

OAKLAND UNIFIED SCHOOL DISTRICT  
Office of the Superintendent

February 11, 2009

TO: Board of Education

FROM: Roberta Mayor, Ed.D., Superintendent  
Martin Kresse, Staff Attorney  
Gabriel Valenzuela, Ombudsperson *gv*

SUBJECT: **January 2009 Quarterly Report on Williams Uniform Complaints**

**ACTION REQUESTED:**

Approval of the January 2009 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 12<sup>th</sup> 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 October, November and December 2009, the district received a total of six (6) Williams Uniform Complaints. There was one (1) complaint regarding a lack Textbooks and Instructional Materials; zero (0) complaints regarding Teacher Vacancy or Misassignment; five (5) complaints regarding Facilities conditions; and zero (0) complaints concerning CAHSEE Intensive Instruction and Services. Four out of six

complaints have been resolved. The two facilities complaints are pending as they require further action.

School	Number of Complaints	Nature of Complaint(s)	Substantiated	Resolved
Joaquin Miller	1	Lack of instructional materials – OCR workbooks grades 1-5, Math books and teacher's manual grades 2-3; Social Science works books and texts grades 1-4; and Science – FOSS texts for grades 1-5.	Yes	Yes
Sobrante Park	3	Facilities – Dirty and unclean bathrooms and school campus	Yes	Yes
Claremont Middle	1	Facilities – heating and ventilation problems, major pest and vermin infestation, broken windows, doors and other structural damage, damaged electrical outlets and exposed electrical wires, inadequately cleaned and stocked restrooms.	Yes	Pending - Further action required
KIPP Bridge Academy Charter [at former Lowell Middle School campus]	1	Facilities – due to rain overhang [walkway cover] is falling down in certain areas.	Yes	Pending - Further action required

**FISCAL IMPACT:**

Schools and the District's Facilities Division used existing resources to remedy the concerns raised in the complaints. The district will apply for Emergency Repair Program (ERP) funding when appropriate.

**RECOMMENDATION:**

Adoption by the Board of Education of the January 2009 Quarterly Report on the Williams Uniform Complaints.

**ATTACHMENT:**

January 2009 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  
      X                  **January 2009**

Date for information to be reported publicly at governing board meeting:           **February 11, 2009**          

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.
<b>Textbooks and Instructional Materials</b>	1	1	0	0
<b>Teacher Vacancy or Misassignment</b>	0	0	0	0
<b>Facilities Conditions</b>	5	3	2	0
<b>CAHSEE Intensive Instruction and Services</b>	0	0	0	0
<b>TOTALS</b>	6	4	2	0

          Roberta Mayor, Ed.D            
 Print Name of District Superintendent

          Signature of District Superintendent            
          February 11, 2009            
 Date