

Board Office Use: Legislative File Info.	
File ID Number	19-1372
Introduction Date	6/26/2019
Enactment Number	19-1929
Enactment Date	6/26/2019 er



Memo To	Board of Education
From	Kyla Johnson-Trammell, Superintendent of Schools Gina Murphy-Garrett, Senior Executive Director, Budget
Board Meeting Date	June 26, 2019
Subject	Application for General Waiver - California Board of Education - Fiscal Penalties - Shortfall of Instructional Minutes - School Year 2017-2018 - Redwood Heights Elementary School
Action Requested	Public Hearing and Approval by the Board of Education of Resolution No. 1819-0244 - Application for General Waiver to the California State Board of Education of Education Code Section 46201 Local Control Funding Formula Fiscal Penalties for Shortfall of Instructional Minutes at Redwood Heights Elementary School Fiscal Year 2017-2018.
Background	<p>The Oakland Unified School District (OUSD) is requesting that the California State Board of Education (SBE) waive the instructional time requirement audit penalty. Redwood Heights Elementary School was short 450 minutes for the 2017-2018 school year.</p> <p>Pursuant to Education Code Section 46206(a), the SBE may waive the fiscal penalties for a school district, county office of education, or charter school that fails to maintain the prescribed minimum length of instruction, upon the condition that the school or schools in which the minutes were lost maintain minutes of instruction equal to those lost, in addition to the minimum amount required, for twice the number of years that it failed to maintain the required minimum length of time</p>
Discussion	<p>During the audit of instructional time for 2017-2018, it was discovered that Redwood Heights Elementary School failed to offer the minimum required 54,000 annual minutes.</p> <p>OUSD would like to use school years 2018-2019 and 2019-2020 to make up the shortfall of the instructional minutes. OUSD is submitting documentation showing Redwood Heights Elementary School has been and will offer additional minutes during the 2018-2019 and 2019-2020 school years to comply with the terms of the waiver.</p>
Recommendation	Public Hearing and Approval by the Board of Education of Resolution No. 1819-0244 - Application for General Waiver to the California State Board of Education of Education Code Section 46201 Local Control Funding Formula Fiscal Penalties for Shortfall of Instructional Minutes at Redwood Heights Elementary School Fiscal Year 2017-2018.
Fiscal Impact	Granting of the waiver by the California State Board of Education will insure that the District will not be required to repay \$598,924 in instructional time funding as calculated in Finding No. 2018-014 in the June 30, 2018 OUSD Audit Report.
Attachments	<ul style="list-style-type: none"> • Resolution No. 1819-0244 • General Waiver Request Supporting Documentation

**BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 1819-0244**

**Application for General Waiver to the California State Board of Education
of Education Code Section 46201 Local Control Funding Formula Fiscal
Penalties for Shortfall of Instructional Minutes at Redwood Heights
Elementary School Fiscal Year 2017-2018**

WHEREAS, the California State Controller's Audit of the Oakland Unified School District for the Fiscal year 2017-2018, dated June 30, 2018, found that Redwood Heights Elementary had a shortfall of instructional minutes required to be maintained during said fiscal year; and

WHEREAS, the District has in place the remediation plan implementing School Years 2018-2020, which makes up for the shortfall of instructional minutes for the school cited in the Fiscal Year 2017-2018 audit; and,

WHEREAS, any District suffering a shortfall of instructional minutes and/or instructional days, or both, in any fiscal year is subject to financial penalty for failure to maintain the required instructional minutes and/or days; and,

WHEREAS, the District is subject to \$598,924 in penalties for the shortfall of instructional minutes for the school cited in the Fiscal Year 2017-2018 audit; and,

WHEREAS, Education Code 46206 permits the California State Board of Education to wave the fiscal penalties for a school district that fails to maintain the prescribed minimum length of instructional minutes and/or instructional days, or both in a fiscal year; and,

WHEREAS, the District believes that it should request the California State Board of Education for a General Waiver of Penalties, as delineated herein, upon a showing of good cause, for the shortfall of instructional minutes and/or instructional days, or both, for the school cited in the Fiscal Year 2017-2018 audit; and,

WHEREAS, the Board of Education has met the statutory prerequisite requirements including holding the required public hearing on the District's Request for General Waiver of Penalties—Shortfall of Instructional Minutes/Days—Fiscal Year 2017-2018.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education hereby approves the Public Hearing and Approval by the Board of Education of Resolution No. 1819-0244 - Application for General Waiver to the California State Board of Education of Education Code Section 46201 Local Control Funding Formula Fiscal Penalties for Shortfall of Instructional Minutes at Redwood Heights Elementary School Fiscal Year 2017-2018, for schools delineated therein, a copy of which is attached hereto and incorporated by reference as though fully set forth, and authorizes its submission to the California State Board of Education.



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

Passed by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

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

NOES: None

ABSTAINED: None

RECUSE: None

ABSENT: None

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on the 26th Day of June, 2019.

OAKLAND UNIFIED SCHOOL DISTRICT

Aimee Eng

Aimee Eng
President, Board of Education

Kyla Johnson-Trammell

Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

Board Office Use: Legislative File Info.	
File ID Number	19-1372
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Waiver Request System

Submission

Instructions:

- Fields marked with an asterisk (*) are required.
- The format for all dates is mm/dd/yyyy.
- Use the 'Attachments' section below to attach all supporting documents if required.
- Make sure all information is accurate before selecting submit. You will not be able to edit this waiver once you have submitted the form.
- DO NOT at any time hit the back button. You will lose all your information.
- Use brackets [] for putting Education Code section to be waived. See FAQ for details.
- Do not use abbreviations for bargaining units.
- Refer to the FAQ for general questions.
- The waiver request page is time sensitive. You must be able to complete the waiver request within two hours. Failure to complete and submit the waiver request in the two hours will result in the loss of all previously entered information.

District Information

*County:

*District:

*Address:

*City:

*State:

*Zip code:

Fax:

*Is this waiver being filed on behalf of a Direct Funded Charter School? ☐ No ☐ Yes

Waiver Information

*Period of request start date: *

*Period of request end date:

*Is this waiver a renewal? ☒ No ☐ Yes

*Waiver topic:

*Ed Code title:

*Ed Code section:

*Ed Code authority:

*Education Code or California Code of Regulations (CCR) section to be Waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use [] to strike out).

46206(b) For fiscal penalties incurred as a result of a shortfall on instructional time in the 2000–01 fiscal year or thereafter, a waiver may only be granted pursuant to subdivision (a) upon the condition that the school or schools in which the minutes, days, or both, were lost, maintain minutes and days of instruction equal to those lost and in addition to the amount otherwise prescribed in this article for twice the number

*Student population

*Located in a(n) city

*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. If more space is needed, please attach additional documents using the 'Attachments' section below.

During an audit of instructional minutes for 2017-18, it was discovered that Redwood Heights Elementary failed to offer the required number of minutes for grades 4 and 5.

During the same year, the State and Federal department experienced personnel turnover and personnel reduction. As a result of transition, personnel charged with the responsibility of managing instructional minutes, for the site in question, was unaware of the requirements regarding instructional time. The principal was asked to correct the calendar to reflect the minimum days on Wednesdays and was not aware that such action caused a deficit in

Approvals/Review

*Local board approval date:

Bargaining Unit

If the specific waiver you are submitting requires bargaining unit participation select yes and fill out the information. If it does not require bargaining unit participation, select no.

*Does the district have any employee bargaining units? ☐ No ☒ Yes

*Bargaining unit consulted on date:

*Bargaining unit name:

*Representative first name:

*Representative last name:

*Representative title:

*Position of bargaining unit: ☐ Neutral ☒ Support ☐ Oppose

Attachments

*Is this waiver associated with an apportionment related audit penalty? (per EC 41344) ☐ No ☒ Yes

*Upload audit penalty explanation or copy of audit finding here (must be Word, Excel, or PDF format)

*Has there been a Categorical Program Monitoring (CPM) finding on this issue? ☒ No ☐ Yes

If needed, upload additional file(s) here (must be Word, Excel, or PDF format)

Contact Information

*Title:	Ms. ▾
*First name:	Kayla
*Last name:	Le
*Position:	Controller
*E-mail:	kayla.le@ousd.org
*Area code:	510
*Telephone:	879-1012
Extension:	

☒ I hereby certify that I have gone through my authorizing school district and or Special Education Local Plan Area (SELPA), that I am the superintendent or the superintendent's designee and that the information provided on this application is true and correct.

Submit

[Menu](#)

[Questions: Waiver Office | 916-319-0824](#)

California Department of Education
1430 N Street
Sacramento, CA 95814

[Web Policy](#)



**OAKLAND UNIFIED
SCHOOL DISTRICT**

Community Schools, Thriving Students

Waiver Consultation Form

School Site: Redwood Heights

Description of Waiver Requested: (see below)

Waiver for instructional minutes

Bargaining Unit: Oakland Education Association

Meet and Confer Date: June 18, 2019

Representative Name: Keith Brown

Representative Title: President

The position of the bargaining unit:

Neutral Support Oppose (Please specify why) Comments (if oppose)

**OAKLAND EDUCATION
ASSOCIATION**

By: Keith D. Brown

6/18/19

OAKLAND UNIFIED SCHOOL DISTRICT

By: [Signature]

OAKLAND UNIFIED SCHOOL DISTRICT

AUDIT FINDINGS FOR THE YEAR ENDED JUNE 30, 2018

2018-014 Instructional Minutes Code 10000, 60000

Criteria

EDC §46201(b) requires the District to provide a minimum of 54,000 annual instructional minutes in grades 4 to 8, inclusive.

Condition

The summary of instructional minutes offered at each school site shows that the District did not offer the minimal number of annual instructional minutes in grades 4 and 5 with respect to one school.

Questioned Costs

Questioned cost are calculated as the product of total apportionment for affected grade level multiplied by percentage of instructional time the district failed to offer.

Grade span 4-6 ADA at the P-2 reporting period was 8,395.04, and the derived value of grade 4-6 ADA was \$8,595.49. The site was short 450 instructional minutes. The instructional time penalty is \$598,924.

Context

This finding applies to one of the District's 77 school sites.

Effect

The site did not offer the minimum number of annual instructional minutes.

Cause and Recommendation

Administrative staff at the District office input bell schedules into a computer system which then automatically calculates the instructional minutes offered at each site. The deficiency was identified per review of a summary sheet of minutes offered at all District schools. This deficiency should have been noticed by District staff and corrected at the beginning of the school year. The root cause of this finding is because there is no single person held accountable for compliance with instructional minutes. Our questions to resolve this discrepancy went answered for eight months. We recommend the District to appoint someone to be held accountable for compliance in this area. —

We also recommend the District apply for a waiver with the California Department of Education to request corrective action in lieu of the financial penalty.

District personnel should also review the 2018-19 instructional minutes for compliance.

Identification as a repeat finding

This finding was not reported in the prior year.

Views of responsible officials/corrective action plan

We also reviewed the 2018-19 minutes calculation and noted that all sites have met or exceeded their requirements.



2018-19 School Calendar

July

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24	25	26	27	28	29

October

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24	25	26	27	28	29

January

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

April

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24	25	26	27	28	29

- Jul 4 Independence Day
- Aug 8 Professional Development Day
- Aug 9 Site Based PD/Collaboration Day
- Aug 10 Teacher Work Day
- Aug 13 First Day of School
- Sep 3 Labor Day
- Sep 21 End of Marking Period (Secondary)
- Sep 28 Professional Development Day
- Oct 19 In Lieu of Lincoln's Birthday
- Nov 2 End of Marking Period (Secondary)
- Nov 9 End of Report Card Period (Elementary)
- Nov 12 Veteran's Day
- Nov 19-23 Thanksgiving Break
- Dec 21 First Semester Ends (Secondary)
- Dec 24-31 Winter Break
- Jan 1-4 Winter Break
- Jan 21 Martin Luther King, Jr. Day
- Jan 25 Professional Development Day
- Feb 18 Presidents' Day
- Feb 22 End of Marking Period (Secondary)
- Mar 8 End of Report Card Period (Elementary)
- Mar 25-29 Spring Break
- Apr 1 Cesar Chavez Day
- Apr 12 End of Marking Period (Secondary)
- May 27 Memorial Day
- May 30 Last Day of School / End of Report Card Period (Elementary) / Second Semester Ends (Secondary)
- May 31 Teacher Work Day
- Jun 7 Summer Learning Teacher Work Day
- Jun 10 Summer Learning Begins

- First/Last Day of School
- Schools & Offices Closed
- Schools Closed
- No School for Students
- Marking Periods/ Report Card Periods
Individual student progress reports are sent to families within one week of these dates
- Summer Learning

www.ousd.org



1000 Broadway, Suite 680
Oakland, CA 94607

Redwood Heights School 2018-2019 Daily Bell Schedule

Kindergarten **Regular Day**

8:40 – 9:40	Instruction
9:40 – 10:00	Snack/Recess
10:00 – 12:00	Instruction
12:00-12:20	Lunch
12:20 – 12:40	Recess
12:40 – 1:25	Instruction
1:25 – 1:40	Recess
1:40 – 2:50	Instruction
2:50	Dismissal

Kindergarten **Minimum Day**

8:40 – 9:40	Instruction
9:40 – 10:00	Recess
10:00 – 12:00	Instruction
12:00 – 12:20	Lunch
12:20-12:40	Recess
12:40 – 1:00	Instruction
1:00	Dismissal

1st – 2nd **Regular Day**

8:40 – 10:15	Instruction
10:15 – 10:30	Recess
10:30 – 12:00	Instruction
12:00 – 12:20	Lunch
12:20 – 12:40	Recess
12:40-1:50	Instruction
1:50 – 2:00	Recess
2:00-3:00	Instruction
3:00	Dismissal

1st – 2nd **Minimum Day**

8:40 – 10:15	Instruction
10:15 – 10:30	Recess
10:30 – 12:00	Instruction
12:00 – 12:20	Lunch
12:20 – 12:40	Recess
12:40-1:25	Instruction
1:25	Dismissal

3rd – 5th **Regular Day**

8:40 – 10:15	Instruction
10:15 – 10:30	Recess
10:30 – 12:20	Instruction
12:20 – 12:40	Lunch
12:40-1:00	Recess
1:00 – 1:50	Instruction
1:50 – 2:00	Recess (3 rd gr. Only)
2:00-3:00	Instruction
3:00	Dismissal

3rd – 5th **Minimum Day**

8:40 – 10:15	Instruction
10:15 – 10:30	Recess
10:30 – 12:22	Instruction
12:22 – 12:40	Lunch
12:40-12:57	Recess
12:57-1:30	Instruction
1:30	Dismissal

10/22/18 Principal Cynthia Begg

Redwood Heights Elementary (148) 2018-2019 Calendar

07/04/2018-05/31/2019

-  - Holiday
-  - No School
-  - Planning/Prof Dev
-  - Regular Day
-  - Shortened Day

Type	Count
Holiday	14
No School	38
Planning/Prof Dev	6
Regular Day	128
Shortened Day	52

July 2018						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

August 2018						
S	M	T	W	T	F	S
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

September 2018						
S	M	T	W	T	F	S
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	1	2	3	4	5	6

October 2018						
S	M	T	W	T	F	S
30	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3

November 2018						
S	M	T	W	T	F	S
28	29	30	31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	1

December 2018						
S	M	T	W	T	F	S
25	26	27	28	29	30	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	1	2	3	4	5

January 2019						
S	M	T	W	T	F	S
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2

February 2019						
S	M	T	W	T	F	S
27	28	29	30	31	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	1	2

March 2019						
S	M	T	W	T	F	S
24	25	26	27	28	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6

April 2019						
S	M	T	W	T	F	S
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	1	2	3	4

May 2019						
S	M	T	W	T	F	S
28	29	30	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

2018 - 19 Instructional Minutes Audit Redwood Heights Elementary (148)

School Info	Schedule Groupings	Calendar	Instructional Minutes Grade: K	Instructional Minutes Grades: 1 - 2	Instructional Minutes Grade: 3	Instructional Minutes Grades: 4 - 5
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Alert: The Instructional Minutes Schedule you will submit in this tool must mimic the schedule that is posted and provided to parents, community, students & staff.

Grade	Total Days	Total Instr Minutes	Days Pass?	Days Diff	Minutes Pass?	Minutes Diff
K	180	51,760	Yes, 180 required	0	Yes, 36000 required	15,760
1	180	52,280	Yes, 180 required	0	Yes, 50400 required	1,880
2	180	52,280	Yes, 180 required	0	Yes, 50400 required	1,880
3	180	52,540	Yes, 180 required	0	Yes, 50400 required	2,140
4	180	54,080	Yes, 180 required	0	Yes, 54000 required	80
5	180	54,080	Yes, 180 required	0	Yes, 54000 required	80

Grade	Schedule Type	Minimum Minutes Req.	Daily Instr. Minutes	Minimum Daily Instructional Minutes	Daily Minutes Diff
K	Regular Day	180	315	Yes	135
K	Shortened Day	180	220	Yes	40
1	Regular Day	230	315	Yes	85
1	Shortened Day	230	230	Yes	0
2	Regular Day	230	315	Yes	85
2	Shortened Day	230	230	Yes	0
3	Regular Day	230	315	Yes	85
3	Shortened Day	230	235	Yes	5
4	Regular Day	240	325	Yes	85
4	Shortened Day	240	240	Yes	0
5	Regular Day	240	325	Yes	85
5	Shortened Day	240	240	Yes	0

Network Superintendent:	LARESHA MARTIN (Employee ID#15949)
Principal:	CYNTHIA BAGBY (Employee ID#8249)
History:	<div>05/16/2018 11:42 PM Submitted by Principal Cynthia Bagby</div> <div>05/17/2018 02:28 PM Rejected by Executive Officer LaResha Martin You can resubmit</div> <div>05/17/2018 03:30 PM Submitted by Principal Cynthia Bagby Thank you:).</div> <div>06/29/2018 04:29 PM Approved by Executive Officer LaResha Martin</div> <div>07/02/2018 10:40 AM Accepted by Compliance Joaquin Garcia Meet compliance requirements</div>
Electronic Signature:	
Notes:	

Set Bells to Ring by B&G Rejected by B&G

Back



OAKLAND UNIFIED
SCHOOL DISTRICT

*Community Schools,
Thriving Students*

Redwood Heights Elementary (Site ID: 148)

Instructional Minutes Authorized By OUSD

School Year 2019-2020

From 07/04/2019 To 05/29/2020



2019-20 School Calendar

July

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

June

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

- Jul 4 Independence Day
- Aug 7 Professional Development Day
- Aug 8 Collaboration Day / Work Day
- Aug 9 Teacher Work Day
- Aug 12 First Day of School
- Sep 2 Labor Day
- Sep 20 End of Marking Period (Secondary)
- Sep 27 Professional Development Day
- Oct 14 In Lieu of Lincoln's Birthday
- Nov 1 End of Marking Period (Secondary)
- Nov 8 End of Report Period (Elementary)
- Nov 11 Veteran's Day
- Nov 25-29 Thanksgiving Break
- Dec 20 End of Marking Period (Secondary)
- Dec 23-31 Winter Break

- Jan 1-3 Winter Break
- Jan 20 Martin Luther King, Jr. Day
- Jan 31 Professional Development Day
- Feb 17 Presidents' Day
- Feb 21 End of Marking Period (Secondary)
- Mar 13 End of Report Period (Elementary)
- Mar 27 In Lieu of Cesar Chavez Day
- Mar 30-Apr 3 Spring Break
- Apr 10 End of Marking Period (Secondary)
- May 25 Memorial Day
- May 28 Last Day of Instruction
- May 29 End of Report Period (Elementary)
- May 29 Teacher Work Day
- Jun 5 Summer Learning Teacher Work Day
- Jun 8 Summer Learning Begins

- First/Last Day of School
- Schools, District Offices & Child Development Centers Closed
- Schools & Child Development Centers Closed (District Offices Open)
- Schools Closed (District Offices & Child Development Centers Open)
- No School for Students
- Marking Periods/ Report Card Periods
Individual student progress reports are sent to families within two weeks of these dates

Summer Learning

www.ousd.org



1000 Broadway, Ste. 680, Oakland, CA 94607



07/04/2019-05/29/2020

-  - Holiday
-  - No School
-  - Planning/Prof Dev
-  - Regular Day
-  - Shortened Day

Type	Count
Holiday	14
No School	37
Planning/Prof Dev	6
Regular Day	133
Shortened Day	47

July 2019						
S	M	T	W	T	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3

August 2019						
S	M	T	W	T	F	S
28	29	30	31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 2019						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	1	2	3	4	5

October 2019						
S	M	T	W	T	F	S
29	30	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2

November 2019						
S	M	T	W	T	F	S
27	28	29	30	1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2019						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

January 2020						
S	M	T	W	T	F	S
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

February 2020						
S	M	T	W	T	F	S
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March 2020						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

April 2020						
S	M	T	W	T	F	S
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	1	2

May 2020						
S	M	T	W	T	F	S
26	27	28	29	30	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

2019 - 20 Instructional Minutes Audit Redwood Heights Elementary (148)

School Info	Schedule Groupings	Calendar	Instructional Minutes Grade: K	Instructional Minutes Grades: 1 - 2	Instructional Minutes Grade: 3	Instructional Minutes Grades: 4 - 5
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Alert: The Instructional Minutes Schedule you will submit in this tool must mimic the schedule that is posted and provided to parents, community, students & staff.

Grade	Total Days	Total Instr Minutes	Days Pass?	Days Diff	Minutes Pass?	Minutes Diff
K	180	52,235	Yes, 180 required	0	Yes, 36000 required	16,235
1	180	52,040	Yes, 180 required	0	Yes, 50400 required	1,640
2	180	52,040	Yes, 180 required	0	Yes, 50400 required	1,640
3	180	52,940	Yes, 180 required	0	Yes, 50400 required	2,540
4	180	54,505	Yes, 180 required	0	Yes, 54000 required	505
5	180	54,505	Yes, 180 required	0	Yes, 54000 required	505

Grade	Schedule Type	Minimum Minutes Req.	Daily Instr. Minutes	Minimum Daily Instructional Minutes	Daily Minutes Diff
K	Regular Day	180	315	Yes	135
K	Shortened Day	180	220	Yes	40
1	Regular Day	230	310	Yes	80
1	Shortened Day	230	230	Yes	0
2	Regular Day	230	310	Yes	80
2	Shortened Day	230	230	Yes	0
3	Regular Day	230	315	Yes	85
3	Shortened Day	230	235	Yes	5
4	Regular Day	240	325	Yes	85
4	Shortened Day	240	240	Yes	0
5	Regular Day	240	325	Yes	85
5	Shortened Day	240	240	Yes	0

Network Superintendent:	LARESHA MARTIN (Employee ID#15949)
Principal:	CYNTHIA BAGBY (Employee ID#8249)
History:	<p>05/13/2019 03:31 PM Submitted by Principal Cynthia Bagby</p> <p>05/28/2019 01:23 PM Rejected by Executive Officer LaResha Martin Please resubmit with Data Conference dates. You also have room for more. Maybe before report cards are due and before Buy Back Dates for more planning.</p> <p>05/31/2019 09:59 PM Submitted by Principal Cynthia Bagby</p> <p>06/03/2019 02:52 PM Approved by Executive Officer LaResha Martin</p> <p>06/04/2019 11:15 AM Accepted by Compliance Rakia Esver Meets Compliance Standards</p>

Electronic Signature:
Notes:

Set Bells to Ring by B&G Rejected by B&G

Back



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools. Inspiring Students.

Redwood Heights Elementary (Site ID: 148)
School Year 2019-2020

OUSD Authorized Instructional Minutes for Grade K			From 07/04/2019 To 05/29/2020	
Regular Day				
Start Time	End Time	Label	Type	Minutes
08:40 AM	09:40 AM	Period 1	Instruction	60
09:40 AM	10:00 AM	Recess (K ONLY!!)	Instruction	20
10:00 AM	12:00 PM	Period 2	Instruction	120
12:00 PM	12:20 PM	Break/Recess	Non-Instructional	20
12:20 PM	12:40 PM	Lunch	Non-Instructional	20
12:40 PM	01:25 PM	Period 3	Instruction	45
01:25 PM	01:40 PM	Break/Recess	Non-Instructional	15
01:40 PM	02:50 PM	Period 6	Instruction	70
Shortened Day				
Start Time	End Time	Label	Type	Minutes
08:40 AM	09:40 AM	Period 1	Instruction	60
09:40 AM	10:00 AM	Recess (K ONLY!!)	Instruction	20
10:00 AM	12:00 PM	Period 2	Instruction	120
12:00 PM	12:20 PM	Break/Recess	Non-Instructional	20
12:20 PM	12:40 PM	Lunch	Non-Instructional	20
12:40 PM	01:00 PM	Period 3	Instruction	20

Printed on 6/4/2019



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools. Thriving Students.

Redwood Heights Elementary (Site ID: 148)
School Year 2019-2020

OUSD Authorized Instructional Minutes for Grade 1 - 2 From 07/04/2019 To 05/29/2020				
Regular Day				
Start Time	End Time	Label	Type	Minutes
08:40 AM	10:15 AM	Period 1	Instruction	95
10:15 AM	10:30 AM	Break/Recess	Non-Instructional	15
10:30 AM	12:00 PM	Period 2	Instruction	90
12:00 PM	12:20 PM	Break/Recess	Non-Instructional	20
12:20 PM	12:40 PM	Lunch	Non-Instructional	20
12:40 PM	01:50 PM	Period 3	Instruction	70
01:50 PM	02:05 PM	Break/Recess	Non-Instructional	15
02:05 PM	03:00 PM	Period 5	Instruction	55
Shortened Day				
Start Time	End Time	Label	Type	Minutes
08:40 AM	10:15 AM	Period 1	Instruction	95
10:15 AM	10:30 AM	Break/Recess	Non-Instructional	15
10:30 AM	12:00 PM	Period 2	Instruction	90
12:00 PM	12:20 PM	Break/Recess	Non-Instructional	20
12:20 PM	12:40 PM	Lunch	Non-Instructional	20
12:40 PM	01:25 PM	Period 3	Instruction	45

Printed on 6/4/2019



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools (Citywide Student)

Redwood Heights Elementary (Site ID: 148)
School Year 2019-2020

OUSD Authorized Instructional Minutes for Grade 3 From 07/04/2019 To 05/29/2020				
Regular Day				
Start Time	End Time	Label	Type	Minutes
08:40 AM	10:15 AM	Period 1	Instruction	95
10:15 AM	10:30 AM	Break/Recess	Non-Instructional	15
10:30 AM	12:20 PM	Period 2	Instruction	110
12:20 PM	12:40 PM	Break/Recess	Non-Instructional	20
12:40 PM	01:00 PM	Lunch	Non-Instructional	20
01:00 PM	01:50 PM	Period 3	Instruction	50
01:50 PM	02:00 PM	Break/Recess	Non-Instructional	10
02:00 PM	03:00 PM	Period 4	Instruction	60
Shortened Day				
Start Time	End Time	Label	Type	Minutes
08:40 AM	10:15 AM	Period 1	Instruction	95
10:15 AM	10:30 AM	Break/Recess	Non-Instructional	15
10:30 AM	12:20 PM	Period 2	Instruction	110
12:20 PM	12:40 PM	Break/Recess	Non-Instructional	20
12:40 PM	01:00 PM	Lunch	Non-Instructional	20
01:00 PM	01:30 PM	Period 3	Instruction	30

Printed on 6/4/2019



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools Inspiring Students

Redwood Heights Elementary (Site ID: 148)
School Year 2019-2020

OUSD Authorized Instructional Minutes for Grade 4 - 5 From 07/04/2019 To 05/29/2020				
Regular Day				
Start Time	End Time	Label	Type	Minutes
08:40 AM	10:15 AM	Period 1	Instruction	95
10:15 AM	10:30 AM	Break/Recess	Non-Instructional	15
10:30 AM	12:20 PM	Period 2	Instruction	110
12:20 PM	12:40 PM	Break/Recess	Non-Instructional	20
12:40 PM	01:00 PM	Lunch	Non-Instructional	20
01:00 PM	03:00 PM	Period 3	Instruction	120
Shortened Day				
Start Time	End Time	Label	Type	Minutes
08:40 AM	10:15 AM	Period 1	Instruction	95
10:15 AM	10:30 AM	Break/Recess	Non-Instructional	15
10:30 AM	12:22 PM	Period 2	Instruction	112
12:22 PM	12:40 PM	Break/Recess	Non-Instructional	18
12:40 PM	12:57 PM	Lunch	Non-Instructional	17
12:57 PM	01:30 PM	Period 3	Instruction	33

Printed on 6/4/2019

Join us for a

School Site Council (SSC) Meeting

Tuesday, June 4th, 2019

@ 2:15 pm

Redwood Heights Teacher's Lounge
Room 10

This revised date is to accommodate the need for SSC voting members to review and approve the RHS review and approval of 2019-20 an Instructional Minutes waiver.

6/4 Agenda:

- 2:15pm - Welcome & introductions
- 2:20pm - SSC review & approval of 2019-20 Instructional Minutes waiver
- 2:35pm - SSC review & approval of 2019-20 *Instructional Minutes (calendar and summary) approval*
- 2:45pm - Acknowledgments & closing



**Redwood Heights Elementary School
School Site Council (SSC) Meeting**

AGENDA

June 4, 2019 | 2:15pm-2:45 pm | RHS Room 10

SSC Mission: *Every decision we make should support our goals to establish equity, community, and career and college readiness for our students.*

SSC Agreements:

- Show up (or choose to be present)
- Pay attention (to heart and meaning)
- Tell the truth (without blame or judgment)
- Be open to the outcome (not attached to the outcome)

Time	Agenda Item
2:15 pm	Welcome & introductions
2:20 pm	SSC review of 2019-20 instructional minutes waiver (Minutes - Must include review and approval of 2019-20 instructional minutes waiver)
2:30 pm	SSC vote to approve 2019-20 instructional minutes waiver
2:35 pm	SSC review & vote to approve 2019-20 <i>Instructional Minutes (calendar and summary)</i>.
2:45 pm	Acknowledgments & closing

NOTES:

MEETING DATE: 06/04/19

Redwood Heights Elementary School
School Site Council (SSC) Meeting
ATTENDANCE ROSTER

NAME (please print)	SIGNATURE
1) Dara Goosby	<i>Dara Goosby</i>
2) Safia Omar	<i>Safia Omar</i>
3) Margaret Moulding	<i>Margaret Moulding</i>
4) Colleen Boston	<i>Colleen Boston</i>
5) Carmen Pearson	<i>Carmen Pearson</i>
6) Cynthia Bagby	<i>Cynthia Bagby</i>
7)	
8)	
9)	
10)	
11)	
12)	
13)	
14)	
15)	
16)	
17)	
18)	
19)	
20)	

**MINUTES of the Meeting of
Redwood Heights Elementary School
School Site Council (SSC)
June 4, 2019 | 2:15-2:45 pm | RHS Room 10**

Attendees:

1. Dara Goosby (Vice Chair)
2. Colleen Boston (Member)
3. Cynthia Bagby-Ellison (Member)
4. Margaret Moulding (Member)
5. Safia Omar (Member)
6. Carmen Pearson (Member)

2:18 pm: Chair Dara Goosby called the meeting to order.

2:19 pm: All SSC members introduced themselves; parent/teacher attendees and guests introduced themselves.

2:25 pm: SSC review the 2019-2020 Instructional Minutes Waiver.

Ms. Bagby explained why we are meeting . We are coming together to discuss and review 2019 Instructional Minutes & Calendar. Everyone reviewed the handout about what a general waiver is. Ms. Bagby explained that we were audited and found that we needed to make up instructional minutes in the upcoming year. She showed the Instructional Calendar for 2019-2020. She explained that we are taking out extra minimum days for 2019/20 to make-up for the shortage of 450 instructional minutes during the 2017-2018 school year.

2:39 pm: The team reviewed the 2019-2020 Instructional Minutes and calendar

2:42 pm: The team voted and approved a waiver to approve the 2019-2020 Instructional Minutes and calendar. All six members voted () Yes / () No. Motion made by _____ and seconded by _____.

2:45 pm: Meeting concluded with acknowledgments of all SSC members and appreciation for everyone's commitment and contributions for 2018-19.

Meeting adjourned: 2:45 pm

Minutes submitted by: Margaret Moulding

SSC Vicechair

SSC Member

[Up^](#)[Add To My Favorites](#)**EDUCATION CODE - EDC****TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 64100]** (Title 2 enacted by Stats. 1976, Ch. 1010.)**DIVISION 4. INSTRUCTION AND SERVICES [46000 - 65001]** (Division 4 enacted by Stats. 1976, Ch. 1010.)**PART 26. ATTENDANCE FOR COMPUTING APPORTIONMENTS [46000 - 46610]** (Part 26 enacted by Stats. 1976, Ch. 1010.)**CHAPTER 2. Attendance—Maximum Credit—Minimum Day [46100 - 46208]** (Chapter 2 enacted by Stats. 1976, Ch. 1010.)**ARTICLE 8. Incentives for Longer Instructional Day and Year [46200 - 46208]** (Article 8 added by Stats. 1983, Ch. 498, Sec. 80.)

46200. For a school district that received an apportionment pursuant to subdivision (a) of this section, as it read on January 1, 2013, and that offers less than 180 days of instruction or, in multitrack year-round schools, fewer than the number of days required in subdivision (a) of this section, as it read on January 1, 2013, in the 2013–14 fiscal year, or any fiscal year thereafter, the Superintendent shall withhold from the school district's local control funding formula grant apportionment pursuant to Section 42238.02, as implemented by Section 42238.03, for the average daily attendance of each affected grade level the sum of 0.0056 multiplied by that apportionment for each day less than what was required in subdivision (a) of this section, as it read on January 1, 2013, up to a maximum of five days.

(Amended by Stats. 2013, Ch. 357, Sec. 29. (SB 97) Effective September 26, 2013.)

46200.5. For a county office of education that received an apportionment pursuant to former subdivision (c) of this section, as it read on January 1, 2013, and that offers fewer than 180 days of instruction, or, in multitrack year-round schools, fewer than the 163 days of instruction, as required in former subdivision (c) of this section, as it read on January 1, 2013, in the 2013–14 fiscal year or any fiscal year thereafter, the Superintendent shall withhold from the county superintendent of schools' local control funding formula alternative education grant computed pursuant to Section 2574, as apportioned pursuant to Section 2575, for the average daily attendance of each affected grade level, the product of 0.0056 multiplied by that apportionment for each day less than what was required to avoid a reduction pursuant to this section, as it read on January 1, 2013, up to a maximum of five days.

(Repealed and added by Stats. 2014, Ch. 33, Sec. 31. (SB 859) Effective June 20, 2014.)

46201. (a) For each school district that received an apportionment pursuant to subdivision (a) of this section, as it read on January 1, 2013, and that reduces the amount of instructional time offered below the minimum amounts specified in subdivision (b), the Superintendent shall withhold from the school district's local control funding formula grant apportionment pursuant to Section 42238.02, as implemented by Section 42238.03, for the average daily attendance of each affected grade level, the sum of that apportionment multiplied by the percentage of the minimum offered minutes at that grade level that the school district failed to offer.

(b) Commencing with the 2013–14 fiscal year:

- (1) Thirty-six thousand minutes in kindergarten.
- (2) Fifty thousand four hundred minutes in grades 1 to 3, inclusive.
- (3) Fifty-four thousand minutes in grades 4 to 8, inclusive.
- (4) Sixty-four thousand eight hundred minutes in grades 9 to 12, inclusive.

(Amended by Stats. 2013, Ch. 357, Sec. 30. (SB 97) Effective September 26, 2013.)

46201.5. (a) For a county office of education that received an apportionment pursuant to former subdivision (a) of this section, as it read on January 1, 2013, and that reduces the amount of instructional time offered below the minimum amounts specified in subdivision (b), the Superintendent shall withhold from the county superintendent of

schools' county local control funding formula grant apportionment computed pursuant to Section 2574, as apportioned pursuant to Section 2575, for the average daily attendance of each affected grade level, the product of that apportionment multiplied by the percentage of the minimum required minutes at that grade level that the county office of education failed to offer.

(b) Commencing with the 2013-14 fiscal year, a county office of education shall, at a minimum, offer the following amount of instructional time:

- (1) Thirty-six thousand minutes in kindergarten.
- (2) Fifty thousand four hundred minutes in grades 1 to 3, inclusive.
- (3) Fifty-four thousand minutes in grades 4 to 8, inclusive.
- (4) Sixty-four thousand eight hundred minutes in grades 9 to 12, inclusive.

(Repealed and added by Stats. 2014, Ch. 33, Sec. 33. (SB 859) Effective June 20, 2014.)

46201.6. Any school district that elected not to participate in either or both of the longer-day and longer-year incentive funding programs set forth in this article may commence participation in, and begin receiving funding for, either or both of those programs in the 1998-99 or 1999-2000 fiscal years, on the same basis as if it had participated in the program or programs since July 1, 1984, if the district meets the requirement of paragraph (3) of subdivision (a) of Section 46201 in the fiscal year in which it commences participation and each fiscal year thereafter.

(Added by Stats. 1998, Ch. 330, Sec. 10. Effective August 21, 1998.)

46202. If a school district that does not participate in the program set forth in Sections 46200 to 46206, inclusive, as those sections read on January 1, 2013, offers less instructional time in a fiscal year than the amount of instructional time fixed for the 1982-83 fiscal year, the Superintendent shall withhold for that fiscal year, from the school district's local control funding formula grant apportionment pursuant to Section 42238.02, as implemented by Section 42238.03, for the average daily attendance of each affected grade level, the amount of that apportionment multiplied by the percentage of instructional minutes fixed in the 1982-83 school year, at that grade level, that the school district failed to offer.

(Amended by Stats. 2013, Ch. 357, Sec. 31. (SB 97) Effective September 26, 2013.)

46203. Amounts apportioned to school districts pursuant to this article shall supplement, and not supplant, apportionments received pursuant to any other provision of law.

(Added by Stats. 1983, Ch. 498, Sec. 80. Effective July 29, 1983.)

46205. (a) For purposes of this article, instructional time for school districts conducting early-late instructional programs in kindergarten and grades 1 to 8, inclusive, shall be computed by adding the total amount of instructional time provided in each portion of the early-late instructional programs to the amount of instructional time offered when all pupils in the class are scheduled to attend. It is not the intent of the Legislature to disrupt or restrict early-late instructional programs for pupils in kindergarten and grades 1 to 8, inclusive.

(b) This section shall be applicable only if the early-late instructional program was in operation during the 1983-84 fiscal year, except that the Superintendent of Public Instruction may approve, based on educational reasons, the application of this section to programs commencing operation after the 1983-84 fiscal year.

(c) Notwithstanding any other provision of law, this section is not applicable to any class in any grade level for which class size reduction funding is received pursuant to the Class Size Reduction Program contained in Chapter 6.10 (commencing with Section 52120) of Part 28; provided, however, that this section may be applicable to any class in any grade level for which class size reduction funding is received pursuant to subparagraph (A) of paragraph (2) of subdivision (b) of Section 52122 if a school district operated under this section prior to July 1, 1996.

(Amended by Stats. 1996, Ch. 621, Sec. 5. Effective September 19, 1996.)

46206. (a) The State Board of Education may waive the fiscal penalties set forth in this article for a school district or county office of education that fails to maintain the prescribed minimum length of time for the instructional school year, minimum number of instructional days for the school year, or both.

(b) For fiscal penalties incurred as a result of a shortfall on instructional time in the 2000-01 fiscal year or thereafter, a waiver may only be granted pursuant to subdivision (a) upon the condition that the school or schools in which the minutes, days, or both, were lost, maintain minutes and days of instruction equal to those lost and in addition to the amount otherwise prescribed in this article for twice the number of years that it failed to maintain the prescribed minimum length of time for the instructional school year, minimum number of instructional days for the

school year following the year, or both, commencing not later than the school year following the year in which the waiver was granted and continuing for each succeeding school year until the condition is satisfied. Compliance with the condition shall be specifically verified in the report of the annual audit of the school district or county office of education for each year in which the additional time is to be maintained. If an audit report for a year in which the additional time is to be maintained does not verify that the time was provided, that finding shall be addressed as set forth in Section 41344.

(c) It is the intent of the Legislature that school districts and county offices of education make every effort to make up any instructional days and minutes lost during the school year in which the loss occurred, rather than seeking a waiver pursuant to the provisions of this section.

(d) The State Board of Education may grant a waiver pursuant to subdivision (a) without the condition provided in subdivision (b) to any school district that maintained a single session kindergarten class in the 1982-83 school year for more than the maximum number of 240 minutes permitted by state law and that, due to the school district's growth and facilities limitations, is required to operate two sessions of kindergarten per day in the same classroom.

(Amended by Stats. 2002, Ch. 942, Sec. 1. Effective January 1, 2003.)

46207. (a) Notwithstanding Sections 46200 to 46205, inclusive, upon a determination that a school district equals or exceeds its local control funding formula target computed pursuant to Section 42238.02 as determined by the calculation of a zero difference pursuant to paragraph (1) of subdivision (b) of Section 42238.03, each school district, as a condition of apportionment pursuant to Section 42238.02, as implemented pursuant to Section 42238.03, shall, for each fiscal year, offer, at a minimum, the following number of minutes of instruction:

- (1) To pupils in kindergarten, 36,000 minutes.
- (2) To pupils in grades 1 to 3, inclusive, 50,400 minutes.
- (3) To pupils in grades 4 to 8, inclusive, 54,000 minutes.
- (4) To pupils in grades 9 to 12, inclusive, 64,800 minutes.

(b) For a school district that has met its local control funding formula target that reduces the amount of instructional time offered below the minimum amounts specified in subdivision (a), the Superintendent shall withhold from the school district's local control funding formula apportionment for the average daily attendance of each affected grade level, the product of that apportionment multiplied by the percentage of the minimum offered minutes at that grade level that the school district failed to offer.

(c) Notwithstanding subdivision (a), for the 2013-14 and 2014-15 school years, a school district that equals or exceeds its computed local control funding formula target may reduce the equivalent of up to five days of instruction or the equivalent number of instructional minutes without incurring the penalties set forth in this section.

(Added by Stats. 2013, Ch. 47, Sec. 71. (AB 97) Effective July 1, 2013.)

46208. (a) Notwithstanding Sections 46200 to 46205, inclusive, upon a determination that a school district equals or exceeds its local control funding formula target computed pursuant to Section 42238.02 as determined by the calculation of a zero difference pursuant to paragraph (1) of subdivision (b) of Section 42238.03, each school district, as a condition of apportionment pursuant to Section 42238.02, as implemented pursuant to Section 42238.03, shall offer 180 days or more of instruction per school year. A school operating as a multitrack year-round school shall be deemed to be in compliance with the 180-day requirement if it certifies to the Superintendent that it is a multitrack year-round school and maintains its school for a minimum of 163 schooldays.

(b) Notwithstanding subdivision (a), for the 2013-14 and 2014-15 school years, a school district that equals or exceeds its computed local control funding formula target may reduce the equivalent of up to five days of instruction or the equivalent number of instructional minutes without incurring the penalties set forth in this section.

(c) For a school district that has met its local control funding formula target and that offers fewer than the number of instructional days required pursuant to this section, the Superintendent shall withhold from the school district's local control funding formula grant apportionment pursuant to Section 42238.02, as implemented by Section 42238.03, for the average daily attendance of each affected grade level, the sum of 0.0056 multiplied by that apportionment for each day less than what was required pursuant to this section, for up to five days.

(Amended by Stats. 2013, Ch. 357, Sec. 32. (SB 97) Effective September 26, 2013.)