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Enactment Date	5/25/16



OAKLAND UNIFIED  
SCHOOL DISTRICT

Community Schools, Thriving Students

# Memo

**To** Board of Education

**From** Antwan Wilson, Superintendent

**Board Meeting Date** May 25, 2016

**Subject** **Waiver Request for Size of School Site Council (SSC) for Gateway to College**

**Action Requested** The Board of Education is requested to approve the SSC waiver request for the Gateway to College to the State Board of Education (SBE), for Fiscal Years 2016-17 and 2017-2018.

**Background** Gateway to College (GTC) is a small alternative secondary school offered in conjunction with Laney College. GTC offers students who have left high school without a diploma or are behind in the number of credits for their age or grade level a program to help them obtain their High School diploma. They also receive additional academic support and proactive counseling. Since GTC has many students who are not residing at home or who are in transitional housing, it is a challenge for GTC to meet the mandated size requirement for a secondary school SSC. CDE has provided a waiver for small schools in this situation. The Ed Code requirements to be waived is EC 52852 which states a school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school; and, in secondary schools, pupils selected by pupils attending the school.

**Discussion** This waiver will allow Gateway to College to operate an achievable and balanced School Site Council. The waiver asks that Gateway to College be allowed to form a School Site Council consisting of 3 members from the school side (2 parents and 1 student). The reason for this request is that Gateway to College is a small alternative school with only two full time teaching staff. Another factor is that a significant part of their student population does not live with or have a connection with their biological parents. Their current enrollment is around fifty students. Gateway to College values the contributions parents can bring and also would like to use federal funds to provide additional services to English language learners. Please approve this waiver request so Gateway to College can continue to strengthen its parent connection and obtain additional resources to serve its English language learners.

<b>Recommendation</b>	Approval of this waiver request to the SBE for GTC's School Site Council, for Fiscal Years 2016-17 and 2017-2018.
<b>Fiscal Impact</b>	(Federal Programs; Title 1, part A) GTC will be able to receive funds they are legally entitled to receive. There is no negative financial impact to the district. The district receives these categorical funds. However if the request is not adopted, GTC will forgo federal funds needed to help supplement their academic support to the targeted students as generated by the Free and Reduced Meal program.
<b>Attachments</b>	<ul style="list-style-type: none"><li>• GTC Power Point explaining school services</li><li>• Additional waiver information</li></ul>

RESOLUTION  
OF THE  
BOARD OF EDUCATION  
OF THE  
OAKLAND UNIFIED SCHOOL DISTRICT

Resolution No. 1516-0219

Request to the State Superintendent of Public Instruction for Waiver of Education Code 52852 **Size of the School Site Council** for the District Gateway to College Program at Laney College, for Fiscal Years 2016-17 and 2017-2018.

**WHEREAS**, The Oakland Unified School District and the Peralta Community College District operates the Gateway to College alternative high school on the Laney College Campus; and

**WHEREAS**, Gateway to College is a college-based program; and

**WHEREAS**, Gateway to College at Laney College is part of the Early College High School Network which is listed as a type of school that can be established under the statutory framework of section 58500 et seq. of the Education Code. The school was established in accordance with statutory procedures and approved by the governing board of the Oakland Unified School District and the California Department of Education; and

**WHEREAS**, All classes are college classes, which provide dual credit, and the program is fully integrated into the college setting; and

**WHEREAS**, Education Code Section 52852 provides a school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school, parents of pupils attending the school selected by such parents; and in secondary schools, pupils selected by pupils attending the school; and

**WHEREAS**, this waiver will allow Gateway to College to operate an achievable and balanced School Site Council. The waiver asks that Gateway to College be allowed to form a School Site Council consisting of 3 members from the school site (the director and two teaching staff) and 3 members from the parent/student side (2 parents and 1 student). The reason for this request is that Gateway to College is a small alternative school with only two full time teaching staff (see attached Power Point). Another factor is that a significant part of the student population does not live with or have a connection to their biological parents. Their current enrollment is around fifty students. Gateway to College values the contributions parents can bring and also would like to use federal funds to provide additional services to English language learners. Please approve this waiver request so Gateway to College can strengthen its parent connection and obtain additional resources to serve its English learners; and

**WHEREAS**, Because Gateway to College is a college-based program, the waiver of the aforementioned code provisions is necessary to fully implement Gateway to College in the college setting; and

**WHEREAS**, the request by the District and granting the Waiver by the State Superintendent of Public Instruction will not have a negative fiscal impact on, or otherwise harm, the District; and

**WHEREAS**, the California Department of Education has stated for this waiver a public hearing is not required; and

**WHEREAS**, at its May 25, 2016 meeting, the Board of Education authorized the District to seek waiver of Education Code 52852;

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Education of the District hereby approves the District's Request for Renewal of the Alternative School of Choice Waiver of Education Codes pertaining to Size of the School Site Council *Education Code § 52852 et seq.*

**PASSED AND ADOPTED** by the Governing Board of the Oakland Unified School District this 25th day of May, 2016, by the following vote, to wit:

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

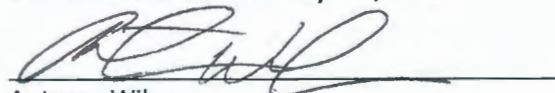
NOES: None

ABSTAINED: None

ABSENT: None

#### **CERTIFICATION**

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Special Meeting I of the Board of Education of the Oakland Unified School District held May 25, 2016.



Antwan Wilson  
Superintendent and Secretary, Board of Education

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**PART II. PURPOSE AND DESIRED OUTCOMES**

**1. Summary of the *Education Code* or *California Code of Regulations* section(s) or portion(s) to be waived.**

Please summarize the meaning, in plain language, of the *Education Code* or California Code of Regulations Section(s) or portion(s) to be waived. If a portion of a section is requested to be waived, include that portion verbatim.

**SEE ATTACHED**

**2. Desired outcome/rationale.**

State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations.

**SEE ATTACHED**

**3. For a waiver renewal, district also must certify:**

True

☒

False

☐

The facts which precipitated the original waiver request have not changed.

☒
☐

The remedy for the problem has not changed.

☒
☐

Members of the local governing board and district staff are not aware of the existence of any controversy over the implementation of this waiver or the request to extend it.

Renewals of Alternative School of Choice waivers must be submitted **two months prior** to the date the active waiver expires. The local governing board must approve the renewal request. Because the district certifications above assure the State Superintendent that there is no evidence of controversy associated with the waiver's renewal, it is not necessary to repeat the public hearing. Submit the renewal request **at least two months before the waiver expires** to ensure enough time for action by the State Superintendent before the present waiver expires. Retroactive waivers must go through the *first time waiver process*.

**District or County Certification**

*I hereby certify that the information provided on this application is correct and complete.*

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Signature of Superintendent or Designee

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY**

Responsible Office:

Guidelines: ☐ Met ☐ Not Met ☐ Don't Exist

**CALIFORNIA DEPARTMENT OF EDUCATION RECOMMENDATION:** ☐ Approve ☐ Deny

Staff (*Type or print*)

Staff (*Signature*)

Date:

Unit Manager (*Type or print*)

Unit Manager (*Signature*)

Date:

Division Director (*Type or print*)

Division Director (*Signature*)

Date:

Deputy (*Type or print*)

Deputy (*Signature*)

Date

Renewal Waiver Application  
[Size of the School Site Council]

Part II. Purpose and Desired Outcomes

1. ***Summary of the Education Code or California Code of Regulations Section(s) or portion(s) to be waived.*** Please summarize the meaning, in plain language, of the Education Code or California Code of Regulations Section(s) or portion(s) to be waived. If a portion of a section is requested to be waived, include that portion verbatim.

This is a renewal request to waive the following section of the California Education Code related to Size of the School Site Council.

- *Education Code § 48900 et seq.*

2. ***Desired outcome/rationale.*** State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations.

The legislation authorizing the establishment of alternative schools of choice provides, in part, that school districts may establish alternative schools based on the premise that the best learning takes place when the student learns because of his or her desire to learn. Alternative schools and programs of choice are often characterized by responsiveness to instructional style differences, the positive consequences of being a school of choice, and small unit size. The Gateway to College alternative high school fits this profile.

Gateway to College at Laney College ("Gateway") serves 350 students, 16 to 20 years old, who have dropped out of school and provides a second chance for students to get back on a path leading to economic and educational opportunity. In keeping with the statutory purpose, the program achieves success by maintaining a learning situation that maximizes student self-motivation and encourages a student in his own time to follow his interests.

Gateway to College is college-based and operates in an adult learning environment. Consequently, parental notification of student performance is not required. The referenced regulation, as written, requires parental notification regardless of the age of the pupil. Although Gateway to College procedures will require parental notification of parents, if any, of Gateway students under the age of eighteen (18), the District is requesting a renewal of the waiver of this section because it may preclude the participation of eligible students, many of whom may be emancipated minors, foster youth without the presence of a parent or guardian in their lives. Hence, approval of a waiver renewal of the aforementioned regulation is necessary to continue to fully implement Gateway to College in the college setting. The District is requesting approval of the renewal waiver for two years.

### *Evaluation Procedure*

An annual evaluation, pursuant to Education Code Section 58510, will be performed in accordance with guidelines established by the California Department of Education and the State Superintendent of Public Instruction. The evaluation will be conducted by the OUSD Office of Alternative Education and will include input from key stakeholders such as teachers, students, and parents or guardians.

The methodology used will be consistent with evaluations of other OUSD Alternative Schools and Programs. The evaluation will include student performance data on K-12 mandatory testing and will examine features such as the following to determine their impact on student learning outcomes:

- Sustainable Partnerships (e.g., advisory committee, referrals, information sharing systems, etc.)
- Integration of the program into the college (e.g., attendance on college calendar, college orientation, flexible class schedule)
- Dual credit (e.g., diploma and testing requirements are aligned with college courses, counselors trained in high school and advising systems.)
- Adequate teaching and administrative staff
- Collaboration between faculty members and between students (e.g., team based approach to student success)
- Teaching and Learning (e.g., rigor and relevance in the curriculum)
- Student Support systems (e.g., focus on academic and non-academic barriers)
- Professional Development for faculty and staff (e.g., mission and core values communicated, roles and responsibilities are clearly communicated)

### *School is Legally Complaint*

Gateway to College at Laney College is part of the Early College High School Network which is listed as a type of school that can be established under the statutory framework of section 58500 et seq. of the Education Code. The school was established in accordance with statutory procedures and approved by the governing board of the Oakland Unified School District and the California Department of Education.