

California schoolnews

Weekly Update

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Legal update: Superior Court rules State Board of Education abused its authority in overturning local charter denials



In January 2023, **CSBA's Education Legal Alliance (ELA)** filed writ of mandate seeking to **invalidate the State Board of Education's (SBE) decision to grant the appeal of the petition for Mayacamas Charter School, which overturned the decisions** by both the Napa Valley Unified School District and the Napa County Office of Education to deny the petition. **In a victory for the ELA that vindicated its interpretation of Assembly Bill 1505, on June 29, the Sacramento County Superior Court granted** the ELA's writ of mandate and ordered the SBE to set aside its decision to grant the

charter appeal. Alongside a writ of mandate by Napa Valley USD, the ELA filed its suit to represent the statewide interests of governing boards who serve as local charter authorizers and to ensure that the legislative intent of AB 1505, which limited the SBE's role in charter appeals, was carried out. Both the ELA and Napa USD were victorious in this first lawsuit to test the new standard for State Board review under AB 1505.

The court overturned the SBE on both bases for its granting of the appeal. As to the allegations of unfair process against the district, the court found that the district board members did not demonstrate evidence of bias or an unfair process. Rather, the board was presumed to be unbiased as a matter of law, and the Legislature clearly believed that boards can act without bias in making such determinations. As to the county board's decision, the court found that there was evidentiary support for the county board's determination that the charter school would undermine existing services, offerings or programs. The fact that the State Board believed that the evidence presented was not sufficient was irrelevant because the abuse of discretion standard requires the State Board to give deference to the agency determination, rather than use its own independent judgment. The court concluded that "there was no proper legal basis for the State Board's decision in this matter." [Read more on the CSBA blog »](#)

Legislative update: Robert Rivas ascends as new speaker of the State Assembly



After a power struggle last year, **Assemblymember Robert Rivas** (D-Salinas) **took his place as the new speaker in the State Assembly.** In accordance with a deal brokered in late 2022, **the new speaker took office with a political star-studded inaugural ceremony on June 30.** Hailing from Hollister in San Benito County, Rivas is the first speaker to come from a rural region in many years. In his address to

the Assembly after taking his oath of office, **Speaker Rivas emphasized his roots as “a kid that came from farmworker housing ascended to be the next speaker of the California state Assembly” and as a champion for rural and agricultural issues in his time in the Capitol.**

On July 3, Speaker Rivas appointed Assemblymember Cecilia **Aguar-Curry (D-Winters) as the new speaker pro tempore** and Assemblymember Isaac **Bryan (D-Los Angeles) as the new majority leader.** These changes had a domino effect upon committee chairmanships, creating a need for new chairs in the Assembly Local Government and Elections committees. Assemblymember Juan **Carrillo (D-Palmdale) was appointed as chair of the Assembly Local Government Committee** and Assemblymember Gail **Pellerin (D-Santa Cruz) as chair of the Assembly Elections Committee.** For the moment, it seems Assemblymember Al **Muratsuchi (D-Torrance) will retain his seat as the chair of Assembly Education,** but further shakeups may come in the months ahead.

Federal update: Supreme Court ends affirmative action;

potential impacts to K-12



In a **pair of decisions** issued June 29, the **Supreme Court ruled that Harvard University and the University of North Carolina at Chapel Hill cannot take race into consideration as a specific basis for granting admission.** Some worry **the Court's decision could influence the pipeline of high school students into postsecondary education in the immediate future — and could eventually affect how**

elementary and secondary schools approach diversity efforts. For example, programs such as magnet schools and gifted classes that are attempting to diversify student participation in selective activities, as well as efforts to address equity in grading, discipline and other voluntary practices could be impacted.

In the majority opinion, **Supreme Court Chief Justice John Roberts noted that “nothing in this opinion should be construed as prohibiting universities from considering an applicant's discussion of how race affected his or her life, be it through discrimination, inspiration, or otherwise.”** Current **guidance from the U.S. Department of Education** regarding district grants for magnet schools says districts with a voluntary desegregation plan must consider how it will reduce, eliminate or prevent the “racial isolation of students from one or more minority groups in schools where there are substantial proportions of minority students.” **The department recently announced it will update regulations for the Magnet Schools Assistance Program to help districts establish and operate magnet schools** using strategies “that have been shown to both increase diversity and improve outcomes for students.”

In other federal news:

- **Federal Communications Commission Chairwoman Jessica Rosenworcel announced a proposal June 23 to allow E-Rate funding to support WiFi on school buses, and WiFi hotspots for loan in public and school libraries nationwide.** Rosenworcel also noted the field's cybersecurity concerns as it relates to modernizing E-Rate and network security. Further information will come later this summer.

Cybersecurity guidance available to board members



Cybercrime is on the rise, particularly in public schools, which often lack the capacity to ward off hackers. **School boards play a crucial role in helping guard against and mitigate the severity of cyberattacks. CSBA has provided a list of tips and resources to guide trustees in the right direction.** While local educational agencies are doing their best to combat these threats, most education IT departments are understaffed and

have limited resources, which is why **CSBA is sponsoring Assembly Bill 1023**

(Papan, D-San Mateo) to provide LEAs with resources to defend against cyberattacks and protect sensitive data for students, staff and families. In addition to accessing support from the state, **boards of education can now begin taking steps at the local level to limit the impact and reach of cyberattacks.** [Find additional tips, resources and webinar recordings »](#)

Register now for CSBA's Roadshow stop in San Luis Obispo



Share your thoughts with CSBA leadership on **Aug. 30 from 6-8 p.m. at San Luis Obispo High School.** The roadshow provides a venue for **CSBA staff and board members to connect on a more personal level while sharing your local educational agency's input to enable CSBA to more effectively advocate on behalf of members and shape its legislative, policy and research work.** Attend these roadshows to

express your opinions on public schools; network with colleagues; hear about CSBA advocacy, products and services; and enjoy complimentary refreshments. Feel free to bring a fellow school board member along for the ride. [Register »](#)

We're also making several stops across Southern California in August:

Aug. 10, 2023 | 6-8 p.m.

Riverside and San Bernardino counties – Riverside COE | [Register »](#)

Aug. 12, 2023 | 10 a.m.-12 p.m.

West LA County – Santa Monica | [Register »](#)

Aug. 16, 2023 | 6-8 p.m.

South San Diego County – Chula Vista | [Register »](#)

Are these locations too far a trek? We're headed your way soon, so [find a local event and register today »](#)

Safer air for your LEA



The quality of air in school buildings can affect everything from student achievement to absenteeism to teacher retention. **LifeWings Peak Performance provides the Safer Air Initiative to provide guidance and expertise on creating safe and healthy air in local educational agencies.** Through assessment, financial support and strategic planning, LifeWings can help LEAs tap into the billions of dollars in **federal and state aid** to ensure your students and staff can breathe freely. [Learn more »](#)

Stay up to date with the latest news and resources on the [CSBA blog](#).

Virtual events

Executive Assistants Certification Program — Lambda Cohort
July 13-Nov. 9 | [Register](#)

The Brown Act
Aug. 25 | [Register](#)

In-person events

CSBA Roadshow
Aug. 10 | Riverside/San Bernardino counties | [Register](#)
Aug. 12 | West Los Angeles County | [Register](#)
Aug. 16 | South San Diego County | [Register](#)
Aug. 30 | San Luis Obispo County | [Register](#)

MIG Course 1: Foundations of Effective Governance/Setting Direction
Aug. 12 | San Marcos | [Register](#)

MIG Course 1: Foundations of Effective Governance/Setting Direction
Aug. 26 | Sunnyvale | [Register](#)

CCBE Annual Conference
Sept. 8-10 | Monterey | [Register](#)

[View complete calendar](#)

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