



Legislative Report for the Oakland Unified School District

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For More Information:

pamela@kstreet.us.com

sandra@kstreet.us.com

afrack@kstreet.us.com

(916) 658-1688

New Support Position Recommendations

AB 1172 (Mendoza – D) Charter schools: petition for establishment: decision to grant or deny.

Recommended Position:
SUPPORT

Approved Position:

Date:

Current law requires the governing board of a school district, within 60 days of the receipt of a petition for the establishment of a charter school, to either grant or deny the charter, as specified. Current law prohibits the governing board of a school district from denying a petition unless the governing board makes written factual findings in support of one or more specified findings. This bill would include the finding that the charter school would have a negative fiscal impact on the school district, as specified, among those findings upon which a school district may base denial of a petition for the establishment of a charter school.

This bill was recently read for the first time in the Senate, and referred to the Rules Committee for assignment.

SB 81 (Committee on Budget and Fiscal Review) Budget Act of 2011.

Recommended Position:
SUPPORT

Approved Position:

Date:

Under current law, the amount of revenue that a district may collect annually for general purposes, called a revenue limit, is calculated in accordance with various statutory formulas. A basic aid school district is a school district where property tax revenues exceed the revenue limit and the district consequently does not receive a state apportionment. Current law also expresses legislative intent that basic aid school districts assume categorical funding reductions proportionate to the revenue limit reductions implemented for nonbasic aid school districts in the 2008-09 and 2009-10 fiscal years. Current law requires calculations to implement the funding reductions, including, in specified circumstances, subtracting an amount determined by multiplying each district's 2011-12 fiscal year total revenue limit, subject to a specified deficit factor and calculated as specified, by 8.92%. This bill would instead require each district's 2011-12 fiscal year total revenue limit to be multiplied by 9.57%.

This bill was enrolled and presented to the governor for approval.

ACA 21 (Feuer – D) Taxation: educational entities: parcel tax.

Recommended Position:
SUPPORT

Approved Position:

Date:

This bill would condition the imposition, extension, or increase of a parcel tax, as defined, by a school district, community college district, or county office of education upon the approval of 55% of its voters voting on the proposition, if the proposition meets certain requirements.

ACA 21 may be heard in committee after February 5th.

New Bills		
Accountability		
AB 1521 (Brownley – D) Standardized Testing and Reporting Program: academic achievement: assessment instrument.		
Recommended Position: TRACK	Approved Position:	Date:
<p>AB 1521 would delete the requirements of the standards-based achievement tests, and would instead require the standards-based achievement tests to include California Standards Tests, modified assessments, alternate performance assessments, and primary language assessments that assess identified subject areas in specified grades.</p> <p>This bill was referred to the Assembly Education Committee.</p>		
SB 172 (Huff – R) School districts: Open Enrollment Act.		
Recommended Position: TRACK	Approved Position:	Date:
<p>Would redefine a "low-achieving school" as an "open enrollment school." The bill would change the application deadline from January 1 to January 5 of the school year preceding the school year for which the pupil is requesting to transfer.</p> <p>This bill was read the first time in Assembly, and was held at the Desk.</p>		

Budget/Finance		
AB 1448 (Furutani – D) Home-to-school transportation: appropriation.		
Recommended Position: TRACK	Approved Position:	Date:
<p>The bill would express legislative intent to fund home-to-school transportation to at least the level approved in the Budget Act of 2011.</p> <p>This bill was referred to the Assembly Education Committee.</p>		
Charter Schools		
SB 958 (Rubio – D) Charter schools.		
Recommended Position: TRACK	Approved Position:	Date:
<p>This bill would require that all special education and related services for an individual with exceptional needs who is enrolled in a charter school be provided on the site of the charter school, thereby imposing a state-mandated local program. The bill would require a charter school to establish a food service program to provide free and reduced price meals to eligible pupils enrolled in the charter school, thereby imposing a state-mandated local program. The bill would prohibit the attendance policies of a charter school from discriminating against pupils who are migrants.</p> <p>This bill was referred to the Senate Education Committee.</p>		
Facilities		
AB 331 (Brownley – D) The Leroy F. Greene School Facilities Act of 1998.		
Recommended Position: TRACK	Approved Position:	Date:
<p>This bill would state the intent of the Legislature to enact legislation that would create the Kindergarten-University Public Education Facilities Bond Act of 2012, a state general obligation bond</p>		

act that would provide funds to construct and modernize education facilities, to become operative only if approved by the voters at the next statewide general election, and to provide for the submission of the bond act to the voters at that election.

This bill failed a deadline pursuant to Rule 61(b)(2), and was last heard in the Assembly Appropriations Committee.

Student Safety

AB 1435 (Dickinson – D) Child abuse reporting: athletic personnel.

Recommended Position: TRACK	Approved Position:	Date:
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Current law, the Child Abuse and Neglect Reporting Act, requires a mandated reporter, as defined, to report whenever he or she, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observed a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Failure to report an incident is a crime punishable by imprisonment in a county jail for a period of 6 months, a fine of up to \$1,000, or by both that imprisonment and fine. This bill would add athletic coaches, administrators, and directors, as defined, employed by or volunteering with a public or private organization to the list of individuals who are mandated reporters, as specified. This bill would require an organization, as defined, to provide initial training to each athletic coach, administrator, or director on specified matters relating to child abuse and neglect, and also would require those individuals to complete continuing training every 2 years.

This bill was referred to the Senate Public Safety Committee.

AB 1449 (Hayashi – D) School districts: athletics: concussions and head injuries.

Recommended Position: TRACK	Approved Position:	Date:
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Current law requires a school district that elects to offer an athletic program to receive, on a yearly basis, a concussion and head injury information sheet that is signed by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This bill would require the Superintendent of Public Instruction to develop and make available on the State Department of Education's Internet Web site a concussion and head injury information sheet that a school district may use to fulfill this requirement.

This bill was referred to the Assembly Education Committee.

AB 1451 (Hayashi – D) High school athletics: coaching education program.

Recommended Position:
TRACK

Approved Position:

Date:

Would, commencing January 1, 2013, require each high school sports coach taking or renewing his or her first aid certification to take additional training that includes a basic understanding of the signs, symptoms, and appropriate emergency action steps regarding potentially catastrophic injuries, including, but not limited to, head and neck injuries, concussions, second impact syndrome, asthma attacks, heat stroke, and cardiac arrest. By requiring high school sports coaches to complete this additional training, this bill would impose a state-mandated local program.

This bill was referred to the Assembly Education Committee.

2 Year Bills

Assessment

AB 5 (Fuentes – D) Teachers: best practices teacher evaluation.

Recommended Position:
TRACK

Approved Position:

Date:

Current law requires the governing board of each school district to develop and adopt objective evaluation and assessment guidelines to evaluate the performance of its certificated employees and encourages each school district to establish an evaluation and assessment system that is uniform throughout the district. Current law requires each school district to establish standards of expected pupil achievement at each grade level in each area of study and to evaluate and assess certificated employee performance as it reasonably relates to specified factors. This bill would make those provisions inoperative on July 1, 2012, and would repeal them on January 1, 2013. The bill, commencing with the 2012-13 school year, instead would require the governing board of a school district to adopt and implement a fair, transparent, and rigorous evaluation system based on a uniform standard for certificated employees, as specified. In developing the evaluation system, the bill would require the governing board of a school district to include, by mutual agreement with the exclusive bargaining representative of the certificated employees in the school district, in accordance with specified statutes regarding collective bargaining, all procedures and components of the evaluation system established pursuant to these provisions. The bill would require a permanent certificated employee who is deemed to be performing in an unsatisfactory manner at the end of his or her evaluation process to participate for one year in an instructional support program for certificated employees, as adopted by the governing board of the school district, for the purpose of improving the performance of the employee.

This bill failed a deadline pursuant to Rule 61(a)(11), and was last heard in the Senate Appropriations Committee.

Budget/Finance		
AB 18 (Brownley – D) Education finance: school-based financial reporting system		
Recommended Position: SUPPORT	Approved Position:	Date:
<p>This bill would enact the Education Finance Reform Act. The bill would require the Superintendent of Public Instruction, on or before December 1, 2012, to make recommendations to the Legislature and the Governor regarding prescribed topics relating to the statutory and regulatory changes that would be necessary to support the development, implementation, and use of comprehensive school-level financial data. These provisions would be repealed on December 1, 2015. The bill would require the Superintendent, on or before July 1, 2012, to make all ministerial changes that are necessary to support the future reporting of school-level financial data by local educational agencies, as specified. The bill also would require the Superintendent, on or before July 1, 2012, and annually thereafter, to notify the superintendent of each school district and county office of education, and the administrator of each charter school, of specified items relating to tracking and reporting school-level financial data.</p> <p>This bill failed a deadline pursuant to Rule 61(a)(10), and was last heard in the Senate Education Committee.</p>		
AB 794 (Wieckowski – D) Local education facility bonds: anticipation notes.		
Recommended Position: TRACK	Approved Position:	Date:
<p>Current law authorizes the governing board of a school or community college district to order an election and submit to the electors of the district the question whether the bonds of the district shall be issued and sold for the purpose of raising money for various facilities purposes, for refunding bonds, or for the purchase of school buses. Current law limits the total amount of bonds that a school or community college district may issue to 1.25% of the taxable property of the school or community college district. This bill, instead of allowing the interest on the notes to be paid from the tax levied to pay the principal of and interest on the bonds, would allow the interest on the notes to be paid from a property tax levied for that purpose if authorized by a resolution of the governing board and would provide that this tax is authorized by law. The bill also would allow the premium received on the sale of the bonds to be used to pay the interest on the notes.</p> <p>This bill was re-referred to the Senate Education Committee and the Senate Governance & Finance Committee.</p>		

Charter Schools		
AB 1172 (Mendoza – D) Charter schools: petition for establishment: decision to grant or deny.		
Recommended Position: TRACK	Approved Position:	Date:
<p>Current law requires the governing board of a school district, within 60 days of the receipt of a petition for the establishment of a charter school, to either grant or deny the charter, as specified. Current law prohibits the governing board of a school district from denying a petition unless the governing board makes written factual findings in support of one or more specified findings. This bill would include the finding that the charter school would have a negative fiscal impact on the school district, as specified, among those findings upon which a school district may base denial of a petition for the establishment of a charter school.</p> <p>This bill was read for the first time in the Senate, and sent to the Senate Rules Committee for assignment.</p>		
English Language Learner		
AB 1249 (Davis – D) Pupils: English learners.		
Recommended Position: TRACK	Approved Position:	Date:
<p>This bill would expand the definition of "English learner" to include pupils whose native language is English and whose mastery of the standard English language or academic English is limited due to their use of nonstandard English.</p> <p>This bill failed a deadline pursuant to Rule 61(b)(1), and its last location was the Assembly Education Committee.</p>		

SB 754 (Padilla – D) Pupil assessment: California English Language Development Test.		
Recommended Position:	Approved Position:	Date:
TRACK		
<p>This bill would prohibit a pupil in any of grades 3 to 12, inclusive, to the extent permitted by federal law, from being required to retake those portions of the CELDT that measure English language skills for which he or she has previously tested as advanced within the appropriate grade span, as determined by the State Department of Education in accordance with specified law. Notwithstanding the above prohibition, and to the extent permitted by federal law, the bill would also prohibit a pupil in any of grades 10 to 12, inclusive, from being required to retake those portions of the CELDT that measure English language skills for which he or she has previously tested as early advanced or advanced. These prohibitions would not become effective until the current CELDT publisher's contract expires. The bill would also state legislative findings and declarations regarding English learners and the CELDT.</p> <p>This bill's hearing was postponed by the Assembly Appropriations committee.</p>		
SB 873 (Padilla – D) English learners: reclassification.		
Recommended Position:	Approved Position:	Date:
TRACK		
<p>Current law requires each school district that has one or more pupils who are English learners, and to the extent required by federal law, a county office of education and a charter school, to assess the English language development of each of those pupils in order to determine their level of proficiency. Current law requires the State Department of Education, with the approval of the State Board of Education, to establish procedures for conducting the assessment and for the reclassification of a pupil from English learner to English proficient. Current law requires the reclassification procedures developed by the department to use multiple criteria, including, but not limited to, 4 specified criteria, in determining whether to reclassify a pupil as proficient in English. This bill would limit the use of multiple criteria by requiring the use of only the 4 specified criteria.</p> <p>This bill failed a deadline pursuant to Rule 61(b)(2), and its last location was the Senate Education Committee.</p>		

Instruction/Materials		
AB 1246 (Brownley – D) Instructional materials.		
Recommended Position: TRACK	Approved Position:	Date:
<p>This bill would require the Superintendent of Public Instruction, and authorize school districts, to submit instructional materials for review to the state board, which would be required to adopt procedures for the review of those submitted instructional materials. The bill would add additional requirements for the review and adoption of instructional materials, including, but not limited to, changing the submission cycles to 8 years for all subject areas and requiring the State Department of Education to assess a reasonable fee on a publisher or manufacturer if it submits instructional materials for review after the applicable timeframe. The bill also would authorize the Superintendent and school districts to recommend to the state board instructional materials for its adoption, as specified.</p> <p>This bill was read for the first time in the Senate, and sent to the Senate Rules Committee for assignment.</p>		
Other		
SB 148 (Steinberg – D) Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.		
Recommended Position: TRACK	Approved Position:	Date:
<p>This bill would require the Trustees of the California State University to establish, at the Humboldt State University campus, a Native American Linguistic Institute, with specified duties, to preserve Native American tribal languages. The bill would establish the California Native American Language Preservation Fund in the State Treasury for the acceptance of private donations, to be administered by the California State University and made available upon appropriation by the Legislature, to facilitate statewide efforts to preserve Native American languages. The bill would also make various findings and declarations regarding Native American language preservation.</p> <p>This bill failed a deadline pursuant to Rule 61(b)(1), and its last location was the Senate floor.</p>		

Personnel		
AB 1203 (Mendoza – D) Public employee organizations: members: paid leaves of absence.		
Recommended Position: TRACK	Approved Position:	Date:
<p>Current law requires that the governing board of a school district or a community college district grant to any classified employee, upon request, a paid leave of absence to enable the employee to serve as an elected officer of any school district public employee organization or community college district public employee organization, as specified. Current law requires that following the school district's or community college district's payment of the employee for the leave of absence, it be reimbursed by the employee organization of which the employee is an elected officer for all compensation paid to the employee on account of the leave. This bill would expand these provisions to additionally require a school district or a community college district to provide a paid leave of absence to a member of any school district public employee organization or community college district public employee organization for activities the member is authorized by the organization to attend, and would require the employee organization to reimburse the school district or community college district on behalf of a member who receives a paid leave of absence.</p> <p>This bill is still being held at the Senate Desk.</p>		
Special Education		
AB 519 (Hernández, Roger – D) Pupil discipline: restraint and seclusion.		
Recommended Position: HOLD FOR FURTHER ANALYSIS	Approved Position:	Date:
<p>Current law prohibits a person employed by or engaged in a public school to inflict, or cause to be inflicted, corporal punishment upon a pupil. This bill would authorize an educational provider, as defined, to use physical or mechanical restraint or seclusion, as defined, if specified conditions are met. The bill would require a seclusion room utilized by an educational provider to fulfill specified safety requirements. The bill would prohibit an educational provider from depriving a pupil of sleep, food, hydration, or access to bathroom facilities and from utilizing specified restraint and seclusion techniques, including, but not limited to, using chemical restraint, as defined, using an improvised mechanical restraint device, and using physical or mechanical restraint techniques that restrict breathing. The bill would require the State Department of Education to establish a mandatory system of data collection regarding the use of physical and mechanical restraint and seclusion that is consistent, timely, and publicly accessible. The bill would require an educational provider to annually</p>		

report the data required to be collected to the department and would require the reported data to include the name of the educational provider and other specified information. To the extent that the data collection and reporting requirements would impose new duties on local educational agencies not required by federal law, the bill would impose a state-mandated local program.

AB 519 failed a deadline pursuant to Rule 61(b)(1), and its last location was the Assembly Education Committee.

Student Safety

AB 266 (Ammiano – D) Pupil rights: sex-segregated school programs: gender identity.

Recommended Position: TRACK	Approved Position:	Date:
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Current law prohibits public schools from discriminating on the basis of specified characteristics, including gender, gender identity, and gender expression, and specifies various statements of legislative intent and the policies of the state in that regard. Current law requires that participation in a particular physical education activity or sport, if required of pupils of one sex, be available to pupils of each sex. This bill would require that a pupil be permitted to participate in sex-segregated school programs, activities, and facilities, including athletic teams and competitions, consistent with his or her gender identity, irrespective of the gender listed on the pupil's records.

This bill failed a deadline pursuant to Rule 61(b)(2), and its last location was the Assembly Education Committee.

AB 909 (Alejo – D) Pupil nutrition: Farm to School Program

Recommended Position: TRACK	Approved Position:	Date:
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This bill would authorize a school district to submit an application to the State Department of Education for funding under the Farm to School Program if 80% of the school district's expenditure for fresh produce for use in its food service program is derived from California produce, as defined. The bill would require the State Department of Education to reimburse a school district that purchases California produce in the prescribed quantity of \$0.05 for every meal the district serves as part of the federal National School Lunch or School Breakfast Programs, or both. The bill would require the Department of Food and Agriculture to consult with the State Department of Education for the purpose of assisting school districts with meeting the California produce requirement and, at a minimum, identify the seasons, sources, and suppliers of California produce and help small farmers collaborate with one another to supply the large quantities of produce demanded by school districts.

The bill would require the State Department of Education to develop strategies for school districts that would result in more California produce use in school meal programs. The bill would authorize the State Board of Education to adopt any rules and regulations necessary for the implementation of this program.

This bill failed a deadline pursuant to Rule 61(b)(2), and its last location was the Assembly Appropriations Suspense File.