

Talking Points

AB 1362 (Beall) – Local Control and Equal Access to Special Ed Services at Charter Schools

Bill Summary:

SB 1362 requires charter school petitions to describe how the operators will serve special education students to ensure students have equal access to services as they do in neighborhood public schools.

SB 1362 adds having a negative fiscal impact on the school district as a key finding sufficient enough to deny a charter school petition.

Talking Points:

- We proudly co-sponsor SB 1362 to return authority to local decisionmakers. California's charter approval process is broken. Democratically elected school board members who make decisions, with input from parents and educators in the interest of their students, are being routinely ignored because current law allows the State Board of Education in Sacramento to overrule local decisions to deny a charter school petition even when they deem there is no need for another charter school in the district.
- School board members are elected to be responsible stakeholders in determining the programs that will best serve the students in their district. Unfortunately, they are not allowed to consider the impacts a new school will have on the local district's budget. These flaws in charter school law require approval of new schools regardless of their negative impact on a district's overall budget and can further erode vital support services for the remaining students.
- Students all over the state are negatively impacted by the proliferation of charter schools and SB 1362 will enable us to see and understand the fiscal impact this is having on the budgets of school districts and their ability to provide the resources and programs students in those districts need to succeed. In many instances, the State Board of Education's decision to overrule a local school board's decision has forced districts to increase class size, lay off educators like counselors, nurses and librarians, and cut vital programs like Career and Technical Education. It's just not right.
- To guarantee student access at California's charter schools, the state must require charter schools to serve high-need students, such as special education students, at the same level as neighborhood public schools. SB 1362 helps ensure that charter schools – as part of our system of public education – provide fair access to all students.
- Currently, there is a disparity of services for students with special education needs between neighborhood public schools and charter schools. We must enact SB 1362 because it requires

charter schools to demonstrate how they will address the disparity to ensure that the number of students for which they provide special education services is reflective of the general population of students in the district.