



Education Issues Brief

2008-09 edition



California School Boards Association
3100 Beacon Blvd., West Sacramento, CA 95691
(800) 266-3382 | FAX (916) 371-3407 | www.csba.org



Education Issues Brief

2008–09 edition

For more information, please contact:

California School Boards Association

3100 Beacon Blvd., West Sacramento, CA 95691

(800) 266-3382 | FAX (916) 371-3407 | www.csba.org



Table of contents

Who we are _____	4
Preface _____	6
Academic content standards and instructional programs _____	8
Assessment and accountability _____	9
Before and afterschool programs _____	10
Charter schools _____	11
Data _____	13
Declining enrollment _____	14
English language learners _____	15
Federal funding for education _____	16
Foster youth _____	17
Graduation rates _____	18
Home-to-school transportation _____	19
Lack of resources _____	20
Limited local control _____	23
No Child Left Behind Act: The reauthorization _____	25
Preschool _____	27
School-based Medicaid _____	28
Secure rural schools funding _____	30
Special education — Autism _____	31
Student wellness _____	32
Teachers and administrators _____	33
Conclusion _____	35

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 to help them meet the needs of our state's more than 6 million students.



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

Boards of education are entrusted by their diverse communities to ensure that a high quality education is provided to each student. 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. 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

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 as modified: June 29, 2008

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 last decade, California residents consistently identified education as one of the top two policy issues, along with jobs/the economy. State policy-makers have responded by instituting major reforms. Yet, 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 of these reforms at one time and to manage the dramatic pressures and changes that came with them.

About California's students

California enrolls about 6.2 million students in kindergarten through 12th grade. Nearly one in every eight public school students in the United States is enrolled in California. While total K–12 enrollment is currently declining slightly (about 0.5 percent per year), it is expected to begin growing again in 2011. By 2015, enrollment is projected to be above current levels.

In addition to being especially large, California's public school enrollment is also very diverse. This is a minority-majority state, with ethnic minorities accounting for more than three-fourths of our students. Latinos, at 48.7 percent, account for the largest percentage of the student population. Whites are a distant second at 28.5 percent, followed by Asian (8.2 percent), African American (7.4 percent), Filipino (2.7 percent), and American Indian/Alaska Native (0.8 percent). Three percent decline to state.

More than a quarter of our students are English language learners. While most — 85 percent — are native Spanish speakers, 100 other languages (everything from Assyrian to Ukrainian) are spoken by significant numbers of California's schoolchildren. Most EL students are in the elementary grades; more than a quarter are in grades K–3 and more than two-thirds are in grades K–6.

California also has large numbers of students facing extraordinary challenges due to poverty, homelessness and similar circumstances. Seventeen percent of children aged 5 through 17 live in poverty, compared to 15.9 percent nationally. Half of our students qualify for free or reduced price meals. While difficult to quantify, it is known that many students come to school hungry, with untreated medical conditions (such as asthma) or physical impairments (such as vision or hearing), and emotional issues, all of which present barriers to learning that schools struggle to overcome.

In addition, nearly 700,000 students (11 percent of the total) require special services due to conditions such as physical disabilities, mental retardation and specific learning disabilities. These students require individual education plans as well as physical therapy, medical procedures, counseling and other services to support their educational progress.

Academic content standards and instructional programs

California's academic content standards are among the highest in the nation. According to the Thomas B. Fordham Foundation, California is one of only three states to receive an "A" for the level of rigor in its academic expectations for all students. The state's content standards, adopted in 1997 and 1998 by the State Board of Education (SBE), address the academic content expected of all students in English/language arts, math, history/social science and science.

The academic content standards are delivered in the classroom largely through instructional materials. The SBE adopts instructional materials aligned to the content standards for grades K–8 and local school districts adopt materials for high schools. The tightly controlled state adoption process limits the ability of local districts to purchase instructional materials that meet local student needs. The SBE also creates tight restrictions around how instructional materials are used. For example, the SBE specifies that publishers develop programs that allocate specific numbers of daily instructional minutes for English/language arts and math. The result is instructional time focused on English/language arts and math reaching up to four and a half hours each day. After recess and lunch, there is little time for history, science, arts, physical education, or career technical education.

We have learned much since the implementation of the academic content standards. Not only have educators identified ways in which the standards can be strengthened, but much has changed in the world around us. There is history that has occurred between 1998 and 2008 that is not reflected in the standards. There is science that has been discovered in the same time period. The standards have not been updated to reflect these changes. And, as California embarks on a new mandate for 8th graders to be enrolled in Algebra I, standards in the early grades need to be strengthened.

Recommendations

- Examine expansion of instructional minutes to ensure that students have access to a comprehensive curriculum, including career technical education.
- Provide districts with greater authority over the adoption of instructional materials and then hold them accountable for student achievement.
- Initiate a review of the state's academic content standards to ensure that they are current and to strengthen any deficiencies that have been identified after a decade of implementation.

Assessment and accountability

A key component of a standards-based system is the alignment of the academic content standards with student assessments. The results of the state's assessments can then be used by local and state policy-makers to determine the effectiveness of programs and to assist in making better decisions about where resources need to be allocated. The results are also used to hold schools and districts accountable for student performance on the academic content standards.

When the state developed its standards-based assessments, it identified five different performance levels: advanced, proficient, basic, below basic and far below basic. The proficient level was targeted at a level of performance expected for students to gain admission into the University of California or California State University systems. These performance levels are then used to measure progress under two separate accountability systems. The first is the California Public Schools Accountability Act, which measures annual growth on the Academic Performance Index. The second is the federal No Child Left Behind Act, which requires schools to meet "Adequate Yearly Progress," with 100 percent of students — regardless of disability or ability to speak English — expected to be proficient in math and reading by 2013–14. Even supporters of NCLB agree that this is an impossible goal and that all schools will be designated as "in need of improvement" by that date.

Since the adoption of rigorous standards, schools in California have made tremendous progress in helping students achieve them. In 2002, 36 percent of 4th graders were proficient in English/language arts. By 2008, 55 percent of students scored at the proficient level or higher. In spite of this tremendous progress, the state and federal systems of accountability have unintended consequences. Because federal accountability through NCLB links dramatic sanctions to schools and districts that don't meet AYP, many districts have focused their curriculum almost exclusively on English and math. Subjects like science, art and history are not receiving their fair share of limited instructional time. Career technical education is also being pushed aside in a narrowly defined curriculum. The two accountability systems have also created myriad intervention programs with different requirements and different criteria for when interventions are triggered. The result is a confusing set of rules, often contradictory or overlapping, that distract schools and districts from focusing their energy on improving student achievement.

Recommendations

- Ensure accountability is comprehensive and reflective of more than just test scores on a limited number of subjects.
- Eliminate overlapping and contradictory interventions.
- Build accountability systems upon reasonable expectations for student achievement — the bar should be high, but it should not be unattainable.

Before and afterschool programs

Before and afterschool programs in California have grown over the last decade due, in part, to the increased focus on academic outcomes and concerns over student safety. Evaluations of California afterschool programs have found positive impacts on student achievement, attendance, behavior and reductions in grade retention. Research also suggests that children and youth are most likely to be victims or perpetrators of crime between the afternoon hours of three and six p.m., after school ends. Many communities have invested in these programs to support and refine the learning that occurs during a student's regular school day and to help ensure the safety of children and youth before and after school.

There are a number of funding sources, federal, state and local, that are used to support before and afterschool programs — approximately \$700 million is spent annually in California. The three largest funding sources are the 21st Century Community Learning Center Program, the 21st Century High School After School Safety and Enrichment for Teens Program and the After School Education and Safety Program (ASES).

Recommendations

- Allow school district and site level flexibility to operate ASES programs in the hours afterschool that best meet the needs of the local community, while maintaining the current requirement of 15 hours per week.
- Continue funding for 21st CCLC, ASSETs and ASES, and seek increased funding opportunities to expand program access.
- Maintain current flexibility for school districts and grantees to develop program curriculum and program goals.

Charter schools

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.

California law allows charter schools to operate outside most state mandates, including collective bargaining. There are approximately 700 active charter schools in operation, serving approximately 250,000 students.

Charter schools can be an opportunity for districts to meet the specific needs of their students. However, the current charter law makes it difficult to ensure that district needs are being met by the charter schools it approves. There needs to be congruence between the needs of all students of the district and the goals of the charter petition.

The financial impact caused by opening a charter school can be detrimental to districts, especially those facing declining enrollment. However, school boards may not deny a charter based on the fiscal impact it will have on the district.

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.

Districts facing this issue must plan for some, if not considerable, disruption and dislocation among the district’s non-charter students, staff and programs.

Local authorization of charter schools is vital. Parents and community members need to have a local body that is accountable for the charter school and that they can go to with issues or problems.

The statewide benefit charter was intended to be reserved for specialized programs that could not be successful if approved at the local level. Unfortunately, the State Board of Education has ignored its own regulations and approved two statewide benefit charters that can be and are successful at the local level. This

allows these charter management groups to bypass the local level and leave parents without a voice.

Recommendations

- School boards should 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.
- To protect public funds from misuse, charter school governing boards must be required to follow the same conflict of interest rules required of school district governing boards.
- Funding for facilities should be made available to charter schools to ensure that districts aren't forced to cut resources for students in the traditional school environment.
- School districts must be fully reimbursed for all costs related to authorizing and oversight of charter schools.
- School districts should be afforded the same flexibility from Education Code requirements as charter schools receive.
- The Legislature should review and strengthen the requirements for a statewide benefit charter school.

Data

Accurate data is critical to informing decisions around teaching and learning in the classroom and schools, as well as to inform policy and resource decisions at the local and state level. As California grows and matures in its ability to collect and analyze data throughout all spectrums of public education, the state must look toward ways to link data systems between the various segments of government that serve students, including pre-school and higher education. These linkages will provide powerful information to help inform policy decisions and resource allocations to ensure the best decisions are made for students.

The California Department of Education is in the early stages of developing a more comprehensive statewide system of data collection in order to better inform state and local decisions regarding teaching and learning.

Recommendation

- Develop a data system that is comprehensive in scope to facilitate the sharing of information by professionals, and between districts and other children's service providers while maintaining the confidentiality of information of students and families.

Declining enrollment

More than 50 percent of all school districts in California start the school year with fewer students than they had the prior year. This affects districts of all types and sizes and occurs due to a variety of factors, such as demographic changes, loss of employment, changes in real estate, students transferring to charter schools, and/or any number of other factors beyond the control of districts.

Districts are affected differently depending on their size and type, and the extent of the decline they encounter. The following are some of the issues facing districts with declining enrollments:

- Fixed costs, such as utilities, facilities and maintenance, remain the same no matter how many students leave the district.
- Enrollment does not decline in neat 30-student packages, so staff-related operational costs cannot decline as quickly as revenues decline.
- Reductions in staff, when necessary, are often from the least-senior employees. As a result, there is an increase in per-pupil operational costs.
- Teaching staff reductions are not sufficient to compensate for the loss of revenue.
- In order to maintain direct instructional services, districts must make disproportionately larger cuts in programs or scale back support services such as counseling, maintenance and classroom support. Research shows that these services have a profound affect on students' ability to learn and their academic achievement.

Currently, districts only receive a one-year funding adjustment which doesn't address the realities districts face regarding how and when they can make staffing and programmatic changes. The instability of funding from the state makes the situation even more challenging.

Recommendations

- Maintain stable and adequate funding to ensure declining enrollment districts are able to provide the necessary support and services so that student achievement is not negatively impacted.
- Extend the transition period to allow for a more thoughtful and rational adjustment to smaller student populations that provide districts time to make adjustments, while not compromising on programs and services.
- Provide appropriate resources to support a level of service comparable to growing districts, just as the state does in the case of small isolated schools or fast-growing communities.

English language learners

In 2007–08, one in four students in California were not yet proficient in the English language. Further, nearly one in five students are 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.

Finally, EL students simply have more to learn than students who come to school already proficient in English. They must learn a new language in addition to learning the academic content, such as math, science and history/social science.

Recommendations

- 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.

Federal funding for education

Federal funding for elementary and secondary education programs has remained nearly flat for the last several years because of a shift in budget priorities and the gridlock of the Congressional appropriations process. Although this premise applies to a number of programs for FY 2008, Congress did increase funding for Title I grants for disadvantaged students by \$1.1 billion, which is significant compared to recent fiscal years. Two federal programs are the largest sources of federal funding to school districts and also operate as mandates:

- Title I grants: the main source of federal funding for the No Child Left Behind Act.
- IDEA grants: special education funding under the Individuals With Disabilities Education Act.

Congress has not appropriated funding to match the levels specified in authorizing legislation for either NCLB or IDEA.

NCLB

For Title I funding, the ever-expanding annual gap between the authorized and appropriated levels was roughly \$10 billion for FY 2006 and \$12 billion for FY 2007. Since NCLB expired on September 30, 2007, there is no current authorized funding level for Title I; and, the level appropriated for FY 2008 (\$13.9 billion) was in anticipation of NCLB being reauthorized in 2008.

IDEA

For IDEA, the gap between authorized and appropriated levels has expanded by about \$2 billion each year, while the appropriated level has remained roughly constant over the past several years. Congress promised to pay an amount equal to 40 percent of the average per pupil expenditures rate, but the current funding level of \$10.9 billion is only roughly 18 percent. To reach the full funding goal, Congress committed itself to a funding schedule beginning in FY 2005. Under this schedule, Congress authorized \$19.2 billion for FY 2008; but again, only provided \$10.9 billion (or about 58 percent of the amount needed to stay on schedule).

Recommendations

- Provide larger increases of at least \$2.5 billion for the federal share of funding for Title I grants and IDEA.
- Provide full funding of mandated programs and enact efficient procedures for ensuring appropriate funding levels for all federal public education programs.
- Oppose general budget reductions by formulations that circumvent Congress' responsibility to set funding priorities among government functions.

Foster youth

California has the largest number of youth in foster care of any state in the nation. Between July 2006 and June 2007, nearly 83,000 children were in foster care and 487,154 incidents of child abuse and neglect were reported to Child Welfare Services. Approximately five percent of the state's youth have some contact with the system each year, in many cases necessitating removal from the home.

Youth who are exposed to abuse, neglect and instability in their home life have a greater risk for physical and mental health problems, academic failure and incarceration. In addition, many youth in foster care have historically experienced frequent school changes. The California Department of Education has reported that youth in foster care lose six months of academic achievement with each school move. With the continued emphasis on student achievement, education stakeholders are focusing on the performance of various subgroups of students who are at additional risk and may benefit from extra support and services. The passage of Assembly Bill 490 in 2003, combined with various local efforts, are now providing increased school stability and better support for youth and families in the foster care system in an effort to mitigate the negative consequences associated with abuse and neglect and lead to improved student outcomes. However, the implementation of AB 490 is uneven across California and there is still much work to be done to ensure foster youth have access to the same resources, services and activities available to all students.

Recommendations

- Require the development of statewide shared student data systems among school districts, county offices of education, county departments, juvenile courts, probation departments and public defenders that do not violate foster youths' need for privacy and confidentiality.
- Expand resources and training of staff to ensure school stability for foster youth.
- Fund transportation costs to allow students to remain in their school of previous enrollment when they have been moved to a new placement and when it is in their best interest to do so.
- Provide resources for districts to allow foster youth to receive priority for educational programs and services, including enrichment activities.
- Provide opportunities for all three and four year-old foster children to participate in a high-quality, developmentally appropriate and affordable preschool programs.
- Ensure that non-public schools serving foster youth meet state and district educational standards.

Graduation rates

In the summer of 2008, the state released its first set of data to more accurately reflect “on-time” graduation rates (the percentage of students who graduate from high school in four years). The state has not been effective, however, in identifying students who graduate beyond four years of high school. As a result, the graduation rates that are published fail to include large numbers of students who continue to access public education through either a fifth or sixth year of high school, adult education or community college. For some of these students, the only barrier to graduation is the California High School Exit Exam.

It is essential for the state to collect and report this data. This will help policy makers understand how and when students need educational services. It will also help the state understand the extent to which the CAHSEE itself is a barrier to graduation. For some students, there may need to be other ways to demonstrate mastery of the content assessed on the CAHSEE.

Recommendations

- Ensure the data system is able to capture students as they continue their education options outside of the traditional “four-year” high school program.
- Provide students with multiple pathways to demonstrate mastery of the content standards on the CAHSEE.

Home-to-school transportation

The home-to-school transportation reimbursement formula is perhaps the most irrational funding formula in all of state government. It bears no relationship to actual workload and results in widely inequitable reimbursement rates among school districts. Basically, the formula entitles a district to its prior year reimbursement for approved costs, as adjusted for whatever COLA may be provided in the Budget Act, without regard to actual increases or decreases in workload. This formula was placed into law by SB 813 in 1983.

As a consequence, reimbursements for many districts have not kept pace with the growth they have experienced in the last 25 years. Uneven growth rates among districts has resulted in uneven reimbursement rates for approved transportation costs. Some districts that did not have transportation programs in 1983, but do now, are ineligible to receive any state reimbursement at all, because, each year, their prior year reimbursement was zero. Meanwhile, other districts get some to well over half of their approved costs reimbursed by the state.

This results in inequities not only for transportation funding, but also for funding for instructional purposes. This is because the more of its own resources a district must spend on transportation, the fewer resources are available for instructional and other purposes.

Recommendation

- Change the reimbursement formula to provide reimbursement for a fixed percentage of approved transportation costs. The law already defines “approved” costs. By reimbursing districts for only a percentage of their approved costs (such as 75 percent), instead of the full cost, districts would have an incentive to keep their costs low.

Lack of resources

California's schools receive about 62 percent of their total funding from the state general fund and about 21 percent from local property tax revenues. However, local revenue is limited by Proposition 13, and total state and local support is determined at the state level. This means that local schools must compete with all other state programs for funding and any substantive increase in school funding can only come from increased state support, under current law. Because of the state's general fund condition, such increases have not been forthcoming, and California continues to lag the nation in its support of public schools.

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), but in practice has been treated as a funding ceiling by state lawmakers. In many years, this has resulted in the hollow claim that "Proposition 98 has been fully funded" upon enactment of the state budget, when in fact that funding did not fully address the needs of K–12 schools.

By any measure, the amount that California invests in public schools is below the national average and well behind the leading states. The most recent report from the U. S. Census Bureau (*Public Education Finances 2006*, April 2008) shows (as shown in Figure A) that California ranks 29th in spending per pupil. At \$8,486 per pupil, we are \$697 below the national average of \$9,183. But California is actually much closer to the bottom than our 29th place ranking implies. This is because, when comparing actual expenditures, California spends \$6,398 less than the top state (New York), but only \$3,049 more than the lowest state (Utah). After taking into account the differences in cost of living among the states, the national publication, *Education Week*, ranks California at 46th.

Figure A | California lags nation in support of public schools

	Low	California	High
\$ per pupil	\$5,437	\$8,486	\$14,884
% of state & local expenditures applied to schools	17.0%	22.4%	31.8%
School spending per \$1,000 of personal income	\$30.09	\$39.62	\$62.68

Source: U.S. Census Bureau 2006

Another way to measure and compare investment in education is to look at school spending as a percentage of personal income within a state. This helps to equalize differences in both cost of education and ability to pay. Here too, California is well below the national average at 39th. And, as with per pupil spending, California is much closer to the bottom than to the top when looking at actual spending per \$1,000 of personal income. California is \$23.26 from the top (Arkansas), but only \$9.53 from the bottom (District of Columbia).

Figure B | Staffing per 1,000 pupils

	Teachers	Counselors	Librarians	Site admin.	District admin.
National average	63.29	2.09	1.11	3.40	1.31
California	47.17 -25.5%	1.01 -51.7%	0.18 -83.8%	2.14 -37.1%	0.42 -67.9%

Source: U.S. Census Bureau 2006

Another comparison to look at is the percentage of total state and local expenditures that is allocated to elementary and secondary schools. This shows the priority placed on public schools relative to all other public expenditures. Once again, California, at 22.4 percent, lags behind the national average of 23.6 percent. And California's rank of 29th belies the fact that we are much closer to the bottom (5.4 percentage points) than to the top (9.5 percentage points).

So whether we measure investment in terms of per pupil spending, spending as a percentage of personal income, or spending as percentage of total state and local public spending, California ranks below the national average. When measured in absolute terms, California is twice as far from the top as from the bottom in every measure.

Fewer financial resources translate into fewer human resources in our schools. As shown in Figure B, California is significantly below the national averages in the number of teachers, counselors, librarians and administrators per pupil.

Recommendations

- Increase state-level funding for education to enable schools to meet the twin challenges of a diverse student population and high academic performance standards.
- Give school districts more local revenue generating authority in a manner that is consistent with state law.
- Proposition 98 should be considered a minimum and not a maximum funding level. Funding should be determined based on needs and not a formula.

Limited local control

While decision-makers across the political spectrum endorse the concept of “local control,” the reality is quite different. In 1999, California enacted a package of bills called the “Public Schools Accountability Act.” The theory behind the PSAA was that the state would shift from an input-based to an output-based school accountability system. Specifically, the state would establish curriculum frameworks and academic performance standards, and align student tests to the new frameworks. Schools would be expected to meet specific, state-established performance standards or face sanctions.

In exchange, school districts would be given the flexibility they need to address local needs and conditions. But this has never occurred. As a result, districts are in the untenable position of being accountable for results while having little control over how to achieve them. Conversely, state-level decision-makers tightly control inputs while shifting accountability for results to the local level.

For example, the state controls the level of funding districts receive, and there is widespread agreement by impartial observers that the level of funding is not sufficient to achieve the desired results. In one of the “Getting Down to Facts” studies issued in 2007, Jon Sonstelie of the Public Policy Institute of California concluded that funding should be increased by 40 percent in order to adequately address performance expectations.

In addition to controlling the level of funding, the state also controls how much of the money can be spent. This is done through a multiplicity of categorical programs that allocates funds in various “buckets,” restricts the use of funds within each bucket to a specific purpose, and — in many cases — prescribes how those funds can be used. For example, the state allocates funds for administrator and teacher professional development. Rather than allow districts to use those dollars for locally designed programs, the state prescribes the allowable content of professional development programs. This “cookie cutter” approach prevents districts from targeting local needs.

At the elementary (grade K–8) level, districts must select textbooks from an approved list of books adopted by the State Board of Education. This prevents districts from selecting alternative materials that may better serve their local student populations.

Despite the fact that the state determines (1) the level of funding, (2) the programs for which funds may be spent, (3) the content of many of those programs, and (4) the instructional materials that may be used (in grades K–8), local districts are held completely accountable for results. The failure to achieve expected outcomes results in state sanctions and interventions.

In a true outcome-based accountability system, the state would set the standards and expectations and then give local districts both the resources and flexibility needed to achieve them.

Recommendations

- Shift to a true outcome-based accountability system by giving local districts greater authority and control over the use of funds and the operation of programs.
- Change the process for the selection of state-adopted textbooks to give local school districts more control over the state process or more discretion in the local selection of materials.

No Child Left Behind Act: The reauthorization

After six years of implementing the No Child Left Behind Act there are many requirements that remain unrealistic. Demands such as the 100 percent proficiency requirements and the 95 percent participation rate set up successful schools to be labeled as in need of improvement. While the new regulations and guidance provided by the U.S. Department of Education to address some of the implementation challenges of NCLB may be appreciated, they do not adequately address several critical implementation challenges.

Sanctions compel narrowing of the curriculum

- NCLB has forced districts to focus their efforts almost exclusively on English/language arts and math in order to avoid NCLB sanctions. This has resulted in a dramatic reduction in programs for the arts, science, history/social science and physical education.

Growth measures

- California has its own rigorous accountability system that gives schools credit for improving student achievement. Under NCLB schools that have worked hard and made real progress raising student achievement are often labeled as in need of improvement because they have not reached NCLB's single, arbitrary measure of success.
- There are up to 46 different ways to fail adequate yearly progress and NCLB provides no distinction for sanctions if a school or district has failed one or all those 46 expectations.

Consistency is key

- NCLB only examines four indicators when determining if a school or district has met AYP: English/language arts, mathematics, minimum academic performance index and graduation rates. However, within the English/language arts and mathematics indicators, many additional variables are at play, including participation rates and the scores of students in special education, or who are English learners, socioeconomically disadvantaged or an ethnic subgroup.
- AYP is blind to the nuances of these variables and will define a school as in need of improvement (beginning a process that can result in sanctions and a loss of funding) if the same indicator is failed for two years in a row even if that indicator failed one year for participation rates only and the next year only for overall performance of a single subgroup.

Rigidity harms critical programs

- The highly qualified teacher definition makes it virtually impossible for districts to provide career and technical education programs that are also A-G approved, since A-G courses must be taught by a teacher who has met HQT requirements.

Special education

- While some flexibility has been provided for special education pupils, CSBA continues to believe that a student's Individualized Education Plan should drive all decisions related to assessment for that student.
- If it makes sense to design individual education goals and programs for students with disabilities, doesn't it also make sense to measure their academic achievement using specialized instruments?

English learner students

- For EL students, school districts should be allowed to use alternate assessments or individualized measurements of progress based on making specific gains toward meeting state standards in determining AYP for up to three years.

Recommendations

- Ensure critical implementation issues are appropriately addressed to meet the education needs of students.
- Provide appropriate flexibility to states to enable them to implement programs that meet the needs of students and provide the necessary funding to implement the federal mandates.

Preschool

The brain development of a preschool-age child is rapid and dynamic. Studies suggest that providing high-quality preschool program opportunities for young children can have a profound, positive impact on their readiness for school and beyond. Recent research has also found that high-quality preschool programs have a positive return on the public's investment. In spite of this research, almost half of all children in California are not enrolled in preschool programs. Targeted preschool programs for disadvantaged children do not necessarily identify and reach all children who are eligible for these programs.

The state of California has been a longtime supporter of publically financed early childhood education for children one and two years prior to kindergarten entry — nearly \$2 billion of federal, state and local funds is spent annually in California to provide free or subsidized ECE services. The delivery systems are complex and serve the dual goals of promoting child development and covering the costs of child care for low-income families. Unfortunately, funding mechanisms in California provide little incentive for raising quality despite several reviews that suggest higher quality settings produce greater positive development results.

Local communities are carrying out innovative and exciting work to provide access to quality preschool for all children, as well as related services for children, parents and families. School districts and county offices of education often play a pivotal role in these activities by directly providing preschool services at school sites and/or working closely with local partners and families to make certain high-quality services are available. Meeting the needs of the community's English learners is especially important for preschools, given the role language development plays in the overall development of children.

On January 22, 2008, State Superintendent of Public Instruction Jack O'Connell formally released the first phase of the California Preschool Learning Foundations: social-emotional development, language and literacy, English-language development and math. The purpose of the foundations is to provide the child development field with research-based competencies — knowledge and skills — that children are expected to exhibit in a quality program as they complete their first or second year of preschool. The second phase, visual and performing arts, physical development and health is currently under development. History/social science and science will follow in the third and final phase.

Recommendations

- Allocate resources to fully fund state supported early childhood education programs, outside of the Proposition 98 guarantee.
- Prioritize eligibility of services to at-risk student populations.
- Create incentives to improve program quality, without penalizing existing funding.
- Increase funding opportunities for preschool facilities.

School-based Medicaid

The Medicare Catastrophic Coverage Act of 1988 (P.L. 100-360) allows school districts to receive payment from Medicaid for health services delivered to Medicaid-eligible children with disabilities who may need diagnostic, preventive, and rehabilitative services; speech, physical and occupational therapies; and transportation for such services. In addition, districts may claim reimbursement for the administrative costs of providing school-based Medicaid services such as outreach for enrollment purposes, and coordination and/or monitoring of medical care.

Nationally, it is estimated the Medicaid expenditures for school-based services totaled about \$2.9 billion in FY 2005. About \$2.1 billion of these expenditures was for direct services in schools (including transportation) and \$834 million was for administrative activities. In California, this equates to approximately \$8 million for transportation services and \$95 million for administrative activities.

On August 31, 2007, the Centers for Medicare and Medicaid Services, which oversees the federal-state entitlement program, initiated a rulemaking process to prohibit federal reimbursement for IDEA-related school-based administration and transportation costs for Medicaid-eligible students. The proposed action is estimated to save the federal government (and therefore, cost school districts) approximately \$635 million in FY 2008 and \$3.65 billion over the next five years.

The rule (CMS-2287), which was finalized on December 28, 2007, eliminates federal reimbursement to schools under the Medicaid program for the costs of administrative activities (such as Medicaid outreach, program planning, referral and monitoring) and certain types of transportation based on a secretarial finding that these activities are “not necessary for the proper and efficient administration of the state plan.” As a result, schools would no longer be eligible to receive federal Medicaid payments for the administrative activities performed by school employees or contractors as well as for transporting disabled students from home to school and back.

This is a major reversal in federal policy and court precedent utilized since 1988. Elimination of this reimbursement opportunity once again increases the burden on local school districts to cover costs while denying school districts funding that is entitled to them under law.

Fortunately Congress has provided a moratorium that enables federal Medicaid reimbursements for transportation and administration services (such as outreach and enrollment, program planning and referrals) to continue until at least April 1, 2009.

Schools play a key role in identifying children for Medicaid and connecting them to the appropriate services in schools and communities. The loss of administrative reimbursements will severely hurt school districts' abilities to provide needed services to students and could reduce the number of eligible children who are

identified for Medicaid services. Further, the elimination of transportation services will have a direct impact on school district budgets as the transportation services will still have to be provided to students who have an individual education plan that requires the services.

Recommendations

- Oppose any efforts to eliminate reimbursement for school-based administration and transportation costs under Medicaid. School districts should not be treated differently than health clinics and should be guaranteed reimbursement for Medicaid eligible services for Medicaid-eligible children.
- Strongly urge all members of Congress to support legislation that would extend the current moratorium on implementing the CMS regulations.
- Strongly urge all members of Congress to co-sponsor legislation to codify school districts' authority to claim school-based Medicaid expenses.

Secure rural schools funding

The Secure Rural Schools and Community Self-Determination Act or P.L. 106-393, was enacted in 2000. This act was the reauthorization of a 100-year old law to provide funding to counties for roads and schools. The act was intended to stabilize income for the rural regions which relied heavily on receipts from timber sales and other programs. This has been a critical source of funding for impacted counties and schools as it created a revenue sharing mechanism for forest counties to offset the effects of removing these lands from economic development.

The funds provided through this program include funds that cannot be backfilled from the local tax-base because federal lands in many of these counties occupy 65–95 percent of the county land-base. In most cases, tax rates are already maximized. The only recourse is a draconian cut in essential services, thereby creating an emergency situation. Under recent legislation funding secure rural schools has been extended for four years. Future funding needs to be stabilized to ensure that education programs and services continue.

In 2007–08, 39 counties in California received \$69 million from the secure rural schools program. The 2008–09 funding will be used to fund county road projects and to educate 3 million children in 3,500 schools statewide. The following is an approximation of the funding that various counties will receive for the 2008–09 school year (this is a partial list):

- Siskiyou County: \$9.58 million (65 schools in the county)
- Trinity County: \$7.99 million (25 schools)
- El Dorado County: \$4.18 million (64 schools)
- Shasta County: \$4.15 million (103 schools)
- Lassen County: \$4.01 million (34 schools)
- Modoc County: \$3.45 million (21 schools)
- Del Norte County: \$3.06 million (12 schools)
- Fresno County: \$2.84 million (337 schools)
- Humboldt County: \$2.18 million (83 schools)
- Placer County: \$1.7 million (112 schools); and
- Tulare County: \$1 million (191 schools).

Recommendation

- Support continued reauthorization of the Secure Rural Schools and Communities Act.

Special education — Autism

Autism spectrum disorder is the fastest growing special education category in California and the nation. Between 1998 and 2002, the number of students receiving special education services in California almost doubled, from 10,360 to 20,377. These numbers continue to climb at an alarming rate. In 2004, there were 4,427 additional students, an increase of 18 percent. This is on top of increases of 18 percent, 20 percent and 25 percent in the three previous years.

The educational and financial impact on school districts for students diagnosed with ASD is staggering. Research and best practices (National Research Council — Educating Children with Autism, 2001) show that a successful educational program for a student with autism requires a comprehensive assessment followed by intensive services by highly trained personnel by law. If this expertise is not available in a district, it must be contracted at a significant cost. Even when district staff is available, the cost of educating a child with autism is astonishing in comparison to children with less severe disabilities.

Many school districts with rapidly increasing numbers of students with autism have established high-quality internal programs to meet the needs of their students. Unfortunately, this is not the case statewide due to various barriers, such as lack of knowledge of best practices in the area of treatment, staffing issues and financial resources.

When crafting recommendations regarding support for children with ASD, policy-makers need to recognize that the extent of the issues threatens to overwhelm local educational systems. This statement is a strong indicator of the intensive services needed to support children with ASD; the lack of coherent, universally accepted effective educational practices; a lack of knowledge and training at all levels; and a shortage of personnel in key positions, coupled with inadequate local financial resources to meet immediate needs. Decisive, immediate action at the state level can significantly mitigate short-term needs and establish systems that will provide long-term sustainable support to students and their families, schools and communities.

Recommendations

- Adopt a seamless system of service delivery for students diagnosed with ASD.
- Provide competency-based training and technical assistance to personnel, ranging from general training to more specific training on evidence-based interventions and field applications.
- Provide increased funding within IDEA to address the specific education and services needs for autistic students.

Student wellness

The health of students significantly impacts their ability to achieve academic success. Students with, and at-risk for, significant health problems such as asthma, obesity and poor oral health, face numerous challenges and barriers to fulfilling their potential and achieving academic success.

One in three children in California is overweight or obese. Studies show that students who are more physically active tend to perform better academically, yet just 28 percent of California's students meet state standards for physical fitness. Research clearly demonstrates that undernourishment impacts the behavior of children, their school performance and their ability to concentrate, yet fewer than 15 percent of California school children eat the recommended servings of fruit, and less than 20 percent eat the recommended servings of vegetables. By the third grade, over 70 percent of children in California have experienced tooth decay — which results in school absences, difficulty focusing, interference with eating, speech difficulties and slowed social development. About 1 in 6 children in California under 18 years of age have been diagnosed with asthma — the highest rate nationwide — resulting in increased absenteeism and negatively impacting a child's ability to develop and learn. One in five adolescents experience significant symptoms of emotional distress and nearly one in 10 are emotionally impaired, yet three-fourths of these children do not receive adequate care even though emotional well-being is fundamental to successful engagement at school.

In addition, research clearly shows that serious health issues affect children at alarmingly disproportionate rates based on race and socio-economic factors. By addressing the health and wellness obstacles of those students most in need, schools can simultaneously tackle the achievement gap and create and sustain a healthy learning environment that positively impacts all children.

Schools have a responsibility to create a healthy learning environment that will ensure all children have the opportunity to achieve success. Yet schools can't, and shouldn't, do it alone. Addressing the conditions of children when they arrive at school requires a coordinated, collaborative and comprehensive approach by schools, communities, counties, cities and the state.

Recommendations

- Promote collaboration and coordination between schools, communities, counties, cities and the state to assure that the physical, mental and emotional health needs of students are met.
- Provide support and resources to school districts and county offices of education to assist them in addressing funding, facility and staffing issues that may pose barriers to the provision of school health services.
- Increase state-level funding for student support services to assist school districts and county offices of education address their students' barriers to academic achievement.

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 in light of the recent State Board of Education decision to require every eighth grader to be assessed in Algebra 1.

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.

Recommendations

- 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.

Conclusion

The California School Boards Association defines and drives the public education agenda — serving as a leading education resource to its members and the public. As such, this Education Issues Brief was developed to serve as a primer for aspiring and continuing public policy makers.

If you'd like more information on any of the key issues identified in this brief, please visit www.csba.org and click on Education Issues to find the latest information and CSBA position on critical issues. If you would like to schedule a meeting to find out more about CSBA and key education issues, please contact us at 1.800.266.3382.



I am good at _____
I am the best at _____
I am _____

Every Day Is New



May 1

5-01

Writing Challenge

These sentences

police officer

teacher

pharmacist

Is There

- Program
- Reading
- Math
- Social Studies
- Art
- Planners