

Oakdale Joint Unified School District

Board Resolution No. 21-22-16

**DECLARATION OF RURAL STATUS FOR PURPOSES OF
EXEMPTION FROM SENATE BILL 328 (PORTANTINO)**

WHEREAS, Governor Gavin Newsom signed Senate Bill 328, authored by California State Senator Anthony Portantino, on October 13, 2019; and

WHEREAS, Senate Bill 328 went into effect on January 1, 2020, as Chapter 868, Statutes of 2019; and

WHEREAS, Senate Bill 328 prohibits the school day for high schools, including high schools operated as charter schools, from beginning earlier than 8:30 a.m.; and

WHEREAS, Senate Bill 328 prohibits the school day for middle schools, including middle schools operated as charter schools, from beginning earlier than 8:00 a.m.; and

WHEREAS, Senate Bill 328 defines "school day" as having the same meaning as defined by the school district or charter school for purposes of calculating average daily attendance in order to compute any apportionments of state funding; and

WHEREAS, Senate Bill 328 requires that the specified start times would need to be implemented by Oakdale Joint Unified School District in middle schools and high schools no later than July 1, 2022; and

WHEREAS, Senate Bill 328 exempts rural school districts from the required start times; and

WHEREAS, Oakdale Joint Unified School District is located in the city of Oakdale (Oakdale); and

WHEREAS, the United States Government, at 7 USC § 1991(a)(13) defines rural, as any area other than:

- (i) a city or town that has a population of greater than 50,000 inhabitants; and
- (ii) any urbanized area contiguous and adjacent to a city or town described in clause (i); and

WHEREAS, the definition of contiguous as being in actual contact; touching along a boundary or at a point and the definition of adjacent is close or near: sharing a border; and

WHEREAS, the city of Oakdale does not have a population greater than 50,000; nor is the city of Oakdale contiguous or adjacent to an urbanized area; and

THEREFORE, BE IT RESOLVED, by the Governing Board of the Oakdale Joint Unified School District that the Oakdale Joint Unified School District is a rural school district for the purposes of Senate Bill 328, and as such, the district is therefore exempt from the bill's requirements on school start times absent a contrary definition of "rural" being adopted by the California Legislature.

PASSED AND ADOPTED at the regular meeting of the Governing Board held on **February 22, 2022**.

Motion made by: Terri Taylor

Second made by: Larry Betschart

Date: February 22, 2022

AYES: 5 Betschart, Gilbert, House, Shatswell, Taylor

NOES: 0

ABSENT: 1 Student member Tolboe (Advisory)

ABSTAIN: 0



Clerk Signature