

Date of Hearing: June 17, 2015

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 232 (Hall) – As Amended March 19, 2015

SENATE VOTE: 35-0

SUBJECT: School accountability: California Collaborative for Educational Excellence: state administrator

SUMMARY: Authorizes a state-appointed school district administrator to request the advice and assistance of the California Collaborative for Educational Excellence (CCEE).

EXISTING LAW:

- 1) Establishes the CCEE, to provide advice and assistance to local education agencies (LEAs) upon request or that have been identified as needing advice and assistance due to poor pupil outcomes.
- 2) Requires the Superintendent of Public Instruction (SPI) to assume all the legal rights, duties, and powers of the governing board of a school districts that has accepted an emergency apportionment (loan) in excess of 200% of its recommended reserve for economic uncertainty and requires the SPI to appoint an administrator to act on his or her behalf in exercising this authority.
- 3) Authorizes the administrator to do all of the following:
 - a) Implement substantial changes in the fiscal policies and practices of the school district;
 - b) Revise the educational program of the school district to reflect realistic income projections and pupil performance relative to state standards;
 - c) Encourage all members of the school community to accept a fair share of the burden of the fiscal recovery of the qualifying school district;
 - d) Consult with the governing board of the school district, the exclusive representatives of the employees of the qualifying school district, parents, and the community;
 - e) Consult with, and seek recommendations from, the SPI, the county superintendent of schools, and the County Office Fiscal Crisis and Management Assistance Team; and
 - f) With the approval of the SPI, enter into agreements on behalf of the qualifying school district and, subject to any contractual obligation of the school district, change existing school district rules, regulations, policies, or practices as necessary for the effective implementation of the district's recovery plans.

FISCAL EFFECT: According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS: This bill gives a state-appointed administrator the authority to request the services of the CCEE. The CCEE is still in the process of being established and it is not known when its services will be available. The primary role of a state-appointed administrator is to return a school district to fiscal solvency. To that end, the administrator works closely with the Fiscal Crisis and Management Assistance Team (FCMAT), which assists districts with fiscal issues. By contrast, the CCEE, once operational, will work with districts that need assistance in improving academic performance.

Existing authority of state-appointed administrators. Education Code Section 41326 gives state-appointed administrators all of the legal rights, duties, and powers of the governing board, including specifically to “enter into agreements on behalf of the...school district...” Since governing boards have the authority to request the services of the CCEE, and the state-appointed administrator has the same authority as the governing board, it seems to follow that the administrator has the authority to request the assistance of the CCEE. According to the author's office, however, there is sufficient ambiguity in existing law to warrant clarification.

REGISTERED SUPPORT / OPPOSITION:

Support

Los Angeles County Office of Education
State Superintendent of Public Instruction Tom Torlakson
Several individuals

Opposition

None received

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