



Middle School Network Memo

To: Measure G1 Commission
Shivani Grover, Chairperson

From: Cliff Hong, Middle School Network Superintendent

Subject: Measure G1 Commission Letter

Date: November 15, 2023

Dear Chair Grover and the members of the Measure G1 Commission,

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.

Last spring, the members of the Measure G1 committee submitted proposed updates to the previously Board-approved ARs. In the attached proposal of the ARs, these updates are written in blue.

In addition, OUSD staff have submitted more [recommended] updates. In the attached proposal of the ARs, these updates are written in red.

Thank you very much.

Attachments:

Measure G1 Administrative Regulations - Nov 2023 Updates (redlined)

Board Bylaw BB 9131

Administrative Regulations for Allocation of Measure G1 Funds
(for Measure G1 Commission approval at November 28, 2023 Commission Meeting)

1. The Purpose of Measure G1

~~Oakland Unified School District's District-wide Teacher Retention and Middle School Improvement Act is established to pay for compensation for teachers and educational staff, as well as enriching the middle school curriculum that better prepares students for high school and beyond.~~

- 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.

~~Defining Measure G1 Goals~~

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
 - x. California systems for admission
 - xi. field trips for Art, Music and World Language experiences
 - xii. staff (art, music, world language)
 - xiii. art supplies
 - xiv. language development software and teaching aids
 - xv. 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

Use of Measure G1 Funds by OUSD Middle Schools Measure G1—Allowable and Unallowable Expenses:

Goals	Examples of Allowable Expenses
Increase access to courses in arts, music, and world languages in grades 6-8	Staff (art, music, world language) Instruments Art supplies Language software and teaching aids Professional development
Improve student retention during the transition from elementary to middle school.	Staffing and other resources that will not supplant pre-existing services
Create a more positive and safe middle school learning environment.	Staffing and other resources that will not supplant pre-existing services

4. Measure G1 Funding Information 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

(based on LCFF enrollment of Oakland students)
- 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 - ~~20 Day Count~~ **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

~~Payment Distribution for 2019-20 and all years thereafter for the duration of the parcel tax will be based on CALPADS enrollment data for the previous fiscal year.~~

- 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. **Calculation and Distribution of Measure G1 Funds to Site 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. A draft template proposal is attached. For each subsequent funding year, schools must report 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 proposal~~ **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. ~~Until a site’s proposal has been approved, no funds can be utilized by the site and no onboarding of staff using Measure G1 funds can~~

~~occur.~~ If a site's 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

~~No Measure G1 funds can be used until a site's proposal has been recommended by the Measure G1 Commission for approval, and has been approved by the School Board. Likewise, no staff can be hired using Measure G1 funds until a site's proposal has been recommended by the Measure G1 Commission for approval, and has been approved by the School Board.~~

- 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 - ~~School Performance Framework data: URF, Suspensions, California Healthy Kids Survey (CHKS) data~~ **Suspension and average daily attendance data**

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. ~~Measure G1 Carryover~~ - Beginning with carryover from school year 2023-24 to school year 2024-25:

~~Middle schools can request to rollover all unexpended Measure G1 budget allocations from one fiscal year to the next fiscal year, for a period not to exceed one consecutive fiscal year.~~

~~If funds are to be carried over from one year to the next, sites must complete a "Carryover Justification" form. If a site's total potential carryover is \$5,000 or less, the site may complete a Carryover Justification SHORT form. If a site's full potential carryover is more than \$5,000, the site will need to complete a Carryover Justification LONG form and provide community and staff engagement documentation reflecting Measure G1 discussions for the carryover funds. If a site plan has not been previously submitted, the site will need to submit a long carry over form regardless of the amount. Both forms will identify why the funds were not expended (barriers to progress) and identify a clear use of the funds in the next fiscal year that is linked to the Measure G1 outcomes and addresses the root causes or builds on the strategies that the school is hoping to leverage for change. Either completed Carryover Justification form will be presented to the Measure G1 Commission at the following commission meeting, where the Measure G1 Commission will vote on whether or not to recommend the request for approval by the Board of Education.~~

- 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.

Garry-Over Disbursement:

All unexpended Measure G1 budget allocations that are carried over from the previous year will be dispersed to the school based on previous year's allocations and must be aligned to the school's Measure G1 strategies or specifically target the root causes. Disbursement of carryover funds will occur in the fall of the target year, once the previous school years full Measure G1 revenue to allocation budget has been balanced, and all potential carryover funds have been verified.

In the fall sites will receive notice from the Middle School Network Office of carryover of funds which can be applied to the current school year. At that point, sites may choose to submit a Carryover Justification form. If a site chooses to submit a Carryover Justification form, either short or long, as specified above, and it is approved by Commission and Board of Education, the funds will rollover into the current year's G1 site balance. Any unexpended carryover funds at the end of the One-Year Education Improvement Plan cycle will be added into the Measure G1 "Contingency Fund." If a site chooses not to submit a Carryover Justification form, the unexpended funds will automatically be added to the Measure G1 Contingency Fund.

10. Measure G1 "Contingency Fund" 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 to the Commission or designee no later than November 1st~~ **December 1st** of each calendar year.
 - 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.

~~Failure to submit an audit within the prescribed timeline of completion and filing, may jeopardize the ability to be reimbursed for expenses at the mid or end of year, and furthermore could make a site ineligible in the following year's allocation process.~~

~~Failure to submit a completed audit to the commission by March 30 will result in the denial of all reimbursements and staff compensation funds for the current year. This is true for both charter and district schools.~~

- iii. **Failure to submit an audit by the December 1st deadline will prevent reimbursement of expenses at the end of the year and staff compensation.**
- iv. **Failure to submit an audit by March 30th of a given year will make a site ineligible for the upcoming school year's allocation process.**
- v. **Once the delayed audit has been submitted, the school will be eligible for the forthcoming (the year after the current school year) school year's allocation and will follow the plan submission process .**

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.” In other words, the Measure G1 Commission is not an independent oversight body.
- 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.
 - 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 - Commission Meeting
 - i. Review any amended plans
- f. October - Commission Meeting
 - i. Review carryover applications
- g. November - Commission Meeting
 - i. Present the allocations for the following year.
 - ii. Review carryover plans for approval.
- h. December 1 - District prepares district schools' audits for commission review and Dec 31 deadline to file with the Board.
- i. December 1 - Charters' audit reports due to commission. Failure to submit an audit by the December 1st deadline will prevent reimbursement of expenses at the end of the year (staff compensation and school grants).
- j. December - Commission Meeting
 - i. Review carryover plans for approval.
 - ii. Review audit report (includes OUSD and charter).
- k. December 31 - Deadline - audit report must be filed with the Board.
- l. January - District schools and charter schools receive their regular G1 allocation, the new application form, and the early March deadline.
- m. January - Commission Meeting
 - i. Review/approve applications for the following year.
- n. February - Commission Meeting
 - i. Review/approve applications for the following year.
- o. February - School site visits
- p. March 1 - Proposals Due
- q. March - Commission Meeting
 - i. Review/approve applications for the following year.
- r. Mar 30 - Failure to submit an audit by March 30th of a given year will make a site ineligible for the following years' allocation process.
- s. April 30 - Charters submit Staff Retention Funds Certifications and Documentation
- t. April - Commission Meeting
 - i. Review/approve applications for the following year.
 - ii. Calendar for next school year
- u. Late April/Early May - Staff Retention Compensation Disbursements to Charter Schools
- v. May - Commission Meeting
 - i. Review/approve applications for the following year.

- w. May - Board Meeting to Review and Approve G1 Proposals
- x. June 9 - Reimbursement forms sent to charters
- y. 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.
- z. June 25 - Reimbursement forms due to OUSD staff
- aa. June - Carryover amounts calculated.
- bb. July - Reimbursement Payment Disbursed

**OAKLAND UNIFIED SCHOOL DISTRICT
Board Bylaw BB 9131 Advisory**

and Oversight Bodies

Section 1 General Guidelines

Purposes

The Board shall establish advisory or oversight committees or commissions or task forces (hereafter “bodies” unless otherwise specified) for the purpose of meeting legal requirements and to provide advice and involvement concerning matters of interest and welfare to the Board of Education (“Board”). 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. Task forces shall be for limited duration and be given a specific purpose and scope. All of these bodies are advisory to the Board; the Board retains final authority.

All body meetings are open to the public and shall have designated times for public comment.

Appointment, Term of Membership, and Attendance

Unless otherwise specified herein or in the creation resolution, persons interested in serving on a body shall submit an application and any documents that outline their qualifications for and commitment to serve on the body, such as a resume.

The following information shall be made available from the Office of the Board of Education (“Board Office”) and the OUSD website:

- The purpose of each body.
- Any open seats on each body.
- The process to apply or be selected for any open seats on each body.
- Purpose and meeting schedule of each body.

Unless otherwise specified herein or in the creation resolution, the attendance requirement for each body is that if a member misses two consecutive meetings without a valid excuse, as determined by the body, the member shall be considered to have resigned.

Unless otherwise specified herein or in the creation resolution, the term of a member, shall be for a two-year period. The Board Office shall record the start date and end date of each member’s term according to the legislative enactment. In those instances in which a new body’s full or total membership is being established for the first time the minority of members shall be appointed to a one-year term, and the majority of members shall be appointed to two-

year term. The Board Office shall record the start date and end date of each member's term according to the legislative enactment.

Unless otherwise specified herein or in the creation resolution, a Member's service on a body shall be limited to a maximum of three consecutive terms. A former member, who last served three consecutive terms, is eligible for re-appointment to a body after 12 calendar months have elapsed from the last date of the third term of the former member's service. All bodies shall be in recess during the month of July.

Unless otherwise specified herein or in the creation resolution, the decision regarding any replacement to fill vacancies shall be made by the Board, according to the application process outlined above. A person appointed shall be for the vacancy term.

Size and Composition

All bodies, unless otherwise specified herein or in the creation resolution, shall be limited to seven members. In instances where Board action is required to appoint individuals to a body, the Board President shall recommend individuals to the Board for consideration.

It is the goal of the Board that the composition of each body be representative of the following, unless otherwise specified herein or in the creation resolution:

- the ethnic, age group, and socio-economic composition of the District;
- the City's seven electoral districts;
- the business community;
- community organizations;
- teachers, administrators, and other school employees;
- parents;
- students; and
- labor organizations.

Member Duties

Members are responsible for the following:

- Working to uplift and fulfill the purpose of the body,
- Attending all regular and special meetings or, otherwise, inform the chair of an expected absence and the basis for the absence,
- Reviewing the agenda materials prior to each meeting, and
- Making all reasonable efforts to actively participate in meetings.

Members may not make representations or presentations on behalf of the body without direction from the body,

Leadership

At the first meeting of each calendar year, each body shall elect, by majority vote, a chair, vice-

chair, and secretary, with the prior chair, vice-chair, and secretary serving in those positions until the body elects their replacement. There are no terms limits on serving as chair, vice-chair, or secretary. Any member of the body may nominate themselves or any other member of the body for the position of chair, vice-chair, or secretary.

The chair's responsibilities shall include:

- Scheduling and facilitating regular and special meetings of the body in accordance with the applicable legal and administrative requirements,
- Providing leadership and direction to the body so as to facilitate the work of the body,
- Ensuring that the body's business is conducted in an orderly fashion and that meeting norms are aligned with the norms of the Board,
- Determining, in consultation with staff and the Board Office, the content of meeting agendas, the order in which items are taken, and the established amount of time expected to be devoted to each,
- Following up on body actions, discussions, and direction,
- Representing the body before the Board and at events, as consistent with the purpose of the body, and
- Supporting the incoming chair.

The vice chair's responsibilities shall include fulfilling one or more of the chair's responsibilities when the chair is absent or otherwise requests it.

The secretary's responsibilities shall include taking minutes for each meeting if needed.

Operating Procedures

The specific function of each body shall be determined herein or by the creation resolution.

Written minutes shall be kept of all meetings held and shall record attendance and recommendations made. Adopted minutes shall be made available to the public by posting on the OUSD website.

Copies of all recommendations shall be forwarded by separate letter to the Board and to the Superintendent after the meeting at which the recommendations were adopted. Consistent with Board Bylaws, the Board President shall determine when and how to agendize any recommendations.

The quorum for each meeting shall be fifty percent plus one of the membership. There shall be no proxy votes.

All bodies shall comply with the provisions of the Brown Act (Government Code 54950- 54961) unless otherwise permitted by law and as specified herein.

Body members shall not be compensated for their services. Board Liaisons

The Board President shall appoint a Board Director (each year at the Board's Annual Organization Meeting) to serve as a Board Liaison to each body. The expectation is for the Board Liaison to attend and observe all meetings of the body, to report back to the Board on the discussions and actions of the body, and provide consultative support to the body.

Support Services

The Superintendent shall assign a senior staff member to support each body. The Board Office shall also support each body. The Board Office shall publicize the availability of vacancies on each body.

District Impact

To the extent possible, the senior staff member assigned to each body shall provide a District Impact Statement on behalf of the Superintendent analyzing the financial and programmatic impact of recommendations made by each body.

Evaluation

If recommendations are enacted, the effectiveness of the recommendations shall be evaluated to determine if they are meeting the identified goals.

Section 2 Mandated Advisory or Oversight Committees and Commissions

Each body that is mandated by law, court decision, or regulation shall conform and operate in compliance with the legal requirements for the body. Prior to the time at which the mandate of such body ends, the Board shall determine if or in what form the body, consistent with law, shall continue to function.

Mandated advisory or oversight committees and commissions are listed below.

The Independent Citizens Bond Oversight Committee (currently the Measures B, J, and Y Independent Citizens Bond Oversight Committee or Measures B, J, Y Committee)

Date created: January 13, 2021 – Resolution No. 2021-0031

Purpose: With respect to Measure B (2006), Measure J (2012), and Measure Y (2020), to provide advice and recommendation to the District regarding the expenditure of funds for bond related projects, to actively review and report on the proper expenditure of taxpayers' money for school construction and to take any necessary action in furtherance of its purpose including, but not limited to, receiving and reviewing copies of annual independent financial audits and deferred maintenance proposals, inspecting school facilities and grounds, receiving and reviewing cost-saving measures designed to reduce the costs of professional fees and site

preparation. The Committee shall have the option to tour sites where Bond funds are being expended, with support from the Superintendent.

The Superintendent or designee shall consult with the Committee Chair regarding the selection of the Finance and Performance Auditor and the Financial Advisor as well as the hiring of a Deputy Facilities Chief. This consultation shall include appointing the Committee Chair or designee to the selection panel, if there is one, for the Finance and Performance Auditor, the Financial Advisor, and the Deputy Chief, Facilities Planning and Management to the extent permitted by law.

The activities of the Committee shall include, but are not limited to:

- Receiving and reviewing copies of the annual, independent performance audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
- Receiving and reviewing copies of the annual, independent financial audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
- Periodically inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
- Preparing a publicly available annual report of bond activities and expenditures.
- Preparing other reports of their activities, findings, and recommendations to the Superintendent, the Board and the public.
- Alerting the Board, Superintendent and the Public at the earliest possible opportunity of any improper use of Bond funds, in accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, by requesting that the Board place on its next Board meeting agenda items of immediate concern related to possible improper use of Bond funds or, in cases of extreme urgency, requesting a special Board meeting to consider the item.
- Reviewing and making advisory recommendations to the OUSD Board of Directors regarding proposed changes to Board-approved Facilities Spending Plans, the Voter Approved Project List, or changes to the most recent Board- approved Facilities Master Plan that impact projects paid for by bond funds. These recommendations are to be made at a properly noticed Committee meeting prior to Board consideration of the changes.
- Reviewing and making advisory recommendations to the OUSD Board of Directors regarding proposed alterations to project budgets, timelines, and other changes to bond program expenditures that are subject to OUSD Board of Directors approval.
 - If the Committee elects to review and make advisory recommendations regarding proposed alterations to project budgets, timelines and other changes to bond program expenditures that are subject to OUSD Board approval, these recommendations must be made at or before the Board meeting where the requested changes are to be considered for approval.
 -

- The Superintendent or designee shall ensure that all documentation related to the requested change is provided to the Committee through the Chair at the same time that such documentation is provided to the Board.
- The Superintendent or designee shall ensure that all alterations to project budgets, timelines and other changes to the Bond program expenditures, with adequate explanations for these changes, are reported to the full Committee at the next scheduled meeting and, in no event less frequently, than once a quarter.

Number of members: Nine (9)

Special selection process: Pursuant to Proposition 39 (2000), the Committee shall include the following persons:

- One (1) member who is a parent or guardian of a child enrolled in the District.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizen's organization.
- One (1) member active in a bona-fide taxpayers association.
- One (1) member who is both a parent and guardian of a child enrolled in the District and active in a parent-teacher organization, such as the Parent- Teacher Association or a school site council.
- At least three (3) members of the community-at-large appointed by the Board.

A single individual may be appointed as a representative of more than one of the above categories, if applicable. The Board shall seek to ensure that the Committee is representative of the diversity of the District. Additionally,

- To be a qualified person, he or she must be at least 18 years of age.
- The Bond Oversight Committee may not include any employee, official of the District, or any vendor, contractor, or consultant of the District.
- A majority of the members of the Committee shall possess expertise in one or more of the following areas:
 - Large scale construction operations
 - Municipal / Public finance matter
 - Multiple years' experience with agency/entity budgeting
 - Construction related project management
 - Real Estate acquisition or sales

Measure G Parcel Tax Independent Citizens Oversight Committee

Date created: August 27, 2008 -Resolution No. 0809-0043; Effective July 1, 2009

Purpose: To inform the public concerning the expenditure of parcel tax revenues and to review and report on the proper expenditure of taxpayers' money generated by the 2009 Measure G

parcel tax. The Committee shall:

- Receive and review a report from the Superintendent no later than December 31st of each year that details: (1) the amount of Education Parcel Tax revenues received and expended in the prior year, including District reports and independent annual audit reports pertaining hereto; and (2) the status of any projects or descriptions of any program funded from proceeds of the tax.
- Produce an annual report on the preceding fiscal year expenditures for public distribution and distribution to the Board not later than February 28 annually that communicates the Committee's finding as to whether tax proceeds are being spent for the purposes permitted by the Measure and recommendations, if any.

The Committee shall have the option to tour sites where Parcel Tax revenues are being expended.

Special selection process: The Committee shall possess expertise in or represent the following:

- One member shall be the parent or guardian of a child enrolled in the District;
- One member shall be both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization, such as the School Site Council or Parent Teacher Association;
- One member shall be a community member who does not currently have a child enrolled in the District
- One member shall be a representative of the business community; and
- At least two members shall have demonstrated financial expertise.

At least four members of the committee shall be property owners in the City of Oakland. A single individual may be appointed as a representative of more than one of the above categories, if applicable. The Board shall seek to ensure the Committee is representative of the diversity of the District.

Measures N and H – College and Career Readiness Commission

Date created: May 1, 2023 - Resolution No. 2223-0049 - Establishing a Joint Oversight Commission for Measures N and H and Amending Board Bylaw 9131 Accordingly

Purpose: For purpose of overseeing Measure H, the Commission shall advise and report to the Board and shall be responsible for:

- Approving Annual Education Improvement Plans (including hearing any required oral presentations)
- Overseeing the proper allocation and use of all parcel tax monies, which includes reviewing annual independent audit reports
- Submit, in order to ensure compliance with the requirements and intent of Measure H and at the Commission's discretion, recommendations to the Board regarding new or modified Board Policies or to the Superintendent regarding new or modified
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Administrative Regulations

For purpose of overseeing Measure N, the Commission shall advise and report to the Board and shall be responsible for:

- Reviewing each high school's School Quality Review findings, Balanced Scorecard results, and education improvement plans
- Submitting school funding recommendations to the Board for action
- Oversight of proper allocation and use of all parcel tax monies
- Reviewing annual independent audit reports
- Submitting recommendations to the Board any new or modified policies and administrative regulations to ensure the Oakland Unified School District's compliance with the requirements and intent of Measure N

Number of members: Five (5)

Special selection process: The initial Commission were appointed pursuant to Resolution No. 2223-0049 - Establishing a Joint Oversight Commission for Measures N and H and Amending Board Bylaw 9131 Accordingly. Future members of the Commission must be persons who demonstrate knowledge and expertise in one or more of the following areas: high school and postsecondary curriculum, instruction, and leadership; education research, evaluation, and analytics; and financial management and audits.

Measure G1 – Districtwide Teacher Retention and Middle School Improvement Act Oversight Commission

Date created: January 25, 2017 - Resolution No. 1617-0019; Effective February 16, 2017

Purpose: The Measure G1 – Districtwide Teacher Retention and Middle School Improvement Act Oversight Commission shall advise and report to the Board and shall be responsible for (a) oversight of proper allocation and use of all parcel tax monies, (b) reviewing annual independent audit reports, and (c) submitting recommendations to the Board for any new or modified policies and administrative regulations to ensure the Oakland Unified School District's compliance with the requirements and intent of Measure G1.

Number of members: Five (5)

Special selection process: Preference in membership of the Commission shall be given 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.

Section 3 Permanent Advisory Committees

Ongoing advisory committees established by the Board are listed below. Ongoing advisory

committees include the following bodies:

Audit Committee

Date created: December 13, 2006; Board Policy 3461

Purpose: The responsibilities of the Audit Committee shall include but not be limited to the following:

- Recommend to the Board for approval the independent auditors.
- Review the independent audit engagement including the fee, scope, and timing of the audit, and any other services to be rendered, including non- audit services.
- Review with the independent auditor's district policies and procedures regarding internal auditing and internal accounting and financial controls.
- Upon completion of their audit, review with the independent auditors the cooperation they received from district personnel during the audit, the extent to which district resources could be used to minimize the time spent on the audit, and any significant matters of concern arising from the audit.
- Review with the independent auditors any significant transactions which are not a normal part of the district's business, any changes in accounting principles and practices, all significant proposed audit adjustments, and any recommendations that they may have for improving internal controls, choice of accounting principles or management systems.
- Review with the district's financial and accounting policies regarding internal accounting and financial controls.
- Review and recommend district policies to the Board to prohibit unethical, questionable, or illegal activities by district employees.
- Review with the internal auditor the organization and independence of the internal audit function; the goals and plans of internal audit including the nature and extent of work; problems and experiences in completing internal audits; and findings, conclusions, and recommendations as a result of internal audits.
- Upon completion of the independent audit, review with the district's financial and accounting managers their perception of the independent auditors, any significant matters of concern arising from the audit, and the extent to which recommendations made by the independent auditors have been implemented.
- Prepare semi-annual written reports to the Board relating the results of committee activities.

The Board may provide written guidance to the Committee on an annual basis regarding those areas on which the Committee should focus.

Special selection process: At least three members shall possess expertise in internal and/or external audits, and/or management of a public school system.

Section 4 Task Forces of Limited Purpose and Duration

The Board may, via resolution, establish one or more task forces, or direct that the Superintendent establish one or more task forces, each of limited purpose and duration. Such a resolution shall, at a minimum, include clear descriptions of the following:

- Purpose/Scope: The purpose of the task force, any deliverables the task force is directed to produce, and the dates by which those deliverables are to be produced.
- Membership: The number of members of the task force, the process by which those members are to be selected or appointed, the process by which those members are to be removed or the seat deemed vacated, and the term (if any) and the term limits (if any) for the membership. If the resolution does not address one or more of these details, the membership shall be constituted consistent with this Bylaw.
- Expiration: The date or action upon which the task force shall cease to exist.

Section 5 Ethics Policy Statement

This Ethics Policy Statement provides general guidelines for all bodies in carrying out their responsibilities. Not all ethical issues that a body faces are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for members. The provisions of this Statement were developed from existing laws, rules, policies, and procedures as well as from concepts that define generally accepted good business practices. Members are expected to strictly adhere to the provisions of this Statement.

POLICY

CONFLICT OF INTEREST. A member shall not make or influence a District decision related to: (1) any contract funded by bond or parcel tax proceeds or (2) any program or project which will benefit the member's outside employment, business, personal finances, or immediate family member such as a spouse, child, or parent/guardian.

OUTSIDE EMPLOYMENT. A member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond or parcel tax proceeds or (2) any construction project. A member shall not make or influence a District decision related to any construction project or contact with the District involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving a body, a former member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a member of a body, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving a body, a former member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to:

- (1) Bidding on projects funded by the bond or parcel tax proceeds; and
- (2) Any construction project.
- (3)

COMMITMENT TO UPHOLD LAW. A member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code), and all other applicable government entities, and the policies, procedures, rules and regulations of the Oakland Unified School District.

COMMITMENT TO IMPROVEMENT OF DISTRICT. A member shall place the interests of the District above any personal or business interest of the member.

3/27/13; 11/19/14A; 1/25/17A; 2/13/19A; 4/22/20A; 6/24/2020A; 1/13/2021A;
3/23/2022A; 10/26/2022A; 3/22/23A