

Board Office Use: <b>Legislative File Info.</b>	
File ID Number	20-2063
Introduction Date	10/14/2020
Enactment Number	
Enactment Date	



# Memo

**To** Board of Education

**From** Jumoke Hinton-Hodge, School Board Member

**Board Meeting Date** October 14, 2020

**Subject** Resolution No. 2021-0090 - Fannie Lou Hamer Resolution in Support of Proposition 16 and the Fight for Racial and Gender Equality

**Action** Adoption by the Board of Education of Resolution No. 2021-0090 - Fannie Lou Hamer Resolution in Support of Proposition 16 and the Fight for Racial and Gender Equality

**Background** Proposition 209, approved by California in 1996, prohibited the state from granting preferential treatment on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, and public contracting. Prop. 209, then, ended all public affirmative action programs.

**Discussion** Proposition 16, on the November 2020 ballot, would repeal Proposition 209. If approved by voters, Proposition 16 would:

- provide OUSD the opportunity to—within the limits of the US Constitution—implement race-based and gender-based affirmative action programs in public employment, public education, and public contracting;
- give the District more tools to improve the recruitment and retention of teachers of color;
- help ensure women, especially women of color, have equal access to promotions and leadership positions in the public sector; and
- support the District’s efforts to fulfill the promise of Local Control and address the inequitable outcomes of OUSD students based, at least in part, on race and gender.

**Fiscal Impact**

N/A

**Attachment**

Resolution No. 2021-0090 - Fannie Lou Hamer Resolution in Support of Proposition 16 and the Fight for Racial and Gender Equality

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

**RESOLUTION NO. 2021-0090**

**FANNIE LOU HAMER RESOLUTION IN SUPPORT OF PROPOSITION 16 AND THE FIGHT  
FOR RACIAL AND GENDER EQUALITY**

**WHEREAS**, the vision of the Oakland Unified School District (“District” or “OUSD”) is to ensure that all OUSD students find joy in their academic experience while graduating with the skills to ensure they are caring, competent, fully-informed, critical thinkers who are prepared for college, career, and community success;

**WHEREAS**, Proposition 16, which is on the November 2020 ballot, is a constitutional amendment that would repeal Proposition 209 that banned the use of race-based and gender-based affirmative action in California;

**WHEREAS**, Proposition 16 would provide OUSD the opportunity to - within the limits of the US Constitution - implement race-based and gender-based affirmative action programs in public employment, public education, and public contracting;

**WHEREAS**, Board Policy 5032 - Equity Policy commits the District to explicitly identifying and addressing all disparities in educational outcomes for the purpose of targeting areas for action, intervention and investment. Eliminating individual and institutional bias (e.g. race-based, identity bias, economic) will increase achievement and graduation rates for all students, while narrowing the academic and opportunity gaps between the highest and lowest performing students. Just like Proposition 16, the primary focus of the District’s Equity Policy is on race and ethnicity; the District also acknowledges the many other bases for social inequalities and oppression, including (but not limited to) gender, gender identity, gender expression, sexual orientation, socioeconomic status, religion, and national origin;

**WHEREAS**, Proposition 16 will, among other things, create an opportunity to strengthen resources in TK-12 schools designed to promote greater educational opportunities for girls;

**WHEREAS**, OUSD is a Sanctuary School District focused on protecting and educating all students regardless of legal status and national origin;

**WHEREAS**, Board Policy 7115 - Capital Program/Construction Related Local, Small Local and Small Local Resident Business Enterprise Program commits the District to supporting small and local business of Oakland that are traditionally owned by people of color and women; and

**WHEREAS**, Proposition 209 has suppressed opportunities for real and meaningful racial dialogue. The George Floyd Resolution seeks to address the unnecessary exposure of students

to police as well as the school-to-prison pipeline, commits the Board “to ensuring that Board members themselves attend and receive unconscious or implicit bias and anti-racism training,” and directs “the Superintendent to implement training for all staff –including instructional, teaching, and other certificated staff – in the areas of instruction as well as unconscious or implicit bias, anti-racism.”

**NOW, THEREFORE, BE IT RESOLVED THAT,** the Board endorses and is in full support of the passage of Proposition 16;

**BE IT FURTHER RESOLVED THAT,** Proposition 16 will undo the limits on the District’s ability to target and address racial inequity that hinders the academic and social emotional success of students;

**BE IT FURTHER RESOLVED THAT,** Proposition 16 give the District more tools to improve the recruitment and retention of teachers of color;

**BE IT FURTHER RESOLVED THAT,** Proposition 16 will help ensure women, especially women of color, have equal access to promotions and leadership positions in the public sector;

**BE IT FURTHER RESOLVED THAT,** Proposition 16 will enable the District to be more intentional in its efforts to fulfill the obligation of BP 7115;

**BE IT FURTHER RESOLVED THAT,** Proposition 16 will support the District’s efforts to fulfill the promise of Local Control and address the inequitable outcomes of OUSD students based, at least in part, on race and gender.

Passed by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

ABSTAINED:

RECUSE:

ABSENT:

**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 October 14, 2020.

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By:	

**OAKLAND UNIFIED SCHOOL DISTRICT**

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Jody London  
President, Board of Education

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Kyla Johnson-Trammell  
Superintendent and Secretary, Board of Education