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**OAKLAND UNIFIED
SCHOOL DISTRICT**

Community Schools, Thriving Students

BOARD OF EDUCATION 2019

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	March 13, 2019	Legislative File Id. No. 19-0480
		Introduction Date: 3/13/19
To:	Board of Education	Enactment No.: 19-0450
		Enactment Date: 3/20/19
From:	Aimee Eng	By: OS

SUBJECT Resolution on Charter School Expansion in Oakland Unified School District

ACTION Adoption by the Board of Education of Resolution 1819-0177 - Charter School Expansion In Oakland Unified School District - which requests the Board consider supporting a local pause of new charter schools and renewals which include an increase in enrollment or grade level expansion for a period of eight months; supports the Governor’s action to establish a Task Force to review, study, and make recommendations updating California Charter Law; directs the Board’s legislative committee to review and bring to the Board recommendations of legislative bills under consideration that meet the criteria of the 2019 State Legislative Priorities; transmit a copy of the resolution to the Governor, State Board of Education, and the California Department of Education.

BACKGROUND The Board on November 26, 2018 held a Study Session on prospective legislative principles and subsequently adopted its 2019 State Legislative Priorities on January 23, 2019. This resolution further confirms the Board’s position on the legislative principles and priorities and requests further action of the Board in line with them.

DISCUSSION The Board shall discuss whether there is collective desire to take further action based on the legislative principles and priorities.

FISCAL IMPACT No immediate fiscal impact.

RECOMMENDATION Adoption by the Board of Education of Resolution 1819-0177

Attachment: [2019 Oakland Unified School District Principles and State Legislative Priorities](#)

RESOLUTION
OF THE
BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
NO. 1819-0177

Charter School Expansion in Oakland Unified School District

WHEREAS, the Oakland Unified School District (“District) has undergone a period of financial distress over the past two years; and

WHEREAS, the District currently operates 87 district-run schools: 45 charter schools that currently reside in the district’s boundaries (34 authorized by OUSD, 11 authorized by other entities); and

WHEREAS, reports from the Grand Jury and Fiscal Crisis Management Assistance Team criticize the District for operating nearly double the number of schools than can be justified by the enrollment numbers; and

WHEREAS, the Oakland Unified School District, like every other California school district, is legally required to accept and review applications for new charter schools that meet criteria set under California Charter School Law; and

WHEREAS, under current law, the California State Board of Education and the Alameda County Office of Education may, and have, authorized charter schools within Oakland Unified School District boundaries, at times approving schools after initial rejection by the Oakland Unified School District; and

WHEREAS, Board Policy 6006 recognizes the legal constraints that limit formal authority over charter schools and that “current state law does not currently allow the Board comprehensive authority on the location, authorization, oversight, and management of charter schools in Oakland” and expressed its commitment to “advocating for legislative changes that will result in greater and more effective control of the regulatory environment in which the district operates”; and

WHEREAS, on January 23, 2019, the Board adopted its Legislative Principles and 2019 State Legislative Priorities which support California taking a “careful and comprehensive look at charter school policies relating to the broad spectrum of authorization and renewal,

governance, accountability, facilities, funding, and student service practices” and provides nine priorities of which charter law should be re-evaluated; and

WHEREAS, as part of its platform, the Board supports redefining the “role of the county superintendent and State Board of Education in the charter petition and renewal appeals process, to prohibit revisions to petitions during an appeal, and to limit appeals to technical errors, abuse of discretion or failure to follow charter authorization or renewal regulations”;

NOW, THEREFORE, BE IT RESOLVED, that the Oakland Unified School District Board of Directors supports a local pause on new charter schools and renewals which include an increase in enrollment or a grade level expansion for eight months and for the duration of the Charter Task Force currently being convened by the California Department of Education to complete its study; and

BE IT FURTHER RESOLVED, the Board supports the Governor’s action asking the State Superintendent of Public Instruction to establish a Task Force to review, study, and make recommendations updating California Charter law as it relates to quality, number/cap, authorization and renewal criteria, fiscal impact on districts and responsibility to serve all students; and

BE IT FURTHER RESOLVED, that Board requests the Task Force to consider a comprehensive study which includes policy recommendations impacting charter co-locations, fiscal implications, and facility management; and

BE IT FURTHER RESOLVED that the Board’s legislative committee shall review and bring back recommendations to the Board for positions of support for legislative bills currently under consideration in the California State Assembly and State Senate which meet the criteria of the 2019 Legislative Priorities; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted by the Office of the Superintendent to Governor Gavin Newsom, the State Board of Education, and the California Department of Education.

PASSED AND ADOPTED this 20th day of March, 2019, at a Special Meeting of the Governing Board by the following vote:

PREFERENTIAL AYE:	None
PREFERENTIAL NOE:	None
PREFERENTIAL ABSTENTION:	None
PREFERENTIAL RECUSE:	None
AYES:	James Harris, Shanthi Gonzales, Roseann Torres, Vice President Jody London, President Aimee Eng
NOES:	Jumoke Hinton Hodge
ABSTAINED:	None

RECUSE:
ABSENT

None
Student Director Chavez, Student Director Omosowho, Director Yee

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Special Meeting of the Board of Education of the Oakland Unified School District, held on March 20, 2019.

Legislative File Info.	
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OAKLAND UNIFIED SCHOOL DISTRICT



Aimee Eng
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education