
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 1099
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Fiscal: Yes

Subject: School accountability: local control and accountability plans: teacher evaluations

SUMMARY

This bill requires each school district and county office of education (COE) to post information on its Internet Web site, if it has one, regarding its procedures for evaluating teachers and principals. This bill also requires the local control and accountability plan (LCAP) of each school district and COE to contain a listing and description of specified expenditures at each school site.

BACKGROUND

Under existing law, the Stull Act expresses legislative intent that school districts and county governing boards establish a uniform system of evaluation and assessment of certificated personnel. With the exception of certificated personnel who are employed on an hourly basis to teach adult education classes, the Stull Act requires school districts to evaluate and assess teacher performance as it reasonably relates to:

- 1) Progress of pupils toward district-adopted and, if applicable, state-adopted academic content standards as measured by state-adopted criterion referenced tests;
- 2) Instructional techniques and strategies used by the employee;
- 3) The employee's adherence to curricular objectives; and
- 4) The establishment and maintenance of a suitable learning environment within the scope of the employee's responsibilities. (Education Code § 44660, et seq.)

Chapter 47, Statutes of 2013 (AB 97, Committee on Budget), and subsequent legislation created the Local Control Funding Formula (LCFF), which consolidated most of the state's categorical programs with general purpose revenue limit funding and would be phased in over the coming years. One of the main principles behind the LCFF is that English learners and low-income students require more attention and resources in the classroom than students who do not have these same challenges. By providing more services (and in turn, additional funding) to these student populations, it is widely believed that this will help close the achievement gap and help all students perform better.

In addition to the LCFF, the 2013 Budget established a new system for school accountability. Under the new system, school districts, county offices of education, and

charter schools are required to complete a local control and accountability plan (LCAP). The LCAP must include a district's annual goals in each of the following eight state priority areas:

- 1) Student achievement.
- 2) Student engagement.
- 3) Other student outcomes.
- 4) School climate.
- 5) Implementation of the Common Core State Standards.
- 6) Course access.
- 7) Basic services.
- 8) Parental involvement.

The plans must also include both district wide goals and goals for specific subgroups. Districts are required to consult with stakeholders on their plans and hold at least two public hearings before adopting or updating their LCAP. Additionally, existing law requires each LCAP to include, among other things:

- a) A listing and description of district expenditures for the fiscal year implementing the specific actions included in the LCAP and the changes to the specific actions made pursuant to the annual update; and
- b) A listing and description of district expenditures for the fiscal year that will serve the pupils who are in at least one of the following categories: eligible for free or reduced-price meals; foster youth; limited English proficient; or redesignated as English proficient.

According to the State Department of Education, regulations require school districts and county office of education (COEs) to specify, in both the LCAP and the annual update to the LCAP, which school sites each goal applies to, the scope of service for a particular action or services, the applicable student subgroups to be served by a goal, action, or service, and the estimated expenditures for each action and service. School districts and COEs are also required to provide a description of how they are expending funds calculated on the basis of the number and concentration of low-income, foster youth, and English learner pupils. If a school district or COE chooses to send LCFF funds to school sites to implement one or more of the actions and/or services described in the LCAP, those funds would be captured in the LCAP or annual update to the LCAP of the school district or COE.

ANALYSIS

This bill:

- 1) Requires each school district and COE to post on its Internet Web site, if it has one, all of the following:

- a) An easily understandable explanation of how the evaluation of certificated teaching staff is conducted, including, but not limited to, all blank evaluation forms, all procedures to be used for the evaluation contained in the current collective bargaining agreement, how evaluations include the progress of pupils toward the locally adopted standards of expected pupil achievement at each grade level in each area of study, and if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments.
 - b) Whether or not the school district or county office of education (COE) has adopted an evaluation system for school principals, and how it compares to the standards set forth in law, as specified.
- 2) Requires the local control and accountability plan (LCAP) of each school district and COE to contain a listing and description of specified expenditures at each school site.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author's office, this bill empowers parents to more actively engage with schools and teachers by disclosing principal and teacher evaluation methods and school funding priorities. School districts are not required to demonstrate the evaluation method of its teachers or principals, the level of investment they make in the continuing education of teachers, or how their resources are divided between schools. The author's office indicates that we can make our education system more effective by providing more information about how schools are measuring quality and spending their resources and that we cannot hold our teachers or principals responsible for the success or failure of schools if districts do not evaluate their performance and invest in their continuing education.
- 2) ***Arguments in support.*** StudentsFirst indicates that this bill "seeks to build on the principles of transparency and accountability that serve as the foundation for California's Local Control Funding Formula (LCFF) by requiring additional transparency for schools, districts, and county offices of education." By requiring school districts and county offices of education to include annual updates about expenditures at the school site level will "shine a light on the extent to which districts are using LCFF dollars to truly provide additional resources to student populations according to their needs." In addition, the bill would lead to increased transparency regarding the quality of the teachers in our classrooms by requiring school districts to "make available to the public, and post on its Web site, information on the process and materials used to evaluate teachers and principals including how the school district incorporates measures of pupil progress towards local and state academic content standards in educator evaluations." EdVoice indicates that by sharing publicly key information about how teachers and administrators are assessed, parents, teachers, and community members can better engage with district leadership in substantive conversations about how they assess and support their educators.

- 3) **Arguments in opposition.** The California Federation of Teachers (CFT) indicates that “the data required to be reported related to teacher evaluations distorts the purpose and intent of educator evaluations. Effective teacher evaluation systems are designed to identify educator strengths and weaknesses and assist them in improving their practice throughout their careers. California Federation of Teachers (CFT) believes that requiring districts to describe all of the procedures to be used for the evaluation of certificated teachers contained in the current collective bargaining agreement, how evaluations include the progress of pupils towards the locally-adopted standards of expected pupil achievement at each grade level in each area of study and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments is totally unnecessary.”

The California Teachers Association indicates that this bill is an unnecessary duplication of existing federal mandates and also duplicates current expenditure disclosure requirements in the local control and accountability plan (LCAP) concerning reporting expenditures for professional development at the school site and county level.

- 4) **LCAPs and school site expenditures.** This bill requires the LCAP of each school district and COE to contain a listing and description of specified expenditures at each school site. However, AB 104 (Committee on Budget, Chapter 13, Statutes of 2015), the education trailer bill, contains the following provision: “It is the intent of the Legislature that when the local control funding formula is fully implemented pursuant to subdivision (g) of Section 42238.03 of the Education Code, local educational agencies shall be required to report to the Superintendent of Public Instruction for compilation on the State Department of Education’s Internet Web site both of the following: (a) The amount of funds received on the basis of the number and concentration of unduplicated pupils in the current year and, to the extent available, prior fiscal years; and (b) The amount of local control funding formula funds expended on services for unduplicated pupils in the current year and, to the extent available, prior fiscal years commencing with the 2013–14 fiscal year.” Therefore, the bill’s provisions requiring school district and COE LCAPs to include school site expenditures appear to be unnecessary. For this reason, **staff recommends** that the bill be amended to delete these provisions.
- 5) **Charter schools.** The bill’s requirements regarding the posting of procedures for evaluating teachers and principals and for LCAPs to contain a listing and description of school site expenditures only apply to traditional public schools and not to charter schools. While the existing Stull Act only applies to traditional public schools, charter schools and their students, parents, teachers, and community could also benefit from the increased transparency this bill seeks to provide. For this reason, **staff recommends** that the bill be amended to apply to charter schools as well.
- 6) **Fiscal impact.** According to the Assembly Appropriations Committee, this bill could result in unknown, likely minor, Proposition 98 General Fund state mandated reimbursable costs for school districts and county offices of education to compile school site expenditures data and teacher evaluation materials and post the

information online. Many districts are already compiling this data per existing statute and federal law. Additionally, actual costs will vary by district depending on the number of school sites and the complexity of the data submitted.

SUPPORT

Education Trust—West
EdVoice
StudentsFirst

OPPOSITION

California Federation of Teachers
California School Boards Association
California Teachers Association

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