



LEGISLATIVE RECOMMENDATIONS

Oakland Unified School District

June 2, 2011

AB 48 (Pérez, John A. – D) Teachers: best practices: teacher evaluations.

Recommended Position: TRACK	Approved Position:	Date:
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Existing law provides that in the development and adoption of guidelines and procedures for evaluation and assessment, that the governing board shall avail itself of the advice of the certificated instructional personnel in the district’s organization of certificated personnel, as specified.

This bill would instead require that the procedures to be used for evaluation of certificated employees shall be subject to specified provisions of law regarding the scope of representation by the exclusive representative of certificated employees and that the school governing board shall consult with the exclusive representative of certificated employees with respect to all other matters related to the evaluation of certificated employees.

AB 124 (Fuentes – D) Academic content standards: English Language Development Standards Advisory Committee.

Recommended Position: SUPPORT	Approved Position:	Date:
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Existing law requires the State Board of Education to approve standards for English language development for pupils whose primary language is a language other than English. Existing law further requires that these standards be comparable in rigor and specificity to the statewide academically rigorous content standards for English language arts.

This bill would establish a 13-member English Language Development Standards Advisory Committee for the purpose of ensuring high-quality instruction for English learners as the state implements the academic content standards in English language arts. The members of the committee would serve at the pleasure of the State Superintendent of Public Instruction and be appointed as follows;

- Four members appointed by the Governor
- Three members appointed by the Senate Committee on Rules
- Three members appointed by the Speaker of the Assembly
- Three members appointed by the State Superintendent

At least seven of the members appointed pursuant to subdivision shall be credentialed public elementary or secondary classroom teachers possessing authorized certificates for the instruction of English learners and who have a minimum of three years of demonstrated experience instructing English learners in the classroom. At least four of these credentialed teachers shall represent elementary schools. The remaining members of the advisory committee shall include representatives who are schoolsite principals, school district or county office of education administrators overseeing

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programs and support for English learners, personnel of teacher training schools at institutions of higher education, or curriculum and instructional specialists with English learner expertise.

The bill would require the advisory committee to update, revise, and align the English language development standards adopted pursuant to existing law to the state board-approved academic content standards for English language arts. The bill would also require the advisory committee to present its revised and aligned English language development standards to the State Board of Education on or before August 31, 2012. The bill would further require the state board to either adopt or reject the standards presented by the advisory committee on or before September 30, 2012.

The bill would require the Superintendent of Public Instruction and the state board to present to the Governor and the appropriate policy and fiscal committees of the Legislature a schedule and implementation plan for integrating the English language development standards adopted pursuant to this bill into the state public education system.

AB 165 (Lara – D) Pupil fees.

Recommended Position:

TRACK

Approved Position:

Date:

This bill would prohibit a school district, school, or other entity working under the supervision of, or in coordination with, a district or school from imposing a pupil fee for participation in educational activities. The bill would provide that this prohibition is not to be interpreted to prohibit an entire school, class, sports team, or club from voluntarily participating in fundraising or to prohibit school districts and schools from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. The bill would specify that these provisions are declarative of existing law and should not be interpreted to prohibit a school district or school from imposing a fee, deposit, or other charge otherwise allowed by law.

This bill, commencing with the 2010–11 audit of local educational agencies, would require the county superintendent of schools to also include in the review of audit exceptions those audit exceptions related to the imposition of pupil fees for participation in educational activities in violation of specified law, and to determine whether the exceptions are either corrected or an acceptable plan of correction is developed. The bill would also require the county office of education to review audit exceptions relating to the imposition of unlawful pupil fees. The bill would require the auditor to notify the Controller, among others, if the auditor determines that an exception related to the imposition of unlawful pupil fees has not been corrected, or the local educational agency has a new audit exception related to those unlawful pupil fees, and would require the Controller to withhold certain payments to the local educational agency until the agency provides reimbursement, as specified.

AB 189 (Eng – D) Education funding.

Recommended Position:
OPPOSE

Approved Position:

Date:

This bill was originally limited in scope to requiring that 65% of adult education funds received under the Tier 3 categorical flexibility package be expended by LEAs on adult education programs. It was amended to expand the number of categorical programs under the Tier 3 flexibility package for which funds must now be expended on the original categorical programs through which the funds are received.

The bill has been amended to require that LEAs, at a regularly scheduled open hearing, certify that a “sufficient amount” of funding received for the four following categorical programs included in the Tier 3 categorical flexibility package is going to those programs:

- Adult Education
- California High School Exit Exam (CAHSEE) Instructional Support and Services
- Regional Occupational Centers and Programs (ROC/Ps)
- Supplemental Instruction (Summer School)

The bill defines a “sufficient amount” of funding as maintaining a sufficient level of instruction services for these four programs so that the LEA should be able to reinstate full funding for the program upon the expiration of categorical funding flexibility. The bill also extends categorical flexibility two additional years, from the end of fiscal year 2012-13 to the end of fiscal year 2014-15.

The new provisions of this bill essentially remove categorical flexibility for the four listed Tier 3 programs. As a result, the California Association of School Business Officials, the California County Superintendents Educational Services Association, and several local education agencies opposed the bill. OUSD may wish to consider an oppose position for the same reasons.

AB 224 (Bonilla – D) School accountability: Academic Performance Index.

Recommended Position:
TRACK

Approved Position:

Date:

This high profile bill could revise existing methods for calculating the Academic Performance Index. Many of the details of the bill are still withstanding, and the author’s office is working closely with Assembly Speaker Perez’s top education aid, Rick Simpson, to flesh out the bill. It’s an important one for OUSD to continue to watch and you may wish to consider a support position now or after further anticipated amendments clarify the details of the bill related to defining the skills and knowledge necessary to attain entry-level employment upon graduation from high school.

The SPI established, pursuant to SB 1 X1 (Alpert), Chapter 3, Statutes of 1999-2000 First Extraordinary Session, an advisory committee to advise the SPI and the SBE on all appropriate matters relative to the creation of the API. SB 1 X1 also requires the SPI, with the approval of the SBE, to develop the API to measure the performance of schools, and to include a variety of indicators in that measure, including, but not limited to, achievement test results, attendance rates, and graduation rates. Currently only achievement test results are incorporated into the API, and the API is configured to produce scores measuring a school's static performance at each grade level, in each content area, in each year, at one point in time.

This bill includes a number of provisions to broaden the measures included in the calculation of a school's API. Specifically, this bill:

- 1) Deletes the requirement that attendance rates be incorporated into the API.
- 2) Requires the SPI, in consultation with the SBE, to incorporate into the API by FY 2012-13, for schools with any of grades 8 through 12, each of the following indicators using the best available data:
 - High school graduation rates as defined in current law.
 - The rates at which pupils complete a course of study that fulfills University of California and California State University admission requirements.
 - The rates at which pupils complete a course of study that provides the skills and knowledge necessary to attain entry-level employment upon graduation from high school.
- 3) Requires that the weighting of components of the API shall be:
 - Until July 1, 2013 - at least 60% on the results of the achievement tests specified.
 - Between July 1, 2013 and June 30, 2016 - at least 50% on the results of the achievement tests specified.
 - On or before June 30, 2016 - 50% on the results of the achievement tests specified in current law, and 50% on the elements listed in 2) above; in addition, requires that each of the elements in 2) above receive equal weight, while the rate at which pupils meet both elements in 2) b) and 2) c) is required to be given additional weight.
- 4) Authorizes the SPI to convene an advisory committee to provide recommendations for the implementation of these provisions, and to develop recommendations for the inclusion of multiple measures in the API of middle and junior high schools.

AB 250 (Brownley – D) Instructional materials: pupil assessment.

Recommended Position:
SUPPORT

Approved Position:

Date:

This measure would create a new schedule for the state to resume instructional materials adoptions following the hiatus in adoptions that was a component of the categorical flexibility package adopted by the legislature in 2009. Under categorical flexibility, the State Board of Education is prohibited from adopting instructional materials or following the procedures related to adoptions until the 2013-14 school year.

The measure also extends that state’s Standardized Testing and Reporting (STAR) Program one year, from 2012-13 to 2013-14, with the goal of giving the state time to adapt to changes in federal law and to transition to high quality assessments that are aligned to the common core standards.

Finally, the measure includes “spot” or placeholder language related to creating professional development training opportunities that support teachers in delivering curriculum and instruction to all students that is aligned to the state's common core academic standards. Specific provisions include:

Requiring the state board to adopt revised curriculum frameworks and evaluation criteria that are aligned to the common core academic content standards developed by the consortium and adopted by the board for mathematics and language arts no later than December 31, 2012, and March 1, 2013.

Requiring SBE policies to ensure that curriculum frameworks for kindergarten and grades 1 to 12 and instructional materials for kindergarten and grades 1 to 8 include the English language development standards as adopted by the state board in 1997 and English language development strategies in the four core subjects of mathematics, science, history-social science, and English language arts.

SBE policies to ensure that curriculum frameworks for kindergarten and grades 1 to 12 and instructional materials for kindergarten and grades 1 to 8 include strategies to address the needs of pupils with disabilities in the four core subjects of mathematics, science, history-social science, and English language arts.

- 1) This bill would delete the requirement that the Curriculum Development and Supplemental Materials Commission study and evaluate instructional materials and recommend to the state board instructional materials that it approves for adoption.

Instead, this bill would state the intent of the Legislature to:

- a) Provide to local educational agencies a process that is consistent with the implementation of standards-based curricula and the principle of local control and by which they may identify, evaluate, and recommend instructional materials for adoption to the state board.

- b) The measure would also state legislative intent to ensure that school districts are provided with as many standards-aligned instructional material options as possible, so that educators may have many rigorous options in choosing the best materials that meet the needs of all pupils, including English learners and pupils with disabilities, and that ensure that their pupils are able to master the academic content standards adopted by the state board.
- c) The measure also states legislative intent to offer opportunities for professional development training to teachers to support the transition to and implementation of the state's common core academic content standards adopted by the state board.

This bill would also require the criteria developed by the Commission for evaluating instructional materials include directions to publishers to align the materials with English language development standards and incorporate strategies to address the needs of English learners & pupils with disabilities.

- 1) The bill would require that materials for mathematics be submitted for adoption in 2014 and for English language arts in 2016.
- 2) This bill would extend STAR testing requirements by one year (2013-14) by making the Greene Act inoperative on July 1, 2014, and repealing it as of January 1, 2015.

This bill would authorize the department, subject to approval by the state board, to make these primary language assessments available to school districts to assess their nonlimited-English-proficient pupils who are enrolled in a dual language immersion program and their redesignated fluent-English-proficient pupils. The bill would require a school district that chooses to administer a primary language assessment pursuant to this authority to do so at its own expense.

AB 360 (Brownley – D) Charter schools.

Recommended Position:
SUPPORT

Approved Position:

Date:

This bill would expressly state that a charter school is subject to the California Public Records Act and the Ralph M. Brown Act, unless it is operated by an entity governed by the Bagley-Keene Open Meeting Act, in which case the school would be subject to the Bagley-Keene Open Meeting Act.

Existing law prohibits certain public officials, including members of governing boards of school districts and citizens' oversight committees, from entering into a contract in which the official or a family member has a financial interest. This bill also states that a charter school is subject to these provisions.

This measure would also expressly state that a charter school is subject to the Political Reform Act of 1974, which requires the adoption of a conflict-of-interest code that requires designated employees of

the agency to file statements of economic interest disclosing any investments, business positions, interests in real property, or sources of income that may foreseeably be affected materially by any governmental decision made or participated in by the designated employee by virtue of his or her position.

Finally, this bill would expressly authorize an individual to serve as a member of the governing body of a charter school and be employed in a separate position at that charter school. The bill would require a member of the governing body of a charter school to abstain from voting on any matter affecting his or her own employment or any personnel matter that uniquely affects a relative of the member.

This measure is sponsored by the California School Boards Association. Similar measures have been approved by the legislature but vetoed by former Governor Schwarzenegger in previous years. New Governor Jerry Brown may be more willing to sign this bill. The provisions authorizing employees to serve on charter boards are intended to address concerns raised in opponents of similar measures in previous years.

AB 519 (Hernández, Roger – D) Pupil discipline: restraint and seclusion.

Recommended Position:
OPPOSE

Approved Position:

Date:

AB 519 is another rendition of a bill advanced over the past 10 years (unsuccessfully) by former Senator and Assembly Member Sheila Kuehl. The bill sets specific guidelines for where, when, how, and why an educational provider may restrain or seclude a pupil for the purposes of coercion, discipline, retaliation, or convenience. It is opposed by ACSA, as they did for similar Kuehl bills in prior sessions.

Specifically, the bill prohibits (for the purposes above) the following types of restraint/seclusion:

- 1) Mechanical restraint such as zip-ties/handcuffs, except for transportation, postural support, or improved mobility
- 2) Physical restraint for exceptional needs students ONLY, except to calm/comfort, prevent unsafe behavior, or assist/guide a pupil
- 3) Chemical restraint (such as drugs or medication), except for prescribed use
- 4) Involuntary, unsupervised seclusion, except for supervised "timeouts"

The seclusion prohibition in the bill begins on Jan. 1, 2014, until which time seclusion is allowable only if all the following conditions are met:

- 1) Provider is a nonpublic, nonsectarian school with intensive behavioral supports – such as an alternative school
- 2) The pupil placed in seclusion is an individual with exceptional needs, has an IEP, and possesses the ability to understand the purpose of seclusion
- 3) The pupil has a behavioral intervention plan, which must be reviewed after every seclusion incident

- 4) The pupil paced in seclusion exhibits behavior that poses an imminent risk of serious physical harm to school personnel, or is in a facility licensed/permitted by the state to use seclusion, and the behavior cannot be addressed by a less restrictive intervention
- 5) Seclusion is visually monitored at all times by a staff member who is free from other responsibilities
- 6) The period of seclusion shall not exceed 15 minutes, except as part of specifically designated behavioral intervention strategies/plans
- 7) The seclusion room is specifically designed for the purposes of seclusion, not mechanically locked/blocked, is free of hazards, and has clearance from the local fire authority

AB 532 (Pérez, V. Manuel – D) Pupil assessments.

Recommended Position:
SUPPORT

Approved Position:

Date:

AB 532 modifies California’s public school assessment and accountability system with respect to English Learner (EL) pupils, including expanding the number of limited English proficient (LEP) students who are tested on the state’s content standards in their primary language, and other changes related to the testing of EL pupils and inclusion of their test scores in accountability measures.

Specifically, this bill:

- 1) Requires any primary language assessment developed and administered pursuant to current law, and the results of that primary language assessment be included in the state assessment system, the federal and state accountability system, and any successor assessment or accountability systems, for all LEP students who receive instruction in their primary language, are identified as literate by the primary language assessment and have been enrolled in U.S. schools for less than three consecutive years, or are enrolled in dual language immersion programs.
- 2) Requires that any successor to the state assessment system adopted on or after the effective date of these provisions, include modifications, based upon research designed to maintain the rigor of the test, to the California Standards Test (CST) in order to eliminate linguistic complexity to the extent practicable, and include test accommodations for LEP students, including repetition of test directions, and a glossary and translations of test directions provided by the California Department of Education (CDE), as specified.
- 3) Requires that any advisory committee, work group, task force or technical assistance group required by the Legislature or Governor, or established by the Superintendent of Public Instruction (SPI) for the purposes of providing recommendations on future state assessment, or state or federal accountability systems, determine how to accomplish specified tasks related to 2) and 3) above, as well as to reporting and disaggregating comprehensive EL data. Also specifies that any group specified above includes persons with demonstrated expertise in assessment of or research on EL pupils.

- 4) Requires California's state assessments to be valid, reliable, and comparable for LEP students and students with disabilities, and that accommodations for those students be provided pursuant to the core state assurances provided by the state under the American Recovery and Reinvestment Act of 2009; also requires these assessments to be aligned with the state's newly adopted common core standards.

AB 751 (Furutani – D) Education finance.

Recommended Position: TRACK	Approved Position:	Date:
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AB 751 provides for additional information on, and a potential waiver related to, the fiscal status of school districts and county offices of education (COE) in the second fiscal year following the current fiscal year. Specifically, this bill:

- 1) Requires the Superintendent of Public Instruction (SPI), county superintendents and school districts to distinguish between school districts and COE that receive qualified certification only on the basis of the second subsequent year following the current year from those that are qualified on the basis of the current year or first subsequent year.
- 2) Requires any school district, choosing to make budget reductions as a result of it being assigned a qualified certification solely on the basis of the second subsequent year following the current year, to hear those cuts as an information item and allow public comment on that item at an open meeting held prior to the meeting at which the board takes action on the proposed cuts.
- 3) Authorizes the SPI to waive the requirements on any school district or COE to provide and report budget projections and interim projections for the second subsequent year following the current year, as well as the requirement that the local educational agency (LEA) self-certify interim status on the basis of that third year, if all of the following hold:
 - a) The school district or COE requests that such a waiver be approved and provides any information requested that is needed by the California Department of Education (CDE) to analyze that request;
 - b) In the case of a school district, the county superintendent of the county within which that district is located recommends that the SPI approves the requested waiver; and,
 - c) The SPI determines with reasonable certainty, from the requestor's fiscal history, current financial status and budget projections, and from the SPI's expectations concerning future funding levels, that the requestor would meet its financial obligations for the second subsequent year following the current year.

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

Recommended Position:
SUPPORT

Approved Position:

Date:

This bill makes significant changes to the charter school approval, renewal and appeal process:

- 1) Specifies that a chartering authority may deny a charter petition if it makes a written factual finding that the charter school would have a negative fiscal impact on the school district.
- 2) Specifies that a negative fiscal impact on a school district may only be established, and is deemed to be established, if any of the following conditions are met:
 - a) The school district has received a qualified or negative financial certification.
 - b) The school district demonstrates fiscal distress through the application of the standards and criteria for the development of annual budgets and the management of subsequent expenditures from annual budgets.
 - c) The school district applies for an emergency apportionment or loan, or has received an emergency apportionment or loan and is operating under the oversight of a state administrator or trustee.
 - d) The school district, due to the declining enrollment of pupils, is in the process of closing a school that a charter school petition has identified as the proposed site for its charter school.
- 3) Authorizes a county board of education (CBE) to consider an appeal from a charter school petitioner, after the petition is denied by the governing board of a school district, only if the appeal alleges that the governing board committed a procedural violation in reviewing the petition; requires the CBE to remand the petition to the school district governing board to correct the procedural violation, if it determines the governing board committed a violation; and, specifies that if a CBE fails to act on an appeal within 120 days, the decision of the governing board shall be subject to judicial review.
- 4) Deletes authority for a district authorized charter school to submit a petition appeal to the State Board of Education (SBE), if a CBE denies the petition; and deletes authority for a district authorized charter school to submit a revocation appeal to the SBE, if a CBE denies the appeal.
- 5) Authorizes the SBE to consider an appeal from a charter school petitioner who will serve pupil populations who are traditionally served by a CBE, after the petition is denied by the CBE, only if the appeal alleges that the CBE committed a procedural violation in reviewing the petition; requires the SBE to remand the petition to the school district governing board to correct the

procedural violation, if it determines the governing board committed a violation; and, specifies that if the SBE fails to act on an appeal within 120 days, the decision of the CBE shall be subject to judicial review.

- 6) Deletes the authorization for a CBE to approve a charter petition for a countywide charter school (unless the charter school will serve pupil populations who are traditionally served by a CBE); deletes the authorization for the SBE to approve a charter petition for a statewide charter school; and, specifies that existing countywide and statewide charter schools may be granted a renewal by the district in which the school is located.
- 7) Specifies that a charter school authorized by a school district that is not granted renewal may appeal the decision to the CBE and the CBE may reverse the revocation decision and remand the request for renewal to the school district; and, specifies that a charter school authorized by a CBE that is not granted renewal may appeal the decision to the SBE and the SBE may reverse the revocation decision and remand the request for renewal to the CBE.
- 8) Requires the Legislative Analyst Office, by July 1, 2016, to submit a report to the Legislature and the Governor on the best practices and lessons learned from charter school innovation and distribute it to all local educational agencies.

AB 1304 (Block – D) Linked learning.

Recommended Position:
SUPPORT

Approved Position:

Date:

Existing law authorizes the Commission on Teacher Credentialing to issue various types of teaching credentials and authorizations. Existing law establishes multiple pathway programs, which are multiyear comprehensive high school programs of integrated academic and technical study that are organized around a broad theme, interest area, or industry sector. Multiple pathway programs are comprised, among other things, of an integrated core curriculum that meets the eligibility requirements for admission to the University of California and the California State University and is delivered through project-based learning and other engaging instructional strategies that intentionally bring real-world context and relevance to the curriculum where broad themes, interest areas, and career technical education are emphasized.

This bill would define "linked learning programs," and would authorize the commission to convene a workgroup consisting of specified members to develop program standards for the issuance of a recognition of study in linked learning, as defined, for linked learning competence for holders of a single subject teaching credential who will be teaching pupils enrolled in linked learning programs, as specified. The bill would authorize the commission to work with the Superintendent of Public Instruction to gather and post, on an appropriate Internet Web site, best practices from school districts and schools on curriculum development and professional development relating to implementing and sustaining multiple pathway programs. The bill would also provide that a recognition in linked learning

is not considered a type of authorization, cannot be used as a condition of employment, does not replace subject matter competence requirements, and cannot be used in making certain employment decisions relating to reductions in employee positions.

AB 1315 (Furutani – D) Education: Gateway Centers.

Recommended Position:
SUPPORT

Approved Position:

Date:

This bill establishes Gateway Centers (GCs) to be operated by local adult schools and community colleges (CCs) to leverage multiple education and workforce investment funding and improve the transition of adult learners into entry-level degree or certificate training programs that are linked to employment. Specifically, this bill:

- 1) Requires GCs to do the following: (a) be jointly designed by local and regional partners in adult education and CC programs; (b) report on program outcomes; (c) secure matching funds, as specified; (d) focus on developing models for improving the transition of individuals with weak basic skills to postsecondary education, including providing evidence-based instructional practices, student support services, and professional development for GC instructors, as specified.
- 2) Establishes the GC council to do the following:
 - a) Identify federal and state resources to fund GC centers (i.e., federal Workforce Investment Act (WIA), federal Carl Perkins Career Technical Education (CTE), adult education, and CC funds).
 - b) Develop a request for application to participate in the GCs no later than April 15, 2012, contingent upon the identification of funding.
 - c) Fund a minimum of three GC sites, beginning no later than September 1, 2012, contingent upon the identification of funding.
 - d) Prepare a final report to the Legislature and the governor by January 15, 2016 on the outcomes of the GCs. Requires the report to include recommendations regarding how the State Department of Education (SDE) and the CCs can align institutions and programs more effectively and increase instructional outcomes for students, as specified.
- 3) Sunsets the GCs on January 1, 2017.

SB 128 (Lowenthal – D) School facilities funding: high-performance schools.

Recommended Position:
SUPPORT

Approved Position:

Date:

The Kindergarten-University Public Education Facilities Bond Act of 2006 (the 2006 Bond Act) sets aside \$100 million of the proceeds of the bonds sold under the Leroy F. Greene School Facilities Act of 1999 (the Greene Act) for incentive grants to promote the use of design and materials in new construction and modernization projects that include the attributes of high-performance schools. Approximately \$75 million remains unspent.

Generally, high performing schools are more energy efficient and provide healthier learning environments due to designs that consider natural lighting, indoor air quality, and efficient use of energy and water, among other features.

Existing law authorizes a modernization apportionment to be used for an improvement to extend the useful life of, or to enhance the physical environment of, the school, and specifies the types of costs that may be included in the improvement.

SB 128 would add the cost of designs and materials that support the characteristics of high-performance schools to the types of costs that may be included in modernizations projects.

It would also make CTE projects eligible for an incentive grant if the project meets the criteria prescribed in the 2006 Bond Act for incentive grants to high-performance schools.

SB 132 (Lowenthal – D) School facilities: state planning priorities.

Recommended Position:
TRACK

Approved Position:

Date:

Existing law sets forth state planning priorities that are intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety in the state. Those priorities are as follows: (a) to promote infill development and equity by rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land, (b) to protect environmental and agricultural resources by protecting, preserving, and enhancing the state's most valuable natural resources, and (c) to encourage efficient development patterns by ensuring that any infrastructure associated with development, other than infill development, supports new development that meets prescribed criteria.

This bill would require the State Allocation Board, on or before July 1, 2012, to revise guidelines, rules,

regulations, procedures, and policies for the acquisition of schoolsites and the construction of school facilities pursuant to the Greene Act to reflect the state planning priorities referenced above. The bill also would require, on or after July 1, 2012, a school district, as part of an application for funding under the Greene Act, to certify that a schoolsite or school facility included in that application promote those state planning priorities.

The terms “reflect” and “promote” remain vague and undefined in this legislation, and it is not clear what new requirements may be created for education agencies if school facilities construction projects must “reflect” and “promote” state planning priorities. Although this bill could create problematic new requirements for education agencies, school facilities experts believe it is unlikely to become law while many of its most important definitions remain undefined. We therefore recommend a track position.

SB 148 (Steinberg – D) Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.

Recommended Position:
INFORMATIONAL ONLY – 2yr bill

Approved Position:

Date:

Existing law establishes the partnership academies program as a school-business partnership program to provide occupational training to educationally disadvantaged high school pupils. Under existing law, the Superintendent of Public Instruction is required to award grants to school districts maintaining high schools to plan, establish, and maintain these partnership academies.

Existing law requires the surcharge imposed on the consumption of electricity in the state to be transferred to the Energy Resources Programs Account in the General Fund, which is available, upon appropriation by the Legislature, for ongoing energy programs and projects.

This bill would require the Controller annually to allocate \$8,000,000 from the Energy Resources Program Account, upon appropriation by the Legislature, to the SPI for expenditure in the form of grants to school districts to be allocated pursuant to the existing provisions for creating and maintaining partnership academies. The bill would require a grantee to implement or maintain a partnership academy that focuses on employment in clean technology businesses and renewable energy businesses and provides skilled workforces for the products and services for energy or water conservation, or both, renewable energy, pollution reduction, or other technologies.

The bill would require the State Energy Resources Conservation and Development Commission, in consultation with the Department of Education, to develop guidelines, which would be exempted from the Administrative Procedure Act, to ensure that programs receiving grants reflect current state energy policies and priorities as well as provide skills and education linked to the needs of relevant industries.

The bill would authorize a school district to apply for planning grants for implementing a partnership academy and would allow the Superintendent to expend up to 5% of the funds transferred to the Superintendent to pay the costs incurred in the administration of this program. The bill would require

the Superintendents, in consultation with the State Energy Resources Conservation and Development Commission, to provide a report to the Legislature that includes a description of the curriculum and substance of the programs funded by grants awarded pursuant to these provisions, and specified data.

The bill would provide that the bill's provisions would become inoperative on June 30, 2017, and, as of January 1, 2018, would repeal these provisions.

SB 653 (Steinberg – D) Pupil assessment: California English Language Development Test.

Recommended Position: SUPPORT	Approved Position:	Date:
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The California Constitution prohibits the Legislature from imposing taxes for local purposes, but allows the Legislature to authorize local governments to impose them.

This bill would authorize the governing board of any county, city and county, and any school district, subject to specified constitutional and voter approval requirements, to levy, increase, or extend a local personal income tax, transactions and use tax, vehicle license fee, and excise tax, including, but not limited to, an alcoholic beverages tax, a cigarette and tobacco products tax, a sweetened beverage tax, and an oil severance tax, as provided.

This bill would require the State Board of Equalization, the Franchise Tax Board, or the Dept. of Motor Vehicles to perform various functions incident to the administration and operation of a local tax if the county, city and county, or the school district contracts with the agency to perform those functions.

This bill for each fiscal year would also require a county or city and county and a school district to reimburse the state for any losses incurred by the state General Fund due to any deductions allowed under the Personal Income Tax Law and the Corporation Tax Law for any local taxes levied, increased, or extended pursuant to this authorization by that county or city and county or school district, as specified. This bill would, for each fiscal year, require the Franchise Tax Board, with the assistance of the State Board of Equalization, to estimate the losses incurred by the state General Fund attributable to each county or city and county or a school district due to any local taxes levied, increased, or extended by that county or city and county or school district.

SB 753 (Padilla – D) Pupils: English learners: assessment.

Recommended Position:
SUPPORT

Approved Position:

Date:

This bill and another by the same author (SB 754, Padilla) are intended to give English learners greater opportunity to be classified as English Proficient. AB 753 is sponsored by Los Angeles Unified.

This bill moves the date of the CELDT from the fall--when students have not been studying--to a 3-month period in the spring, after 65% of instructional year is completed. The idea is to assess ELLs when tested material is fresh in their minds. The bill also requires the Dept of Ed to provide score reports to parents/guardians "in a format that utilizes terminology that is easy to understand." The Senator's sister is an EL teacher in the San Fernando Valley and she is the originator of the idea for SB 754 and helped the Senator come up with this bill.

SB 754 (Padilla – D) Pupil assessment: California English Language Development Test.

Recommended Position:
SUPPORT

Approved Position:

Date:

This bill and another by the same author (SB 753, Padilla) are intended to give English learners greater opportunity to be classified as English Proficient. AB 754 is sponsored by Los Angeles Unified.

This bill clarifies that an Early Advanced or Advanced score for any pupil in grades 3-12 within one of the four domains tested on the CELDT will qualify students as proficient in that domain and they won't have to re-take the section of that test again as long as they become proficient in all four domains before the end of their grade-span. This bill would not go into effect until the current test publisher's contract expires. The Senator's sister is an EL teacher in the San Fernando Valley and she is the originator of the idea for this bill and helped the Senator come up with SB 753.

SBX1 1 (Steinberg – D) Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.

Recommended Position:
INFORMATIONAL ONLY - Signed

Approved Position:

Date:

1) Existing law establishes the partnership academies program as a school-business partnership program to provide occupational training to educationally disadvantaged high school pupils. Under existing law, the Superintendent of Public Instruction is required to award grants to school districts maintaining high schools to plan, establish, and maintain these partnership academies.

Existing law establishes the Renewable Resource Trust Fund as a fund that is continuously appropriated, with certain exceptions for administrative expenses, in the State Treasury, requires that certain moneys collected to support renewable energy resources through the public goods charge, as defined, are deposited into the fund, and authorizes the State Energy Resources Conservation and Development Commission (Energy Commission) to expend the moneys pursuant to the renewable energy resources program.

This bill requires the Controller annually to allocate \$8,000,000 from the Renewable Resource Trust Fund or other related fund, upon appropriation by the Legislature, to the SPI for expenditure in the form of grants to school districts to be allocated pursuant to the existing provisions for creating and maintaining partnership academies. If funds from the Renewable Resource Trust Fund are insufficient to fully meet that funding requirement in specified fiscal years, the bill would require the Controller to allocate the balance of funds required to meet the funding requirement from the Alternative and Renewable Fuel and Vehicle Technology Fund for these purposes.

The bill requires the SPI to award grants, as specified, to school districts that propose to implement or maintain a partnership academy that focuses on employment in clean technology businesses and renewable energy businesses and provides skilled workforces for the products and services for energy or water conservation, or both, renewable energy, pollution reduction, or other technologies.

The bill also requires the Energy Commission, no later than 60 days after the effective date of these provisions, in consultation with the Superintendent, to adopt guidelines to ensure that programs receiving grants reflect current state energy policies and priorities as well as provide skills and education linked to the needs of relevant industries.

The bill would authorize a school district to apply for planning grants for implementing a partnership academy and would allow the Superintendent to expend up to 5% of the funds transferred to the Superintendent to pay the costs incurred in the administration of this program. The bill would require the Superintendent, in consultation with the Energy Commission, to provide a report to the Legislature that includes a description of the curriculum and substance of the programs funded by grants awarded pursuant to these provisions, and specified data. The bill would provide that the bill's provisions would become inoperative on June 30, 2017, and, as of January 1, 2018, would repeal these provisions.

2) The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. Governor Schwarzenegger issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 6, 2010. Governor Brown issued a proclamation on January 20, 2011, declaring and reaffirming that a fiscal emergency exists and stating that his proclamation supersedes the earlier proclamation for purposes of that constitutional provision.

This bill would state that it addresses the fiscal emergency declared and reaffirmed by the Governor by proclamation issued on January 20, 2011, pursuant to the California Constitution.



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LEGISLATIVE RECOMMENDATIONS OAKLAND UNIFIED SCHOOL DISTRICT

Bill Number	Author	Title and Description	Recommended Position	Approved Position	Date of Action
AB 48	Pérez, John A.	Teachers: best practices teacher evaluation.	TRACK		
AB 124	Fuentes	Academic content standards: English Language Development Standards Advisory Committee.	SUPPORT		
AB 165	Lara	Pupil fees.	TRACK		
AB 189	Eng	Education funding.	OPPOSE		
AB 224	Bonilla	School accountability: Academic Performance Index.	TRACK		
AB 250	Brownley	Instructional materials: pupil assessment.	SUPPORT		
AB 360	Brownley	Charter schools.	SUPPORT		
AB 519	Hernández	Pupil discipline: restraint and seclusion.	OPPOSE		
AB 532	Pérez, V. Manuel	Pupil assessments.	SUPPORT		
AB 751	Furutani	Education finance.	TRACK		
AB 1172	Mendoza	Charter schools: petition for establishment: decision to grant or deny: appeal.	SUPPORT		
AB 1304	Block	Linked learning.	SUPPORT		
AB 1315	Furutani	Education: Gateway Centers.	SUPPORT		
SB 128	Lowenthal	School facilities funding: high performance schools.	SUPPORT		

File ID Number: 11-1014
 Introduction Date: 6-2-11
 Enactment Number: _____
 Enactment Date: _____
 By: _____

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Bill Number	Author	Title and Description	Recommended Position	Approved Position	Date of Action
SB 132	Lowenthal	School facilities: state planning priorities.	TRACK		
SB 148	Steinberg	Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.	INFORMATIONAL ONLY		
SB 653	Steinberg	Pupil assessment: California English Language Development Test.	SUPPORT		
SB 753	Padilla	Pupils: English learners: assessment.	SUPPORT		
SB 754	Padilla	Pupil assessment: California English Language Development Test.	SUPPORT		
SBX1 1	Steinberg	Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.	INFORMATIONAL ONLY		



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LEGISLATIVE RECOMMENDATIONS OAKLAND UNIFIED SCHOOL DISTRICT

Bill Number	Author	Title and Description	Recommended Position	Approved Position	Date of Action
AB 9	Ammiano	Pupil rights: bullying	TRACK	SUPPORT	6/2/2011
AB 48	Pérez, John A.	Teachers: best practices teacher evaluation.	TRACK	TRACK	6/2/2011
AB 114	Committee on Budget	Education finance	DISSAPROVE		
AB 189	Eng	Education funding.	OPPOSE	TRACK	6/2/2011
AB 224	Bonilla	School accountability: Academic Performance Index.	TRACK	TRACK	6/2/2011
AB 250	Brownley	Instructional materials: pupil assessment.	SUPPORT	TRACK	6/2/2011
AB 519	Hernández	Pupil discipline: restraint and seclusion.	OPPOSE	TRACK	6/2/2011
AB 677	Skinner	Education finance: Oakland Unified School District: sale of surplus property	SPONSOR	SPONSOR	1/1/2011
SB 128	Lowenthal	School facilities funding: high performance schools.	SUPPORT	SUPPORT	6/2/2011
SB 132	Lowenthal	School facilities: state planning priorities.	TRACK	TRACK	6/2/2011
SB 547	Steinberg	Public school performance accountability	SUPPORT		