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# Memo

**To** Board of Education

**From** Oakland Education Association

**Board Meeting Date** October 28, 2020

**Subject** Sunshining of the Oakland Education Association's Black Sanctuary Proposal (Public Hearing)

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**Action** Conduct a public hearing on the Oakland Education Association (OEA) initial Black Sanctuary proposal

**Background & Discussion** Governing Code section 3547(a) states "All initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at a public meeting of the public school employer and thereafter shall be public records." (See also *Watts vs. LAUSD* (PERB Decision No. 527) [concluding that District's adoption of resolution endorsing particular compensation philosophy for purposing of upcoming labor negotiations when actual proposal was "no more specific" than resolution needed first to be sunshined].<sup>1</sup>) It is important to note that some aspects of OEA's proposal are within the scope of bargaining and some aspects of OEA's proposal are outside the scope of bargaining. By sunshining OEA's complete proposal, OUSD is in no way agreeing that all aspects of OEA's proposal are properly within the scope of bargaining and is in no way waiving any rights to object to the inclusion of such items in bargaining proposal.

**Fiscal Impact** To be determine based on the outcome of negotiations

**Attachment** Oakland Education Association's Black Sanctuary Proposal

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<sup>1</sup> Available at <https://perb.ca.gov/wp-content/uploads/decisionbank/0527E.pdf>