

# EXECUTIVE DIRECTOR'S REPORT

September 28, 2015



## **California Charter Schools Association:**

CCSA has focused more and more attention on advocacy, and in so doing, has produced significant and compelling data comparing charter schools to traditional public schools. It has been interesting to watch the changing state charter landscape as CCSA staff members testify before the State Board of Education (SBE) presenting either support for renewal or reasons for closure. Their presentations are polished and impressive – to the extent, that the CDE is seriously exploring CCSA’s accountability framework. SBE members have credited and thanked CCSA for the breadth of measures, depth of analysis, and CCSA’s position on the importance of accountability.

Some CCSA member schools question the effectiveness of the association, especially CCSA’s support for the closure of poor performing charter schools, but for those who have been in the trenches for over twenty years, the importance of the statewide charter association, and their relevance both politically and legislatively, is quite remarkable.

See the “Los Angeles Charter School Data” document for a small sample of the level of data analysis that CCSA staff members regularly gather, disaggregate and share and share with the general public to better communicate the positive efforts of charter schools in local communities and across the state.

## **National:**

*From CCSA Advocates –*

### ***U.S. Supreme Court to Review *Abood vs. Detroit Board of Education****

The U.S. Supreme Court announced that it will hear a lawsuit in their upcoming term on the mandatory representation fees paid by California teachers to their unions, under a law passed by the state Legislature in 2000. The case, brought by an Orange County teacher, challenges the concept of “fair share” – fees to cover the costs of collective bargaining, even from employees who do not join or support the union. The court’s previous precedent, set in 1977 in *Abood vs. Detroit Board of Education*, explicitly allows fair share and will be either upheld or overturned in part or in whole with the final decision.

Commentators have remarked that any ruling against the mandatory fees would have a major effect on the state’s public employee unions and state elections, where those unions play a significant factor. The California Teachers Association, the defendants in the suit, recently

staged a seminar for its leadership titled, “Not if, but when: Living in a world without Fair Share.”

### ***Washington State Court Ruling Imperils Charters***

On September 4th, the Washington State Supreme Court issued a ruling rejecting the state's charter law passed by voters in 2012. Based on a century-old precedent, the ruling makes it unlikely that public charters would be able to receive any public funds in the state. Although the ruling does not affect California charters, CCSA made it clear in a public statement that the decision was in error.

“We hope that Washington continues to push for high-quality options for students and families,” said CCSA. The public in Washington, just as in California and across the nation, supports charter schools at very high levels, especially the flexible, personalized learning environment they offer to students. The over 1,200 students who filled up all eight public charter schools that opened this fall are clearly proof of this demand. It is now up to Washington officials to ensure that this highly sought public school choice supported by voters remains in place for students in the state.”

[In 1999, the California Court of Appeal held that the California Charter School Act of 1992 (Act) did not violate the State Constitution. (*Wilson v. State Bd. of Education* (1999) 75 Cal.App.4th 1125.) California courts have consistently enforced the rights of charter school students, parents and entities under the Act. As a result, California charter schools are publicly funded and have grown to more than 1,100 in number across the State serving more than 500,000 public school students. California charter schools are not affected by this ruling.]

School Services of California’s former Vice President and renowned California school finance authority, Paul Goldfinger, wrote the article below about the Washington State court ruling. (To both charter supporters and charter opponents, this is obviously very big news to everyone in the world of public education.)

### ***By the Way . . . Goldfinger Reports: Washington Supreme Court Rules Charter Schools Unconstitutional***

In a 6-3 vote after nearly a year of deliberation, the Washington Supreme Court ruled that charter schools are unconstitutional in that state. The decision comes just as schools are opening for the 2015-16 school year. The decision was reported in *The Seattle Times* on September 4, 2015. Chief Justice Barbara Madsen wrote that charter schools aren’t “common schools” because they’re governed by appointed rather than elected boards. Therefore, “money that is dedicated to common schools is unconstitutionally diverted to charter schools.” Although Justice Mary E. Fairhurst agreed with the majority, she did argue that the state “can constitutionally support charter schools through the general fund.” The suit was originally filed in July 2013 by a coalition including several educational groups.

Similar events occurred in Georgia in 2011, when the Georgia Supreme Court overturned a 2008 law creating a commission to authorize charter schools (which had been legal since 1993). In 2012, voters approved a constitutional amendment that reinstated the commission.

Some of you may wonder how we are connected to the information coming out of Washington state; so here is the story. Many of you know that our long-time Vice President at School Services of California, Inc., Paul Goldfinger has retired to Whidbey Island in Washington, and

he tipped us off. But for the real Goldfinger groupies, you may be interested to know that he has finally published a book that is not about school finance. It's called "Goldfinger's Rule of Thumb."

### ***Charters Perform Above State Average in Common Core-Aligned State Testing***

Great news for California charter school parents, teachers and students! The latest scores from Common Core-aligned state testing in California have proven that charters have outperformed the state averages in both Math and English Language Arts while serving a diverse population of students. These trends reaffirm independent research that shows charter schools are performing well with historically underserved students, and improving over time. (See related story below from State Schools Chief Torlakson.)

#### **State:**

#### ***News Release from California Department of Education, September 9, 2015***

#### **State Schools Chief Torlakson Calls First Year of CAASPP Results California's Starting Point Toward Goal of Career and College Readiness**

State Superintendent of Public Instruction Tom Torlakson today unveiled the results of new online assessments administered to about 3.2 million students last spring to gauge their progress in learning new, more rigorous academic standards designed to prepare them for college and careers in the 21st century.

Because 2015 is the first year of the new tests and because they are substantially different from their predecessors, Torlakson said the California Assessment of Student Performance and Progress (CAASPP) results will serve as a baseline from which to measure future progress and should not be compared to results from the state's previous assessments, the Standardized Testing and Reporting (STAR) program.

CAASPP includes a number of assessments, but the most widely given are the Smarter Balanced Summative Assessments, which evaluate student progress on the California standards in mathematics and English language arts/literacy, often referred to as the Common Core.

"The results show our starting point as a state, a window into where California students are in meeting tougher academic standards that emphasize critical thinking, problem solving, and analytical writing," Torlakson said. "California's new standards and tests are challenging for schools to teach and for students to learn, so I am encouraged that many students are at or near achievement standards. However, just as we expected, many students need to make more progress. Our job is to support students, teachers, and schools as they do."

Preliminary figures indicate that less than 1 percent of California students did not take the assessment resulting from a parental exemption. That shows, Torlakson said, that there is a high level of commitment to the new standards among parents, teachers, students, and business and community leaders.

The new standards and tests enjoy widespread support from leaders in K-12 and higher education who believe they can improve college readiness. California's state universities and most community colleges use the eleventh grade results as an early signal of readiness to take college courses. In English language arts/literacy, 56 percent of the eleventh graders tested are

ready or conditionally ready for college work, while in math 29 percent are ready or conditionally ready.

The CAASPP tests for English language arts/literacy and mathematics were given to students in grades three through eight and grade eleven. They consist of two parts. First, is an adaptive test taken on a computer that gives students different follow-up questions based on their answers, thereby providing a more refined picture of a student's abilities. Second, is a performance task that challenges students to apply their knowledge and skills to real-world problems. The two parts measure depth of understanding, writing, research, and problem-solving skills.

In contrast, STAR was a multiple-choice, paper-based test in which students, for the most part, filled in bubbles on paper and could more easily guess correct answers.

On CAASPP, students' scores fall into one of four achievement levels: standard exceeded, standard met, standard nearly met, and standard not met.

Statewide in all grades, 44 percent of students met or exceeded the English language arts/literacy standard and 33 percent met or exceeded the mathematics standard. ([Table 1](#))

For English language arts/literacy statewide in all grades: 16 percent exceeded standard, 28 percent met standard, 25 percent nearly met standard, and 31 percent did not meet standard. For mathematics statewide in all grades: 14 percent exceeded standard, 19 percent met standard, 29 percent nearly met standard, and 38 percent did not meet standard. Attached ([Tables 2](#) and [3](#)) provide a breakdown grade by grade in each subject.

The [CAASPP Results](#) Web site contains the results for all counties, districts, and schools across the state, broken down by grade, gender, ethnic groups, and demographics. In addition, the Web site allows users to download results and search individual categories.

The baseline scores reflect, in part, the rigor of the state's new academic standards, Torlakson said. CAASPP focuses on assessing crucial abilities, such as analyzing problems, thinking independently, and writing clearly with evidence. Those skills take time and effort to master but are essential to succeed in today's world.

"California is in the process of transforming its schools with increased funding, higher academic standards, more local control, and additional support for students and schools with the greatest needs—and this will take time," Torlakson said. "This is our first academic check-up on how that work is going, and so I ask parents and educators to take that into account, use this information wisely to help their students, and understand this is a baseline that we will build upon."

One concern, Torlakson said, is the results indicate the state has a persistent achievement gap—significant differences in scores—among students from low-income families, English learners and some ethnic groups when compared to other students. Overall, 31 percent of students in all grades from low-income families met or exceeded standard in English language arts/literacy and 21 percent met or exceeded standard in math, compared with 64 percent and 53 percent for the subjects, respectively, among other students. ([Tables 4](#) and [5](#))

Overall, 11 percent of English learners in all grades met or exceeded standard in English language arts/literacy and 11 percent in math, compared with 69 percent and 55 percent for those subjects, respectively, for students proficient in English.

As for scores among all grades for ethnic groups, 72 percent of Asians met or exceeded standard in English language arts/literacy and 69 percent in math, while 28 percent of African Americans met or exceeded standard in English language arts/literacy and 16 percent in math. Other ethnic groups fell between the two. See attached. (Tables [4](#) and [5](#))

"Clearly, we must continue working to eliminate these gaps," Torlakson said. "Much work needs to be done, but we are moving in the right direction with our efforts to provide extra resources and services for students and schools with the greatest needs."

The results also show that teachers, schools, and districts need more time, training and resources to improve student outcomes overall and to meet the high standards California has set, Torlakson said.

Toward that end, CDE helped develop a digital library for districts that contains information to help teachers improve their teaching and to collaborate with each other. In addition, teachers can use interim tests to help them get immediate information about their students' performance so they can adjust teaching during the year.

"Assessments are like satellite photos — they are snapshots taken at one moment in time," Torlakson said. "There are many positive changes underway in California's schools, and I expect CAASPP scores to rise in coming years as students and teachers get more support and more experience with these new standards and assessments."

The CDE also released results of the California Standards Test for science, which is administered to students in grades five, eight, and ten. These tests are not aligned with California's recently adopted Next Generation Science Standards (NGSS). Assessments based on these standards are currently being developed. Overall, the percentage of students proficient and above dropped from 61 percent in 2014 to 57 percent in 2015. ([Table 6](#))

In addition, the CDE released results from the optional Standards-based Tests in Spanish (STS) for reading language arts. ([Table 7](#))

**California Assessment of Student Performance and Progress Results for 2015  
Table 1: Percentage of All California Students by Achievement Level for  
English Language Arts/Literacy and Mathematics**

<b>Content Area</b>	<b>Number of Students Tested</b>	<b>Number of Students Receiving Parental Exemption<sup>1</sup></b>	<b>Percent of Students who Exceeded Standards</b>	<b>Percent of Students who Met Standards</b>	<b>Percent of Students who Nearly Met Standards</b>	<b>Percent of Students who Did Not Meet Standards</b>
English Language Arts/Literacy	3,154,463	19,070	16	28	25	31
Mathematics	3,169,239	19,311	14	19	29	38

<sup>1</sup> Parental exemptions pursuant to *Education Code* Section 60615 and Section 852 in *Title 5* of the *California Code of Regulations*. These counts are preliminary as local educational agencies have until September 15 to report parental exemptions.

**Table 2: Number and Percentage of Students by Grade and Achievement Level for English Language Arts/Literacy (ELA)**

Grade	Number of Students Tested	Mean Scale Score	Percent of Students who Exceeded Standards	Percent of Students who Met Standards	Percent of Students who Nearly Met Standards	Percent of Students who Did Not Meet Standards
Grade 3	470,191	2402.9	18	20	26	36
Grade 4	460,192	2445.7	19	21	21	39
Grade 5	458,127	2487.1	17	27	21	34
Grade 6	453,581	2511.9	13	30	29	28
Grade 7	446,784	2531.7	12	32	25	31
Grade 8	445,851	2552.7	12	33	29	26
Grade 11	419,737	2591.9	23	33	24	20
All California Students	3,154,463	--	16	28	25	31

NOTE: Percentages may not total to 100 percent due to rounding.

**Table 3: Number and Percentage of Students by Grade and Achievement Level for Mathematics**

Grade	Number of Students Tested	Mean Scale Score	Percent of Students who Exceeded Standards	Percent of Students who Met Standards	Percent of Students who Nearly Met Standards	Percent of Students who Did Not Meet Standards
Grade 3	473,136	2415.1	14	26	27	33
Grade 4	461,875	2453.8	13	22	35	31
Grade 5	459,918	2480.3	15	15	29	41
Grade 6	456,194	2504.4	15	18	31	36
Grade 7	449,122	2518.5	15	19	29	37
Grade 8	450,101	2534.0	16	17	26	41
Grade 11	418,893	2560.3	11	18	25	45

All California Students	3,169,239	--	14	19	29	38
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NOTE: Percentages may not total to 100 percent due to rounding.

**Table 4: Statewide Percentage of Students by Group and Achievement Level for English Language Arts/Literacy**

Student Groups	Number of Students Tested	Percent of Students who Exceeded Standards	Percent of Students who Met Standards	Percent of Students who Nearly Met Standards	Percent of Students who Did Not Meet Standards
All Students	3,154,463	16	28	25	31
Male	1,608,190	13	25	25	36
Female	1,546,273	19	30	25	25
American Indian/ Alaskan Native	21,051	9	23	27	41
Asian	284,288	40	32	16	12
Black or African American	183,984	7	21	26	46
Filipino	114,059	26	37	22	15
Hispanic or Latino	1,655,672	8	24	29	39
Native Hawaiian or Pacific Islander	16,153	11	27	29	33
White	781,718	26	35	22	18
Two or More Races	97,538	23	30	23	24
English Learner (EL)	607,010	2	9	24	65
English Only (EO)	1,758,757	20	31	24	26
Reclassified Fluent English Proficient (RFEP)	626,680	15	37	32	16
Initially Fluent English Proficient (IFEP)	154,814	34	35	19	12
Migrant	28,344	4	17	27	52
Economically Disadvantaged <sup>1</sup>	1,892,174	8	23	28	41

Not Economically Disadvantaged	1,262,289	29	35	21	15
Students with Disability	313,076	3	9	18	70
Students with No Reported Disability	2,841,387	18	30	26	26

<sup>1</sup> Economically Disadvantaged Students include students eligible for the free and reduced priced meal program (FRPM), foster youth, homeless students, migrant students, and students for whom neither parent is a high school graduate.

**NOTE:** Percentages may not total to 100 percent due to rounding.

**Table 5: Statewide Percentage of Students by Group and Achievement Level for Mathematics**

<b>Student Groups</b>	<b>Number of Students Tested</b>	<b>Percent of Students who Exceeded Standards</b>	<b>Percent of Students who Met Standards</b>	<b>Percent of Students who Nearly Met Standards</b>	<b>Percent of Students who Did Not Meet Standards</b>
All Students	3,169,239	14	19	29	38
Male	1,615,802	15	19	27	39
Female	1,553,437	14	20	30	36
American Indian/ Alaskan Native	21,013	7	15	29	49
Asian	288,012	44	25	19	12
Black or African American	184,291	4	12	27	56
Filipino	114,520	23	29	29	20
Hispanic or Latino	1,663,770	6	15	31	48
Native Hawaiian or Pacific Islander	16,206	9	18	33	40
White	782,968	22	27	28	23
Two or More Races	98,459	20	23	28	30
English Learner (EL)	616,790	3	8	24	65
English Only (EO)	1,759,796	17	22	29	32
Reclassified Fluent English Proficient	628,115	14	22	35	29



(RFEP)					
Initially Fluent English Proficient (IFEP)	155,031	31	24	25	20
Migrant	28,746	3	11	29	57
Economically Disadvantaged <sup>1</sup>	1,901,730	6	15	30	49
Not Economically Disadvantaged	1,267,509	27	26	26	21
Students with Disability	312,984	3	6	16	75
Students with No Reported Disability	2,856,255	15	21	30	33

<sup>1</sup> Economically Disadvantaged Students include students eligible for the free and reduced priced meal program (FRPM), foster youth, homeless students, migrant students, and students for whom neither parent is a high school graduate.

**NOTE:** Percentages may not total to 100 percent due to rounding.

**Table 6: Science-Grade Level Tests<sup>1</sup> – Percentage of Students Scoring at Proficient and Above<sup>2</sup>**

Gr.	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Change in Percentage 2015-2014	Change in Percentage Overall <sup>3</sup>
Grade 5	24	28	32	37	46	49	55	58	60	57	60	55	-5	31
Grade 8	--	--	38	42	52	56	59	63	66	67	66	64	-2	26
Grade 10	--	--	35	35	40	44	46	50	53	54	56	53	-3	18
State Total 5, 8, and 10	--	--	35	38	46	50	53	57	60	59	61	57	-4	22

<sup>1</sup> The California Science Standards Test for grade five was first administered in spring 2004. The California Science Standards Test for grades eight and ten were first administered during spring 2006.

<sup>2</sup> Data for 2004 through 2014 are final statewide data. The 2015 data are preliminary and include results for approximately 99% of the students in the state. This table includes results from the California Standards Tests (CSTs) only. Percentages included in this table may differ from the percentages printed on the reports due to rounding.

Grade 5 data show changes between 2004 and 2015. Grades 8 and 10 show changes between 2006

*From School Services of California –*

*Top Legislative Issues for 2015—September 4, 2015*

The last dash to the end of the legislative year kicked off with the second-house Appropriations Committee deadline. On Thursday, August 27, 2015, when the Senate and Assembly Appropriations Committees each took up their “Suspense Files,” hundreds of bills were done for the year—but the bills that made it off “suspense” surge forward on a sprint to Governor Jerry Brown’s Desk.

Over the past few months, we have highlighted the bills that would have a significant effect on education, many of which also come with significant price tags, making them particularly susceptible to the Appropriations Committee process. Some of the “Top Legislative Issues” were held in Committee and will go no further, including:

- [Senate Bill \(SB\) 3](#) (Leno, D-San Francisco) would have increased the minimum wage to \$11 on January 1, 2016, and to \$13 on July 1, 2017.
- [Assembly Bill \(AB\) 292](#) (Santiago, D-Los Angeles) would have required school districts, in addition to providing a nutritionally adequate free or reduced-price meal for each needy pupil each school day, to ensure that each of the schools provides their pupils adequate time to eat after being served.
- [AB 713](#) (Weber, D-San Diego) would have required students to complete one year of kindergarten before being admitted into first grade, beginning in the 2017-18 school year.

For those bills that did pass the Appropriations Committee, hundreds have been amended over the past few days, to address cost concerns or any issues that would make them potentially less successful in seeking Governor Brown’s signature. Bills will get a full floor vote in the second house and, if they have been amended during their time there, will go back to their house of origin for a vote of concurrence on the amendments and it’s off to Governor Brown’s Desk.

This all must be done before Friday, September 11, the deadline for bills to be sent to Governor Brown in the regular session. Potentially, bills in the extraordinary sessions on health care and transportation could be sent at a later date, but every day the Legislature is in session they must be paid their per-diem allowance. Legislative leaders and Governor Brown would need to consider potential public fallout of continuing the special sessions past the September 11

**Approved by the Legislature**

**[AB 215](#) (Alejo, D-Watsonville)—Local Agency Employment Contracts: Maximum Cash Settlement.** As approved by the Legislature, Assembly Bill (AB) 215 would provide that in the case of a district superintendent of schools only, for contracts of employment negotiated on or after January 1, 2016, the maximum cash settlement shall be an amount equal to the monthly salary of the employee multiplied by 12 (instead of 18 months under current law).

**SSC Comment:** There have been previous legislative attempts in the past to limit the cash settlement for school district leadership. Both times, the bills were opposed by administrators, business officials, and school districts and failed the legislative process.

**SB 445 (Liu, D-La Cañada Flintridge)—Pupil Instruction and Services: Homeless Children: Foster Children.** If signed by Governor Brown, SB 445 would provide students who are homeless the right to remain in their schools of origin and the right to immediate enrollment. Among other provisions, it would require an LEA, at the point of change or subsequent change in residence once a student becomes homeless, to allow the student to continue his or her education in the school of origin through the duration of homelessness.

**SB 725 (Chapter 225/2015)—Pupil Testing: High School Exit Examination: Exemption.** SB 725 eliminates the California High School Exit Examination (CAHSEE) as a condition of graduation for any senior in the Class of 2015 who met all other graduation requirements. As an urgency measure, the bill is effective upon Governor Brown's signature on August 26, 2015.

**AB 215 (Chapter 240/2015)—Local Agency Employment Contracts: Maximum Cash Settlement.**As signed by Governor Brown, AB 215 provides that, in the case of a district superintendent of schools only, for contracts of employment negotiated on or after January 1, 2016, the maximum cash settlement shall be an amount equal to the monthly salary of the employee multiplied by 12 (instead of 18 months under existing law).

**AB 963 (Bonilla, D-Concord)—Teachers' Retirement Law.**If signed by Governor Brown, this bill would include as California State Teachers' Retirement System (CalSTRS) creditable service, for the purposes of the Defined Benefit Program (DBP), any activities that do not meet the definition of creditable service but were performed for an employer on or before December 31, 2015, and were reported as creditable service to CalSTRS. The bill would also make various changes to the definitions of creditable service.

### New Legislation

**AB 975 (Mullin, D-South San Francisco)—School Facilities: Lease-Leaseback Contracts: Contractor Relief.** As gutted and amended on August 18, 2015, Assembly Bill (AB) 975 would entitle a contractor to be paid for the reasonable costs of labor, materials, equipment, and services rendered to a school district prior to the date of the determination that the contract was invalid. The bill would apply only to lease-leaseback contracts entered into prior to July 1, 2015. The bill contains an urgency clause, which, if signed by Governor Jerry Brown, would make it effective immediately upon signature.

**SSC Comment:** AB 975 was introduced in response to the *Davis v. Fresno Unified School District* case in which the Fifth Circuit Court of Appeal deemed a lease-leaseback contract entered into by the district to be in violation of certain provisions the lease-leaseback statutes.

**SB 148 (McGuire, D-Healdsburg)—School Districts: Reorganization: Local Control Funding Formula.** Previously a bill to provide funding for career technical education, SB 148 was amended into a bill to address issues of district reorganization under the Local Control Funding Formula (LCFF). SB 148 would enact numerous provisions specifying computations to determine the funding, pursuant to the LCFF, of school districts that are, or proposed to be, affected by the various types of actions that may be undertaken to reorganize districts.

**SB 172 (Liu),**which would suspend the CAHSEE for school years 2014-15 through 2017-18 and require the State Superintendent of Public Instruction to convene a task force to develop recommended alternatives to CAHSEE, is in the Assembly Appropriations Committee. Its fate

is still unknown.

**SB 799 (Hill)—School Finance: School Districts: Annual Budgets: Reserve Balance.** SB 799 would, among other things, set a hard cap of 17% of unassigned General Fund balances and Special Reserve Fund for Other than Capital Outlay Projects (Fund 17) balances without regard to a district's size. The bill also clarifies that the reserve cap only applies to General Fund unassigned balances and Fund 17 balances to ensure that the cap does not impact funds that districts may have already set aside for other long-term projects or obligations (such as facilities, technology, or transportation).

Recognizing the unique circumstances of basic aid school districts and districts with an average daily attendance of fewer than 2,501, these districts would be exempt from the reserve cap under SB 799. SB 799 would also add a requirement for school district boards to adopt a board policy on fund balances.

**SSC Comment:** The path to Governor Brown's Desk for SB 799 is unclear at this time, both procedurally and politically. Supported by CSBA and numerous education stakeholders, CTA is presumed to be opposed to SB 799, which will make its legislative path more difficult.

## Employees

Bills effecting public school employees continue to dwindle and a majority of those that remain have been sent to the Appropriations Committee suspense files. Among them are AB 141 (Bonilla, D-Concord), which would require local educational agencies (LEAs) to provide beginning teachers with a program of induction, and AB 375 (Campos, D-San Jose), which would allow certificated employees to use differential leave to extend leaves for maternity/paternity.

**[AB 141 \(Bonilla\)](#)—Teacher Credentialing: Beginning Teacher Induction Programs.** As amended on July 9, 2015, AB 141 would make the provision of induction for beginning teachers a requirement of each LEA. Specifically, AB 141 would require that LEAs, beginning with hiring for the 2016-17 school year, and each year thereafter, provide each teacher holding a preliminary credential with a program of induction and would prohibit LEAs from charging a fee to beginning teachers. Prior to the June 9 amendments, the bill conditioned the receipt of Part A of Title II federal funds on compliance with AB 141. This provision was removed and replaced with language indicating that the bill would impose a state-mandated local program.

**[AB 375 \(Campos\)](#)—School Employees: Sick Leave: Paternity and Maternity Leave.** As amended on July 8, 2015, AB 375 adds Education Code Section 44977.5 and would provide certificated employees with 12 weeks of leave at a differential rate of pay for maternity or paternity leave. Employees in California already have a right to take employment protected leave to bond with a newborn, or newly placed foster or adopted child. The California Family Rights Act (CFRA) provides for twelve weeks of unpaid leave for this purpose, and employees can use any available paid leaves in exchange for this unpaid leave. If properly noticed by the employer, it would appear that the CFRA leave could run concurrent with maternity/paternity leave provided for under AB 375.

While the amendments to AB 375 would not provide for any additional leave beyond that currently provided for under the CFRA, an employee who'd exhausted all of their accumulated sick leave could be compensated at a differential rate of pay rather than having the leave be unpaid. Additionally, it would ensure the continuation of the employer's contribution to health benefits. Under the CFRA provisions related to bonding, the employer is not required to pay for the employee's portion of health benefits.

**[AB 128 \(Committee on Budget\) Education Finance](#) and [SB 103 Education Finance](#).** These 2015-16 State Budget clean-up bills would address the methodology for appropriating \$490 million of Educator Effectiveness funds to local educational agencies (LEAs) specified as school districts, county offices of education, charter schools, and the state special schools per certificated staff in the 2014-15 school year. Both bills amend the State Budget language to clarify that the apportionments will not be based on *head count* as initially interpreted, but will be on *full-time equivalent* (FTE) certificated staff based on California Longitudinal Pupil Achievement Data System data.

## Pupil Fees

**SB 320 (Lara, D-Bell Gardens)—Pupil Fees: Complaint of Noncompliance: Regulations.** This bill prohibits a public school from establishing a local policy or procedure that authorizes the public school to resolve a complaint regarding assessment of pupil fees, whether formally or informally, by providing a remedy to the complainant without also providing a remedy to all affected pupils, parents, and guardians.

AB 1575 (Chapter 799, Statutes of 2012) codified the prohibitions against pupil fees and provided for the resolution of noncompliance through the Uniform Complaint Process (UCP). The American Civil Liberties Union (ACLU) and other supporters of SB 320 are seeking to further clarify and strengthen existing law to ensure uniform compliance with AB 1575. This bill is on the Assembly Appropriations Committee suspense file.

### **Progress of LCFF Evaluation Rubrics and CAASPP Scores Available Soon**

On Thursday, September 3, 2015, the State Board of Education (SBE) heard a full, rich presentation on the development of the new accountability system and updates on the progress of the Local Control Funding Formula (LCFF) Evaluation Rubrics, which, overall, received high praise from the SBE members and policy stakeholders.

With the extension of the deadline for adoption of the LCFF Evaluation Rubrics from October 1, 2015, to October 1, 2016, the California Department of Education (CDE) will be facilitating a user acceptance testing in the coming weeks with 12 pilot local educational agencies (LEAs) and their stakeholders, along with the Rubric Technical Design Group, to gather feedback on the testing process and the developing LCFF evaluation rubrics. An update of this process will be provided during the SBE's next meeting in November 2015.

The LCFF Evaluation Rubrics will include the following features, with the goal of creating a conceptual example for LEAs to use as they create support structures to foster transparency, flexibility, and equity:

- Include all state priorities
- Offer clear statements and descriptors of standards that indicate practice and expectation for LEAs, schools, and subgroups as appropriate and to the extent possible
- Provide a tool to complement planning and progress monitoring
- Support analysis and feedback by facilitating deeper reflections of data through customized narratives based on consideration of data trends and relationships
- Further develop the emerging accountability system by serving as a resource for data analysis, reflection, and resource alignment inquiry

In other news, the CDE announced during the SBE meeting that it is expected to release the 2015 California Assessment of Student Performance Progress (CAASPP) baseline scores on its website the week of September 7 for students in grades 3-8 and 11 on English Language Arts/Literacy and Mathematics. With the passage of Assembly Bill 484, CAASPP was established on January 1, 2014, replacing the old Standardized Testing and Reporting (STAR) program. To guide parents or guardians in accessing and understanding the new student score reports, the CDE has created an online parent guide, which can be found at <http://www.cde.ca.gov/ta/tg/ca/caasppsreports.asp>.

## **District:**

### ***Elected and Re-Elected LAUSD Board Members Sworn In -***

On Wednesday, July 1, 2015, LAUSD hosted a swearing-in ceremony for newly-elected board members Dr. Ref Rodriguez and Mr. Scott Schmerelson, along with re-elected incumbents Dr. George McKenna and Dr. Richard Vladovic.

Parents, community members, and over a dozen charter leaders turned out to support Dr. Rodriguez, the co-founder of the Partnerships to Uplift Communities (PUC) network of charter public schools, and first-ever charter leader to sit on the LAUSD school board. At the ceremony, Dr. Rodriguez delivered a passionate speech that emphasized unity, access, and equity to kick off his tenure on the board.

While addressing the audience at the Roybal Learning Center, Dr. Rodriguez said, "I will do everything in my power to ensure that we are unified," indicating that the entire board was focused on putting kids first. Dr. Rodriguez also addressed the gathering, stating, "Unified means that we all are welcome; there's a place for you in our district." This theme of unity was picked up by many in the media, as you can read below.

### ***New LAUSD Board Leadership -***

At the June 23, 2015 meeting of the LAUSD Board of Education, an effort to eliminate term limits for the LAUSD Board President by Ms. Monica Ratliff and Ms. Monica Garcia failed to receive majority support from the board. As a result, the term of outgoing Board President, Dr. Richard Vladovic, expired on June 30.

At the July 1, 2015, Annual Board Meeting, board members discussed the characteristics they sought in a Board President extensively before selecting new leadership. Notably, Ms. Garcia and Ms. Ratliff raised concerns regarding the need for the President to be transparent, inclusive, and intentional since that person would be viewed as the voice of the entire board. Directly proceeding the discussion, Dr. McKenna moved to nominate Mr. Zimmer as the new President, which Dr. Vladovic seconded, and the board voted unanimously in his favor after their discussion.

During that discussion, Mr. Zimmer indicated that as Board President, he would appoint Dr. McKenna as Vice President and Dr. Vladovic as a newly-created liaison to LAUSD's labor partners.

### ***LAUSD Moves Forward on Superintendent Search -***

On Tuesday, September 1, the LAUSD board of education unanimously selected executive search firm Hazard, Young, Attea & Associates to lead the superintendent search. According to the LA Times, Hazard emphasized the need to keep superintendent candidates secret until a choice is made, stating "the more confidential a search, the better the candidates... We want a transparent search, except for identity of candidates." The firm emphasized that the push for secrecy was not meant to exclude public input and that there could be numerous public forums and surveys, with a large role for an appointed committee that represents the community.

The move to begin searching for the superintendent to succeed Ramon Cortines comes on the heels of public statements regarding the need for openness in the hiring process, finding

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someone with a background as an educator, and the inclusion of the views of multiple stakeholders. Although agreeing on most of those points, UTLA, the teachers union in Los Angeles, made it clear in a statement that it would oppose the selection of anyone from the Broad Academy.



Item V.C.



## FENTON CHARTER PUBLIC SCHOOLS

September 17, 2015

**TO:** Fenton Charter Public Schools  
Board of Directors

**FROM:** Irene Sumida  
President

**SUBJECT: Review of Brown Act**

### BACKGROUND

The Ralph M. Brown Act is an act of the California State Legislature, authored by Assemblymember Ralph M. Brown and passed in 1953, that guarantees the public's right to attend and participate in meetings of local legislative bodies.

The Brown Act was enacted in response to public concerns over informal, undisclosed meetings held by local elected officials. The Brown Act solely applies to California city and county government agencies, boards, and councils. The comparable Bagley-Keene Act mandates open meetings for State government agencies.

**Attachment: *Brown Act Training Power Point***

## **ANALYSIS**

As a charter public school board, the Fenton Charter Public Schools Board of Directors are required to follow the provisions of the Brown Act. The attached Power Point presentation was presented and viewed by the board during the 2013-2014 school year and the Board is receiving the Power Point again for review of requirements.

## **RECOMMENDATION**

This is an information item only and no action is necessary.