



Putting Children's Education Ahead of Special Interests and Protecting Classroom Spending: Education Reforms in the 2010-2011 Budget

"Our state, our economy, our future is so dependent on education... we must protect education." (Gov. Schwarzenegger, 2010-11 Budget Speech, January 8, 2010)

In the face of another budget deficit, Governor Schwarzenegger is proposing to provide additional flexibilities to schools to allow them to protect classroom spending and to build on the reforms embodied in President Obama's Race to the Top initiative. The Race to the Top initiative in combination with the reforms identified below will also help California's lowest performing schools, make substantial gains in student achievement, close achievement gaps, improve high school graduation rates, ensure student preparation for success in college and careers and help revive California's economy.

The Governor's 2010-11 Budget Proposal Includes Education Reforms that Protect Classroom Spending and Decrease Regulations Standing Between Our Children and a Higher Quality Education:

Modify State Law Adversely Affecting Lowest Performing Schools and Forcing the Retention and Rehiring of Ineffective Teachers

Increasing flexibility to ensure California's students have the most effective teachers. Under current law, layoffs, transfers, assignments, reassignments and reappointments must occur strictly on the basis of seniority. For example, administrators who have not been in the classroom for years can replace effective, but laid off teachers due to seniority. This forces school districts to retain or rehire ineffective teachers solely based on their seniority status. Such provisions have already resulted in the loss of many committed and highly effective teachers during the ongoing budget crisis, and the Governor is proposing to put an end to it.

- **The Governor is proposing to give school districts flexibility to layoff, assign, reassign, transfer and rehire teachers based on a school's skill and subject matter needs instead of strictly teacher seniority.**
 - When implemented, the Governor's proposal would be of great benefit in aiding struggling, low performing schools. The current seniority provisions disproportionately impact struggling schools in low-income neighborhoods because these schools tend to have teachers with the least seniority. As a result, a large portion of teacher layoffs have come from these schools and have disrupted these schools' efforts to improve student achievement.

Creating Common Sense Out of California's Staffing Regulations

Giving school districts 60 days to determine staffing after the budget is adopted or amended. Under current law, school districts must make staffing decisions well before the state typically adopts its budget and districts know how much funding they will receive. This forces districts to assume the worst and over-notify teachers, proceed with the time-consuming and expensive layoff process and then, after the state adopts its budget, rescind the notifications and attempt to rehire teachers who really should not have been notified.

- **The Governor's proposal will improve this process and reduce unnecessary teacher anxiety by changing the staffing notification window to 60 days after the state budget is adopted or amended.** This proposal will allow districts to know with certainty their funding levels before making critical staffing decisions.

Breaking Down Bureaucracy to Give More Local Authority

Giving power back to local governing boards to ensure high-quality educators are teaching California's students. The Administration proposes to address a bureaucratic barrier that exists in the process of ensuring high quality, certificated employees are educating California's students. School districts have found that the Commission on Professional Competence, as part of the certificated dismissal process, can unduly limit a local district's ability to provide high quality staff in schools. Local school district governing boards should have

more authority over who works with the students they serve. Under current law, the decision of the Commission on Professional Competence is deemed to be the final decision of the governing board with regard to the termination of certificated staff. The local governing board should have more freedom in making these essential education decisions.

Reducing Schools Substitute Teacher Costs

Eliminating regulations giving laid off teachers first priority for substitute assignments and that these substitutes be paid at rate received before they were laid off. State law requires teachers who have been laid off to receive first priority for substitute teaching assignments and that these substitutes be paid at the rate they received *before* they were laid off if they work more than 20 days within a 60-school day period. For districts that have laid-off teachers, existent provisions significantly increase substitute teacher costs and could force additional layoffs and cuts to classroom spending.

Continued Flexibility for School Districts to Determine Length of School Year:

Schools receive incentive funding to maintain a 180-day school year. The Governor's budget provides California school schools continued flexibility to decided to, if necessary, reduce the length of the school year by up to five days to accommodate 2009-10 budget reductions **without losing any incentive funding they receive to maintain a 180-day school year.**

Comprehensive Reforms

The Administration will also consider additional reforms to the state's public school system to augment the fiscal reforms identified above and build on the spirit of reform embodied in President Obama's Race to the Top initiative. These reforms, among others, will address statutory and regulatory barriers which hinder districts from focusing on needed improvements to student achievement and increasing the number of high quality schools and highly effective teachers and principals.