

File ID Number	11-2922
Introduction Date	11-7-2011
Enactment Number	11-2957
Enactment Date	11-16-11/13
By	



OAKLAND UNIFIED SCHOOL DISTRICT

Community Schools, Thriving Students

OAKLAND UNIFIED SCHOOL DISTRICT  
Office of the Board of Education

November 7, 2011

To: Board of Education  
 From: Tony Smith, Superintendent  
 Vernon Hall, Deputy Superintendent, Business & Operations  
 Subject: District Submitting Grant Amendment No. 1 - CCTR-1009 Contract FY 2011-12

**ACTION REQUESTED:** Acceptance by the Board of Education of Amendment No. 1 to the District grant agreement for Early Childhood Education programming for fiscal years 2011-12, pursuant to the terms and conditions thereof, if any.

**BACKGROUND:**

Grant agreements for OUSD schools for the 2011-2012 fiscal year that benefit the Early Childhood Education Department are submitted for Board acceptance and approval as indicated in the chart below. Grant agreement packets are available for review through the Board Secretary's Office and will be electronically available within one week of the board meeting through Legistar.

File LD #	Backup Document Included	Type	Recipient	Grant's Purpose	Time Period	Funding Source	Grant Amount
11-2922	Yes	CCTR	Oakland Unified School District for Early Childhood Education Department	This is an amendment for the CCTR special fund for FY 2011-2012	7/1/11-6/30/12	California Department of Education	\$4,508,849.00

**DISCUSSION:**

The District received a Grant Amendment Agreement for the CCTR-1009 contract for 2011-2012 to The Maximum Reimbursable Amount

- Review scope of work outlined by each grant agreement and assess their contribution to sustained student achievement.

OUSD received a completed grant agreement for each program listed in the chart by department.

**FISCAL IMPACT:**

The total amount of the grant will be provided to OUSD/Early Childhood Education program based on the adjustment to the California State Preschool Program Contract.

- Grants valued at: \$4,508,849.00

**RECOMMENDATION:**

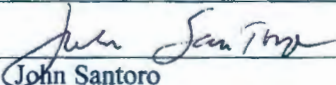
Acceptance by the Board of Education of District grant agreements for Early Childhood Education programming for fiscal years 2011-2012, pursuant to the terms and conditions thereof, if any.

OUSD Grants Management Face Sheet

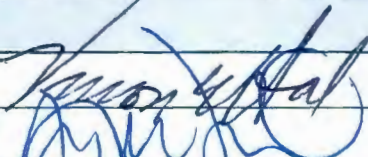
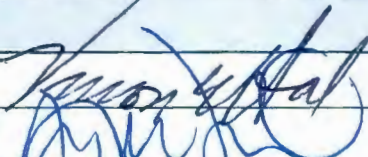
<b>Title of Grant:</b> CCTR-1009 General Child Care & Development Programs	<b>Funding Cycle Dates:</b> July 2011 - June 2012
<b>Grant's Fiscal Agent:</b> OUSD/ECE 495 Jones Avenue, Oakland, CA 94603 (510) 639-3340	<b>Grant Amount for Full Funding Cycle:</b> \$4,508,849.00
<b>Funding Agency: State of California</b>	<b>Grant Focus: Child Development</b>
<b>List all School(s) or Department(s) to be Served:</b> Child development classrooms including school age programs.	

Information Needed	School or Department Response
How will this grant contribute to sustained student achievement or academic standards?	This grant supports some of the child development centers and all of the school age programs.
How will this grant be evaluated for impact upon student achievement?  (Customized data design and technical support are provided at 1% of the grant award or at a negotiated fee for a community-based fiscal agent who is not including OUSD's indirect rate of 5.17% in the budget. The 1% or negotiated data fee will be charged according to an Agreement for Grant Administration Related Services payment schedule. This fee should be included in the grant's budget for evaluation.)	The Annual Agency plan will determine the effectiveness of the program.
Does the grant require any resources from the school(s) or district? If so, describe.	Yes, it funds many of our Early Childhood staff.
Are services being supported by an OUSD funded grant or by a contractor paid through an OUSD contract or MOU?  (If yes, include the district's indirect rate of 4.25% for all OUSD site services in the grant's budget for administrative support, evaluation data, or indirect services.)	Indirect costs are a part of the budget for this grant.
Will the proposed program take students out of the classroom for any portion of the school day? (OUSD reserves the right to limit service access to students during the school day to ensure academic attendance continuity.)	No
Who is the contact managing and assuring grant compliance? (Include contact's name, address, phone number, email address.)	John Santoro 495 Jones Avenue Oakland, CA 94603 (510) 639-3340

**Applicant Obtained Approval Signatures:**

Entity	Name/s	Signature/s	Date
Principal			
Department Head	John Santoro		10/10/11

**Grant Office Obtained Approval Signatures:**

Entity	Name/s	Signature/s	Date
Fiscal Officer	Vernon Hal		
Superintendent	Tony Smith		







RECEIVED  
**CALIFORNIA DEPARTMENT OF EDUCATION**  
 1430 N Street SERVICES DIVISION  
 Sacramento, CA 95814-5901

**F.Y. 11-12**

2012 MAR - 2 PM 3:52

## Amendment 01

**DATE:** July 01, 2011

**CONTRACT NUMBER:** CCTR-1009

**PROGRAM TYPE:** GENERAL CHILD CARE & DEV PROGRAMS

**PROJECT NUMBER:** 01-6125-00-1

**LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES**  
 AB 114 RESTORATION / FT&C CHANGE

**CONTRACTOR'S NAME:** OAKLAND UNIFIED SCHOOL DISTRICT

This agreement with the State of California dated July 01, 2011 designated as number CCTR-1009 and , shall be amended in the following particulars but no others:

The 2011-12 Funding Terms and Conditions (FT&C) shall be amended in accordance with the attached 2011-12 amended FT&C Language (Attachment A) which by this reference is incorporated herein.

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be amended by deleting reference to \$4,285,568.00 and inserting \$4,508,849.00 in place thereof.

The Maximim Rate per child day of enrollment payable pursuant to the provisions of the agreement shall be \$43.31. (No change)

### SERVICE REQUIREMENTS

The minimum Child Days of Enrollment (CDE) Requirement shall be amended by deleting reference to 98,951.0 and inserting 104,106.0 in place thereof.

Minimum Days of Operation (MDO) Requirement shall be 244. (No change)

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

File ID Number: 11-2922  
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 Enactment Number: 11-2957  
 Enactment Date: 11-16-11  
 By:

<b>STATE OF CALIFORNIA</b>		<b>CONTRACTOR</b>	
BY (AUTHORIZED SIGNATURE) 		BY (AUTHORIZED SIGNATURE) 	
PRINTED NAME OF PERSON SIGNING Margie Burke, Manager		PRINTED NAME AND TITLE OF PERSON SIGNING Jody London President, Board of Education	
TITLE Contracts, Purchasing & Conference Services		ADDRESS Department of General Services	
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 223,281	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Department of General Services use only	
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 4,285,568	(OPTIONAL USE) See Attached	Education: <u>11/2/11</u>	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 4,508,849	ITEM See Attached	CHAPTER	STATUTE
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702	FISCAL YEAR	
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.
SIGNATURE OF ACCOUNTING OFFICER See Attached		DATE 3/3/12	

MAR - 2 2012



CONTRACTOR'S NAME: OAKLAND UNIFIED SCHOOL DISTRICT


CONTRACT NUMBER: CCTR-1009

*Amendment 01*

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 998,251	(OPTIONAL USE)0656 13609-6125	FC# 93.596	PC# 000321	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 998,251	ITEM 30.10.020.001 6110-194-0890	CHAPTER 33	STATUTE 2011	FISCAL YEAR 2011-2012
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290			

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 549,527	(OPTIONAL USE)0656 15136-6125	FC# 93.575	PC# 000324	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 549,527	ITEM 30.10.020.001 6110-194-0890	CHAPTER 33	STATUTE 2011	FISCAL YEAR 2011-2012
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290			

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 223,281	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 2,737,790	(OPTIONAL USE)0656 23254-6125			
TOTAL AMOUNT ENCUMBERED TO DATE \$ 2,961,071	ITEM 30.10.020.001 6110-194-0001	CHAPTER 33	STATUTE 2011	FISCAL YEAR 2011-2012
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590			

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.  SIGNATURE OF ACCOUNTING OFFICER 	T.B.A. NO.	B.R. NO.
	DATE MAR 13 2012	

**CHILD CARE AND DEVELOPMENT  
2011-12 LANGUAGE CHANGES TO  
THE FUNDING TERMS AND CONDITIONS (FT&C)**

These changes apply to the FT&C for the following contract type: **CCTR**

Note: The page numbers cited may be a few pages off.

Amend Section I., DEFINITIONS as follows (p.5 & 6)

"Child care and development programs" means those programs that offer a full range of services for children from infancy to 13 years of age for any part of the day, by a public or private agency, in centers and family child care homes. These programs include, but are not limited to, all of the following:

- (1) General child care and development.
- (2) Migrant child care and development.
- (3) Child care provided by the California School Age Families Education Program (Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2).
- (4) California state preschool program.
- (5) Resource and referral.
- (6) Child care and development services for children with exceptional needs.
- (7) Family child care home education network.
- (8) Alternative payment.
- (9) Schoolage community child care.

~~"Child care and development programs" means those programs that offer a full range of services for any part of a day, by a public or private agency, in centers and family child care homes to children from infancy to 10 years of age or younger, children with exceptional needs to age 21, children 12 years of age or younger who are homeless, receiving child protective services or identified as at risk of abuse, neglect, or exploitation, children requiring at least one hour of care during non traditional hours. Contractors shall only expend funds to provide services to those 11 and 12 year olds that meet the exceptions, unless the department determines and notifies contractors that funding is available. These programs include, but are not limited to, all of the following:~~

- ~~1. General child care and development.~~
- ~~2. Migrant child care and development.~~



- ~~3. Child care provided by the California School Age Families Education Program (Article - (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2).~~
- ~~4. California state preschool program.~~
- ~~5. Resource and referral.~~
- ~~6. Child care and development services for children with exceptional needs.~~
- ~~7. Family child care home education network.~~
- ~~8. Alternative payment.~~
- ~~9. School age community child care.~~

Amend Section I.A, Eligibility and Need Criteria and Documentation as follows: (p.51):

Children who have reached their ~~eleven (11<sup>th</sup>)~~ thirteen (13<sup>th</sup>) birthday are ineligible for subsidized services except those children with exceptional needs and severely disabled children may be served to age twenty-one (21). Children with exceptional needs shall also meet the criteria for that age group specified in *EC* Section 56026 and California *Code of Regulations, 5CCR*, sections 3030 and 3031. ~~listed below as described in Section 1, Definitions:~~

- ~~1. Children with exceptional needs and severely disabled child may be served to age twenty one (21).~~
- ~~2. Children receiving child protective services, identified as at risk or abuse, neglect or exploitation, or home s may be served to age thirteen (13).~~
- ~~3. Children who require at least one hour of child care services during nontraditional hours may be served to age thirteen (13).~~

~~Contractors shall only expend funds to provide services to 11 and 12 year olds, with the exceptions noted above, when the Department determines and notifies contractors that funding is available.~~

Amend Section 1.P, Eligibility and Need Criteria and Documentation, Documentation of the Child's Exceptional Needs as follows (p.67):

If the contractor is claiming adjustment factors pursuant to *Education Code* Section 8265.5(b)(4) or (b)(5), the child with exceptional needs is thirteen ~~eleven (13 14)~~ through twenty-one (21) years of age, or the contractor is operating a program pursuant to *Education Code* Section 8250(d). The documentation of exceptional needs shall include:

1. A copy of the portion of the active individual family service plan (IFSP) or the individualized education program (IEP) that includes the information as specified in *EC* Section 56026 and *5CCR* sections 3030 and 3031; and
2. A statement signed by a legally qualified professional that:

- a. The child requires the special attention of adults in a child care setting; and
- b. Includes the name, address, license number, and telephone number of the legally qualified professional who is rendering the opinion

Amend Section X.A, Due Process Requirements, Notice of Action, Application for Services; Notice of Approval or Denial as follows: (p 82 & 83)

A. Notice of Action, Application for Services; Notice of Approval or Denial  
(EC 8261 and 8263; 5CCR 18094 and 18118)

The contractor's decision to approve or deny services shall be communicated to the applicant by mailing or delivering a completed written statement referred to as a Notice of Action, Application for Services within thirty (30) calendar days from the date the application is signed by the parent(s). The Notice of Action, Application for Services shall include:

- 1. The applicant's name and address
- 2. The contractor's name and address
- 3. The name and telephone number of the contractor's authorized representative who made the decision
- 4. The date of the notice
- 5. The method of distribution of the notice

If services are approved, the notice shall also contain:

- 1. Basis of eligibility
- 2. Daily/hourly fee, if applicable
- 3. Duration of the eligibility
- 4. Names of children approved to receive services
- 5. Hours of service approved for each day

If the services are denied, the notice shall contain:

- 1. The basis of denial
- 2. Instructions for the parent(s) on how to request a hearing if they do not agree with the contractor's decision in accordance with procedures specified in sections X.D and X.E below
- 3. ~~If termination is due to a child reaching his 11<sup>th</sup> birthday, the contractor shall:~~
  - a. ~~Information to parents that their child can receive first priority for enrollment in an Afterschool Education and Safety (ASES) program or 21<sup>st</sup> Century Community Learning Centers at the child's school of attendance,~~



~~and may be able to receive services in a program located at another school in the district. If programs are full, these children will be given first priority on the waiting list for these programs.~~

- b. A statement advising parent(s) that in order to receive first priority for services, a copy of the NOA must be provided to the ASES or 21<sup>st</sup> Century program at the time of enrollment.



CALIFORNIA  
DEPARTMENT OF  
EDUCATION

**TOM TORLAKSON**

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

**Attention:** EXECUTIVE DIRECTORS, CHILD DEVELOPMENT PROGRAMS

**Subject:** 2011-12 CHILD DEVELOPMENT CONTRACT

**DO NOT REMOVE ANY PAGES STAPLED TO THE CONTRACT FACESHEET**

1. \_\_\_ Submitted for your approval are two (2) copies of the 2011-2012 contract. **The person signing this contract must be the Executive Director, Superintendent, or authorized designee.** If the authorized designee signs, please submit appropriate delegation to sign. **Please sign both copies, insert the title of the person signing and the current mailing address in the Contractor's signature box, and RETURN BOTH COPIES** of the contract to the Contracts Office. When final approval is obtained, an approved copy will be mailed to you.
2. \_\_\_ Please attach two (2) copies (with at least one set of original signatures) of a resolution by the local governing body, which approves the contract and names the official who is authorized to sign it on their behalf (a sample for your use is attached.) County Superintendents of Schools who find exception with the resolution requirement should contact Dawn Simpson at 916-445-6826 or by e-mail at [dsimpson@cde.ca.gov](mailto:dsimpson@cde.ca.gov).
3. X Enclosed for your records is one fully executed copy of the contract.

Sincerely,

Doris Morris, Staff Services Manager I  
Contracts, Purchasing and Conference Services  
916-322-3050

DM:ds