

Board Office Use: Legislative File Info.	
File ID Number	21-1544
Introduction Date	6/9/2021
Enactment Number	21-1014
Enactment Date	6/16/2021 lf



Board Cover Memorandum

To Board of Education

From Shanthi Gonzales, Board President
Mike Hutchinson, Board Member

Meeting Date June 16, 2021

Subject Resolution No. 2021-0164 - Opposing the Automatic Two-Year Extension of Charter Terms

Ask of the Board Approval by the Board of Education of Resolution No. 2021-0164 - Opposing the Automatic Two-Year Extension of Charter Terms

Background California law describes the process by which school districts review renewal petitions from charter schools and it dictates that districts make renewal decisions based on a variety of factors of which student outcomes are only one. The Governor’s Proposed K-12 Education Trailer Bill (as of May 30, 2021) would automatically extend the terms of most existing charter schools by adding Section 47607.4 to the Education Code, which would read as follows

Notwithstanding the renewal process and criteria established in Sections 47605.9, 47607, and 47607.2 or any other law, effective July 1, 2021, all charter schools whose term expires on or between January 1, 2022, and June 30, 2025, inclusive, shall have their term extended by two years.

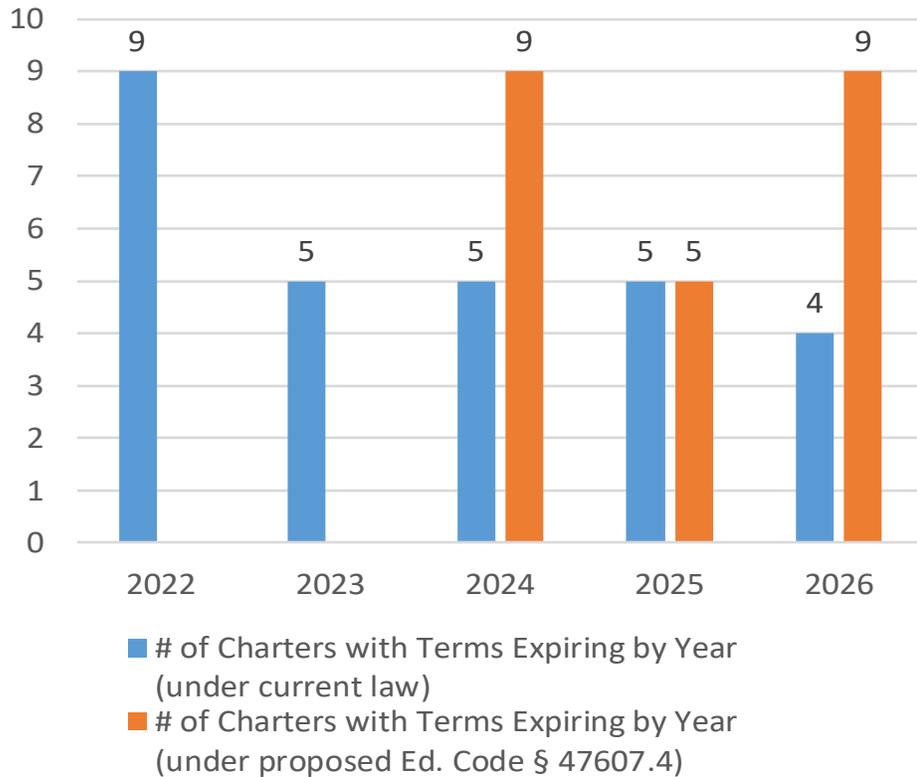
The Governor’s Proposed K-12 Education Trailer Bill does not have any similar provision for the districts such as OUSD, which has been engaged with the County Office of Education and the California Collaborative for Educational Excellence because of now-outdated student outcome data; and

Discussion Currently, there are 24 charter schools authorized by OUSD with current terms that expire between January 1, 2022 and June 30, 2025. Of those 24 schools:

- 9 have terms ending June 30, 2022,
- 5 have terms ending June 30, 2023,
- 5 have terms ending June 30, 2024, and
- 5 have terms ending June 30, 2025.

Figure 1 illustrates the impact that Section 47607.4 would have on the renewal timing of OUSD-authorized charter schools.

Figure 1



If adopted, the Resolution would (i) formally express the Board’s strong opposition to the inclusion of Section 47607.4, as written, in the Governor’s Proposed K-12 Education Trailer Bill, (ii) direct the Superintendent to engage the District’s lobbyists and any other existing resources or connections available to the District to advocate against the inclusion of Section 47607.4, as written, in the Governor’s Proposed K-12 Education Trailer Bill, (iii) directs the Superintendent and General Counsel to explore all possible means to challenge the inclusion of Section 47607.4, as written, in the Governor’s Proposed K-12 Education Trailer Bill; and (iv) encourages other school districts as well as statewide associations and advocacy organizations to join with the District and oppose the inclusion of Section 47607.4, as written, in the Governor’s Proposed K-12 Education Trailer Bill.

This resolution was introduced on June 9, 2021 and now comes before the Board for approval.

Fiscal Impact

None.

Attachment(s)

- Resolution No. 2021-0164 - Opposing the Automatic Two-Year Extension of Charter Terms

**RESOLUTION OF THE
BOARD OF EDUCATION OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

Resolution No. 2021-0164

Opposing the Automatic Two-Year Extension of Charter Terms

WHEREAS, state law describes the process by which school districts review renewal petitions from charter schools and dictates that districts make renewal decisions based on a variety of factors of which student outcomes are only one;

WHEREAS, the Governor's Proposed K-12 Education Trailer Bill (as of May 30, 2021) would add Section 47607.4 to the Education Code to read as follows: "Notwithstanding the renewal process and criteria established in Sections 47605.9, 47607, and 47607.2 or any other law, effective July 1, 2021, all charter schools whose term expires on or between January 1, 2022, and June 30, 2025, inclusive, shall have their term extended by two years";

WHEREAS, there are twenty four (24) charter schools authorized by OUSD with current terms that expire between January 1, 2022 and June 30, 2025;

WHEREAS, of those 24 schools:

- nine (9) schools have terms ending June 30, 2022,
- five (5) schools have terms ending June 30, 2023,
- five (5) schools have terms ending June 30, 2024, and
- five (5) schools have terms ending June 30, 2025;

WHEREAS, the impact of Section 47607.4 would deny the ability of the Board of Education to properly and timely review a significant number of charter petitions, including some that may not otherwise have their petitions renewed if they fail to meet the criteria necessary for renewal;

WHEREAS, the Governor's Proposed K-12 Education Trailer Bill does not have any similar provision for the districts such as OUSD, which has been engaged with the County Office of Education and the California Collaborative for Educational Excellence because of now-outdated student outcome data; and

WHEREAS, Section 47607.4 undermines the spirit of local control and the new charter school policy framework enacted under Assembly Bill No. 1505.

NOW, THEREFORE, BE IT RESOLVED, the Board of Education is strongly opposed to the inclusion of Section 47607.4, as written, in the Governor's Proposed K-12 Education Trailer Bill;

BE IT FURTHER RESOLVED, the Board directs the Superintendent to engage the District's lobbyists and any other existing resources or connections available to the District to advocate against the inclusion of Section 47607.4, as written, in the Governor's Proposed K-12 Education Trailer Bill;

BE IT FURTHER RESOLVED, the Board directs the Superintendent and General Counsel to explore all possible means to challenge the inclusion of Section 47607.4, as written, in the Governor's Proposed K-12 Education Trailer Bill; and

BE IT FURTHER RESOLVED, the Board encourages other school districts as well as statewide associations and advocacy organizations to join with the District and oppose the inclusion of Section 47607.4, as written, in the Governor's Proposed K-12 Education Trailer Bill.

PASSED AND ADOPTED on June 16, 2021, by the Governing Board of the Oakland Unified School District by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

AYES: Aimee Eng, VanCedric Williams, Mike Hutchinson, Vice President Benjamin "Sam" Davis, and President Shanthi Gonzales

NOES: Gary Yee and Clifford Thompson

ABSTAINED: None

RECUSED: None

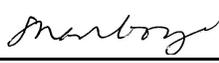
ABSENT: Samantha Pal (Student Director) and Jessica Ramos (Student Director)

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on June 16, 2021.

Legislative File	
File ID Number:	21-1544
Introduction Date:	6/9/21
Enactment Number:	21-1014
Enactment Date:	6/16/2021 lf

OAKLAND UNIFIED SCHOOL DISTRICT



Shanthi Gonzales
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education