

**OFFICE OF THE BOARD OF EDUCATION**

1000 Broadway, Suite 680  
Oakland, CA 94607-4099

[ousd.org/boe](http://ousd.org/boe) | [boe@ousd.org](mailto:boe@ousd.org)

510.879.8199 w | 510.879.2299 f | 510.879.2300 TTY/TDD



**OAKLAND UNIFIED  
SCHOOL DISTRICT**

*Community Schools, Thriving Students*

**BOARD OF EDUCATION 2019**

**Aimee Eng**, President, District 2

[aimee.eng@ousd.org](mailto:aimee.eng@ousd.org)

**Jody London**, Vice President, District 1

[jody.london@ousd.org](mailto:jody.london@ousd.org)

**Jumoke Hinton Hodge**, District 3

[jumoke.hintonhodge@ousd.org](mailto:jumoke.hintonhodge@ousd.org)

**Gary Yee**, District 4

[gary.yee@ousd.org](mailto:gary.yee@ousd.org)

**Roseann Torres**, District 5

[roseann.torres@ousd.org](mailto:roseann.torres@ousd.org)

**Shanthi Gonzales**, District 6

[shanthi.gonzales@ousd.org](mailto:shanthi.gonzales@ousd.org)

**James Harris**, District 7

[james.harris@ousd.org](mailto:james.harris@ousd.org)

**TO:** Board of Education  
**FROM:** Legislative Task Force (Jody London, Shanthi Gonzales)  
**SUBJECT:** 2019 State Education Legislation  
**DATE:** March 20, 2019

**RECOMMENDED ACTION**

The Board of Education (Board) should adopt the positions identified below on legislation currently being considered in the State Legislature.

**BACKGROUND**

On January 23, 2019, the Board of Education adopted Legislative Principles and Priorities for 2019. February 22, 2019 was the deadline for bills to be introduced in the Legislature. The Legislative Task Force, working with the District’s Sacramento representatives, recommends the Board take the positions indicated below on various bills. As the legislative process moves forward, new bills on which the Board may wish to take a position will come through this process, as well as bills on which the Board has already taken a position, if those bills are modified in ways that would impact a prior position.

The bills listed on the report are recommended as Support, Oppose, or Watch. In some instances we might see a recommendation of Support if Amended. Once the Board adopts a position on a bill, that is formally communicated to the bill’s author and other stakeholders through a letter from the Board President, as well as appearances at meetings and hearings by the District’s Sacramento representatives.

The bills presented herein relate to the following education policies:

- **Increased funding**, particularly in the Local Control Funding Formula, early childhood education programs, Special Education, and career technical education;
- State and local **school bonds** to support the District’s capital program;
- Funding to **support student learning** and achievement, including focusing on low-performing students and students aspiring to attend college;

- Terms of **employment** for certificated and classified staff; and
- **Charter schools**, including but not limited to ability of authorizers to consider fiscal impact, changes to the appeals process, and regional and statewide charter school caps.

The following bills and recommended positions are ones that have been introduced from an identical proposal during the 2018 legislative year on which the District adopted a position:

- Assembly Bill (AB) 751 (O'Donnell, D-Long Beach), Support (*Reintroduced from AB 1951 [O'Donnell]*). Authorizes school districts to administer the ACT or SAT in lieu of the 11<sup>th</sup> grade SBACs
- AB 428 (Medina, D-Riverside), Support (*Reintroduced from AB 3136 [Medina]*). Increases Special Education funding by equalizing AB 602 funding and providing supplemental funding for targeted students, including preschool-aged students with special needs
- Senate Bill 328 (Portantino, D-La Cañada Flintridge), Oppose (*Reintroduced from SB 328 [Portantino]*). Requires districts serving grades 7-12, inclusive, to start the school day no earlier than 8:30 a.m.

**SCHOOL SERVICES OF CALIFORNIA, INC.**

**Legislative Report Prepared for:  
Oakland Unified School District  
Status as of: March 14, 2019**

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
<b>Accountability and Assessments</b>				
AB 751 O'Donnell	Pupil Assessments: Pathways to College Act	Recommend Support	Assembly Education Committee	1
AB 1233 Smith	Advanced Placement Examinations: Fees	Recommend Support	Assembly Education Committee	1
<b>Career Technical Education, Adult Education, and ROC/P</b>				
AB 1303 O'Donnell	California Career Technical Education Incentive Grant Program: Strong Workforce Program	Recommend Support	Assembly Education Committee	1
<b>Early Childhood Education</b>				
AB 123 McCarty	Early Childhood Education: State Preschool Program: Transitional Kindergarten: Access: Standards	Recommend Support	Assembly Desk	1
AB 125 McCarty	Early Childhood Education: Reimbursement Rates	Recommend Support	Assembly Human Services Committee	2
SB 174 Leyva	Early Childhood Education: Reimbursement Rates	Recommend Support	Senate Education Committee	2
<b>Employment</b>				
AB 628 Bonta	Employment: Victims of Sexual Harassment: Protections	Recommend Watch	Assembly Labor and Employment Committee	2
AB 1078 Weber	Certificated School Employees: Permanent Status	Recommend Watch	Assembly Education Committee	2
AB 1353 Wicks	Classified Employees: Probationary Period	Recommend Watch	Assembly Desk	3
<b>Facilities</b>				
AB 48 O'Donnell	Kindergarten-community Colleges Public Education Facilities Bond Acts of 2020 and 2022	Recommend Watch	Assembly Education Committee	3
AB 610 Oberholte	Elections: Local Bond Measures: Tax Rate Statement	Recommend Watch	Assembly Elections and Reapportionment Committee	3

<b>Governance and District Operations</b>				
SB 328 Portantino	Pupil Attendance: School Start Time	Recommend Oppose	Senate Education Committee	3
<b>Health/Safety</b>				
AB 1322 Berman	School-Based Health Programs	Recommend Watch	Assembly Education Committee	4
<b>Liability</b>				
AB 218 Gonzalez	Damages: Childhood Sexual Assault: Statute of Limitations	Recommend Watch	Assembly Floor—Third Reading	4
<b>School Safety and Student Discipline</b>				
SB 419 Skinner	Pupil Discipline: Suspensions: Willful Defiance	Recommend Watch	Senate Education Committee	4
<b>Special Education</b>				
AB 428 Medina	Special Education Funding	Recommend Support	Assembly Appropriations Committee	5
SB 217 Portantino	Special Education: Individuals with Exceptional Needs: Early Education Programs	Recommend Support	Senate Education Committee	5
<b>State Budget, Education Finance, and LCFF</b>				
AB 39 Muratsuchi	Education Finance: Local Control Funding Formula: Funding Increase	Recommend Support	Assembly Education Committee	5
AB 575 Weber	Education Finance: Local Control Funding Formula: Supplemental Grants: Lowest Performing Pupil Subgroup or Subgroups	Recommend Support	Assembly Education Committee	6
SB 729 Portantino	Local Control Funding Formula: School Districts and Charter Schools	Recommend Support	Senate Rules Committee	6
<b>Student Services</b>				
AB 1725 Carrillo	After School Education and Safety Program: Funding and Grant Amounts	Recommend Watch	Assembly Desk	6
<b>Charter Schools</b>				
AB 1505 O'Donnell	Charter Schools: Petitions	Recommend Support	Assembly Desk	7
AB 1506 McCarty	Charter Schools: Statewide Total	Recommend Watch	Assembly Desk	7
AB 1507 Smith	Charter Schools: Location	Recommend Support	Assembly Desk	7
AB 1508 Bonta	Charter Schools: Petitions	Recommend Support	Assembly Desk	7

## Accountability and Assessments

### [AB 751 \(O'Donnell\)](#)

**Title:** Pupil Assessments: Pathways to College Act

**Status:** Assembly Education Committee

**Position:** Recommend Support

**Summary:**

Requires the Superintendent of Public Instruction to approve a nationally recognized high school assessment (based on specified requirements) that a local educational agency may administer in lieu of the grade 11 SBAC.

### [AB 1233 \(Smith\)](#)

**Title:** Advanced Placement Examinations: Fees

**Status:** Assembly Education Committee

**Position:** Recommend Support

**Summary:**

Assembly Bill 1233 establishes the California Advanced Placement Equity Program to ensure that low-income high school students have access to Advanced Placement (AP) exams by providing grants to school districts to reduce the AP exam fee to \$5 for eligible students.

## Career Technical Education, Adult Education, and ROC/P

### [AB 1303 \(O'Donnell\)](#)

**Title:** California Career Technical Education Incentive Grant Program: Strong Workforce Program

**Status:** Assembly Education Committee

**Position:** Recommend Support

**Summary:**

This bill eliminates the K-12 Strong Workforce Program, and increases ongoing funding for the Career Technical Education Incentive Grant Program from \$150 million to \$450 million. Assembly Bill 1303 also changes the match requirement to 1:1.

## Early Childhood Education

### [AB 123 \(McCarty\)](#)

**Title:** Early Childhood Education: State Preschool Program: Transitional Kindergarten: Access: Standards

**Status:** Assembly Desk

**Position:** Recommend Support

**Summary:**

Assembly Bill (AB) 123 proposes several changes to pre-kindergarten programs in California. It would authorize any four-year-old who lives in specified communities to enroll in a state preschool program. AB 123 would also provide local educational agencies serving transitional kindergarten a \$3,000 incentive to reduce class size ratios and offer full-day transitional kindergarten. The bill would establish new teacher qualification requirements for State Preschool programs and would provide financial support for teachers to meet the new requirements, along with a 23% adjustment to the provider reimbursement rate to increase compensation as a result of the higher qualifications.

---

**[AB 125 \(McCarty\)](#)**

**Amended:** 3/11/2019

**Title:** Early Childhood Education: Reimbursement Rates

**Status:** Assembly Human Services Committee

**Position:** Recommend Support

**Summary:**

Assembly Bill 125 is nearly identical to Senate Bill 174 (Leyva) that is intended to reform the state child care and preschool reimbursement rate system into a single regionalized rate system that adequately compensates the workforce for the cost of providing care and education and improves the system quality by providing improvement incentives to fund continuing education and professional development for teachers along with efforts to improve program standards.

---

**[SB 174 \(Leyva\)](#)**

**Title:** Early Childhood Education: Reimbursement Rates

**Status:** Senate Education Committee

**Position:** Recommend Support

**Summary:**

Senate Bill 174 (Leyva) is nearly identical to Assembly Bill 125 (McCarty) that is intended to reform the state child care and preschool reimbursement rate system into a single regionalized rate system that adequately compensates the workforce for the cost of providing care and education and improves the system quality by providing improvement incentives to fund continuing education and professional development for teachers along with efforts to improve program standards.

---

## Employment

---

**[AB 628 \(Bonta\)](#)**

**Title:** Employment: Victims of Sexual Harassment: Protections

**Status:** Assembly Labor and Employment Committee

**Position:** Recommend Watch

**Summary:**

Existing law prohibits an employer from discriminating or retaliating against an employee who is a victim of domestic violence, sexual assault, or stalking for taking time off from work to obtain specified services. Assembly Bill 628 expands these protections to cover victims of sexual harassment. This bill also extends these protections to family members of victims who take time off work to provide assistance to the victims.

---

**[AB 1078 \(Weber\)](#)**

**Title:** Certificated School Employees: Permanent Status

**Status:** Assembly Education Committee

**Position:** Recommend Watch

**Summary:**

This bill extends the probationary period for certificated employees from two years to three years.

---

**[AB 1353 \(Wicks\)](#)**

**Title:** Classified Employees: Probationary Period

**Status:** Assembly Desk

**Position:** Recommend Watch

**Summary:**

Shortens the probationary period for personnel management of the classified service from one year to six months.

---

**Facilities**

---

**[AB 48 \(O'Donnell\)](#)**

**Amended:** 1/28/2019

**Title:** Kindergarten-Community Colleges Public Education Facilities Bond Acts of 2020 and 2022

**Status:** Assembly Education Committee

**Position:** Recommend Watch

**Summary:**

This bill would state the intent of the Legislature to enact legislation that would create the Kindergarten-Community Colleges Public Education Facilities Bond Acts of 2020 and 2022, state general obligation bond acts that would provide funds to construct and modernize education facilities, and become operative only if approved by the voters at unspecified 2020 and 2022 elections.

---

**[AB 610 \(Oberholte\)](#)**

**Title:** Elections: Local Bond Measures: Tax Rate Statement

**Status:** Assembly Elections and Reapportionment Committee

**Position:** Recommend Watch

**Summary:**

Assembly Bill 610 would require all local bond measures to express proposed tax rates as the rate per \$100,000 of assessed valuation (e.g., \$60 per \$100,000 of assessed valuation rather than 6 cents per \$100 of assessed valuation).

---

**Governance and District Operations**

---

**[SB 328 \(Portantino\)](#)**

**Title:** Pupil Attendance: School Start Time

**Status:** Senate Education Committee

**Position:** Recommend Oppose

**Summary:**

Requires middle schools and high schools to start no earlier than 8:30 a.m.

## Health/Safety

### [AB 1322 \(Berman\)](#)

**Title:** School-Based Health Programs

**Status:** Assembly Education Committee

**Position:** Recommend Watch

#### **Summary:**

This bill establishes an Office of School-Based Health Programs in the California Department of Education for the purpose of, among other things, advising on issues related to the delivery of school-based Medi-Cal services in the state.

## Liability

### [AB 218 \(Gonzalez\)](#)

**Title:** Damages: Childhood Sexual Assault: Statute of Limitations

**Status:** Assembly Judiciary Committee

**Position:** Recommend Watch

#### **Summary:**

This bill extends the time for commencement of actions for childhood sexual assault to 40 years of age or 5 years from discovery of the injury; provides enhanced damages for a cover up, as defined, of the assault; and provides a 3-year window in which expired claims would be revived.

## School Safety and Student Discipline

### [SB 419 \(Skinner\)](#)

**Title:** Pupil Discipline: Suspensions: Willful Defiance

**Status:** Senate Education Committee

**Position:** Recommend Watch

#### **Summary:**

This bill is a reintroduction of a bill by Senator Nancy Skinner that would prohibit the suspension of a pupil enrolled in a school district or charter school in kindergarten or any of grades 4 to 8, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of his or her duties. The bill, until January 1, 2025, would prohibit the suspension of a pupil enrolled in a school district or charter school in any of grades 9 to 12, inclusive, for those acts.



## Special Education

### [AB 428 \(Medina\)](#)

**Title:** Special Education Funding

**Status:** Assembly Education Committee

**Position:** Recommend Support

#### **Summary:**

This bill would implement several of the recommendations from the California Special Education Task Force and provide support to California's students with special needs by:

- Establishing a funding mechanism to support Special Education preschool programs by adding preschoolers to the Assembly Bill (AB) 602 funding formula
- Addressing long-standing inequities by equalizing Special Education funding rates to the 95th percentile over a five-year period
- Providing a supplemental grant to support students with greater needs, including students on the autism spectrum, and students who are blind, visually impaired, and intellectually disabled

### [SB 217 \(Portantino\)](#)

**Title:** Special Education: Individuals with Exceptional Needs: Early Education Programs

**Status:** Senate Education Committee

**Position:** Recommend Support

#### **Summary:**

Establishes the Special Education Early Intervention Grant Program to allocate to school districts \$4,000 per child who is three or four years of age, is an individual with exceptional needs, and is enrolled in Transitional Kindergarten (TK), a California state preschool program, a federal Head Start program, or other education preschool program. Requires school districts or charter schools to admit to TK, and receive full average daily attendance for, any child who will turn five years old during the school year and has an Individualized Education Program.

## State Budget, Education Finance, and LCFF

### [AB 39 \(Muratsuchi\)](#)

**Title:** Education Finance: Local Control Funding Formula: Funding Increase

**Status:** Assembly Education Committee

**Position:** Recommend Support

#### **Summary:**

This bill would specify new, higher Local Control Funding Formula (LCFF) base grant amounts for the 2019-20 fiscal year, which would also increase the supplemental and concentration grant amounts and result in various other changes to funding calculations for purposes of the LCFF.

---

**[AB 575 \(Weber\)](#)**

**Title:** Education Finance: Local Control Funding Formula: Supplemental Grants: Lowest Performing Pupil Subgroup or Subgroups

**Status:** Assembly Education Committee

**Position:** Recommend Support

**Summary:**

This bill would adjust the definition of “unduplicated pupils” to include pupils who are included in the lowest performing subgroup or subgroups, as defined, based on the most recently available mathematics or language arts results on the California Assessment of Student Performance and Progress.

**SSC Comment:**

This is a reintroduced bill from Assembly Member Shirley Weber. Last year’s bill resulted in one-time funding for low performing students in the current year budget, but the funding was distributed differently than what was prescribed in Assembly Member Weber’s bill.

---

**[SB 729 \(Portantino\)](#)**

**Title:** Local Control Funding Formula: School Districts and Charter Schools

**Status:** Senate Rules Committee

**Position:** Recommend Support

**Summary:**

This bill would appropriate \$1 billion in fiscal year 2019-20 to the Local Control Funding Formula and is proposed as an urgency measure requiring a two-thirds vote of the Legislature to take effect immediately upon the signature of the Governor.

---

## Student Services

---

**[AB 1725 \(Carrillo\)](#)**

**Title:** After School Education and Safety Program: Funding and Grant Amounts

**Status:** Assembly Desk

**Position:** Recommend Watch

**Summary:**

Assembly Bill 1725 would increase the daily per pupil rate for the After School Education and Safety Program to equal the higher of either 50% increases to the minimum wage or the percentage increase to the California Consumer Price Index.

## Charter Schools

### [AB 1505 \(O'Donnell\)](#)

**Title:** Charter Schools: Petitions

**Status:** Assembly Desk

**Position:** Recommend Support

**Summary:**

Makes significant changes to the charter school authorization and renewal process including the following:

- Changes school district authorizing from a “shall” to a “may”
- Eliminates charter school appeals to the county office of education and SBE for initial charter petitions, renewal, and revocation
- Eliminates county authorized charter schools
- Eliminates statewide benefit charter schools approved by SBE
- Authorizes charter schools to be renewed for between one and five years
- Eliminates the requirement that academics be the highest priority during charter school renewal and revocation

### [AB 1506 \(McCarty\)](#)

**Title:** Charter Schools: Statewide Total

**Status:** Assembly Desk

**Position:** Recommend Watch

**Summary:**

Assembly Bill 1506 is intended to be the vehicle to institute a cap on the number of charter schools in the state.

### [AB 1507 \(Smith\)](#)

**Title:** Charter Schools: Location

**Status:** Assembly Desk

**Position:** Recommend Support

**Summary:**

This bill prohibits a school district from approving a petition for a charter school that will operate outside the district's boundaries.

### [AB 1508 \(Bonta\)](#)

**Title:** Charter Schools: Petitions

**Status:** Assembly Desk

**Position:** Support

**Summary:**

Expresses intent to enact legislation that would permit chartering authorities to consider, in determining whether to approve a new charter school petition, the financial, academic, and facilities impacts the new charter school would have on neighborhood public schools.