



Governor Signs Bill Opening Door to Receipt of Federal Funds

On October 11, 2009, Governor Schwarzenegger signed Senate Bill 19 (Simitian, D-Palo Alto), allowing student performance data to be used in teacher evaluations, effective immediately. This change in the law removes the most significant barrier to California's ability to apply for approximately \$815 million of the Race to the Top ("RTTT") federal funding.

Under the American Recovery and Reinvestment Act of 2009, the federal government created the RTTT fund, a series of competitive grants designed to reward states for improving their educational systems. Before they are eligible to apply for RTTT funds, states must first meet two criteria: (1) the state's application for funding under the first two phases of the State Fiscal Stabilization Fund must be approved by the Federal Department of Education; and (2) the state must not have any barriers to linking data on student achievement to teacher performance.

U.S. Secretary of Education Arne Duncan stated that California law created a barrier to linking student achievement data to teacher performance because Education Code section 10601.5, subdivision (c), prohibited data collected in the California Longitudinal Teacher Integrated Data Education System ("CALTIDES") from being used solely, or in conjunction with data collected in the California Longitudinal Pupil Achievement Data System ("CALPADS"), in any teacher evaluations or employment decisions. Senate Bill 19 deletes this provision from section 10601.5, subdivision (c), making California eligible to apply for RTTT funding.

This revision to current law, however, is only the first step towards obtaining RTTT funding. Once California applies for funding, the Federal Department of Education will evaluate the State's application by examining how California plans to address the four major educational reform areas identified by the federal government: (1) adopting internationally-benchmarked standards and assessments that prepare students for success in college and the workplace; (2) recruiting, developing, retaining, and rewarding effective teachers and principals; (3) building data systems that measure student success and inform teachers and principals how they can improve their practices; and (4) turning around the lowest-performing schools.

In order to make California competitive in the RTTT application process, Governor Schwarzenegger has proposed new legislation that would require further changes to current law. Proposed Senate Bill X5 1 (Romero, D-Los Angeles), contemplates the following revisions: requiring CALTIDES to be used in teacher evaluations, removing the limit on the number of charter schools operating within the State, allowing students in low-performing districts to enroll in another district, and subjecting the lowest 5% of low-performing schools to sanctions similar to those in the federal No Child Left Behind Act.

The newly enacted Senate Bill 19 is unlikely to have a major impact on school districts; the revisions to the Education Code are permissive and do not require districts to alter the manner in which they conduct teacher evaluations. However, future legislation, such as Senate Bill X5 1, will likely be necessary to make California competitive for federal funding. Such legislation will impact not only teacher evaluations, but all four of the core educational reform areas identified by the federal government.

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