

File ID Number: 14-0007  
Introduction Date: 1-6-14  
Enactment Number: 14-0004  
Enactment Date: 1-6-14  
By: \_\_\_\_\_



OAKLAND UNIFIED  
SCHOOL DISTRICT

Community Schools, Thriving Students

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

**Resolution No. 1314-0104**

**California State Board of Education - General Waiver Request - Education Code  
Section 52055.740(a)(3) - QEIA Funding (Highly Qualified Teacher)  
– Claremont Middle 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 52055.740(a)(3) on behalf of **Claremont Middle 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 effective the foregoing.

Passed by the following vote:

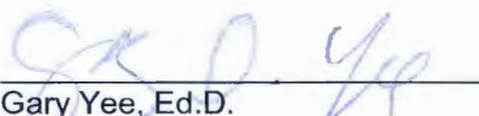
AYES: Jody London, Jumoke Hinton Hodge, Anne Campbell Washington,  
Roseann Torres, Vice President James Harris and President David Kakishiba

NOES: None

ABSTAIN: None

ABSENT: Christopher Dobbins

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.

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

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

Claremont Middle School

**CD Code:** 01615296057004 **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:** Highly Qualified Teachers  
**Ed Code Section:** 52055.740(a)(3)  
**Ed Code Authority:** State Board of Education

**Ed Code or CCR to Waive:** 52055.740(a)(3)

California *EC* Section 52055.740(a)(3) requires, in QEIA funded schools, that by the end of the 2010–11 school year and each year after, each teacher, including intern teachers, be highly qualified in accordance with the federal No Child Left Behind Act (NCLB) of 2001.

The federal NCLB statutes require that all elementary, middle, and high school teachers assigned to teach core academic subjects be highly qualified. In California, the NCLB core academic subjects are defined as:

- English/language arts/reading (including reading intervention and California High School Exit Exam [CAHSEE] English classes)
- Mathematics (including math intervention and CAHSEE math classes)
- Biological sciences; chemistry; geosciences; and physics
- Social science (history; government; economics; and geography)
- Foreign languages (specific)
- Drama/theater; visual arts (including dance); and music

Meeting the federal requirement for HQT is determined based on the number of classes in core academic subjects taught by highly qualified teachers as reported in the California Longitudinal Pupil Achievement Data System (CALPADS).

**Outcome Rationale:**

Claremont middle school reported a music teacher that was not HQT compliance at the time of the CALPADS reporting submission. The teacher was the substitute in the music class during various dates from August 27, 2012 to January 18, 2013 (this included numerous dates in which she was not assigned and other long-term substitutes were assigned.) The teacher replaced another teacher that had had numerous leave of absences. In response to community concerns regarding the instability of instruction in a popular program, the district kept her as the music teacher until the replacement was found. Because no substitute teacher was instructing longer than 30 days for any one assignment, the district could not enforce the substitutes to become properly credentialed. On February 4, 2013, a teacher was hired who holds a clear single subject music credential. All teachers are highly qualified in the current school year 2013-14.

**Student Population:**

Oakland USD has a student population of 36,262 and is located in an Urban Setting in Alameda County. Claremont Middle School has a student population of 405 in 2012-13.

**City Type:** Urban

**Public Hearing Date:** January 8, 2014

**Public Hearing Advertised:** December 26, 2013

**Local Board Approval Date:** January 8, 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  
**E-mail:** david.montes@ousd.k12.ca.us  
**Telephone:** (510)336-7570

**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:**