

File ID Number: 14-0015
Introduction Date: 1-6-14
Enactment Number: 14-0012
Enactment Date: 1-6-14
By:



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

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

Resolution No. 1314-0112

**California State Board of Education - General Waiver Request - Education Code
Section 33050 - QEIA Funding (CSR) – Markham Elementary School - School Year
2012-2013**

WHEREAS, the Quality Education Investment Act (QEIA) is the result of a settlement between Governor Schwarzenegger and the California Teachers' Association (CTA) which is aimed at boosting student achievement at low-performing schools; and

WHEREAS, in May 2007 State Superintendent of Public Instruction Jack O'Connell announced that 488 low-performing schools in California were selected to receive QEIA funding; and

WHEREAS, the Oakland Unified School District has 13 QEIA funded schools; four middle schools and nine elementary schools; and

WHEREAS, QEIA schools have demonstrated meaningful to significant growth in academic achievement over-all as a result of implementing the various strategies outlined in the QEIA program; and

WHEREAS, QEIA non-compliance reported for schools in the 2012-13 school year has been determined to be correctable under the state's General Waiver process; and

WHEREAS, the District, in an effort to ensure maintenance of these funds for the 2014-15 school year for specific schools, must seek a General Waiver of the State Board of Education; and

WHEREAS, the District is taking steps to further assist QEIA funded schools in meeting the compliance targets set forth under the Quality Education Investment Act; and

WHEREAS, continued provision of QEIA funding for the 2014-15 school year will likely contribute significantly to continued academic gains for designated school; and

WHEREAS, the request by the District and granting of the Waiver by the State Board of Education will not have a negative fiscal impact on, or otherwise harm, the District;



NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby approves the District's Request for General Waiver of Education Code Section 33050 on behalf of **Markham Elementary School**, incorporated herein by reference as though fully set forth, to the California State Board of Education and authorizes the submission of same with requisite supporting documentation.

BE IT FURTHER RESOLVED that the Superintendent of Schools or his designee is authorized to take any and all action, save an action required of the Governing Board by law, regulation or Board Policy, to effect the foregoing.

Passed by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

I hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted at a Special Meeting of the Governing Board of the Oakland Unified School District held on January 6, 2014.

Gary Yee, Ed.D.
Secretary, Board of Education

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**California Department of Education
WAIVER SUBMISSION – General**

Markham Elementary School

CD Code: 01615296002059 **Waiver Number:** **Active Year:** 2013

Date In: January 8, 2014

Local Education Agency:
Oakland Unified School District

Address:
1000 Broadway, Suite 680
Oakland, CA 94607

Start: 2012-13 school year **End:** 2013-14 school year

Waiver Renewal: N

Previous Waiver Number: **Previous SBE Approval Date:**

Waiver Topic: Quality Education Investment Act
Ed Code Title: Class Size Reduction Targets Temporarily Increased
Ed Code Section: 33050
Ed Code Authority: State Board of Education

Ed Code or CCR to Waive: 33050

For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

(A) For kindergarten and grades 1 to 3, inclusive, no more than 20.44 pupils per class, as set forth in the Class Size Reduction Program Chapter 6.10 (commencing with Section 52120)).

(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in 2006-07.

(ii) An average of 25 pupils per classroom.

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of self-contained classrooms in that grade at the school site. If the self-contained classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph. A school that receives funding

under this article shall not have a self-contained classroom in grades 4 to 8, inclusive, with more than 27 pupils regardless of its average classroom size.

Outcome Rationale:

Markham Elementary School made a good-faith effort to stay within QEIA CSR targets in 2012–13, but more students enrolled in the site than expected for different reasons. The school made an effort to accommodate increased kindergarten students that enrolled during the course of the year from neighborhood families for which alternative school placement options would have been a hardship for transportation, increasing the grade level average slightly. For grade five, the percentage of students that was estimated to attrition, based on prior year trends was less than expected.

This Waiver is requesting that the Class Size Reduction Targets established for Markham Elementary School in these grade levels for the 2012-2013 school year:
> 20.44 for Kindergarten increased to 21 students;
> 17.67 for 5th grade increased to 24 students

Markham Elementary School provides a strong academic program that reflects of the spirit of the QEIA program, and is continuing to make academic gains for its students.

Student Population:

Oakland USD has a student population of 36,262 and is located in an Urban Setting in Alameda County. Markham Elementary School has a student population of 361 in 2012-13.

City Type: Urban

Public Hearing Date: January 6, 2014

Public Hearing Advertised: December 27, 2013

Local Board Approval Date: January 6, 2014

Please identify the appropriate council(s) or advisory committee(s) that reviewed this waiver: School Site Council

Date the committee/council reviewed the waiver request: January 7, 2014

Were there any objection(s): None

Audit Penalty; N

Categorical Program Monitoring: N

Submitted by: David Montes de Oca

Position: Associate Superintendent

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Fax: (510)482-6774

Bargaining Unit: Oakland Education Association

Date: December 20, 2013

Name: Trish Gorham

Representative: David Montes de Oca

Title: President, Oakland Education Association

Support Comments: