OAKLAND UNIFIED SCHOOL DISTRICT Office of the State Administrator

LEGISLATIVE FILE

July 8, 2008

File ID No._____08-1598
Introduction Date _____07/08/2008
Enactment No.___() & ____/) \cdot C
Enactment Date ____0 \to C \cdot C

To:

Vincent Matthews, State Administrator

Board of Education

From: On: Roberta Mayor, Superintendent

Kirsten Vital, Chief of Community Accountability

David Montes de Oca, Coordinator, Office of Charter Schools

Re:

Public Hearing and Adoption of Resolution No. 0708-0233. Request to the California State Board of Education for a General Waiver of California Code of Regulations (CCR), Title 5 sections 862(c)(2)(A) and 11517.5(b)(1)(A) Pertaining to Assessment Apportionment Funds for STAR and CELDT Testing Regarding Pupils at World Academy for Fiscal Year 2006-2007

ACTION REQUESTED:

Conduct Public Hearing and Adoption of Resolution No. 0708-0233 - Request to the California State Board of Education for a General Waiver of California Code of Regulations (CCR), Title 5 sections 862(c)(2)(A) and 11517.5(b)(1)(A) Pertaining to Assessment Apportionment Funds for STAR and CELDT Testing Regarding Pupils at World Academy for Fiscal Year 2006-2007.

BACKGROUND:

California Code of Regulations (CCR), Title 5 sections 862(c)(2)(A) and 11517.5(b)(1)(A) provide for unrestricted funds to reimburse school districts for costs associated with the STAR and CELDT test administration. In Fiscal Year 2006-2007, Education for Change ("EFC"), which operates World Academy, a charter school authorized by the Oakland Unified School District ("The District") missed the deadline for the Apportionment Information Reporting for its STAR and CELDT tests because of staffing challenges. EFC, having missed this deadline, will not receive the funds associated with these assessments. EFC, pursuant to CCR Title 5 sections 862(c)(2)(B) and 11517.5(b)(1)(B), which allows local educational agencies to apply for waivers of the deadline through Education Code 33050 et seq., is seeking a waiver pursuant to the above cited sections in order to receive reimbursement for its administration of STAR and CELDT at World Academy.

The District, as authorizer of World Academy, pursuant to Education Code Section 33050, must submit this waiver request on behalf of the school. Staff recommends that the State Administrator, pursuant to CCR Title 5 sections 862(c)(2)(B) and 11517.5(b)(1)(B), and as documented herein, submit a Request for a General Waiver, which if granted, will allow World Academy to receive Assessment Apportionment Funds for CELDT and STAR administration.

FISCAL IMPACT

The adoption of the Request by the District and granting of the Waiver by the State Board of Education will allow World Academy to receive Assessment Apportionment Funds for STAR and CELDT testing, and will not have a negative fiscal impact on the District.

RECOMMENDATION:

Conduct Public Hearing and Adoption of Resolution No. 0708- 0233 - Request to the California State Board of Education for a General Waiver of California Code of Regulations (CCR), Title 5 sections 862(c)(2)(A) and 11517.5(b)(1)(A) Pertaining to Assessment Apportionment Funds for STAR and CELDT Testing Regarding Pupils at World Academy for Fiscal Year 2006-2007.

Attachments: Resolution No. 0708-0233

California Department of Education General Waiver Request Form AIRW

Supporting Documentation from Education for Change



OAKLAND UNIFIED SCHOOL DISTRICT
Office of the State Administrator
1025 Second Avenue, Room 301
Oakland, CA 94606
Phone (510) 879-8200
Fax (510) 879-8800

RESOLUTION OF THE STATE ADMINISTRATOR OF THE OAKLAND UNIFIED SCHOOL DISTRICT

Resolution No. 0708-0233

Request to the California State Board of Education for a General Waiver of California Code of Regulations (CCR), Title 5 sections 862(c)(2)(A) and 11517.5(b)(1)(A) Pertaining to Assessment Apportionment Funds for STAR and CELDT Testing Regarding Pupils at World Academy for Fiscal Year 2006-2007

WHEREAS, Education for Change ("EFC") operates World Academy, a charter school authorized by the Oakland Unified School District ("The District"); and

WHEREAS, California Code of Regulations (CCR), Title 5 sections 862(c)(2)(A) and 11517.5(b)(1)(A) provide for unrestricted funds to reimburse school districts for costs associated with the STAR and CELDT tests; and

WHEREAS, Education for Change, in Fiscal Year 2006-2007, missed the deadline for the Apportionment Information Reporting for its STAR and CELDT tests because of staffing challenges; and

WHEREAS, Education for Change, having missed this deadline, will not receive the funds associated with these assessments; and

WHEREAS, CCR Title 5 sections 862(c)(2)(B) and 11517.5(b)(1)(B) allow local educational agencies to apply for waivers of the deadline through Education Code 33050 et seq.; and

WHEREAS, Education For Change is seeking a waiver pursuant to the above cited sections in order to receive reimbursement for its administration of STAR and CELDT; and

WHEREAS, Education Code sections 33050-33053 provide for the charter school authorizing entity to request that the California State Board of Education waive sections of the Education Code or implementing regulations on behalf of a charter school; and

WHEREAS, the request by the District for and granting of the Waiver by the State Board of Education will allow World Academy to collect apportionment, which it would otherwise be denied; and

WHEREAS, the request by the District and granting of the Waiver by the State Board of Education will not have a negative fiscal impact on, or otherwise harm, the District; and

WHEREAS, at its July 8, 2008 meeting, the State Administrator held a public hearing on the General Waiver Request,

NOW, THEREFORE, BE IT RESOLVED, the State Administrator of the District hereby approves the District's Request for General Waiver of CCR, Title 5 sections 862(c)(2)(A) and 11517.5(b)(1)(A) on behalf of World Academy, incorporated herein by reference as though fully set forth, to the California State Board of Education and authorizes the submission of same with requisite supporting documentation.

I hereby certify that the foregoing is a true, accurate, and complete copy of a Resolution I adopted at a Special Meeting of the State Administrator and/or the Board of Education of the Oakland Unified School District on this 8th day of July, 2008, in Oakland, CA.

Vincent Matthews State Administrator Oakland Unified School District

Fig. 15 Ap. 08-1598

In reconcern tene 7/8/c8

Encome No. 08-1145

Encome No. 08-1145

Encome No. 7/8 08

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

AIRW (3/19/07) http://www.cde.ca.gov/re/lr/wr/
Page 1 of 1

STATE TESTING APPORTIONMENT INFORMATION REPORT WAIVER

Send original plus one copy to: Waiver Office, California Department of Education 1430 N Street, Suite 5602 Sacramento, CA 95814

Faxes will not be accepted!

,	•				CD COI	DE				
			0	1	0 9	9	8	3		
Local educational agency:	 -	Contact name and recipient of						[
World Academy	approval/denial notice: Kevin Wooldridge		Contact person's e-mail address: kwooldridge@efcps.org							
Address: (City)	· -	(ZiP)	Pho	Phone (and extension, if necessary):						
303 Hegenberger Road Suite 301 Oa	akland	CA 94621	520	520-568-7936						
	·		Fax							
Period of request:	, i	pard approval date: (Required)	, , , , , , , , , , , , , , , , , , , ,)		
From 7/1/06 to 6/30/07	3/11/08		7/8/2008							
	<u></u>	EGAL CRITERIA			·					
Under the general waiver authority of Edbe be waived (check one):						₹) secti	ion(s	;) to		
⊠ STAR – ¢	CCR, Title 5,	Section 862(c)(2)(A)postma	ked by	Dece	ember 31					
☐ CAHSEE	E – CCR, Title	e 5, Section 1225(b)(2)(A)po	stmark	ed by	December 3	31				
∠ CELDT -	- CCR, Title !	5, Section 11517.5(b)(1)(A)p	ostmar	ked b	y December	31				
Collective bargaining unit information. Deplease complete required information be this section as not consulting the bargain.	elow. This red	uirement can be achieved with	a telen	hone	call. It is vita	If yes,	mple	∍te		
Bargaining unit(s) consulted on date(s): Name of bargaining unit and representat The position(s) of the bargaining unit(s):	tive(s) consul	ted: ☐ Support ☐ Oppose (<i>Pleas</i>	se spec	cify wh	<i>י</i> עי)					
3. Public hearing requirement: A public hearing a board meeting at which time the not constitute notice of a public hearing date, location, and subject of the hearing notice at each school and three public plant.	e public may to Acceptable voluments of in a newspa aces in the di	estify on the waiver proposal. D /ays to advertise include: (1) pri per of general circulation: or (2)	istribut nt a no	ion of tice th	local board	agenda	a do			
How was the required public hearing adv ☐ Notice in a newspaper ☐ Notice po		school Other: (Please spe-	cify)							
Desired outcome/rationale. State what y that caused you to miss the apportionme Several staff members were out on materni waiver in order to receive reimbursement for the state of th	ent deadline(s ty leave and	s). (If more space is needed, ple as a result, the submission dead	ase att	ach a	dditional pac	res l	d ng (а		
District or County Certification – I hel complete.	reby certify th	aat the information provided on t	his app	licatio	on is correct	and				
Signature of Superintendent or Designee:	Title:			Da	ate:	 -				
Vit Men	STATE	. ADMINISTRATION			37/08/	106				
FOR CALIFO		RTMENT OF EDUCATION US	ONL							
Staff Name (type or print):	Staff Signa	iture:			ate:		_			
Unit Manager (type or print):	Unit Manag	er Signature:		Date:						
Deputy (type or print):	Deputy Sig	nature:	ate:							
·	i			1						



March 4, 2008

Dear Mr. Matthews,

Enclosed you will find a request to obtain a waiver for missing the deadline of December 31, 2007 to submit the attached apportionment information reports and certifications.

As our charter authorizer the process requires that OUSD applies for the waiver on our behalf.

We have two home office staff members that are out on maternity leave because of the recent births of their children. Unfortunately the request for these apportionment certifications fell through the cracks as we have all taken on additional duties during this time.

We regret any inconvenience that this might cause for you or your staff.

Please let me know if you have any additional questions. You may reach me at 510-904-6340 or via email at kwooldridge@efcps.org.

Sincerely,

Kevin Wooldridge



Attachment 1
Name of Charter Schools and CDS #s

Cox Academy

01 61259 6001788 State Charter # 740

World Academy

01 61259 0109983 State Charter # 745

Achieve Academy

01 61259 0111476 State Charter # 780 California Department of Education (CDE) Standards and Assessment Division Report Date: October 31, 2007

Standardized Testing and Reporting (STAR) Program Apportionment Information Report Spring 2007

Return to: Mei Tan, Staff Services Analyst Standards and Assessment Division 1430 N Street, Suite 5408 Sacramento, CA 95814

This report was compiled from STAR multiple-choice answer documents submitted for scoring for the Callfornia Standards Tests (CSTs), California Achievement Test, Sixth Edition Survey (CAT/6), California Alternate Performance Assessment (CAPA), Standards-based Test in Spanish (STS), and Aprenda 3. Sign, date, and return this report to the CDE by <u>December 31, 2007</u>. Certified reports received after December 31, 2007 cannot be paid without a waiver request approved by the State Board of Education. Payment of late apportionment reports is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the tests were administered.

District, County Office, or Charter School Name:

WORLD ACADEMY

CDS	Code: 01-61259-0109983	Charter#: 0745	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Total	Rate	Funding
Α	Number of pupils enrolled on fir multiple-choice CST-CAT/6 or C	rst day of CAPA testing	133	120	0	0	0	0	0	0	0	0	253		
В	Number of pupils enrolled after testing and tested at the school	first day of 's option	0	0	0	0	0	0	0	0	0	o	0		
С		otal Enrollment	133	120	0	0	0	0	Ö	0	0	0	253	問題	
D	Number of pupils administered the CST-CAT/6		133	119	0	0	0	0	0	0	0	0	252	\$2.52	\$635.04
E	Number of pupils with significan disabilities assessed with the C	APA	0	0	0	0	0	0	0	0	0	0	0	\$5.00	\$0:00
F	Number of pupils exempted from written parent/guardian request	•	0	1	0	0	0	0	0	0	0	0	1	\$0.38	\$0,38
G	Number of pupils with demogra only who were not tested for an than parent/guardian exemption	ny reason other n*	0	0	0	0	0	0	0	0	0	0	0	\$0.38	\$0.00
н	rotal GST-CAT/6 or CAPA Ansi	wer Documents:	133	120	0	0	0	0	0	0	0	0	253		\$635.42
		-	STS: G	rades 2-4	(\$2.52)	157	A	orenda 3:	Grades 5	-11 (\$2.4	(4)	gergyaar t			
П	Spanish-speaking EL students receiving instruction in	Tested	0	0	0								O	\$2.52 <i>i</i> \$2.44	\$0.00
1	Spanish or enrolled less than 12 months in a school in the U.S. (mandated)	Not-tested (demographic information only)	0	0	0								0	\$0.38	\$0.00
J	J Spanish-speaking EL students tested at the option of the district/charter school (optional) 60			2	Ó								62	\$2.52 <i>i</i> \$2.44	\$156.24
К	K Total STSfor Aprenda 3 Answer Documents 60 2 0			0	L		<u> </u>					62	基準問題	\$156.24	
L	Number of demographic alerts	(withheld for each	student fo	r whom th	ne contrac	ctor had to	request	missing d	ata during	the scori	ng proces	s)**	64	(\$1.32)	(\$84.48)
*CST-CAT/6 or CAPA answer document TOTAL STAR 2007 APPORTIONMENT [Row H + Row K + (-Row L)]: \$707.18															
Certification: I.certify the accuracy of the apportionment information required per California Code of Regulations, Title 5, Education, Division 1, Chapter 2, Subchapter 3.75, Section 862 as reflected on this report (Rows A, D, E, F, G, I, and J).															
District Superintendent, County Superintendent, Superintendent															
Kevin Worldole 3 12/35/57 Phone (510) 904-6342															

Return Form To:

Apportionment Information Report and Certification California English Language Development Test (CELDT) 2006-2007 Report

California Department of Education Standards and Assessment Division

Attn: Kerri Wong Standards and Assessment Division

1430 N Street, Suite #	5408				MUST B	E POSTMARKED BY		
Sacramento, CA 9581						DECEMBER 31, 2007		
County Name	Alameda		District Name	World Acaden	ny			
County Code	01		District Code	61259		, , , , , , , , , , , , , , , , , , , ,		
Charter Num	0745							
shall include the number contractor for each ad information and the reaccompanied by the Sfunding to be apportion of Education (SBE) to with the CELDT during	per of pupils assess ministration (July port must be post state Testing Apponed to the school enable school dis the previous fisc	sed with the CELDT 1 through June 30). I marked by December marked information district for the tests si tricts to meet the requal year. Apportionmen		ber of answer documer ch school district must December 31, the app as provided by Educal tiplying the amount pe ode Section 60851 by i until all information an	nts submitted to and so certify the accuracy of ortionment information ion Code Section 3305 r administration establishe the number of pupils in	ored by the test the apportionment report must be 0. The amount of shed by the State Board the school district tested		
			ssessment Ihru October 31, 2006	Initial Asse Pupils tested within 30		Total		
Number of Pupils July 1, 2006 – Jun		17	3	219		392		
Certification: I certify that the information provided on this form is accurate and that the district will maintain all related records to be available for audit purposes. District Superintendent, County Superintendent, or Charter School Director District CELDT Coordinator FINA A. HARRIS Superintendent's (or Charter School Director's) Signature Date 1 430 47 Superintendent's (or Charter School Director's) E-mail Phone 10 5/07 Superintendent's (or Charter School Director's) E-mail Phone 10 6340 Charris @ efc.ps.org 10 4-6342								

2006-2007 CELDT Apportionment

County District School School Code Total Tested Amount

Alameda

World Academy

World Academy 0109983 392 \$1,960



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N STREET SACRAMENTO, CA 95814-5901

JACK O'CONNELL

State Superintendent of Public Instruction

PHONE: (916) 319-0800

October 22, 2007

eived who

Dear County and District Superintendents and Charter School Directors:

APPORTIONMENT INFORMATION REPORT CALIFORNIA ENGLISH LANGUAGE DEVELOPMENT TEST (CELDT) 2006-07 TESTING

Attached is the 2006-07 CELDT Apportionment Information Report for your district. This report includes the number of annual and initial assessments scored for the 2006-07 test window. The California Department of Education (CDE) compiled the report from the information taken directly from CTB/McGraw-Hill. Do not contact CTB/McGraw-Hill with questions about the report or the data on it.

Certification of Apportionment Information Report: The superintendent or charter school director and the CELDT District Coordinator are required to certify that the district has returned all secure test materials, certify the accuracy of the report, sign and date the report, and return it postmarked by December 31, 2007 to:

> Kerri Wona Standards and Assessment Division 1430 N Street, Suite #5408 Sacramento, CA 95814

Please allow eight to ten weeks after December 31st for districts to receive warrants. Payments will be processed through the State Controller's Office to county treasurers. All certified apportionment information reports must be postmarked by December 31, 2007 to qualify for the eight to ten week-turnaround. If postmarked after December 31, the apportionment information report must be accompanied by the State Testing Apportionment Information Report Waiver request as provided by Education Code Section 33050. The waiver request is available at http://www.cde.ca.gov/re/ir/wr/documents/december31.doc. Information regarding the waiver form is available at http://www.cde.ca.gov/re/ir/wr/othertopics.asp. Questions regarding the State Testing Apportionment Information Report waiver should be directed to CDE Waivers Office at (916) 319-0824.

Apportionment Amounts: The CELDT 2006-07 apportionment is \$5.00 for each pupil tested in Kindergarten through grade 12. The CELDT apportionment funds are unrestricted funds to reimburse districts for costs associated with the CELDT that are above and beyond the CDE statewide contract with test contractors. The CDE contract with the test contractors covers the costs of all required CELDT testing materials, scoring, and report production.

Charter Schools: Charter schools that tested independent of their district will receive individual apportionment information reports to certify and return to CDE. District apportionment totals will include apportionment funding for dependent charters. The payment schedule provided to districts will include a listing of the amount dependent charters are each to be apportioned.

Apportionment Information Report CELDT 2006-07 Testing October 22, 2007

Page 2

Corrections to Apportionment Information Report: Requests to CDE to change data as reported on the apportionment information report must be accompanied by documentation that the district notified CDE of data disputes in writing after receipt of test result summary reports and data files [per California Code of Regulations, Title 5, Section 857(b)(11)] along with copies of the Summary Proficiency Level Reports.

Offset of State Mandated Costs: CELDT apportionment funds provided to districts shall first be used to offset any state-mandated reimbursable costs that otherwise may be claimed through the state mandates reimbursement process for the CELDT. Local education agencies accepting apportionment funds shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from apportionment funds.

If there are questions regarding the attached Apportionment Information Report, contact Kerri Wong at (916) 319-0333 or by e-mail at kewong@cde.ca.gov. If there are general questions regarding the CELDT Program, telephone (916) 319-0784 or e-mail celdt@cde.ca.gov.

Sincerely,

seb sigman, Director

Standards and Assessment Division

DS:kw Enclosure

CELDT District Coordinators



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N STREET SACRAMENTO, CA 95814-5901



October 31, 2007

JACK O'CONNELL

State Superintendent of Public Instruction

MAN 319-0800

Dear County and District Superintendents and Charter School Administrators:

CERTIFICATION OF APPORTIONMENT INFORMATION REPORT STANDARDIZED TESTING AND REPORTING PROGRAM SPRING 2007 TESTING

Enclosed is the 2007 Standardized Testing and Reporting (STAR) Program Apportionment Information Report for your district or charter school. This report includes the number tested by grade level for the California Standards Tests (CSTs) and California Achievement Tests, Sixth Edition Survey (CAT/6 Survey), California Alternate Performance Assessment (CAPA), Standards-based Tests in Spanish (STS), and Aprenda, La prueba de logros en español, Tercera edición (Aprenda 3). The California Department of Education (CDE) compiled the report from the information taken directly from students' multiple-choice answer documents. The STAR district and test site coordinators are responsible for inventory control and returning all test materials at the completion of testing to the contractor within the required time period (California Code of Regulations, Title 5, Education, Division 1, Chapter 2, Subchapter 3.75). Do not contact Educational Testing Service (ETS) or Harcourt Assessment, Inc. (Harcourt) with questions about the report or the data on it. The data on the Apportionment Information Report should agree with the student data files and summary reports that districts or charter schools received from ETS and Harcourt. Please note that STS and Aprenda 3 apportionment totals only reflect those students who were identified by demographic data as being English learners (ELs). Per state law, the STS and Aprenda 3 is to be administered only to Spanish-speaking ELs.

<u>Certification of Apportionment Information Report</u>: The superintendent or charter school administrator is required to certify the accuracy of the report, sign and date the report, and return it to:

Mei Tan, Staff Services Analyst Standards and Assessment Division 1430 N Street, Suite 5408 Sacramento, CA 95814

Certified reports must be received postmarked by December 31, 2007. Certified reports will be processed for payment upon receipt. Payments will be processed through the State Controller's Office to county treasurers. If a district or charter school does not return a certified report to the CDE by the December 31, 2007, deadline, the district may apply for a waiver of the deadline to be approved by the State Board of Education (SBE) as provided by California Education Code Section 33050. The CDE cannot release payment of the apportionment funding for late reports without a waiver approved by the SBE. The specific waiver request form and instructions for state testing apportionments are available on the CDE Web site at http://www.cde.ca.gov/re/ir/wr/othertopics.asp. Payment of late apportionment reports is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the tests were administered.

<u>Charter Schools</u>: Charter schools that tested independently of their district will receive individual apportionment information reports to certify and return to the CDE. Charter schools that had direct-funded status in 2006-07 will receive their STAR apportionment payment separately from the district. District apportionment totals will include apportionment funding for 2006-07 locally funded charters. The payment schedule provided to districts will include a listing of the amount locally funded charters are each to be apportioned.