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# Board Cover Memorandum

**To** Board of Education

**From** Edmund Chun, Chairperson, Measure G1 – Districtwide Teacher Retention and Middle School Improvement Act Oversight Committee

**Meeting Date** October 9, 2024

**Subject** Adoption of the Measure G1 Administrative Regulations

**Ask of the Board** Adoption of the Measure G1 Administrative Regulations

**Background** The Districtwide Teacher Retention and Middle School Improvement Act Fund (Measure G1) is established to provide a salary increase to school-site educators district-wide, including charter schools in the District, and to provide Middle School grants which shall be spent in furtherance of specific goals.

Attract and retain school-site educators.  
 Increase access to courses in arts, music, and world languages in grades 6-8.  
 Improve student retention during the transition from elementary to middle school.

Create a more positive and safe middle-school learning environment.

**Discussion** This memo is intended to memorialize the latest steps in the process to create a set of administrative regulations (“ARs”) for the Measure G1 parcel tax. The Measure G1 Commission reviewed and adopted these Administrative Regulations at the January 9, 2024 Measure G1 Commission Meeting.

**Attachment(s)**

- Measure G1 Administrative Regulations

**Administrative Regulations for Allocation of Measure G1 Funds  
(Measure G1 Commission approval at January 9, 2024 Commission Meeting)**

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**1. The Purpose of Measure G1**

- a. The Districtwide Teacher Retention and Middle School Improvement Act Fund is established to provide a salary increase to school-site educators district-wide, including charter schools in the District, and to provide Middle School grants which shall be spent in furtherance of specific goals, described below.

**2. The Goals of Measure G1**

- a. Attract and retain school-site educators.
- b. Increase access to courses in arts, music, and world languages in grades 6-8.
- c. Improve student retention during the transition from elementary to middle school.
- d. Create a more positive and safe middle-school learning environment.

**3. Examples of Compliant Uses of Measure G1 Site Grant Funds**

- a. Increase access to courses in arts, music, and world languages in grades 6-8. Based on The California Arts Standards for public schools, arts programming includes dance, music, theater, visual arts and media arts. The California Art Standards promote music literacy which entails discovering the expressive elements of music, understanding the basic concepts of music, knowing the terminology that is used to comprehend music, developing the skills necessary to produce music, and being able to reflect, critique, and connect personal experience to music. The World Language Standards for California Public Schools state that in studying a world language, students should develop communicative, cultural proficiency and literacy in a world language program. Examples for arts programming include but are not limited to:
  - i. dance instruction through school time or after school programming
  - ii. projects-based media arts program where students develop video, print, or multimedia projects
  - iii. programming to question the veracity of media to produce student-driven messaging
  - iv. ensemble music programming
  - v. choral programming
  - vi. musical instruments
  - vii. arts, music, world language curricula
  - viii. heritage language programming
  - ix. college preparatory language programming for languages recognized by the California State University and University of California systems for admission
  - x. Field trips for Art, Music and World Language experiences
  - xi. staff (art, music, world language)
  - xii. art supplies
  - xiii. language development software and teaching aids
  - xiv. professional development

- b. Improve student retention during the transition from elementary to middle school. This goal shall refer to any effort to attract and sustain the enrollment of elementary school students from feeder schools into an Oakland public middle school program so that their families do not opt out and enroll their student into a private school in Oakland or any school outside of Oakland. The goal is to increase enrollment overall in Oakland public middle schools and not to intentionally recruit students away from other Oakland public middle schools. Examples include, but are not limited to:
  - i. parent and student outreach
  - ii. site-visit field trips
  - iii. transitional programs (e.g. Summer Bridge)
  - iv. data-based research into attrition
  - v. cross-school collaboration
  - vi. partnerships with feeder schools
  - vii. staffing and other resources that will not supplant pre-existing services
- c. Create a more positive and safe middle-school learning environment. Examples include, but are not limited to:
  - i. art and world language based afterschool program to assist students in achievement and increase school attendance
  - ii. conflict resolution school and after school-based programming
  - iii. conflict resolution curricula
  - iv. sports programming
  - v. teacher-led or student-led clubs or activities
  - vi. field trips supporting culture and climate
  - vii. student participation fees in academic and non-academic competitions and symposia such as Junior State of America,
  - viii. sport competitions
  - ix. swag that is a part of a curricular output in a media arts curriculum or swag that is used as a programmatic incentive related to safe and positive school culture or student retention
  - x. personnel to support and/or coordinate wrap around services for targeted students
  - xi. STIP subs to maintain culture and climate within the school community
  - xii. staffing and other resources that will not supplant pre-existing services
- d. Examples of Unallowable Expenses
  - i. core classroom teachers (except art, music, or world language class)
  - ii. clerical positions
  - iii. copier contracts
  - iv. medical supplies
  - v. meals
  - vi. purchases of swag that are not a part of an arts curricular output or a programmatic incentive
  - vii. pre-existing services, programs, staff or materials that meet the Measure G1 goals above but have been funded the previous year using non-G1 funds are NOT allowable G1 expenses

#### 4. Measure G1 Funding Allocation Methodology

- a. Measure G1 has two primary components: (1) pay raises for “school site educators” and (2) Middle School Grants designed to achieve the goals outlined above with clear accountability measures. Please see the definitions below for the expanded scope of “educators”. Contingent on the Commission’s approval of staff recommendation, Measure G1 sites will receive 100% of their annual allocation for investment in compliant areas of spending to meet the goals of the Measure. The annual allocation will be based on the calculation at the end of the previous fiscal year when both payments of annual parcel tax revenues have been received by the District (see payment distribution below).

The G1 revenues will be allocated as follows:

- i. Step One: District Receives PARCEL TAX REVENUES
  - ii. Step Two: (Subtract 1% Administrative Fee for District Administration)
  - iii. Step Three: Divide remaining Parcel Tax Revenues Proportionally:
    1. District Middle School Revenues: Proportionate number of eligible District Oakland Middle School Students adjusted by Local Control Funding Formula & residency
    2. Oakland USD Charter School Revenues: Proportionate # of Eligible Charter Oakland Middle School Students adjusted by Local Control Funding Formula & residency
  - iv. Step Four: Divide Total District Revenues and Total Charter Revenues as Follows:
    1. Divide Total District Revenues:
      - a. 65% - School Site Educator raises 35% - Middle School Grants
    2. Divide Total Charter Revenues:
      - a. 65% - School Site Educator raises 35% - Middle School Grants
- b. Key Definitions:
- i. Eligible students - Students who are residents of the city of Oakland
  - ii. Projected LCFF Enrollment = CALPADS enrollment data from the prior year weighted by Unduplicated Pupil Percentage from the Local Control Funding Formula (LCFF)
  - iii. Confirmed LCFF Enrollment by School Type
    1. OUSD Middle Schools - CALPADS Count
    2. OUSD Alternative Education Middle School - Highest Reported Attendance from previous year
    3. Charter schools - First Attendance Report that is submitted to the Office of Charter Schools during September

#### 5. For Budget Planning purposes, sites should use the CALPADS counts of the prior year to do budget planning.

- a. Prior to CALPADS data release, school planning for budgeting should be based on the prior year “Confirmed Enrollment” or previous year’s CALPADS data. District or charters can use their local context and projections in order to identify the enrollment that will be used for instructional program development to do long term planning.

## **6. Application (a.k.a. Education Spending Plan) and Distribution of Measure G1 Funds to Sites**

- a. All district and charter schools will be required to present an application to the Measure G1 Commission articulating their plan for use of the Measure G1 allocation for the following fiscal year. Disbursement of Measure G1 funds will require prior approval of said plan by the Measure G1 Commission and the Oakland School Board of Education. For each subsequent funding year, schools must report on their proposal to the Measure G1 Commission the school's measurement of success in achieving its Measure G1 goals based on its accountability standards. If a site's application is not approved by the Measure G1 Commission, the site will have an opportunity to revise and resubmit their application to the Commission based on a timeline determined by the Commission. If a site spends G1 funds but the Commission has not approved that expenditure, the site must find other funds to replace G1 funds.
- b. Diagnostic Self-Assessment
  - i. Sites must complete a diagnostic self-assessment of the school's curricular and safety needs, including an assessment of community demand for arts, music, and language education. Both school staff and school community must be engaged in the self-assessment process. These engagements must be documented and submitted with site proposals to the Commission as part of the approval process. Use of G1 funds should prioritize gaps in the categories identified as a result of the self-assessment process.
  - ii. The following types of data must be provided as evidence along with the proposal for services and programs:
    1. Art - Self assessment
    2. Music - Self assessment
    3. World Language - Self assessment
    4. Elementary to Middle School retention - Enrollment data
    5. Safe and Positive School Culture - Suspensions, average daily attendance, and chronic absence

## **7. Funds will be distributed as follows:**

- a. For OUSD middle schools:
  - i. OUSD Middle Schools will have their funding loaded into their Budget Development Tool for planning purposes and then loaded into the school budget in the 1st week of July.
  - ii. Funds will be loaded into site budgets on July 1 of each year (contingent on approval by the Commission and Board of Education).
  - iii. Each Measure G1 budgetary transaction (including transfers and purchase requisitions) will be reviewed and approved by the Middle School Network Office based on the current year's Commission and Board of Education approved plan.
- b. For charter middle schools:
  - i. Approved expenditures will be subject to reimbursement at the end of the school year to capture expenses through June 30.
  - ii. Each Measure G1 budgetary transaction will be reviewed and approved by the Middle School Network Office prior to reimbursement in accordance with the current year's Commission and Board of Education approved plan.

- iii. Charter schools will request reimbursements via the Reimbursement Request Form at the end of each school year. Supporting documentation will be required for all reimbursement requests.

## **8. Unexpected Variance and Adjustments**

- a. If there is an unexpected variance in the estimated cost of a Measure G1 expenditure articulated in the proposed and approved plan, the site has the discretion to increase or reduce allocations of funds to expenditures by up to 15% above or below the allocation, provided those expenditures already exist in their approved plan, and that such a change does not exceed the total site allocation of funds. If such action is taken, sites must report these changes to the Measure G1 Commission by the following Measure G1 Commission convening. Sites may not adjust expenditures by more than 15%, nor change the purpose of an expenditure, without submitting an amended plan and community and staff engagement documentation reflecting Measure G1 discussions, to the Measure G1 Commission for approval. Decisions to eliminate funding for existing services, staff, programs or materials in order to use Measure G1 funds are not allowable.

## **9. Carryover - Beginning with carryover from school year 2023-24 to school year 2024-25:**

- a. At the end of a given school year, all unspent Measure G1 funds will be collected and reallocated to all sites in the form of a carryover.
- b. The allocation will be calculated using the same formula as the regular allocation.
- c. The allocation will be sent to sites no later than October 31st of each year once the year end reporting is completed by September 15th.
- d. If the allocation is under \$5,000, the site may complete the “short form” of the carryover application (the short form does not require engagement with the staff or community).
- e. If the allocation is over \$5,000, the site must complete the “long form” of the carryover application (the long form requires documentation of engagement with staff and community).
- f. Carryover applications will identify a clear use of the funds in the current fiscal year that is linked to the Measure G1 goals and will be presented to the Commission for review and approval.
- g. If a site fails to submit a compliant carryover application by the final deadline, the carryover amount will not be able to be used, and will be collected for the following year’s carryover.

## **10. Measure G1 Surplus**

- a. All Measure G1 revenue not allocated to schools and administration shall be held in reserve and maintained as a “Surplus Fund” that the Measure G1 Commission can recommend to the Board to support:
  - i. Step-down funding due to the expiration of the Measure G1’s 12 year term.
  - ii. Negative financial impact to middle schools based on rising or decreasing overall enrollment
  - iii. Measure G1 revenue shortfalls.
  - iv. Increases in funding based on changing middle school enrollment.
  - v. Increase overall funding to all G1 sites at an equal percentage increase to aid in the spend down of the surplus

- b. In addition, if recommended by the Measure G1 Commission and approved by the OUSD School Board these funds can be used to support:
  - i. Multi-site innovative programs and pilots that will continue to better student outcomes and can be applied across the system or deepen the learning of Oakland's network of schools.
  - ii. Site visits

## **11. Administrative Funds**

- a. The Measure G1 Administrative Funds will be used to support the development, implementation, and progress monitoring of Measure G1 strategies to ensure that the students in Oakland meet the goals of the initiative outlined above. The Middle School Network, will present a yearly report to the commission after the completion of the yearly audit explaining how the Administrative 1% were expended.

## **12. Audits**

- a. The District Middle Schools and Charters who receive funds shall have an annual, independent financial audit of the Measure G1 funds received and expended.
- b. Measure G1 requires OUSD to secure an independent financial auditor to prepare an audit report comprised of independent audits from OUSD and all charter schools receiving Measure G1 funds. Under the statute, the audit report must be reviewed by the Commission and filed with the Board prior to December 31st.
  - i. In order to meet this deadline, all charter schools that received Measure G1 funds must complete independent audit reports on their use of Measure G1 funds, and submit their completed independent audit reports or a status update on their audit to the Commission or designee no later than December 1st of each calendar year. This new deadline will go into effect on December 1st 2024.
  - ii. The audit should describe the programs funded by the Measures revenues, schools' success in achieving Measure G1 goals based on their accountability measures, and render an opinion as to whether the funds expended were for allowable uses under the Measure and whether the revenues were used to supplement and not supplant general fund revenues. The cost of the Independent Audit may be paid from the proceeds of the parcel tax.
  - iii. Failure to submit an audit by April 30th of a given year will prevent the use of expenses and staff compensation for the current year (including reimbursement for charter schools).
  - iv. Failure to submit an audit by April 30th of a given year will prevent the use of expenses and staff compensation for all future years, until all missing audits have been submitted (including reimbursement for charter schools).
  - v. Once all missing audits have been submitted, the school will be eligible for the school's current year's allocation and only the current year's allocation, and will follow the plan submission process. They are not eligible for previous years' allocations.

## **13. Charter School Salary Definitions and Process**

- a. Definitions

- i. “School Site Educators”: With regards to charter schools, ‘school site educators’ refers to any union-represented employees and/or to any school employees who, in a given school year, spends at least 75% of their assignment at the site of the Oakland charter school employer. Part-time or hourly employees who work at an Oakland charter school during the regular work year (e.g., substitute staff, after school staff) qualify as school site educators.
    - 1. Example 1: Jen’s duties are split between teaching at ABC charter school in Oakland and serving an administrative role in ABC’s business office off-site, with roughly 80% of her time spent teaching. Jen qualifies as a School Site Educator.
    - 2. Example 2: Bill is a part-time teacher (0.5 FTE) at a charter school in Oakland. Bill qualifies as a School Site Educator because his assignment is fully located at the school site.
    - 3. Example 3: Jane is an independent contractor who is hired by an Oakland charter school to provide counseling. Jane does not qualify as a School Site Educator because she is not an employee of the school.
  - ii. “Same Percentage Increase”: The salary increase among each charter school employer shall be the same percentage for all its employees.
    - 1. Example 4: Charter School Employer employs 30 school-site educators at Charter School A. All 30 shall receive bonuses at the same percentage increase.
    - 2. Example 5: Charter School Employer employs 20 school site educators at Charter School A and 50 school site educators at Charter School B. All 70 school site educators shall receive bonuses at the same percentage increase.
- b. Process
- i. Distribution. G1 salary increases to charter school site educators will commence with the 2018-19 school year. The charter school’s Chief Financial Officer, or appropriate charter school administrator, must submit a completed and signed Measure G1 Certification Form and Roster in late April/early May annually to receive funds for salary increases, exact date to be determined.
  - ii. Additionally, an Acknowledgement of Receipt must be completed by the charter school administrator at the time of receipt. Charter school employers must distribute the salary increase to employees at the end of each school year between June 1 and June 30.
  - iii. Schools that have not submitted their documentation by the deadline will receive a warning and will be reported at the Measure G1 Commission meeting at the end of May. Failure to submit the Measure G1 Certification Form and Roster will result in a delay in disbursement of funds until Fall closing of prior year’s books (usually October), thereby missing the June 30th deadline to distribute the salary increase to employees. Public notice of all sites that have failed to submit documentation by the deadline will also be given to the Board at the first Board meeting in August.
- c. Eligibility. All employees of an Oakland charter school employer who are employed on the last day of the school year are eligible for the salary increase.
- i. Example 6: Alice qualifies as a site-based educator in an Oakland charter school. She joined the school in January. She would be eligible to receive a G1 salary increase provided she worked for the school on the last workday of school year.
  - ii. Example 7: Eric qualifies as a site-based educator in an Oakland charter school; however, he quit in February. He would not be eligible to receive the salary increase.
- d. Calculations. The salary increase shall be distributed at the same percentage for all employees of an Oakland-based charter school employer based on their salary and salary driven benefits



earned for the school year. “Salary” as used herein refers to an employee’s combined scheduled income and any stipends. “Salary driven benefits” as used herein refers to all statutory and policy-driven benefits which may result in additional cost associated with the increase. If the salary increase would qualify as pensionable earnings for an employee, employers may include employer retirement contributions as part of the salary increase calculation and use G1 salary revenue for that purpose.

- i. Example 8: Tara qualifies as a site-based educator in an Oakland charter school. She receives a base salary, as well as a bilingual stipend and a laptop. Her Total Actual Salary consists of her base salary and the bilingual stipend. The value of her laptop is not included.
  - ii. Example 9: Mary was out sick for May and June but was still employed as of the last workday of the school year. Her earnings while on sick leave count towards her Total Actual Salary.
- e. Audit. Charter school employers must provide supporting documentation to any auditors working on behalf of the G1 Commission.

#### **14. Role and Scope of the Oversight Commission**

- a. The Board of Education (“Board”) shall establish a Commission comprised of five (5) persons giving preference to persons who demonstrate extensive knowledge and expertise in middle school education, with a focus on arts, music, and world languages, school safety, and in compensation for K-12 educational professionals.
  - i. The Commission must adhere to all guidelines set forth in Board Bylaw 9131 (“BB 9131”).
  - ii. As per BB 9131: “Oversight committees or commissions have specific mandates outlined in authorizing legislation or voter-approved bonds and parcel taxes. Advisory committees or commissions shall focus their work on the goals and objectives of the District...All of these bodies are advisory to the Board; the Board retains final authority.”
- b. The Commission shall advise and report to the Board of Education and shall be responsible for oversight, which includes:
  - i. oversight of proper allocation and use of all parcel tax monies on approved G1 proposals
    1. “Proper Allocation” - Ensure that each school’s allocation is accurately calculated according to the methodology articulated below.
    2. “Use” - Ensure that each and every proposed expenditure by a school is compliant with the language of the measure. In other words, the expenditure must be in furtherance of at least one of the four specific goals of the measure.
    3. The Commission does not have the authority to direct sites as to how much of their allocation should be spent on any specific expenditure, nor how much of their allocation should be spent on any of the four goals of the measure. The Commission may request more details from sites regarding their proposed expenditures.
  - ii. reviewing annual independent audit reports
    1. Ensure that audits are submitted on time
    2. Read the audits
    3. Receive a presentation by the District’s auditors
    4. Ask clarifying questions
    5. If the auditors report a discrepancy, ensure that staff rectify the discrepancy

- iii. 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.
  - 1. Copies of all recommendations shall be forwarded by separate letter to the Board and to the Superintendent within ten days after the meeting at which the recommendations were adopted by the committee. (BB 9131)
  - 2. Submit an annual report on how well the G1 funds were spent in order to meet the goals of the legislation.
- c. The Commission shall meet once a month (except for special meetings), and in adherence to the guidelines of the Brown Act.
  - i. Commission meetings shall follow Robert's Rules of Order.
  - ii. Reviewing applications
    - 1. The Commission reviews applications and may ask for clarification of any proposed expenditure.
    - 2. The Commission, with simple majority vote, may deem any expenditure as not compliant with the language of the Measure. The Commission would give feedback as to how the site would make adjustments to bring the application into compliance. In this scenario, the school would be directed to adjust their application and return to the commission.
    - 3. All applications must be approved by the last Commission meeting of the school year, so that funds can begin to be spent beginning the July 1 fiscal year.
- d. Role of the Commission Chair
  - i. Set/approve meeting agenda (with input from Staff Liaison) within bounds of scope
  - ii. Facilitate body meetings
  - iii. Submit recommendations from the body to staff liaisons for BOE consideration
  - iv. Call special meetings
  - v. Attend planning meetings three weeks before each body meeting (with Staff Liaison and Board Office liaison)
  - vi. Submit any requests for info three weeks in advance
  - vii. Bring forward meeting calendar (including frequency, dates/times) for consideration
- e. Role of the Commission Vice Chair
  - i. Facilitate body meetings when the Commission Chair is absent.
  - ii. Make special motions as per Robert's Rules of Order.
- f. Role of the Commission Secretary
  - i. Facilitate body meetings when the Commission Chair and Vice-Chair are absent.
  - ii. Make special motions as per Robert's Rules of Order.

## 15. Key Dates

- a. August - Commission Meeting
  - i. Review and approve any plans that have been amended.
- b. September - Middle School Network staff develops the new regular application and the carryover application.
- c. Late September or early October - District and charter schools receive carryover allocation and the carryover application form.
- d. Late September or early October - Orientation held for OUSD and charter site leaders on the process/timeline of completing applications and audits.

- e. September - School site visits
- f. September - Commission Meeting
  - i. Review any amended plans
- g. October - School site visits
- h. October - Commission Meeting
  - i. Review carryover applications
- i. November - School site visits
- j. November - Commission Meeting
  - i. Review carryover plans for approval.
- k. December - School site visits
- l. December 1 - Audits or status updates on audits due.
- m. December - Commission Meeting
  - i. Review carryover plans for approval.
  - ii. Present the allocations for the following year.
  - iii. Review audit reports or status updates (includes OUSD and charter).
- n. January - School site visits
- o. January - District schools and charter schools receive their regular G1 allocation, the new application form, and the early March deadline.
- p. February - School site visits
- q. February - Commission Meeting
- r. March 1 - Applications Due
- s. March - School site visits
- t. March - Commission Meeting
  - i. Review/approve applications for the following year.
- u. April - School site visits
- v. April - Commission Meeting
  - i. Review/approve applications for the following year.
  - ii. Calendar for next school year
- w. April 30 - Failure to submit an audit by April 30th of a given year will make a site ineligible for the year's funds.
- x. May - School site visits
- y. May - Commission Meeting
  - i. Review/approve applications for the following year.
- z. May - Board Meeting to Review and Approve G1 Proposals
- aa. Late May - Charters submit Staff Retention Funds Certifications and Documentation
- bb. Early June - Staff Retention Funds Disbursements to Charter Schools
- cc. Early June - Reimbursement forms sent to charters
- dd. June 15 - Any regular (incl. surplus), or carryover funds unapproved or unspent by the end of the fiscal year will be swept up and reallocated the following year.
- ee. June - Carryover amounts calculated.
- ff. July - Charter Reimbursement Payment Disbursed