

Date of Hearing: April 19, 2017

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 1528 (Acosta) – As Introduced February 17, 2017

**SUBJECT:** Virtual or online charter schools: average daily attendance: report

**SUMMARY:** Extends the sunset date on a provision allowing a virtual or online school to claim independent study student average daily attendance (ADA) for a pupil who moves outside of the geographic boundaries of the school for the duration of the course or courses in which the pupil is enrolled or until the end of the school year, whichever comes first. Specifically, **this bill:**

- 1) Extends from January 1, 2018 to January 1, 2021 a provision allowing a virtual or online school to claim independent study student average daily attendance (ADA) for a pupil who moves outside of the geographic boundaries of the school for the duration of the course or courses in which the pupil is enrolled or until the end of the school year, whichever comes first.
- 2) Requires the California Department of Education (CDE) to report, on or before December 31, 2020, to the appropriate policy committees of both houses of the Legislature, the Department of Finance, and the Legislative Analyst's Office on the department's assessment of the need for a virtual or online charter school to claim the independent study average daily attendance for a pupil who is enrolled in a virtual or online charter school and moves outside of the geographic boundaries of the virtual or online charter school for the duration of the course or until the end of the school year.

**EXISTING LAW:**

- 1) Allows school districts, county offices of education, and charter schools to claim independent study ADA only for pupils who are residents of the county in which the apportionment claim is reported, or who are residents of a county immediately adjacent to the county in which the apportionment claim is reported.
- 2) Allows, January 1, 2018, a virtual or online school to claim independent study student average daily attendance (ADA) for a pupil who moves outside of the geographic boundaries of the school for the duration of the course or courses in which the pupil is enrolled or until the end of the school year, whichever comes first.
- 3) Requires the CDE ) to report, on or before December 31, 2016, to the appropriate policy committees of both houses of the Legislature, the Department of Finance, and the Legislative Analyst's Office on the department's assessment of the need for a virtual or online charter school to claim the independent study average daily attendance for a pupil who is enrolled in a virtual or online charter school and moves outside of the geographic boundaries of the virtual or online charter school for the duration of the course or until the end of the school year.

**FISCAL EFFECT:** Unknown

**COMMENTS:**

***Purpose of the bill.*** This bill extends until January 1, 2021 the ability of a virtual school to claim ADA for apportionment purposes of a pupil who moves outside of the geographic boundaries served by the school, until the course or courses in which the pupil is enrolled is completed or the school year ends, whichever comes first. According to information provided by the author's office, this provision is needed, because students and parents are often unaware of the requirement that pupils must remain within the geographic boundaries of a virtual school in order for the school to claim that pupil's ADA for apportionment purposes. Families often move due to circumstances beyond their control, and the ability to stay enrolled in a virtual school provides some stability and eases the transition to a new location.

***Prior legislation.*** The ability for virtual schools to claim ADA for pupils who have moved outside of the schools geographic boundaries during the school year was established by AB 2007 (Grove, Chapter 807, Statutes of 2014). AB 2007 also required the CDE to report to the Legislature on the need for this flexibility no later than December 31, 2016. That requirement was uncodified, and the CDE did not produce the report. The report required by AB 2007 was due a year before the provisions of that bill sunset. The report required by this bill is due only one day before its provisions sunset. Staff recommends that the bill be amended to change the due date of the report to December 31, 2019 to give the Legislature time to consider the findings before extending the sunset date of these provisions again.

***Pupil performance in online charter schools has been found to be "far weaker" than the performance of pupils in traditional public schools.*** Although this bill affects a small number of pupils, it is supportive of the continued operation of virtual schools against the advice of many who have researched them. A 2015 report by the Center for Research on Education Outcomes (CREDO) at Stanford University found that "the majority of on online charter students had far weaker academic growth in both math and reading compared to their traditional public school peers. To conceptualize this shortfall, it **would equate to a student losing 72 days of learning in reading and 180 days of learning in math, based on a 180-day school year.**" [Emphasis in the original.] Other studies have made similar findings. For example, the fourth edition of the National Education Policy Center's annual report on online schools released in 2016 found that online school outcomes "are consistently below traditional public schools." Other studies of virtual schools in Colorado, Florida, Ohio, and Wisconsin found that they had lower levels of achievement, high dropout rates, and low graduation rates. These findings have led to the suggestion that policymakers slow or stop the growth of virtual schools and the size of their enrollment until the reasons for their poor performance are identified and addressed.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Aplus+  
California Charter School Association  
California Connections Academy at Capistrano  
California Connections Academy at Central  
California Connections Academy at North Bay  
California Connections Academy at Ripon

California Parents for Virtual Education  
Charter Schools Development Center  
iLead

**Opposition**

California Federation of Teachers  
California School Boards Association

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