

California School Boards Association

September 11, 2009

The Honorable Darrell Steinberg
Senate President Pro Tempore
State Capitol, Room 205
Sacramento, CA 95814

RE: OPPOSE appointment of Raneene (Rae) Belisle to the State Board of Education

Dear Senator Steinberg:

The California School Boards Association respectfully opposes the appointment of Rae Belisle to the State Board of Education.

For more than a decade, Ms. Belisle has been directly involved in key decisions and policies of the State Board of Education that have caused serious concern. This involvement has come during her time as a sitting member of the Board, but also in other roles: during the time she served as General Counsel and Executive Director of the Board, as an advocate for EdVoice, and as a member of the Advisory Committee on Charter Schools.

Three specific issues of particular concern have occurred in the past year.

Algebra I. Ms. Belisle played a prominent role in the Schwarzenegger Administration's effort to advocate that the Board adopt an Algebra I requirement for all 8th graders. Not only was this an ill-timed proposal that failed to consider the systemic implications for making such a significant shift in policy, it was wholly inconsistent with state law. The Legislature has required Algebra I as a high school graduation requirement, and the Board's action directly circumvented the Legislature's direction to schools. Additionally, the state does not currently have explicit 8th grade math standards because it recognizes that while many 8th graders are ready for Algebra I, others need more time. By requiring Algebra I for all 8th graders, the Board made a revision to the state standards which was not authorized by the Legislature.

Statewide Benefit Charter Schools. In her capacity as a member of the Board's Advisory Committee on Charter Schools (ACCS), Ms. Belisle voted to approve Pac Tech charter as a statewide benefit charter school. As the committee will recall, the Legislature created a very limited forum for the creation of statewide benefit charters. The Legislature specifically crafted charter school law to ensure that charter schools were under direct oversight of the boards in the local communities where the students are served. A very narrow exception to that local accountability was created for charter schools that could not be successful under local district or county oversight. With her vote to approve Pac Tech high – a charter school that is currently successful under local district oversight – we believe Ms. Belisle violated both the spirit and the letter of the charter school statute. The continued creation of statewide benefit charters in local communities throughout the state

3100 Beacon Boulevard
P.O. Box 1660
West Sacramento, CA 95691
(916) 371-4691
FAX (916) 371-3407



without any community collaboration, has the potential of creating great confusion for parents and districts throughout the state.

Instructional Materials Waivers. This past spring, Ms. Belisle led the SBE decision to postpone critical instructional materials waivers for dozens of school districts that were in the throes of trying to balance their budgets. While she cited the need to better understand the academic history of these districts as a reason to postpone the waivers, this action demonstrated a striking lack of consideration for the financial crisis faced by every district in the state. This crisis is so severe that the Legislature ultimately postponed all instructional material adoption and development until 2012-13. It is not appropriate to have members of the State Board of Education act in isolation of the fiscal realities in districts.

In two of the above areas, legislative leadership communicated directly with the State Board of Education to express its opposition to the Board's decisions because those decisions would clearly exceed the Board's authority. If the Senate confirms Ms. Belisle, then it is providing tacit support for the Board to conduct itself in ways contrary to direction provided by the Legislature. Legislative leadership should be deeply concerned regarding Ms. Belisle's role in those decisions.

CSBA has also become increasingly alarmed by the composition of the Board as it relates to charter school advocates. While 97 percent of students in California are enrolled in traditional public schools, a majority of the Board's current members either gain their livelihood from charter schools or work for organizations that actively advocate for charters. This imbalance has resulted in policy that favors charters and students who attend charters over the 97 percent of students who attend traditional schools.

Finally, CSBA is concerned that Ms. Belisle, as Executive Director for EdVoice, has a potential conflict of interest under the Political Reform Act (Government Code 87100 et seq. and California Code of Regulations, Title 2, section 18705.3) in that lobbying firms employed by EdVoice may lobby the State Board of Education on behalf of EdVoice. For the year 2009, EdVoice reports hiring three lobbying firms: Twohig Consulting, Tres Es Inc, and the Wada Williams Law Group. The 2009 Lobbying Registration Statements for these three groups state that they will be lobbying on educational policy issues on behalf of EdVoice; Twohig Consulting lists the State Board of Education as an agency to be lobbied; Wada Williams lists the California Department of Education, and Tres Es Inc. listx "administrative agencies" setting educational policy.

The Fair Political Practices Commission has stated that where there is a nexus between the duty owed to the source of income (i.e., salary) and the official's public duties, then the public official is disqualified from participating in the decision and from attempting to influence the decision. Such a prohibition would severely limit Ms. Belisle from effectively performing her duties on the State Board of Education.

Sincerely,



Paula S. Campbell
President

cc: Members, Senate Rules Committee; Rae Belisle, State Board of Education; Theresa Garcia, Executive Director, State Board of Education; Greg Schmidt, Executive Officer, Senate Rules Committee; Susannah Cooper, Policy Consultant, Office of the President Pro-tem; Bill Bailey, Consultant, Senator Aanestad

