



Legislative Update

Office of Assemblymember
Sandré R. Swanson

June 10, 2009

Overview

- Past Legislation
- Current Legislation
- Upcoming Legislative Ideas
- Other Matters

Past Legislation

- AB 45
 - Return of local control.
 - *Vetoed.*
- AB 2008
 - Prohibited new charter schools in OUSD.
 - *Held in Committee*
- AB 2027
 - Reduced the amount required to be deposited in restricted account for the ongoing and major maintenance of school buildings.
 - *Held in Committee*

Current Legislation

- AB 788
- AB 791
- AB 980
- AB 1377

AB 788

Content

- Would prohibit the Superintendent or his or her appointed administrator or trustee from transferring to a charter school located within the jurisdiction of the Oakland Unified School District any funds appropriated or allocated to OUSD.

AB 788

Background

- In February, the Superintendent of Public Instruction order OUSD to transfer \$60 per student to charter schools. The total amount was about \$480,000.
- OUSD brought suit to prevent the transfer. In March, the courts denied the District's request to order a temporary halt to the transfer. The case continues.

AB 788

Background

- The Assemblymember believes that it is not appropriate to transfer the funds at this time for two reasons because it exacerbates the District's revenue issues.

AB 788

Status

- In Assembly Committee on Education.
- Held under submission.

AB 791

Content

- Returns local control to OUSD.
- Amendments:
 - Instead of a January 4th, 2010 deadline for return of local control, the deadline is July 1, 2010.
 - Allows the FCMAT to recommend that areas be removed from local control and returned to Superintendent of Public Instruction.

AB 791

Background

- Since 2003, the District, the Board, and, most importantly, the students have made steady progress.
- The Fiscal Crisis and Management Assistance Team the County Office Fiscal Crisis and Management Assistance Team (FCMAT) recommended, in its annual progress that the remaining areas of pupil achievement and financial management be returned to the District

AB 791

Background

- Despite the recommendation, the SPI has not returned local control.

AB 791

Status

- On May 28th, passed the Assembly Floor by a 46-29 vote.
- Currently in the Senate. We expect it will come before the relevant Senate Committees within the month.

AB 980

Content

- Requires charter schools located within the boundaries of a school district that is repaying an emergency apportionment to pay a prorated amount of the annual payment made by the District on the apportionment.
- Prorated amount is calculated on a per-student basis.

AB 980

Background

- School funding is determined on a per-pupil basis. As charter enrollment rises, payments on the loan take up a larger segment of the traditional public school budget, imperiling the District Budget.
- Charter schools are public schools and ought to be treated equally in loan repayment.

AB 980

Status

- On May 21st, passed the Assembly Floor by a 48-31 vote.
- Referred to the Senate Committee on Education. Will be heard within the month.

AB 1377

Content

- Provides a 180 day window for Districts under State receivership to correct audit findings before assessment of financial penalties.

AB 1377

Background

- Districts in receivership undergo a audit.
- Currently, the District is assessed financial penalties for any findings made, without an opportunity to correct them.

AB 1377

Status

- As of May 28, held under submission to the Assembly Appropriations committee.
- It is likely this bill will not be heard during this session.

Upcoming Legislative Ideas

- Child-care Funding
- Debt Relief
- Other Ideas

Child Care Funding

- Currently, the District is unable to spend about 15% of its allocation for child care.
- Legislators for counties in similar situations passed bills to allow local child care councils greater flexibility in eligibility and rate payment.
- In San Mateo, unspent allocation went from 15% to 2% in five years.

Debt Relief

- The Urban Strategies Council is working on a legislative idea that would forgive the OUSD debt in exchange for the outstanding funds being placed in a dedicated spending account.

Other Ideas

- Both of these ideas are at the preliminary stage. My office has not committed to proposing them in the upcoming year.
- We are happy to consider other ideas from the Board, District staff, and the broader community.

Other Matters

- AB 572 (Brownley)
- State Budget

AB 572 (Brownley)

- Requires charter schools to comply with the same conflict of interest requirements as school districts.
 - These include the Brown Act, Public Records Act, and the Political Reform Act of 1974.
 - Also specifies that a member of the governing body of a charter school shall abstain from voting on all matters affecting his or her own employment and personnel matters that uniquely affect a member's relative, and specifies a person who is disqualified from holding a civil office shall not serve on the governing body of a charter school.

AB 572 (Brownley)

- Passed the Assembly by a 51-29 vote on May 28th. Assemblymember Swanson voted for it.

State Budget

- The State faces an approximately \$24 billion shortfall.
- Proposals on the table at this time include elimination of Cal Grants, borrowing from local governments, and closing access to State parks.

State Budget

- It is difficult to determine which, if any, of these proposals will be enacted.
- However, we expect significant cuts across all areas, including education.
- Assemblymember Swanson is committed to fighting for critical programs and will continue to do so.