

February 22, 2018

The Honorable Ben Allen  
Chair, Senate Education Committee  
State Capitol, Room 5072  
Sacramento, CA 95814

**SUBJECT: SB 1362 (Beall)**  
**POSITION: CO-SPONSOR**

Dear Senator Allen:

We are pleased to **co-sponsor** SB 1362 (Beall), which improves student access to charter schools while providing more local control. The bill requires charter school petitions to describe how they will serve a balance of pupils receiving special education, reflective of the general population residing within the school district. Additionally, this proposal adds having a negative fiscal impact on the school district to the list of specific findings sufficient to authorize denial of a charter school petition.

Because of the significant investment in time and resources reviewing proposed charter school petitions prior to accepting or rejecting a petition, the local school board is best equipped to make decisions regarding education programs and needs within its jurisdiction. Local school districts must have the authority to authorize locally-controlled charter schools as well as hold them accountable. The recent practices of certain county offices of education and the State Board of Education in summarily overruling rigorous evaluations of charter petitions by local school boards is undermining the practice of local control, wherein districts develop priorities and plans with input from all stakeholders including parents, students, teachers, and community members. The State of California has been emphasizing the need for local control in education policy. Governor Brown's 2014 State of the State address proclaimed that the "central authority should have a subsidiary function, performing only those tasks which cannot be performed effectively at a more immediate or local level." Approval of new charter school petitions has been the default position in California law, which limits the control of locally elected officials to make the policy decisions that will best serve their constituents. As the number of charter schools continues to grow, it becomes increasingly important for school districts to quantify, forecast, and manage costs associated with charter expansion and manage the impact new charter schools have on neighborhood public schools.

School board members are elected to be responsible stakeholders in determining the public educational programs that will best serve students in their district. Unfortunately, they are not allowed to consider the impacts a new school will have on the local district's budget. Flaws in charter school law require approval of new schools regardless of their negative impact on a districts overall budget and can further erode vital support services for the remaining students. First established in 1992, the charter school act originally set a cap of 100 locally-driven experiment schools. Today, the charter

school industry in California has grown to more than 1,200 charter schools. The system is shifting into one that prioritizes the growth opportunities for charter school operators over the educational opportunities for all students. In school districts where new charter petitions are forced to be approved despite declining enrollment, district leaders are having very real conversations about laying off employees and closing schools. It is beyond reason that a school district struggling to maintain enrollment or to maintain a balanced budget should be mandated to approve new schools. This lack of local control and oversight are having significant consequences in school districts throughout the state.

Trends in enrollment of students with special education needs in charter schools has led to significant differences in the level of support and services provided by charter schools and the neighborhood public schools. School districts typically serve a larger and more diverse population of students with special education needs. This often requires more intensive support and puts additional funding strains on neighborhood public schools. School choice intends that parents and families choose what school they will attend, not that public schools will choose which students and families they will serve. Charter schools are part of the statewide public-school system. Any practices that serve to weed out certain children or families – whether intentional or unintentional – must be eliminated. SB 1362 helps ensure that charter schools – as part of our system of public education – provide fair access to all students, regardless of family circumstances, where they were born, how they look, who they love, or the language they speak. To guarantee student access at California’s charter schools, we must require charter schools to serve high-need students such as special education students, at the same level as neighborhood public schools.

All children in California should be entitled to equal access to all public education opportunities, including charter schools. Additionally, we must protect school districts from catastrophic financial situations that might result from the formation of charter schools. **For these reasons, we respectfully request your AYE vote when SB 1362 (Beall) is heard in the Senate Education Committee.**

Sincerely,

A handwritten signature in blue ink that reads "Seth Bramble".

Seth Bramble  
Legislative Advocate

C: Senator Beall