

April 19, 2019

Senator Connie Leyva, Chair  
Senate Education Committee  
State Capitol, Room 2083  
Sacramento, CA 95814

**RE: SB 756 (DURAZO) CHARTER SCHOOLS: MORATORIUM ▪ OPPOSE ▪**

Dear Senator Leyva,

As current members on the Board of Trustees for the Natomas Unified School District, we are writing in strong opposition to Senate Bill 756, which (as amended on March 27) would place a five-year moratorium on new charter schools in California. Additionally, current harmful legislation related to charter schools—namely Assembly Bills 1505, 1506, and 1507—would supersede SB 756 if they are enacted on or before January 1, 2020.

Establishing a moratorium without regard to the quality, viability, or need for new charter schools removes local discretion and would keep vulnerable students in failing schools. An analysis done by The California Charter Schools Association found that if a moratorium had been imposed over the preceding five years, many students our Board considers the most vulnerable—low income, English learners, and those of color—would have been denied better educational opportunities. SB 756 would also result in the loss of millions of dollars in federal funds that are tied to charter schools but benefit all public schools in California.

Imposing a moratorium on new schools also dismisses the important academic gains charter schools located in our school district are achieving with our most vulnerable students. Rather than placing a moratorium on charter schools, we should instead focus on improving a state educational system that has been responsible for decades of poor governance and mismanagement at the expense of these students.

According to a recent report titled “Getting Down to Facts II,” researchers revisited a 2014 study by Stanford University's Center for Research on Education Outcomes (CREDO), which found that vulnerable student subgroups in charter schools continue to outperform their traditional public school peers, particularly in urban areas. “Getting Down to Facts II” validated these results in 2018, concluding that “in terms of academic growth over time, charter schools do significantly better than district schools in urban areas and for traditionally lower performing student groups as follows:<sup>1</sup>

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<sup>1</sup> Getting Down to Facts II: Charter Schools in California: [https://gettingdowntofacts.com/sites/default/files/2018-09/GDTFII\\_Brief\\_Charters.pdf](https://gettingdowntofacts.com/sites/default/files/2018-09/GDTFII_Brief_Charters.pdf)

- Students who are economically disadvantaged, especially those who are African American or Latino, made significantly greater progress in charter schools than their matched peers in traditional public schools;
- African American students in general were found to have improved outcomes in charter schools, and the academic progress of African American students in poverty was even more positively affected;
- Charter schools provide greater learning gains for students identified as needing special education support;
- For English Language Learners, the charter school advantage is particularly large and significant, which is not typical in other states;
- Charter schools serve a diverse student population and serve more students who are economically disadvantaged and African American than the state as a whole.

Conversely, according to a report published by the Legislative Analyst’s Office (LAO) titled “California’s Education System: A 2019 Guide,” fewer than half of K-12 students in grades four, six, and eight are meeting state standards in reading and math. The report also highlights California’s chronic and persistent achievement gap, wherein low income Latino and African American students rank in the 39<sup>th</sup> and 32<sup>nd</sup> percentile, respectively, on state tests.

When test scores are evaluated alongside the state’s other three measures of district performance—student engagement, school climate, and post-secondary transition—“374 school districts were identified in 2018 as having poor performance for at least one student group in two or more areas.”<sup>2</sup> SB 756 does nothing to improve this troubling trajectory and will undoubtedly exacerbate the achievement gap by barring new, high-quality options.

Also notable, there is little credible evidence that charter schools are the causal driver of district fiscal distress. “Getting Down to Facts II” identified a lack of funding for school facilities, insufficient funding for special education, and skyrocketing pension and benefits costs as the main drivers of district fiscal distress.<sup>3</sup> This is consistent with the conclusion drawn by the 2015 Los Angeles Unified (LAUSD) Independent Fiscal Review Panel that “even if LAUSD had no more new charter schools, its enrollment would continue to decline due to demographic factors, factors that are not within its control, and that are unlikely to reverse in the coming years.”<sup>4</sup>

SB 756 only serves to deepen the growing divide between charter schools and traditional public schools. Instead, mutually beneficial resource and facility-sharing arrangements between authorizers and charter schools should be championed. In Oakland Unified, for example, a 2017-18 Alameda County Grand Jury Report found that “opportunities exist where collaboration between public and charter schools at shared campuses can help ease financial

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<sup>2</sup> “California’s Education System: A 2019 Guide,” pg.19-20: <https://lao.ca.gov/reports/2019/3924/edguide-2019.pdf>

<sup>3</sup> “Getting Down to Facts II”: <https://gettingdowntofacts.com/research-briefs/finance>

<sup>4</sup> Report of the Independent Fiscal Review Panel, pg. 10: [http://laschoolreport.com/wp-content/uploads/2015/11/LAUSD\\_IFRP\\_FINAL\\_REPORT-110215.pdf](http://laschoolreport.com/wp-content/uploads/2015/11/LAUSD_IFRP_FINAL_REPORT-110215.pdf)

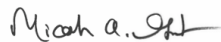
burdens on both organizations and, more importantly, improve the educational experience for children.”<sup>5</sup>

It is also important to mention that imposing a moratorium on charter schools would eliminate California from eligibility for hundreds of millions of dollars in federal charter school grants. The Public Charter Schools Grant Program (PCSGP) has provided significant funding to California since the Charter Schools Act was enacted. Most recently, California received a three-year grant of \$50 million, nearly \$17 million per year. While these funds are largely targeted to support new charter schools, the California Department of Education receives a portion of these funds for statewide policy and capacity-building among charter schools and their authorizers. Grants are also provided for dissemination of best and promising practices from successful charter schools to the broader public-school community. The loss of these funds will hurt all California’s public schools.

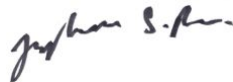
Given the lack of objective evidence, the potential loss of federal dollars, and the profoundly negative impact on students and families, we do not believe moving forward with legislation of such consequence and so little study is good public policy. Especially considering that Governor Newsom’s Charter Task Force has not been given the opportunity to carry out its mission to study the impacts of charter schools. We urge the Committee and Legislature refrain making significant changes to the Charter Schools Act until the Task Force has a chance to complete its final report.

Charter schools are an important part of our community and it is critical we continue to encourage their innovation. While we agree the Charter School Law is dated and needs some reform, we do not believe a five-year moratorium is the answer. The growth of charter schools in California over the last three decades has clearly shown that parents and students want a say in their educational choices. SB 756 would severely restrict the growth of charter schools and take attention away from the goal we all have: Giving children access to the highest quality education available. For all these reasons, we respectfully oppose SB 756.

Sincerely,



Micah Grant  
Trustee



Jag Bains  
Trustee

cc: Senate Education Committee Members  
Roger Mackensen, Senate Republican Caucus

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<sup>5</sup> 2017-18 Alameda County Grand Jury Final Report, pg. 36: [http://grandjury.acgov.org/grandjury-assets/docs/2017-2018/SKM\\_C364e18101213460.pdf](http://grandjury.acgov.org/grandjury-assets/docs/2017-2018/SKM_C364e18101213460.pdf)