

West Contra Costa Unified School District  
Resolution No. 63-1819

WCCUSD Call for a Moratorium on Charter School Expansion and Strengthening of  
Transparency and Oversight in Governance and Practice

WHEREAS, since the passage of the 1992 California Charter Schools Act, the number of publicly-funded, and privately-operated charter schools statewide, and within the boundaries of West Contra Costa Unified School District, has grown rapidly; and

WHEREAS, in 2018, researchers from Columbia University and the University of Florida found that charter schools nationwide are less likely to respond to enrollment requests from students with significant special needs; and

WHEREAS, In May 2018 a study found that charter schools led to a net fiscal shortfall of \$57.3 million annually for Oakland Unified, \$65.9 million annually for San Diego Unified, and \$19.3 million annually for East Side Union High School District in Santa Clara County; and

WHEREAS, in August 2018, an evaluation of 43 LCAPs for charter schools in five districts, including WCCUSD, found charter school engagement, transparency, and accountability woefully lacking to such a degree that it was sometimes impossible to determine how charter schools were spending millions of dollars; and

WHEREAS, in December 2018 the CA Attorney General Xavier Becerra offered a legal opinion that Charter Schools should provide further transparency and should be subject to the same laws and regulations as district schools including open meetings and providing financial reports to the public; and

WHEREAS, current law requires district campuses to accommodate co-locations of charter schools, resulting in shortages of resources and space and increasing tension and conflict within school communities; and

WHEREAS, local school boards are the best determiners of how local education dollars should be spent to benefit local students, including the appropriate number and type of schools in their district, yet are prohibited under current law from considering such factors when deciding whether or not to approve a charter school petition; and

WHEREAS, The California State Board of Education and the Contra Costa County Board of Education may authorize charter schools within WCCUSD boundaries, and the County Board has authorized such charters, despite initial rejection by the WCCUSD Board of Education; and

WHEREAS, the NAACP, the Journey for Justice Alliance, the Movement for Black Lives, the Los Angeles Unified School District, the Anaheim Union High School District, the City of Richmond, the City of Huntington Park, and other organizations have called for and/or passed a moratorium on charter school expansion and for the strengthening of oversight in governance and practice of charter schools.

THEREFORE, BE IT RESOLVED, that the West Contra Costa Unified School District joins the above organizations and hereby supports a moratorium on the establishment of new charter schools in the state of CA, and will seek to have state legislation introduced and enacted to establish such a moratorium; and

FURTHER BE IT RESOLVED, that in compliance with the California Charter Schools Act (EC Section 47600 et. seq.), and in order to ensure equitable access to all to a quality public education, the WCCUSD shall conduct a full, open, and thorough analysis of the potential impact that the expansion and addition of charter schools in West Contra Costa will have on WCCUSD traditional public schools; this analysis, which shall be made public upon completion, shall include, but not be limited to, investigation of the following:

1. The demographics of charter school students by subgroup as compared to nearby WCCUSD non-charter schools, including students with disabilities, students with social-emotional needs, newcomer students, English learners, foster youth, and homeless/transitional students;
2. The net fiscal impact of existing charter schools on WCCUSD, and our students;
3. The financial, academic, and socio-emotional impact of co-locating charter and traditional public schools on the same campus;
4. The number/percentage of students at charter schools who are disciplined, including expulsions, suspensions (in school, out of school, and teacher initiated), detentions, office discipline referrals, and alternative forms of discipline, as well as the reasons for discipline, disaggregated by the subgroups listed above;
5. The number/percentage of students removed from charter schools, as well as the reasons for the removals, the race/special needs profile of each student transferred out, and the receiving school;
6. Teacher credentialing and teacher retention;
7. The laws, policies, and standards to which traditional public schools are held accountable that charter schools are not; and

FURTHER BE IT RESOLVED: WCCUSD will inform parents about their rights related to the differences between traditional public schools and charters schools; and

FURTHER BE IT RESOLVED: The District shall, in compliance with all applicable laws and regulations, conduct and publicly issue an educational and community impact analysis as part of the process of considering co-location of a charter school on a WCCUSD campus. The report will address the full learning needs of all students at the school being considered for co-location, and determine the potential impact of charter school co-location on the existing campus and students attending other schools within the surrounding community; and

FURTHER BE IT RESOLVED: In addition to a moratorium, the District will work with educational and labor partners to seek to have State legislation introduced and enacted that addresses issues raised in this resolution, including, but not limited to local control, and the consideration of economic impact of new charter schools; and

BE IT FURTHER RESOLVED: Consistent with the Board's fiduciary duty to the WCCUSD community, as a general rule, all financial transactions including, but not limited to, rent, fees, and leaseholds with charter schools shall maximize the revenue available to the District; and

BE IT FURTHER RESOLVED: that the West Contra Costa Unified School District and charter schools in WCCUSD will inform families about their rights accordance to charter laws and CA state laws; and

FURTHER BE IT RESOLVED: that per oversight authorization of the charter schools and their parent organizations, the West Contra Costa Unified School District shall assess compliance on charter schools with the Brown Act, the Public Records Act, Government Code Section 1090 and the California Political Reform Act and will enter into MOU's with charter schools to be compliant if necessary; and

BE IT FURTHER RESOLVED: Consistent with the California Educational Employment Relations Act (EERA), the WCCUSD Board of Education will actively support the rights of any employee in a charter school who wishes to form a union or be part of an existing labor organization; and

BE IT FINALLY RESOLVED, that the West Contra Costa Unified School District shall avail itself of the district's right as a charter school authorizer to appoint members to the Board of Directors of each charter school it authorizes.

PASSED AND ADOPTED by the Board of Education of the West Contra Costa Unified School District on this 27 day of February 2019, by the following vote: AYE's \_\_\_\_ NO's \_\_\_\_ ABSENT \_\_\_\_ ABSTAIN \_\_\_\_

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the Board of Education of the West Contra Costa Unified School District, Contra Costa County, at a meeting of said Board on February 27, 2019.

---

President of the Board

---

Clerk of the Board