

**MT. DIABLO UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 18/19-62  
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 has grown rapidly statewide; 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**, a May 2018, study by In the Public Interest found that charter schools led to a combined net fiscal shortfall of over \$142 million annually for three California school districts; and

**WHEREAS**, in August 2018, an evaluation of 43 LCAPs for charter schools in five districts, 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**, 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 County Boards of Education currently may authorize charter schools within Mt. Diablo Unified School District boundaries over the objections of democratically elected School Board Members; and

**WHEREAS**, the NAACP, the Journey for Justice Alliance, the Movement for Black Lives, the Los Angeles Unified School District, the West Contra Costa 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 Mt. Diablo Unified School District hereby supports a moratorium on the establishment of new charter schools in the state of California, and

**FURTHER BE IT RESOLVED**, The District supports and will work with educational, community and labor partners to encourage passage of legislation to better oversee California charter 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 Mt. Diablo Unified School District campus. The report will address the full learning needs of all students at the school being considered for co-location, and determine the potential financial, academic, and socio-emotional impact of charter school co-location on the existing campus and students attending other schools within the surrounding community; and

**FURTHER BE IT RESOLVED**, Consistent with the Board's fiduciary duty to the Mt. Diablo Unified School District 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

**FURTHER BE IT RESOLVED**, that the District and charter schools in Mt. Diablo Unified School District will inform families about their rights in accordance to charter laws and California state laws; and

**FURTHER BE IT RESOLVED**, that per the recently signed SB 126, Mt. Diablo Unified School District shall assess compliance of charter schools with the Brown Act, the Public Records Act, Government Code Section 1090 and the California Political Reform Act; and

**FURTHER BE IT RESOLVED**, Consistent with the California Educational Employment Relations Act (EERA), the Mt. Diablo Unified School District 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 Mt. Diablo 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 Mt. Diablo Unified School District on this 24<sup>th</sup> day of June, 2019, by the following vote:

**AYE**                    \_\_\_\_\_  
**NO**                      \_\_\_\_\_  
**ABSENT**                \_\_\_\_\_  
**ABSTAIN**              \_\_\_\_\_

**I HEREBY CERTIFY** that the foregoing resolution was duly and regularly introduced, passed, and adopted by the Board of Education of the Mt. Diablo Unified School District, at a meeting of said Board on June 24, 2019.

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Joanne Durkee, President of the Board of Education

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Nellie Meyer, Secretary to the Board of Education