

Hello Superintendents,

The last meeting of the ACSA Superintendent's Committee was held on December 10, 2009 at the CSBA conference in San Diego. While the weather was nice, attendance was down and the discussion was lively. As you might guess, the major topic of the day was Race to the Top (RTTT). However, another topic of interest to us valley folks was that of possible legislation to address concerns over the California Voter Rights Act.

Below I have copied sections of the minutes that were produced following this meeting that adequately cover the information presented and discussed.

As always, I welcome your input on these and other topics you believe should be addressed.

FEDERAL UPDATE, RACE TO THE TOP – Sherry Skelly Griffith

RTTT Status: Sherry updated the council on the current and developing factors in qualifying California for Race to the Top funding along with the state procedures and requirements for districts to participate.

Invitation to Participate: The council reviewed the invitation dated November 25, 2009 to county and district superintendents and charter school administrators from the office of the secretary of education and signed by Jack O'Connell, Theodore Mitchell and Glen Thomas. The signers hope that California will be one of the states to share \$4.35 billion to improve education for all students. The letter cites four specific areas of reform: 1) standards and assessments; 2) data systems to support instruction; 3) highly effective teachers and principals; and 4) turning around struggling schools.

The letter noted the special session of the legislature to remove statutory roadblocks to eligibility, the enactment of SB 19 to ensure California's data system will be in compliance, and the need to make operational a new growth assessment model. The state must enter into a memorandum of understanding (MOU) with districts interested in participation. A sample MOU was included. The MOU must be signed by the district superintendent and preferably also signed by the president of the school board and the local teachers' union leader.

Participating districts must agree to implement all or significant parts of the state's plan which includes enhanced standards and assessments, use of data, improving teacher and principal effectiveness (this includes measuring student growth, annual evaluations and using them to inform professional development, compensation, promotion, retention, tenure, full certification and/or removal), having an equitable distribution of effective teachers and principals in high poverty and/or minority schools, professional development, and turning around the lowest-achieving schools.

The letter described responsibilities of the school district and state in implementing the tasks and activities. An appendix to the letter described four

intervention models: a) turnaround model, b) restart model, c) school closure, and d) transformational model. Also included were details on 1) increasing teacher and school leader effectiveness, 2) comprehensive instructional reform strategies, 3) increasing learning time and creating community-oriented schools, and 4) providing operational flexibility and sustained support.

Race to the Top Overview: Linda Kaminski's concise overview (November 30, 2009) of the American Recovery and Reinvestment Act of 2009 that pertains to education. This overview could be quite useful in local discussion of RTTT among board members, district staff, and community support groups.

Legislation Supporting Application for and Implementation of RTTT: Sherry Griffith's report summarized (December 3, 2009) what is happening in Sacramento to guide the state's application to RTTT. ACSA has been monitoring activity since the special legislative session began in late August. ACSA's testimony has stressed fiscal sustainability, advocated for professional development, affirmed maintaining personnel evaluation within local control, and proposed a quality review process for common core standards and assessments. ACSA also has urged ensuring quality and accountability for charters run by private management companies. ACSA president Chuck Weis has testified before legislative committees along with other ACSA leaders. Sherry's report lists the criteria for evaluating state RTTT applications. She also listed the schedule of Assembly committee meetings and the anticipated deadlines of December 31 for districts to submit preliminary MOUs to the state and January 19 for the state to submit its RTTT plan to the federal Department of Education.

A Race to the Top Proposal: Sherry shared a review of what is needed and what should be included in the RTTT proposal. The eventual plan should maximize local funding. Participation in the effort to develop common core standards is required. The superintendent of public instruction would submit a plan for implementation to the governor and the legislature with cost estimates for bringing assessments, instructional materials, classroom practices, and high school exit and college entrance requirements into alignment with the new standards. The sunset date on STAR would be extended a year to give time for new assessments aligned to new standards. The data system needs to be built out. Evaluation systems that are rigorous, transparent and fair will be needed. The focus of turning around persistently low performing schools would be defined. Charter schools would be subjected to school accountability and quality control.

Developing a District's Memorandum of Understanding: In a December 4, 2009 report, Sherry offers suggestions in developing a MOU including hold harmless provisions, funding priorities, data training and professional development. The paper included a chart on weighting of each criterion.

Thoughts on Memoranda of Understanding: How do you sign on before there is a firm blueprint? This needs to be done by December 31, during winter break. Staff may not be available. If you sign up, you will be subject to annual

evaluation of personnel. You can sign on to significant portions. If awarded funds in April, you will need to go through criteria and implement. How can you enter into a contract when the elements of the contract are not known? How can you implement conditions that are not part of or even in conflict with the master contract with the unions? We do need assurance that we will be held harmless should resources not be available. We should only be held to contents of the MOU, not to later state add-ons or mandates. If districts acquire an MOU, and later conditions change, can districts opt out?

Signing a letter of intent to participate would be more appropriate. This idea seemed to resonate with superintendents. Anything signed without board authorization would be a risk for superintendents.

Coming Conference Call: As more definite information on desired content of the MOU becomes known, Sherry could have a conference call with council members to get reactions and suggestions. This would occur probably next week.

Legislative Bills: The two bills that relate to RTTT are SB X5 1 (Romero) and AB X5 8 (Brownley). These bills are aimed at qualifying California for RTTT. SB 1 includes an open enrollment provision, a critical piece that could negatively impact many districts. SB 1 is the governor's bill. The bill does not address funding. It does place authority for adopting standards and accountability procedures with the State Board of Education rather than with the California Department of Education. In the RTTT regulations and application process, we will see strands of reform ideas coming through strongly. SB 1 is silent on professional development. The bill allows state testing data to be used in evaluation of teachers and principals. The bill needs more flexible language on removal of principal. SB 1 strongly pushes removal of principals of lowest 5% of schools, a long list.

AB 8 would focus intervention on those schools in the lower 5% that have not registered API gains for five years; currently about 33 schools would be affected. The governor is critical of AB 8. If this bill passes, it will go to a conference committee along with SB 1. It is vital that ACSA brings attention to the strengths and weaknesses of each component of both bills.

The unions, as expected, are not supporting the evaluation components. We need clear language that districts are responsible for principal and teacher evaluation. We have concerns over state evaluation of personnel. Can you picture a Sacramento computer printing evaluations of teachers and principals? Proponents argue that it is cost effective to have the state determine evaluation procedures. Both bills present problems for school districts. We need to advocate for what is best in both bills. We need to work to get language of "student learning" rather than "student achievement" throughout the bills.

The ACSA staff needs input on AB 8 and SB 1 from council. Council members are very appreciative of the ACSA governmental relations staff's knowledge

and advocacy efforts. They are operating within a tight timeline and rapidly changing scene. Amendments will be coming. Significant changes most likely will occur in the conference committee deliberations. Members of the council seem to prefer most of AB 8 instead of SB 1 at this time. The Assembly bill most closely matches the requirements of RTT, establishes a local funding plan, establishes a fair formula for intervening in struggling schools focused on those making no growth for five years, retains district superintendent authority over placing principals in struggling schools as one option, promotes principal coaching and mentoring, provides fair charter school quality reforms, establishes a process for standards and assessment reviews, among other elements. Also important are sunset dates and an evaluation. Sherry will draft a letter of support and e-mail copies to council members.

Consideration for Districts to Apply for RTTT: The state wants districts to sign on. Los Angeles, Fresno and Long Beach unified school districts intend to participate. Will federal qualifications be based on the state's percentage of districts or percentage of students? This will probably change from the former to the latter.

The annual school district board organizational meetings occur in early December. Districts will have great difficulty scheduling an additional special board meeting this month. The secretary of education, the state board president and the superintendent of public instruction need to know this. How can we recommend to our board to participate in this for such a relatively small amount, an estimated \$15-18/pupil, of money? Is content of RTTT coming with or without our concurrence? Are there any incentives in RTTT for high performing districts? If we are not funded, what is the incentive for participating? Districts with low performing schools will have to comply with state mandates anyway.