

June 12, 1992

TO: Gary

FROM: Sue *JS*

RE: Charter Bill - Strategy for Assembly Ed

compare to Easton

SB 1448 is set for June 24 in Assembly Education. You wanted me to list the areas still in contention and suggest possible strategies. In addition, I've described other amendments which I think will strengthen/clarify other provisions of the bill. (The committee deadline for amendments is Thursday, June 18, so I need to get something to Counsel by late Monday.)

Areas of contention

- o Credentials - Requiring that teachers be credentialed will buy us a lot with CFT and UTLA. It takes away one of CTA's gripes, but will not satisfy them. In my estimation, this one is the easiest to give away and does the least amount of damage to the concept. *yes*
- o Collective bargaining - this is the big one for all employee unions, but especially CTA and classified unions. I've been thinking about a tweener that says that the charter petition must be reviewed by the exclusive bargaining rep and their position must be presented to the governing board prior to acting on the charter. (This is analogous to the procedure followed when a waiver of the Ed. Code is sought.) This way they are guaranteed a role in the process, but do not have approval or veto authority. I don't think this will satisfy CTA or the classified folks, but we could at least say that they have a role in the process. *doesn't buy much*
- o Alternative to appeal to the State Board - I like your idea of creating a local appeals board composed of 3 board members and 3 teachers (from other school districts in the county), convened by the County Supt who votes in case of a tie. This takes the State Board and SPI out of the process and keeps the decision at a local level. I've tried to reach Kevin Gordon for several days without success, so I don't know what their reaction will be to this. *spell out process - how triggered Jim Cronan*

Other issues which need to be addressed

- o Serving low performing or at risk children - Because the decision process will all be occurring locally, I suggest that we (1) add intent language specifying that one of the purposes of charter schools is to provide ed. opportunities to at risk or underserved pupils and (2) require that a provision be included in the charter which describes how the charter school will

provide services to these children. This will ensure that every charter petition addresses the issue, but stops short of giving priority to schools which serve these types of pupils exclusively. Alternatively, we could require that each charter school serve a minimum specified percentage of at risk pupils. I expect this to be a BIG issue with Gwen Moore. *Why? Eastin Gill*

- o Preventing "white flight"; e.g. the Dan Boatwright problem - I looked at the language in the Quackenbush school choice bill. He deals with that issue by limiting the number of pupils which can transfer out of districts as follows: 5%, if the district has less than 501 ADA, 3% if the ADA is between 501 and 2501, and 1% if the ADA is greater than *2501*. In addition, his bill allows districts to prohibit transfers if it upsets deseg plans. We could do the same thing in your bill, but it will severely erode the "voluntary" argument. So far, Boatwright is the only person to bring up this issue, but I bet it will be raised in Assembly Ed. *?*
- o Use of facilities, administrative services - this is an issue that ACSA raised and the Assn. of Suburban School District folks brought it up when I spoke with them. I would recommend that we put an amendment in to clarify that the school board and the charter petitioners may negotiate these issues, if needed, and to allow the school board to charge the charter school for district services it provides to the charter school. *OK down side?*
- o Attendance options for pupils in which entire school converts to charter - In this case, do you want to specify that existing pupils, and/or siblings, have enrollment preference in the newly-created charter school? This issue was raised by the Assn. of Suburban School Districts. *I think so*
- o Admission requirements - we still have a provision in the bill to allow schools to use admission requirements, if applicable. Do you want to keep that in? I think Assembly Ed folks will raise the "white, elite academy" issue.

UTLA Proposal

Bill Lambert asks me at least once a day when we are going to put their amendments in the bill. We put them off until the Assembly policy committee, so now is the time to act.

I'm attaching a copy of their proposal to refresh your memory. Here's a brief summary. They set up an Educational Design Proposal Review Panel which consists of 10 members, of which 50% must be teachers. Any team of 6 or more teachers can present a "charter" (my word) to this panel. An entire school can submit a proposal if they have a 2/3 vote of the faculty of the school, approval of the school principal and a majority vote of parents at meeting called to review the proposal. *how selected?*

The panel has 20 days to approve or deny the proposal and the

governing board of the school district has 20 days to sustain or overturn the proposal. If the governing board rejects, the petitioners can appeal to a county review panel.

Approval of the proposal results in a 4-year renewable grant - 95% of funds go to the school 5% to the district. Renewal is based on demonstrated progress in obtaining student outcome goals in the proposals.

All collective bargaining contracts remain in force, unless provisions are specifically superseded by the proposal.

After our meeting with Helen Bernstein and Bill Lambert, you indicated willingness to include these provisions as an option for large school districts; e.g. LA. Are you still inclined to do this? If we do, we give UTLA and LA classified employees union protection, but no other employee unions will receive this benefit as the bill is currently written.

As an alternative, I recommend that we take several of their suggestions; e.g. increase teacher approval of charter petitions to 2/3, change the appeal to a county level process, add some of their components for the design process, require credentials, allow for input of the bargaining rep, and see if that will satisfy them.