

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY VICE MAYOR KAPLAN, COUNCIL PRESIDENT FORTUNATO
BAS, AND PRO TEM THAO

RESOLUTION CALLING ON THE CALIFORNIA GOVERNOR AND LEGISLATURE TO PROTECT OUR SCHOOLS AND OUR PUBLIC HEALTH AND COMMUNITY BY: (1) AMENDING THE STATE BUDGET TO PROTECT OUR HARDEST HIT COMMUNITIES BY PREVENTING SCHOOL CLOSURES AND ELIMINATING DEBT; (2) TO AMEND STATE LAW, TO REVISE THE "AVERAGE DAILY ATTENDANCE" FORMULA, TO REMOVE PENALIZING SCHOOLS WHEN STUDENTS ARE SICK; AND (3) TO DIRECT THE CITY ADMINISTRATOR TO SHARE A COPY OF THIS RESOLUTION WITH THE GOVERNOR, OAKLAND'S STATE REPRESENTATIVES, AND OAKLAND LOBBYIST

WHEREAS, the COVID-19 pandemic has had profound impacts on our school system, disrupting student's lives and ability to learn, creating difficult and stressful environments for Oakland teachers, students, and families, and exacerbating existing issues around equity within our schools; and

WHEREAS, school closures are a disinvestment within the neighborhoods they serve, removing central hubs for community-building and causing blight during the period where school property is left unoccupied and unused; and

WHEREAS, a 2011 study conducted by Pew Charitable Trusts found that cost savings from school closures are generally limited in the context of a big-city school budget, particularly in the short term; in addition, research concluded the task of putting closed buildings to productive use, either through sale or lease, to be extremely difficult; and

WHEREAS, school closures will displace students, teachers and families, further disrupt learning, and exacerbate decreasing enrollment rates; and

WHEREAS, California's public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity (CA Educ Code § 201); and

WHEREAS, permanent school closures can have and have had a detrimental effect on communities of color across the city, and specifically on Black communities; and

WHEREAS, the Oakland Unified School District (OUSD) has a history of disproportionately impacting majority Black schools for closure, closing 16 majority Black schools in two decades; and

WHEREAS, all eight schools slated for closure this year are majority Black schools; and

WHEREAS, an action which disproportionately impacts one particular demographic group as compared to other demographic groups may interfere with the ability to receive equal access to a quality education; and

WHEREAS, California is anticipating a \$45.7 billion surplus for the 2022-23 fiscal year, of which \$16.1 billion will be used for Proposition 98 obligations and \$20.6 billion will be available for discretionary use; and

WHEREAS, in 2003, the Oakland Unified School District was placed under state control and was compelled to accept a \$100 million loan, which is has been repaying with interest ever since; and despite state control, oversight, and approval of all its budgets, OUSD has not only remained in debt, but due to the growth of state-approved charter schools and the consequent loss of public school student population, continues to be unable to provide sufficient resources to its students, particularly Black and Brown students; and

WHEREAS, it would require less than one fifteenth of a percent of the State's operating surplus to eliminate all of OUSD's outstanding debt; and

WHEREAS, the ongoing effects of the pandemic—such as student and staff quarantines, challenges implementing remote learning, impacts of months of lost or insufficient instructional time, and stress and trauma from the pandemic and social isolation—continue to affect school attendance levels; and

WHEREAS, the State's Local Control Funding Formula (LCFF) allocates funding to school districts based on their average daily attendance—the average number of students in class each day throughout the school year; and

WHEREAS, because of temporary school closures from COVID-19, for 2020-21, the state suspended the collection of attendance data, and credited districts with their 2019-20 attendance levels for LCFF funding; and

WHEREAS, while this adjustment was made for 2020-21, for 2021-22, the State returned to its previous policy—crediting school districts with the greater of their attendance in 2021-22 or 2020-21; and

WHEREAS, according to a survey by the California Collaborative for Education Excellence, 90% of school districts experienced declines in attendance in 2020-21, and districts also reported spikes in increased chronic absenteeism; and

WHEREAS, greater structural reform around how we fund schools in California must be made to support students today who now, in addition to experiencing major disruptions because of COVID-19, are also facing threats of school closure; now, therefore be it

RESOLVED: That the Oakland City Council strongly urges the Governor and State Legislature to protect our schools, public health and community by amending the state budget to protect our hardest hit communities by preventing school closures and eliminating debt, and be it

FURTHER RESOLVED: That the Council strongly urges the Governor and State Legislature to amend state law and revise the Average Daily Attendance formula to remove penalizing schools when students are sick, and be it

FURTHER RESOLVED: That the Council directs the City Administrator to send a copy of this Resolution to Governor Newsom, Senator Nancy Skinner, Assembly Members Mia Bonta and Buffy Wicks, and Oakland's lobbyist.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO,

PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED

City Clerk and Clerk of the Council of the
City of Oakland, California