
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 760 **Hearing Date:** June 14, 2017
Author: Arambula
Version: February 15, 2017
Urgency: Yes **Fiscal:** No
Consultant: Ian Johnson

Subject: Pupils: minimum schoolday: concurrent enrollment: joint powers agreement

SUMMARY

This bill makes permanent the funding formula for the school districts with pupils attending the Center for Advanced Research and Technology (CART), by deleting the July 1, 2018 sunset for this formula.

BACKGROUND

Existing law related to CART:

- 1) Provides that the minimum schoolday for a pupil concurrently enrolled in regular secondary school classes and classes operating pursuant to a joint powers agreement (JPA) that became effective before January 1, 2008 is 180 minutes.
- 2) Requires that pupils be under the immediate supervision and control of a certificated employee of the district in order to be counted toward that district's average daily attendance, except that pupil attending classes pursuant to a JPA described in 1) may be counted regardless of the school district employing the certificated employee provided the district is a party to the JPA.
- 3) Becomes inoperative on July 1, 2017, and is repealed on January 1, 2018.

ANALYSIS

This bill makes permanent the funding formula—the calculation of average daily attendance which drives the amount of funding—for the school districts with pupils attending CART, by deleting the July 1, 2018 sunset for this formula.

STAFF COMMENTS

- 1) ***What is the Center for Advanced Research and Technology?*** This bill preserves the funding calculation for school districts with students attending CART, a highly recognized linked-learning career technical education center that is a partnership between the Clovis and Fresno Unified School Districts. The CART provides instruction to pupils in grades 11 and 12 from both districts, with the pupils spending about half of their instructional day at the CART and the other half in their regular district high school. The CART model aims to combine rigorous academics with career clusters including professional sciences, engineering, advanced communications, and global dynamics.

A January 2011 study done by the Irvine Foundation shows that from 2002-2008, students who participated in the Center for Advanced Research and Technology (CART) had a higher percentage of enrollment in community colleges after completing grade 12 and one year after high school. After grade 12, 71 percent of students who participated in CART attended a community college, while 60 percent of a demographically similar group of non-CART students attended community college. The same percentage difference holds true one year after high school.

- 2) ***Students from either Fresno or Clovis taught by teachers from either Fresno or Clovis.*** According to Clovis Unified School District, “CART has a unique education model that allows students to spend approximately half of their day in their home district—Clovis or Fresno—and half of their day with peers and teachers from both districts at the CART Center. Districts count a student’s time spent both at the District’s school where the student is enrolled (40% - 120 minutes) and the time spent at CART (60% - 180 minutes) for purposes of meeting the minimum day requirement. Also, while learning at the CART Center, students may be taught by certificated teachers employed by either District. AB 760 will continue the provision that allows Clovis Unified certificated employees to teach Fresno Unified students, and vice versa, in the combined CART classes. Without this exception, instructional minutes provided by a teacher employed by a student’s non-home district could not be counted.

This bill would remove the existing sunset clause and continue indefinitely the longstanding Education Code provisions that allow a blended learning structure between the home district and the CART Center. AB 760 is needed to keep this unique and effective education model intact by ensuring that both districts meet their audit requirements for minimum school day and staffing.”

- 3) ***Current statute due to previous funding irregularities.*** The CART was established as a charter school in 1997 by a joint powers agreement established between the Clovis Unified School District and the Fresno Unified School District.

The CART model conflicted with charter school law in that (1) pupils were in charter school classrooms for only 50 percent of the day and attended regular high school classes for the other 50 percent (pupils enrolled in charter schools are required to be in the classroom for at least 80 percent of the school day); and (2) teachers from both districts taught at the CART so pupils were not always being instructed by employees of their home district or the CART charter school (statute provides that school districts and charter schools may not claim general purpose funding for the attendance of pupils in classes that are not under the supervision and control of a teacher that is an employee of the district or charter school).

In 2006, the State Controller’s auditors determined that the charter school could not claim any funding for that year, or any later year until the charter school either complied with the law or was granted an exception. The school’s funding for 2006-07 was authorized by Chapter 524 (SB 345, Aanestad). The 2006 audit was settled without penalty, but a long term solution was still needed.

In 2008, Chapter 762 (AB 2246, Villanes) codified the funding formula for the Center for Advanced Research and Technology (CART) program that remains in statute currently. CART is no longer a charter school and AB 2246 contained a provision specifying CART is not eligible to receive funding under charter school funding provisions. The provisions of AB 2246 were set to sunset on July 1, 2012. In 2011, Chapter 625 (SB 361, Berryhill) extended the sunset date until July 1, 2017.

- 4) ***Should this instructional model be permitted statewide?*** The blended learning structure that this bill makes permanent only applies to school districts serving pupils concurrently enrolled in regular secondary school classes and classes operated pursuant to a joint powers agreement that became effective before January 1, 2008. Given the demonstrated success of CART, and the flexibility provided to school districts under the Local Control Funding Formula to design programs that best meet local needs, there may be other districts that wish to develop similar models for offering career technical education or other types of student services. Should the provisions of this bill apply to school districts that have entered into joint powers agreements after January 1, 2008 or may enter into such agreements in the future? If not, should existing law continue to only allow programs like CART that became effective before January 1, 2008 to operate in their current form?

SUPPORT

Clovis Unified School District
Fresno Business Council
Fresno Unified School District
Los Angeles County Office of Education

OPPOSITION

None received

-- END --