

Streamline Governance and Strengthen Accountability

Get the governance, accountability, and incentives right so that roles and responsibilities are clear and coherent, and all players (state, district, and school) are held appropriately accountable for ensuring that all students learn at higher levels.

Our Vision:

To ensure that everyone stays focused on continuous improvements in student achievement, all participants must be clear about their responsibility and authority. The best governance systems align accountability and authority and focus on monitoring outcomes, not regulating inputs.

Governance and accountability are the interwoven systems that should promote the effective delivery of education to all students. Governance defines the kinds of educational opportunities students have; what kinds of resources are available to them; who teaches them; what is taught in the classroom; what educational norms and values are transmitted; and what is tested. Governance roles, responsibilities, and structures should be determined in ways that maximize capacity to significantly improve academic results for students; eliminate conflicts of interest and impediments; and empower schools to meet student needs.

Accountability should not only ensure that the educational services defined by the governance structure are delivered by the responsible entities in effective ways that attain California's goals for students, but it should continually enhance the quality of education offered to every student. The Committee has contemplated many aspects of an accountability-based system of education and finds that such a system can work only if accountability permeates the design and execution of the governance structure.

Effective governance and meaningful accountability require linking authority and responsibility at every level of education. Good governance is fostered by clearly defining the responsibilities of each participant in the system and ensuring that sufficient authority is afforded each participant to carry out those responsibilities. Effective accountability ensures that everyone's responsibilities are, in fact, carried out; it drives excellence by evaluating outcomes, rewarding success, and intervening in failures — all to promote continuous improvement.

Effective Governance — The Committee’s Goal

The creation of an effective education governance structure and accountability system is essential to the success of reforms in all areas described in this report. Although there exists no research that clearly links a particular model of governance with increased student achievement, researchers recently have identified a set of characteristics that lead to effective governance and comport with the initial principles that served as the underpinnings for the Committee’s deliberations on a proposed new model of governance. Dominic Brewer, professor of Education and Economics at the University of Southern California, describes those characteristics as follows:

- **Stable.** A stable governance structure is one in which policy is made and implemented in a way that is known as far in advance as is reasonably possible. Revenue is known in advance for planning. Policies are given an opportunity to work before changes are made. Few major changes of direction or new initiatives are introduced suddenly. Leaders have tenures that allow for knowledge development and on-the-job learning. Stability enables actors in the system to behave in a rational and planned way. This is important for the development of expertise and long-term investments in capacity.
- **Accountable.** A governance structure with strong accountability is one in which there are clear lines of authority between the various parts of the system, with limited duplication of functions, so that it is possible to identify the source of decisions. There are consequences for good and bad behavior and outcomes. Actors in a system with strong accountability understand their roles. Accountability provides the right incentives for actors within the system to accomplish their goals. Decisions to raise revenue and decisions to spend revenue are aligned.
- **Innovative, flexible, and responsive.** An innovative, flexible, and responsive governance structure is one that is adaptable to changing contexts and able to respond appropriately to new short- and long-term external demands. New approaches are encouraged; many ideas are generated and spread throughout the system. Innovation, flexibility, and responsiveness are essential for a system to adapt to changing needs and ensure that cutting-edge knowledge is used.
- **Transparent.** A transparent and open system is one in which it is clear to the public and all stakeholders how decisions are made and who makes them, and in which participation is encouraged at every level. Transparency allows for the exchange of information between the different levels of the governance system. An open and transparent system is less likely to be subject to “capture” by special interests, less likely to have corruption and bribery, and most likely to encourage public engagement and support of schools. There is an open flow of information, monitoring and evaluation of data, and mechanisms to communicate performance to the public.
- **Simple and efficient.** A simple and efficient governance structure is one that ensures decisions are made in a timely manner and with minimal overlap or confusion. Decision making is located where knowledge is greatest. Policy is coherent, and decisions across multiple domains and levels are coordinated so that there is minimal duplication and waste. The decision-making and implementation structure is not burdensome on stakeholders. Costs are minimized.¹

The Committee concurs with these descriptions of essential characteristics and more explicitly delineates factors related to several of those characteristics: First, responsibility for carrying out any role should be linked with decision-making authority in relation to that role, control of resources needed to carry out that role, and accountability for carrying it out effectively. Second, optimal theories for enhancing stability and accountability must be reconciled with the realities of California’s political and governmental structures.

A strong accountability system should provide useful data and analytical information to educators and policymakers; ensure sufficient supports are delivered to promote success; provide incentives in the form of authority and resources to educators to move them to greater successes; and provide the ultimate recourse for students in schools or districts that fail. When done right, true accountability will *support the attainment of high standards* for all students and *prevent* failure. This Committee concurs in the vision of shared accountability set forth in the 2002 California Master Plan for Education, in which all participants in the

system — including parents and students — have roles to play in ensuring educational success. Ultimately, the Committee believes accountability can and should stem from the broader community demanding success from California’s schools.

The Committee believes a dramatic revision of governance roles is required to create rational governance structures that link authority and responsibility throughout California’s education system and combine local control of program with strong standards-based accountability from the state to ensure that classroom instruction is supported, student achievement increases, and continuous improvement is fostered.

California’s Current Reality

In stark contrast to the Committee’s goals, governance and accountability in California’s education system fail to promote educational success — and even impede it. The problem with California’s K–12 governance system is that everyone is in charge, and no one is accountable. The *Getting Down to Facts* studies described the state’s K–12 governance system as a “remarkable crazy quilt of interacting authorities that are not aligned, for purposes of accountability or action” and assessed it as falling short in each of the five key attributes of effective governance systems described above. As detailed in the chart “Assessment of California’s Current Governance System,” it is not stable; accountable; innovative, flexible, and responsive; transparent and open; or simple and efficient.² In California too many entities lack clear lines of authority, resulting in ineffective operation, rigid controls, and confused accountability at the state and local levels. Parents looking for answers get lost in a maze of pointing fingers.

Much of the state’s current governance structure evolved from a combination of constitutional constructs, court rulings, and ballot initiatives. The resulting constraints limit the flexibility of options available to the state to change its governance structure. In particular, state control gradually has increased since the passage of Proposition 13 and the *Serrano v. Priest* court decision in the 1970s — both of which resulted in giving the state primary responsibility for allocating K–12 funds. The sidebar “Legal Constraints Require a Strong State Role in Education” below describes some of the requirements the state must meet because of this legal evolution.

Governance is inextricably linked to finance. It should be, but not in the way it has been in California’s education system. Over time, the state has exerted ever greater control over how school districts spend their funding. In particular, as the graphic “Categorical Funding Has Grown Threefold” in the Finance chapter illustrates, the share of funding allocated to narrowly dedicated categorical programs has grown from 10 percent prior to the passage of Proposition 13 to approximately 30 percent today. Much of this micromanaging of schools emanates from well-intended efforts of governors and the Legislature to address specific shortcomings they identified in the schools. Many of these shortcomings were, in fact, a result of the state’s overall low level of funding, especially for at-risk populations. As noted in the Finance chapter, California provides less funding to support its economically disadvantaged students than other states — California provides the equivalent of 10 percent more for students in poverty than for “average students,” whereas other states augment general funding levels by 20–80 percent for these students. Because the state’s investment in at-risk students is so low, those students the state is required to protect are not receiving the opportunities and outcomes they need and deserve.

Instead of addressing the underlying need to provide more resources to these target populations, the state began to treat some of the many symptoms that result from the state’s low investment in disadvantaged students. This process included the expansion of class size reduction in high school and then grades K–3; the expansion of summer school and after-school programs; investments in school safety; interventions in low-performing schools; focused teacher recruitment efforts; and specialized professional development programs. Within the political process that generated these targeted programs, the state often required these new services to be offered in all schools or for all students, instead of applying them to those students with the

greatest need. This broad-brush approach has reduced California’s schools’ ability to fully benefit from the standards-based reforms that were implemented beginning in the mid-1990s.

Assessment of California’s Current Governance System³

Stability	Interviewees noted that revenue fluctuations are common; there has been an increased use of categorical funding over the past two decades; policy changes in student assessment and curricula increase frustration and mistrust; there is an increased volume of more prescriptive legislation; and an increased frequency of turnover at all levels.
Accountability	Interviewees felt the lines of authority were unclear. However, there was no consensus on who ultimately should be responsible for education: Some thought control should go to the Governor, others to the Superintendent of Public Instruction, and others to county and district offices. Also, a lack of alignment between state and federal outcomes-based expectations was noted.
Innovation, flexibility, and responsiveness	Interviewees felt that compliance often was stressed over creativity. Also, there was criticism of the one-size-fits-all approach as seen in the high number of categorical funding programs that the state uses, as well as in broader testing and curricular policies.
Transparency	Interviews revealed that the role of special interests was the one major area of concern. There also was a perception that the public lacks awareness of functions of each entity within the governance system.
Simplicity and efficiency	There was a widespread perception among interviewees that California’s system is overly complex and fragmented.

Source: Brewer, Dominic (2006) *Evaluating the “Crazy Quilt”: Educational Governance in California*, Getting Down to Facts, Institute for Research on Education Policy and Practice, Stanford University

Just as California’s governance system undermines its appropriate purposes, the state’s current accountability system cannot promote high levels of achievement and continuous improvement because it is exclusively focused on failure. Ironically, it directs a seemingly endless stream of resources to underperforming schools; the extra funds are not linked to improvement and, in fact, go away if the school improves. Not surprisingly, such perverse incentives have limited success in driving achievement. Moreover, California’s implementation of high-stakes accountability layers additional mandates on top of its existing compliance-driven system, making accountability just one more set of requirements, rather than the organizational structure of the system itself.

Legal Constraints Require a Strong State Role in Education

State constitution. Article IX, Section 5 of California’s Constitution promises a free public school system and states that “the Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year.” In addition, the state constitution reflects the 14th Amendment of the U.S. Constitution, which commonly is called the “equal protection clause,” and case law suggests that the equal protection applies to education.

Serrano v. Priest Decisions (1971 and 1976). Historically, while the state had a constitutional requirement to ensure the provision of education, most costs of K–12 education were funded at the local level by local property taxes. Because school districts had inequitable property tax bases per pupil, property-wealthy districts were able to provide higher funding for each pupil than districts without significant property wealth. John Serrano, parent of a child in a low-wealth district, sued the state, claiming that the inequitable funding received by schools in his child’s district violated the state constitution’s guarantee of equal protection. The court declared the state’s then-current funding system unconstitutional. The settlement results of *Serrano I* and *Serrano II* (a second suit claiming that the state had not appropriately remedied the situation) led to the 1977 passage of comprehensive legislation to equalize base funding. This legislation was supplanted in 1978 by the passage of Proposition 13.⁴

Collective bargaining (1976). The Legislature and Governor authorized collective bargaining for school employees. Prior to this statutory change, districts were required to “meet and confer” with employee unions. Collective bargaining permitted unions to develop binding contracts with school districts that cover wages, hours, and other terms of employment, such as employee benefits, teacher transfer policies, maximum class sizes, and evaluation procedures. State statutes in place by 1976 also contained various employment-related mandates, such as state requirements for teacher tenure and dismissal, layoff notification, and maximum class sizes. These mandates were not eliminated by the Legislature upon enactment of collective bargaining. Authorizing collective bargaining on top of the existing statutory requirements essentially created a floor for the beginning of bargaining in districts.⁵ As they entered into collective bargaining agreements, districts began a power-sharing arrangement that permanently changed the decision-making processes they once controlled.

Proposition 13 (1978). Proposition 13, a voter initiative passed in 1978, immediately cut property taxes by 60 percent on average, set a maximum property tax rate of 1 percent, and, over time, capped the growth in the property tax rate at 2 percent annually. The passage of Proposition 13 effectively transitioned control over the property tax from the local level to the state level. For education, Proposition 13 meant the elimination of a key revenue source and put the state in charge of almost all decisions related to the level of K–12 revenues.

Proposition 98 (1988). In response to the education community’s concerns over the level of K–14 (K–12 schools and community colleges) revenue, advocates proposed this initiative to guarantee funding for schools. In general, Proposition 98 guarantees schools the funding level they received in the prior year, adjusted for enrollment growth and growth in the economy (as measured by the growth in personal income or state General Fund revenues). While Proposition 98 has created a minimum funding guarantee, it also generally has served as a ceiling for K–14 funding and, because of the instability of General Fund revenues, has resulted in K–14 funding being volatile. (See Recommendation 2.3 in the Finance chapter for details.)

State Board of Education v. Honig (1991). Following tension between state board members appointed by Governor George Deukmejian and Superintendent of Public Instruction Bill Honig, the State Board of Education filed a petition to clarify who was in charge of policy for the state. The Appellate Court found that the “Legislature intended the [State Board of Education] to establish goals affecting public education in California, principles to guide the operations of the Department, and approaches for achieving the state’s goals. Its role as the governing ... body of the Department refers to governance in the broad sense by virtue of its policymaking authority. The Legislature did not intend the board to involve itself in ‘micromanagement.’ Thus, its responsibility to ‘direct and control the Department’ ... necessarily involves general program and budget oversight as a means of monitoring the effectiveness of its policies.”⁶

CTA v. Hayes (1992). The court upheld the right of the Legislature to include child care, child development, and preschool funding in the calculation of the Proposition 98 minimum funding guarantee. The court noted that the Legislature had “explained its purpose for including child care and development funds in the ... funding guarantee,” by stating, among other things, “the Legislature has stated its intent that early childhood education and child development programs be a ‘concomitant part of the educational system’ by providing young children an equal opportunity for later school success.”

Butt v. State of California (1992). In 1991, the Richmond Unified School District, a district with 44 schools in the Bay Area, closed its schools six weeks early because of fiscal hardship. Parents from the district sued the state, claiming that the state was not ensuring the basic educational equity required by the constitution. In the *Butt* decision, the court stated that the California State Constitution — along with the 14th Amendment of the U.S. Constitution — makes public education “a fundamental concern of the state and prohibits maintenance and operation of the common public school system in a way which denies basic educational equality to the students of particular districts. The State itself bears the ultimate authority and responsibility to ensure that its district-based system of common schools provides basic equality of educational opportunity.”⁷

Williams v. State of California (2004). The state settled a class-action lawsuit with plaintiffs alleging inadequate conditions in schools throughout the state and seeking an order requiring the state to ensure the provision of educational basics, such as qualified teachers, safe facilities, and textbooks. In addition to requiring the state to provide additional funding for facility repairs and instructional materials, the settlement requires the state to increase its monitoring capacity. The state has relied on the county offices of education to annually monitor lower-performing schools.

Local Control Benefits Student Learning

In contrast to the state-driven system of education that has evolved in California, the Committee believes that the best approach to education governance is to return primary decision-making authority to local entities, while at the same time strengthening the state’s support role and accountability and oversight systems to ensure that a quality education is provided to each student. Local educators are closest to students and their needs and, therefore, are best positioned to determine how to meet state expectations for them. To the extent practical, the Committee believes that local educators should be able to make decisions about personnel, programs, and budgets.

The Committee has identified several advantages of an education system built on local control rather than state control. These benefits include: (1) the system recognizes and accommodates diversity of local school districts and their students (for example, the needs of Los Angeles Unified in serving more than 700,000 students speaking more than 100 languages are quite different from those of Bogus Elementary School District in Siskiyou County, which serves nine students); (2) local control allows education decisions to be based on more accurate and detailed information about local student and community circumstances and needs; (3) citizens have greater and more direct access to decision makers in a local model and are more invested in the decisions that are made; (4) systems that are responsive to local needs encourage experimentation and innovation; and (5) it is only when authority and responsibility are aligned that constructive accountability can reward and build on success and pinpoint and correct failure.

A new, more effective governance system would provide a combination of greater local autonomy for school districts linked with a higher level of accountability. The Committee finds that in most school districts, a culture of compliance continues to drive education programs — consistent with current state statute and budgetary practices. In a culture of compliance, district personnel operate in isolation, with each individual focusing on the specific statutory requirements of his or her

program assignment without considering the overall education program of the district or how the numerous programs should work together. Because the state continually adds new categorical programs and requirements, districts constantly are focusing on the implementation of the newest program with limited opportunities for considering how the various programs interact with each other.

Accountability should be a freeing mechanism that supports and continually increases success and enhances innovation — allowing local educators flexibility to determine how best to meet local students’ needs in pursuit of state education goals. As highlighted in the Getting Down to Facts studies, California diverged from such a conceptual framework of accountability when it implemented high-stakes accountability. California layered accountability *on top of* its heavily compliance-driven system, making accountability one more set of requirements instead of freeing educators from operational constraints so that they could fairly be held accountable for achieving results using their chosen methods.⁸ In contrast, other states substantially deregulated their education systems to help support and enable their high-stakes accountability systems to deliver results for students. It is time for California to take that step.

Recommendation 3.1: Provide Greater Local Autonomy

The Committee envisions changing the culture of school districts from a culture of compliance to a student-outcome-driven culture of continuous improvement toward rigorous state standards. To support this change, the state must first transition from a culture of compliance to one that focuses on outcomes by reducing the statutory restrictions on school districts. In transitioning to a local control system, the Committee recommends that local roles be clearly defined to support continuous improvement:

- **School districts.** Districts would develop comprehensive programs that consider the needs of each individual student. Freed from the burdens of concentrating their resources on meeting state compliance requirements, districts would evolve the focus of their efforts toward a new support role for program improvements in their local schools. This would include supporting a new teacher and principal evaluation system, providing expertise in the use of data and analysis to improve the instructional program, and determining how to improve student achievement for disadvantaged students, using the enhanced new state investments in these children (see details in the Finance and Data chapters).
- **School leadership teams.** The Committee recommends that districts also voluntarily shift some decision-making authority to schools. Under the system envisioned by the Committee, principals would work with master teachers to set the direction for the school and foster buy-in by the entire staff. Schools that can demonstrate that they can effectively manage themselves should be provided with progressively increased autonomy as an appropriate incentive to success, allowing decisions to be made closer to the students that they serve.
- **Parents and students.** Parents would be provided with detailed information about their schools by the new data system, school level accounting structures, and school inspections. Because greater decision-making authority would reside at the school and district levels, parents would be able to use this new information with local decision makers to advocate for school reforms for their children. Students also would have more information about what is expected of them. Growth-model assessments would allow the state to provide better information to students about whether they are on track to pass the high school exit exam or be ready for college-level work. This information, combined with the no-excuses culture of schools, would lead to students recognizing the level of work that is expected and taking personal responsibility for meeting those expectations. Only with the combined effort of districts, schools, parents, and students can California reach its goals. The role the state can play is to empower parents and students to ensure that they have useful information before it is too late (See “Predicting Future Achievement.”)

Predicting Future Achievement

The state can support parents and students by providing them information on their current level of achievement and whether that level of achievement is predictive of success in later grades. For example, each middle school student could be provided an annual report that showed his or her current student achievement in core subjects and how prior students with similar scores have performed on the high school exit exam and measures of preparedness for four-year colleges. Given that almost all middle school students say they are planning on going to college, this information will give students an opportunity to align their academic performance with their expectations. It also will improve the probability that a student passes the high school exit exam. Since much of the content on the exit exam is from the middle school content standards, engaging students early may motivate them to make changes before it is too late.

Reducing Regulation Enhances Efficiency and Effectiveness

Local control — and meaningful accountability — can be realized in California only if the education system becomes focused primarily on achievement and moves away from focusing on compliance with processes irrespective of outcomes. As described in the Finance section of this report, the state must end its micromanagement of how school districts use their resources and return decision-making authority to the local level. The Committee reiterates this recommendation here to emphasize that many of the operational constraints that impede effectiveness and innovation are embedded within the rigid finance structure. This transition will provide districts flexibility to develop integrated programs that can support the educational needs of each individual student.

Local educators' efforts can be further impeded by operations and functions that occur at the state level. The regulatory process is so lengthy that policies enacted by the Legislature routinely take three years to affect local schools. The construction of a new school requires more than one year of interaction with at least five state bureaucracies. California also has a highly regulatory Education Code, with more than 100,000 sections and 2,218 single-spaced pages — more than any state except Texas. This is a Code for which the central operating premise is that anything not specifically prohibited by law is within the purview of local districts' authority. The Code's complexity requires significant time and expertise to navigate, makes the system impenetrable to parents and professionals alike, and symbolizes the culture of compliance and regulation that dominates every aspect of schooling in the state. For educators, the complexity of the Code means that district staff often must rely on high-cost consultants to understand what the law requires and how the law has changed from year to year, diverting resources that otherwise could be used to support instruction.

Recommendation 3.2: Streamline and Deregulate the Education System

In addition to transitioning from a complex, categorical-laden finance system to a student-centered funding model, the Committee recommends further removing burdensome, often unnecessary, redundant requirements that impede local educators. The Committee recommends two specific actions to promote this objective:

3.2.1: Deregulate the Education Code

The Committee recommends that the state create a commission — to be appointed jointly by the administration and the Legislature — to conduct a comprehensive review of the Education Code and recommend a statutory streamlining of the Code. The Committee further recommends that within this process, the commission be encouraged to restructure the Education Code to make it more accessible to educators, voters, and parents.

3.2.2: Sunset the Education Code

Many of the bureaucratic restrictions of the Education Code are anachronistic remnants of eras in which they may have been more relevant. There is no reason to think that will not be the case in the future, even after a streamlining process is complete. Thus, the Committee further recommends that the Education Code, in whole, be made subject to a “sunset review” process, similar to federal regulatory processes, whereby the entire Code would expire on a set timeframe of five to 10 years and would require proactive legislative and gubernatorial action to be reauthorized. Because of the breadth of the Education Code, this sunset review process should be divided into broad categories — such as finance, accountability, and facilities — one or two of which could be reauthorized in each legislative session.

Defining State Roles To Promote High-Quality Education

Although the Committee emphasizes the enhancement of local control, it proposes a “state-supported local control” system, and it must be clearly understood that the state plays numerous important roles and is ultimately responsible for the education of California students. The state must focus on ensuring that every student receives the high-quality education he or she deserves, and empowering and enabling local schools and districts to make the decisions regarding how best to achieve this goal. To promote California’s focus on high-quality education, the Committee believes the state must conduct two inter-related principal roles: providing constructive accountability and driving a culture of continuous improvement.

The state’s first principal role must be to promote achievement through a constructive approach to accountability, chiefly by: (1) maintaining ambitious academic standards and aligned curricula designed to ensure the success of *every* student in education, the workforce, and civic society; (2) developing assessments and overseeing their use in evaluating students’ progress in achieving those standards; (3) providing districts and schools with analytical information about their performance, strengths, and weaknesses, in formats that are useful for improving programs and instruction; (4) holding districts accountable for meeting expectations for all students; and (5) in extreme cases, imposing interventions when a local district has failed to provide a quality education to its students.

The state’s second principal role must be to drive continuous improvement by supporting schools’ and districts’ efforts to meet the state’s high expectations. At the core of this role, the state must create and support a culture of data and information driving decision making throughout the system: It must improve the quality of information systems and promote educators’ capacity to use data effectively. It must ensure that schools have the information needed to improve local implementation of standards-based education — which the Committee believes can be achieved through an effective school inspection system. The state should identify and disseminate effective and promising practices, as supported by data and research — serving as a clearing house for research and research-based practices, materials, and resources. It should serve as an intermediary to bring together local expertise so that districts with similar needs are informing and even supporting one another. The state can help promote partnerships by bridging the gaps among schools and other education segments, as well as other service providers.

In addition to these two principal roles, the state must be responsible for allocating resources to districts in a way that recognizes the differential educational needs of their students and promotes their effective use to address those needs.

To transition from the current system to this model of state-supported local control, the state needs to take action to return decision-making authority to the local level while at the same time improving the accountability and lines of command at the state level.

California's current reality

State-level educational roles currently are divided among many different entities without any underlying rationale, often with extensive overlap and conflicts of interest. Not surprisingly, such a system precludes meaningful accountability. Not only are local educators not effectively supported by the state, these state-level conflicts — or even the semblance thereof — impede local effectiveness when the direction given by the state is seen as unclear. The Committee proposes to allocate these state-level responsibilities in clear ways pursuant to the cited characteristics of effective governance, leading to an education system that supports local educational delivery and holds every entity at every level — including the state — accountable.

This problem is not new, and when groups consider education governance in California, the current structure always is found lacking. California has been struggling with its state governance system for decades. According to the California Research Bureau, as early as 1920 a legislative report identified the (then) double-headed governance system as a primary problem of the state education system.⁹ It noted that the situation was fraught with danger and that, sooner or later, this type of arrangement was destined to cause trouble. That early prophecy has come true several times in the state's history including, for example, the conflict between Governor George Deukmejian's appointed State Board of Education and Superintendent of Public Instruction Bill Honig in the late 1980s. As a result of this constant tension, numerous entities have recommended changes to the state's governance system. (See "Recent Proposals To Reform the State's Governance Structure," below, for details.) The Committee reviewed these proposals to consider how they might integrate with other Committee-recommended reforms.

A rational alignment of responsibilities

Starting from the principle that accountability should apply to state-level entities, the Committee endeavored to assign state-level roles in a manner that would (1) clearly delineate roles and eliminate conflicts of interest and (2) align responsibility with authority.

A quick analysis of the chief responsibilities of principal state-level offices reveals the disjuncture between current governance structures and the characteristics of effective governance, as well as a failure to address the Committee's two objectives cited above. The disjuncture includes:

- The Governor has significant authority over the state budget, including funding for education programs and administration. He introduces the annual budget, setting the initial parameters of debate; oversees the Department of Finance; and can unilaterally eliminate items from the budget with the line-item veto.
- The State Board of Education (SBE), appointed by the Governor, promulgates specific regulations that implement general policy created by the Legislature and Governor.
- The Secretary of Education, appointed by the Governor, advises the Governor on policy and budget matters. The Secretary is not created in statute, yet it negotiates on behalf of the Governor and at various times even has been designated in statute to manage programs that were gubernatorial priorities.
- The Superintendent of Public Instruction (SPI), independently elected, manages the California Department of Education (CDE) — primarily an administrative body with resource allocation and limited programmatic support functions — and oversees accountability. The SPI manages the CDE in staffing the SBE; the chief deputies of the SPI must be approved by the SBE.

This allocation of responsibilities fundamentally fails to link policy promulgation with administration of programs to carry out those policies. It fails to link programmatic and management functions with budgetary authority. It allows an administrative officer to modify policy and budget authority through its execution. It weaves together the operations of entities serving two independently elected officers. It gives an officer who has a role in delivery and support of education program the responsibility for assessing the effectiveness of that delivery — ostensibly, including his role in it — even though control of his office's budget rests with another

entity. It simultaneously relieves accountability from the office most able to leverage control of both the state's education finance and policy enterprises to shape education program and operations. It is a highly irrational model of governance.

In its investigations, the Committee was intrigued by the alignment with the characteristics of effective governance inherent in the structure proposed by the 2002 California Master Plan for Education. The Master Plan recommended, in short, that on behalf of the Governor the Secretary of Education be given oversight of the policy, program, fiscal, and management functions of the CDE, including staffing the SBE; that the SPI be made singularly responsible for accountability; that the SBE be made an advisory body to the Governor and Secretary, providing a forum for public deliberation of key policy issues considered by the administration; and that an independent commission be created to manage data. The Committee believes that a realignment of authority in these ways would deliver the following important improvements to California's education system:

- **More stable.** By linking — via the general authority of the office of the Governor — the management functions of CDE with the budgetary authority of the Governor and the policy apparatus of his appointed SBE, the education community would be better able to anticipate the policies and practices likely to emanate from the state. Interagency and interoffice conflicts would be less prevalent; the Legislature and public would likely value the quality guarantor's role sufficiently to insulate the SPI from the kinds of gubernatorial adjustments of budget and personnel that historically have accompanied such conflicts; and the resulting volatility that impacts local educators could be eliminated.
- **More accountable at the state level.** Lines of authority would be made clear, the overlap of authority would be eliminated, and decisions to generate and allocate revenues would be more closely aligned: In controlling all key operational aspects of the education enterprise at the state level, the Governor would become clearly accountable for the state's role in successfully supporting educational delivery. The SPI would have no programmatic responsibilities that create conflicts of interest, which would enhance the perception that a transparent evaluation of the state's performance of its roles is being provided to the public.
- **More accountable education system.** By singularly focusing an independently elected official on the most important state-level function — ensuring educational success — and eliminating any conflicting responsibilities from its portfolio, this model will greatly enhance accountability for California's education system.
- **More innovative, flexible, and responsive.** Shifting from a compliance-focused role to the revised, support-focused role proposed for the CDE would create a more responsive system of governance at the state level and result in local educators having greater flexibility and freedom to innovate to best meet students' needs.
- **More transparent.** Here, again, the linking of program, policy, and management functions through the Governor and his Secretary would make clear to Californians who is responsible for decisions and practices — good or bad — and how those decisions were made; it would remove the veil of gubernatorial appointees carrying out his will at arm's length. Greater transparency also stems from placing the data management functions in an office that has no link to the programs that result in the evaluative data and to the expanded availability of clear and reliable data to educators, policymakers, and the public.
- **Simpler and more efficient.** The clear delineation of roles would virtually eliminate overlap of authority among the key players and, through that, eliminate the confusion that sometimes results at the local level. This model promotes coherent policymaking.

The Master Plan model of state-level governance proved compelling to the Committee as it developed more detailed recommendations for a comprehensive system of governance and accountability in that it integrated with other elements of the emerging proposals to enhance effective governance characteristics at other levels, as well.

Recent Proposals To Reform the State’s Governance Structure

The California Master Plan for Education (2002).¹⁰ The Joint Legislative Committee to Develop a Master Plan recommended the Governor appoint a cabinet-level Chief Education Officer (Secretary of Education) to carry out, on behalf of the Governor, all state-level operations, management, and programmatic functions and to serve as the director of CDE. The Governor would appoint a State Board of Education, and the board members would be drawn from and represent distinct geographic regions of the state. The SPI would remain an independently elected position and be responsible for all aspects of accountability for public education other than fiscal accountability. A new, independent commission would serve as the state’s data repository and provide analysis and education planning. The Master Plan also recommended constitutionally protected local control (“home rule”) and promoted the use of incentives for school districts to unify.

Constitution Revision Commission (1996–97)¹¹ The commission proposed that the SPI be appointed by the Governor and be authorized to administer education policy for the state. The commission recommended removing the State Board of Education and county offices of education from the constitution. Finally, to achieve home rule for school districts, the commission advocated unifying districts where possible.

Little Hoover Commission (1990).¹² The commission recommended that the State Board be given authority to approve the CDE budget, arguing that such authority would make it clear that the Board’s authority is superior to that of the CDE. It also recommended that the Attorney General file an action to prevent the CDE from violating the Administrative Procedure Act. This report preceded and contributed to the *State Board of Education v. Honig* lawsuit that was filed the following year to clarify the roles of the State Board and the SPI.

Legislative Analyst’s Office Proposal for a Master Plan for Education (1999).¹³ The Legislative Analyst’s Office recommended creating a new executive for policy and implementation. This cabinet-level position would operate in the education arena in ways similar to how department and agency leaders now operate in other state program areas. The SPI would promote accountability and local control by creating a source of information and assessment about the success of the K–12 system. This would include data collection, evaluation, student assessment, and accountability. The State Board of Education would operate as a long-term policy board.

California Research Bureau (1999).¹⁴ The California Research Bureau provided several different options for the Legislature’s consideration. Examples of their proposed options include: (1) changing the selection process for members of the State Board, including the people electing the Board or shared appointments among the Governor, the Speaker, and the Senate President pro Tempore; (2) having the State Board appoint the Chief State School Officer (the SPI); (3) have the Governor appoint both the State Board and the Chief State School Officer; (4) put the SPI in charge of education policy and implementation, including allowing the SPI to appoint the State Board; or (5) put the SPI in charge of education policy and implementation and eliminate the State Board.

Recommendation 3.3: Reform the Convoluted State Governance System

The state, as the ultimate guarantor of education of California students, must maintain critically important roles in the multilayered education system to promote the effective delivery of education to all students. As the cornerstone of accountability, the state should maintain its ambitious academic standards and identify aligned curriculum designed to ensure the success of every student; help districts identify and implement best practices; provide sufficient resources; collect, analyze, and disseminate essential data and information to ensure that resources are being spent effectively to enhance student learning; measure and maintain quality; ensure that all underperforming schools and districts receive the support they need to improve; and impose clear and mandatory consequences for schools and districts that consistently fail. To ensure the successful execution of these roles, the Committee proposes that the responsibilities and authority of the principal state-level governance entities — the SPI, the State Board of Education, and the Secretary of Education — be redefined in a manner consistent with the characteristics of effective governance and that the roles and priorities of CDE be reconceived in a manner that better supports local education entities' needs.

The Committee would align the K–12 management functions of CDE with the budget and policy responsibilities associated with the Governor, thereby allowing the state to be held accountable for carrying out its roles in support of education delivery. The Committee would further assign accountability functions to one office and remove any conflicting obligations from that office to ensure that the people's interest of an effective educational system is continually promoted. Specifically, the Committee recommends the following delineation of authority and responsibility:

3.3.1: Redefine state-level responsibilities in a manner similar to the model of the 2002 Master Plan for Education

The Committee recommends the administration pursue a bifurcation of the state's key responsibilities between the Secretary of Education and the SPI, based generally on the model put forth in the 2002 Master Plan for Education. These recommendations have two chief objectives: (1) align principal education finance, program, and policy responsibility in one office for effective operation and to allow the state to be held accountable; and (2) focus one office as an independent guarantor of success and accountability throughout the system, without conflicts of interest. This realignment would be accomplished by maintaining all three of the key current state-level entities but statutorily changing their responsibilities. Specifically, the Committee recommends that:

- **The Secretary of Education**, on behalf of the Governor, should hold primary authority over the operations of the public education system and primary responsibility for the effective delivery of education to students. The position of Secretary should be established in statute and the incumbent made subject to confirmation by the State Senate. The Secretary should focus the state apparatus on supporting effective instruction in schools, districts, and counties. Consistent with these responsibilities, the Secretary would have the following roles:
 - Manage the fiscal and programmatic operations of CDE.
 - Apportion resources to districts.
 - Adopt regulations to implement educational policy, including education standards, as authorized by law.
 - Provide instructional support to districts, including the promotion of effective uses of data to improve student learning and the dissemination of information on best learning practices.
- **The SPI** should oversee a rigorous system of accountability that ensures performance from the classroom to the state level; provide the public with the information needed to make informed choices about schools and programs and participate

more effectively in local schools; and generally promote success and accountability through the use of his office. The SPI would have the following roles:

- Maintain an integrated data and information system, including developing and maintaining analytical capacity to help educators and policymakers use data for improvement.
 - Implement the state’s assessments.
 - Oversee state and federal accountability systems, building local capacity to implement key roles:
 - Maintain the Fiscal Crisis Management Assistance Team (FCMAT)-driven fiscal accountability and intervention.
 - Support a county-region structure to enforce accountability focused at the district level. (See Recommendation 3.4.)
 - Create a school inspectorate to provide frequent site inspections that identify problems and support improvements. (See Recommendation 3.5.)
 - Ensure availability of intervention processes for failing schools and districts.
 - Conduct compliance monitoring and auditing functions as required by law.
 - Publicly report on the performance of all entities involved in the support and delivery of public education.
- **The State Board of Education** should be strictly advisory in nature and should meet regularly to provide a public forum for deliberation of key issues in front of the administration.

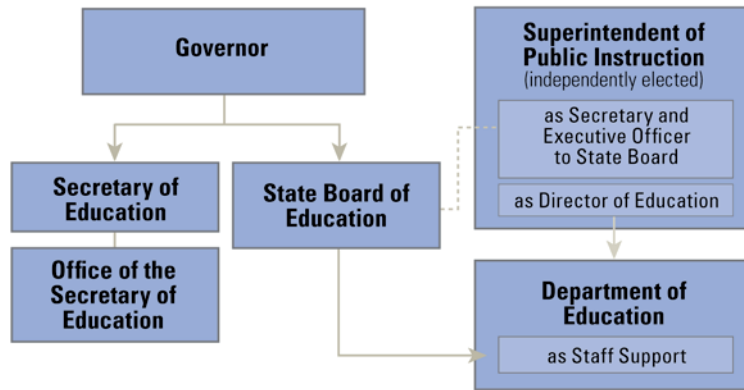
The diagram on the next page illustrates how California’s state-level governance structure would change under this proposal. The Committee recommends that these roles be changed at some point after January 2011, by which time current elected and appointed office holders will have completed their terms in offices that maintain the structure and functions they anticipated in taking office. As described in detail in the Data chapter of this report, until such time as the roles of these state offices are revised, the Committee recommends the establishment of an independent data commission, which will ensure development of data systems that are free of any perception of bias that might stem from conflicting roles of program support and program evaluation being maintained by the same entity.

3.3.2: Reconfigure the role of CDE

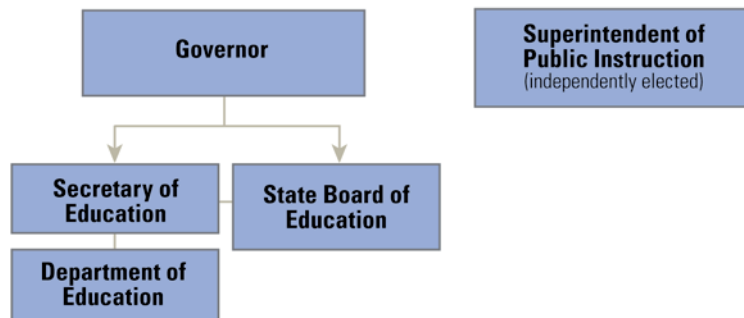
Currently, much of the work of CDE focuses on implementing categorical programs. This includes allocating the funding, providing technical assistance for administering programs locally, collecting data and information about the programs, and conducting reviews to ensure that districts have complied with the process requirements of the programs. Concurrent with a streamlining of the finance system and the deregulation of the Education Code, much of the work currently conducted by CDE would be eliminated. However, the Committee recommends that the resulting staff capacity of CDE be redirected to address a much more important, deeply needed set of functions, namely helping school districts implement effective educational programs, using data to inform instruction, and supporting a culture of continuous improvement by providing districts with best practices and direct ongoing assistance.

A Complex System

Now



Proposed



Promote a Higher Level of Accountability

The *quid pro quo* for greater local flexibility is a higher level of accountability and oversight by the state, either directly or through local designees, to ensure that the additional flexibility provided to local educators is benefiting students and resulting in improving and ultimately attaining high academic achievement. The Committee embraces a conception of accountability that promotes incentives and structures that inform instruction and improve performance. Accountability should support efforts to have every student reach California's high educational standards; it should be designed to *prevent* failure instead of focusing on interventions after failure has occurred. In concert with those supports to build capacity for success, the Committee also believes that interventions must be strengthened — consistent with the state's obligation to guarantee a high-quality education for every student — ultimately moving to a zero-tolerance policy for low-performing schools and districts.

The Committee believes that five state actions, taken together, will support a higher level of accountability in California's education system: (1) improve the quality and use of data throughout the system to continually improve instruction and ensure effective resource use (discussed in detail in the Data chapter); (2) transition to an accountability system that relies on the *growth*

in student academic achievement rather than static targets (also discussed in the Data chapter); (3) build a regional capacity to monitor all districts and intervene in those districts that are not serving students well; (4) invest in a school inspection system that can help each school identify areas for improvement; and (5) impose severe state sanctions for the lowest-performing schools and districts not showing signs of improvement.

District Involvement Is a Critical Element of School Reform

Districts play a critical role that can make or break a school's reform effort. While some outstanding school leaders can succeed without focused engagement by their districts, most schools need the support of their districts to make the reforms successful. Research verifies this. The American Institutes for Research (AIR) concluded in its evaluation of California's two school intervention programs — the Immediate Intervention for Underperforming Schools and the High Priority Schools Grant Program — that those programs were ineffective, wasting millions, if not billions, of state dollars.¹⁵ On further investigation, AIR found that successful interventions consistently were coupled with rigorous district management and support of the process. Therefore, the state's current practice of intervening directly in schools is not likely to improve unless the school district adopts a more active role. Furthermore, this research suggests that the state should invest more of its resources in supporting local district improvement efforts and build capacity within the district to assist schools, instead of bypassing the district to intervene directly in schools.

Recommendation 3.4: Create a Regional Support System To Provide Oversight for All Districts and Interventions for Struggling Districts

Through a process of ongoing monitoring and district interventions, the Committee recommends that the state create a regional support system to help school districts improve over time. This regional oversight would fulfill the state role of oversight; however, by providing the support and oversight locally, the regional support teams would be able to have a continual presence and context among local districts they serve that does not and cannot exist in a Sacramento-based, state-level support system. The Committee recommends using the existing infrastructure of the state's 10 collaborative county-regions for this purpose.

The Committee believes that county offices of education, particularly through their network of regional alliances, are well-situated to provide this ongoing support role for school districts. Often the difficulties that these districts face depend on local factors and local political dynamics. County leadership will understand these dynamics in a way that the state or a private provider would not. And, since many of the problems districts face will require longer-term efforts to overcome, the existence of an ongoing relationship between a district and the county-regional team should promote a higher likelihood of success. While the capacity to provide these services may vary by county, it is the Committee's assessment that each of the county-regions contains at least one county office that can be quite effective in carrying out these duties. Therefore, the Committee specifically recommends that the State Board of Education (within California's current governance construct; after changes proposed by the Committee, this responsibility would rest with the SPI) delegate this state responsibility to a lead county office in each of the 10 collaborative regions.

3.4.1: Invest in the regional structure of county offices of education to build capacity for district support and interventions

Capacity constraints are an important issue facing the state as it begins to raise the stakes of accountability and move toward a policy of zero tolerance for failure. The Committee recommends that the state invest in a regional structure within which county offices of education are organized to build that capacity. This investment would support districts and schools as they deal with

the new authority they will have in a local control system. Over time, this investment would develop staff that can support failing schools or districts to return to the path of continuous improvement.

3.4.2: Create an Academic Crisis Management and Assistance Team (ACMAT)

The state currently has a highly successful fiscal improvement team (FCMAT), which is sent into districts that are insolvent or approaching insolvency. A national analysis of district interventions found FCMAT to be a “best practice” model.¹⁶ When the FCMAT team is assigned to a district, it advises the district on issues beyond its fiscal solvency, in five specific areas, including: personnel procedures, financial management, facilities management, pupil achievement, and community relations and governance. Prior to returning the control of the district to its local board, the district must make improvements in all five of these areas.

The Committee recommends that the state create a similar team — ACMAT — to address districts that are academically bankrupt. The state would establish specific criteria to determine which program improvement districts would be assisted by ACMAT. Then, similar to the FCMAT process, the ACMAT team would report on the district’s progress twice annually until the district’s operations had improved. The CDE would recommend — and the SBE would select through a competitive bid process — the entity to manage ACMAT. Just as FCMAT currently has tools to help districts improve their efficient use of resources, the ACMAT would develop and use tools to support districts’ improvement of key academic factors. While there is likely to be some overlap between FCMAT and ACMAT for districts identified for intervention, the ACMAT tools would have a much stronger focus on instructional support. These tools would help county-regions and District Assistance and Intervention Teams (DAIT’s) monitor the progress of districts on specific process measures over time in the following areas: (1) governance and leadership; (2) curriculum, instruction, and assessment, including coherent curriculum alignment; (3) professional development; (4) human resources; (5) data, assessment, and monitoring; (6) parent and community involvement; and (7) fiscal operations.

3.4.3: Impose regional intervention for consistently failing districts

As part of the implementation of NCLB, the state is required to intervene in school districts that have not reached “Adequate Yearly Progress” targets, or AYP, for three or more years. This requirement provides an opportunity to perform what the Committee believes is a fundamental role for the state — namely, supporting the improvement of struggling schools and districts. Nearly 100 districts are subject to sanctions under this requirement as of fall 2007, so the state must invest immediately to build capacity to support these districts. The number of districts facing sanctions will only grow in the years ahead.¹⁷

The Committee believes that developing a district support infrastructure at the county-regional level, as described below, would result in the most efficient use of intervention resources. The Committee recommends varying the scope and form of intervention and/or assistance to match each district’s level of need. As an example, the list of districts subject to the imposition of sanctions includes Coachella Valley Unified, which has an Academic Performance Index (API) score (a more relevant measure of its performance in relation to *California* academic standards) of 579 (one of the lowest-performing districts in the state), and San Luis Coastal Unified, which has an API score of 820 (in the top 20 percent of districts statewide). The needs of these two districts are likely to be dramatically different — as are the reasons for their being subject to sanctions. The chart “School Districts in Program Improvement by API Scores” shows the API scores for districts in the first two cohorts of program improvement, sorted by API deciles. In fall 2007, additional districts will be identified, and many of the schools in their second year of program improvement will advance to Year 3, making them subject to sanctions.

School Districts in Program Improvement by API Scores

API Score	PI Year 1	PI Year 2	Total PI districts	Non-PI districts
Below 600	1	5	6	10
600–625	3	3	6	13
625–650	3	17	20	19
650–675	9	24	33	48
675–700	15	27	42	63
Above 700	26	26	52	649
Total	57	102	159	802

Source: From CDE, June 2007; excludes districts that have no API score

The Committee further recognizes that the current API score of a district is not the sole measure of its need for intervention; progress (or the lack thereof) also is important. A district that has had a stagnant API of 740 for five years may be of greater concern than one that has grown from 600 to 710 over that same time span. In light of this, the Committee envisions that the state would use (1) a district’s API score; (2) measurement of recent improvement in that district’s API; and (3) the district’s program improvement status, to allocate resources and support. Using the combination of these indicators, the Committee recommends providing progressively higher levels of assistance and resources to the lower-performing districts and lesser levels of support for the higher-achieving districts. The Committee’s proposal envisions four levels of support for most districts and would create a distinct intervention strategy to meet the unique needs of Los Angeles Unified School District. The State Board would adopt the specific API and growth thresholds that would determine which level of intervention a district received. The State Board also would adopt a process to ratchet up the requirements each year to ensure the districts continue to make progress. The four progressive levels are:

- **Tier 1. Assign a trustee for lowest-performing districts.** The Committee recommends that the state use the full power of state and federal law to appoint a trustee to manage school districts that enter corrective action and continue to have low API scores and show little growth. These districts are the lowest-performing districts in the state. Most of these districts are small and have a majority of their schools in API decile 1. The Committee believes that these school districts are effectively academically bankrupt and should be addressed similarly to school districts that are fiscally bankrupt. The Committee recommends that the administration pursue legislation similar to AB 2756 (Daucher, Chapter 52, Statutes of 2004) that would define the process for how the state would appoint a trustee and the process for returning control to the district governing board after sufficient improvement occurs. This trustee would have “stay and rescind” powers for all board actions, similar to the authority attending a fiscal bankruptcy. The state could require the districts to use their Title I funds to support the costs of a trustee, but the Committee recommends that the state provide some level of funding to these districts to support the trustee and other staff and to address some of the needs identified by the trustee.
- **Tier 2. County-regional direct support.** School districts in a slightly higher achievement range and/or level of recent growth are likely to require external support for many years. Because these districts’ needs are not short-term, the Committee recommends the districts’ reform efforts be assisted by the county offices of education via the proposed county-region accountability structure. The county-regions would provide frequent monitoring using ACMAT tools to be developed pursuant to Recommendation 3.4.2 to assess the districts’ administrative practices against all seven defined program process measures. These districts would be put on notice that if their API scores did not begin to improve in the near term, the state would assign a trustee to the district, as applied to the lowest-achieving schools in the state. If the

county-region lead office certified that the district was making significant progress in the seven program process measures, the State Board could delay assigning a trustee for an additional year. Since over this time period the county-region would have acquired significant knowledge of the problems the district experiences, the county-region would be tasked with selecting and supporting the trustee to oversee the district. Because of the seriousness of the potential interventions in these districts, the Committee recommends providing significant fiscal support to these efforts.

- **Tier 3. Assign a district assistance and intervention team (DAIT).** Districts that fall in the third target range would be assigned a DAIT team, consistent with current law, and be provided \$50,000 per district and \$10,000 per school, also consistent with current law. The DAIT would perform a role similar to that of the county-region teams but, because they would have fewer resources available to them, would not be able to provide as detailed a level of support as the county-region teams would be able to afford. These districts would be put on notice that if their API does not improve within two years, they would proceed to the county-region direct support model Tier 2.
- **Tier 4. County oversight of district improvement plan.** The Committee recommends providing a lesser level of support for districts with higher API scores or levels of performance growth. These districts still need to be pushed to make improvements, but the state does not have the capacity to intervene in all of the districts, and these districts are facing problems that are less severe than others for which immediate intervention is critical. Often these districts have specific, isolated issues, such as a low-performing special education program, that they need to address. These districts would be required to conduct a self-assessment using the seven new program process measures; then, using this identification process, the district would develop its improvement plan. The district would be required to have the plan approved by the county-region. Then, the district would be required to provide quarterly progress reports. To oversee this work, the counties would be provided funding on a per-district basis.

Counties and CDE Use Gates Foundation Funding to Develop a District Assistance Model

The Bill & Melinda Gates Foundation has provided the California County Superintendent Education Services Association (CCSESA) and CDE with a \$15.5 million grant to develop and test a district assistance and intervention program for school districts that are not yet in required state intervention through the federal program improvement requirements of NCLB. CCSESA and its county superintendents have deployed school improvement teams to 15 school districts statewide. The work includes:

- Refining the support and intervention model used for low-performing districts;
- Developing a regional infrastructure within the county offices of education to train and equip each region with the skills and tools needed to provide struggling districts with academic, fiscal, and human resource management expertise;
- Deploying trained intervention teams in 15 school districts that will diagnose and support seven major areas: governance; alignment of curriculum and assessments to standards; fiscal operations; parent and community involvement; human resources; data systems; and professional development; and
- Planning for how to scale and sustain the support and intervention efforts as the number of districts needing assistance grows.

This work will continue in 2007–08 and, in 2009, will provide a model to take the effort to statewide scale.

Alternative approach for Los Angeles Unified. Because of its size (just over 700,000 students) and the severity of the difficulties it faces, the Committee recommends a unique alternative approach for the Los Angeles Unified School District (LAUSD). An external consultant recently completed a management study of the district, and the findings would be startling if the district had not contracted for similar reports over the past 20 or more years — all of which identified the same or similar

problems.¹⁸ The Committee believes that LAUSD continues to demonstrate a lack of will to make the necessary reforms and that the approaches used for other districts — county support or assigning a DAIT team — are not likely to be successful in LAUSD, especially given that the county office would likely have to support other large districts in Los Angeles county. The Committee advises the administration to begin a dialogue involving the LAUSD district governing board and superintendent, as well as the county superintendent and city mayor, to develop an approach that can support reform for LAUSD.

3.4.4: Overhaul categorical program monitoring

The state currently monitors categorical programs to ensure that school districts adhere to the requirements of state law. This process neither examines academic performance outcomes or fiscal accountability nor analyzes program effectiveness. Instead, the program review focuses almost exclusively on a district’s compliance with process requirements for program participation. The Committee recommends eliminating this process and replacing it with oversight that focuses on program effectiveness by identifying deficiencies, ensuring fiscal controls, and then providing technical assistance to districts that need it — conducting these reviews less frequently in higher-performing districts and more often in struggling districts. Regional entities are better able to understand the context local districts face and are able to provide the continuous support necessary to help districts improve. Therefore, the Committee recommends that this oversight role, conducted on behalf of the state, be delegated to the county-region apparatus proposed above, along with other local accountability oversight functions. Since federal compliance monitoring would remain relatively unchanged, the Committee further recommends that the state additionally assign these federal monitoring responsibilities to the county-region apparatus.

Enhancing School-Level Accountability through a School Inspection System

After reviewing the impact that school inspections have had in several European countries and various American jurisdictions, the Committee has concluded that school inspections could provide an important element that can strengthen California’s outcomes-based accountability system. Currently, a school’s API score and Similar School ranking provide a snapshot to reveal to the public and school system how well the educational program at a school is working. However, those measures do not provide any information about *why* a school’s program is or is not working effectively. This lack of understanding leads to considerable speculation and finger-pointing, even leading to blaming the students themselves. More importantly, without knowing what the problems are or what impact various instructional strategies have demonstrated in addressing them, it is difficult to plan a course for improvement or to focus the attention of policymakers, administrators, teachers, or parents on the real problems at a school. A rigorous diagnosis of the shortcomings at a school followed by frequent monitoring forms an important component of the cycle of continuous improvement that is missing from California’s current system. A school inspection system is a relatively inexpensive way to break this paradigm.

By implementing a systematic approach to inspecting schools, the Committee believes California can accomplish three important goals:

- **Ensure greater transparency in the system.** School inspections provide more detailed information to the public and policymakers about the inner workings of schools and can begin to explain why schools are thriving or struggling.
- **Provide increased outcomes-based accountability.** School inspections ensure there is a thorough quality check in the system if schools are struggling. In addition, they provide a positive aspect of accountability by promoting good practices. In moving from a regulatory, compliance-monitoring system to one that focuses on student achievement outcomes, schools are encouraged to innovate and try new approaches to instructional delivery, and the school inspections allow the state to learn from best practices from these experiments in innovation and to disseminate that information broadly.

- **Create a system of support.** School inspections can assist schools in improving the quality of teaching and learning. If done properly, school inspections can support a cycle of continuous improvement wherein school staff use the inspections' findings to evaluate their strengths and weaknesses; work with knowledgeable, trained inspectors who can provide additional, valuable information to promote better understanding of conditions and solutions; and implement tailored action plans that complement the culture of the school and improve student achievement.

Common characteristics of school inspection systems

Numerous countries, states, and cities use school inspection systems that range from input-oriented, compliance-monitoring systems to those that are focused on outcomes and public accountability.¹⁹ The outcomes-oriented inspection systems are consistent with the direction California is moving. In particular, they all share a focus on a cycle of improvement that includes:

- **An inspection framework and guidelines.** An inspection framework and guidelines delineate the scope of school reviews and ensure consistency among inspectors. These documents vary across systems; they are adapted to meet the unique needs of the countries and jurisdictions that use them. In addition to initial adaptations, over the last 15 years the inspectorate in England has revised its inspection framework based on feedback from educators, researchers, professional associations, and policymakers.²⁰ This iterative process has been pursued to incorporate new knowledge and to strengthen the commitment of the professionals involved in making the system successful.

School Inspection in the United Kingdom

The United Kingdom has led the way on school inspection. School inspection there dates back more than a century and has evolved many times since then. The inspection system in England adapted in the mid-1990s, following the adoption of a national curriculum to support the national standards and assessments. Since that time, the Office for Standards in Education (OFSTED) has administered a reformed inspection system. The inspection of each school checks that the national curriculum is being taught and reports on a school's performance in four categories:

- Achievement and standards;
- Quality of teaching;
- Quality of leadership and management; and
- The social, moral, spiritual, and cultural aspects of the school.

Standing in stark contrast to activities currently used to review schools in California, such as the school accreditation process or the Categorical Program Monitoring process, a majority of the time involved in each English school inspection is spent observing classrooms. During the classroom observation, each class is rated in the areas of teaching, student response, attainment, and progress with written documentation to support the score. In addition to the classroom observation — during which each teacher is observed at least once — the inspectors interview groups of parents, students, and governors (school board members). The inspectors issue a 10-page report describing the findings in each area; the report is reviewed by the school and eventually made public. While the lead inspector usually is a government employee, a vast majority of inspectors are private contractors. These inspectors are subject to rigorous standards, and reviews are conducted regularly (with some schools being re-inspected) to ensure that there is consistency among the pool of inspectors. Schools not meeting at least minimal expectations are subject to immediate intervention and support with follow-up inspections within the year.²¹

Based on the success of the English model, in 2005 Parliament passed an act to institute a similar system of school inspections in Wales.

New York City Provides a Model for California

The mayor in New York City has implemented a school inspection model (Quality Reviews), based on the English system, as part of the city's Children First initiative. The inspection model is seen as one of the supports for the move toward a system with greater school-level autonomy over policy and budget. As schools receive additional flexibility and principals are given budgetary authority, the inspection program provides a check on that enhanced autonomy. This supportive role in relation to reform makes a school inspection system an interesting policy option for California to consider.

New York has developed quality criteria that focus on:

- Gathering and using data to monitor student performance;
- Planning and goal-setting;
- Academic standards and alignment with instruction;
- Building and aligning capacity; and
- Monitoring and revising program based on evaluation of student progress.²²

For each of the criteria discussed above, the inspector determines what the school is doing well and where the school needs to make improvement. By using the same criteria over time, the school is able to monitor its progress and begins to better understand the path to improved student achievement. The inspections take 2.25 days for each school. The reports are made public and help empower local communities to support the reform efforts at the school. Each report is about seven pages, providing information about a specific set of sub-standards for each of the standards stated above. This standards-based approach is similar to the process used by California's FCMAT to assist districts with fiscal difficulties — although New York City's inspection process is focused on school issues and academic and curricular issues, rather than fiscal issues.

As in the English system, the New York system uses external consultants to perform most of the inspection work. New York is using Cambridge Education, a private company that also is one of the main contractors in the English system; New York decided to use an experienced vendor to allow implementation of the system as quickly as possible. Over time, staff of the New York City Department of Education will be trained to take over this process.

- **Self-evaluation.** By developing common tools that assess a school's strengths and weaknesses, educators are encouraged (either implicitly or explicitly, depending on the inspection model) to conduct their own evaluation of the school. This is one of the cornerstones of a learning organization. School staff can review relevant data, access information on promising strategies, and assess their existing practices.

In some inspection systems, such as that of England, inspectors use the school's self-evaluation as a starting point to facilitate a dialogue with the school.²³ In Rhode Island, the Student Accountability for Learning and Teaching cycle places a heavy emphasis on self-evaluation and encourages schools to use the information gathered to support continuous improvement.²⁴ The self-evaluation can be a critical source of information that grounds inspectors in a school's context and culture.

Rhode Island: School Inspection for Learning and Teaching (SALT). Rhode Island’s system is based largely on a self-inspection and planning process that focuses on improving overall achievement and closing the achievement gap. Once a school has developed a three-year improvement plan, the plan is presented publicly. The state visits schools every five years to review their self-evaluations, as well as school plans in the areas of student learning, teaching, school climate, and organization. One unique characteristic of the Rhode Island approach is the development of the “Compact for Learning” for each school. This compact is formed among the school, the district, and the state; it specifies what the district and the state’s education department will do to support the school. The compact may include revisions to the improvement plan and provides an opportunity to evaluate current resource allocations the school receives, as well as whether the resources are allocated in a way that maximizes the opportunity for the school to meet the goals of its improvement plan.²⁵ The state has created an ongoing evaluation system for SALT; surveys of those involved in the SALT school process indicate that 81 percent of teachers and 74 percent of administrators found SALT to be one of the most powerful professional development experiences they had had.

- **On-site visits.** The hallmark of every school inspection system entails dispatching trained, knowledgeable evaluators to visit schools and identify where they are succeeding and where they need improvement, based on a common, transparent framework. Inspectors are expected to gather relevant data from an array of sources, which may include:
 - Student demographic and achievement data;
 - Contextual data, such as school curricula plans, policies, procedures, and site plans;
 - Classroom observations to review teaching practices;
 - Interviews with administrators, teachers, support staff, parents, and where appropriate, students; and
 - Case studies on a small sample of students who are succeeding and struggling.

The quantity and type of information collected often is contingent on a variety of factors, including the number of inspectors, the amount of preparation time required by school staff, the number of days in the visitation, and the timing between inspections. Successful implementation of a high-quality school inspection system requires sufficient capacity to conduct on-site visits at regular intervals and assurance that the results of the inspections are consistent and reliable. Strategies that California could pursue to develop inspection capacity and ensure consistency are explored in detail in Recommendation 3.5.

- **Public reporting.** Publicly reporting the findings from the school inspections provides transparency and accountability. In each of the school inspection models the Committee reviewed, the inspectorate made its findings available to the public. Typically, the inspection team provides an oral report to school staff and allows the principal to review the written report to correct any factual errors before it is formally submitted. The reports are then made available to the public, often through the Internet. In some cases, summary reports also are sent to parents.

Most inspection systems strive to create reports that are easy to understand and accessible and that clearly outline strengths and weaknesses in an effort to support the school’s continuous improvement.

- **Follow up, if necessary.** If a school is struggling and needs improvement, most inspection systems require the school to develop an action plan. Inspectors may provide advice and counsel to the school in developing these plans, or a separate support structure of external consultants may fulfill this function.

California's Current Monitoring Efforts Are Insufficient

California currently has numerous processes that monitor schools or districts in some way. While some may suggest that these current efforts are sufficient, the Committee believes the state's education system faces problems that these processes do not address. The Committee additionally believes that many of the current processes could be consolidated into the more comprehensive inspections of a school inspection system.

- **Categorical program monitoring.** As discussed in great detail in this report, the Committee recommends an overhaul of this process for the monitoring of scores of categoricals pursuant to the discrete provisions of each program. Over time, that categorical monitoring which must be maintained could be integrated within a school inspection system.
- **Williams monitoring.** This process solely monitors schools to ensure that school textbooks and facilities are adequate. These efforts could easily be consolidated into a school inspection system.
- **High school accreditation.** High schools must periodically participate in an accreditation review process. With very few exceptions, all high schools receive accreditation, regardless of a school's performance as measured by student outcomes. One reason accreditation has become meaningless is the unwillingness to apply the high stakes that follow from failure to be accredited. Students who graduate from a non-accredited school are restricted from attending some higher education institutions and are not eligible to receive federal financial aid. A school inspection system would provide the substantive measures of a school that are relevant to the current accreditation structure, or to a more meaningful outcomes-based accreditation that the Committee envisions.
- **High Priority Schools.** As part of the state's accountability system, schools in the lowest two deciles of the API (based on their students' test scores) are eligible to voluntarily participate in an intervention program that requires each school to develop and implement an action plan, supported by \$400 per pupil in state funds that are to be focused on academic improvement.
- **Intensive reviews.** Two reviews — reviews by School Assistance and Intervention Teams (SAIT) and reviews by the Fiscal Crisis and Management Assistant Team (FCMAT) — currently conducted in some California schools are more intensive than a school inspection.
 - SAITs assist low-performing schools that have failed to make progress and conduct a school review that is even more rigorous than school inspections and is relatively costly to administer. In the future, school inspections could be combined effectively with SAITs because the regularly conducted school inspections would provide a track record of what was happening at the school over time. If a low-performing school was not making progress, then a SAIT team could assist the school and use the findings revealed from years of inspections to help correct deficiencies and get the school back on track more quickly.
 - FCMAT reviews generally are more focused on school district operation and do not focus on school-specific issues. FCMAT reviews also generally help districts to improve their business operations and improve the district support that schools receive by making districts more efficient. There is no conflict between the support that FCMAT provides and school inspections.

In addition to the common characteristics cited above, in some cases, inspectorates have implemented a proportional review process. This process helps target inspections for schools that need them the most and creates an additional incentive for schools to improve. For example:

- In the Netherlands, school inspections follow a four-year cycle. Every school participates in an on-site quality inspection, or PQI, every four years. If a school is deemed average or good, the school will receive an annual documentation review for the two years prior to the PQI and an on-site visit the third year. If significant weaknesses are identified during the PQI, a more extensive inspection is conducted within a six-month period. This can range from an interview with the school board to a more detailed inspection of the school.²⁶

- In England, school inspections typically are conducted on a three-year cycle, but the frequency, length, and number of inspectors involved is determined in proportion to the need for guidance to support improvement. For schools in which achievement is high, the self-evaluation is good and the previous inspection meets a certain quality standard, the number of inspection days is reduced. Schools that have received a notice that they need to improve will be visited between six and eight months following the prior inspection.²⁷
- New York City schools are visited annually; however, in 2007–08, the Department of Education has started implementing a proportional review process similar to that of England. Schools that have stable leadership and a school score of “A” will receive a “light touch” review that lasts only one day, while schools that are deemed “underdeveloped” will receive the more traditional two-day review.²⁸

Recommendation 3.5: Institute a School Inspection System

California has the opportunity to learn from school inspection systems from around the world and tailor them to meet the state’s unique needs. The Committee recommends the state implement a school inspection system, under the general oversight of the Superintendent of Public Instruction, by pursuing the following steps:

3.5.1: Develop a California-specific inspection framework

The Committee recommends using New York City’s Quality Review Criteria, as outlined above, as a foundation for California’s inspection framework. This framework would include:

- Gathering and using data to monitor student performance.
- Planning and goal setting.
- Academic standards and alignment with instruction.
- Building and aligning capacity.
- Monitoring and revising program based on evaluation of student progress.

These quality criteria would assist California’s inspectors in determining what things the school is doing well and where the school needs to make improvement. Schools would use the framework criteria, along with additional locally developed criteria, to conduct self-evaluations to inform practice and support a culture of continuous improvement. As the state implements this framework, it will want to ensure that each of the following issues is considered and addressed.

- **Ensuring that instruction is aligned to the standards.** School inspections would evaluate the extent to which a school’s instruction is aligned to academic content standards. In other systems, most schools’ staffs think they have aligned their instruction with standards, but often that perception is inaccurate. A school inspection system would point this out to the school in a systematic way that provides the school a clear path to make improvement and helps to align a school’s self-assessment to reality. Inspectors would provide tangible advice on how to effectively integrate the school’s instructional program by encouraging the school to set high expectations, articulate clear school goals, align curriculum and professional development supports, and use data to drive continuous improvement.
- **Ensuring that school plans make sense and are being implemented.** In California, schools are required to develop many plans, and while the state’s current compliance monitoring ensures that the school has developed the requisite plans, these plans are not reviewed for quality, and the schools are not asked about the implementation of the plans. In a school inspection system, not only would inspectors review the multiple plans to ensure that the plans made sense and were aligned with each other, they also would observe whether the plans and goals of the schools were being supported by action. For example, the inspector would review whether the professional development that staff was receiving supported the educational goals that the school set for the year.

- **Ensuring that the district is providing the school the support it needs.** Inspectors could determine the effectiveness of the support that the district is providing the school to implement specific district goals or the district-wide plan. This type of external review could help to ensure schools receive appropriate, effective support.

3.5.2: Build capacity to conduct school inspections

Concrete steps are needed to ensure California has sufficient capacity to implement a school inspection system effectively. Policymakers initially will need to determine the appropriate interval between inspections and the amount of information needed to be gathered and analyzed during the process for it to have the desired effect. These decisions will inform the staff capacity necessary to ensure quality inspections. Eventually, after a few rounds of school inspections, the state can begin to reduce the frequency and depth of inspections for schools that consistently receive favorable inspection results, thereby reducing the ongoing cost of the inspection system, and refocus inspection capacity at schools with the greatest need of assistance. Given the large number of schools in California, it is likely that the state will need to build capacity over time. The Committee therefore recommends that the state follow the example of New York City and initially contract with external inspectors who have experience in conducting these evaluations. The Committee further recommends that, over time, the state ensures that capacity is created, within either the state or county-region oversight apparatus, to conduct these inspections.

3.5.3: Ensure consistent, reliable inspections

It is critical to the credibility of a school inspection system that findings are consistent and reliable from one review to the next. To address this concern, the Committee recommends that the state implement the quality control measures that New York City relies on in its Quality Review Process.²⁹ These would include:

- Requiring every reviewer to undergo the same training, follow the same review protocol, and submit the same report formats.
- Creating forums for team reviewers to share best practices.
- Pairing reviewers during a pilot period to ensure quality and consistency.
- Holding evaluation meetings at which educators can offer feedback on the process.
- Requiring CDE to track how reviewers score each school and identify patterns or information that might highlight areas of concern.
- Allowing schools to provide feedback on the process and the report.
- Implementing an appeals process by which schools can challenge findings if they feel the results do not adequately capture the reality of their school.
- Requiring CDE to conduct quality assurance samples periodically by sending two or more reviewers to perform a school inspection at the same time. These reviewers would not interact during the process but would compare results and assure that the tools are valid and reliable.

3.5.4: Create a system of support

California's poor history with accountability, rewards, and sanctions is such that it is critical that the school inspection system not be perceived by teachers and administrators as a "gotcha" state intervention, but instead, the inspections are recognized as helping schools and districts to successfully implement their own programs. To accomplish this goal, the Committee recommends that the inspections be structured to focus on student outcomes and highlight broad strategies that have proven successful; the findings from the inspections be used as an important source of information for school staff, district officials, and external consultants working to improve the quality of teaching and learning at the school; and the inspections be precluded from becoming an overly prescriptive enforcement activity by the state.

3.5.5: Report findings

After sufficient experience results in the assurance of equal inspection quality across inspectors, the Committee recommends that the results of school inspections be made public. With the release of school inspection findings, parents and voters would have substantially better information about the quality of their schools and could help support necessary changes to improve the educational process and, eventually, the educational outcomes of their schools. Reports should be made available online shortly after the inspections take place and be presented in a user-friendly, easily accessible format.

3.5.6: Use inspections to ensure accountability and promote autonomy

Finally, school inspections should be used to inform the state's accountability models, resulting in more nuanced accountability for schools that need improvement and promoting increased autonomy for those that are thriving. Since schools and districts receive feedback from the inspection system within weeks, the element of accountability provided by inspections has an immediacy that is not experienced elsewhere in the accountability system (for example, school and district interventions often continue for years before any consequences happen) and can promote quick remediation of identified problems so that they do not continue to impact instruction through the school year.

As noted in Recommendation 3.1, the Committee believes that schools that are consistently succeeding also should be rewarded through a structure of earned autonomy. The findings resulting from these inspections would provide key indicators of the capacity of a school team to assume enhanced responsibility. The Committee also recommends that the state encourage school districts to delegate decision-making authority to school sites that demonstrate, through consistently positive school inspections, their readiness for greater responsibility.

One of the core principles of the Committee's work has been to encourage innovation while finding the appropriate balance between local autonomy and greater accountability. The Committee believes that in conjunction with the other governance, accountability, and finance recommendations laid out in this report, school inspections comprise a vital reform that will help strike that balance and increase transparency, accountability, and support for schools.

Recommendation 3.6: Institute Clear Intervention Rules

The state should move toward a zero-tolerance policy for chronically low-performing schools and districts. The new higher-stakes accountability system described throughout this report will provide schools and districts with numerous additional supports to promote effectiveness and with a clear understanding of the steps they need to take to improve. These supports include the state's additional investment in a school inspection system, additional funding targeted at disadvantaged students, the teacher professional practice model, improved teacher training and recruitment and retention programs, and the district-level support by the county-region support system. Taken in concert, these supports should lead to improved student achievement. If a school continues to underperform after all of these additional investments, however, the state will need to take more drastic actions to ensure that students receive a high-quality education.

The Committee recommends that the state institute clear rules for intervention in schools identified as consistently failing. The state should use multiple measures to determine if a school is not meeting expectations, including the overall level of student performance, growth measures of improvement, and results from school inspections. If all of these indicators suggest that the school is not performing, then the state has an obligation to students at that school to change the governance structure of that school. The state would determine the appropriate governance change, including state or regional administration of the school, assigning a trustee to the school, converting the school to a charter school, assigning the school to a neighboring successful district, or other appropriate actions. To mitigate districts' potential lack of concern for a failing school that will be taken out from

under its control, the Committee further recommends that districts bear the overhead costs of operation of the school by an external entity, as well as losing full student funding for the students in that school.

Recommendation 3.7: Develop Pre/Post Testing for Alternative Education Schools

To date, alternative education schools — continuation high schools, community schools, and community day schools — have not been able to participate in the state’s accountability system, including school intervention and sanction programs. Alternative schools have been excluded because the API is not a meaningful measure of academic progress for them. Because these schools have high rates of student turnover, the student population at the school is different each year, meaning that analysis of year-to-year changes in the API does not provide an accurate measure of academic improvement.

The Committee recommends that the state develop a standards-aligned pre/post-assessment for these schools. Ideally, this assessment would be administered electronically and would use dynamic testing to allow measurement of the vast range of abilities these students may have. Once an alternative measure of school improvement is developed, the state can begin to assess how effective these schools are in assisting their students’ academic progress and determine what type of assistance they might need. After a new pre/post assessment is operational for these schools, the Committee recommends implementation of a pilot school intervention program to develop a better understanding of how the state, counties, and districts can help these schools improve.

Empower Parents and Voters

The collective recommendations described in this report would significantly empower parents and voters to play a more active role in California’s schools. The development and public availability of better and more accessible student, teacher, and school data; of an easy-to-understand School Accountability Report Card; the findings of the school inspection reports; and of school-level budget information will allow interested Californians to engage in dialogue with school boards and other policymakers about the performance of their schools and the decisions of school districts. This additional information will give parents an improved understanding of the educational opportunities available in their communities.

It is particularly important that parents have distinct choices available to meet the educational needs they determine to be best for their families. The Committee endorses the state’s existing options for school choice, including charter schools, within the public school system. These choices are not real, however, unless all schools are supported with the opportunities needed to effectively serve students and unless parents are aware of the choices available to them. To date, that has not been the case.

Charter schools provide a laboratory for innovation

In 1992, California established charter schools — publicly funded schools authorized by local districts, county offices of education, and the State Board of Education to “operate independently from the existing school district structure.”³⁰ Charter schools are free from many of the regulations that burden district schools and, in turn, are held more highly accountable — their charters can be revoked for failure — for attaining high levels of student achievement. In these ways, charters represent the link between accountability and authority that the Committee recommends become the norm across California’s education system.

Initially capped at 100 at the inception of the charter schools law, more than 600 charters have been granted in California. Research suggests that charter schools in this state tend to serve higher percentages of students living in poverty and students of color than do their district-operated counterparts and that the performance of these particular students in charter schools, in general, is slightly better than that of their counterparts in district schools. Research also suggests that charters perform as well

as, if not better than, traditional public schools, with less funding — suggesting that funding flexibility offers real cost benefit toward improved pupil performance.³¹

This evidence does not suggest that charter schools are, by themselves, a panacea. However, the Committee believes that the original purpose of charters — to provide parents with choices; to provide competition that spurs improvement systemwide; and to provide a test-bed for innovation and experimentation that can identify best educational practices — continue to be important objectives and that charter schools are and ought to remain an important part of California’s educational landscape, offering alternatives to address the challenges of public education in California. Importantly, California should look to experiences with the chartering model to identify examples of effective innovation, local control, and funding flexibility that may guide the expansion of these concepts throughout California’s public education system and, more generally, examine which areas of regulation and oversight in the system should be retained and which should be relaxed to enhance effective education.

Recommendation 3.8: Promote Choice for Families

To make real choices available to parents, the Committee recommends the removal of financial and organizational impediments to charter schools’ successful operation so that charters can serve as a more viable and effective public school option. The Committee further recommends that parents be provided clear information regarding the availability of all education options, including charters and other non-district operated education services available to students. In particular:

3.8.1: Provide equitable resources for charter schools

To better fulfill their mission, charter schools need to participate fully in the state’s funding system, ensuring that students educated in these public schools receive high-quality educational opportunities commensurate with district-operated options. At present, schools operating under a charter authorized by a district receive far less per-pupil operational funds than those operated by the same district. Moreover, despite recent laws to support charter schools’ facilities, charters often do not receive facilities, or facilities funding, that allows them to effectively operate a coherent program. In the worst cases, for example, a charter school drawing students from three districts may be offered a small handful of classrooms from each of those districts, none of them located within reasonable proximity to the charter’s proposed location. The Committee recommends that charter schools be provided dollar-for-dollar equality in student funding in comparison with their public school counterparts and that the state revisit application of statutes to ensure that charters have equitable access to public school facilities and facilities funding.

3.8.2: Examine alternative authorization mechanisms for charter schools

In the current system, some school districts embrace and work well with charters, while others do not support them, or even obstruct them, because they view them as competitors. Since competition is one of the original purposes of charters, it is necessary that other avenues for authorization be available to accommodate those instances in which competition-based conflict of interest impedes the establishment of the charters themselves. The Committee recommends that the state examine and make available alternatives to the current charter authorizing system. Options could include strengthening the current appeals process or providing for alternative authorizers, such as county offices of education.

3.8.3: Inform parents of their education options

Making options available to families is meaningless if they are not aware of them. The Committee believes that full disclosure, district by district, of the education options available to students should be provided to all parents. The Committee recommends that the state require districts to notify parents of the types of public and private education options available to students residing within the district. These notifications could be provided in conjunction with other parental notification requirements to minimize the costs involved.

Endnotes

¹ Brewer, Dominic, and Joanna Smith (2006) *Evaluating the “Crazy Quilt”: Educational Governance in California*, Getting Down to Facts, Institute for Research on Education Policy and Practice, Stanford University.

² *Ibid.*

³ *Ibid.*

⁴ See information provided by the Institute on Education Law and Policy at Rutgers University (<http://ielp.rutgers.edu>) for more details on this and other legal decisions in California.

⁵ California Commission for Education Quality (1988) *Report to the Governor*, Sacramento, CA.

⁶ California Research Bureau (1999) *A Double-Headed System: A History of K–12 Governance in California and Options for Restructuring*.

⁷ *Butt v. State of California*, (Dec. 1992) 842 P.2d 1240.

⁸ Loeb, Susanna, Anthony Bryk, and Eric Hanushek (2007) *Getting Down to Facts: School Finance and Governance in California*, Institute for Research on Education Policy and Practice, Stanford University.

⁹ California Research Bureau (1999).

¹⁰ Joint Committee to Develop a Master Plan for Education (2002) *The California Master Plan for Education*, Sacramento, CA.

¹¹ California Constitution Revision Commission (1996) *Final Report and Recommendations to the Governor and the Legislature*, Sacramento, CA.

¹² Little Hoover Commission (1990) *K–12 Education in California: A Look at Some Policy Issues*, Sacramento, CA.

¹³ Legislative Analyst’s Office (1999) *A K–12 Master Plan*, Sacramento, CA.

¹⁴ California Research Bureau (1999).

¹⁵ Harr, Jennifer, Tom Parish, Miguel Socias, Paul Gubbins, and Angeline Spain (2006) *Evaluation Study of California’s High Priority Schools Grant Program: Year 1 Report*, American Institutes for Research; and O’Day, Jennifer, and Catherine Bitter (2003) *Evaluation Study of the Immediate Intervention/Underperforming Schools Program and the High Achieving/Improving Schools Program of the Public Schools Accountability Act of 1999*, American Institutes for Research.

¹⁶ Tractenberg, Paul (2002) *Developing a Plan for Reestablishing Local Control in the State-Operated School Districts*, Institute on Education Law and Policy, Rutgers University, Report submitted to the New Jersey Department of Education.

¹⁷ The state is required to implement one of the following sanctions for districts that have not made AYP for four consecutive years. Sanction options include:

(A) Replacing local educational agency personnel relevant to the failure to make AYP.

(B) Removing schools from the jurisdiction of the local educational agency and establishing alternative arrangements for the governance and supervision of those schools.

(C) Appointing, by the State Board, a receiver or trustee to administer the affairs of the local educational agency in place of the county superintendent of schools and the governing board.

(D) Abolishing or restructuring the local education agency.

(E) Authorizing students to transfer from a school operated by the local educational agency to a higher-performing school operated by another local educational agency and providing those students with transportation to those schools, in conjunction with carrying out not less than one additional action described under this paragraph.

(F) Instituting and fully implementing a new curriculum based on state academic content and achievement standards, including providing appropriate professional development based on scientifically based research for all relevant staff that offers substantial promise of improving educational achievement for high-priority students.

(G) Deferring programmatic funds or reducing administrative funds.

¹⁸ Evergreen Solutions (2007) *Diagnostic Phase I Review in Los Angeles Unified School District*, submitted to Los Angeles Unified. See discussion in the report of the numerous other external studies that have been conducted in the last several years.

¹⁹ England, the Netherlands, Belgium (Flemish Community), Alberta, and New Zealand all have inspection systems. Sachs, Lynne, Betsy Ruzzi, (2006) *Overview of Education Ministries in Select Countries: Roles, Responsibilities, and Finances*, 2005 National Center on Education and the Economy (<http://skillscommission.org>); In addition, several other European countries such as France, the Czech Republic and Poland have inspection systems in place. EURYDICE (2001) *Evaluation of Schools Providing Compulsory Education in Europe* (www.eurydice.org); In the United States, New York City and Rhode Island also have implemented inspection systems.

²⁰ The Office of Standards in Education (OFSTED) See Annual Reports (www.ofsted.gov.uk); and Sue Swaffield and John MacBeath (2005) "School Self-Evaluation and the Role of a Critical Friend," *Cambridge Journal of Education*, Vol. 35, No., 2, pp. 239–252, June 2005.

²¹ See additional information on the English school inspection system at www.ofsted.gov.uk.

²² New York City Department of Education (2007) *NYCDOE Quality Review: School Quality Criteria 2007–08* (<http://schools.nyc.gov>).

²³ Office of Standards in Education (OFSTED) (2007) *Review of the Impact of Inspections* (www.ofsted.gov.uk).

²⁴ Rhode Island Department of Elementary and Secondary Education, *Accountability for Learning and Teaching (SALT)* (www.ridoe.net/PSI/salt/general_info/salt_cycle.aspx).

²⁵ See information from the Rhode Island Department of Education at www.eride.ri.gov/salt for more detail on this program.

²⁶ Inspectie Van Het Onderwus, *2005 Supervisory Framework for Primary Education* (www.onderwijsinspectie.nl).

²⁷ Office of Standards in Education (2007) *OFSTED Departmental Report 2006-07* (www.ofsted.gov.uk).

²⁸ New York City Department of Education (2007) *Principal's Guide to New York City Department of Education Quality Reviews* (schools.nyc.gov).

²⁹ See New York City Public School Web site for more information on the Quality Review Process, including the criteria used, the process for administering the inspections, and the quality controls used (<http://schools.nyc.gov/Offices/ChildrenFirst>).

³⁰ California Education Code, Sections 47600-47604.5.

³¹ Zimmer, Ron, *et al.* (2003) *Charter School Operations and Performance: Evidence from California*, RAND Corporation (www.rand.org/pubs/monograph_reports/MR1700/index.html).