



**Measures N and H -
College & Career Readiness Commission**

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Memo

To Measures N and H – College and Career Readiness Commission

From Vanessa Sifuentes, High School Network Superintendent

Board Meeting Date _____

Subject Measure N-Measure H Comparison
Services For: All High Schools

Action Requested and Recommendation Presentation and discussion by Measures N and H – College and Career Readiness Commission of the Measure N-Measure H Comparison.

Background

(Why do we need these services? Why have you selected this vendor?)

Competitively Bid

Was this contract competitively bid? No
If no, exception: N/A

Fiscal Impact

Funding resource(s): Measure N
Measure H

Attachments

- Measure N-Measure H Comparison

Measure N-Measure H Comparison

Issue/Topic	Measure N (summary or quote of relevant text)	Measure H (summary or quote of relevant text)	Difference/Implication
<p><i>Permissible Uses</i></p>	<p>“The goal of the education improvement plan must be to equitably place all students in career pathways or academies that deliver challenging academics, career technical education, work-based learning, and personalized academic, social, and emotional support services.”</p> <p>“Measure proceeds shall be spent on the following school programs:</p> <ul style="list-style-type: none"> • To increase support for students in college preparatory courses in every high school to ensure students are qualified for admission to the University of California and other 4-year university systems, and are prepared to succeed in college; • To provide work-based learning in every high school, including career exploration, career technical education courses, job shadowing, internships and job certifications; • To reduce the drop-out rate by providing counseling, tutoring, mentoring and other intensive support services to students in danger of not graduating high school; • To provide programs to students transitioning from 8th to 9th grade to prepare them to succeed in high school, and to students transitioning from 12th grade to college to prepare them for admission to and success in college.” 	<p>“The goal of each school’s Plan must be to equitably place all students in that school in career pathways or academies that deliver challenging academics, career technical education, work-based learning, and personalized academic, social, and emotional support services.”</p> <p>Measure proceeds shall be spent on “staffing and education activities and programs consistent with the Theory of Action of the Measure. Examples of such permissible uses include (but are not limited to):</p> <ul style="list-style-type: none"> • College and career preparatory courses (which includes Career Technical Education courses). • Work-based learning opportunities such as opportunities for career awareness and exploration, job shadowing, internships, and job certifications. • School and guidance counseling, tutoring, mentoring, and other intensive support services to students. • High school bridge programs that help students successfully transition from 8th to 9th grade. • Post-high school bridge programs to help students successfully transition from 12th grade to post-secondary education and the workforce. • Materials, supplies, or equipment to support the design and implementation of student projects and project-based learning aligned to the pathway instructional focus. • Programming, staffing, and activities such as community-building field trips, retreats, student incentives, and other events and activities that promote student belonging, student goal setting, and increased motivation in pathways. • Staffing that enables student cohorting and parity across pathways in multi-pathway schools. • State of the art or industry-specific equipment that aligns to industry and career-readiness standards. • Programming and staffing that facilitate student enrollment and success in college courses while in high school.” 	<p>In Measure N, there was a list of those things that the funds could be spent on (see the bullets in the Measure N column).</p> <p>For Measure H, the language is much more permissive. Basically, it all comes down to the Plan, which needs to be consistent with the Measure H Theory of Action. It is for the Commission (with ultimate Board approval) to determine whether each Plan is consistent with the Measure H Theory of Action. If they determine that it is consistent, then the expenditures are permissible in most situations.</p>

Measure N-Measure H Comparison

Issue/Topic	Measure N (summary or quote of relevant text)	Measure H (summary or quote of relevant text)	Difference/Implication
<i>Supplanting</i>	Measure N funds can only be “used to supplement, and not supplant, unrestricted general fund revenue so appropriated to schools to serve pupils in grades 9 through 12 based on fiscal year 2014-2015 funding.”	“Nothing herein shall limit the Board’s ultimate and final authority to add, modify, or reject an allocation for funding except that the District may not require that an OUSD school expend any funds from the College and Career Account to which it is allocated in one fiscal year in a way that supplants District-directed funding to that school in the prior fiscal year.”	Measure H is less restrictive than Measure N. Under Measure N, the District needed to consider whether something was funded by the unrestricted general fund in <u>2014-15</u> to determine whether there was supplanting. Under Measure H, the question is whether the District/Central office is directing that Measure H funds be spent in a specific way (e.g., a school must use its Measure H funds to pay for an AP). If so, that would only be permissible if that AP was funded with District-directed funds the prior year.
<i>Administration cost</i>	“No more than ten percent (10%) of measure proceeds each year shall be used . . . to administer the College & Career Readiness For All Fund, including, but not limited to project staffing, school quality reviews, independent audit services, and an evaluation of the Fund’s progress toward achieving its stated purpose, goals, and allowable uses.	“No more than ten percent (10%) of funds in the College & Career Account may be used . . . to administer the College & Career Account. Such administrative expenses include, but are not limited to, central office staffing, school quality reviews, independent audit services, communicating the impact of the Measure, creating and supporting a community of practice across eligible schools, evaluating the impact of the Measure, and other activities to ensure fiscal accountability and alignment with the Measure.”	The two measures are basically the same but with a few examples added for Measure H to help define administrative costs (e.g., central office staffing, communication regarding Measure H).
<i>Allocation</i>	“proceeds shall be equitably allocated for education programs (not administrative overhead) on a per pupil basis, for students in grades 9 through 12 enrolled in all current Oakland Unified School District schools and charter schools, and new Oakland Unified School District schools and charter schools authorized by the Oakland Unified School District.	“The allocation to each eligible school shall be on a per pupil basis for students enrolled at the school in grades nine (9) through twelve (12) and who reside in Oakland. “Eligible schools” are defined to be (i) any Oakland Unified School District school and (ii) any charter school that received funding from the Original Measure (i.e., the Oakland Unified School District College and Career Readiness for All Act approved by the voters in November 2014) in 2021-22.”	Same per pupil allocation formula. Only difference is which charter schools can receive funding.

Measure N-Measure H Comparison

Issue/Topic	Measure N (summary or quote of relevant text)	Measure H (summary or quote of relevant text)	Difference/Implication
<i>Commission Composition</i>	“The Board of Education shall establish a College & Career Readiness Commission comprised of five (5) persons who demonstrate extensive knowledge and expertise in high school and postsecondary curriculum, instruction, and leadership; education research, evaluation, and analytics; and financial management and audits. . . The Board of Education shall provide by resolution for the composition, funding, staffing, and other necessary information regarding the Commission’s formation and operation.”	“The Board of Education (“Board”) shall establish a College & Career Readiness Commission (“Commission”) composed of five (5) persons each of whom demonstrate knowledge and expertise in one or more of the following areas: high school and postsecondary curriculum, instruction, and leadership; education research, evaluation, and analytics; student, family, and community engagement; career and industry integration with education; decision-making focused on racial equity and school improvement; and/or financial management and audits.”	Both Commissions are composed of 5 members. The demonstrated knowledge/expertise of Measure H commissioners can be a bit broader than for Measure N. Specifically, Measure H includes (i) student, family, and community engagement, (ii) career and industry integration with education, and (iii) decision-making focused on racial equity and school improvement.
<i>Commission Responsibility</i>	The College & Career Readiness Commission shall advise and report to the Board of Education and shall be responsible for (1) Planning, which includes (a) reviewing each high school’s School Quality Review findings, Balanced Scorecard results, and education improvement plans, and (b) submitting school funding recommendations to the Board of Education for action; and (2) Oversight, which includes (a) oversight of proper allocation and use of all parcel tax monies, (b) reviewing annual independent audit reports, and (c) submitting recommendations to the Board of Education for any new or modified policies and administrative regulations to ensure the Oakland Unified School District’s compliance with the requirements and intent of this Measure.”	“The Commission shall advise and report to the Board and shall be responsible for reviewing and approving Annual Education Improvement Plans (including hearing any required oral presentations). Additionally, the Commission shall be responsible for overseeing the proper allocation and use of all parcel tax monies, which includes reviewing annual independent audit reports. To ensure compliance with the requirements and intent of the Measure, the Commission may, at its discretion, submit recommendations to the Board regarding new or modified Board Policies or to the Superintendent regarding new or modified Administrative Regulations.”	There is not a significant difference here between the measures. There is some added language in Measure H that makes clear that the Commission only recommends BPs and ARs.
<i>School Board</i>	“The College & Career Readiness Commission shall advise and report to the Board of Education...”	“The College & Career Readiness Commission shall advise and report to the Board of Education...”	No difference – the Board retains ultimate authority on the approval of plan and the expenditure of funds (consistent with the language of the measures).

Measure N-Measure H Comparison

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<i>Tax Rate</i>	“of the District shall be authorized to levy a qualified special tax on each parcel of taxable real property in the District, in the maximum annual amount of \$120 for ten years, commencing July 1, 2015.”	<p>“annual amount of one hundred and twenty dollars (\$120.00) per parcel (“Rate”) for fourteen (14) years, commencing July 1, 2023 and ending June 30, 2037.”</p> <p>“Beginning with the 2024-25 tax year (the second year of assessment of the special tax), and each year thereafter, as long as the Measure is in effect, the Rate may be adjusted from the Rate levied in the prior tax year by a cost-of-living adjustment equal to the annual average percentage change (currently, the “All Items” category, not seasonally adjusted) of the Bay Area Consumer Price Index – All Urban Consumers for the San Francisco-Oakland-Hayward area over the prior twelve months, as of December of the prior fiscal year, as published by the U.S. Bureau of Labor Statistics. If, in any given year, that index is not available, then the Rate may be adjusted based on the next comparable Consumer Price Index published by the U.S. Bureau of Labor Statistics that is available as of December of the prior fiscal year in the following priority: Bay Area, California, the United States. The cost-of-living adjustment shall be limited to an increase of five (5) percent per year and the new Rate shall be rounded annually to the nearest cent. The determination of the Rate and which index to use shall be determined by the District in its sole discretion.”</p>	<p>Tax rate for 2023-24: \$120/parcel Tax rate for 2024-25: \$120/parcel * (lesser of COLA or 5%) and rounded to the nearest cent</p>
<i>Superintendent</i>	Doesn’t address	“The Superintendent or designee shall create, after considering recommendations from the Commission, the necessary templates, documents, and resources for the submission, review, and approval of a school’s Plan.”	Measure H clarifies that the Superintendent or designee is responsible for creating, after considering recommendations from the Commission, the necessary templates, documents, and resources.
<i>Program Manager</i>	N/A	N/A	Not specified in either measure.

Measure N-Measure H Comparison

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<i>Audit</i>	<p>“For so long as any proceeds remain unexpended, the Superintendent or the Chief Financial Officer of the District shall cause an independent financial auditor to prepare a report to be filed with the Board of Education and made publicly available no later than December 31 of each year, . . . stating (1) the amount collected and expended in such year; (2) the description of all programs funded, and a determination that the monies expended were for the allowable uses stated in this Measure; and (3) the determination that the monies from this Measure are being used to supplement, and not supplant, unrestricted general fund revenue . . .”</p>	<p>“The chief fiscal officer of the District shall cause an independent financial auditor to prepare a report and audit for each fiscal year in which taxes have been levied or expended in accordance with the Measure. The report and audit shall be filed with the Board and made publicly available. The report and audit shall include (but is not limited to including) the following information:</p> <ul style="list-style-type: none"> • The amount of funds collected and expended in the applicable reporting period. The applicable reporting period may be a calendar year, fiscal year, or other appropriate annual period, as determined by the chief fiscal officer or designee in consultation with the Commission. • A description of the uses of all funds expended in the applicable reporting period, and a determination that such uses were consistent with the Measure. 	<p>The only difference is that the audit under Measure N required a review of its supplement/not supplant condition, which doesn't exist (in the same way) under Measure H.</p>
<i>Charter Eligibility</i>	<p>“current [as of Nov. 2014] Oakland Unified School District schools and charter schools, and new . . . charter schools authorized by the Oakland Unified School District.”</p>	<p>“any charter school that received funding from [Measure N] in 2021-22.”</p>	<p>The eligible charter schools are:</p> <ul style="list-style-type: none"> • ARISE High School • Aspire Golden State College Preparatory Academy • Aspire Lionel Wilson College Preparatory Academy • East Bay Innovation Academy • Envision Academy of Arts and Technology • Leadership Public Schools Oakland R&D • Lighthouse Community Charter High School • Lodestar: A Lighthouse Community Charter Public School • Oakland School for the Arts • Oakland Unity High School