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For more information regarding the content of this material, please contact the Charter Schools Division by phone at 916-322-6029 or by email at charters@cde.ca.gov.



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April 13, 2021

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RE: CTA COMMENTS REGARDING Item #1: Consideration of Requests for Determination of Funding as Required for Nonclassroom-Based Charter Schools Pursuant to California Education Code sections 47612.5 and 47634.2, and Associated California Code of Regulations, Title 5.

Dear ACCS Commissioners:

The California Teachers Association would like to express our continued concerns with the funding determinations of Nonclassroom-based charters (NCBs).

As highlighted by In The Public Interest's recent report on NCBs in CA entitled "Costly Failure", there are many systemic issues with NCBs that must be addressed. The report can be found at www.costlyfailure.org.

As on past funding determination items, we question whether the ACCS is being provided evidence that justifies a need for the 100% funding determination. This potential misuse of funding will continue to harm our State's education system.

Furthermore, we believe that the State is asking the commissioners of the Advisory Commission on Charter Schools (ACCS) and the members of the State Board of Education (SBE) to provide public oversight on these funding determinations in a manner in which is impossible given the amount of information, or lack thereof, in the item. Per 5 CCR 11963.3, there is a list of items that are included in the Determination of Funding Request, all of which should be shared with the item. While we appreciate the inclusion of the Determination of Funding Request form with the item, we still believe that the FY 2020-21 budget data that was used to develop and evaluate the funding forms should also be a part of the agenda item.

Given the egregious past practices of some NCBs, CTA believes that there must be heightened oversight and transparency regarding these charters.

At the February 2021 ACCS meeting there were statements made that the NCB funding determination process is "pro forma". The definition of "pro forma" per the Merriam Webster dictionary is "made or carried out in a perfunctory manner or as a formality".

This approach to NCB funding determinations is extremely problematic and one need only look at the article in the San Diego Tribune from February 26th, 2021 to understand why.

Accused A3 charter school ringleaders plead guilty to conspiracy

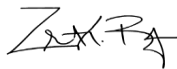
<https://www.sandiegouniontribune.com/news/education/story/2021-02-26/accused-a3-charter-school-ringleaders-plead-guilty-to-conspiracy>

An excerpt from the article states, *“McManus and Schrock admitted in court that the purpose of their conspiracy was to get public funds through the A3 charter schools and transfer that money to their own private companies under the promise that they would provide educational services. In reality, they did not provide those services.”*

Currently, there is a two-year moratorium on NCBs and CTA believes that during this time the CDE and SBE should be investigating whether NCBs are using funds appropriately and effectively for the children of California.

Based on the concerns outline above, CTA questions whether the CDE has provided the required information for the ACCS to act on these funding determinations. Additionally, CTA believes that the CDE must also share any supporting documentation and the FY 2020-21 data that was used to make funding determinations to help ensure that another A3 scandal does not occur.

Sincerely,



E. Toby Boyd, President
California Teachers Association

db:ETB

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