

OAKLAND UNIFIED SCHOOL DISTRICT
Office of the Superintendent

August 27, 2008

LEGISLATIVE FILE
File ID No. 08-1778
Introduction Date 8/27/08
Enactment No. _____
Enactment Date _____

TO: Board of Education

FROM: Roberta Mayor, Ed.D., Interim Superintendent
Kirsten Vial, Chief of Community Accountability
Gabriel Valenzuela, Ombudsperson

SUBJECT: July 2008 Quarterly Report on Williams Uniform Complaints

ACTION REQUESTED:

Approval of the July 2008 Quarterly Report on Williams Uniform Complaints.

BACKGROUND:

As per Education Code Section 35186, the Superintendent or designee shall report summarized data on the nature and resolution of all Williams uniform complaints on a quarterly basis to the Governing Board and the County Superintendent of Schools. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

In October 2007, the Governor signed AB 347, which was an urgency statute. The AB 347, also known as the *Valenzuela Settlement*, applies to school districts and county superintendents of schools, that receive funding for the CAHSEE intensive supplemental instruction and services program. They are now required to offer high school students intensive instruction and services for up to two additional years. This requirement applies to high school students, who have not passed one or both parts of the CAHSEE by completion of the 12th grade.

In order to comply with AB 347, school districts are required to revise their Williams Uniform Complaint Procedures and classroom Notice of Complaint Rights, to include the Valenzuela Settlement provisions. The administrative regulation and notice are required to be posted at all schools serving students in grades 10-12. The revision is designed to help resolve complaints regarding CAHSEE intensive instruction and services. Districts are also required to submit a quarterly report on the number of complaints they receive regarding CAHSEE Intensive Instruction & Services Program.

DISCUSSION:

During the months of April, May and June 2008, the district received a total of two-hundred sixty-two (262) Williams Uniform Complaints. There were fifteen (15) complaints regarding a lack Textbooks and Instructional Materials; two (2) complaints regarding Teacher Vacancy or Misassignment; two-hundred-forty-two (242) complaints regarding Facilities Conditions; and three (3) complaints concerning CAHSEE Intensive Instruction

and Services. A majority of the complaints have been resolved. Two-hundred-fifty-eight (258) complaints have been resolved and four (4) complaints are pending or unresolved.

School	Number of Complaints	Nature of Complaint(s)	Substantiated	Resolved
Fred T. Korematsu Discovery Academy (@ Stonehurst)	12	Textbooks - A student lacks textbooks or instructional materials for use in class.	No	Yes
Fred T. Korematsu Discovery Academy (@ Stonehurst)	5	Facilities – Dirty bathrooms that smell, bathrooms lack paper supplies., missing drinking fountains, need portable for parents, need a fence for school, rats, and need security cameras.	Yes	Yes
Esperanza Academy (@ Stonehurst)	3	Textbooks – A student lacks textbooks or instructional materials for use in class.	No	Yes
Esperanza Academy (@ Stonehurst)	13	Facilities - Dirty bathrooms that smell, bathrooms lack paper supplies., missing drinking fountains, need portable for parents, need a fence for school, rats, and need security cameras.	Yes	Yes
Sobrante Park Elementary	16	Facilities – Classroom windows cannot be opened due to security bars. Classrooms are very hot and need air conditioning. Bathrooms smell very bad and need to be cleaned.	Yes	Yes
Reach Academy (@ Cox)	208	Facilities – Exposed wiring, clogged urinals, Asbestos tiles, cracked asbestos tiles, Leaking sinks,	Yes	Yes

		hazardous bathrooms, and rusted bathrooms and clogged urinal.		
Castlemont Business & Information Technology High School (CBITS)	3	CAHSEE – Intensive Instruction and Services – 12 th grade students did not receive adequate preparation.	TBD	Pending – Response is due in August 2008.
Carl B. Munck Elementary	1	Teacher Misassignment – Teacher who teaches English Learners lacks CLAD certification.	No	Yes
Community Day School	1	Teacher Misassignment – Physical Education teacher lacked credential.	TBD	Pending - response is due in August 2008

FISCAL IMPACT:

The Facilities Division has continued to apply for Emergency Repair Program (ERP) funding from the state in order to repair many of the facilities conditions identified in the Williams Uniform complaints.

RECOMMENDATION:

Adoption by the Board of Education of the July 2008 Quarterly Report on the Williams Uniform Complaints.

ATTACHMENT:

July 2008 Quarterly Report on Williams Uniform Complaints

**Alameda County Office of Education\
Valenzuela/CAHSEE Lawsuit Settlement
Quarterly Report on Williams Uniform Complaints**
[Education Code § 35186]

District: OAKLAND UNIFIED SCHOOL DISTRICT

Person completing this form: Gabriel Valenzuela Title: Ombudsperson

Quarterly Report Submission Date: April 2008
(check one) July 2008
 October 2008
 January 2009

Date for information to be reported publicly at governing board meeting: August 27, 2008

Please check the box that applies:

- No complaints were filed with any school in the district during the quarter indicated above.
- Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total Number of Complaints	Number of Complaints Resolved	Number of Unresolved Complaints that were filed within 45 day response timeline	Number of Unresolved Complaints where the 45 day response timeline has <u>not</u> elapsed.
Textbooks and Instructional Materials	15	15	0	0
Teacher Vacancy or Misassignment	2	1	1	0
Facilities Conditions	242	242	0	0
CAHSEE Intensive Instruction and Services	3	0	3	0
TOTALS	262	258	4	0

Dr. Roberta Mayor

Print Name of District Superintendent

Signature of District Superintendent

August 27, 2008

Date