

Board Office Use: Legislative File Info.	
File ID Number	15-1475
Introduction Date	8/12/15
Enactment Number	15-1244
Enactment Date	8/12/15 <i>ETA</i>



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education

From Bernard McCune, Deputy Chief Postsecondary Readiness
Preston Thomas, Executive Director, College and Career
Jacqueline Minor, General Counsel

Board Meeting Date August 12, 2015

Subject **Access To School Grounds By the General Public For High School Special Admit Classes**

Action Requested **Adoption of Resolution No. 1516-0009 Regarding Access To School Grounds By the General Public For High School Special Admit Class Purposes as Provided in Education Code § 76002(A)(3) and Penal Code §627.9**

Background/Discussion The District is entering into a MOU with Peralta to formalize the dual/concurrent enrollment program. The MOU is being presented to the Board as a separate action item. State law requires that courses offered by community colleges be open to the general public. The resolution the Board is being asked to approve conforms to State law if the Peralta course is offered on OUSD school campus. We provide in the resolution that any member of the general public coming on OUSD campus for a Peralta course must follow campus rules for signing in and out.

Recommendation **Adoption of Resolution No. 1516-0009 Regarding Access To School Grounds By the General Public For High School Special Admit Class Purposes as Provided in Education Code § 76002(A)(3) and Penal Code §627.9**

Fiscal Impact N/A

Attachments **Resolution No. 1516-0009**

Legislative File	
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By:	OS

**RESOLUTION REGARDING ACCESS TO SCHOOL GROUNDS FOR
HIGH SCHOOL SPECIAL ADMIT CLASS PURPOSES
Education Code § 76002(a)(3) and Penal Code §627.9**

Resolution No. 1516-0009

WHEREAS, the Oakland Unified School District (the "District") maintains a relationship with the Peralta Community College District ("PCCD") with respect to special admit part-time students, which benefits Oakland USD students, PCCD students and the public at-large; and

WHEREAS, various operational aspects of this relationship with respect to special admit part-time students are incorporated in a Memorandum of Understanding, dated as of August 1, 2015, the provisions of which establish adherence to various Education Code requirements pertaining to, among other things, allowances, apportionments and enrollment; and

WHEREAS, high schools hosting community college courses must comply with Education Code section 76002(a)(3), which provides that "[i]f a class is offered at a high school campus, the class shall not be held during the time the campus is closed to the general public, as defined by the governing board of the school district during a regularly scheduled board"; and

WHEREAS, in order to fulfill the requirement of Education Code section 76002(a)(3) and to ensure the provision of access to members of the public for attendance of concurrent enrollment courses held on Oakland USD campuses;

NOW, THEREFORE, BE IT RESOLVED:

The Oakland Unified School District Board of Education declares that community college classes shall not be offered on a high school campus at any time in which the campus is closed to the general public; provided however, the School District may require reasonable sign in and sign out requirements for any person attending a Course at a School District facility.

If a community college class is offered during regular school hours, any member of the general public enrolled in the community college class shall have access to the campus equal to the high school students attending the high school for the sole purposes of attending such community college classes and, in accordance with California Penal Code Section 627.9, such community classes shall be exempt from the operation of California Penal Code Section 627.2.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this 12th day of August, 2015, by the following vote, to wit:

AYES: Roseann Torres, Shanthi Gonzales, Aimee Eng, Jumoke Hinton Hodge, Vice President Jody London, President James Harris

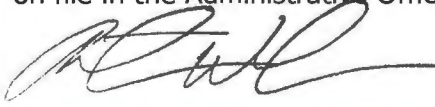
NOES: None

ABSTAINED: Nina Senn

ABSENT: None

CERTIFICATION

I, Antwan Wilson, Superintendent and Secretary of the Board of Education 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 Board of Education of said district at a meeting thereof held on the 12th day of August, 2015 with a copy of such Resolution being on file in the Administrative Office of said District.



Antwan Wilson

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