
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 943
Author: Travis Allen
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Urgency: No
Consultant: Lenin Del Castillo
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Fiscal: Yes

Subject: Charter schools: California Collaborative for Educational Excellence

SUMMARY

This bill requires that the California Collaborative for Educational Excellence (CCEE), when assigning a contractor to provide advice and assistance to a charter school, to give priority to a contractor that has expertise, experience, and a record of success in working with charter schools in improving pupil outcomes.

BACKGROUND

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; and
- 8) Parental involvement.

The LCAPs 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.

The Local Control Funding Formula (LCFF) legislation established a new system of school district support and intervention. The California Collaborative for Educational Excellence (CCEE) was created in order to provide advice and assistance to local educational agencies (LEAs). Under the new system, if an LEA does not meet performance expectations in the eight state priority areas, they could be subject to intervention by their County Office of Education or the CCEE. LEAs that are continuously not meeting performance standards, as specified, could be subject to intervention by the State Board of Education (SBE) and State Superintendent of Public Instruction (SPI). However, LEAs also may seek assistance from the CCEE on their own.

Existing law specifies that the CCEE shall be governed by a board consisting of the following five members:

- 1) The SPI or his/her designee;
- 2) The President of the SBE or his/her designee;
- 3) A superintendent of a county office of education appointed by the Senate Rules Committee;
- 4) A teacher appointed by the Speaker of the Assembly; and
- 5) A superintendent of a school district appointed by the Governor.

Existing law also specifies that, at the direction of the board of the CCEE, the fiscal agent shall contract with individuals, LEAs or organizations with expertise, experience, and a record of success to carry out the purposes of the LCFF implementation.

ANALYSIS

This bill requires that the CCEE, when assigning a contractor to provide advice and assistance to a charter school, to give priority to a contractor that has expertise, experience, and a record of success in working with charter schools in improving pupil outcomes.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author's office, existing law provides authority for the SPI to assign the CCEE to charter schools to reach their goals, and ultimately authorizes the chartering authority to close any charter school that does not meet the standards of its local control and accountability plan (LCAP). The author's office indicates this bill ensures that our California students have experts in their respective fields assisting their schools in helping them reach their educational goals.
- 2) ***Is the bill necessary?*** Under the direction of the SBE, the fiscal agent for the CCEE is required to contract with individuals, LEAs, or organizations to provide

advice and assistance to LEAs, including charter schools that have either requested the advice and assistance or have been identified by the SPI and SBE as being in need of it. The contractors must have expertise, experience, and a record of success that includes, but not be limited to, the following:

- a) The eight state priorities;
- b) Improving the quality of teaching;
- c) Improving the quality of school district and schoolsite leadership; and
- d) Successfully addressing the needs of special pupil populations, including, but not limited to, English learners, pupils eligible to receive a free or reduced-price meal, pupils in foster care, and individuals with exceptional needs.

It appears that the fiscal agent already has the authority to contract with an entity that has expertise in working with charter schools in improving pupil outcomes. While the bill could help ensure that contractors assigned by the California Collaborative for Educational Excellence (CCEE) have expertise and experience with charter schools, the Committee may wish to consider whether this bill is necessary.

Additionally, by requiring the CCEE to give priority to contractors with charter school experience, this bill could remove the CCEE's discretion in selecting the most qualified individual or organization and limit the pool of contractors to choose from. To the extent that a contractor is selected based primarily on its previous charter school experience, this could work against the best interests of a charter school if it is unable to provide the most effective support or technical assistance. To help alleviate these concerns, **the author proposes to amend the bill** and replace its current content with a provision requiring the fiscal agent for the CCEE, in selecting a potential contractor for a charter school, to consider whether that individual or organization has a record of success in working with charter schools in improving pupil outcomes. **Staff concurs with this amendment** as it would allow the CCEE the flexibility to contract with the best available individual or organization rather than statutorily requiring charter school experience to take precedent over potentially more important considerations.

- 3) **Purpose of the CCEE.** Current law specifies that the purpose of the CCEE is to advise and assist school districts, county superintendents of schools, and charter schools in achieving the goals set forth in their local control and accountability plans (LCAPs). However, the CCEE board itself does not have a statutory role in evaluating local educational agency (LEA) performance, determining which LEAs receive advice and assistance, or the delivery of advice and assistance. Those functions lay with the Superintendent of Public Instruction (SPI), county superintendents of schools, and the individuals and organizations with whom the fiscal agent has contracted to provide those services. The advice and assistance may be provided upon request of an LEA (in which case the LEA pays for the cost). Alternatively, the CCEE may be assigned to an LEA upon the recommendation of the SPI, if the SPI and the county superintendent of schools in which the LEA exists,

determine that assistance is needed to help the LEA achieve the goals it has specified for itself in its LCAP.

The 2013 Budget Act appropriated \$10 million to establish this new system of support through the CCEE. The State Department of Education recommended, and the State Board of Education approved, the selection of Riverside County Office of Education as the fiscal agent for the California Collaborative for Educational Excellence (CCEE). Because the number of districts that will need assistance is unknown and the role of the CCEE is still unclear, the cost of the new support and intervention system going forward has yet to be determined. The CCEE board met only for the first time on February 25, 2015. The Governor's Proposed 2015 Budget does not include ongoing funding for the CCEE, but the Administration will be considering ongoing funding as the system is further developed.

- 4) ***Fiscal impact.*** According to the Assembly Appropriations Committee, there could be an unknown, likely absorbable Proposition 98 General Fund impact and that the costs associated with providing a specific contractor will likely be absorbed within existing Proposition 98 General Fund support for the CCEE.

SUPPORT

California Charter Schools Association
Charter Schools Development Center
EdVoice
StudentsFirst

OPPOSITION

None received.

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