

Policy Note

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Los Angeles Takes Over Its School District: An Overview of Mayor Antonio Villaraigosa's Bid to Restructure LAUSD

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EXECUTIVE SUMMARY

The Los Angeles Unified School District (LAUSD) is the nation's second-largest school system, serving upwards of 700,000 students and encompassing a vast geographic region that includes Los Angeles and more than two dozen surrounding cities. During the 2005 Los Angeles mayoral campaign, candidate Antonio Villaraigosa made a restructuring of LAUSD his top education policy initiative. Once elected, Mayor Villaraigosa laid out his reform strategy in a State of the City address that put forth a vision for how the school district would operate under the supervision of City Hall.¹ In his address, Mayor Villaraigosa described LAUSD as being in a state of crisis, with failing schools and high dropout rates. Citing a need for improvement in the city's schools, the mayor proposed a number of changes in the way LAUSD is run.

This policy note places Mayor Antonio Villaraigosa's plan for reforming LAUSD in a national context, summarizes some of AB 1381's key provisions, and offers an overview of the debate over implementation of AB 1381.

The new governance structure is outlined in California Assembly Bill No. 1381.² This legislation stops short of granting Mayor Villaraigosa full control of LAUSD, calling instead for a complex power-sharing arrangement in which the mayor, the elected school board, and the district superintendent would be responsible for overseeing different aspects of the school district. Under AB 1381, a new Council of Mayors would ratify the hiring of the district superintendent, who would have broad powers over the district's operations and the education it provides its students. In addition, Mayor Villaraigosa would directly manage three clusters of the city's low performing schools.

AB 1381 was signed into law by Governor Arnold Schwarzenegger on September 18, 2006. The school-reform bill, set to take effect January 1, 2007, faced a legal challenge from school district officials and others who claimed that it violated California's state

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[&]quot;Accelerating Our Ambitions," Mayor Villaraigosa's State of the City address, was delivered on April 18, 2006. See http://www.lacity.org/mayor/myrspeech/mayormyrspeech246937252_04212006.pdf (accessed September 2006)

² A .pdf version of AB 1381 can be found online at http://info.sen.ca.gov/pub/bill/asm/ab_1351-1400/ab_1381_bill_20060918_chaptered.pdf (accessed September 2006).

constitution. On December 21, 2006, a judge declared AB 1381 unconstitutional and blocked its January 1 implementation.³ Mayor Villaraigosa immediately appealed this ruling, thus the legal battle over the future of LAUSD remains ongoing.

This policy note places Mayor Antonio Villaraigosa's plan for reforming LAUSD in a national context, summarizes some of AB 1381's key provisions, and offers an overview of the debate over implementation of AB 1381.

SCHOOL TAKEOVERS IN PERSPECTIVE

Across the nation, takeovers of schools or entire systems by mayors, state legislatures, or control boards have come as a result of increasing pressure to improve low performing schools — particularly those in central cities serving disadvantaged or minority students.⁴

Takeovers of urban school systems share at least one characteristic: a perceived need to install new leadership into educationally and financially troubled districts. The rationale for taking over school systems has been based on two circumstances: first, poor performance in accordance with both academic indicators (standardized test scores, graduation rates, dropout rates) and leadership and management issues (including financial mismanagement and bureaucratic dysfunction); and second, the perceived inability and/or unwillingness of the existing school governance system to respond to the existing situation.⁵

Growing discrepancies in academic achievement and increased pressures placed on urban governance have led the public and policymakers to demand a major overhaul in many cities. In the past, mayors avoided the political tangle of education, but this has become more difficult in the current climate that focuses on the role of education in a city's overall well-being.⁶

In 1991, Boston became the first large city to experience a mayoral takeover of its school system. Chicago's more than 600 public schools have been under Mayor Richard Daley's direct control since 1995. In New York City, it has been five years since Mayor Michael Bloomberg was given control of the nation's largest school system. At least partial control of schools has been taken from elected school boards in Baltimore, Cleveland, Detroit, and Philadelphia, among others.⁷

In considering the effectiveness of mayoral takeover, a key issue is whether mayoral control can improve classroom instruction and the everyday lives of teachers and children.

While similar in many respects, these cities vary in the route they have taken to mayor-centrism, and the particular form they have adopted. The New York City Department of Education is run by a chancellor appointed by Mayor Bloomberg. Similarly, the Chicago Public Schools district is led by a CEO who was selected by Mayor Daley. Under AB 1381 in Los Angeles, Mayor Villaraigosa would have far less authority than mayors in these cities. Whereas other mayors have completely taken over and reduced their school boards to advisory roles, replacing elected boards with appointed ones, the elected LAUSD Board of Education would remain intact and retain final authority over the district's spending.

In considering the effectiveness of mayoral takeover, a key issue is whether mayoral control can improve class-room instruction and the everyday lives of teachers and children.¹⁰ There has been difficulty linking mayoral takeover (or other changes in governance structure) to improvements in student achievement.¹¹ Nevertheless,

³ Naush Boghossian, "Mayor Loses in Court," Los Angeles Daily News, December 22, 2006, N1.

⁴ Robert L. Green and Bradley R. Carl, "A Reform for Troubled Times: Takeovers of Urban Schools," Annals of the American Academy of Political and Social Science, vol. 569, pp. 56-70, May 2000.

⁵ Ibid

⁶ Michael W. Kirst and Katrina E. Bulkley, "Mayoral Takeover: The Different Directions Taken in Different Cities," Consortium for Policy Research in Education, Philadelphia, PA; National Institute on Educational Governance, Finance, Policymaking, and Management (ED/OERI), Washington, D.C., April 2001.

Glenn Cook, "Taking Charge," American School Board Journal, vol. 189, no. 12, pp. 32-36, December 2002.

Selfrey R. Henig and Wilbur C. Rich, "Mayor-centrism in Context," pp. 3-24 in Mayors in the Middle: Politics, Race, and Mayoral Control of Urban Schools, Jeffrey R. Henig and Wilbur C. Rich (eds.), Princeton University Press, 2004, p. 5.

⁹ Ana Beatriz Cholo, "School Takeover by Mayors Can Be Risky," Associated Press, August 31, 2006.

Michael W. Kirst and Katrina E. Bulkley, "Mayoral Takeover: The Different Directions Taken in Different Cities," Consortium for Policy Research in Education, Philadelphia, PA; National Institute on Educational Governance, Finance, Policymaking, and Management (ED/OERI), Washington, D.C., April 2001.

¹¹ Kenneth K. Wong and Francis X. Shen, "When Mayors Lead Urban Schools: Toward Developing a Framework to Assess the Effects of Mayoral Takeover of Urban Districts," School Board Politics Conference, Program on Education Policy and Governance, Harvard University, October 15-17, 2003.

research suggests that mayoral takeover can be linked to increases in student achievement at the elementary grades, and that gains in achievement are especially large for the lowest performing schools. Mayoral takeover seems less effective at the upper grades.¹²

Although mayoral takeovers in major cities have met with a measure of success, studies suggest that the mayor's office provides neither a panacea nor a quick fix for urban school districts. ¹³ Even when there is significant mayoral control, electoral concerns can constrain mayoral leadership in school affairs. But a mayor, using the informal power and visibility of the position, can shape the local agenda, helping to elevate and keep school concerns at the top of the city's (and the state's) action agenda. ¹⁴

A CLOSER LOOK AT AB 1381

AB 1381 would revise the governance and operation of the Los Angeles Unified School District in three major areas: it would broaden the LAUSD superintendent's authority, limit the authority and responsibilities of the LAUSD school board, and establish a Council of Mayors with specified roles and responsibilities. It would also establish the Los Angeles Mayor's Community Partnership for School Excellence to administer, under the direction of the mayor, a demonstration project to improve student performance among low performing schools.¹⁵

AB 1381 was designed to achieve the following main goals:

- Significant improvements in student learning and academic achievement based on the academic standards of the State of California, graduation requirements, and other standards for assessing the achievement of students;
- Significantly improved graduation rates and significantly reduced dropout rates;

- A significant reduction in the academic achievement gap among racial and ethnic groups, between students with exceptional needs and students without those needs, and between English language learners and students who are fluent in English; and,
- Parent satisfaction with the schools that their children attend.

Community Partnership for School Excellence:

A centerpiece of Mayor Villaraigosa's intervention efforts would be the establishment of the Los Angeles Mayor's Community Partnership for School Excellence. The mayor would take direct operational control over three low performing high schools and their feeder elementary and middle schools in different parts of Los Angeles.

- Mayor Villaraigosa would work in partnership with LAUSD, parent and community leaders and organizations, and school personnel and employee organizations in order to improve student performance at these low performing schools.
- The schools would be selected by the mayor and the district superintendent in collaboration with all stakeholders.¹⁶
- This could involve more than three dozen schools, serving as many as 80,000 students, equivalent to the state's fourth-largest school district. 17

Council of Mayors: LAUSD serves Los Angeles and all or portions of several adjoining cities. AB 1381 would establish a Council of Mayors representing the 27 municipalities served by LAUSD — including leaders from the 26 smaller cities served by LAUSD and members of the Los Angeles County Board of Supervisors who would represent unincorporated areas. This system is designed to provide representation of communities served by LAUSD.

¹² Kenneth K. Wong and Francis X. Shen, "Measuring the Effectiveness of City and State Takeover as a School Reform Strategy," *Peabody Journal of Education*, vol. 78, no. 4, pp. 89-119, 2003.

Marion Orr, "Baltimore: The Limits of Mayoral Control," pp. 27-58 in Mayors in the Middle: Politics, Race, and Mayoral Control of Urban Schools, Jeffrey R. Henig and Wilbur C. Rich (eds.), Princeton University Press, 2004, p. 54.

¹⁴ Ibic

¹⁵ California State Senate analysis of AB 1381, http://info.sen.ca.gov/pub/bill/asm/ab_1351-1400/ab_1381_cfa_20060829_231717_asm_floor.html (accessed September 2006).

¹⁶ Mayor Villaraigosa has committed to help raise funding from the business community and foundations for these high-need schools.

¹⁷ Howard Blume and Duke Helfand, "Villaraigosa School Plan goes to Court," Los Angeles Times, December 16, 2006, B1.

AB 1381 would revise the governance and operation of the Los Angeles Unified School District in three major areas: it would broaden the LAUSD superintendent's authority, limit the authority and responsibilities of the LAUSD school board, and establish a Council of Mayors with specified roles and responsibilities.

The weighted vote of each council member would be proportional to the size of the LAUSD student population residing within each council member's city. About 80 percent of the LAUSD student population resides in Los Angeles, thus Mayor Villaraigosa — who is spearheading this reform — would have the most power on the Council of Mayors.

The Council of Mayors would act by 90 percent of the weighted vote of the total membership of the council.

The Council of Mayors would do the following:

- Appoint a representative to participate in the school board's selection of the LAUSD superintendent;
- Ratify the superintendent's hiring, firing, and terms of employment;¹⁸
- Review and comment annally on the School Accountability Report Card of each school in the district;
- Review and comment on the annual budget proposed by the superintendent, prior to its consideration and adoption by the board; and,
- Advise the superintendent regarding the facilities program.

In addition, the Council of Mayors would be authorized to create a committee of parents to provide input on the selection of a superintendent and other education-related matters considered by the Council of Mayors.

LAUSD Superintendent and Board Responsibilities: AB 1381 would expand the LAUSD superintendent's scope of authority over a number of functions previously under the purview of the board. Among other things, the superintendent would have the authority to:

- Manage all LAUSD personnel;
- Make employment decisions, including the hiring or firing of school principals; and,
- Make all decisions regarding the fiscal operations of LAUSD, including negotiating and executing contracts, except for collective bargaining agreements.

The superintendent would also be required to establish an Office of Parent Communication to assure that LAUSD complies with the rights of parents to participate in the education of their children; and annually prepare a detailed budget for LAUSD and present it to the Council of Mayors for comment prior to its final consideration and adoption by the board.

In addition, the LAUSD superintendent and board would ensure that parents and teachers have a central role in the selection of textbooks, curriculum and other instructional materials. The majority of the advisory curriculum and textbook selection committee would be classroom teachers.

The LAUSD school board would retain existing authority to set education policy, establish graduation standards, and oversee collective bargaining. AB 1381 would maintain the public's right to elect board members.

Lastly, the State Department of Education would contract an evaluator to develop a progress report on the implementation and effectiveness of the pro-

Six cities in the school district's southeast corner — Bell, Cudahy, Huntington Park, Maywood, South Gate, and Vernon — would comprise the Southeast Cities Schools Coalition, a joint-powers authority that will allow them to ratify the selection of a local district superintendent. Currently, LAUSD consists of eight local districts.

grams established by AB 1381 by January 1, 2008, and to conduct a final evaluation by January 1, 2011. AB 1381 would remain in effect only until January 1, 2013, unless the Legislature votes to extend that date.

THE DEBATE OVER IMPLEMENTATION OF AB 1381

Proponents of AB 1381 contend that student achievement can be improved and the dropout rate can be reduced in LAUSD only if it is recognized that the current administrative structure of the district is not working. Critics of the current state of Los Angeles' public schools believe that mayoral control will bring decisive leadership to a district beset by institutional inertia and unacceptably high dropout rates. ¹⁹ They claim that the education reform plan will improve LAUSD by strengthening accountability and empowering parents and educators. ²⁰

The following are some of the arguments that have been made in support of AB 1381, followed by rebuttals:

Argument: AB 1381 will get the school board out of the business of micromanaging day-to-day operations and back to the hard work of improving education.

Rebuttal: In response, the school board and its supporters maintain that the board has been working tirelessly to improve education, as evidenced by rising test scores. Thanks to aggressive reforms in the LAUSD academic program, students have exceeded average Academic Performance Index (API) growth in California by nearly 50 percent over the last five years. At the elementary level, LAUSD's overall API score has increased 197 points in the past five years, relative to the state's gain of 126 points.²¹

Argument: AB 1381 promotes the superintendent from a general manager to a CEO, thus allowing the board to focus on setting policy and serving students and their families.

Rebuttal: Board members and their supporters believe that the existing governance structure is most responsive to the needs of students and their families. Currently, the superintendent answers directly to the elected school board. Under AB 1381, the superintendent would face the difficult task of serving multiple masters, i.e., the council of mayors and the seven members of the elected school board.

Argument: AB 1381 will empower educators by giving them a voice in the selection of stateand district-approved instructional materials.

Rebuttal: The instructional strategy that has resulted in increased student achievement over the past six years would be reversed by sending instructional decisions back to thousands of classrooms.

The LAUSD Board of Education and former LAUSD Superintendent Roy Romer have been the staunchest critics of Mayor Villaraigosa's plan. The following are some of the reasons the school board and its allies have opposed AB 1381, followed by rebuttals:

Argument: Mayor Villaraigosa is ignoring the success of the district's school building program and achievements in raising test scores.²²

Rebuttal: The school building program has indeed been a success, and test scores have risen at the elementary level. But this should not distract us from the fact that far too many students are not graduating from LAUSD high schools and going on to college. The mayor has frequently cited a 2005 study by the Civil Rights Project at Harvard University which calculated that only 45 percent of students were graduating in four years from Los Angeles schools. This rate was even lower for Latino students.²³

¹⁹ Duke Helfand and Joel Rubin, "Mayor Faces School Skeptics," Los Angeles Times, May 30, 2006, A1.

²⁰ Mayor's Committee for Government Excellence and Accountability, "A Landmark Proposal for Reforming Los Angeles Unified School District," http://www.excellenceinlaschools.com/reform_plan_summary.pdf (accessed September 2006).

Source: Lawsuit filed by LAUSD and related parties in the Superior Court of Los Angeles to settle constitutional questions raised by AB 1381, October 10, 2006, p. 13.
http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/LAUSDNET/DISCOVER/INFORMATION/AB_1381_HOME/COMPLAINT%20CONFORMED%20COPY -FINAL.PDF (accessed October 2006).

Los Angeles Unified School District official website, "Important Information about AB 1381," http://notebook.lausd.net/portal/page?_pageid=33,259428&_dad=ptl&_schema=PTL_EP (accessed September 2006).

²³ Mitchell Landsberg, "L.A. Mayor Sees Dropout Rate as 'Civil Rights Issue,'" Los Angeles Times, March 2, 2006, A1.

Argument: With the mayor's direct takeover of three clusters of low performing schools, AB 1381 sets the stage for conflict and uncertainty between the district and the mayor's "partnership" as to how, and by whom, basic functions are to be performed, from maintenance of the schools in question, to student discipline.

Rebuttal: If the present school board were to adopt the spirit of partnership contained in AB 1381, then these issues would not stand in the way of progressive reform at those schools where it is most desperately needed. The mayor, the superintendent, the school district, teachers, and parents must make a concerted effort to improve Los Angeles' low performing schools.

Argument: The Council of Mayors is a political ploy on the part of Mayor Villaraigosa.

Rebuttal: It is only fair that the mayor of Los Angeles have the most power on the Council of Mayors, because about 80 percent of the LAUSD student population resides in Los Angeles.

Union Support: Leaders of United Teachers Los Angeles (UTLA), a combination union affiliated with both the California Federation of Teachers and the California Teachers Association, were opposed to an initial version of AB 1381. This changed on June 21, 2006, after a compromise was struck between the mayor and representatives of the teachers' unions.²⁴ Union leaders were satisfied that the bill had been modified to emphasize partnership with teachers and parents, a departure from the New York-Boston-Chicago model of mayoral control.²⁵ Also, although it had been part of the mayor's original idea for school reform, the plan no longer called for an increase in the number of charter schools. Despite this compromise, some UTLA members remained opposed to the schoolreform bill, repudiating their leadership's support of AB 1381 in a referendum.

Current Status: On October 12, 2006, the LAUSD Board of Education named former Navy Vice Admiral David L. Brewer III as the new district superintendent. By signing Brewer to a four-year contract before AB 1381 could take effect, the school board effectively circumvented Villaraigosa and denied him a role in the selection of a new superintendent. Under AB 1381, the board's selection would have had to be ratified by the Council of Mayors headed by Mayor Villaraigosa. In their first appearance together after the contentious selection process, however, Mayor Villaraigosa and Superintendent Brewer downplayed their differences, pledging cooperation and promising to put Los Angeles' students before politics. Amgeles' students before politics.

On December 21, 2006, a Los Angeles Superior Court judge declared AB 1381 unconstitutional, and blocked its implementation.

On October 10, 2006, LAUSD officials — together with the League of Women Voters, the California School Boards Association, the school district's two PTA groups, and others — filed court papers arguing that AB 1381 should be overturned because the California state constitution forbids city officials from being in charge of schools.²⁸ In its lawsuit, the district claims that AB 1381 violates constitutional mandates separating the operations of cities and the education system. The suit also says the law violates the Los Angeles City Charter, which does not grant the mayor specific authority over public schools; and that it disenfranchises voters who don't live in Los Angeles but are served by the district and those who voted for LAUSD board members.²⁹

On December 21, 2006, a Los Angeles Superior Court judge sided entirely with the district's arguments on the legality of the bill, declared AB 1381 unconstitutional, and blocked its implementation.³⁰ It may still

²⁴ Aaron C. Davis, "Compromise Reached on L.A. School Takeover Plan," Associated Press, June 21, 2006.

United Teachers Los Angeles official website, "AB 1381 Information Packet: Updated Info. on the LAUSD School Reform Bill," http://www.utla.net/home/coversheet%20for%20LC%20AB%201381.pdf (accessed September 2006).

²⁶ Joel Rubin and Howard Blume, "Mayor Renews Demand for Voice in Picking Schools Chief," Los Angeles Times, October 5, 2006, B1.

²⁷ Duke Helfand and Howard Blume, "Mayor, Next Supt. Pledge Cooperation," Los Angeles Times, October 26, 2006, B1.

Howard Blume, "Lawsuit Filed Challenging L.A. Mayor's School Bill," Los Angeles Times, October 10, 2006, A1.

Naush Boghossian, "LAUSD Takeover Work in Progress; Mayor's Staff Making Plans," Los Angeles Daily News, December 5, 2006, N1.

Naush Boghossian, "Mayor Loses in Court," Los Angeles Daily News, December 22, 2006, N1.

be possible for Mayor Villaraigosa's plan to succeed, depending on a state Court of Appeals decision.

Reiterating his call for fundamental change in LAUSD, while perhaps anticipating an unfavorable court decision regarding AB 1381, Mayor Villaraigosa recently unveiled an ambitious proposal for improving every school in the Los Angeles district.³¹ The mayor's top education aides wrote the proposal in part by researching practices already underway in LAUSD and other major urban school districts, including New York, Chicago, and Philadelphia.³² The proposal's 52 recommendations — from ending the practice of promoting failing students, to requiring school uniforms — were well-received by the public. However, the mayor's approach would require a massive infusion of money and expertise, both of which are in limited supply.³³

CONCLUSION

As it moved through California's legislative process, AB 1381 was modified to accommodate the competing demands of Mayor Villaraigosa and the LAUSD Board of Education. The complexity of the powersharing arrangement spelled out in the school-reform bill has the potential to set the stage for ongoing conflict between the mayor and the elected school board in such key areas as jurisdiction over the city's low performing schools, the selection of a district superintendent, and budgetary agreement.

The political battle over the future of LAUSD is so fluid that AB 1381 itself will not determine what actually happens in Los Angeles in the near future.

The political battle over the future of LAUSD is so fluid that AB 1381 itself will not determine what actually happens in Los Angeles in the near future. Because urban school reform efforts have been shaped by the varying contexts of their cities and schools, it would be a mistake to draw direct comparisons between Los Angeles and other cities that have experienced mayoral takeover. Still, we can turn to the academic literature on mayoral takeover to get a sense of what might lie in store for LAUSD, should the mayor's plan prevail in the courts. In general, there has been difficulty linking mayoral takeover (or other changes in governance structure) to improvements in student achievement.³⁴ However, mayoral takeover has been found to be related to gains in achievement among low performing schools in other cities.³⁵ This finding might bode well for Mayor Villaraigosa's plan to exercise direct control over three clusters of Los Angeles' low performing schools. Ultimately, though, it remains to be seen whether the current reform effort will improve education outcomes for the majority of students in LAUSD.

^{31 &}quot;The Schoolhouse: A Framework to Give Every Child in LAUSD an Excellent Education" was released on January 17, 2006 by Mayor Villaraigosa's office. See http://www.lacity.org/mayor/pdf/the%20schoolhouse.pdf?programID=05-P13-0026#feature1 (accessed January 2007).

³² Duke Helfand and Joel Rubin, "Mayor Posts His Strategy for Schools," Los Angeles Times, January 18, 2007, B1.

³ Ibid.

³⁴ Kenneth K. Wong and Francis X. Shen, "When Mayors Lead Urban Schools: Toward Developing a Framework to Assess the Effects of Mayoral Takeover of Urban Districts," School Board Politics Conference, Program on Education Policy and Governance, Harvard University, October 15-17, 2003.

³⁵ Kenneth K. Wong and Francis X. Shen, "Measuring the Effectiveness of City and State Takeover as a School Reform Strategy," Peabody Journal of Education, vol. 78, no. 4, pp. 89-119, 2003.



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