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SB 614 (Rubio) as amended August 11, 2020 – OPPOSE

Date: August 12, 2020

From: California Association for Parent-Child Advocacy (CAPCA)

To: Members of the Assembly Appropriations Committee

While we realize that the focus of the Appropriations Committee is primarily fiscal, it is important to note that SB 614 has received minimal scrutiny in substantive committees. Our focus here is on short-term, direct fiscal implications of SB 614, but they are a drop in the bucket compared to long-term fiscal implications. Just as our national failure to contain coronavirus costs far more in the long term than it would have cost to apply science, so the misguided decisions being contemplated here would be educationally disastrous, with adverse short- and long-term fiscal implications. These include increased placements in special education, increased special education disputes (in which school districts bear their own and often parents' attorneys' fees), state costs in providing due process hearings, increased disciplinary proceedings, decreased tax revenues from people with diminished capabilities, and increased costs for criminal adjudication, incarceration and parole supervision.

When students who need systematic reading instruction do not get it at school, consequences are far-reaching and costly, including to the state. Students with disabilities have some recourse through administrative hearings and through state and federal litigation. Other vulnerable groups of students have far less protection. They include many students whose underlying needs for reading instruction could have been met very easily with research-based instruction in the K-2 grades, but whose problems become more complex over time as they are moved through school without reading.

This bill, which proposes throwing out decades of standards-based reform in California literacy instruction, avoided Senate Education Committee and floor review and was birthed abruptly last summer as a gut-amend. The author abandoned the original bill, which promoted inclusive education opportunities for preschoolers for disabilities, and which had sailed through the Senate.

In Assembly Education, two witnesses were allowed to testify briefly for each side. Proponents—largely administrators and representatives of professional organizations—apparently got to identify themselves and their affiliations until their numbers ran out. While some opponents—parents, students, teachers, experts, and advocates—were allowed to identify themselves and state their opposition, others were told that the call was full and were not able to speak. We have been unable to determine who wrote the purported “summary” of purported

“research” that is being offered in support of this measure. It is plagued with misunderstandings and outright misrepresentations. It has recently been altered to remove multiple references to “whole language,” replacing this phrase with “comprehensive language,” but the thrust remains the same.

The short-term fiscal costs of SB 614 would be considerable and would probably considerably exceed what it would cost to make RICA testing and preparation less costly for applicants overall and less burdensome for candidates of color in particular.

Interim alternatives to RICA

This bill proposes that candidates for teaching credentials who fail the RICA before its 2024 phaseout, or who cannot or do not take the test because of Covid-19, be able to substitute coursework. If that means taking additional coursework, as the author’s office assures us it would, costs to applicants (and in financial aid) would be larger than the costs of retaking the RICA. CTC will also have to evaluate the alignment of potential substitute courses with RICA content, a process likely to be costlier, if done with care, than readministering tests. If it is determined that candidates do not have to take additional coursework, and just have to refer to courses they have already taken, those courses’ alignment with the RICA would still have to be analyzed.

Much of the concern about failure rates seems to involve multiple choice items, for which scoring costs are very low. The alternative of judging competence by coursework, via combing through transcripts and syllabi and preferably interviewing professors and students, seems likely to be more costly. There are 98 institutions in California that are approved to provide teacher preparation for elementary and special education teachers, who are currently required to take the RICA; 23 are CSU’s, 8 are UC’s, 49 are private, and 17 are in-house local educational agency programs. Figuring out which courses in those institutions purport to teach the science of reading, and which actually do, would be no easy task.

Development of new performance assessment

SB 614 calls for creating a “performance” assessment, folded into the CalTPA, that would replace RICA’s approach of giving students an option between performance and written assessments. That is no simple matter, and it would be costly to try to generate a test that would meet proponents’ concerns with reducing failure rates and eliminating racial gaps, while fostering quality teaching.

The RICA also already has a performance video presentation option, which few students take. It would not be enough to push all applicants into the performance option that already exists for the RICA, as that assessment has a far lower pass rate than the written version of the RICA, albeit without racial gaps.

Senator Rubio’s staff disclaim any commitment to making mandatory and universal the existing performance version of the RICA. They want to create a new test of skills, which would apparently include but not be limited to research-based interventions. Figuring out what to test beyond current contents would be a time-consuming process, and if experts and stakeholders are represented, a contentious one.

Creating a test that resolves the issues that RICA elimination proposes to fix—overall failure of some applicants to pass, especially on the first try, with failure rates especially high among black and Latino examinees—would be difficult and likely to require substantial outlays to private contractors as well as substantial time from state employees and employees of state-operated teacher education programs. Georgia has just dropped its performance assessment because of its exclusionary and disparate impacts. A national moratorium on similar testing has been recommended in a study which, unlike that cited by the SB 614 proponents out of Washington State, actually considers national use of exams including California’s. (See Gitomer et al., “Assessing the Assessment: Evidence of Reliability and Reality in the edTPA (2019)). The Washington State study cited by SB 614 proponents (Goldhaber, Cowan & Theobald, 2017) reached very tentative conclusions that performance on TPA-like exams might boost teacher effectiveness, but noted that they might not be worth the economic costs. They also noted that Washington’s assessment had highly disparate impact: “We also find that Hispanic candidates in Washington were more than 3 times more likely to fail the edTPA after it became consequential in the state than non-Hispanic White candidates.” Making a test fair in which graders see videos of examinees requires addressing implicit bias. That is far more difficult than reducing financial burdens and anxiety burdens on test takers—burdens that fall disproportionately on black and Latino applicants.

Given the rushing through of this bill after its seeming abandonment last summer, there has not been time to use CPRA requests to find out how much states have spent developing other, often simpler, tests. CAPCA cannot put a price tag on the costs of developing an alternative test, but believes it will be high and, more important, a complete waste, as replacement tests are likely to be less useful for applicants and preparation institutions. Eliminating the RICA and California’s definition of reading instruction are very high priorities for at least some of SB 614’s proponents, and they are willing to misstate and distort the contents of published research in support of their efforts to do so. Their cost estimates for alternative test development, if they venture such estimates, should be reviewed with that in mind.

Reinvention of the wheel with respect to content of tests and teacher preparation in reading instruction

SB 614 would require reinvention of the wheel as to the diverse areas of state law and practice which rely on the RICA to assess aspiring teachers’ knowledge of the science of reading, and to guide teacher education programs in teaching that science. On policy grounds, the results of throwing out what we have now are likely to generate enormous public and private financial costs, as well as grave human costs. SB 614 would scrap a detailed framework for reading instruction that was adopted when people with diverse political views came together to support science-based reading instruction. That science has been continually refined, for instance with increasing recognition of the needs of some students for multisensory instruction, but has been moving in the same direction for decades. It includes systematic instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Throwing California reading instruction into a politicized milieu in which scientific instruction is being reduced to “phonics” by SB 614 supporters, who would likely dominate behind the scenes revision processes, would be disastrous, and even in the most immediate fiscal terms, expensive.