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Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Sondra Aguilera, Chief Academic Officer
Wesley Jacques, Executive Director, Academics and Instructional Innovation Dept.

Board Meeting Date December 9, 2020

Subject Memorandum of Understanding
Contractor: Friends of the Oakland Public School Libraries
Services For: Academic and Instructional Innovation Department

Action Requested and Recommendation Approval by the Board of Education of a Memorandum of Understanding between Oakland Unified School District and Friends of Oakland Public School Libraries (FOPSL), Oakland, CA, for joint contributions towards a digital library platform for OUSD students; OUSD commits to enter a contract with a digital library platform (subject board approval) for an initial investment of \$50,000.00 and FOPSL commits to an initial investment of \$10,000.00 upon receipt of MOU and a minimum of \$15,000.00 in contributions from additional grant writing, for the period of December 10, 2020 through December 10, 2023, in an amount not to exceed \$300,000.00.

Background The Covid-19 pandemic has required OUSD to increase access to digital resources to teach students remotely and OUSD currently has no District-wide eBook collection (i.e., Digital Library). Friends of the Oakland Public School Libraries (FOPSL) is a nonprofit organization that supports and advocates for Oakland's public school libraries, and believes that a Digital Library is an effective and needed program to expand library services to every OUSD student through access to an eBook collection. A Digital Library should provide the same function as a physical library collection by supporting and enhancing classroom curriculum and promoting literacy through independent reading. OUSD intends to contract with a Digital Library Platform for the purchase of eBooks, in order to create an OUSD Digital Library accessible to all OUSD students (limited according to age appropriateness) during both the school year and summer months. OUSD employs professional library staff who are qualified to create a OUSD Digital Library Collection Development Policy and curate and manage an eBook collection. OUSD and FOPSL currently estimate that it will cost approximately \$300,000.00. An OUSD Digital Library requires continued investment each year to replace leased titles and purchase new titles so the collection remains current and engaging to all students.

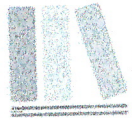
Fiscal Impact Funding resource(s): Resource 3220/Cares Fund: \$10,000.00 is an annual match for the term, \$15,000.00 to be raised through fundraising or grant efforts, and the remaining amount to purchase a critical mass of eBooks, sufficient to support all



OUSD students, but recognize that this estimate may change over time. A total amount not to exceed \$300,000.00.

Attachments

- Memorandum of Understanding



Friends of the
Oakland Public
School Libraries

November 2, 2020

~ MEMORANDUM OF UNDERSTANDING ~

Between

Oakland Unified School District (OUSD) and Friends of the Oakland Public School Libraries (FOPSL)

Whereas, the Covid-19 pandemic has required OUSD to increase access to digital resources to teach students remotely;

Whereas, OUSD currently has no District-wide eBook collection (i.e., Digital Library);

Whereas, FOPSL is a nonprofit organization that supports and advocates for Oakland's public school libraries, and believes that a Digital Library is an effective and needed program to expand library services to every OUSD student through access to an eBook collection;

Whereas, a Digital Library should provide the same function as a physical library collection by supporting and enhancing classroom curriculum and promoting literacy through independent reading;

Whereas, OUSD intends to contract with a Digital Library Platform for the purchase of eBooks, in order to create an OUSD Digital Library accessible to all OUSD students (limited according to age appropriateness) during both the school year and summer months;

Whereas, OUSD employs professional library staff who are qualified to create a OUSD Digital Library Collection Development Policy and curate and manage an eBook collection;

Whereas, OUSD and FOPSL currently estimate that it will cost approximately \$300,000 to purchase a critical mass of eBooks, sufficient to support all OUSD students, but recognize that this estimate may change over time;

Whereas, an OUSD Digital Library requires continued investment each year to replace leased titles and purchase new titles so the collection remains current and engaging to all students;

Whereas, OUSD and FOPSL wish to jointly fundraise for a Digital Library to support all OUSD students.

Oakland Unified School District agrees in good faith to:

- Direct its professional library staff to create an OUSD Digital Library Collection Development Plan that ensures trained librarians select all titles;

- During the 2020-2021 school year, contract with a Digital Library Platform (subject to Board approval or ratification) for the purchase of \$50,000 worth of eBooks;
- Ensure all eBook purchases are made in accordance with the OUSD Digital Library Collection Development Plan;
- In partnership with FOPSL, reassess critical mass each year, based on criteria defined within the OUSD Digital Library Collection Development Plan;
- Throughout the term of this MOU, make best efforts (subject to budgetary limitations and Board approval or ratification) to continue purchasing eBooks from a Digital Library Platform until the number of eBooks reaches critical mass;
- Throughout the term of this MOU, make best efforts (subject to budgetary limitations and Board approval or ratification) to replace leased books and add new titles to keep the collection current, even after the collection reaches critical mass;
- Support FOPSL's fundraising efforts by providing a letter on OUSD letterhead describing this agreement and the multi-year, joint (OUSD and FOPSL) fundraising goal of \$300,000, which letter can be included as an attachment to FOPSL grant applications submitted to raise funds for the OUSD Digital Library;
- Complete an annual FOPSL grant report specifying the number of titles purchased, the number of students with access to the Digital Library, utilization by grade level, and objectives achieved;
- Collaborate with FOPSL to create press releases to acknowledge FOPSL's financial contributions to the Digital Library in both internal OUSD and OUSD public communications.

Friends of the Oakland Public School Libraries agrees to make good faith efforts to:

- Match OUSD's initial 2020-2021 investment in the Digital Library collection through an initial, immediate, matching donation of \$10,000 upon receipt of this signed MOU, with a minimum of an additional \$15,000 to be raised through grant writing and other fundraising efforts;
- Throughout the term of this MOU, match OUSD's annual investment in the OUSD Digital Library, up to at least \$10,000, until it reaches critical mass;
- Thereafter, match OUSD's annual investment in the OUSD Digital Library, up to at least \$5,000 per year, to keep the collection current;
- Share information about the foundations from which FOPSL will be seeking funding.

Miscellaneous

Term. The term of this MOU shall be three (3) years, at which point it may be extended by written amendment signed by OUSD and FOPSL.

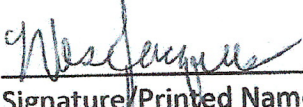
Termination. Either OUSD or FOPSL may terminate this MOU by giving written notice of its intention to terminate for cause to the other PARTY. Written notice shall contain the reasons for such intention

to terminate. Cause shall include (i) material violation of this MOU, or (ii) financial hardship making compliance with this MOU impossible.

Choice of Law. This Agreement shall be deemed to be performed in Oakland, California and is governed by the laws of the State of California, but without resort to California's principles and laws regarding conflict of laws. The Alameda County Superior Court shall have jurisdiction over any litigation initiated to enforce or interpret this Agreement.

Agreed to:

Oakland Unified School District:

 Wesley Jacques E.D., Academics and 11/9/20
Signature/Printed Name Title Instructional Innovation Date

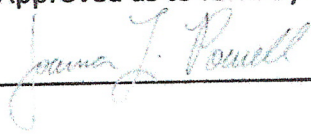
 12/10/2020

Kyla Johnson-Trammell, Secretary, BOE Date

Approved as to form by OUSD Staff Attorney Joanna Powell on 11/2/2020

 12/10/2020

Jody London, President, BOE Date



Friends of the Oakland Public School Libraries:

 _____ 11/11/20
Dagmar Serota Executive Director Date

 MD _____ 11/11/20
Charles Rath III, MD Board Chair Date