

ASSEMBLY BILL

No. 122

Introduced by Assembly Member Coto

January 15, 2009

An act to add and repeal Chapter 3.2 (commencing with Section 58530) of Part 31 of Division 4 of Title 2 of the Education Code, relating to small schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 122, as introduced, Coto. Small schools.

Existing law grants authority to school districts to establish and operate public schools within their boundaries.

This bill would authorize a school district to establish a small school, subject to specified conditions including, among others, a requirement to develop a school plan, as specified, and a requirement to adopt regulations that include the small school as part of an academic reform strategy focused on the positive outcomes small schools are intended to produce. The bill would encourage school districts that establish one or more small schools pursuant to this authority to apply for new construction grants for unhoused pupils as a vehicle for establishing small schools on, adjacent to, or separate from existing campuses, use modernization funding to modernize and reconfigure existing campuses into small schools, either as part of a comprehensive school complex or as a cluster of small schools, and establish the small school pursuant to a dependent charter, as defined, in order to provide the small school with the flexibility of a charter school while allowing it to be located within the district. The bill would repeal these provisions on January 1, 2015.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) Research has shown that school size is an important predictor
4 of pupil success, second only to socioeconomic status. The research
5 literature clearly states the superiority of small schools as learning
6 environments. In small schools all of the following occur:

7 (A) Dropout and truancy rates dramatically decrease and
8 graduation rates and postsecondary education enrollment rates
9 increase.

10 (B) Parents are much more likely to be involved in the school
11 and to have greater participation in decisionmaking.

12 (C) Pupils experience a greater sense of belonging and are more
13 satisfied with their schools.

14 (D) Fewer discipline problems occur.

15 (E) Crime, violence, and gang participation decrease.

16 (F) Incidences of alcohol and tobacco abuse decrease.

17 (G) Pupil attendance increases.

18 (H) Ample evidence exists that well-planned and
19 well-implemented small schools can result in astonishing growth
20 in pupil achievement and a significant narrowing of the
21 achievement gap.

22 (2) A recent study of large and small schools in four states has
23 shown that smaller schools reduce the damaging effects of poverty
24 and help pupils narrow the achievement gap between them and
25 pupils from more affluent communities.

26 (3) Reducing school size has also been shown to significantly
27 increase the likelihood of success of school reform efforts. Small
28 schools are more effective at staff development and in
29 implementing new curriculum.

30 (4) Based upon the research on the benefits of small schools,
31 the United States Department of Education has created the Smaller
32 Learning Communities Program and is currently providing a small
33 number of planning and implementation grants to school districts
34 across the country to support the development of small schools
35 and small learning communities.

1 (5) Other states have recognized the value of small schools and
2 have developed state policy to encourage small schools
3 development. In Florida, for example, all schools built after 2003
4 will be small schools.

5 (6) Many parent groups and school districts in the state,
6 including Oakland, Sacramento, San Jose, Los Angeles, and San
7 Francisco, have initiated efforts to create small schools. These
8 efforts include the creation of new small schools on new sites as
9 well as the reconfiguration of existing schools into small schools
10 and small learning communities.

11 (7) The trend in California, over the last few decades, has been
12 to build larger and larger schools. For example, in 2000, more than
13 73 percent of California high schools had more than 1,000 pupils
14 and more than 57 percent of middle schools had more than 800
15 pupils.

16 (8) The trend to build large schools has been driven by
17 California's rapidly growing population and by the assumption
18 that large schools are more cost effective.

19 (9) Research, however, has also shown that small schools, due
20 to lower dropout rates and factors such as reduced school violence,
21 can be more cost effective in total per pupil spending than large
22 schools.

23 (b) It is therefore the intent of the Legislature to reenact and
24 revise provisions in state law that have been repealed to create an
25 incentive for school districts to establish small schools with the
26 assistance of funding for new construction, modernization, and
27 reconfiguration of existing schoolsites.

28 SEC. 2. Chapter 3.2 (commencing with Section 58530) is added
29 to Part 31 of Division 4 of Title 2 of the Education Code, to read:

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CHAPTER 3.2. SMALL SCHOOLS

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33 58530. A school district may establish a small school pursuant
34 to this chapter, subject to all of the following conditions:

35 (a) If the school provides instruction in kindergarten or any of
36 grades 1 to 5, inclusive, the number of pupils enrolled in the school
37 for those grades shall not be fewer than 80 pupils and not more
38 than 250 pupils. If the school provides instruction in any of grades
39 6 to 12, inclusive, the number of pupils enrolled in the school for

1 those grades shall not be fewer than 80 pupils and not more than
2 400 pupils.

3 (b) The school shall be staffed by school district employees who
4 volunteer to be assigned to the school.

5 (c) The facilities that house the pupils enrolled in the school
6 shall be located in proximity to one another.

7 (d) Enrollment in the school is open to all pupils who have at
8 least one parent who is a resident in the attendance area of the
9 school district.

10 (e) Admission to the school shall not be determined by pupil
11 achievement. The school shall have a heterogenous pupil
12 population in terms of pupil achievement.

13 (f) The school shall have a governing board elected by parents
14 of pupils enrolled in the school.

15 (g) The school shall have a significant and agreed upon level
16 of autonomy within the school district. A school district that
17 establishes one or more small schools pursuant to this chapter shall
18 develop, with collaboration from representatives of community
19 groups, bargaining units representing the employees of the school
20 district, and parents of pupils of the school, a school plan for each
21 small school that includes all of the following:

- 22 (1) Goals for pupil achievement.
- 23 (2) Teaching and learning philosophy.
- 24 (3) Curricular focus of the school.
- 25 (4) Goals for school culture and practices.
- 26 (5) Leadership goals.
- 27 (6) Decisionmaking process, including the role of the governing
28 board of the small school.

29 (h) A school district that establishes one or more small schools
30 pursuant to this chapter shall adopt regulations that include the
31 small school or schools as part of an academic reform strategy
32 focused on the positive outcomes small schools are intended to
33 produce. The positive outcomes resulting from the adopted
34 academic reform strategy shall include, but are not limited to, any
35 of the following:

- 36 (1) A clearly defined mission and goals.
- 37 (2) High standards and expectations for pupils and staff.
- 38 (3) Personalization.
- 39 (4) Individual respect.
- 40 (5) Universal involvement in decisionmaking.

- 1 (6) Integrated learning.
- 2 (7) Multiple measures of pupil achievement.
- 3 (8) Antiracist and relevant curriculum.
- 4 (9) Differentiated instruction.
- 5 (10) Project-oriented learning.
- 6 (11) Heterogeneous pupil grouping.
- 7 (12) Pupil-centered classrooms.
- 8 (13) Connectedness with stakeholders.
- 9 (14) Diversity.
- 10 (15) A safe environment.
- 11 (16) A high-quality learning environment.
- 12 (17) Alignment of resources with goals.
- 13 (18) Maximizing community resources and partnerships.
- 14 (19) Lifelong professional development.
- 15 (20) A plan for continuous improvement, including data analysis.
- 16 (i) A small school may be located within an existing elementary,
- 17 middle, or comprehensive high school and may be newly
- 18 constructed, located on a single site, or located with other small
- 19 schools or learning communities. The total enrollment of a small
- 20 school site shall not exceed the recommendation of the department.
- 21 58531. A school district that establishes one or more small
- 22 schools pursuant to this chapter is encouraged to do any or all of
- 23 the following:
- 24 (a) Apply for new construction grants for unhoused pupils as a
- 25 vehicle for establishing small schools on, adjacent to, or separate
- 26 from existing campuses.
- 27 (b) Use modernization funding to modernize and reconfigure
- 28 existing campuses into small schools, either as part of a
- 29 comprehensive school complex or as a cluster of small schools.
- 30 (c) (1) Establish the school pursuant to a dependent charter in
- 31 order to provide the small school with the flexibility of a charter
- 32 school while allowing it to be located within the district.
- 33 (2) A small school established under a dependent charter as
- 34 described in this subdivision shall not claim reimbursement for
- 35 state mandates, except for costs related to the administration of
- 36 the high school exit examination.
- 37 (3) For purposes of this subdivision, “dependent charter” means
- 38 a charter granted pursuant to Chapter 2 (commencing with Section
- 39 47605) of Part 26.8 in which the chartering authority retains all
- 40 governance powers regarding the operation of the charter school.

1 58532. This chapter shall remain in effect only until January
2 1, 2015, and as of that date is repealed, unless a later enacted
3 statute, that is enacted before January 1, 2015, deletes or extends
4 that date.

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