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Introduction Date	9/25/13
Enactment Number	13-1986
Enactment Date	9-25-13



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education

Gary Yee, Ed.D., Acting Superintendent

From By: Maria Santos, Deputy Superintendent, Instruction, Leadership & Equity-in-Action
Vernon Hal, Deputy Superintendent, Business & Operations

Board Meeting Date September 25, 2013

Subject **Approval by Board of Education of Application for Exemption for Fiscal Year 2010-11 from the Education Code requirement (Education Code Section 60119(a)) that the sufficiency of textbooks and materials public hearing be held on or before the end of the eighth week of school and authorization to submit same to the Alameda County Superintendent of Schools**

Action Requested Approval by Board of Education of Resolution 1314-0037 authorizing the District to file an Application for Exemption for Fiscal Year 2010-11 from the Education Code requirement (Education Code Section 60119(a)) that the sufficiency of textbooks and materials public hearing be held on or before the end of the eighth week of school and authorization to submit same to the Alameda County Superintendent of Schools

Background and Discussion Education Code Section 60119(a)(1) stipulates that the governing board shall hold a public hearing or hearings at which the governing board shall encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination through a resolution, as to whether each pupil in each school in the district has, or will have prior to the end of the fiscal year, sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the state board.

Education Code Section 60119 further stipulates that the governing board hold the public hearing on or before the end of the eighth week of school. Although the District met the substantive requirements of sufficiency of materials and textbooks for the 2010-11 school year, the Board of Education held the public hearing 3 days after the timeframe provided in Education Code Section 60119. This was an oversight that did not recur for 2011-12 or 2012-13. As a result of the not complying with the requirement to hold the public hearing before the end of the eighth week from the first day pupils attended school, the State Controller's Office (SCO) recommended disallowance of Instructional Materials Funding Realignment Program funds received in the amount of \$2,217,698 for fiscal year 2010-11.

The Education Code also authorizes the County Superintendent to waive non-compliance with Education Code Section 60119.

The waiver request is pursuant to Section 60119 of the Education Code. If the County Superintendent approves the waiver, the SCO disallowance will be negated and the District will not be required to appeal this finding to the Education Audit Appeals Panel.

No budget adjustments are required for either the current or prior year.

Recommendation

Approval by Board of Education of Application for Exemption for Fiscal Year 2010-11 from Education Code Section 60119(a) that the sufficiency of textbooks and materials public hearing be held on or before the end of the eighth week of school and authorization to submit same to the Alameda County Superintendent of Schools

Attachments

Resolution

**GOVERNING BOARD OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 1314-0037

Approval of Application for Exemption for Fiscal Year 2010-11 from Education Code Section 60119(a) that the sufficiency of textbooks and materials public hearing be held on or before the end of the eighth week of school and authorization to submit same to the Alameda County Superintendent of Schools

WHEREAS, Education Code Section 60119(a)(1) stipulates that the governing board shall hold a public hearing or hearings at which the governing board shall encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination through a resolution, as to whether each pupil in each school in the district has, or will have prior to the end of the fiscal year, sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the state board; and

WHEREAS, Education Code Section 60119 further stipulates that the governing board hold the public hearing on or before the end of the eighth week of school; and

WHEREAS, although the District met the substantive requirements of sufficiency of materials and textbooks for the 2010-11 school year, the Board of Education held the public hearing 3 days after the timeframe provided in Education Code Section 60119; and

WHEREAS, Education Code also authorizes the County Superintendent to waive non-compliance with Education Code Section 60119; and

NOW, THEREFORE, BE IT RESOLVED, the Board, approves the Application for Exemption for Fiscal Year 2010-11 from Education Code Section 60119(a) that the sufficiency of textbooks and materials public hearing be held on or before the end of the eighth week of school and authorizes to submit same to the Alameda County Superintendent of Schools.

PASSED AND ADOPTED at a Regular Meeting of the Governing Board of the Oakland Unified School District held on September 25, 2013, by the following vote:

AYES: Jody London, Anne Washington, Roseann Torres, James Harris, Christopher Dobbins, Vice President Jumoke Hinton Hodge and President David Kakishiba

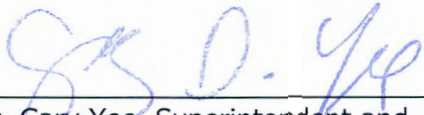
NOES: None

ABSTAINED: None

ABSENT: None

CERTIFICATION

I, Gary Yee, Superintendent and Secretary of the Governing Board of the Oakland Unified School District, Alameda County, State of California, do hereby certify that the foregoing Resolution was duly approved and adopted by the Governing Board of said District at a meeting thereof held on the 25th day of September, 2013 with a copy of such Resolution being on file in the Office of the Governing Board of said District.



Dr. Gary Yee, Superintendent and
Secretary, Governing Board

Certification of Compliance with EC 60119 (Instructional Materials)

Requesting Correction from Audit Finding EC 41344.4

School District: Oakland Unified School District	CDS Code: 01 62125
Audit Year: 2010-11	Finding Number: 11-39

In order to obtain a County Office of Education plan acceptance and waiver of past noncompliance with the requirements of *Education Code* (EC) Section 60119, I, hereby certify as follows on behalf of the district:

Check all areas apply to the District's specific noncompliance area or audit finding(s):

- Finding for failing to hold a public hearing or make a board resolution of the sufficiency of textbooks or instructional materials within the 20__ to 20__ fiscal year.
- Finding for failing to provide ten day notice of public hearing.
- Finding for failing to post the notice of public hearing in three public places.
- Finding for failing to hold public hearing within 8 weeks of the start of school.
- Other finding _____

I certify that each pupil in each school in the district had (by the conclusion of the above fiscal year), sufficient textbooks or instructional materials or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education (EC 60119). The selection of those textbooks must have been made from the State Board adopted lists for students in grades K-8 or from a process in which the district explicitly found the materials to be consistent with the appropriate frameworks. Districts with students in grades 9-12 must have had a local adoption process for the selection of these materials (EC 60400) with a finding that they are consistent with the appropriate framework. **n/a**

OR

I certify in the case of insufficient textbooks or instructional materials, or both, the school district has taken action to ensure that each pupil will have sufficient textbooks or instructional materials within the applicable fiscal year. If this applies, please attach evidence that explains the insufficiency (numbers, classes, subject matter, etc.), and documentation of specific actions that were taken to ensure when there will be sufficient textbooks and instructional materials. **n/a**

Certification of Compliance with EC 60119

Waiver Requesting Relief from Audit Penalty

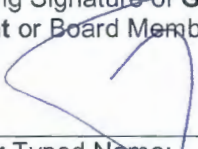
I additionally certify that the district is now in compliance with all other provisions of Education Code (EC) Section 60119 and has HELD a fully compliant public hearing and issued a resolution regarding textbook sufficiency on 10 /12/2011, a date after the finding of noncompliance in the audit year I wish to waive.

I understand that EC 60119 is a continuing, annual requirement for a public hearing and a resolution and that it will be audited every year.

Required Documentation for Corrective Action to Specified Findings above:

- Current year board resolution detailing corrective action (see Attachment 1)
- Current year public hearing documentation (see Attachment 1)
- Audit Finding(s) (attached)
- Evidence explaining the cause of the insufficiency of instructional materials or textbooks and the district correction plans (see Attachment 1)

Authorizing Signature of **Governing Board President** or Board Member Designee:



Title:

President, Board of Education

Printed or Typed Name:

David Kakishiba

Date Signed:

9-26-13

District Contact:

Jacqueline Minor

Phone Number:

(510) 879-8535

County Superintendent of Schools Office Designee:

Title:

Executive Director – Business Advisory

Printed or Typed Name:

Jeff Potter

Date Accepted:

ATTACHMENT 1

DISTRICT NARRATIVE: Required Documentation for Corrective Action to Specified Findings above:

Current year board resolution detailing corrective action:

The Board of Education will conduct the Williams textbook and materials sufficiency public hearing for the 2013-14 school year on Wednesday, October 9, 2013 (within the statutory timeframe provided in Education Code Section 60119). The resolution for this meeting and the public notice are not yet available.

Evidence explaining the cause of the insufficiency of instructional materials or textbooks and the district correction plans:

The District met all requirements to establish the sufficiency of instructional materials and textbooks for the 2010-11 school year. The only error was that the Board of Education of the District held the public hearing 3 days after the timeframe provided in Education Code Section 60119. This was an oversight that did not recur for 2011-12 or 2012-13.

2011/2012

Oakland Unified School District

Board of Education
Paul Robeson Building
1025 2nd Avenue, Suite 320
Oakland, CA 94606-2212
(510) 879-8199 Voice
(510) 879-8000 Fax



ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

Agenda and agenda materials, if any, associated with this meeting are accessible on the Board of Education's World Wide Web Site at <http://webportal.ousd.k12.ca.us> or from any computer terminal in the Office of the Board of Education at the above-stated address.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

Individuals requiring a reasonable accommodation to participate in meetings other than handicapped access, should notify the Office of the Board of Education seventy-two (72) hours prior to the meeting at either (510) 879-8678 (VM); or boe@ousd.k12.ca.us (E-Mail); or (510) 879-8739 (TTY/TDD); or (510) 879-8000 (Fax).

Minutes (Long)

Wednesday, October 12, 2011

5:00 PM

**Auditorium, Castlemont High School, 8601 MacArthur Boulevard, Oakland,
CA 94605**

Board of Education

President Jody London

Vice President Jumoke Hinton Hodge

Directors: Gary Yee, David Kakishiba, Noel Gallo, Christopher Dobbins, Alice Spearman

Student Directors: Isabel Montoya, (Vacancy)

Staff: Edgar Rakestraw, Jr., Secretary, Board of Education

Yee
 Nay: 2 - Noel Gallo and Christopher Dobbins
 Recused: 0
 Absent: 2 - Isabel Montoya and [Vacant]
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

M. Public Hearing(s) - 7:00 P.M.

Roll Call (Secretary's Observation)

Alice Spearman absent at 9:59 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins, Jody London and Gary Yee
 Absent: Alice Spearman, [Vacant] and Isabel Montoya



11-2552

Sufficiency of Textbooks and Instructional Materials - School Year 2011-2012

*Public Hearing, Report and Adoption by Board of Education of Resolution No. 1112-0061 - Sufficiency of Textbooks and Instructional Materials - School Year 2011-2012, as required by Education Code Section 60119, and authorization for same to be submitted to the California Superintendent of Public Instruction.

*Public Hearing to be held at October 12, 2011 Regular Meeting of Board of Education.

Attachments: Document(s)
 11-2552_Notice_Sufficiency_of_Textbooks_or_Instructional_Materials_School_Year_2011_2012_Arabic.pdf
 11-2552_Notice_Sufficiency_of_Textbooks_or_Instructional_Materials_School_Year_2011_2012_Cambodian.pdf
 11-2552_Notice_Sufficiency_of_Textbooks_or_Instructional_Materials_School_Year_2011_2012_Chinese.pdf
 11-2552_Notice_Sufficiency_of_Textbooks_or_Instructional_Materials_School_Year_2011_2012_English.pdf
 11-2552_Notice_Sufficiency_of_Textbooks_or_Instructional_Materials_School_Year_2011-2012_Spanish.pdf
 11-2552_Notice_Sufficiency_of_Textbooks_or_Instructional_Materials_School_Year_2011_2012_Vietnamese.pdf
 2011 Alameda County Superintendent of Schools Instructional Materials Site Visit Reports to District's Decile 1-2 2006 API Schools.pdf
 11-2552 - Proof of Minimum Posting - Three Locations - Notice of Public Hearing - Sufficiency of Textbooks and Instructional Materials - School Year 2011-2012.pdf
 11-2552 - Proof of Publication - Notice of Public Hearing - Oakland Tribune - Sufficiency of Textbooks and Instructional Materials - School Year 2011-2012.pdf

President London opened the Public Hearing at 10:00 P.M.

Maria Santos, Deputy Superintendent, Instruction, Leadership, and Equity-in-Action, reported that we have met the requirement of students having textbooks, instructional materials and science equipment.

Public Comments

Jim Mordecai said he recently substituted in a class and a couple of the students had pages missing in their math textbooks.

President London closed the Public Hearing at 10:03 P.M.

A motion was made by Jumoke Hinton Hodge, seconded by Gary Yee, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 3 - Alice Spearman, Isabel Montoya and [Vacant]
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

N. New Business

Board of Education

11-2781 Motion To Discharge Standing Committee(s) Legislative File(s)

Adoption by Board of Education of Motion to Discharge any and all Legislative Files listed herein as "Pending" in a named Standing Committee, pursuant to Board of Education Bylaw 9130, due to business necessity and, upon adoption of said motion, incorporation of same into the listed Section of Agenda for consideration by the Board at current meeting.

*.... A subject matter not favorably reported from a committee may be discharged from the committee and considered by the Board upon a majority vote of the Board to discharge, provided the subject matter of the discharge has been posted and noticed on a Board meeting agenda. (Board Bylaw 9130)

President London said Legislative File Numbers 11-2687 and 11-2688 are being exempted from the motion.

A motion was made by Christopher Dobbins, seconded by David Kakishiba, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0



October 12th, 2011

To: Board of Education
From: Dr. Tony Smith, Superintendent
Maria Santos, Deputy Superintendent MS

Legislative File	
File ID No.	11-2552
Introduction Date	10-3-2011
Enactment No	11-2170
Enactment Date	10-12-11
By	BS

Subject: Public Hearing, Report and Adoption by Board of Education
Resolution No. 1112-0061 Sufficiency of Textbooks and Instructional Materials-
School year 2011-12

(Williams Case)

ACTION REQUESTED:

Conduct Public Hearing and, following close of hearing, adopt resolution and report on the sufficiency of textbooks and instructional materials for all schools sites as required by Education Code Section 60119 (Williams Case).

BACKGROUND:

In May 2000, the ACLU and other public interest advocates representing students across the state filed a lawsuit against the State of California, the Superintendent of Public Instruction, the State Board of Education and the California Department of Education. The basis of the lawsuit was that the agencies failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers.

The Instructional Materials ordering process for the 2011-12 school year is as follows.

1. All instructional materials were ordered based upon 2011-12 enrollment projections, designated schools' responses to our inquiries, and in alignment with the completed instructional materials survey results. The schedule for the ordering and delivery of instructional materials:

Materials ordered by:	Program	Shipped to sites
February 15	OCR consumables	May 15
February 15	Foro consumables	May 15
March 15	All subject-area consumables	May 15
June 30	adjustments per conf w/principals	August



2. An excel file is maintained for each school site that indicates materials and quantities ordered. Each file is updated after orders are placed. Individual school textbook order files are available upon request and are sent by e-mail. In addition, for the purpose of accountability and maintaining an accurate and current warehouse inventory, there is a separate file for each school of materials distributed from the warehouse. This includes a form signed by principals or their designees each time they pick up materials from the warehouse.
3. Williams-mandated Textbook Surveys for all schools were available on-line April 4th, 2011. In addition, all schools received a packet of written directions and helpful organizational tools during the week of March 21st – April 1st. Completed school surveys were due on May 26th, 2011. Research, Assessment and Data provided ongoing support to schools as well as a “drop-in clinic” May 9th – 13th at the Cole Annex.
4. Leadership, Curriculum & Instruction textbook management and staff convened one-to-one meetings with all of the Williams schools principals June 20th – 30th. Non-Williams school principals were invited and encouraged to meet as well. The purpose of these meetings was to:
 - Review of site-specific Williams Survey
 - Review of site-specific data about what has been ordered to date
 - Review of updated Projected Enrollment Data
 - Discussion: additional needs
 - Review of what the site is responsible to order in regards to lost textbooks
 - Review of OUSD 11-12 Instructional Materials Purchasing Policy

Based upon meetings with the principals and updated enrollment data, additional materials from the warehouse were distributed to designated schools and/or adjustments were made to orders. This process was completed by July 22nd.

5. Beginning August 16th it was incumbent upon principals to inform Leadership, Curriculum and Instruction staff of additional textbook needs based upon additional enrollment.
6. A training was conducted on August 17th, 2011 for the principals of Williams schools on how to successfully prepare for the upcoming ACOE Williams Textbook Audit.
7. All schools are required to complete the September Update Report by September 16th, 2011. The purpose of this report is to once again verify the current quantity of textbooks that each school currently has and determine any additional textbooks that are needed for the 2011-12 school year.



DISCUSSION:

The results of the survey showed that all schools have a sufficiency of textbooks and/or instructional materials as required by SB 550.

FISCAL IMPACT:

As of September 13th, 2011 expenditures on textbooks/instructional materials are as follows:

IMF K-8	\$ 394,396.92
IMF 9-12	\$ 148,805.53
LOTTERY	\$ 705,417.29
TOTAL	\$ 1,248,619.54

RECOMMENDATION:

Conduct Public Hearing and, following close of hearing, adopt resolution and report on the sufficiency of textbooks and instructional materials for all schools sites as required by Education Code Section 60119 (Williams Case).

Attachment: Resolution No. 1112-0061



**RESOLUTION
OF THE
GOVERNING BOARD
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
Resolution No. 1112-0061**

**Sufficiency of Textbooks or Instructional Materials
School Year 2011-2012
(Education Code Section 60119 and 5 CCR 9531)**

WHEREAS, the Governing Board of the Oakland Unified School District, in order to comply with the requirements of Education Code 60119, held a public hearing on October 12th, 2011, at 7:00 o'clock, which is on or before the eighth week of school (between the first day that students attend school and the eighth week from that day) and which did not take place during or immediately following school hours; and

WHEREAS, the Board provided at least ten (10) days notice of the public hearing by posting it in at least three public places within the district that stated the time, place and purpose of the hearing; and

WHEREAS, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing; and

WHEREAS, information provided at the public hearing detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the Oakland Unified School District; and

WHEREAS, the definition of "sufficient textbooks or instructional materials" means that each student, including English learners, has a textbook or instructional materials, or both, to use in class and to take home; and

WHEREAS between the 2008-09 through the 2012-13 fiscal years, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within the Oakland Unified School District, have standards-aligned textbooks or instructional materials from the same adoption cycle, and; **WHEREAS**, sufficient textbooks and instructional materials were provided to each student, including English learners that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:



- **Mathematics:** (In 2008-2009, the Oakland Unified School District Math Adoption was conducted for grades K-12. Textbooks were purchased for the 2009-2010 school year.) Listed below are the titles:

Grade	Course	Publisher
Kindergarten	enVision Math	Pearson, Scott-Foresman
1st	enVision Math	Pearson, Scott-Foresman
2nd	enVision Math	Pearson, Scott-Foresman
3rd	enVision Math	Pearson, Scott-Foresman
4th	enVision Math	Pearson, Scott-Foresman
5th	enVision Math	Pearson, Scott-Foresman
6th	Course 1 Numbers to Algebra	Holt, Reinhart, Wilson
7th	Pre-Algebra	Pearson – Prentice Hall
8th	Algebra I	Holt, Reinhart, Wilson
9th – 12th	Algebra I	Pearson – Prentice Hall
9th – 12th	Geometry	Holt, Reinhart, Wilson
9th – 12th	Intermediate Algebra, 5 th Edition	Pearson – Prentice Hall
9th – 12th	Probability & Statistics: The Basic Practice of Statistic	Freeman
9th – 12th	AP Statistics: The Practice of Statistics	Freeman
9th – 12th	Algebra 2	Holt, Reinhart, Wilson
9th – 12th	Pre-Calculus-Graphical, Numerical, Algebraic	Pearson-Addison Wesley
9th – 12th	Calculus-Graphical, Numerical, Algebraic	Pearson-Addison Wesley



- **Science:** (In 2006-2007, the Oakland Unified School District Science Adoption was conducted for grades K-12. Textbooks were purchased for the 2007-2008 school year.) Listed below are the titles:

Grade	Course	Publisher
Kindergarten	Foss Kit-Life (Animals 2x2)	Foss/Delta Education
Kindergarten	Foss Kit-Earth (Trees)	Foss/Delta Education
Kindergarten	Foss Kit-Physical (Wood & Paper)	Foss/Delta Education
1st	Foss Kit-Life (Plants & Animals)	Foss/Delta Education
1st	Foss Kit-Earth (Air & Weather)	Foss/Delta Education
1st	Foss Kit-Physical (Solids & Liquids)	Foss/Delta Education
2nd	Foss Kit-Life (Insects & Plants)	Foss/Delta Education
2nd	Foss Kit-Earth (Pebbles, Sand & Silt)	Foss/Delta Education
2nd	Foss Kit-Physical (Balance & Motion)	Foss/Delta Education
3rd	Science Resource Book	Foss/Delta Education
3rd	Foss Kit-Life (Structures of Life)	Foss/Delta Education
3rd	Foss Kit-Earth (Sun, Moon & Stars)	Foss/Delta Education
3rd	Foss Kit-Physical (Matter & Energy)	Foss/Delta Education
4th	Science Resource Book	Foss/Delta Education
4th	Foss Kit-Life (Environments)	Foss/Delta Education
4th	Foss Kit-Earth (Solid Earth)	Foss/Delta Education
4th	Foss Kit-Physical (Magnetism and Electricity)	Foss/Delta Education



5th	Science Resource Book	Foss/Delta Education
5th	Foss Kit-Life (Living Systems)	Foss/Delta Education
5th	Foss Kit-Earth (Water Planet)	Foss/Delta Education
5th	Foss Kit-Physical (Mixtures & Solutions)	Foss/Delta Education
6th	Focus on Earth	CPO Science
6th	Focus on Earth Equipment Kit	CPO Science
7th	Focus on Life	CPO Science
7th	Focus on Life Equipment Kit	CPO Science
8th	Focus on Physical Science	CPO Science
8th	Focus on Physical Science Equipment Kit	CPO Science
9th – 12th	Biology: Biology by Nowicki (lab class)	McDougal Littell
9th – 12th	Biology AP: Biology by Campbell (lab class)	Pearson
9th – 12th	Chemistry (lab class)	Pearson
9th – 12th	Chemistry AP: Chemistry the Central Science (lab class)	Pearson
9th – 12th	Physics: Conceptual Physics by Hewitt (lab class)	Pearson
9th – 12th	Physics AP: Physics by Cutnell & Johnson (lab class)	Peoples Press
9th – 12th	Physiology: Essentials of Anatomy & Physiology (lab class)	Pearson



9th – 12th	Environmental Science: A Study of Interrelationships	McGraw Hill
9th – 12th	Environmental Science AP: Living in the Environment (lab class)	Thompson
9th – 12th	Earth Science: CA edition	Pearson
9th – 12th	Geology: Earth Science, 11 th Edition	Pearson
9th – 12th	Biotechnology: Science for a New Millennium (lab class)	Paradigm Publishing
9th – 12th	Conceptual Physics: Physics: A First Course by Hsu (lab class)	CPO Science

- **History-Social Science:** *(In 2005-2006, the Oakland Unified School District Social Studies Adoption was conducted for grades 4-12. Textbooks were purchased for the 2006-2007 school year. In 2006-2007, the Oakland Unified School District Social Studies Adoption was conducted for grades K-3. Textbooks were purchased for the 2007-2008 school year.)*

Grade	Course	Publisher
Kindergarten	Our World, Now & Long Ago Big Book	Harcourt
Kindergarten	Our World, Now & Long Ago Big Book, Spanish	Harcourt
1st	A Child's View Big Book	Harcourt
1st	A Child's View Big Book, Spanish	Harcourt
2nd	People We Know	Harcourt
2nd	People We Know, Spanish	Harcourt
3rd	Our Communities	Harcourt
4th	California	Harcourt
5th	Making a New Nation	Harcourt
6th	Ancient Civilizations	Harcourt



7th	Medieval to Early Modern Times	Harcourt
8th	United States History	Harcourt
9th – 12th	World History: The Modern World c.2007	Pearson
9th – 12th	World History AP: Traditions & Encounters c.2006	McGraw Hill
9th – 12th	US History: American Anthem	Holt, Reinhart, Wilson
9th – 12th	US History AP: American Past & Present 7th Edition	Holt, Reinhart, Wilson
9th – 12th	Magruder's American Government	Pearson
9th – 12th	American Government AP: Continuity & Change	Pearson
9th – 12th	Contemporary Economics	Thompson

- **English/Language Arts:** *(In 2001-2002, the Oakland Unified School District ELA Adoption was conducted for grades K-5. Textbooks were purchased for the 2002-2003 school year.) (In 2003-2004, the Oakland Unified School District ELA Adoption was conducted for grades 6-12. Textbooks were purchased for the 2004-2005 school year.)* Listed below are the titles:

Grade	Course	Publisher
Kindergarten	Open Court: Language Arts Skills Workbook	SRA/McGraw Hill
Kindergarten	Open Court: Sounds & Letters Skills Workbook	SRA/McGraw Hill
Kindergarten	Open Court: Pre-Decodable / Decodable Take Home	SRA/McGraw Hill
Kindergarten	Foro Abierto: Destrezas sonidos y letras	SRA/McGraw Hill
Kindergarten	Foro Abierto: Destrezas de artes del lenguaje	SRA/McGraw Hill
Kindergarten	Foro Abierto: Libros decodificables para la casa 4/c	SRA/McGraw Hill
Kindergarten	Open Court: Big Book	SRA/McGraw Hill
Kindergarten	Foro Abierto: Big Book	SRA/McGraw Hill



1st	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill
1st	Open Court: Student Anthology 1	SRA/McGraw Hill
1st	Open Court: Student Anthology 2	SRA/McGraw Hill
1st	Open Court: First Reader	SRA/McGraw Hill
1st	Open Court: Second Reader	SRA/McGraw Hill
1st	Open Court: Phonics Skills Workbook	SRA/McGraw Hill
1st	Open Court: Decodable Take Home 1	SRA/McGraw Hill
1st	Open Court: Decodable Take Home 2	SRA/McGraw Hill
1st	Foro Abierto: Destrezas de comprensión y artes del lenguaje	SRA/McGraw Hill
1st	Foro Abierto: Destrezas de Fonética	SRA/McGraw Hill
1st	Foro Abierto: Anthología del Estudiante 1:1	SRA/McGraw Hill
1st	Foro Abierto: Anthología del Estudiante 1:2	SRA/McGraw Hill
1st	Foro Abierto: Primeras lecturas	SRA/McGraw Hill
1st	Foro Abierto: Segundas lecturas	SRA/McGraw Hill
1st	Foro Abierto: Libros decodificables para la casa 4/c 1	SRA/McGraw Hill
1st	Foro Abierto: Libros decodificables para la casa 4/c 2	SRA/McGraw Hill
2nd	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill
2nd	Open Court: Student Anthology 1	SRA/McGraw Hill



2nd	Open Court: Student Anthology 2	SRA/McGraw Hill
2nd	Open Court: First Reader	SRA/McGraw Hill
2nd	Open Court: Decodable Take Home	SRA/McGraw Hill
2nd	Foro Abierto: Anthologia del Estudiante 2:1	SRA/McGraw Hill
2nd	Foro Abierto: Anthologia del Estudiante 2:2	SRA/McGraw Hill
2nd	Foro Abierto: Primeras lecturas	SRA/McGraw Hill
2nd	Foro Abierto: Destrezas de comprension y artes del lenguaje	SRA/McGraw Hill
2nd	Foro Abierto: Libros decodificables para la casa 4/c	SRA/McGraw Hill
3rd	Open Court: Student Anthology 1	SRA/McGraw Hill
3rd	Open Court: Student Anthology 2	SRA/McGraw Hill
3rd	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill
3rd	Open Court: Decodable Take Home 1	SRA/McGraw Hill
3rd	Foro Abierto: Anthologia del Estudiante 3:1	SRA/McGraw Hill
3rd	Foro Abierto: Anthologia del Estudiante 3:2	SRA/McGraw Hill
3rd	Foro Abierto: Destrezas de comprension y artes del lenguaje	SRA/McGraw Hill
3rd	Foro Abierto: Libros decodificables para la casa 4/c	SRA/McGraw Hill
4th	Open Court: Student Anthology 1	SRA/McGraw Hill
4th	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill
5th	Open Court: Student Anthology 1	SRA/McGraw Hill



5th	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill
6th	Literature & Language Arts: Introduction	Holt
6th	Holt Handbook: Introduction	Holt
7th	Literature & Language Arts: 1st Course	Holt
7th	Holt Handbook: 1st Course	Holt
8th	Literature & Language Arts: 2nd Course	Holt
8th	Holt Handbook: 2nd Course	Holt
6th – 8th	High Point: Basics	Hampton Brown
6th – 8th	High Point: Practice Workbook Basics - Reading	Hampton Brown
6th – 8th	High Point: Practice Workbook Basics - Language	Hampton Brown
6th – 8th	High Point: Level A	Hampton Brown
6th – 8th	High Point: Practice Workbook Level A	Hampton Brown
6th – 8th	High Point: Level B	Hampton Brown
6th – 8th	High Point: Practice Book Level B	Hampton Brown
6th – 8th	High Point: Level C	Hampton Brown
6th – 8th	High Point: Practice Workbook Level C	Hampton Brown
9th	Literature & Language Arts: 3rd Course	Holt
10th	Literature & Language Arts: 4th Course	Holt
11th	Literature & Language Arts: 5th Course	Holt



12th	Literature & Language Arts: 6th Course	Holt
9th – 12th	English 3 AP: Norton Reader	Peoples Press
9th – 12th	English 4 AP: Bedford's Anthology	VHPS
9th – 12th	English 4 AP: Perrine's Sound & Sense	Thompson
9th – 12th	High Point: Basics	Hampton Brown
9th – 12th	High Point: Practice Workbook Basics - Reading	Hampton Brown
9th – 12th	High Point: Practice Workbook Basics - Language	Hampton Brown
9th – 12th	High Point: Level A	Hampton Brown
9th – 12th	High Point: Practice Workbook Level A	Hampton Brown
9th – 12th	High Point: Level B	Hampton Brown
9th – 12th	High Point: Practice Book Level B	Hampton Brown
9th – 12th	High Point: Level C	Hampton Brown
9th – 12th	High Point: Practice Workbook Level C	Hampton Brown
9th	Elements of Language (Class Set)	Holt
10th	Elements of Language (Class Set)	Holt
11th	Elements of Language (Class Set)	Holt
12th	Elements of Language (Class Set)	Holt



WHEREAS, sufficient textbooks or instructional materials were provided to each student enrolled in a foreign language or health classes:

- **Foreign Language or Health Classes:** *(In 2003-2004, the Oakland Unified School District World Language Adoption was conducted for grades 6-12. Textbooks were purchased for the 2004-2005 school year.)* Listed below are the titles:

Grade	Course	Publisher
6th – 8th	Spanish A/B: Adelante A/B	Holt
6th – 8th	Spanish I: En Espanol	McDougall Littell
6th – 8th	French A/B: Bon Voyage	Glencoe
6th – 8th	French I: Discovering French Bleu	McDougall Littell
9th – 12th	Spanish I: En Espanol Spanish 1	McDougall Littell
9th – 12th	Spanish II: En Espanol Spanish 2	McDougall Littell
9th – 12th	Spanish III: Realidades	Prentice Hall
9th – 12th	Spanish IV: Connexiones	Prentice Hall
9th – 12th	EPH II: Nuevas Vistas Course 1	Holt
9th – 12th	EPH III: Nuevas Vistas Course 2	Holt
9th – 12th	EPH IV: Abriendo Paso Lecture	Prentice Hall
9th – 12th	EPH IV: Abriendo Paso Grammatica	Prentice Hall
9th – 12th	EPH V: Abriendo Puertas	McDougall Littell
9th – 12th	French I: Discovering French Bleu	McDougall Littell
9th – 12th	French II: Discovering French Blanc	McDougall Littell
9th – 12th	French III: Discovering French Rouge	McDougall Littell
9th – 12th	French IV: Tresors du Temps	Glencoe



and;

WHEREAS, laboratory science equipment was available for science laboratory classes offered in grades 9-12
Inclusive:

- **Science Laboratory Classes - Grades 9-12, inclusive:** *(In 2006-2007, the Oakland Unified School District Science Adoption was conducted for grades K-12. Science Lab Kits were purchased for the 2007-2008 school year.)* Listed below are the titles that correspond to the classes:

9th – 12th	Biology: Biology by Nowicki (lab class)	McDougal Littell
9th – 12th	Biology AP: Biology by Campbell (lab class)	Pearson
9th – 12th	Chemistry (lab class)	Pearson
9th – 12th	Chemistry AP: Chemistry the Central Science (lab class)	Pearson
9th – 12th	Physics: Conceptual Physics by Hewitt (lab class)	Pearson
9th – 12th	Physics AP: Physics by Cutnell & Johnson (lab class)	Peoples Press
9th – 12th	Physiology: Essentials of Anatomy & Physiology (lab class)	Pearson
9th – 12th	Environmental Science: A Study of Interrelationships	McGraw Hill
9th – 12th	Environmental Science AP: Living in the Environment (lab class)	Thompson
9th – 12th	Earth Science: CA edition	Pearson
9th – 12th	Geology: Earth Science, 11 th Edition	Pearson
9th – 12th	Biotechnology: Science for a New Millennium (lab class)	Paradigm Publishing



9th – 12th	Conceptual Physics: Physics: A First Course by Hsu (lab class)	CPO Science
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• **Science Laboratory Equipment - Grades 9-12, inclusive:**

Grade	Course	Publisher
9th – 12th	Science Lab: Bunsen Burner	N/A
9th – 12th	Science Lab: Dissecting Kit	N/A
9th – 12th	Science Lab: Goggles	N/A
9th – 12th	Science Lab: Hot Plate	N/A
9th – 12th	Science Lab: Microscope	N/A
9th – 12th	Science Lab: Slides & Cover Slips	N/A
9th – 12th	Science Lab: Scale Triple Beam or Digital	N/A,
9th – 12th	Science Lab: Graduated Cylinder 1 Liter	N/A
9th – 12th	Science Lab: Graduated Cylinder 5 ml	N/A
9th – 12th	Science Lab: Graduated Cylinder 10 ml	N/A
9th – 12th	Science Lab: Graduated Cylinder 100 ml	N/A
9th – 12th	Science Lab: Flasks	N/A
9th – 12th	Science Lab: Beakers 10ml	N/A
9th – 12th	Science Lab: Beakers 100 ml	N/A
9th – 12th	Science Lab: Beakers 250 ml	N/A
9th – 12th	Science Lab: Beakers 500 ml	N/A
9th – 12th	Science Lab: Test Tubes Small	N/A
9th – 12th	Science Lab: Test Tubes Large	N/A
9th – 12th	Science Lab: Pippettes	N/A



NOW, THEREFORE, BE IT RESOLVED, that for the 2011-12 school year, the Oakland Unified School District has provided each student with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

PASSED AND ADOPTED THIS 12TH day of October, 2011, at a Regular Meeting of the Governing Board by the following vote:

AYES: **David Kakishiba, Noel Gallo, Christopher Dobbins, Gary Yee,**
Vice President Jumoke Hinton Hodge, President Jody London


NAYS: **None**

ABSTAINED: **None**

ABSENT: **Alice Spearman**

I hereby certify that the forgoing is a full, true and correct copy of a Resolution passed at Regular Meeting of the Governing Board of the Oakland Unified School District held on October 12th, 2011

Date: 10-13-11



Edgar Rakestraw, Jr.
Secretary, Governing Board
Oakland Unified School District

Oakland Tribune

c/o Bay Area News Group-East Bay
7677 Oakport St., #950
Oakland, CA 94621
Legal Advertising
(800) 595-9595 opt. 4

OAKLAND U.S.D.
BOARD OF EDUCATION

2011 OCT 14 A 11:30

Oakland USD
Edgar Rakestraw Jr., 1025 2nd Ave., #301
Oakland CA 94606

PROOF OF PUBLICATION
FILE NO. 10/12 Hearing

In the matter of

Oakland Tribune

The Oakland Tribune

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled in the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California." Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

10/2/2011, 10/9/2011

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Edgar Rakestraw Jr.

Public Notice Advertising Clerk

Legal No. 0004179560

OAKLAND UNIFIED SCHOOL DISTRICT
NOTICE OF PUBLIC HEARING REGARDING DISTRICT'S
SUFFICIENCY OF TEXTBOOKS OR INSTRUCTIONAL
MATERIALS FOR SCHOOL YEAR 2011-2012

To all interested parties, please take notice that on October 12, 2011, the Oakland Unified School District, at a Regular Meeting of the Governing Board ("Board"), will hold a public hearing on its proposed finding of Sufficiency of Textbooks or Instructional Materials for School Year 2011-2012.

The public hearing will be held, October 12, 2011, at 2:00 p.m., or as soon thereafter as the matter may be heard, in the Auditorium, Castlemont High School, 8601 MacArthur Boulevard, Oakland, CA 94605. The purpose of the hearing is for the Board to determine in writing whether each pupil in each school in the District has sufficient textbooks or instructional materials, or both, that are aligned to the content standards, adopted pursuant to Education Code Section 50605 in each of the following subjects, as appropriate, that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education:

Mathematics; Science; History-Social Science; and English Language Arts, including the English Language Development component of the adopted program.

The Board, at the hearing, also will determine in writing whether each pupil enrolled in a foreign language or health course, if applicable, has sufficient textbooks or instructional materials that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education for those subjects. The Board, at the hearing, will further determine in writing the availability of laboratory science equipment for science laboratory courses offered in grades 9 to 12, inclusive.

Parents, teachers, members of the community interested in the affairs of the school district and bargaining unit leaders are encouraged to participate in this hearing.

California Education Code Section 60119 requires that the Board hold this annual public hearing, in particular, to determine the sufficiency of textbooks or instructional materials for each pupil in each school in order to be eligible to receive funds for the purposes mentioned in the second paragraph of this notice. The provision of the textbooks, instructional materials, or science equipment specified in paragraph three of this notice is not a condition of the receipt of funds provided under the Pupil Textbook and Instructional Materials Incentive Program.

A copy of the Board Memorandum and the proposed determination Resolution No. 1112-0061 are available for review prior to the public hearing via computer terminal in the first floor lobby, the Office of the Board of Education at Room 320, Oakland Unified School District, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA between the hours of 9:00 a.m. to 4:00 p.m. weekdays and on the Wide Web at <http://publicportal.ousd.k12.ca.us/1994108181925553/site/default.asp> not later than October 2, 2011.

/s/ Edgar Rakestraw, Jr.
Secretary, Governing Board
OT #417956; Oct. 2, 9, 2011

OAKLAND UNIFIED SCHOOL DISTRICT
NOTICE OF PUBLIC HEARING REGARDING DISTRICT'S SUFFICIENCY OF
TEXTBOOKS OR INSTRUCTIONAL MATERIALS FOR SCHOOL YEAR 2011-2012

To all interested parties, please take notice that on October 12, 2011, the Oakland Unified School District, at a Regular Meeting of the Governing Board ("Board"), will hold a public hearing on its proposed finding of Sufficiency of Textbooks or Instructional Materials for School Year 2011-2012.

The public hearing will be held, October 12, 2010, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the Board Room of the Paul Robeson Building, Oakland Unified School District, 1025 Second Avenue, Oakland, California, 94606. The purpose of the hearing is for the Board to determine in writing whether each pupil in each school in the District has sufficient textbooks or instructional materials, or both, that are aligned to the content standards, adopted pursuant to Education Code Section 60605 in each of the following subjects, as appropriate, that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education:

Mathematics; Science; History-Social Science; and English Language Arts, including the English Language Development component of the adopted program.

The Board, at the hearing, also will determine in writing whether each pupil enrolled in a foreign language or health course, if applicable, has sufficient textbooks or instructional materials that are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education for those subjects. The Board, at the hearing, will further determine in writing the availability of laboratory science equipment for science laboratory courses offered in grades 9 to 12, inclusive.

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s/Edgar Rakestraw, Jr.
Secretary, Governing Board

2012/2013

Oakland Unified School District

Board of Education
Paul Robeson Building
1025 2nd Avenue, Suite 320
Oakland, CA 94606-2212
(510) 879-8199 Voice
(510) 273-3235 Fax
(510) 273-3474 TTY/TDD



ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

Agenda and agenda materials, if any, associated with this meeting are accessible on the Board of Education's World Wide Web Site at <http://webportal.ousd.k12.ca.us> or from any computer terminal in the Office of the Board of Education at the above-stated address.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

Individuals requiring a reasonable accommodation to participate in meetings other than handicapped access, should notify the Office of the Board of Education seventy-two (72) hours prior to the meeting at either (510) 273-3233 (VM); or boe@ousd.k12.ca.us (E-Mail); or (510) 273-3474 (TTY/TDD); or (510) 273-3235 (Fax).

Meeting Minutes Long - Final

Wednesday, October 10, 2012

5:00 PM

**Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA 94606
1412 Old Eden Drive, High Point, NC 27265**

Board of Education

President Jody London

Vice President Jumoke Hinton Hodge

Directors: David Kakishiba, Gary Yee, Noel Gallo, Christopher Dobbins, Alice Spearman

Student Directors: Pierre Salmeri, Carmen Jimenez

Staff: Edgar Rakestraw, Jr., Secretary, Board of Education



12-2491

Sufficiency of Textbooks and Instructional Materials - School Year 2012-2013

Public Hearing, Report and Adoption by Board of Education of Resolution No. 1213-0023 - Sufficiency of Textbooks and Instructional Materials - School Year 2012-2013, as required by Education Code Section 60119, and authorization for same to be submitted to the California Superintendent of Public Instruction.

Funding Source: California Department of Education

Attachments: [12-2491 Arabic - ST&IM - SY 2012-13](#)
[12-2491 Cambodian - ST&IM - SY 2012-13](#)
[12-2491 Chinese - ST&IM - SY 2012-13](#)
[12-2491 English - ST&IM - SY 2012-13](#)
[12-2491 Spanish - ST&IM - SY 2012-13](#)
[12-2491 Vietnamese - ST&IM - SY 2012-13](#)
[12-2491 Proof of Publication - PHN - Oakland Tribune - Sufficiency of Textbooks and Instructional Materials - School Year 2012-2013](#)
[12-2491 Posting of Notice - School Site Confirmation Responses - Annual Public Hearing - Sufficiency of Textbooks and Instructional Materials - 2012-2013](#)

President London opened the Public Hearing at 6:08 P.M.

Deputy Maria Santos stated she is very pleased to present of Sufficiency of Textbooks and Instructional Materials Report. She stated each year they spent significant amount of time in the summer preparing for the opening of schools, to ensure that students have instructional materials. She also stated that they review the class rooms and schools for sufficiency of texts and make all efforts to ensure that there are texts for the students, and she is pleased to report that they are on track with the requirements.

Ben Tapscott stated he is pleased with the progress with getting equality in the curriculum at McClymonds High School. He also stated is there additional funds for all the new advance placement courses that was put into school this year because without those funds the program might be there but they might not have all the text books.

Director Gallo and Deputy Santos had a dialog about every student in Oakland Unified School District has a text book available. Director Gallo asked is Oakland Unified supplementing the text book account in any way or by certain amount. Deputy Santos said, they will get back with an answer

President London closed the Public Hearing at 6:12 P.M.

A motion was made by Director Spearman, seconded by Director Kakishiba, that this Resolution be Adopted . The motion carried by the following vote.

Aye: 5 -

President David Kakishiba, Director Noel Gallo, Director Alice Spearman, Vice President Jumoke Hodge, and Director Jody London

Absent: 2 -

Director Gary Yee, and Director Christopher Dobbins

P.Aye: 2 -

Student Director Carmen Jimenez, and Student Director Pierre Salmeri

Non-voting:

Enactment No: 12-2482



October 10, 2012

To: Board of Education

From: Dr. Tony Smith, Superintendent *Tony Smith (HS)*
Maria Santos, Deputy Superintendent *Maria Santos*
Kyla Johnson-Trammell, Associate Superintendent,
Leadership, Curriculum and Instruction

Legislative File

File ID No. 12-2491
Introduction Date 10-10-2012
Enactment No. 12-2482
Enactment Date 10/17/12
By *O.S.*

Subject: Public Hearing, Report and Adoption by Board of Education
Resolution No. 1213-0023 Sufficiency of Textbooks and Instructional Materials-
School year 2012-13

(Williams Case)

ACTION REQUESTED:

Conduct Public Hearing and, following close of hearing, adopt resolution and report on the sufficiency of textbooks and instructional materials for all schools sites as required by Education Code Section 60119 (Williams Case).

BACKGROUND:

In May 2000, the ACLU and other public interest advocates representing students across the state filed a lawsuit against the State of California, the Superintendent of Public Instruction, the State Board of Education and the California Department of Education. The basis of the lawsuit was that the agencies failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers.

The Instructional Materials ordering process for the 2012-13 school year is as follows.

1. All instructional materials were ordered based upon 2012-13 enrollment projections, designated schools' responses to our inquiries, and in alignment with the completed instructional materials survey results. The schedule for the ordering and delivery of instructional materials:

Materials ordered by:	Program	Shipped to sites
February 15	OCR consumables	May 15
February 15	Foro consumables	May 15
March 15	All subject-area consumables	May 15
June 30	adjustments per conf w/principals	August



2. An excel file is maintained for each school site that indicates materials and quantities ordered. Each file is updated after orders are placed. Individual school textbook order files are available upon request and are sent by e-mail. In addition, for the purpose of accountability and maintaining an accurate and current warehouse inventory, there is a separate file for each school of materials distributed from the warehouse. This includes a form signed by principals or their designees each time they pick up materials from the warehouse.
3. Williams-mandated Textbook Surveys for all schools were available on-line April 2. In addition, all schools received a packet of written directions and helpful organizational tools during the week of March 19–23. Completed school surveys were due on May 24. Research, Assessment and Data provided ongoing support to schools as well as a “drop-in clinics” on May 7–11 at the Cole Annex.
4. Leadership, Curriculum and Instruction textbook management and staff convened one-to-one meetings with all of the Williams schools principals June 18–29. Non-Williams school principals were invited and encouraged to meet as well. The purpose of these meetings was to:
 - Review of site-specific Williams Survey
 - Review of site-specific data about what has been ordered to date
 - Review of updated Projected Enrollment Data
 - Discussion: additional needs

Based upon meetings with the principals and updated enrollment data, additional materials from the warehouse were distributed to designated schools and/or adjustments were made to orders. This process was completed by August 13, 2012.

5. Beginning August 20, it was incumbent upon principals to inform Leadership, Curriculum and Instruction staff of additional textbook needs based upon additional enrollment.
6. A training was conducted on August 15 for the principals of Williams schools on how to successfully prepare for the upcoming ACOE Williams Textbook Audit.
7. All schools are required to complete the September Update Report by September 21, 2012. The purpose of this report is to once again verify the current quantity of textbooks that each school currently has and determine any additional textbooks that are needed for the 2012-13 school year.



DISCUSSION:

The results of the survey showed that all schools have a sufficiency of textbooks and/or instructional materials as required by SB 550.

FISCAL IMPACT:

As of September 10, 2012 expenditures on textbooks/instructional materials are as follows:

IMF- K-12	\$ 713,585.65
LOTTERY	\$ 872,943.90
TOTAL	\$1,586,529.55

RECOMMENDATION:

Conduct Public Hearing and, following close of hearing, adopt resolution and report on the sufficiency of textbooks and instructional materials for all schools sites as required by Education Code Section 60119 (Williams Case).

Attachment: Resolution No. 1213-0023



**RESOLUTION
OF THE
GOVERNING BOARD
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
Resolution No. 1213-0023**

**Sufficiency of Textbooks or Instructional Materials
School Year 2012-2013
(Education Code Section 60119 and 5 CCR 9531)**

WHEREAS, the Governing Board of the Oakland Unified School District, in order to comply with the requirements of Education Code 60119, held a public hearing on October 10, 2012, at 7:00pm, which is on or before the eighth week of school (between the first day that students attend school and the eighth week from that day) and which did not take place during or immediately following school hours; and

WHEREAS, the Board provided at least ten (10) days notice of the public hearing by posting it in at least three public places within the district that stated the time, place and purpose of the hearing; and

WHEREAS, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing; and

WHEREAS, information provided at the public hearing detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the Oakland Unified School District; and

WHEREAS, the definition of "sufficient textbooks or instructional materials" means that each student, including English learners, has a textbook or instructional materials, or both, to use in class and to take home; and

WHEREAS between the 2008-09 through the 2012-13 fiscal years, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within the Oakland Unified School District, have standards-aligned textbooks or instructional materials from the same adoption cycle, and; **WHEREAS**, sufficient textbooks and instructional materials were provided to each student, including English learners that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:



- **Mathematics:** (In 2008-2009, the Oakland Unified School District Math Adoption was conducted for grades K-12. Textbooks were purchased for the 2009-2010 school year.) Listed below are the titles:

Grade	Course	Publisher
Kindergarten	enVision Math	Pearson, Scott-Foresman
1st	enVision Math	Pearson, Scott-Foresman
2nd	enVision Math	Pearson, Scott-Foresman
3rd	enVision Math	Pearson, Scott-Foresman
4th	enVision Math	Pearson, Scott-Foresman
5th	enVision Math	Pearson, Scott-Foresman
6th	Course 1 Numbers to Algebra	Holt, Reinhart, Wilson
7th	Pre-Algebra	Pearson – Prentice Hall
8th	Algebra I	Holt, Reinhart, Wilson
9th – 12th	Algebra I	Pearson – Prentice Hall
9th – 12th	Geometry	Holt, Reinhart, Wilson
9th – 12th	Intermediate Algebra, 5 th Edition	Pearson – Prentice Hall
9th – 12th	Probability & Statistics: The Basic Practice of Statistic	Freeman
9th – 12th	AP Statistics: The Practice of Statistics	Freeman
9th – 12th	Algebra 2	Holt, Reinhart, Wilson
9th – 12th	Pre-Calculus-Graphical, Numerical, Algebraic	Pearson-Addison Wesley
9th – 12th	Calculus-Graphical, Numerical, Algebraic	Pearson-Addison Wesley



- **Science:** (In 2006-2007, the Oakland Unified School District Science Adoption was conducted for grades K-12. Textbooks were purchased for the 2007-2008 school year.) Listed below are the titles:

Grade	Course	Publisher
Kindergarten	Foss Kit-Life (Animals 2x2)	Foss/Delta Education
Kindergarten	Foss Kit-Earth (Trees)	Foss/Delta Education
Kindergarten	Foss Kit-Physical (Wood & Paper)	Foss/Delta Education
1st	Foss Kit-Life (Plants & Animals)	Foss/Delta Education
1st	Foss Kit-Earth (Air & Weather)	Foss/Delta Education
1st	Foss Kit-Physical (Solids & Liquids)	Foss/Delta Education
2nd	Foss Kit-Life (Insects & Plants)	Foss/Delta Education
2nd	Foss Kit-Earth (Pebbles, Sand & Silt)	Foss/Delta Education
2nd	Foss Kit-Physical (Balance & Motion)	Foss/Delta Education
3rd	Science Resource Book	Foss/Delta Education
3rd	Foss Kit-Life (Structures of Life)	Foss/Delta Education
3rd	Foss Kit-Earth (Sun, Moon & Stars)	Foss/Delta Education
3rd	Foss Kit-Physical (Matter & Energy)	Foss/Delta Education
4th	Science Resource Book	Foss/Delta Education
4th	Foss Kit-Life (Environments)	Foss/Delta Education
4th	Foss Kit-Earth (Solid Earth)	Foss/Delta Education
4th	Foss Kit-Physical (Magnetism and Electricity)	Foss/Delta Education
5th	Science Resource Book	Foss/Delta Education



5th	Foss Kit-Life (Living Systems)	Foss/Delta Education
5th	Foss Kit-Earth (Water Planet)	Foss/Delta Education
5th	Foss Kit-Physical (Mixtures & Solutions)	Foss/Delta Education
6th	Focus on Earth	CPO Science
6th	Focus on Earth Equipment Kit	CPO Science
7th	Focus on Life	CPO Science
7th	Focus on Life Equipment Kit	CPO Science
8th	Focus on Physical Science	CPO Science
8th	Focus on Physical Science Equipment Kit	CPO Science
9th – 12th	Biology: Biology by Nowicki (lab class)	McDougall Littell
9th – 12th	Biology AP: Biology by Campbell (lab class)	Pearson
9th – 12th	Chemistry (lab class)	Pearson
9th – 12th	Chemistry AP: Chemistry the Central Science (lab class)	Pearson
9th – 12th	Physics: Conceptual Physics by Hewitt (lab class)	Pearson
9th – 12th	Physics AP: Physics by Cutnell & Johnson (lab class)	Peoples Press
9th – 12th	Physiology: Essentials of Anatomy & Physiology (lab class)	Pearson
9th – 12th	Environmental Science: A Study of Interrelationships	McGraw Hill



9th – 12th	Environmental Science AP: Living in the Environment (lab class)	Thompson
9th – 12th	Earth Science: CA edition	Pearson
9th – 12th	Geology: Earth Science, 11 th Edition	Pearson
9th – 12th	Biotechnology: Science for a New Millennium (lab class)	Paradigm Publishing
9th – 12th	Conceptual Physics: Physics: A First Course by Hsu (lab class)	CPO Science

- **History-Social Science:** *(In 2005-2006, the Oakland Unified School District Social Studies Adoption was conducted for grades 4-12. Textbooks were purchased for the 2006-2007 school year. In 2006-2007, the Oakland Unified Scholl District Social Studies Adoption was conducted for grades K-3. Textbooks were purchased for the 2007-2008 school year.)*

Grade	Course	Publisher
Kindergarten	Our World, Now & Long Ago Big Book	Harcourt
Kindergarten	Our World, Now & Long Ago Big Book, Spanish	Harcourt
1st	A Child's View Big Book	Harcourt
1st	A Child's View Big Book, Spanish	Harcourt
2nd	People We Know	Harcourt
2nd	People We Know, Spanish	Harcourt
3rd	Our Communities	Harcourt
4th	California	Harcourt
5th	Making a New Nation	Harcourt
6th	Ancient Civilizations	Harcourt
7th	Medieval to Early Modern Times	Harcourt
8th	United States History	Harcourt



9th – 12th	World History: The Modern World c.2007	Pearson
9th – 12th	World History AP: Traditions & Encounters c.2006	McGraw Hill
9th – 12th	US History: American Anthem	Holt, Reinhart, Wilson
9th – 12th	US History AP: American Past & Present 7th Edition	Holt, Reinhart, Wilson
9th – 12th	Magruder’s American Government	Pearson
9th – 12th	American Government AP: Continuity & Change	Pearson
9th – 12th	Contemporary Economics	Thompson

- English/Language Arts:** *(In 2001-2002, the Oakland Unified School District ELA Adoption was conducted for grades K-5. Textbooks were purchased for the 2002-2003 school year.) (In 2003-2004, the Oakland Unified School District ELA Adoption was conducted for grades 6-12. Textbooks were purchased for the 2004-2005 school year.)* Listed below are the titles:

Grade	Course	Publisher
Kindergarten	Open Court: Language Arts Skills Workbook	SRA/McGraw Hill
Kindergarten	Open Court: Sounds & Letters Skills Workbook	SRA/McGraw Hill
Kindergarten	Open Court: Pre-Decodable / Decodable Take Home	SRA/McGraw Hill
Kindergarten	Foro Abierto: Destrezas sonidos y letras	SRA/McGraw Hill
Kindergarten	Foro Abierto: Destrezas de artes del lenguaje	SRA/McGraw Hill
Kindergarten	Foro Abierto: Libros decodificables para la casa 4/c	SRA/McGraw Hill
Kindergarten	Open Court: Big Book	SRA/McGraw Hill
Kindergarten	Foro Abierto: Big Book	SRA/McGraw Hill
1st	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill



1st	Open Court: Student Anthology 1	SRA/McGraw Hill
1st	Open Court: Student Anthology 2	SRA/McGraw Hill
1st	Open Court: First Reader	SRA/McGraw Hill
1st	Open Court: Second Reader	SRA/McGraw Hill
1st	Open Court: Phonics Skills Workbook	SRA/McGraw Hill
1st	Open Court: Decodable Take Home 1	SRA/McGraw Hill
1st	Open Court: Decodable Take Home 2	SRA/McGraw Hill
1st	Foro Abierto: Destrezas de comprension y artes del lenguaje	SRA/McGraw Hill
1st	Foro Abierto: Destrezas de Fonetica	SRA/McGraw Hill
1st	Foro Abierto: Anthologia del Estudiante 1:1	SRA/McGraw Hill
1st	Foro Abierto: Anthologia del Estudiante 1:2	SRA/McGraw Hill
1st	Foro Abierto: Primeras lecturas	SRA/McGraw Hill
1st	Foro Abierto: Segundas lecturas	SRA/McGraw Hill
1st	Foro Abierto: Libros decodificables para la casa 4/c 1	SRA/McGraw Hill
1st	Foro Abierto: Libros decodificables para la casa 4/c 2	SRA/McGraw Hill
2nd	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill
2nd	Open Court: Student Anthology 1	SRA/McGraw Hill
2nd	Open Court: Student Anthology 2	SRA/McGraw Hill
2nd	Open Court: First Reader	SRA/McGraw Hill



2nd	Open Court: Decodable Take Home	SRA/McGraw Hill
2nd	Foro Abierto: Anthologia del Estudiante 2:1	SRA/McGraw Hill
2nd	Foro Abierto: Anthologia del Estudiante 2:2	SRA/McGraw Hill
2nd	Foro Abierto: Primeras lecturas	SRA/McGraw Hill
2nd	Foro Abierto: Destrezas de comprension y artes del lenguaje	SRA/McGraw Hill
2nd	Foro Abierto: Libros decodificables para la casa 4/c	SRA/McGraw Hill
3rd	Open Court: Student Anthology 1	SRA/McGraw Hill
3rd	Open Court: Student Anthology 2	SRA/McGraw Hill
3rd	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill
3rd	Open Court: Decodable Take Home 1	SRA/McGraw Hill
3rd	Foro Abierto: Anthologia del Estudiante 3:1	SRA/McGraw Hill
3rd	Foro Abierto: Anthologia del Estudiante 3:2	SRA/McGraw Hill
3rd	Foro Abierto: Destrezas de comprension y artes del lenguaje	SRA/McGraw Hill
3rd	Foro Abierto: Libros decodificables para la casa 4/c	SRA/McGraw Hill
4th	Open Court: Student Anthology 1	SRA/McGraw Hill
4th	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill
5th	Open Court: Student Anthology 1	SRA/McGraw Hill
5th	Open Court: Comprehension & Language Arts Skills Workbook	SRA/McGraw Hill



6th	Literature & Language Arts: Introduction	Holt
6th	Holt Handbook: Introduction	Holt
7th	Literature & Language Arts: 1st Course	Holt
7th	Holt Handbook: 1st Course	Holt
8th	Literature & Language Arts: 2nd Course	Holt
8th	Holt Handbook: 2nd Course	Holt
6th – 8th	High Point: Basics	Hampton Brown
6th – 8th	High Point: Practice Workbook Basics - Reading	Hampton Brown
6th – 8th	High Point: Practice Workbook Basics - Language	Hampton Brown
6th – 8th	High Point: Level A	Hampton Brown
6th – 8th	High Point: Practice Workbook Level A	Hampton Brown
6th – 8th	High Point: Level B	Hampton Brown
6th – 8th	High Point: Practice Book Level B	Hampton Brown
6th – 8th	High Point: Level C	Hampton Brown
6th – 8th	High Point: Practice Workbook Level C	Hampton Brown
9th	Literature & Language Arts: 3rd Course	Holt
10th	Literature & Language Arts: 4th Course	Holt
11th	Literature & Language Arts: 5th Course	Holt
12th	Literature & Language Arts: 6th Course	Holt
9th – 12th	English 3 AP: Norton Reader	Peoples Press



9th – 12th	English 4 AP: Bedford’s Anthology	VHPS
9th – 12th	English 4 AP: Perrine’s Sound & Sense	Thompson
9th – 12th	High Point: Basics	Hampton Brown
9th – 12th	High Point: Practice Workbook Basics - Reading	Hampton Brown
9th – 12th	High Point: Practice Workbook Basics - Language	Hampton Brown
9th – 12th	High Point: Level A	Hampton Brown
9th – 12th	High Point: Practice Workbook Level A	Hampton Brown
9th – 12th	High Point: Level B	Hampton Brown
9th – 12th	High Point: Practice Book Level B	Hampton Brown
9th – 12th	High Point: Level C	Hampton Brown
9th – 12th	High Point: Practice Workbook Level C	Hampton Brown
9th	Elements of Language (Class Set)	Holt
10th	Elements of Language (Class Set)	Holt
11th	Elements of Language (Class Set)	Holt
12th	Elements of Language (Class Set)	Holt



WHEREAS, sufficient textbooks or instructional materials were provided to each student enrolled in a foreign language or health classes:

- **Foreign Language or Health Classes:** *(In 2003-2004, the Oakland Unified School District World Language Adoption was conducted for grades 6-12. Textbooks were purchased for the 2004-2005 school year.)* Listed below are the titles:

Grade	Course	Publisher
6th – 8th	Spanish A/B: Adelante A/B	Holt
6th – 8th	Spanish I: En Espanol	McDougal Littell
6th – 8th	French A/B: Bon Voyage	Glencoe
6th – 8th	French I: Discovering French Bleu	McDougal Littell
9th – 12th	Spanish I: En Espanol Spanish 1	McDougal Littell
9th – 12th	Spanish II: En Espanol Spanish 2	McDougal Littell
9th – 12th	Spanish III: Realidades	Prentice Hall
9th – 12th	Spanish IV: Connexiones	Prentice Hall
9th – 12th	EPH II: Nuevas Vistas Course 1	Holt
9th – 12th	EPH III: Nuevas Vistas Course 2	Holt
9th – 12th	EPH IV: Abriendo Paso Lecture	Prentice Hall
9th – 12th	EPH IV: Abriendo Paso Grammatica	Prentice Hall
9th – 12th	EPH V: Abriendo Puertas Vol.1	McDougal Littell
9th – 12th	EPH V: Abriendo Puertas Vol.2	McDougal Littell
9th – 12th	French I: Discovering French Bleu	McDougal Littell
9th – 12th	French II: Discovering French Blanc	McDougal Littell
9th – 12th	French III: Discovering French Rouge	McDougal Littell



9th – 12th	French IV: Tresors du Temps	Glencoe
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and;

WHEREAS, laboratory science equipment was available for science laboratory classes offered in grades 9-12 Inclusive:

- **Science Laboratory Classes** - Grades 9-12, inclusive: *(In 2006-2007, the Oakland Unified School District Science Adoption was conducted for grades K-12. Science Lab Kits were purchased for the 2007-2008 school year.)* Listed below are the titles that correspond to the classes:

9th – 12th	Biology: Biology by Nowicki (lab class)	McDougal Littell
9th – 12th	Biology AP: Biology by Campbell (lab class)	Pearson
9th – 12th	Chemistry (lab class)	Pearson
9th – 12th	Chemistry AP: Chemistry the Central Science (lab class)	Pearson
9th – 12th	Physics: Conceptual Physics by Hewitt (lab class)	Pearson
9th – 12th	Physics AP: Physics by Cutnell & Johnson (lab class)	Peoples Press
9th – 12th	Physiology: Essentials of Anatomy & Physiology (lab class)	Pearson
9th – 12th	Environmental Science: A Study of Interrelationships	McGraw Hill
9th – 12th	Environmental Science AP: Living in the Environment (lab class)	Thompson
9th – 12th	Earth Science: CA edition	Pearson
9th – 12th	Geology: Earth Science, 11 th Edition	Pearson



9th – 12th	Biotechnology: Science for a New Millennium (lab class)	Paradigm Publishing
9th – 12th	Conceptual Physics: Physics: A First Course by Hsu (lab class)	CPO Science

• **Science Laboratory Equipment** - Grades 9-12, inclusive:

Grade	Course	Publisher
9th – 12th	Science Lab: Bunson Burner	N/A
9th – 12th	Science Lab: Dissecting Kit	N/A
9th – 12th	Science Lab: Goggles	N/A
9th – 12th	Science Lab: Hot Plate	N/A
9th – 12th	Science Lab: Microscope	N/A
9th – 12th	Science Lab: Slides & Cover Slips	N/A
9th – 12th	Science Lab: Scale Triple Beam or Digital	N/A
9th – 12th	Science Lab: Graduated Cylinder 1 Liter	N/A
9th – 12th	Science Lab: Graduated Cylinder 5 ml	N/A
9th – 12th	Science Lab: Graduated Cylinder 10 ml	N/A
9th – 12th	Science Lab: Graduated Cylinder 100 ml	N/A
9th – 12th	Science Lab: Flasks	N/A
9th – 12th	Science Lab: Beakers 10ml	N/A
9th – 12th	Science Lab: Beakers 100 ml	N/A
9th – 12th	Science Lab: Beakers 250 ml	N/A
9th – 12th	Science Lab: Beakers 500 ml	N/A
9th – 12th	Science Lab: Test Tubes Small	N/A
9th – 12th	Science Lab: Test Tubes Large	N/A
9th – 12th	Science Lab: Pippettes	N/A



NOW, THEREFORE, BE IT RESOLVED, that for the 2012-13 school year, the Oakland Unified School District, has provided each student with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

PASSED AND ADOPTED THIS 10 day of October, 2012, at a Regular Meeting of the Governing Board by the following vote:

AYES: David Kakishiba, Noel Gallo, Alice Spearman, VP Jumoke Hinton-Hodge, President Jody London

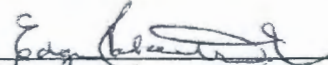
NAYS: None

ABSTAINED: None

ABSENT: Gary Yee, Christopher Dobbins

I hereby certify that the forgoing is a full, true and correct copy of a Resolution passed at Regular Meeting of the Governing Board of the Oakland Unified School District held on October 10, 2012.

Date: October 10, 2012



Edgar Rakestraw, Jr.
Secretary, Governing Board
Oakland Unified School District

Oakland Tribune

c/o Bay Area News Group-East Bay
7677 Oakport St., #950
Oakland, CA 94621
Legal Advertising
(800) 595-9595 opt. 4

OAKLAND USD
EDGAR RAKESTRAW JR., 1025 2ND AVE., #301
OAKLAND CA 94606

PROOF OF PUBLICATION FILE NO. 10/10 Hearing

In the matter of
Oakland Tribune
The Oakland Tribune

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California." Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

9/30/2012, 10/7/2012

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: October 8, 2012


Public Notice Advertising Clerk

Legal No. 0004639752

OAKLAND UNIFIED SCHOOL DISTRICT

NOTICE OF PUBLIC HEARING REGARDING DISTRICT'S SUFFICIENCY OF TEXTBOOKS AND INSTRUCTIONAL MATERIALS - FY 2012-2013

TO ALL INTERESTED PARTIES, PLEASE TAKE NOTICE that on October 10, 2012, at a Regular Meeting of the Governing Board of the Oakland Unified School District, the Board will hold a public hearing on the District's Sufficiency of Textbooks and Instructional Materials - FY 2012-2013.

The public hearing will be held, October 10, 2012 at approximately 5:00 p.m., or as soon thereafter as the matter may be heard in the Board Room, Paul Robeson Building, 1025 2nd Ave, Oakland, CA, 94606.

California Education Code Section 60119 requires that the Oakland Unified School District Board of Education ("Board") hold a public hearing to determine the sufficiency of textbooks and instructional materials in order to be eligible to receive funds for that purpose.

A copy of the proposed Resolution and the draft report on District's Sufficiency of Textbooks and Instructional Materials - FY 2012-2013 are available for review via computer terminal in the Office of the Superintendent - Room 301, 1025 2nd Avenue, Oakland, CA and the Office of the Board of Education - Room 320, 1025 2nd Avenue, Oakland, CA between the hours of 8:30 a.m. to 4:30 p.m. weekdays and on the World Wide Web on or after September 30, 2012 at <http://publicportal.ousd.k12.ca.us/19941081819255553/site/default.asp>.

/s/ Edgar Rakestraw, Jr.
Secretary, Governing Board
Oakland Unified School District
OT #4639752; Sept. 30; Oct. 7, 2012

2012 OCT 12 A 10:58

NOTICE OF PUBLIC HEARING REGARDING DISTRICT'S SUFFICIENCY OF TEXTBOOKS AND INSTRUCTIONAL MATERIALS - FY 2012-2013

TO ALL INTERESTED PARTIES, PLEASE TAKE NOTICE that on October 10, 2012, at a Regular Meeting of the Governing Board of the Oakland Unified School District, the Board will hold a public hearing on the District's Sufficiency of Textbooks and Instructional Materials - FY 2012-2013.

The public hearing will be held, October 10, 2012 at approximately 6:00 p.m. or as soon thereafter as the matter may be heard in the Board Room, Paul Robeson Building, 1025 2nd Ave, Oakland, CA, 94606.

California Education Code Section 60119 requires that the Oakland Unified School District Board of Education ("Board") hold a public hearing to determine the sufficiency of textbooks and instructional materials in order to be eligible to receive funds for that purpose.

A copy of the proposed Resolution and the draft report on District's Sufficiency of Textbooks and Instructional Materials - FY 2012-2013 are available for review via computer terminal in the Office of the Superintendent - Room 301, 1025 2nd Avenue, Oakland, CA and the Office of the Board of Education - Room 320, 1025 2nd Avenue, Oakland, CA between the hours of 8:30 a.m. to 4:30 p.m. weekdays and on the World Wide Web on or after September 30, 2012 at <http://publicportal.ousd.k12.ca.us/19941081819255553/site/default.asp>.

Edgar Rakestraw Jr,
Secretary, Governing Board
Oakland Unified School District

Finding 11-39

**FINDING 11-39—
Deficiencies in
compliance with
instructional materials
program requirements
(30000) (40000) (70000)**

The Standards and Procedures for Audits of California K-12 Local Education Agencies (section 19828.4(a)(1)), require that the auditor determine whether the District's Governing Board held the public hearing required by the provisions of Education Code section 60119 on or before the end of the eighth week from the first day pupils attended school for that year.

During our review of the instructional materials program, we noted that the District's Governing Board failed to hold a public hearing to certify that there were sufficient textbooks or other basic instructional materials by the end of the eighth week after the first day pupils attended classes. The Governing Board held the public hearing on October 27, 2010, which was during the ninth week of the school year.

As a result of not complying with the requirement to hold the public hearing before the end of the eighth week from the first day pupils attended school, the Instructional Materials Funding Realignment Program funds received in the amount of \$2,147,698 is unallowable.

Education Code section 60119(a)(1)(A) and (B) states:

- (a) In order to be eligible to receive funds available for the purposes of this article, the governing board of a school district shall take the following actions:

- (1)(A) The governing board shall hold a public hearing or hearings at which the governing board shall encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination, through a resolution, as to whether each pupil in each school in the district has sufficient textbooks or instructional materials, or both, that are aligned to the content standards adopted pursuant to Section 60605 in each of the following subjects, as appropriate, that are consistent with the content and cycles of the curriculum framework adopted by the state board:

- (i) Mathematics.
- (ii) Science.
- (iii) History-social science.
- (iv) English/language arts, including the English language development component of an adopted program.

- (B) The public hearing shall take place on or before the end of the eighth week from the first day pupils attend school for that year. A school district that operates schools on a multitrack, year-round calendar shall hold the hearing on or before the end of the eighth week from the first day pupils attend school for that year on any tracks that begin a school year in August or September. For purposes of the 2004-05 fiscal year only, the governing board of a school district shall make a diligent effort to hold a public hearing pursuant to this section on or before December 1, 2004.

Good internal controls require that the District's Governing Board implement controls to ensure it complies in future years with the requirement to hold the public hearing in a timely manner as required by Education Code section 60119.

This is a repeat of prior year Finding 06-45. Note that FY 2008-09 and FY 2009-10 were not audited.

Recommendation

The District should:

- Implement procedures to ensure that the District's Governing Board complies with the provisions of Education Code section 60119 and holds the required public hearing on or before the end of the eighth week from the first day that pupils attended school;
- Repay the State the amount of \$2,147,698 for the Instructional Materials Funding Realignment Program funds received.

District's Response

The District met all requirements with the exception that the District was three days late in holding the public hearing due to an oversight.

The District will request a waiver from Alameda County Office of Education, as is allowed by EC 41344.4. The District has verified that the public hearing was held within the required period for the 2011-12 fiscal year.

SCO Comment

As stated in the finding, the District did not hold the required public hearing within eight weeks of the first day of classes as required by Education Code section 60119. Because the District did not comply with Education Code requirements, whether through an oversight or other cause, the K-12 audit guide stipulates that the District was not eligible to receive instructional materials program funding.

Our finding remains unchanged.