

Compton Unified School District

*Serna v Eastin Consent Decree
Seventh Six-month Progress Report*

August 2002

Submitted by

Fiscal Crisis & Management Assistance Team

SERNA v EASTIN CONSENT DECREE

Introduction

This report is the seventh in a series of continuing six-month progress reports assessing the efforts made by the Compton Unified School District to continually improve the district's operations. FCMAT has been involved in the Compton Unified School District from 1998 through the end of 2001 through AB 52 legislation, and from February 2000 to the present through the Serna v Eastin Consent Decree. Both the AB 52 legislation and the Consent Decree required FCMAT to monitor and report on the district's progress at six month intervals.

FCMAT conducted a comprehensive assessment of the district during the months of May through December, 1998, and developed a recovery plan which was distributed in February 1999 for the district to implement. FCMAT has issued six-month progress reports beginning in August 1999 on the district's efforts to meet the standards of the AB 52 legislation, and beginning with the August 2000 six-month progress report, on the district's efforts to also meet the stipulations of the Serna v Eastin Consent Decree. As the standards in AB 52 were met in 2001, this is the second six-month progress report that addresses only the district's progress in meeting the stipulations of the Consent Decree.

Background

In July 1997, the ACLU and the attorneys for the Plaintiffs filed a class action lawsuit against the State Department of Education in the Los Angeles Superior Court. This lawsuit (Serna v Eastin, Case No. BC 174282) claimed that the children attending public schools in the Compton Unified School District were deprived of basic educational opportunities, which are available to children elsewhere in California.

The judgment approving the Consent Decree in the above-entitled action was entered on February 7, 2000. The Consent Decree requires continued improvement in school facilities/sites and the classroom environment. Some of the specific areas of concern that require attention under the Consent Decree include such areas as the availability of certificated teachers in every classroom, the availability of appropriate textbooks and instructional materials for students to take home, the conditions of student restrooms, the timely removal of litter and graffiti, and the repair/replacement of any faulty electrical wiring.

FCMAT was appointed by the parties to oversee compliance with the stipulations of the Consent Decree. As the parties were aware that FCMAT was engaged in monitoring the progress of the Compton Unified School District in the implementation of five recovery plans in the areas of Pupil Achievement, Financial Management, Personnel Management, Facilities Management and Community Relations as part of the requirements of AB52, the parties agreed to make parts of the CUSD recovery plans developed by FCMAT a part of the Consent Decree and subject to the compliance requirements of the Consent Decree.

The Consent Decree identified specific standards among the legal and professional standards developed by FCMAT in the operational areas of Pupil Achievement and Facilities Management that require additional attention by the district. These identified standards must meet a rating of 8 or better (on a scale of 1 to 10) in order for the standard to be determined as implemented and

sustained. These specific standards have been reviewed and their implementation progress reported during each of FCMAT's monitoring visits and six-month progress reports since August 2000. The court's action placed FCMAT in a monitoring role and required FCMAT to prepare semiannual reports on the defendants' progress in complying with the requirements of the decree.

FCMAT's third, fourth and fifth six-month progress reports in August 2000, February 2001, and August 2001, responded to the monitoring requirements of both AB52 and the Consent Decree. In the August 2001 progress report, the Compton Unified School District met the requirements for return of governing authority to the CUSD governing board under AB52. Based in part on FCMAT's recommendations, the State Superintendent of Public Instruction formally returned governing authority to the CUSD board in an executive order dated September 11, 2001, and effective December 11, 2001. The six-month report beginning with the February 2002 report, provided FCMAT's review only of those standards and stipulations identified in the Consent Decree. This report, August 2002, continues to provide a review of only those standards and stipulations identified in the Consent Decree.

FCMAT meets with the counsel for the plaintiffs and defendants every 60 days. Three meetings were held prior to the third six-month progress report in August, 2000 to discuss process, responsibilities, and progress relative to the Consent Decree. The August 2000 progress report represented the first FCMAT document addressing the stipulations of the Consent Decree. Two meetings and two random school site visitations were conducted between September and February, prior to the fourth six-month progress report in February 2001. Four meetings and a random school site visitation were conducted between March and August, prior to the fifth six-month progress report. Three meetings and a random school site visitation were conducted between September and February, prior to the February 2002 six-month progress report. Three meetings and a random school site visitation were conducted between March and August, prior to this August 2002 six-month progress report. The Compton Unified School District continues to show progress under the Consent Decree.

Meeting Compliance Requirements

Section 50 of Part VII. Termination of Consent Decree indicates the following:

50. *This Consent Decree shall terminate upon the certification by FCMAT of each of the following:*
 - a. *Defendants have complied with Sections 1-24 of this Consent Decree.*
 - b. *Defendants have implemented the facilities plan required by Section 25(a).*
 - c. *Defendants have met the scaled scores for the Pupil Achievement recovery plan and Facilities recovery plan as required by paragraph 25(b)(i).*

Section 50 (a):

The Consent Decree delineates 19 sections of stipulations (Sections 7-25) that the district must address to reach compliance. Sections 1-6 of the Consent Decree refer to definitions and general provisions. The district is fully meeting the required stipulations of 17 of the 19 sections (Sections 7-25) of the Consent Decree and is partially meeting 2 of the 19 sections of the Consent Decree. A summary of the district's efforts to comply with each of these stipulations follows on the next several pages of this report.

Section 50 (b):

To implement the facilities plan required in Section 25(a), the district continues to use all available resources to address the district's facilities needs identified in the Facilities Master Plan. All facilities projects currently being addressed with deferred maintenance or district general funds are based on the needs identified in the comprehensive Facilities Master Plan.

The district approved a Certificate of Participation (COP) in June 2002 to obtain the necessary funds to build a new K-5 elementary school. The William Jefferson Clinton Elementary School is scheduled to open in January 2003.

The district is placing a local \$80 million General Obligation Bond (GOB) on the November ballot and is seeking 55% voter approval for funds to complete the Facilities Master Plan. The project priorities for the GOB funds are based on projects identified in the Facilities Master Plan.

Section 50 (c):

Section 25 (b) of the Consent Decree identifies 30 standards of the 104 FCMAT legal and professional standards for Facilities Management, and 14 standards of the 38 FCMAT legal and professional standards for Pupil Achievement that must reach a rating of 8, on a scale of 1-10, to reach compliance. Also, all Facilities Management and all Pupil Achievement standards must reach an average rating of 7.5. The Consent Decree reads in part as follows:

Section 25.b.: The standards of the Pupil Achievement recovery plan and Facilities recovery plan are made a part of this Consent Decree and shall be subject to the compliance requirements of this Consent Decree.

25.b.i.: A list of standards for the Pupil Achievement recovery plan and Facilities recovery plan, including the current scaled scores is set forth in Exhibit "A" attached hereto and incorporated by reference. Any standard that has a scaled score of 8, 9, or 10 shall be deemed to have been implemented. Any standard that has a scaled score of less than 8 shall be addressed and improved by defendants. Compliance with a recovery plan's standards shall be deemed satisfied when FCMAT certifies that defendants have achieved an average scaled score for all such standards of 7.5 and no standard has received a scaled score of less than 4. In addition, compliance shall not be deemed achieved unless the following standards have received a score of at least 8:

- 1) Pupil Achievement: 1.2; 1.4; 1.5; 1.10; 1.11; 1.16; 1.20; 1.21; 1.23; 1.25; 2.3; 2.6; 2.9; 2.10*
- 2) Facilities: 1.3; 1.6; 1.7; 1.8; 1.9; 1.12; 1.14; 1.17; 2.1; 2.3; 2.4; 2.5; 2.6; 3.4; 3.8; 3.10; 6.2; 6.3; 8.5; 8.6; 8.8; 8.9; 8.10; 8.12; 9.3; 9.4; 9.7; 9.8; 9.10; 9.11.*

In Facilities Management, the current average rating of all Facilities Management standards at this six-month reporting period is **8.64**, exceeding the 7.5 required average rating stipulated by the Consent Decree. No standards have a scaled score of less than 4. Twenty-eight of the thirty identified Facilities Management standards have reached a rating of 8 or better as required. The remaining two standards must reach a rating of 8 or better to achieve full compliance in the operational area of Facilities Management.

In Pupil Achievement, the current average rating of all Pupil Achievement standards at this six-month reporting period is **7.61**, exceeding the 7.5 required average rating stipulated by the Consent Decree. No standards have a scaled score of less than 4. Four of the 14 identified Pupil Achievement standards have reached a rating of 8 or better as required. The remaining ten standards must reach a rating of 8 or better to achieve full compliance in the operational area of Pupil Achievement.

The district continues to make progress in addressing the stipulations of the Consent Decree. Significant progress has been made in meeting the requirements for termination of the Consent Decree as delineated in Sections 50 (a) and (c). The implementation of the facilities plan, as required in Section 50 (b) for termination of the Consent Decree, may take some time, as funds to address the facilities needs identified in the district's comprehensive Facilities Master Plan will require state funding support, and state funds are currently not available. The district has all of its modernization and construction projects approved for state funding. Funding from the state will be dependent on the successful passage of state General Obligation Bonds to support district facilities projects.

Summary of Findings and Recommendations Related to the Consent Decree

FCMAT was appointed by the parties to oversee compliance with the Consent Decree. This section provides the reader with FCMAT's summary of the findings and recommendations related to Sections 7-25 of the Consent Decree. Many of the FCMAT standards for Pupil Achievement and Facilities Management address the concerns raised in Sections 7-25 of the Consent Decree. A more detailed review of these standards can be found in the Pupil Achievement and Facilities Management sections of this report.

Consent Decree Stipulations Related to Pupil Achievement

There are several stipulations within the Consent Decree that relate to and affect pupil achievement. These stipulations include: Availability of Textbooks, Presence of Certificated Teachers, Employee Absenteeism, Established Homework Policy, Retention and Promotion Policy, Passing of CBEST, and Race Relations. Several FCMAT standards in the Pupil Achievement operational area are also affected by an additional compliance requirement of needing to reach a rating of 8 (on a scale of 1-10) to be deemed compliant. These specific standards are listed in the chart of Pupil Achievement standards in the Pupil Achievement section of this report.

Consent Decree Section 8 (Textbooks)

The requirements of Section 8 are being met by the district. The district has purchased class sets of texts in English and mathematics, as well as sufficient texts in English, mathematics and History/Social Science to assign a text to each student for use at home. Although the purchase of class sets is not a requirement, the class sets allow students not to have to carry their assigned text to and from school. The purchase of the newly adopted science texts will be delayed until sufficient quantities of texts in English, History/Social Science and mathematics have been acquired. Science texts from a prior adoption are currently available for student use. New science texts for advanced courses have been purchased. The district has prepared an inventory of all existing textbooks. *(See related Pupil Achievement Standard 1.25 – Current Rating: 7. An additional stipulation requires that Standard 1.25 reach an 8.)*

Consent Decree Section 11 (Presence of Certificated Teachers)

The requirements of Section 11 are being met by the district. Certificated teachers are present in each classroom each day. Efforts have been made by the district to increase the substitute list. The district has been unable to maintain a list of certificated substitutes in sufficient numbers to meet absences. The principal has been assigned responsibility for ensuring that children without certificated teachers receive appropriate instruction. Other certificated site staff (counselor, resource teacher, administrator) must substitute if qualified substitutes are not available at the site. *(See related Personnel Management Standard 8.2 – Current Rating: 9. Standard 8.2 is not required to reach an 8.)*

Consent Decree Section 12 (Absenteeism)

The requirements of Section 12 are being met by the district. The district assigns non-instructional certificated staff to substitute when regular substitutes are not available for teacher absences. The district requires each site to address ways to reduce employee absenteeism in their school site plans. Staff absentee reports are provided to the sites for administrators to review. *(See related Personnel Management Standard 8.2 – Current Rating: 9. Standard 8.2 is not required to reach an 8.)*

Consent Decree Section 13 (Homework)

The requirements of Section 13 have been met. The district has developed and implemented a district wide homework policy. A monthly certification by the site principals that a homework policy is being implemented is submitted to the district office. Parent notifications regarding the homework policy are sent home at the beginning of each semester. The parent handbook, Guidelines for Parents, contains the district's homework policy. The handbook is updated annually and distributed to parents. Schools should keep the signed acknowledgement of receipt forms from parents. *(See related Pupil Achievement Standards 1.2 – Current Rating: 7, and 1.11 – Current Rating: 7. An additional stipulation requires that Standards 1.2 and 1.11 reach an 8.)*

Consent Decree Section 19 (Student Promotion)

The requirements of Section 19 have been met. The district has developed a promotion/acceleration/retention policy, Policy No. 5123. The board adopted this policy on April 11, 2000. Information on the policy was distributed to parents through the Parent Handbook, Guidelines for Parents. Plaintiffs' counsel was invited to provide written comments on the draft policy. A copy of the policy was sent to Plaintiff's counsel for written comment. No response was received. *(See related Pupil Achievement Standards 1.5 – Current Rating: 6, and 1.16 – Current Rating: 6. An additional stipulation requires that Standards 1.5 and 1.16 reach an 8.)*

Consent Decree Section 20 (CBEST)

The requirements of Section 20 are being met. The district identifies teachers without clear credentials and their length of employment. The district limits the number of teachers on CBEST waivers and monitors teachers who have not passed the CBEST. To minimize the disruption of student instruction, the parties to the Consent Decree have agreed that teachers may be released at the end of the school year, rather than at their hire date. The district continues to provide CBEST training several times each year for teachers who have not yet passed CBEST. An annual report of the number of non-credentialed teachers and those who do not have a clear credential and the length of their employment is provided to the board. *(See related Personnel Management Standard 3.10 – Current Rating: 10. Standard 3.10 is not required to reach an 8.)*

Consent Decree Section 24 (Race Relations)

The requirements of Section 24 have been partially met by the district. The district parent advisory council works to promote positive race relations among the various ethnic groups in the community. The district has purchased instructional materials on the Hispanic cultural experience and the African-American cultural experience. Curriculum staff are working to incorporate these materials into the Social Science curriculum. The district formally celebrated Cesar Chavez's birthday this year (2002). Secondary school sites have established student-directed Human Relations Clubs to assist in planning and implementing the activities in observation of these cultural events. *(See related Pupil Achievement Standard 1.10 – Current Rating: 7. An additional stipulation requires that Standard 1.10 reach an 8.)*

Consent Decree Stipulations Related to Facilities Management

There are several stipulations within the Consent Decree that relate to and affect school facilities. These stipulations include: Condition of Bathrooms, Broken Windows, Electrical, Security Plan, Emergency Drills, Litter, Drinking Water, Site Committees, Food Service, Parent Volunteer Strategies, and Central Telephone Number for Facilities Complaints. Several FCMAT standards in the Facilities Management operational area are also affected by an additional compliance requirement of needing to reach a rating of 8 (on a scale of 1-10) to be deemed compliant. These specific standards are listed in the chart of Facilities Management standards in the Facilities Management section of this report.

Consent Decree Section 7 (Bathrooms)

The requirements of Section 7 are being met by the district. All site bathrooms continue to be inspected a minimum of three times daily by the principal and/or other staff. Records of this monitoring process are maintained at the site for inspection. The bathrooms are monitored during periodic, unannounced site visits to school campuses. A FCMAT representative uses a checklist to monitor compliance with Consent Decree stipulations. All written documents and logs are reviewed and any needed follow-up discussed with the site administrator. Generally, bathrooms are safe, supplied and operable. The district has completed 21 restroom renovations during the 2001-02 school year. Four bathroom monitors have been hired at each high school. *(See related Facilities Management Standard 9.4 – Current Rating: 8. An additional stipulation required that Standard 9.4 reach an 8.)*

Consent Decree Section 9 (Broken Windows)

The requirements of Section 9 are being met by the district. Identified boarded windows are replaced with clear glass, or other clear permanent material. Certain windows are allowed to be boarded for safety and property protection. Broken windows are replaced as soon as possible. Materials used to temporarily secure broken windows require that a date and time of the repair be affixed on the material. Sites are monitored regularly to ensure compliance. *(See related Facilities Management Standard 1.12 – Current Rating: 9. An additional stipulation required that Standard 1.12 reach an 8.)*

Consent Decree Section 10 (Electrical)

The requirements of Section 10 are being met by the district. Plant managers have been directed to conduct a monthly electrical site inspection and report their findings to the Facilities Division. These monthly reports have been documented. A FCMAT representative visits all school sites on a regular basis to check for any hazardous conditions, including broken or loose wiring. Reports of conditions needing attention are reported to the Facilities Division. The district has established an emergency hot line for use, and has designated any electrical hazard as an emergency condition. The district's timeline for responding to emergencies is 15 minutes. The district and plaintiff's counsel selected a licensed electrician to conduct site inspections of specific identified sites in the 2000-2001 school year. Inspection of two high school sites by the licensed electrician occurred in Fall 2000, and inspection of the third high school occurred in spring 2001. *(See related Facilities Management Standard 9.8 – Current Rating: 8. An additional stipulation requires that Standard 9.8 reach an 8.)*

Consent Decree Section 14 (Security Plan)

The requirements of Section 14 have been met by the district. There is a districtwide security plan. School sites have established school site safety committees to continually determine safety concerns and recommend remedial action to the district office. The district security committee referenced in the Consent Decree has been established. The committee has input into updates of the district wide security plan. Parents have been encouraged to participate in school security patrols. Monitored intrusion alarm systems have been installed in the district's schools. The district's police force continues to work with site safety committees. The district also has recently been involved with community agencies in planning for more wide-spread community disasters. *(See related Facilities Management Standard 1.3 – Current Rating: 9. An additional stipulation required that Standard 1.3 reach an 8.)*

Consent Decree Section 15 (Emergency Drills)

The requirements of Section 15 are being met by the district. Written emergency plans are available at the school sites. The stipulation requiring that every school site have a fire warning system required by Education Code Section 32001 has been met by the district. Several schools are awaiting an upgrade from a bell system to a strobe fire alarm system. The required fire and earthquake drills are practiced and recorded according to the pertinent education code sections. These records are reviewed by district personnel and by a FCMAT representative. *(See related Facilities Management Standard 1.9 – Current Rating: 9. An additional stipulation required that Standard 1.9 reach an 8.)*

Consent Decree Section 16 (Litter)

The requirements of Section 16 are being met by the district. The district has a graffiti abatement program in place, which is one of immediate removal. School campuses are inspected regularly and graffiti is removed immediately. Daily inspections by site principals have improved campus cleanliness. Playground equipment has been repaired or removed. The community service program in which all children are encouraged to perform five hours of community service per semester for litter removal is implemented at a few schools. A proposed revision to the high school graduation requirements would mandate 45 hours, a 2.5 credit requirement, of community service for all students. *(See related Facilities Management Standard 1.8 – Current Rating: 10, and 1.14 – Current Rating: 9. Additional stipulations required that Standards 1.8 and 1.14 reach an 8.)*

Consent Decree Section 17 (Drinking Water)

The requirement of Section 17 has been met by the district. Drinking water is readily available to all children at all school sites. *(See related Facilities Management Standard 8.10 – Current Rating: 9. An additional stipulation required that Standard 8.10 reach an 8.)*

Consent Decree Section 18 (Site Committees)

The requirements of Section 18 are being met by the district. The district established a representative community committee to assist in the development of the district's Facilities Master Plan. As part of the district's modernization construction applications, a facilities inventory was conducted. The school site safety committees and/or site advisory councils established at all school sites, continue to conduct site inspections and monitor safety needs at the school. The governing board has established a facilities sub-committee and conducts periodic site visits to review the

facilities. *(See related Facilities Management Standards 1.12 – Current Rating: 9, 1.14 – Current Rating: 9, and 9.11 – Current Rating: 8. Additional stipulations required that Standards 1.12, 1.14 and 9.11 reach an 8.)*

Consent Decree Section 21 (Food Service)

The requirement of Section 21 has been met by the district. The inspections conducted by the Los Angeles County Health Department of the site cafeterias for the 2000-2001 school year were shared with the school site committees. There were no inspections conducted by the County Health Department during the 2001-2002 school year. The district has been informed by the County Health Department that inspections of school cafeterias are usually conducted only in response to a complaint. All district cafeteria managers and cooks participate in the Serve-Safe national certification program. The district boasts three food services employees who are trainers in this certification program. *(See related Facilities Management Standard 9.3 – Current Rating: 8. An additional stipulation requires that standard 9.3 reach an 8.)*

Consent Decree Section 22 (Central Telephone Number for Facilities Complaints)

The requirements of Section 22 have been partially met by the district. Communication with the community about facilities issues is ongoing and continual. The district has established a facilities emergency hot line for school sites to utilize. The types of emergencies reported are being tabulated. The Facilities Division can be reached by the public through the district's central voice messaging system. The district is participating in the WE-TIP program, which provides a number for community members to make anonymous tips to the district concerning facilities and safety issues. Tabulation of the number and nature of the calls received and the disposition of the complaints need to be provided in a quarterly report that is available to counsel for the plaintiffs and the public. *(See related Facilities Management Standard 11.2 – Current Rating: 8. Standard 11.2 was not required to reach an 8.)*

Consent Decree Section 23 (Volunteerism)

The requirements of Section 23 are being met. The district continues to work to ensure parents and community members feel welcome in the schools. The "Volunteers in Public Schools" (VIPS) handbook was developed and approved by the board in the 1999-2000 school year. This document provides direction to volunteers about becoming involved in their schools. Parents are actively recruited to volunteer and the district does an excellent job providing recognition programs. Year-end recognition dinners were held in spring, 2001 and 2002 to recognize two outstanding volunteers from each school in the district. Approximately 150 people attended the dinner held in May 2002. The recognition dinner is intended to be an annual event and the date has already been scheduled for May 2003. The number of volunteer hours at each school site are recorded and tabulated. Parents and community members are more greatly involved in educational decision-making. In the 2001-2002 school year, parents and community members were involved in the superintendent search process, and in the decision to implement a full-day kindergarten program in the district. *(See related Facilities Management Standard 10.1 – Current Rating: 10. Standard 10.1 was not required to reach an 8.)*

Consent Decree Section 25 (Additional Compliance Requirements)

The requirements of Section 25 have been met by the district. A comprehensive Facilities Master Plan was developed by the district and was approved by the Advisory Board in August 2000. A

Facilities Implementation Plan, providing a timeline for implementing the recommendations within the Facilities Master Plan, and identifying possible sources of state and district funds to support the implementation was approved by FCMAT on August 10, 2001, and adopted by the Advisory Board in August 2001. The district continues to make progress towards meeting a score of 8 on the standards identified in the consent decree as needing to reach a rating of 8 to be deemed implemented. *(See related Facilities Management Standards 2.1 – Current Rating: 10, and 3.10 – Current Rating: 9. Additional stipulations required Standards 2.1 and 3.10 to reach an 8.)*

HISTORICAL BACKGROUND - LEGISLATION AND STATE RECEIVERSHIP OF COMPTON UNIFIED SCHOOL DISTRICT

In July 1993, Assembly Bill 657/Murray (Statutes of 1993, Chapter 78) appropriated \$10.5 million in the form of an emergency loan for the Compton Unified School District. This loan required the appointment of a state administrator who would exercise the powers and responsibilities of the governing board. In October 1993, Assembly Bill 1708/Murray (Statutes of 1993, Chapter 924) provided a second emergency loan of \$9.45 million. This loan required the district to comply with Education Code Section 41325, which continued the assignment of the state administrator. In September 1993, Assembly Bill 33/Murray (Statutes of 1993, Chapter 455) provided further clarification and conditions regarding the emergency apportionment. This bill stipulated that the state administrator retain authority for the operation of the district until such time as the Superintendent of Public Instruction determined the district had met the fiscal requirements and has made demonstrated academic progress.

The above mentioned legislation required the loan to be repaid and the academic performance of the district to improve prior to the board being restored its legal rights, duties, and powers. The district made the 6th and final loan payment in June 2001. In the six years following 1996, the district repaid a total of \$23,458,061 in loans and interest. The last payment was made in June 2001.

Through Assembly Bill 52/Washington (Statutes of 1997, Chapter 767), the legislature stated its intent to return the designated legal rights, duties, and powers of governance to the Compton Unified School District Board of Trustees. In addition to the above bills, AB 52 required the assessment of five major operational areas of school district operation: Community Relations, Personnel Management, Pupil Achievement, Financial Management, and Facilities Management. AB 52 required FCMAT and the state administrator, in consultation with other specified entities, to conduct comprehensive assessments and to develop specified recovery plans in the five designated areas.

In addition to a systemic, districtwide assessment and the development of a recovery plan, FCMAT was required to determine whether the school district made substantial and sustained progress in the five designated areas. Where there was substantial and sustained progress, FCMAT recommended to the Superintendent of Public Instruction the operational areas of school operation that should be returned to the governing board of the CUSD. As a result of this requirement, an incremental return of the legal rights, duties, and powers to the governing board occurred over time. The State Superintendent of Public Instruction formally returned full governing authority of all operational areas to the CUSD board in an executive order dated September 11, 2001, and effective December 11, 2001.

Incremental Return of Legal Rights, Duties and Powers in Designated Operational Areas to CUSD

FCMAT's third six-month progress report, in August 2000, recommended to the Superintendent of Public Instruction that the designated operational areas of Community Relations and Facilities Management be returned to the Governing Board of the Compton Unified School District. The Superintendent acted to return the two operational areas to the Governing Board in January 2001. The SPI also authorized the governing board to select and hire a district superintendent.

The fourth six-month report in February 2001, recommended that the operational area of Pupil Achievement be returned to the Governing Board of the Compton Unified School District. Although academic performance remained below average, academic performance scores continued to increase. The district had focused efforts on improving student performance and had procedures in place to identify and address student deficiencies. However, the Superintendent of Public Instruction did not return governance of Pupil Achievement to the governing board as recommended by FCMAT in its fourth six-month progress report. The SPI indicated, in a letter to the district dated March 26, 2001, that the district would benefit from additional time to determine how well the academic processes being implemented perform. The SPI also indicated that it would be prudent to evaluate the district's spring testing results to determine the effectiveness of the steps taken by the district in the last year.

In the fifth six-month progress report in August 2001, FCMAT recommended that the operational areas of Personnel Management and Financial Management be returned to the governing board of the Compton Unified School District. Additionally, it was recommended that the operational area of Pupil Achievement be returned to the governing board as recommended in the fourth six-month progress report. The district had also selected and hired a district superintendent who assumed the position in August 2001. The State Superintendent of Public Instruction formally returned governing authority for all operational areas to the CUSD board in an executive order dated September 11, 2001, and effective December 11, 2001. The SPI further assigned the State Administrator to serve as the State Trustee in an oversight capacity for two years.

Executive Action on Return of Legal Rights, Duties and Powers in Designated Operational Areas to CUSD

Executive Order, January 2001, Response to Third Six-Month Progress Report:

The Superintendent of Public Instruction, on January 30, 2001, formally notified the Compton USD Governing Board of executive action taken to restore the Board's rights, duties, and obligations in the operational areas of Community Relations and Facilities Management. A copy of this notice is included in the appendix of this report.

The Superintendent of Public Instruction, in negotiations with the Compton Governing Board over the process of incremental return of powers, agreed to remove the term "advisory" from the Compton Governing Board's title, provide the reinstatement of stipends and benefits upon the recommended return of another operational area of governance, and authorize the Board to begin the search process for a permanent superintendent. Upon completion of the search process, the governing board shall have final authority to select a permanent superintendent from amongst the candidates.

The Superintendent of Public Instruction indicated that the State Administrator would serve as the district's interim superintendent for the areas over which the Compton Board has authority, and would serve as the State Administrator for the areas over which the Compton Board does not have authority. The SPI recognized the Board's desire to hire an interim superintendent for the two areas returned, Community Relations and Facilities Management. However, the Superintendent of Public Instruction determined that "waiting a few months until the permanent superintendent is in place will provide for a smoother transition."

The district, with the assistance of CSBA, has since completed a superintendent search process, and has unanimously selected and appointed a superintendent to begin work in the district August 20, 2001.

Executive Order No. 2, March 2001, Response to Fourth Six-Month Progress Report:

The Superintendent of Public Instruction, on March 26, 2001, formally notified the Compton USD Governing Board of executive action to establish the board "stipend authorized under Education Code section 35120, and such health benefits as are authorized under District policy and law. In all other respects, the Superintendent's January 30, 2001 Executive Order remains in effect."

The Superintendent of Public Instruction indicated that the District would benefit by having the management of the operational area of Pupil Achievement remain for additional time under the direct administration of the State Administrator. The SPI indicated that should appropriate progress be demonstrated in the area of Pupil Achievement, the return of local control in this operational area could be returned to the district in the fall.

The SPI also commented on the concerns raised by FCMAT as to whether the Board was embracing the proper exercise of its governing authority. She indicated her concern as to the readiness of the Board to effectively fulfill its policymaking role.

Executive Order No. 3, September 2001, Response to Fifth Six-Month Progress Report:

The State Superintendent of Public Instruction issued Executive Order No. 3 which restored full control to the governing board effective December 11, 2001. The executive order recognized that the Compton Unified School District showed “substantial and sustained improvement in all remaining areas not presently under local control.” The order further indicated that “the state administrator shall assume the powers of the State Trustee . . . governing the oversight of the Compton Unified School District.” “Effective September 11, 2001, personnel commission members shall be entitled to the maximum stipend authorized under EC 45250.”

Standards Based Assessment Process

For schools and school districts to be successful in program improvement, the evaluation, design and implementation of the recovery plans must be standards driven. When standards are clearly defined, reachable, and communicated, there is a greater likelihood they will be measured and met.

The Compton Unified School District was measured on a consistent rating format, and every standard was given a scaled score from zero to 10 as to its relative status of completeness. The following represents a definition of terms and scaled scores applied to this process. The single purpose of the scaled score was to establish a baseline of information by which the district's gains and achievement in each of the standard areas could be measured.

- **Not Implemented (Scaled Score of 0)**

There is no significant evidence that the standard is implemented.

- **Partially Implemented (Scaled Score of 1 through 7)**

A partially implemented standard lacks completeness, and it is met in a limited degree. The degree of completeness varies as defined:

1. Some design or research regarding the standard is in place that supports preliminary development. (Scaled Score of 1)
2. Implementation of the standard is well into the development stage. Appropriate staff is engaged and there is a plan for implementation. (Scaled Score of 2)
3. A plan to address the standard is fully developed, and the standard is in the beginning phase of implementation. (Scaled Score of 3)
4. Staff is engaged in the implementation of most elements of the standard. (Scaled Score of 4)
5. Staff is engaged in the implementation of the standard. All standard elements are developed and are in the implementation phase. (Scaled Score of 5)
6. Elements of the standard are implemented, monitored and becoming systematic. (Scaled Score of 6)
7. All elements of the standard are fully implemented, are being monitored, and appropriate adjustments are taking place. (Scaled Score of 7)

- **Fully Implemented (Scaled Score of 8 through 10)**

A fully implemented standard is complete relative to the following criteria.

8. All elements of the standard are fully and substantially implemented and are sustainable. (Scaled Score of 8)
9. All elements of the standard are fully and substantially implemented and have been sustained for a full school year. (Scaled Score of 9)
10. All elements of the standard are fully implemented, are being sustained with high quality, are being refined, and have a process for ongoing evaluation. (Scaled Score of 10)

By utilizing a standards based approach, FCMAT was able to incorporate a scaled score to measure progress and to establish an acceptable level for the return of the Board's legal rights, duties and powers. AB 52 expressed the legislative intent that the Board be returned its designated legal rights, duties and powers through an incremental process. To implement this intent, FCMAT established a standard for the return of the legal rights, duties and powers. This standard was based upon the scaled score system. When the average rating in an operational area reached a level of 6.00 and no individual standard was below 4.00, FCMAT recommended to the Superintendent of Public Instruction the incremental return of that operational area to the school district.