

Department of Research, Assessment and Data
Office of the District CAHSEE Coordinator
1011 Union Street
Oakland, CA 94607
(510) 451-4164, ext 1113
(510) 451-1718 (fax)



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

To: Board of Education
From: Tony Smith, Ph.D., Superintendent
Jean Wing, Director, RAD
Tom Schao, CAHSEE Coordinator

File ID Number: 12-0613
Introduction Date: 3/14/12
Enactment Number: 12-0844
Enactment Date: 3/14/12
By:

Re: Approval of the 2010-2011 CAHSEE Apportionment General Waiver Request

Date: March 14, 2012

REQUEST

Conduct Public Hearing and Approval by the Board of Education of General Waiver Request to the California Board of Education seeking a waiver of the mandatory December 31 time line for submission to the California Department of Education (CDE) of the District's certified CAHSEE High School Apportionment Information Report for School Year 2010-2011.

BACKGROUND

A California K-12 District is required by law, regulation to certify the accuracy of its California High School Exit Examination (CAHSEE) Apportionment Information Report for payment to a District by December 31st annually.

The District inadvertently did not submit the required CAHSEE report by December 31, 2011 because of an internal routing error that occurred within the District after the pre-submission report was received in the Office of the Superintendent from CDE. As a result, the District's receipt of approximately \$18,319.96 in apportionment from the State for administering the CAHSEE during the School Year 2010-11 is at risk.

The proposed recovery remedy is the approval by the Board and submission of a General Waiver Request to the California State Board of Education, seeking waiver of the missed timeline, for consideration on the latter's July 18-19, 2012 Agenda. As is indicated in the Waiver Request itself, a copy of which is attached, the District states the steps, incorporated herein by reference as though fully set forth, it has taken to insure timely future submission of the annual December 31 CAHSEE Apportionment Information Report.

Send original plus one copy to:
 Waiver Office, California Department of Education
 1430 N Street, Suite 5602
 Sacramento, CA 95814

Send electronic copy in **Word** and
 back-up material to: waiver@cde.ca.gov

| CD CODE | | | | | | |
|---------|---|---|---|---|---|---|
| 0 | 1 | 6 | 1 | 2 | 5 | 9 |

| | | |
|--|---|---|
| Local educational agency: Oakland Unified School District | Contact name and recipient of approval/denial notice: Tony Smith | Contact person's e-mail address: Tony.smith@ousd.k12.ca.us |
| Address: (City) 1025 Second Avenue, Room 301 Oakland | (ZIP) 94606 | Phone (and extension, if necessary): 510-879-8200 Fax number: 510-879-8800 |
| Period of request: From 2010 to 2011 | Local board approval date: (Required) 3/14/12 | Date of public hearing: (Required) 3/14/12 |

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code 33050-33053*, the *California Code of Regulations (CCR)* section(s) to be waived (check one):
 STAR – CCR, Title 5, Section 862(c)(2)(A) ...postmarked by December 31...
 CAHSEE – CCR, Title 5, Section 1225(b)(2)(A) ...postmarked by December 31...
 CELDT – CCR, Title 5, Section 11517.5(b)(1)(A) ...postmarked by December 31...

2. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below. This requirement can be achieved with a telephone call. It is vital to complete this section as not consulting the bargaining units is a reason for denial of a general waiver request.

Bargaining unit(s) consulted on date(s): 03/09/12
 Name of bargaining unit and representative(s) consulted: United Administrators of Oakland (UAOS)/Jo Anna Lougin
 The position(s) of the bargaining unit(s): Neutral Support Oppose (Please specify why)

3. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (Please specify) District Web site

4. Describe briefly the circumstances that caused you to miss the apportionment deadline(s). (If more space is needed, please attach additional pages.)
 OUSD's CAHSEE Apportionment 2010-11 Report form was forwarded from the CDE to the Superintendent's Office. The office in turn forwarded the apportionment to a third party, but was not signed by Superintendent.

5. Describe guidelines that have been put into place for staff so that this deadline will not be missed in the future.
 Institute a 5-step process to ensure the CAHSEE Apportionment report is submitted to the CDE on time:
 1. By 11/15, inform Superintendent's Office to be on alert for apportionment's arrival.
 2. By 11/20, check-in with Superintendent's Office for arrival of apportionment.
 3. If the CAHSEE Apportionment Report has not arrived at the Superintendent's Office by 11/25, CAHSEE Coordinator will contact CDE to have it faxed directly to the CAHSEE Coordinator.
 4. By 12/1, ensure Superintendent has approved and signed.
 5. CAHSEE Coordinator mails back to the CDE no later than 12/31.

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

| | | |
|---|---------------------------------|------------------|
| Signature of Superintendent or Designee:  | Title: Superintendent | Date: 3/22/12 |
|---|---------------------------------|------------------|

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

| | | |
|-------------------------------|-------------------------|-------|
| Staff Name (type or print): | Staff Signature: | Date: |
| Unit Manager (type or print): | Unit Manager Signature: | Date: |
| Deputy (type or print): | Deputy Signature: | Date: |

California High School Exit Examination
 Apportionment Information Report
 2010-11 Administrations

This report was compiled from information taken from the California High School Exit Examination answer documents submitted for scoring examinations administered during the fiscal year July 1, 2010 through June 30, 2011. All students are reported in the grade indicated on the answer document (answer documents indicating Post-Grade Twelve Students does not change the grade level). To receive apportionment funds, the superintendent or charter school administrator must verify the accuracy, sign, date, and return this report to the California Department of Education (CDE) postmarked by December 31, 2011. Reports postmarked later than December 31, 2011, must be accompanied by a waiver request as provided for by California Education Code Section 33050. The CDE cannot release apportionment payments for late reports without a State Board of Education approved waiver.

District, County Office, or Charter School Name:

CD/Code:

Oakland Unified

01 61259

| Administration | Row | Pupils Tested with Any Portion (Subject) of Exam | A | B | C | D | E | F | G | H |
|------------------------------|-----|--|----------|----------|----------|-------|---------------|------------------|--------|------------------------------------|
| | | | Grade 10 | Grade 11 | Grade 12 | Adult | Grade Unknown | Totals A+B+C+D+E | Rate | Tested Apportionment Total (F x G) |
| July 27-28, 2010 | 1 | Number Pupils Tested | 0 | 0 | 150 | 3 | 0 | 153 | \$3.00 | \$459.00 |
| October 5-6, 2010 | 2 | Number Pupils Tested | 0 | 994 | 584 | 101 | 0 | 1,679 | \$3.00 | \$5,037.00 |
| November 9-10, 2010 | 3 | Number Pupils Tested | 0 | 0 | 0 | 0 | 0 | 0 | \$3.00 | \$0.00 |
| December 4 & 11, 2010 (Sat.) | 4 | Number Pupils Tested | 0 | 0 | 220 | 1 | 0 | 221 | \$3.00 | \$663.00 |
| February 1-2, 2011 | 5 | Number Pupils Tested | 2,238 | 6 | 440 | 19 | 0 | 2,703 | \$3.00 | \$8,109.00 |
| March 8-9, 2011 | 6 | Number Pupils Tested | 193 | 726 | 370 | 19 | 0 | 1,308 | \$3.00 | \$3,924.00 |
| May 10-11, 2011 | 7 | Number Pupils Tested | 4 | 5 | 4 | 0 | 0 | 13 | \$3.00 | \$39.00 |
| | 8 | Total Pupils Tested: | 2,435 | 1,731 | 1,768 | 143 | 0 | 6,077 | \$3.00 | \$18,231.00 |

| Administration | Row | Pupils Not Tested (Census) Demographic Information Only | Grade 10 | | Rate | Not Tested Apportionment Total (A x G) |
|--|-----|---|----------|--|--------|--|
| | | | | | | |
| February 1-2, 2011 | 9 | Number Pupils Not Tested | 240 | | \$0.32 | \$76.80 |
| March 8-9, 2011 | 10 | Number Pupils Not Tested | 38 | | \$0.32 | \$12.16 |
| | 11 | Total Pupils Not Tested: | 278 | | \$0.32 | \$88.96 |
| TOTAL APPORTIONMENT (Row 8 + Row 11): | | | | | | \$18,319.96 |

Certification: I certify (1) that all secure test materials have been returned and (2) the accuracy of the apportionment information, required per California Code of Regulations, Title 5, Section 1225, as reflected on this report.

| | | | | |
|---|--|------|----------------------------------|--------------------------|
| Superintendent or Charter School Administrator Name | Superintendent or Charter School Administrator Signature | Date | District CAHSEE Coordinator Name | CAHSEE Coordinator Phone |
| | | | | |

**California Department of Education
California High School Exit Examination
2010-11 School Detail Report
Report Date: November 7, 2011**

District, County Office, or Charter School Name:

Oakland Unified

CD Code:

01 61259

| CDS | School Name | A | B | C | D | E |
|------------------|--------------------------------|---------------|----------------------------|----------------------------------|---|-----------------------------|
| | | Pupils Tested | Tested Amount (A x \$3.00) | Pupils Not Tested* (Census Only) | Pupils Not Tested (Census Amount Only) (C x \$0.32) | Total Apportionment (B + D) |
| 01 61259 0102954 | Business and Information Tech | 221 | \$663.00 | 0 | \$0.00 | \$663.00 |
| 01 61259 0112797 | Coliseum College Prep Academy | 111 | \$333.00 | 1 | \$0.32 | \$333.32 |
| 01 61259 0101063 | College Prep. and Architecture | 238 | \$714.00 | 3 | \$0.96 | \$714.96 |
| 01 61259 0106542 | Community Day | 12 | \$36.00 | 1 | \$0.32 | \$36.32 |
| 01 61259 0132688 | Dewey Academy | 369 | \$1,107.00 | 0 | \$0.00 | \$1,107.00 |
| 01 61259 0000001 | District Students in NPS | 75 | \$225.00 | 0 | \$0.00 | \$225.00 |
| 01 61259 0102962 | East Oakland Sch. of the Arts | 148 | \$444.00 | 4 | \$1.28 | \$445.28 |
| 01 61259 0135665 | Edward Shands Adult | 16 | \$48.00 | 0 | \$0.00 | \$48.00 |
| 01 61259 0110189 | Expression, Excellence, Commu | 170 | \$510.00 | 2 | \$0.64 | \$510.64 |
| 01 61259 0110361 | Far West | 82 | \$246.00 | 4 | \$1.28 | \$247.28 |
| 01 61259 0119859 | Gateway to College at Laney C | 30 | \$90.00 | 21 | \$6.72 | \$96.72 |
| 01 61259 6088701 | Hillside Academy | 5 | \$15.00 | 0 | \$0.00 | \$15.00 |
| 01 61259 6114011 | Independent Study, Sojourner | 80 | \$240.00 | 13 | \$4.16 | \$244.16 |
| 01 61259 0107417 | Leadership Preparatory High | 223 | \$669.00 | 23 | \$7.36 | \$676.36 |
| 01 61259 0130575 | LIFE Academy | 137 | \$411.00 | 5 | \$1.60 | \$412.60 |
| 01 61259 0100826 | Mandela High | 209 | \$627.00 | 8 | \$2.56 | \$629.56 |
| 01 61259 0100834 | Meda College Preparatory | 147 | \$441.00 | 0 | \$0.00 | \$441.00 |

**California Department of Education
California High School Exit Examination
2010-11 School Detail Report
Report Date: November 7, 2011**

District, County Office, or Charter School Name:

Oakland Unified

CD Code:

01 61259

| CDS | School Name | A | B | C | D | E |
|------------------|--------------------------------|---------------|----------------------------|----------------------------------|---|-----------------------------|
| | | Pupils Tested | Tested Amount (A x \$3.00) | Pupils Not Tested* (Census Only) | Pupils Not Tested (Census Amount Only) (C x \$0.32) | Total Apportionment (B + D) |
| 01 61259 0100701 | MetWest | 68 | \$204.00 | 2 | \$0.64 | \$204.64 |
| 01 61259 0130542 | Oakland Adult and Career Educa | 4 | \$12.00 | 0 | \$0.00 | \$12.00 |
| 01 61259 0135905 | Oakland High | 945 | \$2,835.00 | 23 | \$7.36 | \$2,842.36 |
| 01 61259 0115667 | Oakland International High | 385 | \$1,155.00 | 2 | \$0.64 | \$1,155.64 |
| 01 61259 0136051 | Oakland Technical High | 809 | \$2,427.00 | 23 | \$7.36 | \$2,434.36 |
| 01 61259 0116653 | Ralph J. Bunche High | 286 | \$858.00 | 80 | \$25.80 | \$883.60 |
| 01 61259 0130146 | Rudsdale Continuation | 289 | \$867.00 | 3 | \$0.96 | \$867.96 |
| 01 61259 0137943 | Skyline High | 813 | \$2,439.00 | 48 | \$14.72 | \$2,453.72 |
| 01 61259 0130179 | Street Academy (Alter.) | 81 | \$243.00 | 1 | \$0.32 | \$243.32 |
| 01 61259 0100859 | YES | 124 | \$372.00 | 13 | \$4.16 | \$376.16 |

District Totals: 6,077 \$18,231.00 278 \$88.96 \$18,319.96

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. 3/14 Hearing

In the matter of

Oakland Tribune

The Oakland Tribune

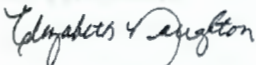
I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of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

3/4/2012, 3/11/2012

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



Public Notice Advertising Clerk

Legal No. 0004353955

OAKLAND UNIFIED SCHOOL DISTRICT

NOTICE OF PUBLIC HEARING
FOR
REQUEST TO THE CALIFORNIA STATE
BOARD OF EDUCATION
FOR

GENERAL WAIVER REQUEST - STATE TESTING
APPORTIONMENT INFORMATION REPORT WAIVER
FISCAL YEAR 2010-2011

TO ALL INTERESTED PARTIES PLEASE TAKE NOTICE that on Wednesday, March 14, 2012, the Governing Board of the Oakland Unified School District will hold a public hearing on its pending General Waiver Request to the California State Board of Education for a "State Testing Apportionment Information Report Waiver - CAHSEE - CCR, Title 5, Section 1225(b)(2)(A) ... postmarked by December 31" - for Fiscal Year 2010-2011.

The Public Hearing will be held March 14, 2012, at 6:15 P.M., or as soon thereafter as the matter may be heard, in the Board Room of the Oakland Unified School District, Paul Robeson Building, 1025 2nd Avenue, Oakland, California 94606.

The purpose of the public hearing is to receive comments from the public on the District's request for a waiver of "CAHSEE - CCR, Title 5, Section 1225(b)(2)(A) ... postmarked by December 31" for the reason stated herein for Fiscal Year 2010-2011.

A copy of the aforementioned General Waiver Request is available for review prior to the public hearing via computer terminal in the first floor lobby, the Office of the Superintendent, in Room 301 at the Oakland Unified School District, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA and on the World Wide Web at <http://publicportal.ousd.k12.ca.us/19941081819255553/site/default.asp> on or after March 4, 2012.

/s/ Edgar Rakestraw, Jr.
Secretary, Governing Board
Oakland Unified School District
OT #4353955; Mar. 4, 11, 2012

November 7, 2011
Page 2

Apportionment Amounts: The 2010–11 CAHSEE apportionment amounts are as follows:

- \$0.32 for the completion of demographic information for each student not tested with the CAHSEE. This applies only to the grade ten students who were absent during the census administration (February, March, or May), and for whom demographic data were submitted using the CAHSEE answer document.
- \$3.00 per student for the completion of demographic information and administration of the CAHSEE, whether the student took one or both sections (English-language arts and mathematics) of the CAHSEE.

The CAHSEE apportionment funds are unrestricted funds to reimburse LEAs for costs associated with the CAHSEE that are above and beyond the CDE statewide contract with the test contractor. The CDE contract covers the costs of all required CAHSEE testing materials, scoring, and report production. Costs associated with optional materials or services (such as data corrections or excessive orders) are the responsibility of the LEA.

Charter Schools: Charter schools that tested independently of their chartering district will receive individual apportionment information reports to certify and return to the CDE. Charter schools that were direct-funded in 2010–11 will receive their CAHSEE apportionment payment separately from the district. Payment to 2010–11 locally funded charter schools will be included in district apportionment totals. The payment schedule provided to districts will include the amount to be apportioned to each locally funded charter school.

School Detail Report: A 2010–11 CAHSEE Apportionment School Detail Report is included for informational purposes only. This report does not need to be returned to the CDE. Charter schools that tested independently of the chartering district (see paragraph above) are not included in the school detail report for the district.

Offset of State-Mandated Costs: CAHSEE apportionment funds shall first be used to offset any state-mandated reimbursable costs that otherwise may be claimed through the state mandates reimbursement process for the CAHSEE. LEAs shall reduce their estimated and actual mandated reimbursement claims by the amount of funding provided to them from the CAHSEE apportionment.

If you have questions regarding the enclosed 2010–11 CAHSEE Apportionment Information Report, please contact Gayle Jamerson, Analyst, High School and Physical Fitness Assessment Office, by phone at 916-319-0340 or by e-mail at gjamerso@cde.ca.gov.

Sincerely,



Diane Hernandez, Acting Director
Assessment Development and Administration Division

DH:gj
Enclosures



Welcome to the online source for the California Code of Regulations

5 CA ADC § 1225 § 1225. Apportionment.

Term

5 CCR § 1225

Cal. Admin. Code tit. 5, § 1225

Barclays Official California Code of Regulations Currentness
 Title 5. Education
 Division 1. California Department of Education
 Chapter 2. Pupils
 Subchapter 6. California High School Exit Examination
 Article 5. Apportionment
 ➔ **§ 1225. Apportionment.**

(a) Annually, each school district shall receive an apportionment information report with the following information for those CAHSEEs administered during the previous fiscal year (July 1 through June 30).

(1) The number of eligible pupils by grade level and eligible adult students enrolled in each school and in the school district on the day of testing as indicated by the number of answer documents submitted to the test contractor for scoring for each administration.

(2) The number of eligible pupils by grade level and eligible adult students who were administered any portion of the CAHSEE.

(3) The number of eligible pupils by grade level with demographic information only who were not tested for any reason other than because they were taking the CAPA.

(b) To be eligible for apportionment payment, school districts must meet the following conditions:

(1) The school district has returned all secure test materials;

(2) The superintendent of the school district has certified that all CAHSEEs during the prior fiscal year were administered in compliance with California Code of Regulations, title 5, division 1, chapter 2, subchapter 6; and

(3) The superintendent of the school district has certified the accuracy of the apportionment information report for CAHSEEs administered during the prior fiscal year (July 1 through June 30), which certification is either:

(A) postmarked by December 31, or

(B) if postmarked after December 31, the apportionment information report must be accompanied by a waiver request as provided by Education Code section 33050. For those apportionment information reports postmarked after December 31, apportionment payment is contingent upon the availability of an appropriation for this purpose in the fiscal year in which the tests were administered.

(c) The amount of funding to be apportioned to the school district for the CAHSEE shall be calculated by multiplying the amount per administration established by the SBE to enable school districts to meet the requirements of Education Code section 60851 by the number of eligible pupils and eligible adult students in the school district tested for one or both portions of the CAHSEE during the previous fiscal year as determined by the apportionment information report certified by the school district superintendent pursuant to subdivision (b).

Note: Authority cited: Section 33031, Education Code. Reference: Section 60851, Education Code.

HISTORY

1. New article 5 (section 1225) and section filed 6-20-2001; operative 7-20-2001 (Register 2001, No. 25).
2. Amendment of Note filed 5-1-2003; operative 5-1-2003 pursuant to Government Code section 11343.4 (Register 2003, No. 18).
3. Amendment of subsection (c) and new subsection (d) filed 5-19-2004; operative 5-19-2004 pursuant to Government Code section 11343.4(c) (Register 2004, No. 21).
4. Repealer and new subsections (a) and (b), amendment of subsection (c) and repealer of subsection (d) filed 8-16-2005; operative 8-16-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 33).
5. Amendment of subsection (b)(1), new subsection (b)(2), subsection renumbering and amendment of newly designated subsection (b)(3) and subsection (c) filed 12-20-2007; operative 12-20-2007 pursuant to Government Code section 11343.4 (Register 2007, No. 51).
6. Change without regulatory effect amending section filed 1-4-2010 pursuant to section 100, title 1, California Code of Regulations (Register 2010, No. 2).

5 CCR § 1225, **←5 CA ADC § 1225 →**

This database is current through 2/10/12 Register 2012, No. 6

END OF DOCUMENT

 Term

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