

Resolution-Oppose AB 1316

June 2, 2021

Whereas, AB 1316 is an 88 page bill that contains problematic provisions negatively impacting California's public charter schools. AB 1316 has been introduced in the state Assembly by Assemblyman Patrick O'Donnell (D-Long Beach), and with its potential passage and governor's signature making it law, this bill would cause numerous onerous restrictions and excessive costs on California's public charter schools; and

Whereas, AB 1316 is supported and advanced by the California Teachers Association. This bill imposes and triples the current cap on authorizer administrative and oversight fees, prescriptive minimum daily instructional minutes laws, related auditing and high-stakes financial penalties; and

Whereas, AB 1316 dramatically expands annual finance and compliance audit, procedures, requirements, report contents, schedules, and disclosures for charter schools; and

Whereas, AB 1316 expands audit requirements for related entities and mandates consolidation of auditing for related entity organizations with material financial relationships to a charter school (likely targeting CMO "central offices," facilities support, "friends of" fundraising organizations, etc.); and

Whereas, AB 1316 eliminates authority to operate year-round, multitrack instructional calendars; and

Whereas, AB 1316 requires charter schools to report compliant financial data in the same format as school districts, thereby mandating implementation of complex and costly accounting software, systems, and practices; and

Whereas, AB 1316 mandates all teaching staff be employed by the school, thereby presumably prohibiting procuring teaching and special education services from other agencies, school districts, and/or county offices; and

Whereas, AB 1316 imposes complex public sector competitive bidding and contracting requirements on all charter schools; and

Whereas, AB 1316 for non-classroom-based Charter Schools cuts funding for most non-classroom-based schools by 30 percent using an inflexible sliding scale, replacing most of the current "funding determination" laws without regard to a charter school's efficiency and limited financial resources; and

Whereas, AB 1316 for non-classroom-based Charter Schools requires all non-classroom-based schools to also offer a full, classroom-based program; and

Whereas, AB 1316 for non-classroom-based Charter Schools prohibits funding for students who reside out of a charter school's home county or school district; and

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Whereas, AB 1316 for non-classroom-based Charter Schools requires supervising teachers to have in-person or live visual/audio contact with students at least once every third day, and imposes a myriad of additional responsibilities and administration requirements on supervising teachers; and

Whereas, AB 1316 for non-classroom-based Charter Schools requires proctoring (presumably in-person) of all annual summative tests; and

Whereas, AB 1316 for non-classroom-based Charter Schools prohibits average daily attendance during days dedicated to education based- enrichment activities; and

Whereas, AB 1316 for non-classroom-based Charter Schools caps the size of charter schools a given district may authorize based on a sliding scale, thereby capping growth permanently in many districts; and

Whereas, AB 1316 for non-classroom-based Charter Schools expands the scope of mandated, board-adopted independent study policies and related written independent study agreements to include a long list of new items and restrictions; and

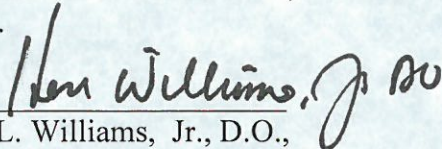
Therefore, the OCBE opposes Assembly Bill 1316 because it weakens California's public charter schools and negatively impacts the families and children they educate and serve. The board strongly opposes AB 1316 because of its imposition of devastating restrictions and additional costs on California's public charter schools.

AYES: 3 (Williams, Barke, Shaw)
NOES: 1 (Gomez)
ABSENT: 1 (Sparks)

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, **Ken L. Williams, D.O.**, President, Board of Education of Orange County, California hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 5th day of May 2021.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 5th day of May 2021.


Ken L. Williams, Jr., D.O.,
President of Orange County Board of Education