



INSTRUCTIONAL SERVICES

every student. every classroom. every day.

October 8, 2008

To: Vincent Matthews, State Administrator
Board of Education

From: Dr. Roberta Mayor, *Roberta Mayor* Interim Superintendent
Brad Stam, Chief Academic Officer
Mary Buttler, Executive Officer - Instructional Services
Yvonne Allara, Director

Subject: Public Hearing, Report and Adoption by State Administrator of Resolution No. 0809-0047 - Statement of Sufficiency of Textbooks and Instructional Materials - School Year 2008-2009, as required by Education Code Section 60119, and authorization for same to be submitted to the California Superintendent of Public Instruction.

(Williams Case)

Legislative File	
File ID No.	08-1985
Introduction Date	10-8-08
Enactment No	08-1615
Enactment Date	10-8-08
By	RL

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 60199 (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.

A school site survey was developed by the Division of Instructional Services in conjunction with the Division of Research, and Assessment in January, 2006. This survey was administered in April/May, 2008 to determine sufficiency of textbooks for the 2008-2009 school year. The survey was produced in the form of an on-line document for maximum efficiency in gathering results and sent to every school site. Based on school site surveys, it has been determined that each pupil has sufficient textbooks or instructional materials in the areas of core reading/language arts, math, science, history and foreign language; science laboratory equipment for grades 9-12, as appropriate with additional materials ordered from vendors to remedy insufficiencies due to enrollment factors.

Background

The Instructional Materials ordering process for the 2008-09 school year is as follows.

1. All instructional materials were ordered based upon 2008-09 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
May 1	all other	June 15/August
June 15	adjustments per conference 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 7, 2008. In addition, all schools received a packet of written directions and helpful organizational tools during the week April 1-4. Completed school surveys were due on May 29, 2008. Research and Assessment provided ongoing support to schools as well as a "drop-in clinic" May 19 to May 22 in the Tech Lab in room 208 of the Harper Building.
4. Instructional Services textbook management and staff convened one-to-one meetings with all of the Williams schools principals June 15-30. 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 08-09 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 11.

5. Beginning August 1 it was incumbent upon principals to inform Instructional Services staff of additional textbook needs based upon additional enrollment.
6. All schools were required to complete the September Update Report by September 19, 2008. The purpose of this report is to once again verify the current quantity of textbooks that each school currently has at and determine any additional textbooks that are needed for the 2008-09 school year.

DISCUSSION:

The results of the survey showed that the majority of schools have a sufficiency of textbooks and/or instructional materials as required by SB 550. However, some schools needed additional materials due to increases in enrollment, mobility of students, and/or lost textbooks. These materials have been ordered.

FISCAL IMPACT:

As of September 19, 2008, expenditures on textbooks/instructional materials are as follows:

IMF K-8:	\$ 2,283,815.64
IMF 9-12	\$ 664,505.99
Lottery	\$ 328,750.81
Measure E	\$ 1,290,736.70
Williams	\$ 116,017.29

Total: **\$ 4,683,826.43**

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 60199 (Williams Case).

**RESOLUTION
OF THE
GOVERNING BOARD
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
No. 0809-0047**

**Sufficiency of Textbooks and Instructional Materials Certification
as Required by Education Code Section 60119**

WHEREAS, the Governing Board¹ of Oakland Unified School District, in order to comply with the requirements of *Education Code* Section 60119 held a public hearing on October 8, 2008, at 6:00 P.M. 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 Governing Board provided at least ten (10) calendar days notice of the public hearing posted in at least three public places within the district that stated the time, place, and purpose of the hearing; and

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

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

WHEREAS, information provided at the public hearing and to the Governing Board at the public meeting detailed that insufficient textbooks or instructional materials were provided to pupils in the following subjects and grade levels at district schools as set forth in attached Exhibit "A" and incorporated herein by reference as though full stated herein; and

WHEREAS, the insufficient textbooks or instructional materials listed in Exhibit "A" were not provided at the named school due to the reason(s) as set forth in attached Exhibit "A" and incorporated herein by reference as though full set forth,

WHEREAS, an inventory of science laboratory equipment shows that the high schools have equipment available related to the core science classes, as demonstrated in Exhibit "A" to this resolution, and

NOW, THEREFORE, BE IT IS RESOLVED, that for the 2008-2009 School Year, the Governing Board of the Oakland Unified School District has not provided each pupil with sufficient textbooks and instructional materials consistent with the cycles and content of the curriculum framework; and

¹ Governing Board means the State Superintendent of Public Instruction, or his designee, the State Administrator for the Oakland Unified School District pursuant to SB 39 enacted June 2, 2003.

BE IT FURTHER RESOLVED, that the following action(s) will be taken to ensure that all students have sufficient textbooks or instructional materials in all subjects that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made:

- All outstanding orders will be delivered to the school sites with insufficiencies
- Schools with excess materials will provide those materials to schools with insufficiencies
- All principals will sign a delivery list confirming receipt of materials remediating any and all insufficiencies at their school sites; and

BE IT FURTHER RESOLVED that the Governing Board of the Oakland Unified School District certifies that it has complied with the requirements of Education Code Section 60119 for the 2008-2009 School Year.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at Regular Meeting of the State Administrator and/or Board of Education of the Oakland Unified School District held October 8, 2008.

 10/10/08

Vincent Matthews
State Administrator
Oakland Unified School District

Attachment: Exhibit "A"

Exhibit A - Core Adopted Learning Materials Status Report Update - September 2008

**High School
Basic Science Lab Equipment**

Science Lab

Subject Area	Materials	Language	Publisher
Science Lab	Bunsen burner	English	N/A
Science Lab	Dissecting Kit	English	N/A
Science Lab	Goggles	English	N/A
Science Lab	Hot plate	English	N/A
Science Lab	Microscope	English	N/A
Science Lab	Slides & cover slips	English	N/A
Science Lab	Scale: Triple beam or digital	English	N/A
Science Lab	Graduated Cylinder: 1L	English	N/A
Science Lab	Graduated Cylinder: 5ml	English	N/A
Science Lab	Graduated Cylinder: 10ml	English	N/A
Science Lab	Graduated Cylinder: 100ml	English	N/A
Science Lab	Flasks	English	N/A
Science Lab	Beakers: 10ml	English	N/A
Science Lab	Beakers: 100ml	English	N/A
Science Lab	Beakers: 250ml	English	N/A
Science Lab	Beakers: 500ml	English	N/A
Science Lab	Test Tube: Small	English	N/A
Science Lab	Test Tube: Large	English	N/A
Science Lab	Pipettes	English	N/A

All OUSD schools report sufficient Basic Science Lab Equipment.

Core Adopted Learning Materials Status Report Update-September 19, 2008									
Reason Codes: 1 = Order not arrived at school yet; 2= Not ordered as of 9-19-08									
3 = in warehouse, school did not obtain as of 9/19/08 4= Not ordered by school as of 9/19/08									
School	Grade	Subject	Title	Books	Reason Code	Quantity Ordered	Quantity Delivered	Revision or File	
ELEMENTARY SCHOOLS									
1	Cleveland	K	ELA	OCR Sounds and Letters Skills Workbook	3	3	3	3	√
2	Cleveland	K	ELA	OCR Predecodable/decodable Take Home	10	3	10	10	√
3	Cleveland	1	ELA	OCR First Reader	3	3	3	3	√
4	Cleveland	1	ELA	OCR Second Reader	3	3	3	3	√
5	Cleveland	2	Math	Math Practice Workbook (consumable)	2	3	2	2	√
6	Cleveland	2	ELA	OCR First Reader	8	3	8	8	√
7	Cleveland	4	Math	Math Pupil's Edition	5	3	5	5	√
8	Cleveland	4	Math	Math Practice Workbook (consumable)	5	3	5	5	√
9	Cleveland	4	ELA	OCR Student Anthology 1	5	3	5	5	√
10	Cleveland	4	ELA	OCR Comprehension & Language Skills Workbo	5	3	5	5	√
11	Cleveland	4	Social Studies	Social Studies: California-student textbook	5	3	5	5	√
12	Cleveland	4	Social Studies	Social Studies: California-student workbook	5	3	5	5	√
13	Cleveland	4	Science	Science Resource Book	5	3	5	5	√
14	Montclair	K	ELA	OCR Sounds and Letters Skills Workbook	3	3	3	3	√
15	Montclair	2	ELA	OCR First Reader	10	3	10	10	√
16	Montclair	3	Math	Math Pupil's Edition	1	3	1	1	√
17	Montclair	3	ELA	OCR Student Anthology 1	15	3	15	15	√
18	Montclair	3	ELA	OCR Student Anthology 2	15	3	15	15	√
19	Montclair	3	ELA	OCR Decodable Take Home	50	3	50	50	√
20	Montclair	3	Social Studies	Social Studies: Our Communities Student Textbc	45	3	45	45	√
21	Montclair	3	Science	Science Resource Book	45	3	45	45	√
22	Montclair	4	Science	Science Resource Book	17	3	17	17	√
23	Piedmont Avenue	K	Math	Math Pupil's Edition	4	3	4	4	√
24	Piedmont Avenue	K	ELA	OCR Language Arts Skills Workbook	4	3	4	4	√
25	Piedmont Avenue	K	ELA	OCR Sounds and Letters Skills Workbook	4	3	4	4	√
26	Piedmont Avenue	K	ELA	OCR Pre-Decodable Take Home	4	3	4	4	√
27	Piedmont Avenue	1	Math	Math Pupil's Edition (consumable)	5	3	5	5	√
28	Piedmont Avenue	1	ELA	OCR Phonics Skills Workbooks	20	3	20	20	√
29	Piedmont Avenue	1	ELA	OCR Decodable Take Home 1	23	3	23	23	√
30	Piedmont Avenue	1	ELA	OCR Decodable Take Home 2	20	3	20	20	√
31	Piedmont Avenue	3	Math	Math Pupil's Edition	10	3	10	10	√
32	Piedmont Avenue	3	ELA	OCR Student Anthology 1	10	3	10	10	√
33	Piedmont Avenue	3	ELA	OCR Student Anthology 2	10	3	10	10	√
34	Piedmont Avenue	3	ELA	OCR Inquiry Journal	10	3	10	10	√
35	Piedmont Avenue	3	ELA	OCR Comprehension & Language Skills Workbo	7	3	10	10	√
36	Piedmont Avenue	3	ELA	OCR Decodable Take Home 1	7	3	7	7	√
37	Piedmont Avenue	4	ELA	OCR Student Anthology 1	13	3	13	13	√
38	Piedmont Avenue	4	ELA	OCR Writer's Workbook	13	3	13	13	√
39	Piedmont Avenue	4	ELA	OCR Comprehension & Language Skills Workbo	13	3	13	13	√
40	Piedmont Avenue	4	Math	Math Pupil's Edition	2	3	2	2	√
41	Piedmont Avenue	4	Math	OCR Student Anthology 1	2	3	2	2	√
42	Piedmont Avenue	4	Math	OCR Student Anthology 2	2	3	2	2	√
43	Piedmont Avenue	4	ELA	OCR Writer's Workbook	2	3	2	2	√
44	Piedmont Avenue	5	ELA	OCR Inquiry Journal	2	3	2	2	√
45	Piedmont Avenue	5	ELA	OCR Comprehension & Language Skills Workbo	2	3	2	2	√
46	J. Miller	1	ELA	OCR Phonics Skills Workbooks	2	3	4	4	√
47	J. Miller	1	ELA	OCR Decodable Take Home 1	2	3	4	4	√
48	J. Miller	1	ELA	OCR Decodable Take Home 2	2	3	4	4	√
49	J. Miller	2	Math	Math Pupil's Edition (consumable)	3	3	4	4	√
50	J. Miller	2	ELA	OCR Student Anthology 1	2	3	2	2	√
51	J. Miller	2	ELA	OCR Student Anthology 2	2	3	2	2	√
52	J. Miller	2	Social Studies	Social Studies: People We Know-Student Textbook	2	3	2	2	√
53	J. Miller	2	Social Studies	Social Studies: People We Know-Student Workbook	3	3	3	3	√
54	J. Miller	3	ELA	OCR Comprehension & Language Skills Workbo	5	3	5	5	√
55	J. Miller	3	Social Studies	Social Studies: Our Communities Student Textbc	4	3	4	4	√
56	J. Miller	3	Social Studies	Social Studies: Our Communities Student Workb	2	3	2	2	√
57	J. Miller	3	Science	Science Resource Book	11	3	11	11	√
58	J. Miller	4	Science	Science Resource Book	27	3	27	27	√
59	J. Miller	5	Science	Science Resource Book	22	3	22	22	√
MIDDLE SCHOOLS									
HIGH SCHOOLS									
1	Skyline	10, 11, 12	Physics AP	Physics by Catnell & Johnson	25	3	25	25	√
2	Skyline	10, 11, 12	Chemistry	Chemistry CA Edition	20	3	20	20	√
3	Skyline	10, 11, 12	Environmental Sci	Environmental Science A study of Interralionships	3	3	3	3	√
4	Skyline	12	ELA	Holt Literature and Language Arts	20	3	20	20	√
5	Skyline	9, 10, 11	World Languages	Discovering French 1Bleu Workbooks	60	3	60	60	√

Oakland Unified School District

NOTICE OF PUBLIC HEARING REGARDING DISTRICT'S STATEMENT OF SUFFICIENCY OF TEXTBOOKS OR INSTRUCTIONAL MATERIALS FOR SCHOOL YEAR 2008-2009

To all interested parties, please take notice that on October 8, 2008, the Oakland Unified School District, at a regular meeting of the State Administrator and/or the Board of Education, will hold a public hearing on its proposed Statement of Sufficiency of Textbooks or Instructional Materials for School Year 2008-2009.

The public hearing will be held, October 8, 2008, at 6:00 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 State Administrator and/or 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 State Administrator and/or 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 State Administrator and/or Board, at the hearing, will further determine in writing the availability of laboratory science equipment as applicable to 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 Oakland Unified School District Governing Board ("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, the proposed determination Resolution No. 0809-0047 and the Core Adopted Learning Materials Status Report Update - September 2008 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 108, 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 World Wide Web at <http://webportal.ousd.k12.ca.us/WebItem.aspx?WebItemID=23&TabID=32> not later than September 28, 2008.

Edgar Rakestraw, Jr.
District Secretary
Oakland Unified School District

