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June 26, 2006

The Honorable Jack Scott, Chair
Senate Education Committee
State Capitol, Room 2083
Sacramento, CA 95814

Regarding: Assembly Bill 1381 (Nunez), as proposed to be amended
Position: STRONG OPPOSE
Status: Senate Education Committee
Hearing Date: June 28, 2006

Dear Senator Scott:

The Los Angeles Unified School District (LAUSD) urges the Senate Education Committee to oppose Assembly Bill 1381(Nunez), which seeks to change the structure, roles and responsibilities between the Board of Education, the Superintendent, and to create a Council of Mayors, and the Los Angeles Mayor's Community Partnership for School Excellence to supplant much of the elected governance of the District.

We believe that this measure does nothing to improve instruction, which must always be the primary goal in education reform. Instead the compromise under which AB 1381 was drafted reflects an almost willful inattention to substance in the service of a political deal.

Over the past six years, LAUSD has been implementing a reform agenda based on 5 strategic components:

- Raising expectations and establishing clear lines of accountability.
- Improving the quality of teaching with professional development.
- Implementing a research based and standards aligned curriculum for all students.
- Using periodic assessments and data to inform instruction.
- Promoting collaboration between teachers and school administrators.

LAUSD schools are undergoing a transformation that is countering decades of neglect when schools received no clear and potent instructional guidance. Our transformation is reflected in our test scores increasing 150% faster than the average school in California.

LAUSD's opposition to AB 1381 (Nunez) is not a defense of the status quo, but a strong commitment to hold on to these academic gains as we continue to implement ongoing reforms such as a mandatory college-preparatory curriculum for all high school students, reducing class

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size in Algebra, investing in additional outreach counselors to counter the dropout problem, instituting Algebra Readiness courses in our middle schools, and require mandatory interventions for middle students who are not at grade level.

The proposals contained with AB 1381 (Nunez) provide no detail regarding how the above reforms would continue and thrive under the proposed new structure. Instead, the proposal dilutes accountability, lacks transparency, spreads responsibilities and roles between five different bodies, and creates opportunities for conflicts of interest.

This proposal clouds accountability by spreading it across five separate bodies. The Board of Education would be responsible for the hiring and firing of the Superintendent, yet the proposed Council of Mayors (which would be dominated by the Mayor of Los Angeles) would have the ability to veto the hiring and firing of the Superintendent. Any extension or renewal of a superintendent's contract will be determined by the Mayor. The Board of Education would be responsible for adopting a budget, yet the Superintendent would be required to allow the Council of Mayors an opportunity to review and comment on the budget. Under these scenarios the Superintendent would be caught between the Board of Education and the Mayor of Los Angeles --- no Fortune 500 company has this split management structure; the children of Los Angeles should not be subjected to this experiment.

Other flaws contained within this proposal revolve around the proposed increase in the Superintendent's authority, details of which are sorely lacking:

- **Awarding of Contracts:** Currently, the majority of all contracts are discussed in open meetings to ensure a transparent public process of checks and balances. Under the proposal, the Superintendent could negotiate and award contracts – including the ability to grant a \$100 million construction contract – outside of a public deliberative process with the Board of Education.
- **Authority over School Construction Program:** The Superintendent would have the authority over all facets of the school construction program, yet the Council of Mayors would have the ability to advise the Superintendent on site selection. Currently, the Board of Education and Superintendent work collaboratively with the voter approved Bond Oversight Committee to manage and implement our successful school construction program.

Decisions such as site selection, ensuring adequate public input, site acquisition and contract awards, and proper mitigation of any toxic substances discovered on sites are conducted in public meetings to ensure transparency and accountability. Under this proposal, the Superintendent would be required to seek input from the Council of Mayors (again dominated by the Mayor of Los Angeles) on site selection, but not the Board of Education or the Bond Oversight Committee.

Given the challenges of siting and building new schools within an urban region, this proposal raises serious concerns over LAUSD's ability to continue our successful building program and comply with the Williams settlement by 2012. For example, the proposal seems to create

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opportunities for conflict of interest. School siting decisions are sometimes challenged by cities, for example, and there are numerous cases being litigated between LAUSD and the cities and county it envelopes. Will the Superintendent be truly free to make decisions in the best interests of the students or the District in the event that the Mayor of Los Angeles opposed a proposed site for a new school? Also the Board of Education would retain eminent domain authority, yet they would be disconnected from the process leading up to such a decision.

- **Budget Development and Approval.** The Superintendent would be responsible for developing a budget, but would be required to have the Mayor of Los Angeles review and comment on the budget before submitting it to the Board of Education for approval. The proposal seems to separate the role of education policymaking and establishing clear budget priorities. The Board would be responsible for adopting object levels in the budget, however if the Board were to begin increasing or decreasing funding for some of these objects, it would create chaos as the objects are distributed across many programs. This proposal is not fiscally prudent and fails to grasp the nature and complexity of school district budgets.

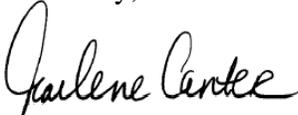
Additional questions raised within this proposal are the designation of the Council of Mayors and the Los Angeles Mayor's Community Partnership of School Excellence as local education agencies. What additional authorities would be granted to these bodies under current statute? What monitoring and reporting responsibilities would now be required of these bodies? As LEA funding comes from Proposition 98, how much money will be diverted from classrooms to provide administrative overhead for these bodies?

In addition to the fundamental failure of the bill to address the instructional priorities of LAUSD, AB 1381 is hastily crafted and replete with holes, inconsistencies and vague and unexplained provisions. This bill must be stopped. Educational policy deserves a real conversation, not a last minute deal.

We are prepared to continue in-depth discussions with you and other policymakers to explain further the negative consequences that would arise if this bill becomes law. Please feel free to contact Rand Martin at 441-1034.

We thank you for your favorable consideration.

Sincerely,



Marlene Canter
President



Roy Romer
Superintendent

c: Assembly Speaker Fabian Nunez
Members, Senate Education Committee
Consultant, Senate Education Committee
Roger Mackensen, Consultant, Senate Republican Caucus