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.

29 Reference: Sections 60605, 60640, 60641 and 60642:5, Education Code.

30
31 **§ 857. LEA CAASPP District STAR Coordinator.**

32 (a) On or before September 30 of each school year, the superintendent of each

1 ~~school district shall designate from among the employees of the school district a district~~
2 ~~STAR coordinator. The district STAR coordinator, or the school district superintendent~~
3 ~~or his or her designee, shall be available through August 15 of the following school year~~
4 ~~to complete school district testing. The school district shall notify the contractor(s) of the~~
5 ~~identity and contact information, including electronic mail address, if available in the~~
6 ~~school district, for the district STAR coordinator and for the superintendent and his or~~
7 ~~her designee, if any. The district STAR coordinator shall serve as the school district~~
8 ~~representative and the liaison between the school district and the contractor(s) and the~~
9 ~~school district and the CDE for all matters related to the STAR Program. A school~~
10 ~~district superintendent may designate a separate STAR program district coordinator for~~
11 ~~any primary language test.~~

12 ~~(b) The district STAR coordinator's responsibilities shall include, but not be limited~~
13 ~~to, all of the following duties:~~

14 ~~(1) Responding to correspondence and inquiries from the contractor and from the~~
15 ~~CDE in a timely manner and as provided in the contractor's instructions and these~~
16 ~~regulations.~~

17 ~~(2) Determining school district and individual school test and test material needs in~~
18 ~~conjunction with schools within the district and the contractor, using current enrollment~~
19 ~~data and communicating school district test material needs to the contractor on or~~
20 ~~before December 1.~~

21 ~~(3) Ensuring delivery of tests and test materials to the test sites no more than ten or~~
22 ~~fewer than five working days before the first day of testing designated by the district.~~

23 ~~(4) Coordinating the testing and makeup testing days for the school district and for~~
24 ~~those pupils of the district who are enrolled in nonpublic schools within any required~~
25 ~~time periods with the school test site coordinators. Overseeing the collection of all pupil~~
26 ~~data as required to comply with section 861.~~

27 ~~(5) Maintaining security over the standards-based achievement tests, and the~~
28 ~~primary language test, if any, and test data using the procedure set forth in section 859.~~
29 ~~The district STAR coordinator shall sign the security agreement set forth in section 859~~
30 ~~and submit it to the contractor prior to receipt of the test materials from the contractor.~~

31 ~~(6) Overseeing the administration of the standards-based achievement tests, and~~
32 ~~the primary language test, if any, to eligible pupils.~~

1 ~~(7) Overseeing the collection and return of all test materials and test data to the~~
2 ~~contractor within any required time periods.~~

3 ~~(8) Assisting the contractor and the CDE in the resolution of any discrepancies in~~
4 ~~the test information and materials, including but not limited to, pre-identification files~~
5 ~~and all pupil-level data required to comply with sections 861 and 862.~~

6 ~~(9) Immediately notifying the CDE of any security breaches or testing irregularities~~
7 ~~in the district before, during, or after the test administration.~~

8 ~~(10) Ensuring that an answer document is submitted for scoring for each eligible~~
9 ~~pupil enrolled in the district on the first day of testing.~~

10 ~~(11) After receiving summary reports and files from the contractor, the district STAR~~
11 ~~coordinator shall review the files and reports for completeness and accuracy, and shall~~
12 ~~notify the contractor and the CDE of any errors, discrepancies, or incomplete~~
13 ~~information.~~

14 ~~(12) Training test site coordinators to oversee the test administration at each school.~~

15 (a) On or before September 30 of each school year, the superintendent of each LEA
16 shall:

17 (1) designate from among the employees of the LEA an LEA CAASPP coordinator;

18 (2) identify school with pupils unable to access the CBT version of a CAASPP
19 test(s) in accordance with Education Code section 60640(e); and

20 (3) report to the CAASPP contractor(s) the number of pupils enrolled in the school
21 identified in subdivision (2) that are unable to access the CBT version of a CAASPP
22 test.

23 (b) The LEA CAASPP coordinator, or the LEA superintendent, shall be available
24 through September 29 of the following school year to complete the LEA testing
25 activities. The LEA shall notify the contractor(s) of the identity and contact information
26 for the LEA CAASPP coordinator and the superintendent. The LEA CAASPP
27 coordinator shall serve as the LEA representative and the liaison between the LEA and
28 the contractor(s) and the LEA and the CDE for all matters related to the CAASPP
29 assessment system.

30 (c) The LEA CAASPP coordinator's responsibilities shall be those defined in the
31 contractor's(s') or consortium's administrative manuals and documentation, and shall
32 include, but are not limited to, overseeing the LEA's preparation, registration,

1 coordination, training, assessment technology, administration, security, and reporting of
2 the CAASPP tests.

3 (d) The LEA CAASPP coordinator shall ensure current and ongoing compliance
4 with the minimum technology specifications as identified by the CAASPP contractor(s)
5 or consortium.

6 (e) The LEA CAASPP coordinator shall ensure the training of all CAASPP test site
7 coordinators who will oversee the test administration at each school or test site.

8 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.

9 Reference: Sections 47079.5, 52052, 60604, 60605, 60610, 60630, and 60640 and
10 60643, Education Code.

11
12 **§ 858. CAASPP STAR Test Site Coordinator.**

13 ~~(a) At each test site, including but not limited to, each elementary, middle, and high~~
14 ~~school or other grade-span designated school, each charter school, each court school,~~
15 ~~each school or program operated by a school district, and all other public programs~~
16 ~~serving pupils in any of the grades 2 to 11, inclusive, the superintendent of the school~~
17 ~~district or the district STAR coordinator shall designate a STAR test site coordinator~~
18 ~~from among the employees of the school district. The STAR test site coordinator, or the~~
19 ~~site principal or his or her designee, shall be available to the district STAR coordinator~~
20 ~~by telephone through August 15 of the following school year for purposes of resolving~~
21 ~~discrepancies or inconsistencies in materials or errors in reports.~~

22 ~~(b) The STAR test site coordinator's responsibilities shall include, but are not limited to,~~
23 ~~all of the following duties:~~

24 ~~(1) Determining site test and test material needs and communicating the site needs~~
25 ~~to the district STAR coordinator.~~

26 ~~(2) Overseeing the acquisition and distribution of tests and test materials at the test~~
27 ~~site, including but not limited to, distributing test materials to test examiners on each~~
28 ~~day of testing in accordance with the contractor's directions.~~

29 ~~(3) Cooperating with the district STAR coordinator to provide the testing and~~
30 ~~makeup testing days for the site within any required time periods.~~

31 ~~(4) Maintaining security over the standards-based achievement tests, the primary~~
32 ~~language test, if any, and test data. The STAR test site coordinator shall sign the~~

1 security agreement set forth in section 859 and submit it to the district STAR
2 coordinator prior to the receipt of the test materials.

3 ~~(5) Arranging for and overseeing the administration of the standards-based~~
4 ~~achievement tests and the primary language test, if any, to eligible pupils at the test~~
5 ~~site.~~

6 ~~(6) Overseeing the collection and return of all testing materials to the district STAR~~
7 ~~coordinator.~~

8 ~~(7) Assisting the district STAR coordinator, the contractor, and the CDE in the~~
9 ~~resolution of any discrepancies in the test information and materials.~~

10 ~~(8) Overseeing the collection of all pupil level and other data required to comply with~~
11 ~~sections 861 and 862.~~

12 ~~(9) Ensuring that an answer document is submitted for scoring for each eligible pupil~~
13 ~~enrolled in the school on the first day of testing for the standards-based achievement~~
14 ~~tests and the primary language test, if any.~~

15 ~~(10) Ensuring that for each pupil tested only one scannable answer document is~~
16 ~~submitted for scoring, except that for each pupil tested at grades for which the~~
17 ~~contractor has designated the use of more than one answer document. An answer~~
18 ~~document for the STAR writing portion of the English language arts tests administered~~
19 ~~pursuant to section 855(b) shall be submitted in addition to the answer document for~~
20 ~~the multiple-choice items.~~

21 ~~(11) Immediately notifying the district STAR coordinator of any security breaches or~~
22 ~~testing irregularities that occur in the administration of the standards-based~~
23 ~~achievement tests or the primary language test, if any, that violate the terms of the~~
24 ~~STAR Security Affidavit in section 859.~~

25 ~~(12) Training test examiners, translators, proctors, and scribes for administering the~~
26 ~~tests.~~

27 (a) At each test site, including, but not limited to, each elementary, middle, and high
28 school or other grade-span designated school, each charter school, each court-school,
29 each school or program operated by an LEA, and all other public programs serving
30 pupils, inclusive, the superintendent of the LEA or the LEA CAASPP coordinator shall
31 designate a CAASPP test site coordinator from among the employees of the LEA. The
32 CAASPP test site coordinator, or the site principal or his or her designee, shall be

1 available to the LEA CAASPP coordinator by telephone through September 29 of the
2 following school year for purposes of resolving discrepancies or inconsistencies in
3 materials or errors in reports.

4 (b) The CAASPP test site coordinator's responsibilities shall be those defined in the
5 contractor's(s') and CDE's administrative manuals and documentation, and shall
6 include, but are not limited to, overseeing the test site's preparation, coordination,
7 training, registration, administration, security, and reporting of the CAASPP tests.

8 (c) The CAASPP test site coordinator shall be responsible for the training of test
9 examiners, translators, proctors, and scribes.

10 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.

11 Reference: Sections 60602.5, 60604, 60605, 60610, 60630 and 60640, Education
12 Code.

13
14 **§ 859. CAASPP STAR Test Security Agreement and Test Security Affidavit.**

15 ~~(a) All STAR district and test site coordinators (coordinators) shall sign the STAR~~
16 ~~Test Security Agreement set forth in subdivision (b) before receiving any of the test~~
17 ~~materials or tests administered pursuant to Education Code section 60640.~~

18 ~~(b) The STAR Test Security Agreement shall be as follows:~~

19 **~~STAR TEST SECURITY AGREEMENT~~**

20 ~~I acknowledge by my signature on this form that standards based achievement~~
21 ~~tests, including the CSTs, the California Alternate Performance Assessment, the CMA,~~
22 ~~and the Standards based Tests in Spanish, are secure tests and agree to each of the~~
23 ~~following conditions to ensure test security:~~

24 ~~(1) I will take all necessary precautions to safeguard all tests and test materials by~~
25 ~~limiting access to persons within the school district with a responsible, professional~~
26 ~~interest in the tests' security.~~

27 ~~(2) I will keep on file the names of all persons having access to tests and test~~
28 ~~materials. All persons having access to the materials shall be required to sign the~~
29 ~~STAR Test Security Affidavit that will be kept on file in the school district office.~~

30 ~~(3) I will keep the CSTs, the California Alternate Performance Assessment, the~~
31 ~~CMA, and the Standards based Tests in Spanish and their test materials in a secure,~~
32 ~~locked location and will deliver tests and test materials only to those persons who have~~

1 ~~executed STAR Test Security Affidavits on actual testing dates as provided in section~~
2 ~~859(d) with the exception of subdivision (4) below.~~

3 ~~(4) I will keep the California Alternate Performance Assessment materials in a~~
4 ~~secure locked location when not being used by examiners to prepare for and to~~
5 ~~administer the assessment. I will adhere to the contractor's directions for the~~
6 ~~distribution of the assessment materials to examiners.~~

7 ~~(5) I will not copy any part of the tests or test materials without written permission~~
8 ~~from the CDE to do so.~~

9 ~~(6) I will not disclose, or allow to be disclosed, the contents of the tests or the test~~
10 ~~instruments. I will not review any test questions, passages, or other test items with any~~
11 ~~other person before, during, or after the test administration.~~

12 ~~(7) I will not develop scoring keys, review any pupil responses, or prepare answer~~
13 ~~documents except as required by the test administration manual(s) prepared by the~~
14 ~~testing contractor.~~

15 ~~By signing my name to this document, I am assuring that I will abide by the above~~
16 ~~conditions.~~

17 Signed: _____

18 Print Name: _____

19 Title: _____

20 School District: _____

21 Date: _____

22 ~~(c) All test examiners, proctors, translators, scribes, and any other persons having~~
23 ~~access to any of the test materials or tests administered pursuant to Education Code~~
24 ~~section 60640 shall acknowledge the limited purpose of their access to the tests by~~
25 ~~signing the STAR Test Security Affidavit set forth in subdivision (d).~~

26 ~~(d) The STAR Test Security Affidavit shall be as follows:~~

27 **STAR TEST SECURITY AFFIDAVIT**

28 ~~I acknowledge that I will have access to one or more of the standards-based~~
29 ~~achievement tests, including the CSTs, the California Alternative Performance~~
30 ~~Assessment, the CMA, and the Standards-based Tests in Spanish, and test materials,~~
31 ~~for the purpose of administering the test(s). I understand that these materials are highly~~
32 ~~secure, and it is my professional responsibility to protect their security as follows:~~

1 ~~(1) I will not divulge the contents of the tests to any other person through verbal,~~
2 ~~written, or any other means of communication.~~

3 ~~(2) I will not copy any part of the test(s) or test materials.~~

4 ~~(3) I will keep the test(s) secure until the test(s) are actually distributed to pupils.~~

5 ~~(4) I will limit access to the test(s) and test materials by test examinees to the actual~~
6 ~~testing periods when they are taking the test(s).~~

7 ~~(5) I will collect and account for all materials following each period of testing and will~~
8 ~~not permit pupils to remove test materials from the room where testing takes place.~~

9 ~~(6) I will not review any test questions, passages, or other test items independently~~
10 ~~or with pupils or any other person before, during, or following testing.~~

11 ~~(7) I will not develop scoring keys, review any pupil responses, or prepare answer~~
12 ~~documents except as required by the test administration manual(s) prepared by the~~
13 ~~testing contractor.~~

14 ~~(8) I will return all test materials for the CSTs, the CMA, and the Standards based~~
15 ~~Tests in Spanish to the designated STAR test site coordinator daily upon completion of~~
16 ~~testing.~~

17 ~~(9) I will keep all the California Alternate Performance Assessment materials in~~
18 ~~secure locked storage except when I am administering or observing the administration~~
19 ~~of the assessment to pupils.~~

20 ~~(10) I will administer the test(s) in accordance with the directions for test~~
21 ~~administration and test administration manuals prepared by the testing contractor.~~

22 ~~(11) I have been trained to administer the tests.~~

23 Signed: _____

24 Print Name: _____

25 Position: _____

26 School: _____

27 School District: _____

28 Date: _____

29 ~~(e) To maintain the security of the program, all district STAR coordinators and test~~
30 ~~site coordinators are responsible for inventory control and shall use appropriate~~
31 ~~inventory control forms to monitor and track test inventory.~~

32 (a) All LEA CAASPP coordinators and CAASPP test site coordinators shall sign the

1 CAASPP Test Security Agreement, set forth in subdivision (b), before receiving any of
2 the test materials or tests administered pursuant to Education Code section 60640.

3 (b) The CAASPP Test Security Agreement shall be as follows:

4 CAASPP TEST SECURITY AGREEMENT

5 I acknowledge by my signature on this form that the California Assessment of
6 Student Performance and Progress (CAASPP) tests pursuant to Education Code
7 section 60640 are secure tests and agree to each of the following conditions to ensure
8 test security:

9 (1) I will take all necessary precautions to safeguard all tests and test materials,
10 whether paper-based or computer-based assessments, by limiting access to only
11 persons within the LEA who are responsible for, and have professional interest in, the
12 tests' security.

13 (2) I will keep on file the names of all persons who have been trained in the
14 administration of CAASPP tests and all persons with access to tests and test materials,
15 whether paper-based or computer-based assessments. I have and shall have all other
16 persons having access to the tests and test materials read and sign the CAASPP Test
17 Security Affidavit that will be kept on file in the LEA office.

18 (3) Except during the administration of the tests, I will keep the paper-pencil tests,
19 and their test materials in a securely locked room that can be entered only with a key or
20 keycard and, when possible, in a locked storage cabinet within that room.

21 (4) I will securely destroy all print-on-demand papers, scratch paper, and other
22 documents as prescribed within the contractor's(s') or consortium's administrative
23 manuals and documentation.

24 (5) With the exception of subdivision (6) below, I will deliver tests and test materials
25 or allow electronic access thereto, only on actual testing dates and only to those
26 persons who have executed CAASPP Test Security Affidavits.

27 (6) For the CAPA test, I will keep all tests and testing materials in the manner set
28 forth above in subdivisions (3) and (5) except during actual testing administration or
29 when being used by test examiners to prepare for and to administer the assessment. I
30 will adhere to the contractor's directions for the distribution of the assessment materials
31 to test examiners.

32 By signing my name to this document, I am assuring that I have completely read

1 and will abide by the above conditions.

2 Signed: _____

3 Print Name: _____

4 Title: _____

5 LEA: _____

6 Date: _____

7 (c) All test examiners, proctors, translators, scribes, and any other persons having
8 access to any of the tests and test materials, assessment technology, or tests
9 administered pursuant to Education Code section 60640, shall acknowledge the limited
10 purpose of their access to the tests by signing the CAASPP Test Security Affidavit set
11 forth in subdivision (d).

12 (d) The CAASPP Test Security Affidavit shall be as follows:

13 CAASPP TEST SECURITY AFFIDAVIT

14 I acknowledge that I will have access to one or more of the California Assessment
15 of Student Performance and Progress (CAASPP) tests pursuant to Education Code
16 section 60640, for the purpose of administering the test(s). I understand that these
17 materials are highly secure and may be under copyright restrictions and it is my
18 professional responsibility to protect their security as follows:

19 (1) I will not divulge the contents of the tests and test materials to any other person
20 through verbal, written, or any other means of communication. This includes, but is not
21 limited to, sharing or posting test content via the Internet or by email without the
22 express written permission of the CDE.

23 (2) I will not copy or take a photo of any part of the test(s) or test materials. This
24 includes, but is not limited to, photocopying (including enlarging) and recording without
25 prior expressed written permission of the CDE.

26 (3) Except during the actual testing administrations or as otherwise provided for by
27 law, I will keep the test(s) and test materials secure until the test(s) are actually
28 distributed to pupils when tests and testing materials are checked in and out by the
29 CAASPP test site coordinator. Keeping materials secure means that testing materials
30 are required to be kept in a securely locked room that can be entered only with a key or
31 keycard and, when possible, in a locked storage cabinet within that room.

32 (4) I will limit access to the test(s) and test materials by test examinees to the actual

1 testing periods when they are taking the test(s). I understand that only pupils who are
2 testing and LEA staff participating in the test administration who have signed a test
3 security affidavit may be in the room when and where a test is being administered.

4 (A) I will keep all assigned, generated, or created usernames, passwords and logins
5 secure and not divulge pupil personal information to anyone.

6 (B) I will not allow anyone other than the assigned pupils to log into their assigned
7 test. I may assist a pupil with using their information to log into their assigned test.

8 (C) I will not use a pupil's information to log in as a pupil or allow a pupil to log in
9 using another pupil's information.

10 (D) I will not include, nor will I display, a pupil's name and Statewide Student
11 Identifier (SSID) together in any written or electronic format.

12 (5) I will not allow pupils to access electronic devices that allow them to access
13 outside information, communicate with other pupils, or photograph or copy test content.
14 This includes, but is not limited to, cell phones, personal digital assistants (PDAs),
15 tablets, laptops, cameras, and electronic translation devices.

16 (6) I will collect and account for all materials following each testing session and will
17 not permit pupils to remove any test materials by any means from the room(s) where
18 testing takes place. After each testing session, I will count all test booklets and answer
19 documents before allowing any pupil to leave the testing room and/or ensure that all
20 pupils have properly logged off the computer system.

21 (7) I will not review any achievement test questions, passages, performance tasks,
22 or other test items independently or with pupils or any other person at any time,
23 including before, during, or following testing. I understand that this includes any
24 discussion between LEA staff for training or professional development whether one-on-
25 one or in a staff meeting.

26 (8) I will not, for any achievement test, develop scoring keys, review any pupil
27 responses, or prepare answer documents. I understand that this includes coaching
28 pupils or providing any other type of assistance to pupils that may affect their
29 responses. This includes, but is not limited to, both verbal cues (e.g., interpreting,
30 explaining, or paraphrasing the test items or prompts) and nonverbal cues (e.g., voice
31 inflection, pointing, or nodding head) to the correct answer (anything that may indicate
32 correct or incorrect answers), or completing or changing pupils' answers.

1 (9) I will return all test materials to the designated CAASPP test site coordinator
2 each day upon completion of testing. I understand that all test booklets, answer
3 documents, and scratch paper shall be returned to the CAASPP test site coordinator
4 each day immediately after testing has been completed for storage or confidential
5 destruction.

6 (10) If I will administer and/or observe the administration of CAPA, which means
7 that I am a certificated or a licensed LEA employee and a trained CAPA Examiner, I will
8 keep all the CAPA materials in a securely locked room, and, when possible, in a locked
9 storage cabinet within that room except when I am preparing for the administration,
10 administering or observing the administration of the assessment to pupils.

11 (11) I will actively supervise pupils throughout the testing session to make sure that
12 they are working on the correct test section or part, marking their answers in the correct
13 section of their answer documents, following instructions, and are accessing only
14 authorized materials (embedded and/or non-embedded universal tools, designated
15 supports, or accommodations) needed for the test being administered.

16 (12) I will administer the test(s) in accordance with the directions for test
17 administration and test administration manuals prepared by the CAASPP testing
18 contractor(s), or any additional guidance provided by the CAASPP test contractor(s). I
19 understand that the unauthorized copying, sharing, or reusing of any test booklet, test
20 question, performance task, or answer document by any means is prohibited. This
21 includes, but is not limited to, photocopying, recording, emailing, messaging (instant,
22 text, or multimedia messaging service, or digital application), using a camera/camera
23 phone, and sharing or posting test content via the Internet without the express prior
24 written permission of the CDE.

25 (13) I have been trained to administer the tests. By signing my name to this
26 document, I am assuring that I have completely read this affidavit and will abide by the
27 above conditions.

28 Signed: _____

29 Print Name: _____

30 Position: _____

31 School: _____

32 LEA: _____

1 Date: _____

2 (e) To maintain the security of the CAASPP assessment system, all LEA CAASPP
3 coordinators and CAASPP test site coordinators shall immediately, within 24 hours,
4 notify the CDE of any security breaches or testing irregularities occurring either before,
5 during, or after the test administration(s).

6 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
7 Sections 60602.5, 60605 and 60640, Education Code.

8
9 **§ 861. School-By-School Analysis Data Elements for Test Registration and State**
10 **and Federal Reporting.**

11 ~~(a) Each school district shall provide the contractor for the standards-based~~
12 ~~achievement tests and the primary language test, excluding (6), (7), and (8), the~~
13 ~~following information for each pupil enrolled on the first day the tests are administered~~
14 ~~for purposes of the reporting required by the Academic Performance Index of the Public~~
15 ~~Schools Accountability Act (chapter 6.1, commencing with section 52050), section~~
16 ~~60630, and chapter 5 (commencing with section 60640) of the Education Code:~~

17 ~~(1) Pupil's full name.~~

18 ~~(2) Date of birth.~~

19 ~~(3) Grade level.~~

20 ~~(4) Gender.~~

21 ~~(5) English proficiency.~~

22 ~~(6) Primary language.~~

23 ~~(7) Date of English proficiency reclassification.~~

24 ~~(8) If reclassified to fluent English proficient (R-FEP) pupil scored proficient or above~~
25 ~~on the California English Language Arts Standards Test any three years since~~
26 ~~reclassification.~~

27 ~~(9) Program participation.~~

28 ~~(10) Use of accommodations or modifications.~~

29 ~~(11) Statewide Student Identifier.~~

30 ~~(12) Parent or guardian education level.~~

31 ~~(13) School and district California Basic Educational Data System (CBEDS)~~
32 ~~enrollment.~~

1 ~~(14) For English learners, date first enrolled in school in the United States and if~~
2 ~~they have been enrolled in school less than 12 cumulative months at the time of~~
3 ~~testing.~~

4 ~~(15) Documented eligibility to participate in the National School Lunch Program.~~

5 ~~(16) Race/ethnicity.~~

6 ~~(17) Primary disability code.~~

7 ~~(18) Special Education Exit Date.~~

8 ~~(19) County and District for pupils with IEPs if residence is other than where pupil~~
9 ~~attends school or receives services.~~

10 ~~(20) Special testing conditions and/or reasons for not being tested.~~

11 ~~(21) Pupil enrolled in NPS by district based on IEP.~~

12 ~~(22) NPS school code.~~

13 ~~(b) In addition to the demographic data required to be reported in section 861(a),~~
14 ~~school districts may report if an eligible pupil is not tested due to a significant medical~~
15 ~~emergency.~~

16 ~~(c) The information is for the purposes of aggregate analyses only and shall be~~
17 ~~provided and collected as part of the testing materials for the standards-based~~
18 ~~achievement tests and the primary language test.~~

19 ~~(d) School districts shall provide the same information for each eligible pupil~~
20 ~~enrolled in an alternative or off campus program or for pupils placed in nonpublic~~
21 ~~schools as is provided for all other eligible pupils in grades 2 to 11, inclusive.~~

22 ~~(e) If the information required by section 861(a) is incorrect, the school district may~~
23 ~~enter into a separate agreement with the contractor to have the district's student data~~
24 ~~file corrected. The district STAR coordinator shall provide the correct information to the~~
25 ~~contractor within the contractor's timeline. Any costs for correcting the student data~~
26 ~~shall be the district's responsibility.~~

27 (a) In order to assess pupils pursuant to Education Code section 60640 and meet
28 state and federal accountability and reporting obligations, each LEA shall provide any
29 and all program and demographic pupil data requested by the CDE for inclusion in
30 California Longitudinal Pupil Achievement Data System (CALPADS).

31 (b) In addition to the demographic and program data required to be reported in
32 section 861(a), LEAs shall report to the CDE the following information:

1 (1) if an eligible pupil is not tested due to a significant medical emergency;

2 (2) if a pupil used an accommodation(s);

3 (3) if a pupil had special testing conditions and/or reasons for not being tested (e.g.,
4 parent or guardian exemption);

5 (4) if a pupil is enrolled in an NPS based on an IEP and, if so, the NPS school code;
6 and

7 (5) if a pupil in grade 2 was administered a diagnostic assessment pursuant to
8 Education Code section 60644.

9 (c) The LEA shall ensure that CALPADS data elements are up-to-date and accurate
10 prior to LEA registration and throughout the testing window. The CDE shall provide
11 LEAs reasonable notification prior to pupil demographic and program data being
12 extracted from CALPADS for purposes of test registration, individual pupil reports and
13 reports aggregated to the LEA, and state and federal accountability reporting.

14 NOTE: Authority cited: Sections 33031, ~~and~~ 60605 and 60640, Education Code.

15 Reference: Sections ~~49079.5, 52050~~ 52052, 60605, 60630, 60640, 60641 and 60643,
16 Education Code; 7 C.F.R. Sections 245.2(a)(1)-(4), 245.3 and 245.6.

17
18 **§ 862. Apportionment Information Report.**

19 (a) Annually, the CDE shall make available electronically to each school-district LEA
20 shall receive an apportionment information report with the following information
21 provided to the contractor by the LEA pursuant to sections 853 and 861 by grade level
22 for the standards-based achievement tests and the primary language test, if any:

23 (1) The number of pupils enrolled in each school and in the school-district LEA on
24 the first day of testing ~~as indicated by the number of alternate assessments and CSTs,~~
25 ~~excluding the STAR writing portion of the English language arts tests, answer~~
26 ~~documents submitted to the test contractor for scoring.~~

27 (2) The number of pupils in each school and in the school-district LEA tested with
28 the alternate performance assessment.

29 (3) The number of pupils in each school and in the school-district LEA exempted
30 from testing at the request of their parents or guardians pursuant to Education Code
31 section 60615.

32 (4) The number of pupils who were administered any portion of the CSTs ~~or the~~

1 modified assessment excluding the STAR writing portion of the English language arts
2 tests CAASPP assessments pursuant to Education Code sections 60640(b)(1),
3 60640(b)(2), 60640(b)(4), or 60640(c)(3) through the use of CBT.

4 (5) The number of pupils who were administered any portion of the CAASPP
5 assessments pursuant to Education Code sections 60640(b)(1), 60640(b)(2),
6 60640(b)(4), or 60640(c)(3) through the use of paper-pencil assessments.

7 ~~(6)(5)~~ The number of pupils with demographic information only who were not tested
8 for any reason other than a parent or guardian exemption.

9 ~~(7)(6)~~ The number of English language learners who were administered each a
10 designated primary language test aligned to the English language arts standards
11 pursuant to Education Code section 60640(f)(b)(5)(B).

12 ~~(8)(7)~~ The number of English language learners who were administered each
13 primary language test pursuant to Education Code section 60640(g) Beginning in 2014-
14 15, the number of pupils in grade 2 administered a diagnostic assessment pursuant to
15 Education Code section 60644.

16 (b) To be eligible for apportionment payment for the standards-based achievement
17 tests and the primary language test, if any CAASPP assessments, school districts
18 LEAs must meet the following conditions:

19 (1) The school district LEA has returned all secure test materials, and

20 (2) The superintendent LEA CAASPP coordinator of each school district has
21 certified the accuracy of the apportionment information report for examinations
22 assessments administered during the calendar school year (January 1 through
23 December 31), which is either;

24 (A) postmarked transmitted electronically in a manner prescribed by the
25 contractor(s) and/or the CDE by December 31, or

26 (B) if postmarked transmitted in any manner after December 31, the apportionment
27 information report must be accompanied by a waiver request as provided by Education
28 Code section 33050. For those apportionment information reports postmarked
29 transmitted after December 31, apportionment payment is contingent upon the
30 availability of an appropriation for this purpose in the fiscal year in which the testing
31 window began.

32 NOTE: Authority cited: Sections ~~42004~~, 33031, and 60605 and 60640, Education Code.

1 Reference: Sections 60610, 60615, and 60640 and 60641, Education Code.

2
3 **§ 862.5. Apportionment to School Districts LEAs.**

4 (a) The amount of funding to be apportioned to the school district LEA for the costs
5 of administering the standards-based achievement tests and the primary language test,
6 if any, shall be the amount established by the SBE to enable school district to meet the
7 requirements of administering the tests, and the primary language test per the number
8 of tests administered to eligible pupils in grades 2 to 11, inclusive, and the number of
9 answer documents returned with only demographic information for pupils enrolled on
10 the first day of testing who were not tested in the school district LEA. The number of
11 tests administered and the number of demographic answer documents pupils not
12 tested shall be determined by the certification of the LEA CAASPP coordinator school
13 district superintendent pursuant to section 862. For purposes of this portion of the
14 apportionment, administration of the standards-based achievement tests and the
15 primary language tests includes the following items:

16 (1) All staffing costs, including the district STAR LEA CAASPP coordinator and the
17 STAR CAASPP test site coordinators, staff training and other staff expenses related to
18 testing.

19 (2) All expenses incurred at the school district LEA and school/test site(s) level
20 related to testing.

21 (3) All transportation costs of delivering and retrieving tests and test materials within
22 the school district LEA and to nonpublic schools NPSs.

23 (4) All costs associated with mailing transmitting the STAR Student pupil Rreport(s)
24 to parents/guardians.

25 (5) All costs associated with pre-identification of answer sheets and consumable
26 test booklets, and other activities intended to provide the complete and accurate data
27 required in section 861 of these regulations.

28 (b) This amount does not include any funding for the purposes of: reimbursing any
29 LEA for primary language tests for non-eligible pupils.

30 (1) reimbursing the costs incurred by any school district pursuant to section 864.5(d)
31 or (e); and

32 (2) reimbursing any school district for primary language tests for non-eligible pupils.

1 (c) ~~If at the time a school district scannable documents are processed by the~~
2 ~~contractor a student data record is missing any of the data elements required in section~~
3 ~~861 of these regulations for the standards based achievement tests, the school district~~
4 ~~shall provide the missing data elements within the time required by the contractor to~~
5 ~~process the documents and meet the contractor's schedule of deliverables under its~~
6 ~~contract with the CDE. The additional costs incurred by the school district to have the~~
7 ~~contractor reprocess the student information to acquire the data required by section~~
8 ~~861 of these regulations shall be withheld from the school district apportionment.~~

9 NOTE: Authority cited: Sections 42004, 33031, and 60605 and 60640, Education Code.
10 Reference: Sections 60640 and 60643, Education Code.

11
12 **§ 863. STAR CAASPP Student Pupil Reports and Cumulative Record Labels.**

13 (a) The school district LEA shall forward or transmit the STAR Student Report pupil
14 results for the designated achievement test and standards based achievement tests
15 conducted and the designated primary language test provided by the contractor(s) to
16 each pupil's test pursuant to Education Code section 60640 to the each pupil's parent
17 or guardian, within ~~no more than~~ 20 working days from receipt of the results report from
18 the contractor.

19 (b) If the school district LEA receives the reports for the designated achievement
20 test and standards based tests, or the designated primary language tests conducted
21 pursuant to Education Code section 60640 from the contractor after the last day of
22 instruction for the school year, the school district LEA shall send the pupil results to the
23 parent or guardian by U.S. mail at the parent's or guardian's last known address. If the
24 report is non-deliverable, the school district shall make the report available to the
25 parent or guardian during no later than the first 20 working days of the next school
26 year.

27 (c) Schools are responsible for maintaining ~~affixing cumulative record labels~~
28 ~~reporting each pupil's scores to~~ with the pupil's permanent school records or for
29 entering the scores into electronic pupil records, and for forwarding or transmitting the
30 results to schools to which pupils matriculate or transfer. Schools may annotate the
31 scores when the scores may not accurately reflect pupils' achievement due to illness or
32 testing irregularities.

1 NOTE: Authority cited: Sections 33031, and 60605 and 60640, Education Code.
2 Reference: Sections 49062, 49068, 60607, 60640, and 60641, and 60607, Education
3 Code.

4
5 **§ 864. Reporting Test Scores LEA Compliance with Contractor Requirements.**

6 No aggregate or group scores or reports that are compiled pursuant to Education
7 Code section 60641 or 60643 shall be reported electronically, in hard copy, or in other
8 media, to any party other than the school or school district where the pupils were
9 tested, if the aggregate or group scores or reports are composed of ten or fewer
10 individual pupil scores. In each instance in which no score is reported for this reason,
11 the notation shall appear "The number of pupils in this category is too small for
12 statistical accuracy or privacy protection." In no case shall any group score be reported
13 that would deliberately or inadvertently make the score or performance of any individual
14 pupil identifiable within the meaning of the Family Educational Rights and Privacy Act.

15 (a) An LEA is an agent of the CDE for the purpose of administering a CAASPP test.

16 (b) In order for the state to meet its obligations in the development, administration,
17 and security of valid and reliable tests, and the reporting of accurate tests, LEAs shall:

18 (1) comply with any and all requests from CAASPP contractor(s) in accordance with
19 Education Code section 60641; and

20 (2) abide by any and all instructions provided by the CAASPP contractor or
21 consortium, whether written or oral, that are presented for training or provided for in the
22 administration of a CAASPP test.

23 NOTE: Authority cited: Sections 42004, 33031, and 60605, 60613 and 60640,
24 Education Code. Reference: Sections 60605, 60610, 60640, 60641 and 60643,
25 Education Code; 20 U.S.C. Section 1232g; and 34 C.F.R. Section 99.3.

26
27 **§ 864.5. Test Order Information. [REPEALED]**

28 ~~(a) The school district shall provide to the contractor(s), for the standards-based~~
29 ~~achievement tests and the primary language test no later than December 1 of the year~~
30 ~~immediately prior to the year of test administration, the following data for each test site~~
31 ~~of the school district, by grade or course level:~~

32 ~~(1) Valid county district school (CDS) codes.~~

1 ~~(2) Number of tests.~~

2 ~~(3) Numbers of special version tests including, but not limited to, Braille and large~~
3 ~~print.~~

4 ~~(4) Number of Directions for Administration needed, by grade level.~~

5 ~~(5) Number of pupils to be tested with the alternate assessments.~~

6 ~~(6) Number of test examiners for the alternate assessments.~~

7 ~~(7) The first and last date of instruction and all non-instructional days during the~~
8 ~~school year for each school in the district and all non-working days for the school~~
9 ~~district.~~

10 ~~(b) The school district shall provide to the contractor for the primary language test~~
11 ~~the following data:~~

12 ~~(1) Whether or not the district has eligible pupils for the tests.~~

13 ~~(2) For all tests sites in the district with eligible pupils, by grade level, the information~~
14 ~~in subdivision (a)(1), (2), (3), and (4).~~

15 ~~(3) First date of testing indicating the dates for each administration period.~~

16 ~~(c) Each school district that elects pre-identification of answer documents shall~~
17 ~~submit an electronic file that includes all of the information required in section 861. The~~
18 ~~file must be submitted in accordance with the timeline, format, and instructions~~
19 ~~provided by the contractor(s).~~

20 ~~(d) If the testing materials are lost or destroyed while in the possession of the school~~
21 ~~district, and the contractor provides the school district with replacement materials, the~~
22 ~~school district is responsible for the cost of all replacement materials.~~

23 ~~(e) If the school district places an order for tests for any school that is excessive, the~~
24 ~~school district is responsible for the cost of materials for the difference between the~~
25 ~~sum of the number of pupil tests submitted for scoring including tests for non-tested~~
26 ~~pupils and 90 percent of the materials ordered. In no event shall the cost to the school~~
27 ~~district for replacement or excessive materials exceed the amount per test booklet and~~
28 ~~accompanying material that is paid to the contractor by the CDE as part of the contract~~
29 ~~for the current year.~~

30 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:

31 Sections 60605, 60640 and 60643, Education Code.

32

1 **§ 865. Transportation. [REPEALED]**

2 ~~(a) Upon arrival of the test materials at a single location designated by each school~~
3 ~~district, the district STAR coordinator shall provide the contractor with a signed receipt~~
4 ~~certifying that all cartons were received.~~

5 ~~(b) The security of the test materials that have been duly delivered to the school~~
6 ~~district is the sole responsibility of the school district until all test materials have been~~
7 ~~inventoried, accounted for, and delivered to the common or private carrier designated~~
8 ~~by the contractor for return to the contractor.~~

9 ~~(c) Secure transportation within a school district is the responsibility of the school~~
10 ~~district once materials have been duly delivered to the school district. The school~~
11 ~~district is responsible for secure delivery of test materials to non public schools.~~

12 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
13 Section 60640, Education Code.
14

15 **§ 866. School District Delivery. [REPEALED]**

16 ~~(a) No school district shall receive its standards based achievement test or primary~~
17 ~~language test materials, if any, more than twenty or fewer than ten working days prior~~
18 ~~to the first day of testing in the school district. A school district that has not received test~~
19 ~~materials from the test contractor at least ten working days before the first date of~~
20 ~~testing in the school district shall notify the test contractor and the CDE on the tenth~~
21 ~~working day before testing is scheduled to begin that the school district has not~~
22 ~~received its materials. Deliveries of test materials to single school districts shall use the~~
23 ~~schedule in section 867.~~

24 ~~(b) A school district and the contractor shall establish a periodic delivery schedule to~~
25 ~~accommodate all test administration periods within the school district. Any schedule~~
26 ~~established must conform to sections 866(a) and (b) for each test administration period.~~

27 ~~(c) No school district shall receive its writing test materials more than ten or fewer~~
28 ~~than five working days before the day on which the writing portion of the English-~~
29 ~~language arts tests are to be administered.~~

30 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
31 Sections 60605, 60640, 60642.5 and 60643, Education Code.
32

1 **§ 867. Test Site Delivery and Return. [REPEALED]**

2 ~~(a) No school or other test site shall receive any designated achievement test,~~
3 ~~standards-based tests, or designated primary language test or related test materials~~
4 ~~more than ten or fewer than five working days prior to the first day of testing scheduled~~
5 ~~at the school or test site.~~

6 ~~(b) All testing materials shall be returned to the school district location designated~~
7 ~~by the district STAR coordinator no more than two working days after testing is~~
8 ~~completed for each test administration period.~~

9 ~~(c) No school or other test site shall receive any writing test materials more than six~~
10 ~~or fewer than two working days before the test administration date.~~

11 ~~(d) Writing test materials shall be returned to the district STAR coordinator no more~~
12 ~~than one day after the day scheduled for makeup testing.~~

13 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
14 Sections 60640 and 60642.5, Education Code.

15
16 **§ 867.5. Retrieval of Materials by Contractor. [REPEALED]**

17 ~~(a) The school district shall ensure that designated achievement test, standards-~~
18 ~~based tests, or designated primary language testing materials are inventoried,~~
19 ~~packaged, and labeled in accordance with instructions from the contractor, and~~
20 ~~returned to a single school district location for pickup by the contractor within five~~
21 ~~working days following completion of testing in the school district and in no event later~~
22 ~~than five working days after each test administration period.~~

23 ~~(b) School districts shall return all writing tests and test materials to the contractor~~
24 ~~no more than two working days after the makeup day specified for the writing test.~~

25 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
26 Sections 60640, 60642.5 and 60643, Education Code.

27
28 **§ 868. Discrepancy Resolution for Standards-based Achievement Tests and Any**
29 **Primary Language Test. [REPEALED]**

30 ~~(a) School districts shall process discrepancies determined by the contractor(s)~~
31 ~~upon receipt of returned tests and test materials pursuant to this subdivision:~~

32 ~~(1) Receipt of a discrepancy notice in writing, via telephone, or via electronic mail by~~

1 ~~the district STAR coordinator for one or more of the following shall require a response~~
2 ~~from the district STAR coordinator to the contractor within 24 hours.~~

3 ~~(A) A discrepancy between the quantity of tests and test materials shipped to the~~
4 ~~school district and the number of tests and test materials returned to the contractor~~
5 ~~from the school district.~~

6 ~~(B) Information on scannable documents or test support materials that is~~
7 ~~inconsistent, incomplete, or missing, according to criteria established with the CDE.~~

8 ~~(2) The district STAR coordinator shall acknowledge the discrepancy notice via~~
9 ~~electronic mail, if available in the school district, to the contractor and to the CDE within~~
10 ~~24 hours of its receipt via electronic mail.~~

11 ~~(b) The district STAR coordinator shall report any discrepancy in the total amount of~~
12 ~~the shipment from the contractor within two working days of the receipt of the shipment.~~
13 ~~If the contractor does not remedy the discrepancy within two working days of the school~~
14 ~~district report, the school district shall notify the CDE within 24 hours.~~

15 ~~(c) Any discrepancy in a shipment of standards based achievement tests or test~~
16 ~~materials or primary language test or test materials received by a test site from the~~
17 ~~district STAR coordinator shall be reported to the district STAR coordinator immediately~~
18 ~~but no later than two working days of the receipt of the shipment at the testing site. The~~
19 ~~district STAR coordinator shall remedy the discrepancy within two working days.~~

20 ~~(d) The district STAR coordinator shall report to the contractor any discrepancy~~
21 ~~reported by a STAR test site coordinator within three working days of receipt of~~
22 ~~materials at the test site. If the district STAR coordinator does not have a sufficient~~
23 ~~supply of tests or test materials to remedy any shortage, the contractor shall remedy~~
24 ~~the shortage by providing sufficient materials directly to the test site within two working~~
25 ~~days of the notification by the district STAR coordinator.~~

26 ~~(e) The notices required by this section shall be made by telephone with~~
27 ~~simultaneous confirmation in writing and by electronic mail.~~

28 NOTE: Authority cited: Sections 33031 and 60605, Education Code. Reference:
29 Sections 60605, 60640 and 60643, Education Code.

30
31
32 1-16-14 [California Department of Education]