

STATUTORY BASIS FOR ADMINISTRATIVE AND SPECIALIZED SERVICE STAFFING IN LOCAL SCHOOL DISTRICTS. pdf

1: Overview of Special Education in California

Administrative and specialized service positions in four areas: general administration, instructional supervision, pupil personnel, and school health comprise the group whose statutory existence is described.

How Small Is Too Small? An Analysis of School District Consolidation Executive Summary The Supplemental Report of the 2011 Budget Act directed our office to study school district consolidations and determine whether the state should more actively promote consolidating small districts into larger districts. Currently, about 40 percent of public school districts in California are "small" serving fewer than 1,000 students, and about 10 percent of all districts are "very small" serving fewer than 500 students. Under state law, minimum district size is very low—average daily attendance ADA of six for an elementary district and 11 for a high school or unified district. Under state law, California also currently leaves the decision over whether to consolidate school districts up to local communities, with local stakeholders required to initiate the consolidation process and ultimately a majority of the local electorate required to approve the merger. Assessing the Merits of Consolidation. In this report, we investigate the competing claims made in support and opposition of consolidation. Whereas proponents of consolidation argue that combining smaller districts into larger districts would lead to savings, more overall efficiency, and a better academic experience for students, opponents of consolidation suggest that small districts already operate efficiently, offer an enhanced educational experience for students, and are important components of local communities. To analyze the merit of these contrasting claims, we compare fiscal and student outcome data for districts of different sizes. Our review finds that while small districts tend to spend more on overhead costs and have slightly lower student achievement compared to midsize districts, the differences are not large. We find that the operational demands and limitations of being very small, however, are substantial. Specifically, compared to larger districts, very small districts tend to dedicate a significantly bigger share of their budgets to covering overhead costs and a smaller share to instructional staff and leaders. Moreover, very small districts are more difficult to hold accountable for student outcomes because their small enrollments do not yield statistically significant results. This is also a problem for very small schools. Despite some inherent challenges, small districts still tend not to pursue consolidation. In large part, we find this is because the state provides both fiscal incentives for districts to remain small and certain disincentives for districts to consolidate. Specifically, the state encourages districts and schools to remain small by providing them substantial funding advantages. These benefits are especially evident in very small school districts, which on average receive more than twice as much funding per pupil compared to midsize and large districts. Additionally, certain state laws, including those related to environmental reviews and district staffing, coupled with community preferences for small districts, serve as disincentives for districts to consolidate. Neither the academic research nor our own review offers persuasive evidence that consolidating small districts would necessarily result in substantial savings or notably better outcomes for students. While our findings suggest the state has little justification for requiring all small districts to consolidate, they also suggest the state should not discourage districts from consolidating. Specifically, we recommend the state eliminate the substantial fiscal advantages that enable districts to remain small, often as single-school districts—particularly since we find little proof that being small leads to better student outcomes. We also recommend the state remove existing disincentives for districts to consolidate, including those related to environmental reviews and district staffing. In addition to removing both the fiscal incentives to remain small and the disincentives to consolidate, our review indicates that extreme inefficiencies and concerns about accountability do justify changing state policy regarding very small districts and schools. Specifically, we recommend the state increase the minimum threshold for districts to at least 500 students and consider establishing a minimum size for schools. One frequently mentioned idea involves consolidating small school districts into larger districts. The Supplemental Report of the 2011 Budget Act directed our office to examine this issue. In this report, we investigate the competing claims made in support

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and opposition of district consolidation. Proponents of consolidation claim that small districts lack economies of scale and, as a result, inherently face higher costs per pupil and are unable to offer the range of curricular opportunities available to students who attend larger districts. As such, some argue that combining smaller districts into larger, consolidated districts would lead to savings, more overall efficiency, and a better academic experience for students. Additionally, some emphasize that having fewer school districts would make state management and oversight easier, better, and less costly. In contrast, opponents of consolidation suggest that small districts not only find ways to operate efficiently but also offer an enhanced and personalized educational experience for students. Moreover, because many small districts are located in rural areas, some argue they are important and necessary components of those local communities. We then compare fiscal and student outcome data for districts of different sizes, and discuss our associated findings regarding the merit of the various claims made in support and opposition of consolidation. Lastly, we offer recommendations for how the Legislature could provide better fiscal incentives and stronger accountability for small districts and schools. The Supplemental Report also requested that we examine options for greater regionalization of county offices of education [COEs]. Please see the Appendix for this discussion. The state has a very low threshold for minimum district size—ADA of six for an elementary district and 11 for a high school or unified district. As a result, the state has an exceptional number of small districts. Almost three-quarters of all California school districts have fewer than 5, ADA. However, together these districts contain just 15 percent of total ADA in the state. At the other extreme, 15 very large districts with over 40, ADA educate about one-quarter of all students in the state, with one district—Los Angeles Unified—representing about ten percent of total state ADA. Although California continues to have many small school districts, the total number of districts in the state has declined over time. Figure 2 shows the number of school districts in the state by type—elementary, high, and unified—over the past 75 years. As shown in the figure, the state has about half as many districts as it did 50 years ago in 1960 compared to 2, in 2010, largely due to state efforts to encourage district consolidation. Throughout the 1960s and 1970s, the state provided a series of fiscal incentives for consolidation, including increasing the per-pupil funding rate for unified districts and paying for excess costs of student transportation associated with merging school districts. One piece of legislation—Chapter 1000, Statutes of 1971, Unruh, since repealed—expressly stated legislative intent to form unified K-12 school districts and "that this form of organization be ultimately adopted throughout the state. The figure also shows that the pace of consolidation has slowed in recent decades since the state stopped providing explicit incentives for districts to unify. While the state has provided some fiscal incentives for districts to consolidate and the State Board of Education SBE typically weighs in on consolidation applications, the state delegates most district configuration decisions to the local level. State law calls for each county to establish a County Committee on School District Organization CCSDO, made up of county school board members or their designees, to facilitate and coordinate any attempts to consolidate school districts. As shown in Figure 3, local stakeholders must initiate the process of consolidating school districts—either through citizen petition, agreement amongst affected school boards, or plan from the CCSDO—and ultimately a majority of the local electorate must vote to approve the consolidation. In 2005, the Legislature authorized a "fast track" process by which the CCSDO could approve the consolidation application in lieu of the SBE—provided the County Superintendent of Schools and a majority of each affected local school board concurs with the proposal—with the final decision still subject to voter ratification. One of the most sweeping examples is Maine, which in 2002 passed legislation requiring that all school districts enroll at least 2,000 students or face fiscal penalties with an adjusted minimum of 1,000 students for geographically isolated districts. In the subsequent three years, the number of Maine school districts has dropped by one-third, from 1,200 to 800, although about half of the smaller districts in the state representing about 10 percent of all students have not yet conformed to the consolidation mandate. Several other states, including Arkansas and Vermont, have also recently passed legislation to encourage school district consolidation.

Findings To assess the potential benefits of district consolidation, we analyze operational costs and

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performance data for districts grouped by size. Figure 4 summarizes our primary findings. We find some evidence indicating small school districts those that serve 1, or fewer students have higher perâ€”student operational costs. We also find that small districts and schools are more difficult to hold accountable for student outcomes. Despite these challenges, small districts still tend not to pursue consolidation. In large part, we find this is because the state not only allows but also encourages both districts and schools to remain small by providing them substantial funding advantages. These findings are especially evident in very small school districts those that serve or fewer students. Figure 4 Summary of Major Findings Small districts find ways to economize but still face fiscal and personnel challenges. District size has some effect on student performance, but very small districts are difficult to monitor. Small districts have substantial funding advantages. Disincentives keep school districts from consolidating. Very small schools also are enabled by extra funding and lack accountability. Small Districts Find Ways to Economize but Still Face Fiscal and Personnel Challenges Small districts claim they employ a number of creative arrangements such that they already achieve some of the fiscal benefits typically sought through consolidation. Our research reveals some support for this assertion. We find that small districts typically pool their funding with other local educational agencies to generate economies of scale, and they often maximize their limited staff resources so that fewer personnel are necessary. However, we also find that the operational demands and limitations of being small, particularly very small, are substantial and can constrain the resources these districts are able to dedicate to instruction. Most state and federal school funding formulas are based on student countsâ€”that is, they provide school districts with a certain amount of funding for each pupil that they serve. Districts combine these funding streams in various ways to pay for their administrative, instructional, and operational services. Because districts with smaller enrollments do not generate considerable amounts of overall funding through perâ€”pupil formulas, many small districts pool their resources with other districts and COEs to achieve the economies of scale they lack on their own, particularly for noninstructional activities. Although these arrangements differ across the state, Figure 5 displays some of the administrative and support services most commonly shared among districts. Additionally, COEs coordinate instructional support services for their local districts, including curriculum development, professional development, and services for special populations of students. The state provides additional "direct service" funding to COEs to offer more intensive assistance to smaller districts that have fewer internal resources. While natural fiscal incentives exist for this type of economizing, differing circumstances and desire for local control mean not every small district chooses to pool resources to the degree one might expect. Even after strategizing to pool resources as much as possible, inherent diseconomies of scale typically require that small districts, and especially very small districts, dedicate a larger share of their budgets to covering overhead costs and a smaller share to instruction. Specifically, Figure 6 shows that very small districts spend, on average, about 35 percent of their perâ€”pupil allotments on instruction and instructional support certificated staff, including teachers and administrators and 40 percent on overhead including classified staff such as clerical and maintenance employees, and "services" or basic operational costs. By comparison, districts with over 1, students typically spend, on average, about half of their allotments on instruction and about 25 percent on overhead. These findings suggest that even though small school districts typically receive generous funding advantages as described later , their operational requirements tend to limit the share of funding that can be dedicated to instruction. One way that small districts manage these budget limitations is to "stretch" the responsibilities of their certificated staff, having one employee fulfill responsibilities that normally would be tasked to several different people at a larger district. For example, it is not uncommon for the superintendent of a very small district to simultaneously serve as principal, budget officer, and teacher. Proponents for small districts highlight this as an efficient use of staff resources, arguing that consolidating small school districts could actually result in higher costs based on the need to hire additional staff to accomplish these numerous jobs. Nevertheless, interviews with affected superintendents suggest that juggling innumerable administrative responsibilities makes dedicating sufficient time to instructional leadership difficult. While multiâ€”tasking may be

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efficient and essential for small school districts, it may not always be the most effective use of staff skills and expertise. Furthermore, fewer staff means more limited opportunities for professional collaboration and peer-to-peer learning compared to districts that employ larger cadres of teachers. District Size Has Some Effect on Student Performance, but Very Small Districts Are Difficult to Monitor One argument for consolidating small school districts is that the limitations of their academic programs—such as multigrade classrooms and less variety in upper-division coursework—result in an inferior education for students. While our review of California student performance data and the relevant academic literature indicates some correlation between district size and student outcomes, the evidence does not show especially strong support for the assumption that small districts inherently are worse for students. However, we are concerned that state and federal accountability systems cannot draw meaningful conclusions about student performance in very small school districts. Our review of data from the Academic Performance Index API suggests that, after controlling for student characteristics, midsize school districts (2, to 10, students) have, on average, better student performance than smaller districts (under 2, students). The difference, however, is slight, with smaller districts scoring only six API points lower than midsize districts. Perhaps unsurprisingly, the data suggest that midsize districts also outperform exceptionally large districts. These findings are consistent with academic research, which has shown that districts with 2, to 6, students tend to outperform other school districts. The policy implications of this research, however, are complicated. Most notably, researchers suggest that school size may be driving some of the student performance trends, with students in smaller schools outperforming their peers which could partially explain the findings for exceptionally large districts, as they also tend to contain exceptionally large schools. While our review of API data suggests that smaller school districts perform only slightly worse than midsize districts, we have concerns that these data do not tell the whole story. This is because the number of students being tested in very small districts is too small to ensure results are statistically accurate.

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2: Special district (United States) - Wikipedia

Statutory basis for administrative and specialized service staffing in local school districts. [Washington] U.S. Dept. of Health, Education, and Welfare, Office of Education [] (OCO LC)

Dyslexia is one commonly identified learning disability. The next largest category—speech or language impairments—affects almost one-quarter of SWDs. Autism affects 10 percent of SWDs. Rarer disability categories include students who are blind, deaf, or have traumatic brain injuries. Students with these less common disabilities often require more intensive and expensive special education services. Figure 3 displays the number of California students identified in various disability categories over the past ten years. The figure shows that while the prevalence of many disabilities has stayed relatively constant, the number of students identified with specific learning disabilities has dropped by almost 20 percent. In contrast, while the overall prevalence of autism and other health impairments still is relatively rare, the number of students diagnosed with these disabilities has increased notably over the past decade—by percent and percent, respectively. Experts believe these changes are partially related to evolving diagnoses and instructional practices. For example, some children who might previously have been classified with learning disabilities now are receiving early and intensive instructional interventions and avoiding special education designations. Some of the trends—such as the dramatic growth in autism—remain more difficult to explain. Figure 4 displays the most frequently provided special education services. As shown, specialized academic instruction is the most common service. This category includes any kind of specific practice that adapts the content, methodology, or delivery of instruction to help SWDs access the general curriculum. Examples include one-to-one tutoring, specialized instruction in a separate classroom, or modified assignments. As such, beginning when students are age 16, LEAs are required to develop specific services in IEPs to help SWDs prepare for the transition to postsecondary activities. Transitional services typically include vocational and career readiness activities, college counseling, and training in independent living skills. Federal law requires that SWDs be educated in separate settings only when the nature or severity of their disabilities is such that the regular educational environment is not practical, even with the use of supplementary aids and services. This rate is somewhat lower, however, than most other states. On average, about 60 percent of SWDs across the country spend at least 80 percent of their instructional time in regular classrooms. Rather than focusing on student time, a somewhat different but related metric focuses on the extent to which special education services are delivered in the regular classroom. One reason California fails to meet federal LRE targets is that only about one-quarter of its special education services are delivered in the regular classroom. Students in special day classes typically spend most or all of their days in a specially designed instructional setting. The remaining one-quarter of special education services are provided at locations other than the regular school. For students with very severe disabilities, services sometimes are offered at district-operated disability centers, specially certified nonpublic schools, or residential facilities. Teachers and service providers who work with SWDs must hold—or be supervised by someone who holds—special credentials from the California Commission on Teacher Credentialing. Providing individualized services for SWDs—particularly for students with severe or low-incidence disabilities—can be costly and difficult for individual LEAs, especially small LEAs with limited fiscal and staffing resources. Because economies of scale often improve both programmatic outcomes and cost-effectiveness, special education funding and some services typically are administered regionally rather than by individual school districts or charter schools. Most 81 are consortia of nearby districts, COEs, and charter schools. In these consortia, one entity—often the COE—is designated to receive funding, facilitate coordination, and meet state and federal data reporting requirements. Charter schools can choose to organize special education services in three different ways: Charter schools increasingly are opting for the third option. These schools are located across the state, not just in El Dorado County. For example, consortia SELPAs frequently organize professional development for teachers, preschool programs,

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and services for students with low incidence disabilities at the regional level. Even if members of consortia SELPAs decide to provide some special education services on a regional basis, federal law still holds each LEA ultimately responsible for ensuring SWDs are served appropriately. Because charter-only SELPAs can include charter schools from across the state, their service model typically differs from those of traditional consortia SELPAs, which contain members from the same geographic region. Specifically, individual members of charter-only SELPAs typically run their own special education services, by either hiring or contracting with qualified staff. Some charter schools do seek economies of scale by forming special education service collaboratives outside of the traditional SELPA structure, either with other charter schools or nearby school districts. Special education is among the most significant areas of K-12 expenditures. Special education services are subsidized by a combination of three funding sources—federal, state, and local. Federal IDEA and state funds each are provided through discrete special education categorical grants. The state grant which is comprised of both state General Fund and local property tax revenues counts towards the Proposition 98 school funding requirement. Local educational agencies are allocated billions of dollars to provide an educational program—including teachers, instructional materials, academic support, and enrichment activities—for all students, including SWDs. To the degree their disabilities cause SWDs to require additional services beyond what mainstream students receive, LEAs use federal IDEA and state special education categorical funds to provide such services. That is, federal and state special education funds are not intended to support the full costs of educating a SWD—just the excess costs resulting from the need to address his or her disabilities. See the nearby box for a discussion of this and another common misconception regarding local special education expenditures. Because federal and state special education funds typically are not sufficient to cover the costs of all IEP-required services, local LEAs spend from their local unrestricted general funds to make up the difference. This argument, however, is a mischaracterization of both federal and state laws. Moreover, federal IDEA and state special education categorical funds never were intended to fully cover the excess costs of educating a SWD—the special education funding model always has been predicated on a three-way cost-sharing model, including local sources. Despite this basic design of the funding model, LEAs sometimes express frustration that their local share of special education costs is too high. This frustration tends to increase as their local share of special education costs increases, as this leaves them with fewer resources to serve other students. Figure 6 illustrates the concept of excess costs. Figure 7 displays total special education expenditures from federal, state, and local funds between 2005 and 2011, adjusted for inflation. While these data are self-reported by LEAs and may contain some inconsistencies, they represent the best available proxy for calculating the excess costs associated with educating SWDs. As illustrated in the figure, inflation-adjusted expenditures increased by an average of 2 percent annually over the period, growing by a total of about 9 percent. The increases likely are due to a variety of factors, including the increasing prevalence of students with severe disabilities like autism who require more intensive and expensive services. Notably, adjusted expenditures dropped slightly—by 3 percent—between 2010 and 2011. The figure also shows that the federal government provided additional short-term funds for special education through the American Recovery and Reinvestment Act ARRA in 2010 and 2011. Figure 8 compares the proportion of special education expenditures covered by local, state, and federal funds in 2005 and in 2011. As shown in the figure, the share of overall costs funded through local contributions grew from 32 percent to 39 percent, while the shares covered by state and ongoing federal funds each declined. This is due to the combination of increasing overall costs and relatively flat state and federal funding. Moreover, even if costs have remained flat in 2012 and 2013 years for which data are not yet available, the local share of costs likely has grown since LEAs have had to backfill for the expiration of short-term federal ARRA funds. As shown in Figure 8, federal IDEA funds typically cover less than 20 percent of overall special education expenditures. This is notably lower than the amount the federal government originally committed to provide in support of special education services. The federal budget, however, has never come close to providing states with this amount. Two Distribution Models Exist. Across the nation, states generally use one of two

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approaches to distribute special education funding to the local level. In contrast, other states rely primarily on a census-based funding methodology that is not linked to particular SWDs. This funding model implicitly assumes that SWDs and associated special education costs are relatively equally distributed among the general student population and across the state. While the majority of federal special education funds are distributed using a census-based model, the IDEA formula does allocate a small portion typically around 10 percent of funds based on counts of economically disadvantaged students, on the assumption that this group contains a greater proportion of SWDs. In general, data support the incidence assumptions underlying the census-based approach that is, most SELPAs do report serving proportionally similar numbers and types of SWDs. Each SELPA has a unique per-pupil special education funding rate consisting of both state and federal funds. In prior years the state invested some funding to equalize AB rates, but large discrepancies remain. Other separately funded initiatives include services for infants and preschoolers with disabilities, vocational education programs for SWDs, and staff development. In addition to SELPA-level grants, state and federal funds support state-level special education activities, including compliance monitoring and technical assistance. Each SELPA develops a local plan for how to allocate funds in its region, based on how it has chosen to organize services. This process is relatively straightforward in the 42 single-district SELPAs, as they receive funding directly from the state and offer or contract for services on their own. These allocation plans differ notably across SELPAs based on local preferences and the service plans they have adopted. In most cases, consortia members opt to reserve some funding at the SELPA level to operate some shared, regionalized services, then distribute the remainder to LEA members to serve their own SWDs locally. Because charter-only SELPAs do not usually offer regionalized services, they tend to distribute the bulk of AB funds directly to member charter schools. What Are the State Special Schools? Like students with other disabilities, most hearing and visually impaired students attend and receive special education services from their local school district or COE. The state, however, also operates three specialized residential schools for deaf and blind students. Parents and IEP teams determine whether to send children to these schools in lieu of being served by their local districts. While the IDEA was established to ensure all SWDs receive the special support they need to benefit from their education, the best approach to meeting those goals for an individual SWD can be complicated, subjective, and contentious. The following paragraphs describe each process in more detail. The federal government funds Family Empowerment Centers and Parent Training Institutes to educate and assist parents of SWDs in supporting their children and navigating the legal and logistical facets of the special education system. If parents fail to convince the IEP team that different or additional services are necessary to ensure their child receives an appropriate education, they can file a formal complaint with the OAH to revise the IEP. Federal and state laws detail the dispute resolution process, typically beginning with dual-party resolution sessions, progressing to formal mediation sessions with an OAH facilitator, and ultimately if necessary to due process hearings with an OAH administrative law judge. Although the number of formal cases filed with OAH represents less than one percent of all SWDs, the dispute resolution process can be costly and contentious for both families and LEAs. Both parties therefore have incentives to avoid lengthy and litigious disagreements. Of the roughly 3, dispute cases filed with OAH in 2012, only 3 percent ultimately were decided through a due process hearing and legal ruling. The rest were resolved through mediation, settled before the hearing, or withdrawn. The state also provides small funding grants to some SELPAs to pursue alternative dispute resolution strategies and try to settle disagreements outside of the OAH process. The CDE is tasked with investigating and resolving allegations that a LEA is failing to comply with federal or state special education laws. Parents, students, or teachers might file individual complaints, or CDE might identify problems while conducting LEA reviews and audits. The CDE tries to correct findings of noncompliance by implementing corrective action plans and increasing monitoring. Below, we provide outcome data on how SWDs perform on state assessments and how prepared older SWDs are to transition to adult life. The federal and state governments each have established systems to hold schools accountable for student achievement.

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3: How Small Is Too Small? An Analysis of School District Consolidation

2. Statutory Basis for Administrative and Specialized Service Staffing in Local School Districts. 2.

The formal institutional roles assigned to school boards, and the designated position board members play as representatives of the community, would lead one to believe that the school board has a decisive role in public education policy and school system administration. In the minds of many lay citizens, school boards have considerable influence over educational decisions and provide a key social and political connection to the schooling process. Although research has affirmed the important role that local school boards played in implementing educational reforms such as student testing and graduation requirements, some critics have contended the traditional leadership and policymaking roles of local school boards have been compromised by bureaucratic intransigence, a tendency to micromanage school system operations, and divisiveness caused by special interest groups. While one researcher has suggested that lay control of schools is a myth, others have argued that the school board is essential to ensure the quality of public education services at the local level. Constitution contains no mention of education. With the federal government limited to those powers either expressly stated or implied in the Constitution, the federal role in public education is secondary to that of the states. The state legislative mandate to provide for a system of public schools is found in the state constitution, usually in language requiring a "general," "uniform," "thorough," or "efficient" system of public schools. Even though power officially resides with the states, concerns about efficiency and local involvement are addressed through the delegation of authority from the legislative branch to the local school board. Although the powers and duties of the local board vary by state jurisdiction, all fifty states except Hawaii have a two-tiered governance structure and provide for local school districts governed by an elected or appointed board. States also govern through state boards of education, administer through state departments of education, and typically provide for an elected or appointed chief state school officer. Sources of authority that influence the duties and responsibilities of the local school board include state and federal constitutions, legislative enactments, rules and regulations promulgated by the U. Department of Education and the state board of education, and legal interpretations by judges, attorneys general, and administrative agencies. Boards may also be authorized by the state legislature to levy taxes, invest resources, initiate eminent domain proceedings, acquire land, and assume bonded indebtedness. Board members are state officers who act under color of state law when conducting the official business of the state. Because the authority of the local board lies in its status as a corporate body created by the state legislature, an actual meeting of the board is an essential prerequisite to official action. Individual board members are not vested with powers outside their role as a member of the local school board, although the board is often vested with power to ratify the actions of its members, agents, or employees if the ratification vote occurs in an official board meeting and is documented in the official minutes of the board. State and Federal Reform Efforts The states and the federal government increased their visibility in public education policy from the s into the twenty-first century. The federal role in education was spurred with implementation of the National Defense Education Act of and the Elementary and Secondary Education Act of Federal antidiscrimination policy became a crosscutting social issue for public schools and school districts with the passage of the Civil Rights Act of , Title IX of the Education Amendments of , and the Rehabilitation Act of Federal entitlements to special education were initiated with the Education for All Handicapped Children Act of Whether in the form of categorical aid designed to meet targeted educational needs or in the form of block grants permitting states discretion in the allocation of funds, federal largess has been influential in shaping educational policy and shifting the locus of control over public schools. At the same time that the state role in public education expanded to accommodate federal funding initiatives, demands for reform of public school finance systems were being heard in state and federal courts. The Texas school finance system survived a constitutional challenge in the case of San Antonio Independent School District v. State courts in Kentucky, New Jersey, and Texas have been among those adopting an active role in

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the reform of school finance. With the possibility of litigation mounting in each state, the momentum for finance reform led state legislatures to embrace changes that centralized education governance and restricted the authority and influence of local school boards. In , prior to the decision in Rodriguez, the U. Supreme Court struck down racial segregation in the Kansas public school system in *Brown v. Board of Education of Topeka, Kansas*. The *Brown* decision was followed by a series of cases compelling local school district boards to desegregate public schools under consent decrees that were overseen by court-appointed special masters. With the publication of *A Nation at Risk: The Imperative for Educational Reform*, by the National Commission on Excellence in Education, a dramatic escalation of national concern about public education led state and federal policymakers to advocate for quality and to require rigorous testing, higher graduation requirements, and more demanding academic standards. The education reform movement considerably strengthened the power of the states in relation to the historic discretionary power that had been exercised by local school boards. Policies previously left to the discretion of local school boards were increasingly prescribed by the state. Local school boards have been characterized as the largest losers in the reform efforts of the s and s. State legislatures have generated educational policies and regulations directed to academic standards, professional certification and preparation, and curriculum development. Bypassing local school boards in the haste to reform public education, additional legislation has emphasized choice as well as quality, and encouraged the development of charter schools with limited regulatory ties to the local school system, school-based management, vouchers, tax credits, and home-schooling options. Duties and Responsibilities In most states, it is the local board that is charged with the responsibility to establish and maintain a basic organizational structure for the local school system, develop curriculum, meet federal and state mandates for public schools, appoint a superintendent and key members of the central office staff, adopt an annual budget, and create a climate that promotes educational excellence. Consequently, school boards initiate educational policies at the local level and have a responsibility for implementing a variety of state and federal policies. Finally, school boards provide leadership for the local school system, adopting a unifying vision and mission, soliciting and balancing the participation and input of members of the community, and advocating on behalf of the educational needs of children at the local, state, and national levels. Local school boards function as legislative, executive, and quasi-judicial agencies. They must develop, implement, and assess policy; institute sound employee relations; conduct open meetings; recognize and conform to the legal mandates imposed by state and federal laws; and govern within the limits of a delegation of state authority. Additionally, the board has an obligation to assess its successes and failures; inform the public of all deliberations and decisions; promote accountability; avoid abuse of power; enhance public understanding of its mission; conform to standards of ethical behavior; provide a framework for setting goals; and develop strategic plans for the accomplishment of those goals. From the myriad tasks that have been delegated to school boards, or which have accrued over their history, three overlapping and often contradictory responsibilities can be distinguished. First, the board is a policymaking entity for the local school district. Third, the board is a democratically elected body that provides school system leadership and represents the interests of the community on public education issues. The first responsibility of the local school board is to make policy for the sound operation of the school district. In a rational planning model, board policies begin with the articulation of a shared vision and mission for the school district, followed by the establishment of key goals and strategic objectives. Comparing current outcomes with desired outcomes and analyzing gaps between current outcomes and desired outcomes should then lead to the development and implementation of strategic plans for the accomplishment of key objectives. In reality, school boards often make policy under conditions in which competing demands and legal imperatives make systematic and rational planning difficult. As a result, board policies cover a vast array of school operations, and the policies may appear ambiguous or contradictory when viewed by those who are charged with the responsibility to implement the policy in practice. The policy environment in which local school boards operate is complicated by a number of factors. Board members may have conflicting and irreconcilable views on the appropriate means to achieve key

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objectives. Educators may insist that the board defer to the professional expertise of administrators and teachers on matters of educational policy. The degree of board turnover may affect policymaking capabilities because of a loss of institutional or collective memory essential to recall the purpose and intent of previous policies. In addition, the policymaking environment often involves urgent and immediate policy decisions inflamed by public controversy, influenced by local interest groups, and complicated by insufficient time to analyze the policy in light of system objectives. Another major role of the school board is that of administrative agency. While local boards are discouraged from becoming involved in the day-to-day operation and administration of schools, demands for public accountability dictate some level of involvement in the administration of the school system. Public accountability requires that the board must, at a minimum, provide oversight, adopt standards, and assess progress toward the accomplishment of key district objectives. This knowledge cannot be achieved without some degree of administrative oversight. A regular criticism of local boards is the tendency of board members to confuse monitoring of key outcomes and executive performance with prescribing how to manage the components of the system. A study conducted in West Virginia found that school boards spent 3 percent of their time on policy development and as much as 54 percent of their time on administrative matters. A study of fifty-five randomly selected school boards indicated that financial and personnel issues were among the most frequent areas of decision-making, displacing deliberations on educational policy by a significant margin. It is axiomatic that school boards should focus on policymaking and eschew micromanagement of the school system. One national report—“Facing the Challenge: The Report of the Twentieth Century Task Force on School Governance”—has proposed that school boards emphasize their role as policy boards instead of collective management committees, with the aim of establishing policies to enhance student academic progress. As a practical matter, many local boards assume time-consuming duties that are primarily administrative. For example, many local boards act as hearing agencies for employee and student grievances. This quasi-judicial role conflicts with the policymaking priorities of the board. It has been recommended that school districts delegate the responsibility to hear complaints and appeals from individual students or employees to administrative law judges or other qualified third parties. State law typically requires that school boards select a superintendent, adopt and implement personnel policies for staff, appraise school and employee performance, ratify individual and collective employee contract agreements, and serve as the final administrative agency in dismissal proceedings. Issues such as recruitment, selection, and retention of teachers; setting compensation levels; and developing contract provisions are recurring agenda items for local school boards. The local school board has a vital role in providing leadership for district schools, serving as a forum for citizen input relevant to public education, and inculcating the beliefs, behaviors, and symbolic representations that define the organizational culture of the school system. Consistent with this leadership responsibility, the local school board should emphasize the standard of continuous improvement for its own operations as well as that of the school system as a whole and undertake to evaluate its performance and improve upon that performance. As a democratically elected body intended to represent the interests of the community on public education issues, the local school board is a symbol of local control of public education. By providing an accessible forum for discussion of education issues that affect local communities, school boards maintain a key component of their viability. Founded on the belief that citizens should play a dominant role in determining how children in a community are educated, local school boards have been described as a historic linchpin of American educational governance. In a diverse society with a multiplicity of cultures, the board has become the body in which all constituencies find expression, a role seen as crucial to sustaining participatory and representative government. Though the local school board must provide leadership for the school system, the complexity, ambiguity, and uncertainty clouding the environment for public education in the United States makes assuming this role difficult. As laypeople with limited experience, board members may hold outdated beliefs about best practices or be focused on a single issue that subsumes the broader responsibility for visionary leadership. Because elected school boards are especially sensitive to public criticism, board members may adopt a posture of reacting to

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these groups rather than taking a proactive role, resulting in crisis management and a tendency to consider issues on an ad hoc basis rather than in the context of defined goals and objectives. These challenges include declining public confidence in public schools; limited financial and operational support; changing demographics; perceived drops in student achievement and performance; persistent student attrition or dropouts; reports of crime and violence in the school setting; and adversarial relationships with employee groups. At the same time that major challenges confront local boards, centralization of educational policymaking at the state level, initiated by the educational finance reforms of the second half of the twentieth century, when coupled with a heightened federal role in public education, has changed the locus of control over public schools and diminished local board powers. Given the variety of policy considerations for school boards, the decision-making process of the board will vary depending upon the issues addressed, the parties involved, and the organizational interests, operational procedures, time constraints, and personal values of the decision makers. School boards are political organizations with members elected to serve a broad constituency. Decision-making in this environment is a highly political process in which coalition building, bargaining, competition, and adaptation are common. As with most organizations, it cannot be assumed that school board members are unified actors, and studies of school board decision-making show that individual role interests and social roles often serve as analytical constructs to explain decision-making processes. Local boards typically consist of members who possess divergent individual agendas and a limited set of mutually shared values or beliefs. Nevertheless, existing school board policies, extant procedures, and regularized customs and practices create and then enforce a unifying culture within the school board that is designed to maintain the status quo and has a relatively conservative perspective. Board meetings follow the policies and procedures traditionally created to manage operations and are often characterized as ritualistic, systematic, and programmed. Although local boards are authorized by state law to adopt their own procedures, they are bound by law to follow those procedures once adopted. For example, procedural rules for establishing a quorum in order to take official action must be followed. A record of minutes of board meetings must be maintained in order that the board documents its deliberations and actions. Notice of meetings must conform to state sunshine laws, and business must be conducted in public, open meetings unless an exception to state law permits an executive session authorizing the board to deliberate in private. The work of board members is seldom self-selected and is more likely to be defined for them by the superintendent, other professional educators, community leaders, interest groups, or state and federal actors. Despite the importance of policymaking, board members report that day-to-day responsibilities consume most of their time and complain that they seldom have time for reflection, brainstorming, and long-term planning. Despite concerns for educational equity and quality, boards more often address matters of financial accountability, which tends to enforce a role as steward of the public purse and a perspective of fiscal conservatism. Models of decision-making emphasize inventing, developing, and analyzing possible solutions before selecting a particular course of action. Selecting a possible course of action is informed by the judgment of the decision maker, the analyses of the alternatives on a logical or systematic basis, and the political bargaining process. A major criticism of decision-making in the context of local school boards is that adequate alternative solutions are not always considered in the decision-making process prior to drafting policies.

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