

# Education Issues Brief

2010–11 Edition



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# Introduction

Given the vast scope of the public education system in California, it is not surprising that the details and intricacies of the system are sometimes not known to the general public, or even the state's elected leaders.

There are more than 6.2 million school children in California, served by more than 9,000 public schools of a variety of different types:

- Elementary
- Continuation
- Special education
- Middle
- Alternative
- Juvenile hall/court
- Junior high
- Community day
- California Youth Authority
- High school
- County community
- Charter

There are over 1,000 school districts and county offices of education in California, governed by 5,000 governing board members. These governing board members are all members in the local communities served by districts and county offices of education.

The *Education Issues Brief* is produced by the California School Boards Association and distributed to sitting elected officials, including school governance teams, city council members, county supervisors, members of the state Legislature, and other high-ranking elected state officials. The brief is also distributed to candidates interested in running for political office so they may better understand the public education arena.

*CSBA is a member-driven organization representing the state's more than 1,000 school districts and county offices of education. We bring together school governing boards, and their districts and county offices on behalf of California's children. We support the governance team—which includes school board members, superintendents and senior administrative staff—in its complex leadership role. CSBA actively develops, communicates and advocates the perspective of California school districts and county offices of education.*



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# How California schools are financed

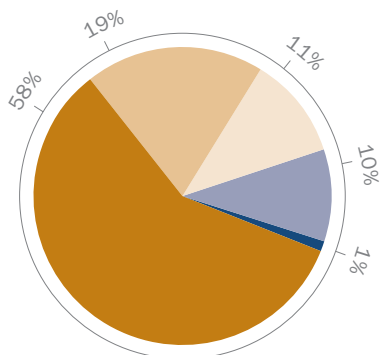
## Sources of school funding

The school system receives about \$72 billion per year—\$46 billion of which goes to ongoing K–12 programs—from five primary sources.<sup>1</sup>

FIGURE 1

### Primary sources of school funding

- State General Fund, \$42 billion
- Local property taxes, \$14 billion
- Other state funds, \$8 billion
- Federal funds, \$7 billion
- State Lottery, \$1 billion



Funding from the state general fund and other state funds includes about \$12 billion that is appropriated for state special schools, state school facilities, bond repayments, state contributions to the State Teachers Retirement Fund, the State Library, the Commission on Teacher Credentialing and the California Department of Education. Of the remaining \$60 billion, about \$14 billion is for programs and services that are outside of the range of K–12 education, including child development and adult education. That leaves about \$46 billion, or about \$7,600 per student, for ongoing K–12 programs.

Some districts are able to supplement this funding with revenue from locally-approved parcel taxes. Revenue from parcel taxes is in addition to revenue from Proposition 98 and other funding sources. Currently, approval of parcel tax measures requires a two-thirds vote. CSBA supports lowering the vote threshold and has sponsored legislation in the past to reduce it to 55 percent.

The Legislative Analyst’s Office provides a more detailed analysis of spending per student, and notes that programmatic K–12 spending per student decreased from \$8,432 in 2008–09 to \$7,957 in 2009–10, and \$7,417 in the governor’s budget proposal for 2010–11.<sup>2</sup> This is a drop of 12 percent in just two years in non-inflation-adjusted dollars.

## How districts spend their money

The average California school district spends most of its revenue (62 percent) on direct instruction.<sup>3</sup> This has sometimes been erroneously interpreted to mean that the remaining 38 percent is spent on “overhead” or “bureaucracy.” Nothing could be further from the truth. In fact, more than half of that 38 percent is spent on non-classroom related direct services to students, such as library and media services, instructional technology, guidance and counseling, health services and transportation.

Only 5 percent of the average district budget is spent on general administration. According to the National Center for Education Statistics, California has far fewer school site and central office administrators than the national average, as measured by the students-to-administrator ratio. This impedes the ability of California schools to conduct important quality control functions, such as evaluating teachers, and making improvements in programs and curricula.

Another 10 percent goes to plant maintenance and operations, and 3 percent is allocated for other items, such as debt service (which is increasing due to state-imposed funding deferrals).

## Proposition 98

The voters adopted Proposition 98, the constitutional minimum funding guarantee, in 1988. It was later amended by Proposition 111 in 1990. Proposition 98 governs the minimum amount of state General Fund and local property tax revenues that must be provided to K–12 schools and community colleges, and provides three “tests” for determining the minimum level of funding:

- **Test 1:** 39 percent of state General Fund revenues subject to the appropriations limit (this percentage is based on K–14 General Fund spending in the base year, but has been adjusted over time for statutory changes in the relative proportions of local property tax and General Fund funding).
- **Test 2:** prior year Proposition 98 funding as adjusted for changes in K–12 ADA and an inflation factor (the percent change in per capita personal income in California).
- **Test 3:** same as Test 2, except the inflation factor is the percent change in per capita General Fund revenues.

In general, the minimum level of funding is the greater of Test 1 or Test 2. Test 3 was added by Proposition 111 and was intended to protect the state General Fund during economic downturns by limiting the growth of Proposition 98 funding to General Fund revenue growth.

Test 1 is rarely operative. Test 2 and Test 3 have been operative in most years.

In a Test 3 year, a “maintenance factor” is established. The maintenance factor is the difference between the amount of funding that would have been provided under Test 2 and the amount that was actually provided under Test 3. As economic conditions improve, the maintenance factor is gradually eliminated, and K–14 funding is eventually restored to what it would have been if there had not been a Test 3 year. However, this restoration may take years to be fully realized.

Proposition 98 may be suspended in any year by a two-thirds vote of the Legislature and the governor’s signature. Suspension also results in the creation of a maintenance factor, which is eventually restored in the same manner as under Test 3. This provision, as well as Test 3, serves to both protect the General Fund and ensure that necessary reductions to K–14 funding are only temporary and will be restored with improved economic conditions.

*It would take about \$5.1 billion to bring California up to the national average and about \$18.8 billion to reach the level of Wyoming.*

A goal of Proposition 98 was to restore per student school funding in California to the top 10 states. In 2005–06 (the latest year that complete data are available), per student funding in California was \$8,301 (based on fall enrollment).<sup>4</sup> This was \$853 below the national average and \$3,136 below the 10th highest state (Wyoming). It would take about \$5.1 billion to bring California up to the national average and about \$18.8 billion to reach the level of Wyoming.

California is also well below the national average on a different measure—the percentage of state and local tax revenues spent on schools. Nationally, 48 percent of all state and local revenues are spent on public schools. California ranks 40th, at 35.2 percent.<sup>5</sup> California would need to spend more than \$16 billion more to get to the national average.

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### **CSBA’s position**

*California’s public schools are severely underfunded by any measure. Policy makers routinely acknowledge the fundamental importance of a strong public education system to the economic, social and civic well-being of the state. By under investing in schools, we’re under investing in our own future.*

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# How California schools are governed

## Local school districts and county offices of education

To serve 6.2 million students, California's schools are organized into elementary, high school and unified school districts. The number of districts changes over time due to consolidation and reorganization. In 2007–08, there were 331 unified districts, 556 elementary school districts and 86 high school districts. Each district is governed by a publicly-elected board of education, usually consisting of five or seven members. A handful of small districts have governing boards of three members.

In addition, there is a county office of education in each of California's 58 counties. County offices of education are governed by county superintendents (who are elected in all but five counties) and county boards of education. All county boards of education are elected except Los Angeles, whose members are appointed by the Los Angeles County Board of Supervisors. Several counties have county-wide unified school districts, where the county board of education also serves as the board of education for the unified school district. The largest of these county-wide unified school districts is in the city and county of San Francisco; the smallest is Alpine county.

County offices of education provide direct instruction to specific student populations, such as special needs students, and offer a variety of services to schools districts within their counties. A major role of county offices of education is to provide fiscal monitoring and oversight over school district budgets. School districts are the only local government entities in California that are required to have their budgets approved by another government entity.

## Charter schools

There are currently 746 charter schools serving more than 285,000 students in California. This is about 4.5 percent of the total K–12 public school enrollment. Under California law, charter schools are designated as local education agencies (LEAs). Most charter schools are privately managed and are governed by privately-selected individuals or governing bodies. However, charters are publicly funded. Many so-called “dependent”

charters are created, operated and governed by school districts and county offices of education.

## State level governance

Governance at the state level is shared by the elected superintendent of public instruction (SPI), the state board of education (SBE), and the governor's secretary of education. The SPI (which is a nonpartisan office) manages the California Department of Education, which administers K–12 programs, manages apportionments, and monitors school districts and county office of education compliance with state and federal laws and regulations.

The 11 members of the SBE are appointed by the governor, subject to Senate confirmation. The SBE is the primary policy-making body for K–12 education, with responsibility for such functions as the adoption of textbooks for use in kindergarten and grades 1 through 8, approval of academic content standards as directed by the Legislature, and establishment of K–12 performance goals.

The secretary of education is appointed by the governor and is not subject to Senate confirmation. The secretary is the chief policy advisor to the governor on education issues, preschool through higher education.

This three-headed governance structure has often led to confusion and conflict over who is in charge for what at the state level. Proposals to address this by shifting more authority to the SBE have been met with resistance from those who believe that more authority should be in the hands of an elected SPI instead of an appointed board.

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### **CSBA's position**

*The publicly-elected school board is a cornerstone of democracy and an essential institution for the engagement of local communities in the education of their children. Governance at the state level must be streamlined to eliminate confusion and lack of accountability.*

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## How schools are performing

Contrary to conventional wisdom, California's public schools have made extraordinary gains since adoption of the state's Public School Accountability Act (PSAA) of 1999. The PSAA created the Academic Performance Index (API), which is a numerical index that ranges from 200 to 1000. The API is based on the results of statewide tests in grades 2 through 12, which test different subjects at different grade levels. Subjects tested include English-language arts, mathematics, science and history. The API target for all schools is 800, and schools are measured by how much progress they make toward achieving that goal, both in aggregate and by types of students (ethnicity, poverty, disability, English learners).

Schools are divided into deciles based on their API scores. Schools in decile 1 are the lowest-performing 10 percent of schools. Schools in decile 10 are the highest-performing 10 percent of schools. Progress can be measured by tracking the range of API scores within each decile over time. If schools are improving, we would expect the range of scores within each decile to be higher from year to year. For example, we would expect the API scores of decile 2 schools to be higher in later years than in earlier years. In looking at California's schools, this is exactly what we see. In general, an API score that would have put a school in the middle of the pack in 2000, would place that school near the bottom today.

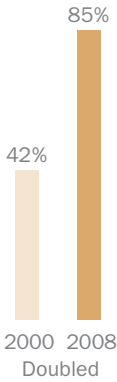
Impressive improvements occurred across all deciles. In fact, as shown in figure 2 on page 14, the percentage of schools scoring at or above 700 *doubled* between 2000 and 2008. Gains in the higher deciles are necessarily smaller, simply because they already had high API scores in the base year and therefore had less growth potential.

The top API scores for the lowest-performing schools in decile 1 increased from below 500 to nearly 700 for elementary schools, from below 500 to 640 for middle schools, and from below 500 to over 600 for high schools.

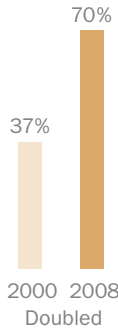
*No other state government program or service can document the same degree of improvement that California's public schools have achieved over the past eight to 10 years.*

FIGURE 2

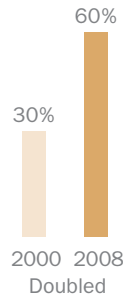
**Percent of elementary schools scoring at or above 700 (API)**



**Percent of middle schools scoring at or above 700 (API)**



**Percent of high schools scoring at or above 700 (API)**



However, API scores of some of the lowest-performing decile 1 schools show little improvement. So, while most decile 1 schools are showing improvement, some are not.

This is a serious problem and evidence that California needs to do more to assist struggling schools. However, these schools are the *exception* to the general trend of significant achievement gains. Therefore, helping these schools requires targeted solutions, not wholesale changes to a so-called “broken” system that is actually working very well in the vast majority of cases. In fact, *no other state government program or service can document the same degree of improvement that California’s public schools have achieved over the past eight to 10 years.*

**CSBA’s position**

*Improvements are needed to meet the needs of currently underperforming students. However, state policy must avoid total system “reforms” that would result in unnecessary and possibly harmful disruptions.*

# Current issues in public education

## The budget crisis

Public schools in California have been hit hard over the past few years with substantially reduced funding and deferrals of apportionments from the state. According to the Legislative Analyst, K–12 Proposition 98 funding has dropped from \$50.3 billion in 2007–08 to \$43.9 billion in 2010–11, as proposed by the governor. The level in the current year (2009–10) is \$44.1 billion. As a result, funding per student has dropped 12 percent in two years, as previously noted. After accounting for the effects of inflation, schools' real purchasing power has dropped approximately 20 percent.

For more than half of California's school districts, these cuts are exacerbated by declining enrollment. This is a problem, because schools are funded on the basis of average costs per student, but the loss of a single student produces only *marginal* savings. This means that the loss of revenue exceeds the savings, forcing even deeper budget cuts in affected districts.

In addition, the state's cash crunch has resulted in the practice of deferring apportionments to school districts. The size and length of these deferrals has grown from year to year. As a result, what was a state cash flow problem is now a school district cash flow problem. Many districts that have never had to engage in short-term borrowing to meet their financial obligations must now do so. Other districts must borrow larger amounts. This imposes new costs on districts for debt service, which forces additional budget cuts.

One indication of the severity of the current crisis is the growing number of districts that have received either a "negative" or "qualified" budget certification from their county office of education. A negative certification means that a district *will not* be able to meet its financial obligations for the current or next fiscal year. A qualified certification means a district *may not* meet its financial obligations for the current year or next two fiscal years. (The requirement to show a balanced budget for future fiscal years is unique to school districts and county offices of education. Some districts are "qualified" not because their current year budget is out of balance, but because

they may be unable to meet their financial obligations in future years. For some, this is caused by the scheduled end of budgetary flexibility provisions that have been provided by the state as a means of easing the impact of budget cuts.)

Even going into the current crisis, California's schools already had far fewer counselors, school nurses, librarians, school site administrators, and central office administrators than most other states. As a result, those areas provide few opportunities for further savings, and current budget cuts are centered more on direct instructional programs. A survey conducted by CSBA in September 2008 showed that—even at that relatively early point in the current crises—schools were already reducing or eliminating programs like K–3 class size reduction, summer school, after school tutoring programs, high school electives and advanced placement courses, and elementary arts and music courses. School budgets have been cut twice since then and will be cut a third time in 2010–11.

*Once lost, the momentum for improvement will be hard to regain.*

As a result of these cuts, the impressive API gains described earlier are at risk. Many of the programs that helped achieve these gains are victims of the budget ax, simply because there is no longer anywhere else to cut. Once lost, the momentum for improvement will be hard to regain.

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#### **CSBA's position**

*The current decline in support for public schools must be reversed if recent gains are to be sustained.*

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## **Accountability and intervention**

California's public schools are subject to two separate and sometimes conflicting accountability systems—the Public School Accountability Act of 1999 (state law) and the No Child Left Behind Act (federal law).<sup>6</sup> Pursuant to the PSAA, rigorous academic content standards were established for all grade levels, and standards-based tests were developed that were linked to the adopted content standards. Those same standards and targeted achievement levels are also used to evaluate school performance under NCLB, which was passed after the enactment of the PSAA.

Problems immediately ensued. Under the PSAA, the state established the “proficient” level as the performance target. Proficient is defined as the level of achievement necessary to gain admission into the University of California or a California State University. This level of performance is significantly above “grade level,” as commonly understood.

Under NCLB, however, Congress understood “proficient” to equal “grade level” and set a goal of 100 percent of students being proficient by 2013–14. When combined with California’s PSAA, the result is that all of California’s students will be expected to be achieving above grade level, or their schools will be identified as being “in need of improvement” and subject to interventions and sanctions. This is clearly an absurd goal, but policy makers have been reluctant to correct it for fear of being seen as “watering down” standards.

Predictably, some of California’s highest achieving schools and school districts have already been identified as being in need of improvement. This over-identification of schools that are truly lagging is recognized as a problem by the Obama Administration, which proposes to focus more sharply on just the lowest five percent of schools in the reauthorization of the Elementary and Secondary Education Act (ESEA).

Another conflict is in the range of subject areas that are tested. The only indicator of performance under NCLB is Adequate Yearly Progress (AYP), which is based only on English-language arts and mathematics. By contrast, California’s API also includes history and science. Because AYP is more difficult to achieve, an unintended consequence of NCLB has been a narrowing of the curriculum as districts devote more classroom time to the two areas tested.

A positive aspect of NCLB was the requirement to disaggregate test scores by student subgroups (special needs students, English language learners, and racial/ethnic minorities). This was a feature of PSAA, but was further strengthened by NCLB to ensure that low levels of performance among some subgroups do not become hidden by schoolwide or districtwide averages.

*By 2013–14, all of California’s students will be expected to be achieving above grade level.*

AYP and API are both good indicators of school and district performance. However, neither is sufficient, by itself, to tell us everything we need to know about how well a school is performing. Unfortunately, this does not stop policy makers from adopting accountability systems that assume each measure is sufficient. What’s worse, these accountability systems use these measures, not to inform rational decision making, but to trigger specific actions and interventions. Predictably, this results in actions being taken that do nothing to solve the underlying problem.

In addition to PSAA and NCLB, the Obama Administration initiated Race to the Top as a competitive grant program designed to focus on four major areas: rigorous academic standards and assessments; comprehensive data systems; ensuring effective teachers and leaders; and, turning around

the lowest achieving schools. States must submit applications to the United States Department of Education and compete for RTTT funds, which were made available as a result of the State Fiscal Stabilization fund authorized by the American Recovery and Reinvestment Act of 2009.

*AYP and API are both good indicators of school and district performance. However, neither is sufficient, by itself, to tell us everything we need to know about how well a school is performing.*

There are two rounds of RTTT competition. The first round was completed in the spring of 2010. Only two states, Delaware and Tennessee, were successful in securing RTTT grants. California applied, but was unsuccessful. The second round of RTTT grants are due by June 1, 2010. The analysis of the application that California submitted indicated that the shortcomings in the state's existing data system and the lack of support by the teachers unions, were the primary reasons for California's failure to obtain an RTTT grant. Those issues are not likely to be resolved by June 1.

As part of California's efforts to compete for RTTT, the Legislature changed California statute and adopted the four intervention models to turn around persistently low performing schools defined in RTTT. They are:

- Replace school staff
- Convert the school to a charter school or turn it over to a private education management organization
- Close the school
- Transform the school (which includes firing the principal)

Unfortunately, research has shown that *none* of these models can be counted on to improve schools.<sup>7</sup> Meanwhile, alternative turnaround strategies that have been shown to be successful are excluded from consideration.

These four turnaround models are required because of the public misperception of their effectiveness, not because they are supported by the evidence. Policy makers, however, must be guided by research, not by conventional wisdom.

## Closing achievement gaps

Achievement gaps between students from different ethnic, language and socioeconomic backgrounds have persisted in California's public schools for as long as all children have had access to public education. The table below provides an excellent snapshot of these achievement gaps by simply comparing the 2009 performance of 6th graders on the California Standards Test in English Language Arts.

|                 | All Students | White | Asian | Black | Hispanic | Poverty | Black, excluding poverty |
|-----------------|--------------|-------|-------|-------|----------|---------|--------------------------|
| Advanced        | 21%          | 35%   | 44%   | 11%   | 11%      | 10%     | 19%                      |
| Proficient      | 31%          | 36%   | 31%   | 28%   | 29%      | 28%     | 34%                      |
| Basic           | 30%          | 21%   | 17%   | 34%   | 36%      | 36%     | 30%                      |
| Below basic     | 12%          | 6%    | 5%    | 17%   | 17%      | 17%     | 12%                      |
| Far below basic | 6%           | 2%    | 2%    | 9%    | 8%       | 8%      | 6%                       |

While there will always be individual variability on test scores, such variability should not be able to be predicted based on a student’s ethnicity or socioeconomic status. Closing those achievement gaps are of paramount priority in public education. In order to be successful, myriad strategies must be employed, including:

- Placing the most effective teachers with the students who have the greatest academic need.
- Implementing high quality health, nutrition, mental health and other support services to meet the wellness needs of students.
- Increasing instructional opportunities beyond the typical school day and school year.
- Providing safe communities for students.
- Expansion of high quality preschool programs.
- Ongoing professional development and mentoring to support teachers.

English learners are also an important student population whose needs must be met in order to close achievement gaps. English learners have, quite literally, twice as much to learn as their English speaking counterparts. They must not only master the core academic content, they must learn a new language with a depth of fluency that will enable them to be successful in rigorous academic content in all subject areas that is taught in the English language.

In 2007–08, one in four students in California was not yet proficient in the English language. Further, nearly one in five students is proficient in English, but have a primary language other than English. That means that 43 percent of California’s students speak a language other than English, with 25 percent of students still learning English. Yet, according to data released in April 2008 by the California Commission on Teacher Credentialing, nearly

7,500 teachers are currently teaching English learners without the proper EL teaching authorization. There simply are not enough teachers authorized to meet current needs and districts lack the flexibility in statute to require current teachers to become authorized to teach EL students. While the majority of EL students are native Spanish speakers, more than 100 languages are spoken in California's schools, with 55 of those languages having concentrations of 15 percent or more at a school site. These students enter California's schools at every grade level and come with varying levels of education experience from their native country, with some students having never received formal instruction. To meet this vast array of EL students, California schools have been provided limited support in terms of English language development instructional materials. The State Board of Education maintains control over which instructional materials can be purchased for schools in grades K–8 and the board has provided no intervention or support materials for English learners who are having difficulty in the early grades.

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#### **CSBA's position**

- *Provide school districts with the explicit authority to require current classroom teachers to obtain EL teaching authorizations.*
  - *Expand resources for professional development for teachers serving EL students.*
  - *Require the State Board of Education to adopt instructional materials that provide intensive intervention and support for EL students who are struggling to master English in the early primary grades.*
  - *Provide resources to allow for additional instructional time needed for EL students to meet the learning outcomes for both language and academic content mastery.*
- 

## **Teachers and administrators**

Improving the quality of teaching and administrative leadership is critical to the success of public education. With the number of teachers and administrators predicted to retire from the profession, coupled with attrition, the Center for the Future of Teaching and Learning estimates that California will need roughly 100,000 new teachers over the next decade. Further, the demands for the teachers and administrators in California are greater than ever before as districts strive to close persistent academic achievement gaps between groups of students and push for higher levels of standards and accountability.

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. Additionally, many teachers lack training in teaching English learners. In California, learning how to teach English learners is a required part of any basic credential program. However, to teach EL students in specialized settings still requires a particular authorization. According to the California Commission on Teacher Credentialing data released in April 2008, nearly 7,500 teachers are currently teaching EL students without the proper authorization because there simply are not enough teachers to meet the need. Additionally, with the rigorous academic content standards adopted by the state and the shared imperative to ensure that all students meet those standards, California is asking teachers and administrators to do more than they ever have. Ongoing recruitment, support and professional development for these dedicated educators must be provided.

Elements of collective bargaining that limit the ability of governing boards to effectively address professional assignments and accountability must be addressed. For example, there has been much discussion about the distribution of experienced teachers among schools within a district because 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 invariably restrict the district’s ability to correct problems in the assignment of teachers.

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### ***CSBA’s position***

- *The state must provide support and resources to school districts and county offices of education to assist them in providing the professional development needed to ensure teachers can be successful in meeting the needs of all students.*
  - *Probationary status should be allowed to be extended beyond two years to ensure that districts are able to make sound decisions regarding granting tenure rights to teachers.*
  - *A balance must be struck between the rights of employees to collective bargaining and due process with 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, etc., then priorities must be reconsidered.*
  - *The scope of collective bargaining must be limited to the core labor issues relating to the terms and conditions of employment.*
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## Charter schools

Nowhere is the gap between conventional wisdom and research wider than in the case of charter schools. There are some very good charter schools; however, the overwhelming bulk of independent research reaches the conclusion that, on average, charter schools are no better than the average non-charter public school.

In fact, a recent national study of charter schools in California and 15 other states conducted by Stanford University found that charter schools actually *underperformed* compared to regular schools more than twice as often as they *outperformed* them.<sup>8</sup> Specifically for California, the study found mixed results, with charter schools showing higher reading gains but lower math gains than traditional public schools.

Similarly, a 2006 study by the U. S. Department of Education concluded, “After adjusting for student characteristics, charter school mean scores in reading and mathematics were lower, on average, than those for public non-charter schools.”<sup>9</sup>

While charter schools were originally intended to improve all public schools through competition, Diane Ravitch—an early supporter of charter schools as a reform—makes a compelling case for the notion that charter schools actually damage their neighboring non-charter schools, especially in urban areas. Even with a random selection process, charter schools have ways of pushing out students who do not perform at desired levels. As Ravitch puts it:

*The theory of the charter movement is that competition with the regular public schools will lead to improvements in both sectors, and that choice is a rising tide that lifts all boats. But in reality, the regular public schools are at a huge disadvantage in competition with charter schools. It is not only because charter schools may attract the most motivated students, may discharge laggards, and may enforce a tough disciplinary code, but also because the charters often get additional financial resources from their corporate sponsors, enabling them to offer smaller classes, after-school and enrichment activities, and laptop computers for every student. Many charter schools enforce discipline codes that would likely be challenged in court if they were adopted in regular public schools; and because charter schools are schools of choice, they find it easier to avoid, eliminate, or counsel out low-performing and disruptive students.<sup>10</sup>*

Those students, of course, are returned to the non-charter public schools, which are then responsible for their performance. The remaining, more motivated students enhance the performance of the charter school.

The bottom line is that charter schools fulfill an important role in public education, but it is a specialized role. Simply having more charter schools is not a reform in and of itself. In some cases, charter schools do a superior job of serving students that are not well served by traditional public schools. In other cases, they do not. In some cases, converting a low performing school to a charter school may be the path to improvement. In other cases, it may not. Policy making and decision making at both the state and local levels must build on the strengths of charter schools while recognizing their limitations and their effect on neighboring, traditional schools.

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#### **CSBA's position**

*Multiple measures must be used to assess school performance in order to capture the breadth of school purposes and avoid narrowing of the curriculum. School districts must be permitted to select from a variety of research-based turnaround interventions in order to effectively address local needs and conditions.*

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## **School facilities**

School facilities are an essential component of the educational program. Schools will have difficulty reducing class size or providing necessary technology, school safety, health or social services without sufficient school facilities to meet those needs. Students and school staff should be able to work in an atmosphere that is environmentally safe, well maintained, conducive to learning, technologically and structurally up-to-date and free from overcrowding.

The California Department of Education has projected that from 2009 to 2014, the state will need to build almost 22,000 new classrooms and modernize more than 35,000 classrooms. Altogether, the CDE has projected that almost 1.5 million students will need new and remodeled classrooms during the five-year period. This estimate is based on estimates on 25 students per K–6 classroom and 27 students per 7–12 classroom.

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#### **CSBA's position**

*CSBA supports the placement of statewide general obligation bonds on the ballot in the 2010 and 2012 election cycles to meet these school facilities needs of the next decade.*

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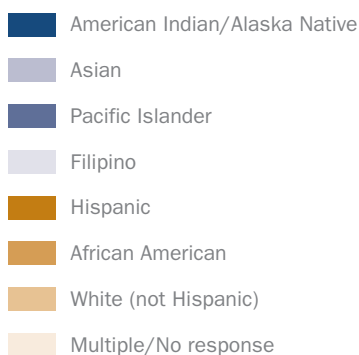


## Meeting diverse needs

California's public schools enroll about 6.2 million students. As shown in Figure 3, California is a majority-minority state, with Hispanics accounting for nearly half of the student population.<sup>11</sup> Whites comprise a little more than a fourth, and each of the other categories is less than 10 percent of the total student population.

FIGURE 3

### Ethnic distribution of public school students



Nearly one-fourth of California's students are English language learners (ELL). The state with the next highest percentage of ELL students is Texas, with 16 percent. According to the National Center for Education Statistics, California enrolls about 13 percent of the nation's students, but 42 percent of the nation's ELL students. Most of these (85 percent) speak Spanish as their first language, but the CDE identifies 55 other languages that are also spoken by California's students. The size and diversity of California's ELL population presents unique challenges that require additional resources to overcome.

California's schools enroll 678,000 special education students, which accounts for 11 percent of total enrollment. Types of disabilities include specific learning disabilities, speech impairments, mental retardation, autism, and traumatic brain damage among others. Under state and federal law, schools must develop an Individualized Education Plan (IEP) for every special education student.

The IEPs are developed by a committee that consists of school staff and the parents or guardians of the student. By law, cost is not a factor in determining the IEP, and the IEP must have the approval of the parent or guardian. IEPs often include provisions for transportation, physical therapy, and medically-related services that are needed to allow the student to access and benefit from an instructional program. The cost of these non-education services are paid by the school.

Typically, the IEP specifies educational outcomes for the student, and these outcomes can be different from the outcomes expected of regular education students under PSAA or NCLB. Federal law is actually in conflict with itself by requiring the establishment of individualized outcomes for each special education students while also requiring those students to take and pass the same tests administered to regular education students. The biggest single reason schools have been identified as being in need of improvement under NCLB is that special education students are not able to pass those tests or that their parents exercise their right under California law to exclude them from taking the test.

Finally, California has a relatively high number of students living in poverty, as measured by eligibility for a free or reduced-price lunch. In California, 52 percent of students are eligible, compared to a national average of 43 percent. Only the District of Columbia and four other states (Arkansas, Louisiana, Mississippi, and New Mexico) have higher percentages than California. The impact of poverty on a student's readiness and ability to learn is well documented.<sup>12</sup> The high incidence of poverty in California means we must more aggressively address the out-of-school conditions of students that affect in-school performance.

In general, a student in California is more likely to be living in poverty, in foster care, homeless, without health care, hungry, and a victim of violence than his or her national counterpart. These conditions must be addressed if the academic achievement gap is to be closed.

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### **CSBA's position**

*Policy makers must acknowledge the impact of out-of-school conditions of children on ability and readiness to learn. Closing the achievement gap requires programs to address the impact of poverty, poor health and nutrition, homelessness, and other challenging conditions.*

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## Conclusion

In closing, we hope this *Education Issues Brief* provides an understanding of the public education system in California. It is intended to be a short primer on key issues, such as how California schools are financed, governed and performing, and on the amazing diversity of California's student population.

For continuous updates on school governance and public education issues, visit [www.csba.org](http://www.csba.org) regularly. You may also follow us on Facebook, Twitter and YouTube. You may also contact us to discuss an issue in detail, please call us at 1.800.266.3382.

## Footnotes

- <sup>1</sup> California State Department of Education, *Fact Book 2009*. (Percentages do not add up to 100 due to rounding.)
- <sup>2</sup> California Legislative Analyst's Office, "The 2010–11 Budget: Proposition 98 and K–12 Education," February 25, 2010.
- <sup>3</sup> California State Department of Education, *Fact Book 2009*.
- <sup>4</sup> National Center for Education Statistics, *Digest of Education Statistics*.
- <sup>5</sup> National Education Association, *Rankings & Estimates*, December 2009.
- <sup>6</sup> The Elementary and Secondary Education Act was enacted in 1965 to provide federal financial and programmatic support to public schools. Since 1965, the law has been periodically reauthorized with additional programmatic guidelines. Some of those reauthorizations have been given a name. The latest reauthorization 2001 was named the No Child Left Behind Act.
- <sup>7</sup> "Improving Low-Performing Schools: Lessons from Five Years of Studying School Restructuring under No Child Left Behind." Washington, DC: Center on Education Policy, December 2009.
- <sup>8</sup> "Multiple Choice: Charter School Performance in 16 States." Center for Research on Education Outcomes (CREDO), Stanford University, July 2009.
- <sup>9</sup> Braun, H., Jenkins, F., and Grigg, W. (2006). *A Closer Look at Charter Schools Using Hierarchical Linear Modeling* (NCES 2006–460). U.S. Department of Education, National Center for Education Statistics, Institute of Educational Sciences. Washington, DC: U.S. Government Printing Office.
- <sup>10</sup> Diane Ravitch, *The Death and Life of the Great American School System: How Testing and Choice are Undermining Education*. New York, NY: Basic Books, 2010, pp136-137.
- <sup>11</sup> California Department of Education, *Fact Book*, 2009.
- <sup>12</sup> Richard Rothstein, *Class & Schools: Using Social, Economic, and Educational Reform to Close the Black-White Achievement Gap*. Washington, DC: Economic Policy Institute, 2004.



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