



September 13, 2013

The Honorable Jerry Brown
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

**SB 344 (Padilla)
Request for Veto**

Dear Governor Brown:

On behalf of the California School Boards Association (CSBA), which represents nearly 1,000 school districts and county boards of education statewide, we oppose SB 344 (Padilla) and respectfully request that you veto this measure reaches your desk.

CSBA supports the need to ensure that schools deliver the best educational services to California's English learner (EL) students while respecting their cultural diversity and extraordinary learning needs. However, due to our strong concerns with various provisions in the bill and how it interacts with the recently enacted Local Control Funding Formula (LCFF), we must oppose SB 344.

One of our major concerns is that the bill would pre-empt the LCFF regulatory process that is currently being undertaken through the authority of the State Board of Education (SBE). In effect, SB 344 presumes that many of these critical transparency and accountability issues will not be addressed during the regulatory process. We disagree with that presumption and believe that the current process should be allowed to develop, after which time there will be ample opportunity to determine what accountability components may be lacking, if any.

Further, this bill would establish reclassified English learners as a subgroup for which improvement in academic achievement must be demonstrated. While we agree that reclassified EL students demand the focus of LEAs, the California Department of Education is currently developing a list of best practices of how districts handle the reclassification of EL students, and that study is not yet completed. Additionally, it is not at all clear what the fiscal and educational impacts would be of having reclassified English learners as a subgroup as is proposed in the bill. Such a determination should only be made after significant review of the possible impacts on students, district requirements and cost and the accountability for this additional subgroup. For these reasons, this provision is premature.

We are committed to working on this important issue; however, we believe the LCFF presents a historic opportunity for LEAs to improve student graduation rates, close achievement gaps and increase the level of communication between schools and the communities they serve. As these conversations move forward, we further believe that the concept of *local control* is paramount – the state should provide, consistent with LCFF, an opportunity for local accountability plans to be developed and for the aforementioned stakeholder discussions to occur.

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For all of these reasons, we must oppose SB 344 (Padilla) and respectfully request that you veto this bill when it crosses your desk.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erika K. Hoffman', with a long horizontal flourish extending to the right.

Erika K. Hoffman
Legislative Advocate
Office of Governmental Relations

cc: Senator Alex Padilla
Gareth Elliot, Secretary of Legislative Affairs, Office of the Governor
Karen Stapf Walters, Executive Director, State Board of Education
Erin Gabel, Director of Government Affairs, California Department of Education
Nick Schweizer, Program Budget Manager: Education, Department of Finance