

BD4 and Charter Group Facilities Proposal Meeting Notes
February 20, 2018 @ 6PM

Attendees:

BD4: Nick, Allison, and Danielle

LAAC: Cristina, Emilio (phone), and Caprice;

CCSA: Cassy, Ebony, and Jason

Resolve 1:

The District shall establish a clear, transparent, time-bound process by which all public schools in District facilities - whether traditional or charter - will be evaluated on an ongoing basis to determine whether high levels of student learning are occurring and whether high levels of demand for services from parents are present. For those schools that are excelling with students and have demonstrated demand in excess of the District facilities that the school is currently being allocated, the process will allow for the school to secure additional facilities [allowing them to serve additional students]. It is the intent of the Board that all public schools in District facilities be treated equitably in the newly established process. It is also the intent of the Board that the District continue to fulfill its legal obligations pursuant to Proposition 39.

Comments:

- Resolve objective: create another pathway for access to facilities. Pathway should not be to the exclusion of Prop 39. Supplement not supplant Prop 39.
- BD4: This pathway is a long-time in the making. Many condition precedents before this can happen.
- BD4: Preliminary questions -- are any other districts using an accountability framework related to facilities allocation? What are other districts doing?
- If accountability becomes criteria, note that schools (charter and traditional) don't fail/succeed in one year. 3-5 year outlook probably appropriate. 5 years more than enough time.

- Pathway should include softer consequence – e.g., if accountability not met, closure of school/facilities should not be sole draconian consequence. What are other alternative options and uses?
- Idea: creating cluster based feeder programs; not based on geography, but rather program based. McKenna might latch on given that many schools are failing in his district.
- BD4: advocate of choice – open to public school closure; something looking like PSC 2.0; and/or school consolidation.
- BD4: school accountability with teeth is important with Kelly Gonez. Not sure about others. Charter and district accountability. Outstanding question: who is 3rd and 4th board member ally?
- Where do district and charter accountability currently align, if at all?

Next Steps on Resolve 1:

- Work on developing an accountability framework for rating schools that is not (yet) tied to facilities. Perhaps later iterations can work in facilities tie in, but for now consider academic accountability and renewal work as path forward.
- Identify whether any other districts or states are doing something similar. What does charter community want this accountability to look like in Los Angeles? Transparency is key. Look to New Orleans, Chicago, and Denver as potential exemplars for pieces of this resolve.

Resolve 2:

The development of a complete inventory of all LAUSD school facilities, which includes but is not limited to current enrollment, site capacity, site plans, and verifiable classroom utilization information. The inventory should be designed to be made available to the public online, and updated every year by October 1, and should either be created by an independent, professional facilities management organization, or subject to yearly independent audits to verify the accuracy of the information included in the inventory.

Comments:

- BD4: This resolve should be an easy one. Groundwork already present – e.g., open data transparency resolution.

- BD4: contends that Prop 39 litigation is a significant impediment. How do we get litigation settled? The items in the resolve are helpful and doable, but proverbial chicken before the egg scenario with litigation.
- Wants charter community in the room and providing input in all Prop 39 Instructional Committee meetings.
- Charter community: Why can't/won't the District publish the data it has? BD4 returns to litigation as impediment. OGC driving that view.
- Charter community: secondary issue is establishing the veracity of the information. Public doesn't trust accuracy. Need some sort of 3rd party to assess/verify data – e.g., special master/referee (see Williams case)

Next Steps on Resolve 2:

- Send BD4 specific examples where District is saying X with data, but Charter Community says Y is actual situation and can demonstrate so. Get clear site-specific data and examples. This is key.
- BD4 will ask OGC to identify concrete reasons why District has not or will not publish data today.

Resolve 3:

The development of an improved Proposition 39 dispute resolution process that enables a neutral, third party or committee to expeditiously resolve disputes about the legal compliance of offers on or before July 15 so that traditional public schools and charter schools have sufficient time to plan and prepare for the beginning of the school year, improve collaboration and focus on student outcomes.

Comments:

- More discussion about litigation. Can we settle? OGC confident in lawsuit position, so no major momentum toward settlement/resolution.
- Outstanding question: where in legal process is the lawsuit? Appeal? What is litigation timeline?
- BD4: establish a facilities working group to solve this, like used in DRL. Consider: should this working group be an internal committee of district and Prop 39 folks and school leaders? Nick wants any ideas, recommendations, proposal for resolution to go through LAAC, then CSD,

then the board. Take working group from DRL, move work to Prop 39 issues, then move work to other facilities issues, then move work on to next thing . . . standing committee addressing LAAC priorities.

- BD4: consider ideas like proposing a resolution for board fix to Prop 39; more \$\$ going to co-located schools; principals at co-located schools to get more \$\$\$. What are the working groups ideas?
- Charter: Any working group should be smaller, focused, and specialized (less broad). That will make traction in work.
- Charter: Not sold that working group is path forward here. Learned from experience with earlier Ref resolution (subject?)
- BD4: underlying superintendent search is important. Need/want that leadership and support. If proposed resolutions or facilities policy change comes from the Superintendent and charter community, maybe that is better than something coming from the board?
- What is the bridge between board wants/ideas vs. policy change. Nick: Maybe a resolution? Not sure. Accountability? Not sure. He wants to insulate any policy change and solutions from the politics. Perhaps behind the scenes work to effectuate the change.
- Charter: Reminder, Prop 39 largely works because there is a legislative framework and deadlines.

Next Steps on Resolve 3 (*discussed largely in conjunction with Resolve 4 next steps):

- Charter community describe and prepare what process should look like? Lay out the desired dispute resolution process.

Resolve 4:

The development of a program, whereby the District can: (a) Identify, after seeking input from the District, charter school community and other city stakeholders, District school facilities and other real property which could provide equitable access to long-term or permanent school sites to charter public schools and their students; and (b) Consider collaborative models that would allow for the renovation of existing District facilities, and/or the development of new public school facilities by charter schools on District property where appropriate; and (c) Analyze and incorporate, where feasible,

facilities projects that would be eligible for public school facilities funding and finance programs, to make facilities arrangements more affordable for interested charter schools, and to increase potential revenues and/or cost savings for the District.

Comments:

- BD4: Have working group do Prop 39 process and non-Prop 39 long-term use agreements.
- BD4: Little to no resistance at district level for long-term agreements outside Prop 39. Think RFP is the way to go and thinks we can have implementation for 2019-2020 school year.

Next Steps on Resolve 4 (*discussed largely in conjunction with Resolve 3 next steps):

- Charter community describe and prepare the desired RFP process. What does it look like? What is the timeline? What are the forms needed?

Resolve 5:

Evaluate how best to increase funding and additional resources to assist in the implementation of proposals for District schools and charter schools, and conduct a legal analysis to allow for both district and charter schools to have maximum flexibility to use any bond funding to leverage and integrate all assets - district, state and private - to maximize the amount of new facilities development and facilities improvement that could be achieved in a future bond to benefit all public school students so that they have equitable access to high quality learning environments.

Comments:

- Nick unsure if bond is 2018 vs. 2020. Kelly Gonez's office is leading there, including ideas around parcel tax, DWP rate increases, etc. Feeling like 2018 is unlikely, but confirmed that pollsters are out in community gauging interest. Board issues re: Ref and Superintendent search also complicate bond/tax, funding matters. Concerned about ballot fatigue.
- Charter: Important to have a bond with more specific charter language and to discuss allocation of Measure Q funds.

- BD4: Wants to talk more in depth about bond issues. No time left in this meeting.

Next Steps on Resolve 5:

- TBD

General/Big Picture Points:

- Charter: Should or can we obtain political viability via noise? Publicity? Keep the story present and highlight pain points for the public.
- BD4: instinct is to be loud, but concerned about the narrative – e.g., charter bought policy. Wearing advocacy hat, thinks we should push. But then Nick noted that perhaps less is more from an advocacy standpoint, including around Prop 39. Consider tactics like have district parents talk about positive co-location relationships or at least a district parent/staff desire for consistency/stability in long-term agreements or desire for more \$\$\$ to go to co-located schools.
- Need well-defined and realistic facilities advocacy goal. Designed to provide Heat or Cover? Where does each get us?
- Nick says he is committed to facilities work as described above. Important to scaffold resolve #1 and move on #3 and #4 by drafting specific plans/proposals for charter wants. Have timelines.
- How do we incorporate facilities policies into Superintendent search?
- Nick is open to feedback that working groups are not working. Willing to pivot in a few weeks if working groups not effective, but what will be political cover if not coming from working groups?