

Education Issues Brief

2006



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Who we are

The California School Boards Association is a collaborative group of virtually all of the state's more than 1,000 school districts and county offices of education. It brings together school governing boards and their districts and county offices on behalf of California's children.

CSBA is a member-driven association that supports the governance team — school board members, superintendents and senior administrative staff — in its complex leadership role. We develop, communicate and advocate the perspective of California school districts and county offices of education.

Vision

The California School Boards Association envisions a state where the public schools are widely recognized as the foundation of a free and democratic society, where local citizen governing boards are fully vested with the means to advance the best interests of students and the public, and where the futures of all children are driven by their aspirations, not bounded by their circumstances.

Mission

CSBA promotes success for all students by defining and driving the public education agenda and strengthening school board governance at the district and county levels.

Strategic Goals

To achieve this mission, CSBA will be the leader in providing:

Policy and political leadership on behalf of children and students. CSBA conducts non-partisan research and policy analysis, and advocates aggressively for state and federal policies that are coherent and focused on providing educational opportunities for all students.

Comprehensive support for governance teams. Boards of education are entrusted by their diverse communities to ensure that a high quality education is provided to each student. CSBA provides training, support, resources and inspiration to governing boards and superintendents to maximize their effectiveness in carrying out their critical leadership functions.

Direct services to districts and county offices of education. CSBA provides high quality fiscal, policy, executive search and other services to school districts and county offices of education to assist them in meeting the needs of their students.

Education to our communities about public schools and school board leadership. CSBA develops and implements communications strategies that increase the public's understanding about the value of public education and the importance of local school governance.

Adopted: June 22, 2002

Preface

It comes as no surprise that improving schools is often the number one goal of candidates running for office, whether it is for Governor, the Legislature, the city council or the local school board. During the past decade, California residents consistently identified education as being one of the top two policy issues, along with jobs and the economy. State policymakers responded by instituting major school reforms, beginning in 1995 with the California Assessment of Academic Achievement Act, which created a process for developing California's content and performance standards. A standardized testing and reporting program and the public schools accountability system quickly followed. During this time, the state also reduced class sizes in all primary grades; focused on low-performing schools; addressed the recruitment and preparation of teachers; and required high school students to pass an exit exam in order to graduate. Many of these state policies were 10 years in the making and some have not yet been fully implemented. Also during this time, the federal government imposed its own education reform law, the No Child Left Behind Act of 2001.

The reforms of the last few years have been numerous and at times, confusing, and some have created unintended consequences. School districts have had little choice but to try to implement all these reforms at one time and to manage the dramatic pressures and changes that came with them.

In the coming months, California voters will decide whether to re-elect Governor Arnold Schwarzenegger to a second term or to elect a new Governor. Superintendent of Public Instruction Jack O'Connell will also seek re-election to a second term. Candidates will vie for several state-level positions, including Lieutenant Governor, State Treasurer, Controller and Secretary of state. Over a quarter of the state Legislature will be termed out of office. There will be numerous local elections as well. Public education, once again, will be and should be an important campaign issue. Future state and local leaders should consider the significant number of school improvement programs and policies

enacted to date, and assess the state's progress in meeting the goals of these reforms in order to chart the best course of action for the future.

The California School Boards Association has developed this Education Issues Brief to serve as a useful reference for aspiring and continuing public policymakers. The introduction provides an overview of the demographics in California's schools, investments in public education, and the major reform efforts of the last 10 years and their relationship to each other. CSBA has identified 11 key topics for 2006 and beyond, highlighting the most pressing issues and offering recommendations for improvement.

Introduction

California is the most populous and culturally and economically diverse state in the nation and this is reflected in its schools. Between 1991 and 2001, student enrollment in California's public schools increased by 25 percent, growing faster than the national average of 16 percent. According to the California Department of Education, more than 6,300,000 students are educated in 9,375 public schools located in 1,029 school districts and county offices of education. If the K-12 student enrollment in California's schools was a separate state, it would be the 14th most populous state in the nation.

California's school-age population grew faster than the national average and also became the most diverse. According to CDE, the student population in California's schools is "majority-minority": 47 percent Hispanic, 31 percent white, 11 percent Asian Pacific Islander, eight percent African American, nearly two percent multiracial and multiethnic and about one percent American Indian. More than 100 languages and dialects are spoken in California. Compared to a decade ago, California students are more likely to be English learners. Forty-one percent of the students speak a language other than English at home and a quarter of all students are learning to speak English at school, placing California at the top when compared to the EL populations of other states. Nearly one in every 10 Californians is a recent immigrant, compared to one in 20 persons nationally, which translates into even higher transience rates for many schools. California schools serve more than 600,000 students with disabilities, almost one-third more children than any other state. More students are also low-income compared to a decade ago. Currently, 25 percent of children 18 years and younger live in poverty in California, more than in 39 other states. (The Henry J. Kaiser Family Foundation: www.Statehealthfacts.org.) Nearly half qualify for free or reduced-priced breakfast and lunch programs.

The demographics of California students pose significant challenges to all schools but school districts located in the regions of the state that have concentrations of immigrants, EL students, and students living in poverty face intense pressures and often lack the

capacity to provide adequate staffing, facilities, and support services for children and their families.

While the school-age population was rapidly growing in California, the expenditures per student fell and remained below the national average. According to Quality Counts 2006, published by Education Week, California's per-pupil expenditure of \$6,765 was ranked 43rd in the country. More significantly, California's per-pupil expenditure is second to the lowest among the 10 most populous states, falling far behind New York which spends \$10,665 per pupil. California is ranked the third highest in the ratio of students to teachers. Students in California have less access to critical support staff services than other states, ranking last or almost last in the nation in the ratio of students to counselors, school nurses and librarians as reported by the National Center of Education Statistics.

California is ranked far below the national average in per-pupil expenditures but third in average salaries for public school teachers compared to other states. Although California teachers appear to be better compensated than teachers in other parts of the country, this ranking does not take into account the variations in the cost of living between California and other states. Within California, teacher salaries also vary according to district size and location and reflect the regional differences in the job market. In general, teachers earn significantly less than comparable workers and this wage disadvantage has grown considerably over the last 10 years ("How Does Teacher Pay Compare?" Economic Policy Institute, 2004).

The California Legislative Analyst's Office ("A New Blueprint for California School Facility Finance," 2001) estimates that one in three students attend schools that are either overcrowded or in need of modernization and repair. Over the last 10 years, voters have approved approximately \$30 billion in general obligation bond funds to address facility needs statewide. While the state has made substantial progress in addressing school facility needs, California still lags behind the nation and other large industrial states.

A recent report by RAND ("California's K-12 Schools: How Are They Doing?") concluded that California has a relatively high capacity to fund its schools, as measured

by per capita personal income. In the early to mid-1970s, California spent about the same share of its personal income on public education as the rest of the country, about 4.5 percent. That level of “effort” started to fall in the late 1970s and has since remained far below the national level. Contrary to popular perception that schools spend too much on administration, RAND also found that California’s per-pupil support and general administration has fallen by relatively large dollar amounts compared with spending in other states and represents a relatively small share of total spending.

The building blocks for school reform in California are very similar to those in other states: Identify what students are expected to know; develop a system to measure whether the students are learning; and hold students and schools accountable through rewards and sanctions.

Content Standards

Beginning in 1995, California developed academic content standards for mathematics, language arts, science, history-social science, and visual and performing arts. The standards described what students in California should know at each grade level. The Fordham Foundation, a leading proponent of rigorous academic standards, rated California’s standards as the best in the nation.

Assessments

In 1997, California developed the Standardized Testing and Reporting Program to provide standardized measures for student and school performance. Public schools are required to test all pupils in grades 2-11 unless a pupil’s parents request in writing that the pupil be exempted.

The STAR program currently consists of four tests: the California Achievement Tests, 6th edition (CAT/6), a norm-referenced test of basic skills that compares California students to others in the nation; the Spanish Assessment of Basic Education, 2nd edition (SABE/2) a test for native Spanish speakers in their first year of attendance in the California public school system; the California Alternative Performance Assessment, a test

designed for students with learning disabilities; and the criterion-referenced California Standards Test that is aligned to the state’s academic content standards. The CST is the key indicator of school performance in the state’s accountability system. In July 2000, the state Board of Education developed five performance levels for reporting the results of the CST: far below basic, below basic, basic, proficient, and advanced, with the goal of all students scoring at proficient or above. In California, a “proficient” level of performance is comparable to eligibility for admissions into the University of California.

Accountability

In 1998, the Public Schools Accountability Act created a statewide system to hold schools and educators accountable for student performance. The central component is the academic performance index which uses the student STAR scores to create a single number or index to report the academic performance of schools. The index is intended to measure the academic growth of schools and districts over time. In recognition of the fact that a student’s score on the achievement tests is affected by out-of-school factors, as well as in-school factors, the API of each school is compared to other schools with similar demographics, and each school is given a “Similar Schools Ranking.” For example, a school with a rank of 10 would have an API in the top 10 percent of its 100 similar schools. Likewise, a school with a rank of 1 would have an API in the bottom 10 percent compared to other similar schools. The API index ranges from 200 to 1000 and the goal for every school is to eventually reach 800 or more, regardless of the students’ backgrounds. This goal is equivalent to 70 percent of a school’s student body exceeding the median performance of students throughout the country. For high schools, the results of the California High School Exit Exam are also included in the calculation of the API. The state also identifies “growth targets” for all schools and subgroups of students and schools are subject to interventions and sanctions if they do not reach these targets.

In addition to the assessments of the STAR program, the State also requires all high school students to pass the standards-aligned California High School Exit Exam in order to receive a high school diploma. High school students graduating in 2006 will be the first

class required to pass this test. English learners are also required to take the California English Language Development Test which is used to assess progress toward English proficiency.

In 1996, California implemented a massive K-3 class-size reduction program to improve the learning opportunities for the youngest students. However, because it was implemented in such a short time frame, it exacerbated problems for the very schools that this reform effort was intended to help. Schools located in high-poverty communities were hard-pressed to find additional classroom space in their overcrowded school facilities. Many schools gave up auxiliary space such as science and computer labs, libraries and playground areas in order to create more classrooms. In addition, the ability to staff their classrooms with qualified teachers, already a challenge for these schools, was strained as experienced teachers exited to teach in school districts that had the capacity to implement CSR quickly. The CSR program created an immediate teacher shortage in schools serving the neediest children. In response, state policymakers made an effort to address the teacher and administrator shortages, to improve the preparation of teachers and administrators, to encourage teachers to work in high-needs schools and to do a better job of retaining them in the classroom.

In 2001, the reauthorization of the federal Elementary Secondary Education Act became popularly known as the No Child Left Behind Act. The intent behind NCLB is to encourage all states to pursue a school reform agenda based on standards, and accountability for results as measured by student performance on standardized tests. NCLB's accountability system is based on "adequate yearly progress," which requires that all students reach the threshold of "proficient" by 2014. NCLB also requires schools and districts to not only make academic performance gains but to ensure a 95 percent participation rate of students on the state's tests. However, the STAR program permits students to opt out of the test at their parents' request. The growth requirements under AYP are different from the growth requirements under API. As a result, many schools have successfully met API requirements but failed to make NCLB growth requirements. NCLB also requires states to track individual students from year to year, to collect

and report specific data for subgroups of students, and to comply with requirements related to the quality and distribution of teachers.

There is disagreement about the reliability and validity of the numerous assessments and how to interpret the resulting data, which adds to the confusion among policymakers, educators, and parents about the true picture of academic achievement in California's schools. The API, based on the results of the California Standards Tests, was created to provide a way to measure student achievement in California, but there are many shortcomings to this assessment system.

Some researchers use test scores from the National Assessment of Educational Progress to measure and compare student achievement, especially between and among states. The main NAEP assessment has been administered nationally since 1990, thus allowing for national comparisons since that time. However, there is wide variation among states as to who is identified for special education, how many are still learning English, and who is excluded from testing, which raises questions about the fairness and value of using NAEP for state-to-state comparisons.

Ideally, a testing and accountability system should provide year-to-year achievement data for each student and be able to determine how much value the school actually added to the student's progress by controlling for variables such as family background. The California assessments and NAEP are not designed to provide this kind of data. Nevertheless, there are some general findings about the pattern and trends in student achievement in California:

- NAEP results show California's students scoring consistently lower than students across the nation and students in the most populous states regardless of the subject or grade level.
- When controlling for family characteristics, California's gains were slightly larger than the rest of the country.
- Mathematics scores, as measured by the SAT/9 showed some increases from 1998 to 2002. The

gains were greater in early grades than the later grades.

- There was a similar pattern for reading scores: larger gains in the early grades and smaller gains in the later grades.
- On the state's assessments, most students performed better in mathematics than they did in reading.
- At the state level, all grade levels are making improvements on the API. However, the gains have been uneven. Elementary schools are making the most gains. High schools have had the lowest base API scores and the smallest percentage of schools reaching a base API of 800.
- Of the 94 percent of sophomores from the class of 2006 who have taken the CAHSEE, 64 percent passed both the English language arts and math sections, with 73 percent passing English and 72 percent passing math.

While most elementary schools showed gains in the API from 1999-2002, the index and other state assessments also reflect the persistent correlation between academic performance and student and family characteristics:

- It is rare for a school with a high concentration of low-income students to reach 800 on the API.
- The percentage of poor students scoring "below basic" and "far below basic" on the CST tends to be about two times higher in English language arts and mathematics across all grades tested than for students from higher-income families.
- The percent of poor students scoring at or above "proficient" tends to be about one-third that of higher-income students in English language arts and one-half that of higher-income students in mathematics across all grade levels tested.
- English learners show the greatest achievement on assessments during the elementary years but fall behind as they progress through the grades.

In 2003, only 49 percent of EL students passed the math portion of the CAHSEE; only 39 percent passed the English portion.

- Based on the norm-referenced CAT/6 scores, roughly 70 percent of non-Hispanic white students and Asian students score at or above the 50th percentile whereas fewer than 40 percent of African American and Hispanic students scored at or above that level. The gap is consistent across grade levels.
- The class of 2006 is required to pass the CAHSEE in order to receive a diploma. At the beginning of 2006, about a quarter of this class still needed to pass this test in order to graduate. Among African American students, 46 percent have failed the math portion and 38 percent failed the English portion. About 38 percent of Hispanic students have failed the math and English portions. The disparities are even greater according to family income. While 13 to 15 percent of students from middle-income families still need to pass CAHSEE, 39 to 40 percent of low-income students have yet to pass this exam.

Compared to other states, California has the most diverse student population, the most rigorous standards and among the lowest levels of investments in its schools. While the assessment instruments cannot provide a completely reliable and valid picture of student achievement, the patterns and trends indicate that much work is needed if our schools are expected to be better than the schools in the rest of the country. Policy watchers and educators have raised many questions about the challenges ahead:

- Does the state provide schools with an adequate level of resources to meet the state's expectations?
- Should the state hold schools accountable for factors that are out of their control but are closely correlated to student achievement? What additional resources are needed to mitigate these factors?
- Should resources be targeted to schools with

low-income students and if so, how?

- What do students and schools need in order to succeed?
- How should aspiring and continuing policymakers respond?

Ultimately, school finance in California will need to catch up with the rest of the state’s reform agenda. In the meantime, policymakers can support the efforts of local districts to raise the achievement of all students and to accelerate the achievement of the historically under-achieving subgroups of students — children of color, English learners, and children living in poverty — by removing barriers to local flexibility and building capacity for improvement. This “Education Issues Brief” identifies and discusses the following 11 key policy areas and makes recommendations for improvement:

- 1. Accountability and Assessment:** Reconcile conflicting state and federal accountability systems.
- 2. Charter Schools:** Resolve issues related to evaluation and financial impact on school districts.
- 3. Collective Bargaining:** Balance employee rights and the rights of children.
- 4. Curriculum:** Address the local needs of this diverse state.
- 5. Data:** Provide reliable and comprehensive statewide data.
- 6. English Learners:** Focus on the larger array of factors that make a difference for EL academic achievement.
- 7. Facilities:** Address chronic underfunding of school facilities.
- 8. Governance:** Remove barriers on local control of resources.

9. School Finance: Address disparity between funding and expected student outcomes.

10. Special Education: Address fiscal pressure related to providing special education services.

11. Teacher Preparation, Recruitment and Retention: Improve and ensure high-quality instruction for all students.

Accountability and Assessment

Background

California public schools are subject to two powerful and often contradictory accountability systems: the state's Academic Performance Index, and the national growth requirements known as "adequate yearly progress." California's testing system has three primary components (though there are other assessments also in place beyond these three): 1) the California Standards Test in grades 2-11, which assess mastery of the state standards in reading/language arts, math, science and history/social science; 2) the California English Language Development Test; and 3) the California High School Exit Exam. Both the state (API) and federal (AYP) accountability systems are built upon California's assessment system (CST, CELDT, CAHSEE), though not all aspects of each assessment are included in both accountability systems.

In 1999, California enacted the Public Schools Accountability Act, which created the API to measure the academic growth of schools and districts over time. Under the API, schools are given more credit for students who advance from the very bottom performance levels up to higher levels than they receive for improvements achieved by their highest performing students. As part of the PSAA, 430 schools participate annually in an intervention program. These schools are identified based on their failure to make growth targets on their API. These intervention programs involve support from external support teams and, should improvements not be made in sufficient time, conclude with state sanctions.

In 2001, Congress enacted the No Child Left Behind Act, which includes an entirely separate accountability metric than the API and interventions for schools receiving Title I funds (additional resources for students in poverty). NCLB requires all students to be proficient on the state standards by 2014 and enforces strict interventions for schools and districts that fail to make "adequate yearly progress" toward that goal.

Issues

The definition of the NCLB growth requirements, AYP, differs significantly from the definition of API, causing great confusion. Many schools have successfully met state API requirements but have failed to make AYP. Further, NCLB not only requires schools and districts to make academic performance targets, but also requires schools to ensure a 95 percent participation rate of students on the state's test. Hence, many schools and districts that are making academic gains consistent with the NCLB requirements fail the participation requirements of NCLB and become subject to sanctions. These contradictory accountability systems cause tremendous confusion in the field and with parents.

Further, the definition of AYP under the federal system will ultimately result in all schools and districts failing to make AYP by 2014 because it establishes a criterion that is statistically impossible to reach. When determining the AYP threshold for "proficient," the California Board of Education selected a preexisting state definition of proficient, which was a cut score established to denote a performance expectation for students who would be eligible for admission to the University of California. It is not reasonable to expect the same level of performance from all students. For instance, special education students have academic goals that are defined by their own Individual Education Plan, and English learners by definition do not have sufficient English skills to understand the test questions. This particularly high level of performance expectations is problematic because all schools will fail and be subject to onerous and potentially expensive sanctions. Thus, resources will not be going to those schools and districts that require the most assistance.

AYP also only utilizes test scores in mathematics and English/language arts, further narrowing the curriculum and deemphasizing the critical areas of science and history/social science. The API in California's accountability system uses a much richer set of data, including the CSTs in all subject areas as well as the CAHSEE. Because the API is based on growth over time, it more accurately identifies schools in crisis that are failing to make improvements. In that way, scarce

resources can be targeted more efficiently at the lowest performing schools.

CSBA Recommendation

CSBA supports maintaining the strongly aligned standards, assessment and accountability system already in place to hold schools and districts accountable for student success on agreed-upon outcomes. To accomplish this goal, CSBA recommends using the state's own API as the foundation for federal AYP accountability.

Charter Schools

Background

The Charter Schools Act of 1992 established charter schools in California to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, to achieve the following goals:

- Improve pupil learning;
- Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving;
- Encourage the use of different and innovative teaching methods;
- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site; and
- Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

California law allows charter schools to operate outside most state mandates, including collective bargaining. There are currently 576 active charter schools in operation, serving approximately 190,000 students. Charter schools are structured in four different ways:

- Direct-funded, which are usually independent from the school district and may be non-profit or for-profit;
- Conversion, which are converted from an existing public school and are usually initiated by the district;
- Locally-funded, where funding is directed through the sponsoring school district and the charter is usually part of the district program; and

- Non-classroom based, which are usually home study, independent study, or distance learning schools. Twenty-five percent of charters are non-classroom based.

Issues

Charter schools can be an opportunity for districts to meet the specific needs of their students, but current law makes it difficult to ensure that district needs are being met by the charter schools it approves. The legislative intent of the charter school law was, in part, to increase learning for all students, especially academically low-achieving students. The law also specifically states that charter schools must employ different and innovative teaching methods. However, the charter authorizer is not allowed to evaluate, as part of the approval process, whether a charter petition will provide innovative teaching or if the program will expand the learning experiences for low-achieving students. The chartering authority may inquire about these practices but cannot deny a petition if they are not included.

The financial impact caused by opening a charter school can be detrimental to districts, especially those facing declining enrollment. However, boards may not deny a charter based on the fiscal impact it will have on the district. The charter law allows the governing board to determine if petitioners are demonstrably unlikely to successfully implement the program set forth in their charter, including whether the charter school will be fiscally solvent. Given the other demands, many districts have difficulty finding the proper amount of time to thoroughly review charter petitions. Governing boards must approve or deny a charter within 60 days of receiving the petition. Because of the enormous amount of staff time that is required to thoroughly review each component of a petition, it is impossible to devote the time needed to be certain about a charter's fiscal health. The result is that most charter schools that are forced to close or have their charter revoked do so because of financial failings.

Another critical charter schools issue is the law requiring school districts to provide facilities for students attending charter schools. Pursuant to Proposition 39, approved

by voters in the November 2000 general election, school districts must make facilities available to charter schools with 80 or more students who otherwise would have attended district schools. The facilities are required to be “sufficient for the charter school to accommodate all of the charter school’s in-district students in conditions reasonably equivalent to those in which the students would be accommodated if they were attending another public school in the district.” Additionally, the facilities must be “contiguous,” defined in state Board of Education regulations as on one school site or adjacent to a school site. The regulations also provide that if the charter school’s in-district students cannot be accommodated on one site, “contiguous” can mean facilities at more than one site, provided the district minimizes the number of sites and considers student safety.

These requirements have become a contentious issue in some districts, and led to three published decisions from the California Court of Appeals. In the most recent decision, *Ridgecrest Charter School v. Sierra Sands Unified School District*, the court ruled that to the maximum extent practicable, the needs of charter students must be given the same consideration as those of district students. The court’s opinion further noted that a district’s response to a facilities request must at least begin with the assumption that all charter school students will be assigned to a single site. Districts facing this issue must plan for some, if not considerable, disruption and dislocation among the district’s non-charter students, staff and programs.

CSBA Recommendations

In light of the issues presented above, CSBA recommends that chartering authorities be allowed to consider, as a condition for approval, whether the petitioners have adequately proven that the teaching methods will be innovative and different from methods employed in other district schools and that the petition addresses how the school will improve the achievement of academically low-achieving students.

CSBA also recommends that the chartering authority be able to consider the fiscal impact of a charter school on the district, especially in declining enrollment districts, when approving or denying a charter petition. In addition, the approval period should be structured so that districts can review the financial issues of the charter first and then continue to review only those petitions that prove to be financially solvent for program content and other requirements.

Collective Bargaining

Background

Collective bargaining is a state mandate. It was established in 1976 by the Educational Employment Relations Act (EERA, also known as the Rodda Act). The purpose of the law, as stated in the Act, is to “promote the improvement of personnel management and employer-employee relations within the public school systems in the state of California by providing a uniform basis for recognizing the right of public school employees to join organizations of their own choice, to be represented by the organizations in their professional and employment relationships with public school employers, to select one employee organization as the exclusive representative of the employees in an appropriate unit, and to afford certificated employees a voice in the formulation of educational policy.”

Since it is a mandate, local education agencies are required to engage in collective bargaining with certificated and classified employees. EERA defines the scope of representation as limited to:

- Matters relating to wages, hours of employment and other “terms and conditions of employment,” defined as health and welfare benefits;
- Leave, transfer and reassignment policies, safety conditions of employment, class size, procedures to be used for the evaluation of employees, and organizational security;
- Procedures for processing grievances;
- The layoff of probationary certificated school district employees; and
- Alternative compensation or benefits for employees adversely affected by pension limitations.

EERA also grants the representative of certified personnel “the right to consult on the definition of educational objectives, the determination of the content

of courses and curriculum and the selection of textbooks to the extent such matters are within the discretion of the public school employer under the law.”

Issues

Elements of EERA limit the ability of governing boards to effectively address current issues or concerns. For example, there has been much discussion recently about the distribution of experienced teachers among schools within a district. The discussion has focused on observations that many low-performing schools have the least experienced teachers. However, by including “transfer and reassignment policies” within the scope of collective bargaining, districts are required to come to agreement with their teachers’ exclusive representative regarding such policies. Those agreements almost inevitably restrict the district’s ability to correct problems in the assignment of teachers.

Other parts of this definition have been undermined by subsequent state law. For example, the exclusive representative of certificated personnel is given the right to consult on educational objectives, the selection of textbooks, and the content of courses and curriculum. However, as discussed in the section below titled “Curriculum,” state law tightly governs these areas and school districts have little discretion over them. This sets up unreasonable expectations as teachers attempt to assert their right to consult on matters that are largely beyond the scope of district decision-making.

Collective bargaining is time consuming and costly. The reimbursable cost of collective bargaining is approaching \$50 million per year. (Although the state is required by the California Constitution to reimburse districts for these costs, they have not been reimbursed since 2001-02.) Districts also incur other collective bargaining costs in addition to the \$50 million.

CSBA recognizes the importance of employee rights and fair labor practices, but lawmakers need to understand the costs associated with negotiating, monitoring, and enforcing employee contracts. Lawmakers frequently accuse districts of spending too much on administration. They need to understand that — as in the case of

collective bargaining — many administrative costs are imposed on districts by state law.

CSBA Recommendations

A balance must be struck between the rights of employees to collective bargaining and due process and the rights of students to a quality educational program. If the enforcement of employee rights results in the misassignment of teachers, the inability to dismiss poor teachers, a trade-off of smaller class size for higher teacher salaries, or any number of other undesirable outcomes, then priorities must be reconsidered and alternative means found to ensure the fair treatment of employees without undermining the quality of the educational program.

CSBA recommends that the scope of collective bargaining be limited to the core labor issues relating to the terms and conditions of employment. The input and recommendations of teachers should be sought and considered on a wide range of professional issues, such as textbook selection and the criteria and process for teacher evaluation. However, this input should not be provided through collective bargaining, where they become “chips” that are subject to unrelated tradeoffs.

Curriculum

Background

Much of the curriculum in California's schools is set by the state Board of Education, which is required by the California Constitution to adopt instructional materials for use in grades K-8. Pursuant to state law, in 1998 the board also adopted academic content standards in reading/language arts, math, history/social science, and science, which drive the content of the instructional materials they adopt. The adoption of these standards has provided critical coherence in expectations for California's students and has allowed for the uniform measurement of student and school performance on agreed-upon outcomes.

In choosing instructional materials, the state Board appoints and is then advised by the Curriculum Development and Supplemental Materials Commission (Curriculum Commission). The Curriculum Commission adopts a curriculum framework, as well as criteria for the publishers of the final instructional materials. Taking the criteria into account, publishers submit the materials for review and adoption by the state Board. Through the framework and criteria, many decisions are made about instructional methodology, including the amount of instructional time that may be spent on any particular subject or activities within a subject.

School districts that wish to use state instructional materials funds must purchase materials approved by the state Board or forfeit those dollars. At the high school level, districts have greater flexibility in selecting instructional materials, as the state Board does not adopt instructional materials for the high school level.

Issues

Because of the highly centralized adoption process for instructional materials, local districts often find that the materials adopted by the state do not always adequately meet the needs of their students or complement the skills of their teachers. In a state where schools have student populations ranging from 100 percent English learner

and high poverty to 100 percent English proficient and affluent, it is difficult to imagine that the two sets of instructional materials (SRA/Open Court and Houghton Mifflin) adopted by the state Board in reading/language arts can meet every need. In fact, they do not.

Furthermore, instructional methodology is often dictated in the state-adopted materials. For example, in its adoption of the publisher's criteria in science, the state Board contemplated accepting only those materials that have less than 25 percent of the instructional program's time spent on "hands-on" activities, which means that no more than 25 percent of the program could include scientific exploration and inquiry. Similarly, the state Board identifies the number of instructional minutes recommended for each subject. Since the last adoptions in reading/language arts and math, this meant that up to 85 percent of the school day must be spent on reading/language arts and math, with little time left for other subjects after lunch time, recess and transitional times are accounted for.

The state has also had content standards in place for nearly 10 years with no statutory or regulatory direction to update and revise them. As a result, content standards in history/social science and science are not keeping pace with historical and scientific advancements.

CSBA Recommendations

CSBA recommends that the state provide districts the flexibility to use state instructional materials dollars to purchase standards-aligned materials that meet the unique circumstances of their student population and not be restricted to materials adopted by the state Board of Education.

In addition, CSBA recommends that the academic content standards be periodically reviewed, consistent with the instructional materials cycle, with the process being conducted one to two years prior to the adoption of curriculum frameworks.

The state should also establish a parallel instructional materials process that requires the state Board of Education to solicit recommendations from school

districts regarding the adoption of instructional materials. A district that recommends instructional materials for adoption may use the materials unless the SBE, within 180 days of the submission, makes written factual findings that the instructional materials do not meet specified criteria.

Lastly, CSBA recommends that the state Board of Education examine the curriculum frameworks for all core subject areas to ensure that instructional minutes recommended for each subject accommodate complete coverage of all core curricula within the regular school day/week.

Data

Background

In 1997, the Legislature called for the establishment of the California School Information Services (CSIS) to facilitate electronic data collection and transfer of student and school information between schools, districts and the State. However, because CSIS was established as a voluntary program, nearly a decade after its statutory creation only 217 out of 1,053 school districts in California participate. In 2001, the No Child Left Behind Act was enacted, which requires states to report to the federal government in a variety of areas, including student enrollment history, achievement data over time and graduation rates. As a result, the state Legislature enacted the California Pupil Achievement Data System (CALPADS) to establish unique student identifiers for all students in California, and begin a process for the collection of data through the forms collected from individual students in the state's assessment system. CALPADS became operational in 2005.

Issues

Though it seems inconceivable to most of the public, California does not yet have a data system that can provide even the most basic information about the health of the state's schools, such as the dropout rate. Because CSIS is a volunteer program and only 217 out of 1,053 school districts participate, it is relatively useless as a statewide data collection and reporting mechanism.

Further, though CALPADS is a first step in mandated data collection, the data is limited to that which is collected on the header sheets for the Standardized Testing and Reporting System. If a long-term goal of the state is to determine the value that a school adds to each student that it serves, a deeper level of data will be required.

While CALPADS supports the federal reporting requirements of the state, it does not assist schools and districts in the electronic transfer of records to ensure that students continue to receive the educational services

they need as they move between schools and districts. Without such a system, the state has little ability to fully understand the data that it does collect. For instance, the 9th grade enrollment in California has 50,000 more students than either 8th grade or 10th grade. The exact cause of this enrollment blip is not well understood and has resulted in many misguided efforts to develop a "dropout" rate for California by subtracting 12th grade graduation numbers from an anomalously inflated 9th grade enrollment. Identifying who is dropping out and why will allow the state to develop appropriate solutions.

CSBA Recommendations

CSBA recommends that the Legislature fully fund, with great urgency, the implementation of CSIS.

English Learners

Background

California is home to children from every corner of the world. As a result, many students enrolled in the state's schools are immigrants or are U.S.-born children of immigrants. While there is tremendous variation in family income and education attainment among the immigrant population, most immigrants are poorer and have lower levels of education than native-born Californians. Students who come from homes where English is not the primary language are considered "language minorities" and these students who enter schools without proficiency in English are referred to as English learners (ELs).

It is estimated that there are about five million ELs throughout the country and one-third of them are in California (National Center of Education Statistics, 2005). Over a quarter of all K-12 students in California are ELs, and 40 percent are considered "language minorities." It is estimated that more than 100 languages and dialects are spoken in California, but Spanish is the most common by far, accounting for slightly more than 85 percent of all ELs. The majority of the remaining language minorities speak Asian languages — Vietnamese, Hmong, and Cantonese being the most common. The Los Angeles area has the highest density of ELs. These students represent almost a third of the region's total K-12 enrollment and account for slightly more than half of all ELs in the State. While the Los Angeles area has the greatest number of ELs, the most growth occurred in the Inland Empire which saw a 46.8 percent increase between 1997-98 and 2003-04. More than two-thirds of all the counties in California enroll at least 10 percent ELs. The number of ELs is expected to continue to grow, even into parts of the state that currently have no ELs. Given these demographic trends, the success of California's schools will depend increasingly on their ability to successfully educate language minority students.

The education of language minorities is highly politicized. The history and the political context of the education of ELs in this state can be traced back to the federal Bilingual

Education Act in 1968 (based on the 1964 Civil Rights Act), through several federal and state court cases and laws, including the 1998 passage of Proposition 227 that restricted the use of bilingual education in California, and up to the standards-based reforms of the last decade.

Issues

ELs must accomplish more in school than their English-speaking classmates: They must become proficient in English and at the same time learn the required academic curriculum. Two questions often drive EL public policies: What is the best method for teaching ELs — often reduced to a debate about bilingual education vs. English immersion — and how long should it take for students to become proficient in English?

A recent report by the American Institutes for Research and WestEd ("Effects of the Implementation of Proposition 227 on the Education of English Learners, K-12: Findings from a Five-year Evaluation," 2006) found no clear evidence to support an argument of the superiority of one EL instructional approach over another. The review found no one path to academic excellence among ELs but a few key school features that led to success:

- Staff capacity to address EL needs;
- A school-wide focus on English language development and standards-based instruction;
- Shared priorities and expectations in educating ELs; and
- Systematic, on-going assessment and data-driven decision-making.

Most of these important features have been repeatedly found in all successful schools over the past decade, regardless of student characteristics.

The answer to how long it should take for students to become proficient in English depends on how proficiency is defined and measured. Data from research indicates that proficiency in English reading and writing varies from six to 10 years. ELs must take the California English

Language Development Test to measure their progress toward English proficiency, but this measurement and the decisions based on the results are insufficient to ensure school success. ELs, especially those in secondary and postsecondary schools, need to acquire academic English which includes specific linguistic functions such as persuading, arguing and hypothesizing that are not well represented in general measures of English proficiency, including the CELDT. As a result, students who pass the CELDT and are “redesignated” out of the EL classification fall rapidly behind on the other English-based standardized tests such as the CST and the CAHSEE and often required remedial work when they enter college. It is not in the best interest of ELs to remain in EL status for so long that their educational opportunities become limited. However, the current emphasis on redesignation of ELs should not impede the ability of these students to get the necessary support to learn the academic curriculum, especially as they reach the secondary grade levels where mastery of academic English is critical to success.

Finally, CSBA recommends that policymakers acknowledge that ELs start off far behind their English speaking classmates but are expected to reach the same high standards. These students are going to need adequate resources and adequate time if they are to succeed.

CSBA Recommendations

Policymakers need to shift the focus from the bilingual education or immersion debate to the larger array of factors that make a difference for EL academic achievement. Regular opportunities should be created for the state, counties, districts, and schools to identify and share successes and to gain a better understanding of what drives this success and to learn from it. Policies and budget allocations should be directed to help develop the local capacity of schools to do more of what works for EL students.

The state and local districts should develop better indicators to regularly monitor ELs’ linguistic and academic progress before and after redesignation and provide support as needed to ensure that ELs can continue to master academic English and the academic curriculum.

The state should support ongoing professional development for teachers to effectively teach ELs and to encourage and support the assignment of highly qualified teachers to the schools where they are most needed.

Facilities

Background

Ensuring the availability of adequate, safe and well-maintained school facilities for California's 6.3 million students is an ongoing priority for both the state and local school districts. The California Department of Education projects that the need for school facilities spending will top \$20 billion over the next five years to address pupil population increases and the need to modernize current facilities to meet safety, technology and accessibility issues.

Current law, the Leroy F. Greene School Facilities Act of 1998, establishes a program that provides access to state bond funding for the purpose of constructing and rehabilitating school facilities. Under the School Facilities Act, school districts are required to contribute 50 percent of the cost of new construction projects and at least 20 percent of the cost for modernization projects. Over the last 10 years, voters have approved approximately \$30 billion in general obligation bond funds to address statewide facility needs. School districts must provide a matching share through local bond obligations and developer fees in order to access state funds for construction needs.

Issues

Currently, approximately \$4.5 billion in state bond funds remains available for new construction. However, if schools are not currently in the queue for modernization funds from the most recent bond, they will not be able to access those funds. It is expected that available modernization funding will be fully encumbered by April 2006. The increased costs of materials and labor, as well as the costs of complying with the Americans with Disabilities Act, have greatly impacted school districts' abilities to plan and complete the range of modernization projects. There is a great need for increased modernization funds in order to bring older school facilities into compliance with health and safety regulations. CSBA is focused on addressing the chronic under-funding of school facilities by maximizing the funding available from the next state bond.

In August 2004, the state settled *Williams v. State of California*. This case was filed to provide all students equal access to instructional materials, quality teachers and safe schools. Under the settlement agreement, school districts must assess the safety, cleanliness, and adequacy of school facilities, including any maintenance needed to ensure good repair. The settlement provides a specific complaint process and repair timeline that schools must meet for facilities that are found to be out of compliance. The legislation addressing the facilities components of the *Williams* decision provided \$800 million over five years in emergency repair funding for schools in API deciles 1 through 3. For projects that are not deemed to be an emergency, school districts must use modernization funds, deferred maintenance funds or local general fund monies to repair the facilities.

Further, legislation was signed in 2004 (SB 892, Chapter 909) that requires every public and private school maintaining any combination of classes from kindergarten to grade 12 to comply with specified restroom maintenance standards. Any school district that operates a public school that is in violation of these standards is ineligible for state deferred maintenance funds matching apportionments.

CSBA Recommendations

Local property developments and expansions should include a method to fund the increased need for school facilities. Schools are an essential part of the state and local infrastructure, and should be included in any provisions for planning and funding that infrastructure.

Legislative and regulatory decisions relative to the allocation of state and local resources for facilities must be responsive to priorities established by local boards and reflect local needs. Accordingly, CSBA is working with the legislative leadership, the Governor and other key policymakers to develop a bond proposal that maximizes funding for K-12 construction and modernization and includes equitable criteria for the allocation of those funds. Key issues include determining the total amount of the bond, the allocation of funding between growth and modernization, local match requirements, and development of criteria for the distribution of funds among school districts.

Governance

Background

School districts in California are governed by locally elected governing boards, which must act in the best interests of the children in their communities on a broad range of school issues. Boards set the vision for their school district, establish structures, adopt policies and the budget, hire the superintendent, engage in advocacy on behalf of children and schools, and hold the overall system accountable.

County offices of education are also an important part of school governance structures. They provide direct services to students and play a vital role in program and service support to their local districts.

Pursuant to the Brown Act, meetings of school district governing boards are open to the public. The Brown Act also defines what constitutes a meeting, how far in advance meetings must be noticed and under what conditions closed sessions may be held.

Issues

The largest governance issues that school districts face today are the restrictions or barriers that state and federal rules, regulations and requirements impose on how districts spend their resources. Funding from the state has increasingly come with strings attached, in the form of additional rules and regulations.

In recent years, when the Legislature and Governor have provided districts with more funding or restored that which was previously cut, funding has come in the form of new or expanded categorical programs. While categorical programs may have compatible goals, districts are often unable to maximize the resources from multiple programs because of conflicting rules and requirements. This has hindered districts' ability to make decisions and implement programs that meet the needs of their students. Instead, these categorical programs force school districts to focus on process rather than on outcomes.

Some relief was provided to districts in 2004 with the passage of AB 825 (Firebaugh, Chapter 871, Statutes of 2004). This legislation consolidated approximately 20 categorical programs with similar objectives into six block grants:

- Pupil Retention Block Grant
- School Safety Consolidated Competitive Block Grant
- Teacher Credentialing Block Grant
- Professional Development Block Grant
- Targeted Instructional Improvement Block Grant
- School and Library Improvement Block Grant

Block granting combines funds from multiple categorical programs and allows those funds to be spent for any purpose authorized by the programs within the block grant. Consolidating categorical programs into block grants has long been a goal for school districts as it allows them to consolidate resources from programs serving similar groups with similar goals and objectives, as well as tailor programs to meet the specific needs of their students. Additionally, stating objectives and removing specific requirements from programs allows districts to modify local programs over time, as they are able to evaluate which programs have the greatest impact on student achievement.

Additionally, districts are held accountable by the state and federal government for the performance of their students on standards-based tests. One of the most fundamental elements for helping students master state standards is the quality of the instructional materials that they are provided. However, districts are limited in the instructional materials they may purchase using state instructional material funding. The state IMF program provides funding for districts to purchase instructional materials, but only those instructional materials that have been adopted by the State Board of Education. The problem arises because with recent adoptions, the state Board has approved a very limited number of

instructional materials programs for each subject and grade level.

Instructional materials are very costly and require a significant amount of resources to purchase; therefore districts are dependent upon state IMF appropriations. This puts districts in the difficult position of using state instructional materials dollars to purchase instructional materials that may not be the most appropriate for their students. With an outcome-based accountability system, it is fair and appropriate that districts be allowed to determine how the desired outcomes can best be achieved, including which instructional materials to use.

CSBA Recommendations

CSBA recommends that governing boards be provided with greater flexibility and control over their educational programs and decisions they make for their districts and then held accountable for the results. One of the most important ways that this can be achieved is by greater control over the allocation of resources at the district level.

The Legislature and the Governor should not make expenditure of funds overly restrictive when providing increased funding for schools or restoring funding that was previously cut from schools. Rather, the state should provide this funding to districts to be used at their discretion to meet their unique needs. Further consolidation of categorical programs into block grants would also allow districts to meet this objective.

School Finance

Background

School funding is allocated to school districts in accordance with various formulas. About two-thirds of the revenue received from the state is for general purpose spending. These funds are allocated on the basis of average daily attendance and may be used for any locally-determined purpose. Most general purpose dollars are used for salary and benefits of school employees. The remaining one-third is in the form of categorical program aid. These funds must be spent for state-identified purposes in accordance with state rules. Special education, instructional materials, and the Gifted and Talented Education program are examples of categorical programs.

A large portion of school funding is generated through California's Proposition 98. California voters enacted Proposition 98 in 1988 as an amendment to the state Constitution. The initiative established a minimum annual funding level for K-14 schools (K-12 schools and community colleges), and was designed to provide K-14 schools with a guaranteed funding source that grows each year with the economy and the number of students. Funding for Proposition 98 comes from the state general fund and local property tax revenues to schools. Although it has often been characterized as a "Pac-Man" that gradually consumes ever-growing shares of the state general fund, this is not the case. Absent other policy/budgetary interventions, Proposition 98 would not consume ever-increasing shares of the state general fund. There are two reasons for this. First, property tax revenue grows at a faster rate than general fund revenue. This means that — over time — the relative State cost of funding Proposition 98 would go down as the relative property tax cost would go up. Second, the Test 2 inflation factor for Proposition 98 (which has been operative in most years), is the percent change in California per capita personal income. This factor is generally lower than the percent change in general fund revenue per capita. (When it is not, then Test 3 applies, and the inflation factor is based on the actual change in general fund revenue.) For these two reasons, the state cost of funding Proposition 98 should go down each year.

The fact that this has not happened is the result of policy decisions made by the Governor and Legislature, not the result of the natural operation of the Proposition 98 funding formula. Recently, these decisions have included (1) the reduction of the Vehicle License Fee and (2) the "triple flip" method of financing state deficit reduction bonds. Both of these actions result in the shift of property tax revenues from schools to local governments. The Legislative Analyst estimates that in 2006-07, the amount of this shift will be \$6.8 billion. This results in a corresponding \$6.8 billion increase to the general fund cost of funding Proposition 98.

Issues

Schools are completely dependent on the state for funding, resulting in uncertainty, instability, and the need to compete with all other state-funded programs for funding priority. With the exception of parcel taxes and local bonded indebtedness, school districts have no local revenue generating authority. The complete dependency on the State for funding, combined with the fact that such a large share (42 percent) of the state budget goes to elementary and secondary education, puts schools at the mercy of boom and bust cycles of the state budget. In recent years, this has led to a failure of school funding to keep pace with enrollment growth and inflation. According to the Legislative Analyst, Proposition 98 funding per pupil continues to be lower than it was in 2000-01, after adjusting for inflation.

School spending is a low priority in California when compared with other programs and other states; the national publication *Education Week* ranks California eighth from the bottom nationally in expenditures per pupil. This ranking reflects expenditure data reported by the National Center for Education Statistics, adjusted for differences among the states in cost of living. Because California's Gross State Product, at \$1.5 trillion, is by far the largest of any state (the GSP of New York, the second largest state, is only 65 percent that of California's), this low standing does not reflect a lack of available resources. Instead, it appears to indicate that, in California, schools are a lower priority than other government programs. The National Education Association reported in 2003 that per capita spending in California was above the national

average in police/fire protection (+29), corrections (+20%), health and hospitals (+17%), public welfare (+5%), and all government functions (+6%), but below the national average in K-12 spending (-5%).

There is a disparity between the level of school funding in California and expected student outcomes, which are considered to be among the nation's most rigorous by independent organizations such as the Fordham Foundation. This disparity is exacerbated by the challenges facing California's schools in terms of the state's higher-than-average proportion of English learners and students living in poverty. Although the state controls the level of school funding — and to a large extent determines how available funds must be spent — schools and school districts are held solely accountable for meeting performance objectives. In other words, the level of government that determines how much is invested in public education and how much of those investments should be allocated is not the same level of government that is responsible for results.

CSBA Recommendations

School spending is an investment in the state's future. Research consistently has shown a correlation between years of schooling and a number of desirable outcomes, including higher lifetime earnings, better lifetime health, and greater civic participation. These improved outcomes yield social and cultural as well as economic dividends to the state. The investment value of education takes on even greater importance as California continues the transition to a high-tech, information-based economy.

CSBA recommends that the state (1) determine, through independent, objective means, the cost of teaching all students to the state-adopted standards and (2) establish a reasonable and reliable means of financing that cost. CSBA also recommends that local school districts be given greater control over decisions regarding the use of available resources in order to better address local needs and conditions.

Special Education

Background

California provides special education and related services to more than 600,000 disabled students, which represents 11 percent of the total K-12 enrollment and is almost a third more students than any other state. A pupil who receives special education and related services has an Individualized Education Plan (IEP) that is agreed to by parents, teachers, and school administrators. The IEP dictates the educational programs and services the child is to receive.

Federal law, the Individuals with Disabilities Education Act (IDEA), requires that pupils with special needs receive appropriate educational services in the least restrictive environment. California law, for the most part, reiterates and provides conformity with the provisions of federal law and regulations. In 2005, IDEA was reauthorized and a number of changes were implemented in areas including pupil discipline, teacher qualifications, modifications to IEP, conflict resolution, transition, and procedural safeguards. AB 1662 (Chapter 653/Statutes of 2005) was enacted to provide state conformity with the new IDEA provisions.

In 1984, AB 3632 (W. Brown, Chapter 1747), became law and assigned the responsibility of providing mental health services to individuals with special needs as required by an IEP to the Department of Mental Health (DMH). The legislation required schools to educate students with special mental health needs as designated by their IEP, required DMH to provide mental health services if needed, and required the state Department of Social Services to provide out-of-home care if needed.

Issues

Funding: Fast-growing costs such as the burgeoning population of pupils with disabilities whose needs are very costly to serve, and expensive federal mandates and court rulings — and the insufficient match in state and federal funding — has caused a funding gap in California, currently in excess of \$1.6 billion. In 1975, Congress

promised state and local governments that it would fund 40 percent of the costs of special education; however, less than 12 percent of those costs are funded annually. The failure of Congress to fully appropriate funding for IDEA has resulted in a serious and growing reduction in the level of revenues available to meet the educational needs of all students: those with special education needs and those without.

In the 2005-2006 state budget, the statutory funding of the cost of living adjustment (COLA) was calculated only on the state's share of the special education entitlement, leaving funding for COLA and growth on the federal share dependent on the federal allocation. In 2005-2006 the federal allocation was sufficient to provide the equivalent of a 4.23 percent statutory COLA and growth. However, due to diminishing federal appropriations, it is expected that the change in federal aid for special education for 2006-2007 will produce a minimal increase of approximately \$10 million, resulting in insufficient new federal aid to pay for COLA and growth on the federal share of funds. This will lead to unacceptably low growth in special education funding in the absence of a state augmentation.

Mental Health: In 2002, funding for mental health services for individuals with special needs was reduced through a variety of changes enacted in the budget process, which has placed the provision of those services by local government agencies in jeopardy. Prior to 2002, counties paid for the cost of the IEP program through a combination of categorical funding, mandate reimbursement claims, realignment funds, and third-party health insurance when applicable. This provided about \$100 million annually for mental health services for individuals with special needs. The budget process in 2002 reduced funding by eliminating categorical program funding for this purpose and instead implemented a moratorium on all local government reimbursement claims (including county mental health services).

The 2003-04 Budget Act appropriated \$69 million in federal IDEA funds to assist counties with current year and prior-year obligations in providing mental health services to individuals with special needs. In 2005-06, the state budget retained the mandate on county mental

health agencies, and provided increased funding for those services; however, it was on a one-time basis only. It has yet to be determined who shall provide long-term funding for this service and how much funding will be provided.

Autism: The number of pupils with autism continues to grow exponentially in California, with an increase of 25 percent in 2001, followed by increases of 20 percent, 18 percent and 18 percent in the subsequent three years. In addition to the increase in the number of pupils with autism needing to be served, costs per pupil have grown, and conflicts over services for pupils with autism have resulted in significant increases in due process hearings and litigation.

Much of the increase in required services for children with autism is for those who are of preschool age. Currently, the only funding in California for special education preschool programs is the federal local assistance for preschoolers and federal preschool grants, but these grants have failed to keep pace with the rapid growth in costs.

CSBA Recommendations

CSBA supports funding of the special education COLA on both the state and federal entitlements to avoid future differential COLAs for revenue limits and special education funding. We urge the Governor and Legislature to pass through the increased federal funding in future years to special education to address the \$1.6 billion — and growing — gap between special education revenues and expenditures.

CSBA supports retaining current AB 3632 requirements which specify that county mental health agencies serve the mental health needs of special education pupils when it is required in the pupil's IEP. Mental health is a medical issue and best addressed by medical personnel; schools do not have the expertise or personnel to address the medical mental health needs of students.

Furthermore, mental health services should be fully funded outside of Proposition 98 with appropriate accountability measures. CSBA encourages county mental health and local education agencies to jointly develop alternative methods for delivering services in a

cost effective manner while continuing to maintain the existing mandate.

CSBA supports addressing the rapid growth in the number of pupils with autism and the cost to serve them, and the associated conflicts over how to serve them. Establishing uniform standards for assessment, identifying best research-based practices, providing staff development training, and increasing state funding for preschool special education programs are some of the ways to address this need.

Student Support Services

Background

Students receive a variety of services, usually referred to as student support services, outside the classroom that have been found to have positive effects on their ability to learn, develop career and academic opportunities, and improve their overall health and well being. Student support services usually include counselors, psychologists, social workers, school nurses and school library media specialists.

School counselors support students in three important areas: academic, career, and social and behavior problems. Studies conducted over the last 20 years have found positive results for students who have access to counseling services in all three areas. These results include:

- Students who participated in school counseling programs had significantly fewer inappropriate behaviors and more positive attitudes toward school than their counterparts who did not receive such services.
- By assisting victimized children, school counselors have been effective in reducing victimization and reducing bullying behaviors.
- Students who received preventive counseling reduced their risk of dropping out.
- One study found that high school counselors encourage students to have high expectations and thereby influenced their students' future plans.

School psychologists and social workers work with students on related learning, social, and adjustment problems to support students' education. Students needing psychiatric support often face crises that include mental health issues, as well as family turmoil. Such support services help students through difficult situations in order to prevent disruptive behavior so that these students may focus on their academic goals.

Students also face a number of physical health concerns, including colds, influenza, food allergies, asthma and diabetes. School nurses and other health personnel provide limited health care support and services to students to address these issues of illness and injury. At times, nurses are called upon to administer medications for the conditions listed above, and to conduct and oversee testing and screenings in areas such as vision, hearing and scoliosis.

Library media specialists provide students with guidance to access the information that they need to complete their assignments. When available, such assistance directly effects how students perform on course work and assessments. Studies have found that when library media specialist and teachers work together, elementary and middle school students' test scores rise. The role of the school librarian has changed significantly with the increased emphasis on the Internet or electronic media as a source. Students who are not able to access information from these new media are at a greater risk of not being able to succeed in a society that is highly dependent on such sources for information.

Issues

Students' physical and mental health have a direct link to their academic performance and behavior in the classroom. A report by the California Department of Education stated that "we are facing a crisis in pupil support programs and services in California's schools. Today's students face increased challenges with decreased support. Peer pressure, bullying at school, dysfunctional families, drug and tobacco use, and growing teen suicide rates all contribute to student feelings of anxiety and depression and create barriers to learning. More than ever before, counseling and pupil support services play a critical role in the academic preparation and social development of our youth."

School nurses have become increasingly more important because of the alarming rise in obesity among children, which has directly resulted in an increase of Type II diabetes among children. Students with diabetes must constantly monitor their insulin level, which requires testing their blood sugar level and, at times, injecting themselves with insulin. Students with asthma may

also at times need to use an inhaler. Administering such medication may be appropriate for older students to do unsupervised, but younger children need assistance with giving themselves insulin shots and knowing how and when to use their inhalers.

Based on 2001 data, California ranks last of all states in pupil-to-support services personnel ratios across the board. For school counselors, California's ratio is almost twice the national average: 945:1 versus 477:1 for the national average. The state's ratio of support staff, which includes school psychologists and social workers, among other support personnel, is 63:1 while the national average is 34:1. For school librarians the state average is 4,366:1 with the national average at 855:1. Recent budget cuts have forced school districts to greatly reduce or even eliminate such services. Where these services still exist, support services personnel often find themselves assigned to multiple school sites as well as much larger case loads than their counterparts across the country.

CSBA Recommendations

CSBA recommends that the state provide increased funding to allow districts to reinstate student support services that have been proven to be effective in helping students achieve academically and socially.

Teacher Preparation, Recruitment, and Retention

Background

California's teacher workforce is the largest in the country, with over 300,000 teachers. In the late 1990s and early 2000s, due in part to class-size reduction, California was aggressive in its push to help districts recruit and retain teachers. The push was successful in that the number of credentialed teachers increased dramatically as the number of emergency credentials decreased. Still, approximately 20,000 teachers do not hold a full credential, with the majority of those teaching in high-need schools. Over the next decade, due to projected retirements, it is expected that California districts will need to hire 97,000 teachers or 32 percent of the current workforce. Balancing teacher supply and demand will be difficult because the aggressive push by the state to support teachers and districts has waned in the last few years.

Issues

While the number of under prepared teachers has fallen in the last several years, there are still many teachers in classrooms without a full credential and proper training. Districts are finding it difficult to find fully credentialed teachers in some discipline areas such as math, science and special education. The California State University and University of California systems have each made a commitment to increase the number of math teachers they prepare. This is a step in the right direction. However, the need for teachers in science and special education is also great. In the late 1990s and early 2000s, there were many state-sponsored programs that supported districts in recruiting and retaining teachers, especially in order to staff low-performing schools. Under the Teachers as a Priority (TAP) block grant that was created in 2000, districts with an API ranking of deciles 1 to 5 were able to provide incentives to recruit and retain credentialed teachers to teach in low-performing schools. It provided flexibility for districts to be creative in finding

and placing teachers while meeting their specific needs. However, TAP is no longer funded by the state as a stand-alone program. It was so successful that some districts are trying to continue to fund it in these difficult fiscal times, but most have cut back recruiting efforts.

Additionally, many teachers lack training in teaching English learners (ELs). In California, teachers with one or more English learners in their classroom must have the proper authorization and training to teach them. However, 87 percent of teachers report having ELs in their classrooms but only 48 percent of all fully credentialed veteran teachers have an EL authorization. With the pressure of NCLB and California's own accountability system on schools and districts, assuring that California's 1.6 million EL students are learning the standards that have been set is more critical than ever. The only way to guarantee the success of California's EL students is by making sure EL teachers are properly trained.

CSBA Recommendations

The state should restore programs established in the 1990s, such as CalTeach and the Teacher Recruitment Incentive Program, which created a successful teacher pipeline. These programs ushered new teachers into the profession and provided districts with support in recruiting teachers. With the anticipated number of teachers needed in the next several years, finding qualified teachers will be an urgent concern for districts as well as for the state.

The state should provide support and resources to districts and county offices of education to assist them in providing the professional development needed to move veteran teachers and out-of-state teachers into compliance with EL authorization requirements. Besides financial support, districts also need leverage to compel permanent teachers to participate in EL training.

