



Legislative Report for the Oakland Unified School District

**Prepared June 8, 2012
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Bills		
Accountability		
AB 1186 (Skinner – D) California Global Warming Solutions Act of 2006: investor-owned utilities: school energy efficiency.		
Recommended Position: SUPPORT	Approved Position:	Date:
<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990, to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant to that fee schedule be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for the purposes of carrying out the act. This bill would require an investor-owned utility that receives proceeds from the monetization of greenhouse gas emissions allowances that may be directly allocated to the investor-owned utility by the state board pursuant to the act to submit to the commission an expenditure plan for those proceeds. The bill would prohibit the commission from approving that expenditure plan unless at least 10% of those proceeds is available for grants for certain cost-effective energy efficiency improvements for public schools providing instruction in kindergarten or grades 1 to 12, inclusive, in the individual investor-owned utility's service area. The bill would also require the plan to include measures to leverage other energy efficiency funding sources that do not adversely affect the grant program. This bill contains other related provisions and other existing laws.</p> <p>This bill is currently set to be heard in the Senate Energy, Utilities and Communications Committee on June 11, 2012.</p>		
AB 2087 (Swanson – D) School districts: emergency apportionments: audits.		
Recommended Position: SUPPORT	Approved Position: SUPPORT	Date: 5/23/2012

This bill allows The Educational Audit Appeals Panel to waive or reduce a penalty levied on a school district, as a result of an audit conducted by the State Controller (SCO) or his or her designee, if the SCO determines that the district has taken the appropriate corrective action.

Under current law, a school district that is facing insolvency may request an emergency apportionment from the state. As a result of this emergency state loan, the SCO, or his or her designee, is required to conduct the district's audits, or approve an auditor selected by the district, for the fiscal year in when the emergency loan is disbursed and every year thereafter until the loan is repaid.

If the audit reveals that the district is not in compliance with state or federal law, the finding must be reported and the district must either repay funds it received or pay a penalty. If the finding is considered apportionment significant, the district may file an appeal with the Education Audits Appeals Panel (EAAP).

When a district appeals audit findings, the EAAP can either determine that the district complied or refer the appeals to the Office of Administrative Law (OAL) for a hearing.

Once the appeal is heard, the EAAP can either accept or reject the OAL's decision.

This bill would give a school district 2 years from the date of the final audit report to correct the deficiencies that led to an audit finding and allow the EAAP to waive or reduce the reimbursement or penalty amount if the Controller, or his or her designee, determines that the school district has taken the appropriate corrective action.

The bill also requires the affected district to repay the reimbursement or penalty and waive its right to appeal if the deficiencies are not corrected after 2 years.

AB 2087 will give a local school district governing board that is regaining its control after a state takeover, time to address audit findings that were discovered during a time when the board had no legal rights or control over the district. This bill could potentially save financially vulnerable district millions in fines and penalties by giving districts a two year window of time address SCO audit findings and engage in corrective action to ensure that a district remains on the path to solvency.

This bill was last on the Assembly Appropriation Committee's suspense file, and failed to make it out of the committee by the deadline.

AB 2278 (Swanson – D) School districts: state administrators.

Recommended Position:
SUPPORT

Approved Position:
SUPPORT

Date:
5/23/2012

This bill allows the governing board of a school district that is under state receivership to annually evaluate the district's appointed administrator. If the governing board elects to conduct the evaluation,

it will be required to submit it to the Governor, the Legislature, the SPI and the County Office Fiscal Crisis and Management Assistance Team (County FCMAT).

Current law allows school districts that are facing insolvency to request an emergency loan from the state. If a school district accepts a loan from the state that exceeds 200% of a district’s recommended reserve, state law requires the SPI to assume all of the legal rights, duties and powers of the district’s governing board.

When the SPI assumes control of a school district, he or she is required to appoint an administrator to act on his or her behalf. In addition, the locally elected school board loses its power and serves under the authority of the state administrator in an advisory capacity.

However, the district governing board, despite its loss of legal authority, is still responsible to the community and remains involved in the school district.

This bill would allow the locally elected school district governing board to evaluate the appointed administrator each year the district is under control of the SPI. The bill also requires the governing board to submit the evaluation to the Governor, the Legislature, the SPI and the County FCMAT.

This bill is scheduled to be heard by the Senate Education Committee on June 13, 2012.

AB 2279 (Swanson – D) School districts: emergency apportionments: trustees.

Recommended Position: SUPPORT	Approved Position: SUPPORT	Date: 5/23/2012
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AB 2279 allows the SPI to remove a trustee from a school district that is still repaying an emergency loan if the SPI determines that the school district's future compliance with the approved fiscal plan adopted by the governing board to resolve the financial problems of the district is probable.

Current law allows school districts that are facing insolvency to request an emergency loan from the state. State law allows the SPI to appoint a trustee for a school district that has accepted a loan from the state. The trustee is required to serve until the emergency loan is repaid, the district has adequate fiscal systems and controls in place and the SPI had determined that the district's future compliance with the fiscal plan to resolve the district's financial problems is likely. This plan is required to be approved by the by county superintendent and the SPI prior to the district's acceptance of the emergency loan.

The trustee appointed by the SPI is required to monitor and review the operation of the district. In addition, current law gives the trustee the authority to stay or rescind any action of the local district governing board that, in his or her judgment, may affect the financial condition of the district.

AB 2279 will allow the SPI to remove the trustee and restore the district governing board's full power

when he or she determines that the school district's future compliance with their approved fiscal plan is probable.

This bill would allow the SPI to restore the full power of a locally elected school district governing board that has demonstrated its ability to maintain fiscal solvency while it is repaying an emergency loan.

This bill was passed by the Assembly, and was referred to the Senate Rules Committee for committee assignment.

SB 843 (Wolk – D) Energy: electrical corporations: City of Davis PVUSA solar facility: Community-Based Renewable Energy Self-Generation Program.

Recommended Position:
SUPPORT

Approved Position:

Date:

SB 843 seeks to establish an innovative new program which allows local governments, businesses, residents and schools to invest in cost effective clean renewable energy and create local jobs. The bill allows all IOU power customers to choose to get a portion of their power from an off-site renewable energy facility, and also removes the significant obstacles facing schools and local governments which have tried to pursue off-site solar opportunities.

Many cities throughout California have for decades invested in trees to provide shade, cool homes, and reduce energy consumption, making homes poorly suited for rooftop solar. Further, home or business owners with roofs not appropriately oriented for solar, and California's millions of renters, have been shut out of cost effective ways to pursue clean renewable power. Programs set up to offer schools and local governments an avenue to invest in off-site renewable energy have proven uneconomical, with too many barriers to ensure the projects could pencil out.

SB 843 establishes a pioneering new program which allows all IOU power customers to pursue off-site renewable energy. Based on the successful model established between Pacific Gas & Electric, the City of Davis and the PVUSA solar facility, this legislation allows all customers to receive a credit on their power bills for the clean power they purchase at an off-site renewable energy garden. By allowing customers to opt into larger energy gardens and pool their resources, the price they pay for clean power will be reduced and access to this power will be increased.

This bill was referred to the Assembly Utilities and Commerce Committee, and is expected to be heard toward the end of June.

SB 1458 (Steinberg – D) School accountability: Academic Performance Index: graduation rates.

Recommended Position:

Approved Position:

Date:

SUPPORT	SUPPORT	5/23/2012
<p>The Public Schools Accountability Act of 1999 requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop an Academic Performance Index (API) that measures the performance of schools and the academic performance of pupils. Under existing law, the API consists of a variety of indicators, including graduation rates for pupils in secondary schools, and is used to measure the progress of specified schools and to rank all public schools for the purpose of the High Achieving/Improving Schools Program. Existing law requires the Superintendent to determine the accuracy of high school graduation rate data before including that data in the API, and to provide an annual report to the Legislature on graduation and dropout rates, as specified.</p> <p>This bill would authorize the Superintendent to develop and implement a specified program of school quality review to complement the API, if an appropriation for this purpose is made in the annual Budget Act. The bill would also require the Superintendent to annually determine the accuracy of graduation rate data, and would delete the requirement that the Superintendent report annually to the Legislature on graduation and dropout rates. The bill would authorize the Superintendent to incorporate into the API the rates at which pupils successfully promote from one grade to the next in middle school and high school and matriculate from middle school to high school, as well as pupil preparedness for postsecondary education and career. The bill would delete the requirement that the API be used to measure the progress of specified schools and to rank all public schools for the purpose of the High Achieving/Improving Schools Program. To the extent this bill would require school districts to report additional data for purposes of inclusion in the API or other school quality review, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>This bill was passed by the Senate, and is currently on the desk of the Assembly.</p>		

Informational Item

State Budget Update

The Department of Finance released its district-by-district funding breakdown of the Governor's weighted pupil formula. The administration, along with the Public Policy Institute of California agree that differences in funding allocation across the state will be lessened by the new plan, and that districts would see an overall increase in their yearly funding. Nick Schweizer, the program budget manager for education, said that districts will gain an average of 47% of their current funding levels by the time the formula is fully implemented.

Oakland Unified School District is projected to see a 40% increase in funding by 2018-19 (the year that the formula will be 100% implemented), which equates to an increase of approximately \$2,903.29 per student according to the Department of Finance. These numbers assume no changes in categorical or restricted money and general or revenue limit spending, flat enrollment, and the passage of the Governor's tax initiative in November.

A recent poll by the University of Southern California Dornsife College of Letters and Sciences and the Los Angeles Times show that 59% of registered voters favor the Governor's ballot initiative, and only 36% would vote against it. Assuming it does not pass, however, the implementation of the proposed weighted pupil formula will be delayed and the current system will stay in place.