

Date of Hearing: April 6, 2022

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 2337 (Megan Dahle) – As Amended March 17, 2022

SUBJECT: School districts: frontier school district

SUMMARY: Defines “frontier school district” to mean a school district that meets certain attendance or population criteria. Specifically, **this bill:**

- 1) Defines a frontier school district as one that meets either of the following requirements:
 - a) The total number of pupils in average daily attendance (ADA) at all of the schools served by the school district is fewer than 600; or,
 - b) Each county in which a school operated by the school district is located has a total population density of fewer than 10 persons per square mile.

EXISTING LAW:

- 1) Defines a “necessary small school” as an elementary school with an ADA of less than 97 pupils, excluding pupils attending the 7th and 8th grades of a junior high school, maintained by a school district with the following conditions (Education Code (EC) 42283(a)):
 - a) If as many as five pupils residing in a school district with fewer than 2,501 units of second principal apportionment ADA and attending kindergarten and grades 1 to 8, inclusive, excluding pupils attending the 7th and 8th grades of a junior high school, in the elementary school with an ADA of less than 97 pupils would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school (EC 42283(a)(1)).
 - b) If as many as 15 pupils residing in a school district with fewer than 2,501 units of second principal apportionment ADA and attending kindergarten and grades 1 to 8, inclusive, excluding pupils attending the 7th and 8th grades of a junior high school, in the elementary school with an ADA of less than 97 pupils would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school (EC 42283(a)(1)).
 - c) If as many as 15 pupils residing in a school district with more than 2,500 and fewer than 5,001 units of second principal apportionment ADA and attending kindergarten and grades 1 to 8, inclusive, excluding pupils attending the 7th and 8th grades of a junior high school, in the elementary school with an ADA of less than 97 pupils would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school (EC 42283(a)(1)).
- 2) Defines for the purposes of pupils’ eligibility for participation in the free meals program “small school district” to mean a school district that has an annual enrollment of less than 600 pupils based on prior school year California Basic Educational Data System data and is designated a rural school by the Superintendent of Public Instruction (SPI) based on the

appropriate school locale codes, as used by the National Center for Education Statistics (NCES) of the United States Department of Education (USDOE) (EC 54026 (c)).

FISCAL EFFECT: This bill has been keyed non-fiscal by the Office of Legislative Counsel.

COMMENTS:

Need for the bill. The author states, “Much of the North State and the First Assembly District does not look like the rest of the state, especially our schools. California’s failure to statutorily recognize frontier school districts perpetuates one-size-fits all approaches to education policy and funding that often overlook the needs of our very rural communities. As a former member of the Big Valley Joint Unified School Board, I have an intimate understanding of the unique challenges facing frontier school districts. Recognition is the first step towards creating effective public policy that addresses the needs of frontier schools. AB 2337 is the first step towards this end.”

California small schools and school districts. California's nearly 1,000 school districts vary greatly in size, and the state has an exceptionally high number of small districts. According to a 2018 Education Resources Information Center (ERIC) report, *Small Districts, Big Challenges: Barriers to Planning and Funding School Facilities in California’s Rural and Small Public School Districts*, California has 363 school districts which include 1,426 schools and 337,251 students categorized as rural by the NCES. The overwhelming majority (91%) of California’s rural school districts enroll below 2,500 students. Nearly a quarter (24%) are “very small,” enrolling fewer than 100 students. The counties of Tulare (27), Kern (23), Humboldt (19), Siskiyou (19), Fresno (17), and Shasta (17) have the most rural school districts in California (Vincent, 2018). In 2017, the California Department of Education (CDE) announced the “Small School District Assistance Initiative,” aimed at providing targeted assistance to small and rural school districts in the state. A prime focus of the initiative is assisting small and rural school districts with improving their facilities.

According to the CDE DataQuest 2020-21 enrollment data, about 350 school districts (34%) in California would qualify as a “frontier school district” based on an enrollment of less than 600 pupils. Out of these 350 school districts, a few schools located in urban areas such as Sacramento and Los Angeles would be included under the “frontier school district” definition this bill seeks to define. According to data from the United States Census Bureau, using population density of 10 people per square mile or less would qualify school districts located in the following counties as “frontier school districts”: Plumas, Inyo, Mariposa, Trinity, Mono, Modoc, Sierra, and Alpine.

School locale types. The NCES revised its definitions of school locale types in 2006 after working with the Census Bureau to create a new locale classification system. Rural areas are designated by the Census Bureau as those areas that do not lie inside an urbanized area or urban cluster. Rural school classification falls into three categories:

- 1) Fringe: Census-defined rural territory that is less than or equal to 5 miles from an urbanized area, as well as rural territory that is less than or equal to 2.5 miles from an urban cluster.
- 2) Distant: Census-defined rural territory that is more than 5 miles but less than or equal to 25 miles from an urbanized area, as well as rural territory that is more than 2.5 miles but less than or equal to 10 miles from an urban cluster.

- 3) Remote: Census-defined rural territory that is more than 25 miles from an urbanized area and is also more than 10 miles from an urban cluster.

State facility funding mechanisms difficult for small districts and county offices of education.

According to the 2018 ERIC state report, about half (51%) of school districts reported that they work with their local county office of education (COE) on facility-related matters. They listed a range of items they work on, including budgeting, contractor bidding, facility plans/records, serving in a consulting role, and assisting in the decision-making processes. One respondent noted that this work with COEs is changing, stating:

We used to go to our COE. But then, about 4 years ago, they changed their model of services to a fee based model. Before the change, COE provided a lot of support to small districts. They had people who have been in facilities management for a long time to give us advice. Now when we need to apply for grants, we need to get a consultant.

The 2018 ERIC report found that more than half (63%) of districts report that they share space on their campus(es) with a COE program, Head Start Program, charter school, or other program by another entity. Activities involved in the shared spaces included a wide mix: charter schools, health classes, adult special education, preschool/day care, Head Start, a library, afterschool programs, parks and rec, youth centers, community based organizations, a migrant program, and community college. Only 11% of districts reported that they are experiencing pressures, or having discussions about, consolidating with other districts. 21% of districts report never having put a local bond on the ballot. Another third of districts have not had a local bond within the last 10 years. Only 24% have had a local school bond in the last 5 years. The majority (69%) of responding school districts have not done any new construction (new buildings or additions) in the past 5 years.

Legislative Analyst's Office (LAO) Report. According to a 2011 report from the LAO, *How Small Is Too Small? An Analysis of School District Consolidation*, while small school districts spend more on overhead costs and have slightly lower student performance difference, the cost differences are not large. However, operational demands are more prominent in smaller school districts where less money is allocated for instructional staff. Additionally, small school districts are harder to hold accountable for student outcomes because their small enrollment does not yield statistically significant results.

USDOE's Small, Rural School Achievement Program. The purpose of the Small, Rural School Achievement (SRSA) program is to provide rural LEAs with financial assistance to fund initiatives aimed at improving student academic achievement. LEAs are entitled to funds if they meet basic eligibility and application requirements. Awards are issued annually, and award amounts are determined using a formula. To be eligible, an LEA must meet the statutory criteria of being both small and rural:

- To be considered small, an LEA must have a total ADA of fewer than 600 students or exclusively serve schools that are located in counties with a population density of fewer than 10 persons per square mile.
- To be considered rural, all schools within the LEA must have a school locale code of 41, 42, or 43 (assigned by the Department's (NCES)) or be located in an area of the State defined as rural by a governmental agency of the State.

The USDOE states that being eligible for the SRSA program does not guarantee an award.

Frontier school districts in other states. A 2011 report, *Challenges and Sustainability Practices of Frontier Schools in Montana*, stated that a workable definition of rural schools on the “frontier” has not been well defined. However, when the federal government added the Small, Rural School Achievement Program to the Elementary and Secondary Education Act, it created a definition for allocating funds to small rural school districts. Eligible for funds were school districts of 600 or fewer students in a county with a population density of fewer than 10 persons per square mile and a USDOE rural local code of 7 or 8. The definition of “frontier school district” is aligned with the USDOE’s SRSA program. In the western part of the United States, however, such a definition of rural may be too inclusive. In Montana, for example, the definition included the majority of school districts in the state. Determining a more accurate operational definition proved to be the first challenge in researching schools on the Montana frontier. The Montana Small Schools Alliance project investigators decided on the term “frontier” to identify the small schools and communities that are actually a sub-group of rural America. Frontier schools exist in places that are exceptionally remote, particularly in comparison to most rural schools in the eastern United States.

California School District Necessary Small Schools (NSS). School District NSS provides funding for eligible school districts that have fewer than 2,501 or 5,001 units of ADA, as specified, with qualifying schools that serve a small population of students and are geographically isolated that elect to participate in the program. The NSS allowance is based on the combination of ADA, and the number of full-time teachers for elementary schools or the number of full-time equivalent certificated employees for high schools, whichever provides the lesser amount. The NSS allowance is equal to the greater of 1) the current year computation, or 2) the prior year computation. ADA is included for purposes of supplemental and concentration grant calculations in the Local Control Funding Formula (LCFF).

Related legislation. SB 328 (Portantino) of the 2021-2022 Session defines for purposes of an exclusion to reduced school start times “rural school district or rural charter school” as a school district or charter school that is located in a county with a total population of 70,000 people or fewer; the school district is, at least 50% of the schools maintained by the school district are, or the charter school is designated as “rural” under the federal Universal Service E-rate program; or, the school district or charter school is eligible to receive grants under the federal Small, Rural School Achievement program or another federal grant program in which eligibility is determined based on a “rural” designation.

AB 1022 (Dahle) of the 2021-2022 Session would have defined “frontier school district” as one that met certain attendance and population criteria. This bill was held in this Committee.

AB 2034 (Dahle) of the 2019-2020 Session would have defined “frontier school district” as one that met certain attendance and population criteria. This bill was held in this Committee.

SB 1321 (Monning), Chapter 664, Statutes of 2018 defines a “necessary small school” as a school with ADA of less than 97 pupils, excluding pupils attending the 7th and 8th grades of a junior high school, maintained by a school district with more than 2,500 and fewer than 5,001 units of 2nd principal apportionment ADA in which as many as 15 pupils residing in the school district and attending kindergarten and grades 1 to 8, inclusive, excluding pupils attending the 7th and 8th grades of a junior high school, in the elementary school with an ADA of less than 97

pupils would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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