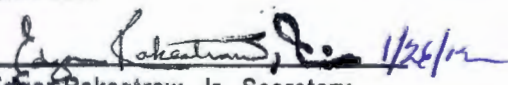




OAKLAND UNIFIED SCHOOL DISTRICT
 Office of the Superintendent
 1025 Second Avenue, Room 301
 Oakland, CA 94606
 Phone (510) 879-8200
 Fax (510) 879-8800

TO: Board of Education
 FROM: Anthony Smith, Ph.D., Superintendent
 Gail Greely, Coordinator; Office of Charter Schools
 DATE: January 25, 2012
 RE: Oakland Unity High School
 Charter Renewal Request

Legislative File
 File ID No.: 11-3135
 Introduction Date: November 16, 2011
 Enactment No.: 12-0211
 Enactment Date: 1-25-12
 By: 3

Certified:

 Edgar Rakestraw, Jr., Secretary
 Board of Education

ACTION REQUESTED:

Approve Oakland Unity High School's charter renewal because the charter school has met the standards and expectations set forth in the OUSD Charter Renewal Standards, which are based on the standards and criteria set forth in the Charter Schools Act, Education Code §47605(b)(5), which governs charter school renewals. The findings outlined in this report provide evidence that petitioners have met the standards and expectations for charter renewal, and that the petitioners are therefore demonstrably likely to successfully implement the program as set forth in the petition.

BACKGROUND:

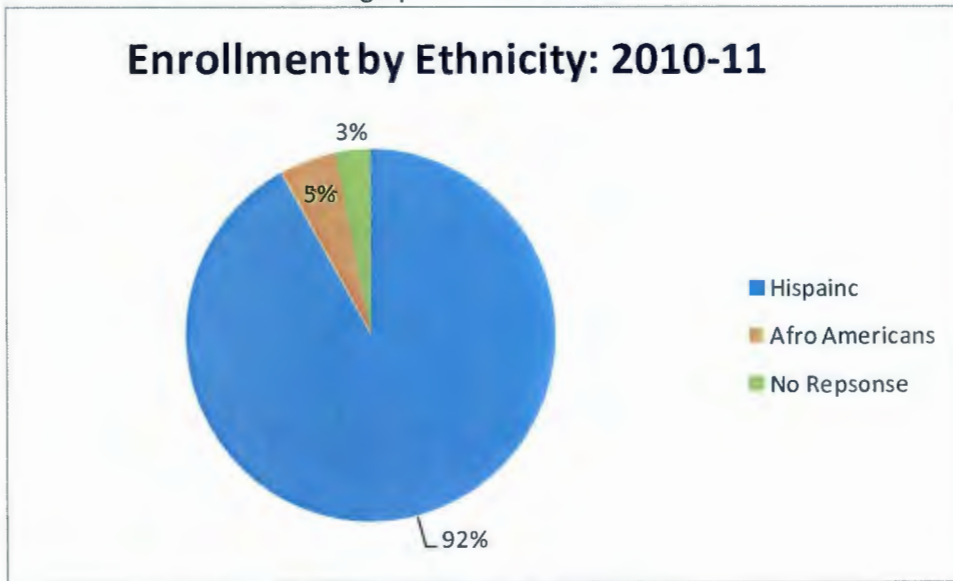
I. School Description and Key Program Elements:

Opening Year	7/1/2007	Grades	9-12
Term Approval	6/27/2007	Attendance Area	Castlemont
Renewal Date	6/30/2012	Board District	7
Term	First	Funding	Direct-Funded
CMO School	No	Program Improvement	Not in PI

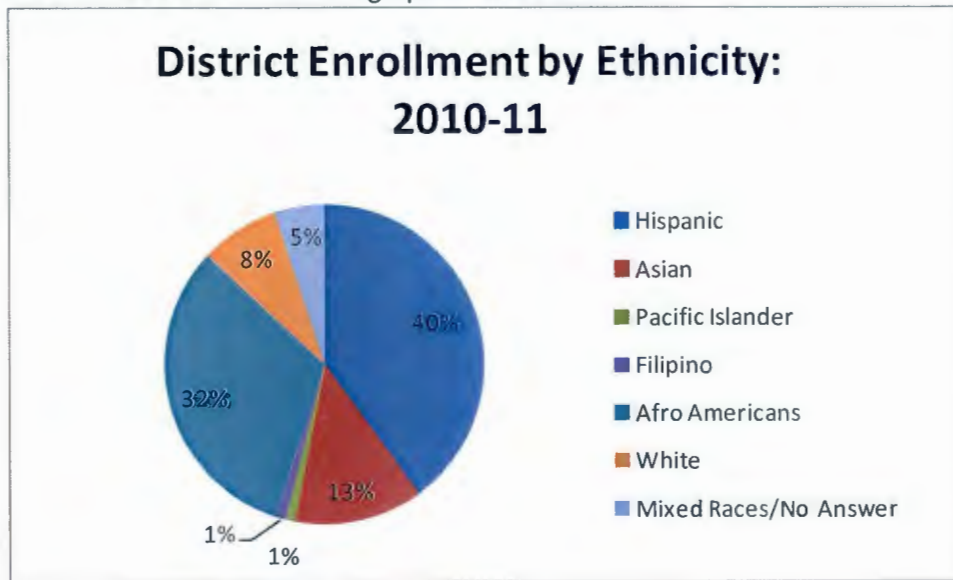
The following table describes the school's enrollment growth and projection:

YEAR	2007-08	2008-09	2009-10	2010-11	2011-12
GRADES	9-11	9-12	9-12	9-12	9-12
ENROLL	216	211	222	234	254

The school's enrollment demographics are as follows:



The district's enrollment demographics are as follows:



	2007-08	2008-09	2009-10	2010-11	2011-12
Free & Reduced Lunch *	54%	70%	86%	90%	86%
Special Education	3%	1%	5%	5%	6%
English Language Learners	10%	31%	33%	33%	43%

*NOTE: Schools have reported the free & reduced lunch percentages upon request, which are reported here. Charter schools are not required to report free and reduced lunch status, but are required to report poverty levels, which involves a slightly different matrix. Schools have also reported Special Education and English Language Learners as part of the Renewal Performance Report.

The District's current special populations as a percent of enrollment are approximately (District and CDE data):

Oakland Unified School District	2011-12
Free & Reduced Lunch	70%
Special Education	13%
English Language Learners	29%

Program Summary:

School Mission: (Excerpt from the EXISTING, approved charter petition)

It is the mission of Oakland Unity High School to prepare its students for admission to and success in college. Unity offers a rigorous curriculum that meets the University of California A-G requirements, with an emphasis on basic skills and core subject matter in English language arts, mathematics, social studies, and science, and a comprehensive support program that promotes healthy youth development, including preparing the students to apply their knowledge and skills for the benefit of the community and environment.

Program's Distinguishing Features: (Excerpt from the EXISTING, approved charter petition)

- Through an on-site curriculum that meets or exceeds state standards, students obtain a solid academic foundation and preparation for college success.
- Students receive intensive preparation in all core subjects; they apply knowledge in these subjects to community service activities that benefit the community or environment, and they are exposed to career options and role models of college graduates.
- As part of the advisory program, all students begin exploring college and career options before graduating from Unity.
- Students develop leadership skills and individual talents through participation in extracurricular activities such as sports, arts, community service, and academic enrichment programs offered to all students.
- Student activities promote students' appreciation of cultural diversity, gender equity, the environment, and their communities.
- Students develop critical thinking skills and become self-motivated, competent, lifelong learners.
- Through a nurturing and collaborative school culture, parents, staff, and other stakeholders feel a shared responsibility for the education of all students.

GOVERNING LAW:

Under the California Charter Schools Act, authorizers are required to apply the “standards and criteria” set forth for the review and approval or denial of a charter school petition. The following excerpt is taken from section 47605 of the California Charter Schools Act.

A school district governing board **shall grant** a charter for the operation of a school under this part **if it is satisfied that granting the charter is consistent with sound educational practice.**

The governing board of the school district **shall not deny** a petition for the establishment of a charter school **unless it makes written factual findings**, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

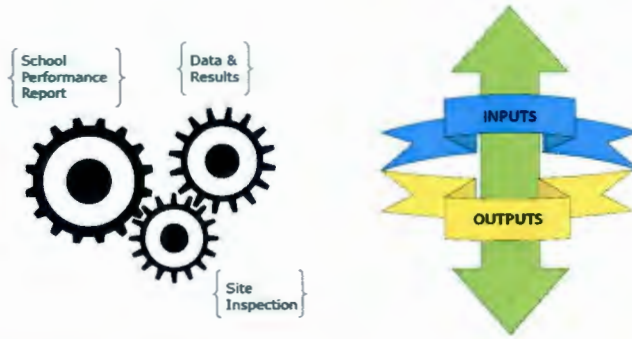
- (1) The charter school presents an **unsound educational program** for the pupils to be enrolled in the charter school.
- (2) The petitioners are **demonstrably unlikely to successfully implement the program** set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).
- (5) The petition does not contain **reasonably comprehensive descriptions** of all of the [required charter elements.]

II. PREREQUISITE FOR CHARTER RENEWAL (AB 1137)

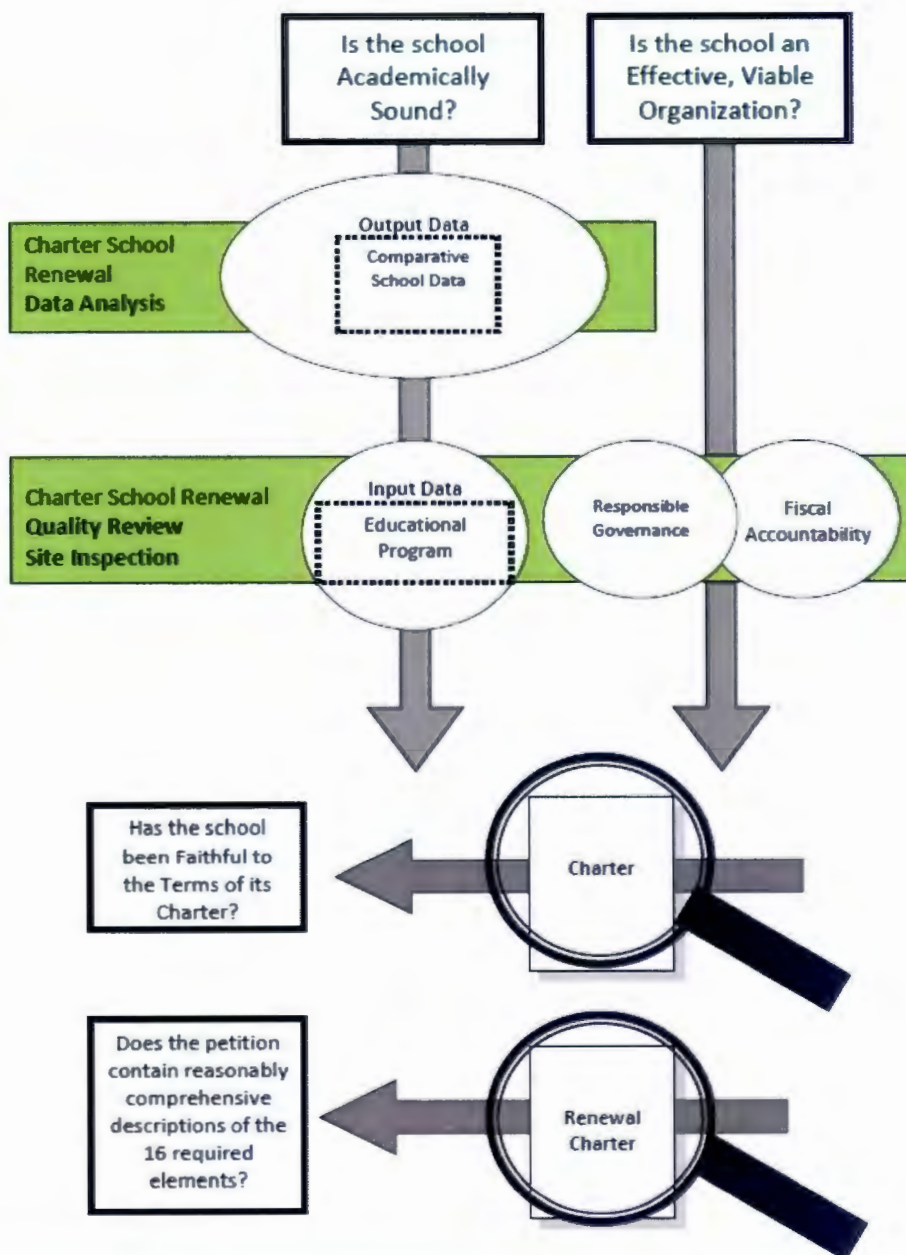
The Charter Schools Act establishes a prerequisite for charter renewal (AB1137) in which a charter school must meet **AT LEAST ONE CRITERIA** so that charter renewal may be considered.

AVIATION: SB 1137 CRITERIA FOR RENEWAL	Y/N
1. API Growth Target:	
Did school attain API Growth Target in prior year?	Y
Did school attain API Growth Target in two of last three years?	Y
Did school attain API Growth Target in the aggregate of the prior three years?	Y
2. API Rank:	
Is the school ranked 4 or higher on API in prior year?	N
Is the school ranked 4 or higher on API in two of last three years?	N
3. API Similar Schools¹ Rank:	
Is the school ranked 4 or higher on API Similar Schools in prior year?	Y
Is the school ranked 4 or higher on API Similar Schools in two of last three years?	Y
4. Is the school at least equal to the academic performance of schools students would have attended, including District as a whole?	Y
5. Has the school qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052 (Alternative School Accountability System – ASAM)?	n/a

Staff evaluation of charter schools for purposes of renewal involves the following effort to triangulate the evidence base in support of a recommendation of approval or denial of the charter renewal request:



ANALYZING A CHARTER SCHOOL’S PERFORMANCE FOR THE PURPOSES OF RENEWAL:



*See Attachment II for an analysis of the school’s renewal petition.

PLEASE NOTE:

This report is not exhaustive. Many areas would benefit from greater depth of coverage and many aspects of the evaluation set forth here warrant further discussion and elaboration. The intent is to provide adequate evidence upon which to base a charter renewal decision, while lending credence to the overall staff recommendation.

Renewal Standard I: Is the school Academically Sound?

The following is an analysis of the extent to which the school has met its measurable pupil outcomes as stated in its charter.

MET/SIGNICANT PROGRESS TOWARDS MEETING							
Measurable Pupil Outcome	Instrument	Target	2007-08 Results	2008-09 Results	2009-10 Results	2010-11 Results	2011-12 Results
Average school state testing scores will be at or above parity with schools of similar socio-economic ranking	API results	At or above parity with schools of similar socio-economic ranking	Met. OUSD average: 597.5. Unity: 624 (up 29 points from 2006-07).	Met. OUSD average: 650. Unity: 677 (up 53 points from 2007-08).	Met. OUSD average: 607. Unity: 699 (up 22 points from 2008-09).	Met. OUSD average 639.5. Unity: 735 (up 36 points from 2010-11).	N.A.
At least 20% of students scoring "below basic" or "far below basic" on the CST in ELA will improve their performance on the same tests by at least one level after two years of study.	STAR	At least 20% of students improve their performance after two years of study	Did not meet. 70% of seniors have been at Unity since 9 th grade. 72% scored at FBB or BB in 9 th grade. 10% improved their performance at least one level in their junior year.	Met. 75% of seniors have been at Unity since 9 th grade. 14% scored at FBB or BB in 9 th grade. Of these seniors, 67% improved their ELA Star Proficiency.	Met. 66% of seniors have been at Unity since 9 th grade. 11% scored at FBB or BB in 9 th grade. Of these seniors, 20% improved their ELA STAR Proficiency levels.	Met. Of the seniors who have been at Unity since 9 th grade, 25% improved their ELA Star Proficiency levels	N.A.
The % of students who score at the "proficient" or "advanced" levels on the CST in ELA and Math will exceed the % of 9th, 10th and 11th grade students, attending other OUSD schools with similar student populations, who score at the "proficient" or "advanced" levels on the same test .	STAR	Exceed students attending other OUSD schools with similar student populations	Did not meet this goal compared to OUSD average. The OUSD average for proficient or advanced in CST ELA was 23.3%; Unity's was 21.43%. The OUSD average for proficient or advanced in CST Math was 21.45; Unity's was 2.45.	Significant progress toward goal. We met this goal in English/ Language Arts. Our percentage proficient or advanced was 25.3 compared to the average for similar schools in OUSD, which was 16.5.	Significant progress toward goal. We met this goal in English/ Language Arts. Our percentage at proficient or advanced is 29% compared to the average for similar schools in OUSD, which was 22%.	Significant progress toward goal. We met this goal in English/ Language Arts. , Our average is the same as similar schools: 30.7 In math, our percentage has improved,	N.A.

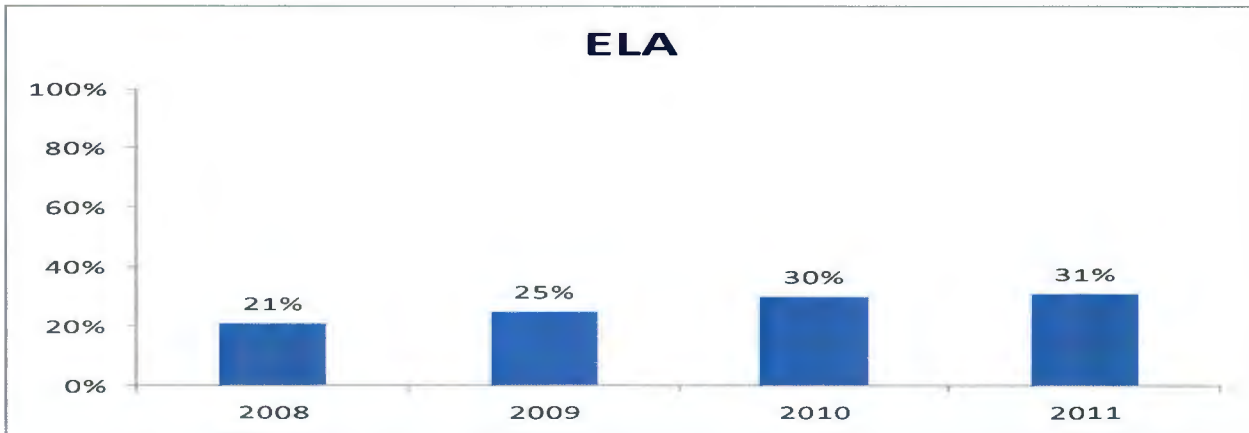
				We have not met this goal in math. Our percent at proficient or advanced was 4.4 compared to the average for similar schools in OUSD, which was 12.3	We have not met this goal in math. Our percent at proficient or advanced was 5.8 compared to the average for similar schools in OUSD, which was 14%.	but at 12.4 is still below the average of 20.7.	
English Learner students will either achieve a Level 5 on the CELDT or improve on the CELDT by two levels after two years of study.	CELDT	Achieve a Level 5 on the CELDT or improve on the CELDT by two levels after two years of study.	Met. English Learner students who took the CELDT improved by two levels.	Did not meet. 100% of students tested improved one, rather two, levels after two years of study.	Some progress toward goal. 33% of students tested improved by two levels. Note that 33% of English Learner students tested had special needs, as evidenced by an IEP or 504 plan.	N.A.	N.A.
Unity will meet API growth targets each year	API	Will meet API	Met. Target: 10 Actual: 29	Met. Target: 9 Actual: 53	Met. Target: 6 Actual: 22	Met. Target: 5 Actual: 37	N.A
Unity will meet AYP each year.	AYP	Will meet AYP (data on CDE website).	Met.	Met.	Significant progress. Met all targets except ELA proficiency target for CAHSEE.	Met.	N.A.

At least 90% of Unity students will express an interest in college education as indicated by school survey results. At least 90% of its 12th graders will submit applications for admission to 4-year colleges	Annual student survey	At least 90% of Unity students will express an interest in college education. At least 90% of its 12th graders will submit applications for admission to 4-year colleges	Met. 94.4% agreed or strongly agreed with the statement "I want to go to college." 94% of our seniors applied to 4-year colleges.	Significant progress toward goal. However, students' interest in college education increases from 78.2% as freshman to 93.7% as seniors 96% of our seniors applied to 4-year colleges.	Significant progress toward goal. However, students' interest in a college education increase from 81.5% as freshman to 97.7% as seniors. For Spring 2010, with 96% of our seniors applying to 4 year colleges.	Significant progress toward goal. However, students' interest in a college education increase from 78% as freshman to 90.4% as seniors. 88% of our seniors applied to four year colleges.	Met part of goal; other part N/A. 95% of Seniors applied to 4-year colleges.
Unity will achieve Average Daily Attendance of 95% or higher	Power School database	Will achieve ADA of 95% or higher	Met. Our average ADA rate was 96.85%	Met. Our average ADA rate was 96.35%	Met. Our average ADA rate was 98%	Met. Our average ADA rate was 97.72%	

STAR Testing Performance, API Results, & AYP Results

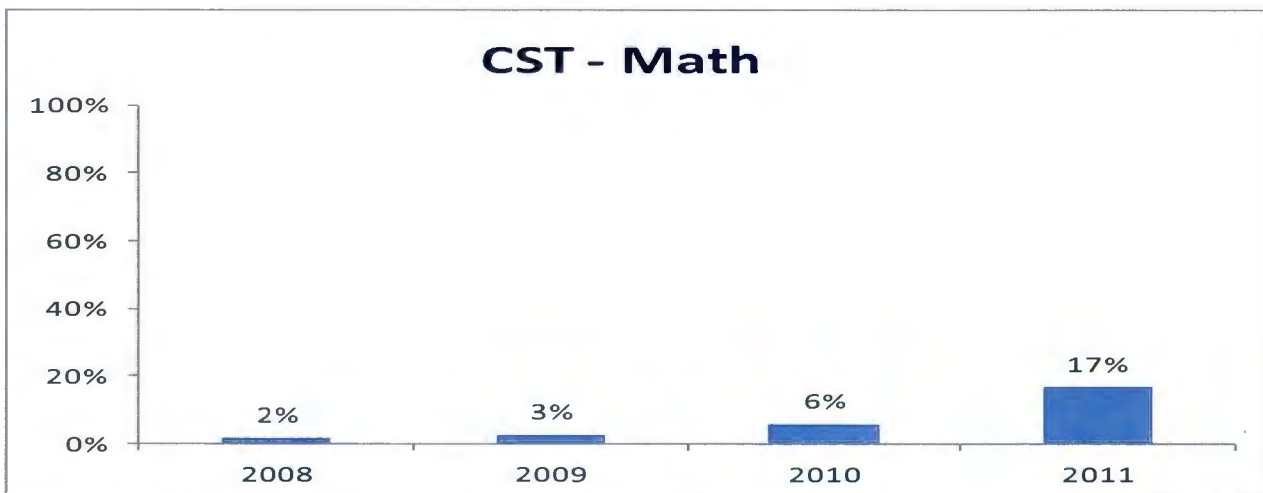
CST English Language Arts (Performance Over Time)

YEAR	Prof./Adv.
2008	21%
2009	25%
2010	30%
2011	31%



CST Mathematics (Performance Over Time)

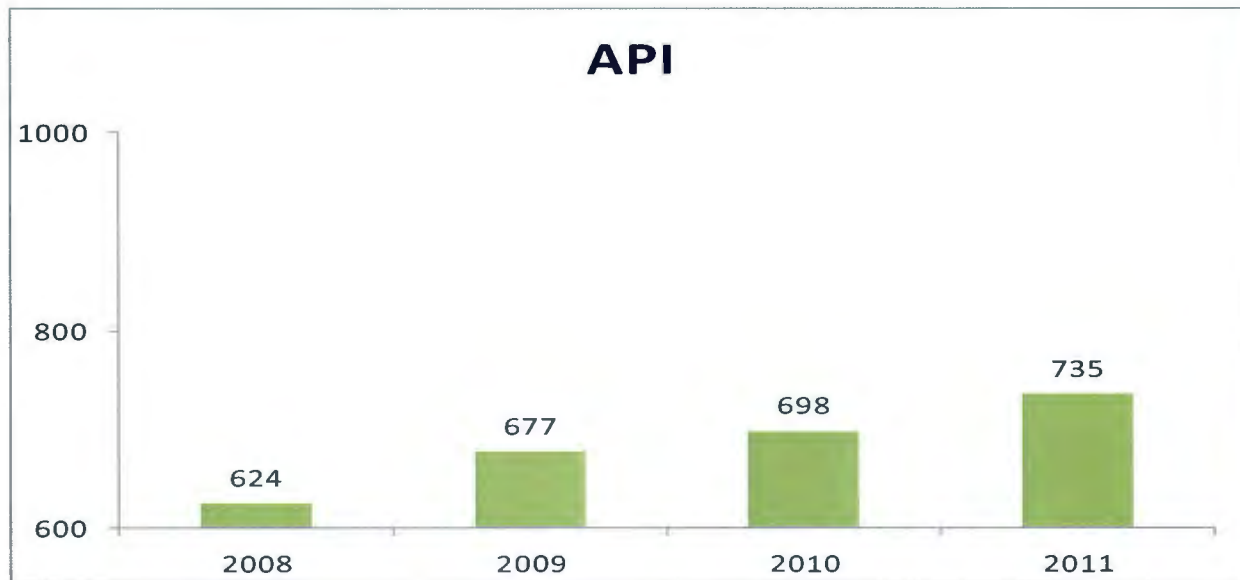
YEAR	Prof./Adv.
2008	2%
2009	3%
2010	6%
2011	17%



API (Performance Over Time)

YEAR	API	RANK	SIMILAR
2008	624	2	1
2009	677	3	4
2010	698	3	7
2011	735	*	*
GROWTH	111 pts		

* Pending; not yet released for 2011



2010-2011 API SUBGROUP DATA

	API Score
Schoolwide	735
Black or African American	-
Asian	-
Hispanic or Latino	737
Socioeconomically Disadvantaged	739
English Learners	700

AYP (Performance Over Time)

	2008	2009	2010	2011
AYP Met?	YES	YES	NO	YES
AMO's	100%	100%	80%	100%

2010-2011 Percent Proficient-Annual Measurable Objectives (AMOs)

GROUPS	English-Language Arts			Mathematics		
	<u>Valid Scores</u>	<u>Number At or Above Proficient</u>	<u>Percent At or Above Proficient</u>	<u>Valid Scores</u>	<u>Number At or Above Proficient</u>	<u>Percent At or Above Proficient</u>
Schoolwide	59	31	52.5	59	44	74.6
Black or African American	0	--	--	0	--	--
Asian	0	--	--	7	--	--
Hispanic or Latino	52	27	51.9	52	40	76.9
Socioeconomically Disadvantaged	57	30	52.6	57	42	73.7
English Learners	27	10	37.0	27	18	66.7

Comparison Analysis

Comparison Measure: API

➤ Similar Grades Served: 9-12

API

OAKLAND CHARTER SCHOOLS

Order rank based on 2011 API Score

School	Grades	2008	2009	2010	2011
American Indian Public High School	9-12	958	946	976	964
Oakland Charter High School	9-12	939	955	961	938
Lighthouse Community Charter High School	9-12	681	726	758	794
Oakland Unity High School	9-12	624	677	698	735
LPS College Park	9-12	596	554	617	605
East Oakland Leadership Academy High School	9-12	-	657	633	593
ARISE High School	9-12	487	507	484	569

OUSD DISTRICT SCHOOLS

Order rank based on 2011 API Score

School	Grades	2008	2009	2010	2011
Oakland Unity High School	9-12	624	677	698	735
Skyline High School	9-12	657	667	-	665
LIFE Academy	9-12	635	659	662	658
Oakland High School	9-12	629	633	648	652
East Oakland School of the Arts	9-12	481	554	535	614
College Preparatory and Architecture	9-12	606	582	606	613
Media College Preparatory	9-12	521	600	620	613
Leadership Preparatory High School	9-12	523	516	527	584
Business and Information Technology High	9-12	528	527	511	544
Mandela High School	9-12	529	557	537	539
McClymonds High School	9-12	552	544	530	519
YES, Youth Empowerment	9-12	537	535	523	446
Oakland International High School	9-12	301	354	376	389

Comparison Measure: **CST ELA**

➤ **Similar Grades Served: 9-12**

CST-ELA

OAKLAND CHARTER SCHOOLS

Order rank based on 2011 CST % Proficient/Advanced

School	Grades	ELA 08	ELA 09	ELA 10	ELA 11
American Indian Public High School	9-12	92%	96%	97%	94%
Oakland Charter High School	9-12	93%	95%	91%	87%
Lighthouse Community Charter High School	9-12	30%	35%	53%	52%
Oakland Unity High School	9-12	21%	25%	30%	31%
East Oakland Leadership Academy High School	9-12	-	44%	20%	22%
LPS College Park	9-12	13%	18%	22%	17%
ARISE High School	9-12	17%	13%	17%	16%

OUSD DISTRICT SCHOOLS

Order rank based on 2011 CST % Proficient/Advanced

School	Grades	ELA 08	ELA 09	ELA 10	ELA 11
Skyline High School	9-12	39%	38%	43%	43%
Oakland Unity High School	9-12	21%	25%	30%	31%
Oakland High School	9-12	29%	30%	34%	31%
LIFE Academy	9-12	18%	25%	27%	27%
Media College Preparatory	9-12	10%	20%	21%	26%
East Oakland School of the Arts	9-12	13%	13%	17%	25%
Leadership Preparatory High School	9-12	8%	8%	11%	18%
College Preparatory and Architecture	9-12	13%	18%	22%	17%
Business and Information Technology High	9-12	11%	10%	9%	17%
McClymonds High School	9-12	0%	0%	0%	14%
Mandela High School	9-12	11%	10%	13	13%
YES, Youth Empowerment	9-12	17%	14%	9%	6%
Oakland International High School	9-12	1%	0%	0%	1%

Comparison Measure: **CST MATH**

➤ **Similar Grades Served: 9-12**

CST-MATH

OAKLAND CHARTER SCHOOLS

Order rank based on 2011 CST % Proficient/Advanced

School	Grades	Math 08	Math 09	Math 10	Math 11
American Indian Public High School	9-12	75%	86%	96%	92%
Oakland Charter High School	9-12	86%	87%	89%	86%
Lighthouse Community Charter High School	9-12	3%	16%	19%	34%
Oakland Unity High School	9-12	2%	3%	6%	17%
LPS College Park	9-12	10%	8%	8%	10%
East Oakland Leadership Academy High School	9-12	-	13%	0%	9%
ARISE High School	9-12	4%	3%	4%	8%

OUSD DISTRICT SCHOOLS

Order rank based on 2011 CST % Proficient/Advanced

School	Grades	Math 08	Math 09	Math 10	Math 11
College Preparatory and Architecture	9-12	10%	8%	8%	19%
Oakland Unity High School	9-12	2%	3%	6%	17%
Oakland High School	9-12	16%	15%	21%	17%
LIFE Academy	9-12	13%	15%	13%	15%
Skyline High School	9-12	14%	13%	18%	13%
East Oakland School of the Arts	9-12	1%	4%	5%	7%
Media College Preparatory	9-12	2%	2%	1%	4%
Mandela High School	9-12	5%	6%	9%	4%
Oakland International High School	9-12	7%	2%	0%	4%
Leadership Preparatory High School	9-12	1%	3%	4%	3%
McClymonds High School	9-12	0%	0%	0%	1%
Business and Information Technology High	9-12	2%	4%	4%	1%
YES, Youth Empowerment	9-12	1%	3%	3%	1%

- The school has demonstrated **consistent growth in student CST performance** in both English Language Arts and mathematics over the past four years;
- In **2008**, the school API performance score was **624**. As of **2011**, the school API performance score was **735**. From **2008 to 2011** the school has grown its API by **111** points.
- The school has **improved** its API score in **all** of the prior four years.
- The school **has met** its AYP targets in **three** of the past four years.
- From **2008 to 2011** the school increased proficient and advanced levels by **10%** in ELA and **15%** in math.

- The school **API score (735)** is **above the median** performance of Oakland district schools in **2011** serving both similar grades and a demographically similar population based on student socio-economic status.

Comparison Analysis: **10th Grade CAHSEE-ELA**

➤ **Similar Grades Served: 9-12**

CAHSEE-ELA

OAKLAND CHARTER SCHOOLS

Order rank based on 2011 10th Grade CAHSEE % Passing

School	Grades	ELA 08	ELA 09	ELA 10	ELA 11
American Indian Public High School	9-12	100%	100%	100%	100%
Oakland Charter High School	9-12	-	100%	100%	100%
Lighthouse Community Charter High School	9-12	73%	88%	80%	93%
Oakland Unity High School	9-12	68%	79%	80%	87%
East Oakland Leadership Academy High School	9-12	-	-	65%	73%
ARISE High School	9-12	50%	54%	36%	71%
LPS College Park	9-12	55%	33%	62%	69%

OUSD DISTRICT SCHOOLS

Order rank based on 2011 10th Grade CAHSEE % Passing

School	Grades	ELA 08	ELA 09	ELA 10	ELA 11
Oakland Unity High School	9-12	68%	79%	80%	87%
Skyline High School	9-12	75%	79%	75%	77%
LIFE Academy	9-12	79%	63%	71%	72%
Oakland High School	9-12	65%	71%	65%	70%
East Oakland School of the Arts	9-12	33%	71%	51%	67%
Leadership Preparatory High School	9-12	53%	52%	49%	67%
Media College Preparatory	9-12	57%	53%	74%	59%
College Preparatory and Architecture	9-12	53%	63%	61%	52%
Mandela High School	9-12	44%	53%	52%	52%
YES, Youth Empowerment	9-12	61%	52%	45%	47%
Business and Information Technology High	9-12	40%	49%	48%	42%
Oakland International High School	9-12	6%	14%	5%	5%

Comparison Analysis: 10th Grade CAHSEE -MATH

➤ Similar Grades Served: 9-12 and 6-12

CAHSEE-Math

OAKLAND CHARTER SCHOOLS

Order rank based on 2011 10th Grade CAHSEE % Passing

School	Grades	Math 08	Math 09	Math 10	Math 11
American Indian Public High School	9-12	100%	100%	100%	100%
Oakland Charter High School	9-12	-	100%	100%	100%
Lighthouse Community Charter High School	9-12	78%	94%	88%	98%
Oakland Unity High School	9-12	83%	83%	80%	84%
ARISE High School	9-12	57%	42%	43%	76%
East Oakland Leadership Academy High School	9-12	-	-	65%	60%
LPS College Park	9-12	53%	56%	70%	56%

OUSD DISTRICT SCHOOLS

Order rank based on 2011 10th Grade CAHSEE % Passing

School	Grades	Math 08	Math 09	Math 10	Math 11
Oakland Unity High School	9-12	83%	83%	80%	84%
LIFE Academy	9-12	71%	65%	73%	82%
Skyline High School	9-12	69%	75%	76%	74%
Oakland High School	9-12	74%	75%	65%	73%
College Preparatory and Architecture	9-12	74%	65%	68%	68%
East Oakland School of the Arts	9-12	33%	52%	45%	59%
Media College Preparatory	9-12	58%	59%	61%	54%
Leadership Preparatory High School	9-12	53%	34%	44%	49%
Mandela High School	9-12	49%	65%	49%	47%
YES, Youth Empowerment	9-12	42%	47%	32%	47%
Business and Information Technology High	9-12	57%	48%	43%	37%
Oakland International High School	9-12	29%	35%	38%	26%

➤ Cohort Outcome Data 2009-2010 (CDE data)

Name	Cohort Students	Cohort Graduates	Cohort Graduation Rate	Cohort Dropouts	Cohort Dropouts Rate	Cohort Still Enrolled Rate
Oakland Unity High School	58	46	79.2%	*	15.5%	5.2%
OUSD District-wide	3,179	1,696	53.4%	1,176	37.0%	8.4%

An asterisk (*) appears to protect student privacy where there are ten or fewer students.

EDUCATIONAL PROGRAM: CHARTER SCHOOL RENEWAL QUALITY REVIEW

The quality of the school's educational program and operations has been evaluated, in part, through a two-day Site Inspection conducted on **November 15 and 16, 2011** by District staff. See Attachment I for the school's comprehensive ratings on the Charter School Renewal Quality Standards Criteria.

Strengths:

- The school has experienced steady, significant progress on standardized measures of student achievement.
- Over the last charter term, the school has expanded the enrichment opportunities available to students.
- The school provides frequent communication with parents about student academic progress.
- The school has demonstrated a continued focus on the development of data reporting and data analysis processes.
- Multi-disciplinary projects and teachers make meaningful connections across academic course content.
- The school provides a full-service advisory program with established curriculum, integration with academic courses, and support for college planning.
- The school's commitment to serving all students is evident through its enrollment of lateral students.
- The school instituted a summer school program, an algebra readiness class, a study hall program, and an after school program for ninth graders to address persistent skill gaps.

Challenges:

- It is unclear whether there are school-wide expectations for academic discourse and scholarly behavior used to prepare students for success in college.
- The school does not have a comprehensive and coherent teacher evaluation system, including tools, in place, which affects how the school's instructional leaders pushing improvements in teacher practice and continuously holding teachers accountable.
- The school has not yet contemplated how the ever-rising bar of college admissions requirements aligns with the school's comfortable, but not rapid, pace of growth in student achievement.

Renewal Standard I:

Based on an analysis of Oakland Unity High School's performance outcomes and an evaluation of its educational program over the past four years, the school is deemed **academically sound** for the purposes of renewal.

The school has met or made substantial progress towards meeting its Measurable Pupil Outcomes identified in its charter.

Renewal Standard II: Is the school an Effective, Viable Organization?

The effectiveness and viability of the school has been evaluated, in part, through a two-day Site Inspection conducted on **November 15 and 16, 2010** by District staff. See Attachment I for the school's comprehensive ratings on the Charter School Renewal Quality Standards Criteria.

Strengths:

- The Governing Board is committed to its growth and development; it conducts an annual all-day retreat each January, during which it reviews a variety of quality school metrics.
- The Governing Board is comprised of members from a variety of professional fields, with varying and useful skill sets.
- The Governing Board is cognizant of the need for, and is in the early stages of, succession planning with respect to its long-term leadership.

Challenges

- The Governing Board does not yet have a clear plan in place to increase its capacity and improve its oversight to manage a substantially larger school.
- The Governing Board does not actively drive a strategic planning process for the school, and has no established quality measures beyond the Measurable Pupil Outcomes with which to judge the school's progress and growth.
- The school continues to grapple with community perceptions about its Latino identity, and while it seeks to enroll a more diverse student population, it has not yet able to do so.
- The Conflict of Interest Policy followed by the school is not familiar to all Board members, which is critical, as the Executive Director also sits on the Board.
- Systems for ensuring eligibility and compliance with federal programs are not well-established.

IS THE SCHOOL AN EFFECTIVE, VIABLE ORGANIZATION

An evaluation by staff of Oakland Unity High School's Fiscal Accountability and Governance over their recent charter term included:

- Evaluation of annual financial audits
- Resolution of parent/community complaints
- Timeliness of mandated reporting requirements
- Financial controls and budgeting process
- Effective use of resources
- Consistency and strength of Governing Board oversight
- Standing with parents and within the community

Renewal Standard II:

Based on this analysis, the school is deemed an **effective, viable organization** for the purposes of charter renewal.

Renewal Standard III: Has the school been faithful to the terms of its charter?

Through the Charter School Renewal Quality Review (CSRQR) process, as well as a review of the school's performance and operations throughout the term of its charter, an evaluation of the extent to which the school has been faithful to the terms of its charter has been assessed along the following:

- Adherence to Proposed Educational Program
- Pursuit of Measurable Pupil Outcomes
- Compliance with Regulatory Elements

Staff has reviewed the school's records on file with the District and deemed that the school has sufficiently adhered to its proposed educational program, has sufficiently pursued its measurable pupil outcomes as stated in its charter, and has been compliant in all material aspects of its regulatory elements under its charter term.

Renewal Standard III:

Based on review of the school's records and performance, the school is deemed to have been **faithful to the terms of its charter.**

Renewal Standard IV: Does the charter petition contain reasonably comprehensive descriptions of the required elements?

The Charter Schools Act requires authorizers to evaluate whether the petitioners have presented a “reasonably comprehensive” description of 16 elements related to a school’s operation, plus specific supplementary information on operations and finance. The following table summarizes the results of the Staff’s review of the charter petition’s content.

Element	Inadequate	Reasonably Comprehensive	Statutory Reference	Comments
Required signatures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(a)(1)	Sufficient signatures were provided. However, new CDE charter renewal regulations effective November 23, 2011 eliminate the petition signature requirement for charter renewal.
Affirmations and assurances	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(d)	
Description of the educational program of the school, including what it means to be an “educated person” in the 21 st century and how learning best occurs.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(A)	Clear description of philosophy and approach.
Measurable pupil outcomes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(B)	Measurable pupil outcomes will receive some refinement through Required Text Revisions.
Method by which pupil progress is to be measured	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(C)	
Governance structure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(D)	
Qualifications to be met by individuals employed at the school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(E)	
Procedures for ensuring health & safety of students	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(F)	
Means for achieving racial and ethnic balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(G)	School continues to work to enroll balanced population
Admission requirements, if applicable	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(H)	
Manner for conducting annual, independent audits and for resolving exceptions or deficiencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(I)	
Suspension and expulsion procedures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(J)	Included in attachment; offenses and due process aligned with Education Code.
Manner for covering staff members	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(K)	

through the State Teachers' Retirement System, the Public Employees' Retirement System or federal social security				
Attendance alternatives for pupils residing within the district who choose not to attend the charter school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(L)	
Employee rights of return, if any	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(M)	
Dispute resolution procedure for school-authorizer issues related to the charter.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(N)	
Statement regarding exclusive employer status of the school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(O)	
Procedures for school closure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(P)	
Facilities to be utilized by school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	School is seeking alternative location with Prop. 1D funding.
Manner in which administrative services are to be provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	
Potential civil liability effects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	
Proposed first year operational budget	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	
Cash flow and financial projections for 3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	

Renewal Standard IV:

Petition as submitted, with appendices, contains reasonably comprehensive descriptions of all required elements set forth in charter law.

RECOMMENDATION:

It is the recommendation of staff, based on its thorough analysis of the charter school's performance, to **approve** the charter renewal petition for Oakland Unity High School , **as revised per Attachment II**, because the charter school has sufficiently met the standards and expectations set forth in the OUSD Charter Renewal Standards, as well as the standards and criteria set forth in the California Charter Schools Act, Education Code 47605, which governs charter school renewals.

This approval is for the charter program and operation in its entirety as proposed and revised herein. Any subsequent material revision of the provision of this charter may be made only with the approval of the District as charter authorizer (*Education Code §47607(a)(1)*). Any material revision to any charter component must be proposed and considered according to the standards and criteria in Education Code §47605 (*Education Code §47607(a)(2)*).

This report recommends that the Oakland Unified School District Board of Education approve the charter renewal petition for Oakland Unity High School for a term of five years, as required by law (Education Code 47605 d(1)). The charter renewal term would begin on July 1, 2012 and expire on June 30, 2017. The District will not accept a charter renewal request more than 270 days prior to the expiration of the charter.

Because the charter is a legally binding performance contract, exact language is important. Therefore, this report recommends that the charter's text be amended as indicated in the attachment to this report. With these amendments, the charter contains reasonably comprehensive descriptions of all of the required charter elements.

This report recommends that the Board of Education approve Oakland Unity High School petition for charter renewal, under the California Charter Schools Act, and incorporating the text amendments attached to this report. Staff recommends this approval based on factual findings, specific to this particular charter school and renewal petition. Be it here acknowledged, pursuant to the charter petition text submitted by the petitioner that if renewal is granted the petitioner opts to receive funding directly from the state.

A charter may be revoked by the authority that granted the charter if the authority finds that the charter school committed a material violation of any of the conditions, standards, or procedures set forth in its charter (*Education Code §47607(c)(1)*). The Board of Education's approval of this charter shall incorporate the charter text amendments and associated deadlines as a condition of the charter.

ATTACHMENT I: CHARTER SCHOOL RENEWAL QUALITY STANDARDS CRITERIA
ATTACHMENT II: CHARTER TEXT REVISIONS

ATTACHMENT I: CHARTER SCHOOL RENEWAL QUALITY STANDARDS CRITERIA

Making Consistent Judgments

In the complex context of school review, it is important that the terminology used is clearly understood by everyone concerned. It is also imperative that everyone recognizes that there are many ways in which a school's program for improving student outcomes can merit a particular evaluation and that awarding levels is a matter of informed professional judgment and not simply a technical process. The following rubric is included to assist reviewers in making consistent judgments.

- An evaluation of **(5)** applies to schools characterized, overall, by strengths. There are very few or no weaknesses, and any that exist do not diminish the students' experience. Although an evaluation of **(5)** represents a high standard of quality, it is a standard that is achievable by all schools. It implies that the school may appropriately continue its provision without significant adjustment, and that there is compelling evidence that this provision can be sustained at a high level. However, all schools are expected to continue to take advantage of all opportunities to improve. The Quality Indicator (QI) for this provision is *excellent*.
- An evaluation of **(4)** applies to schools where efforts to improve student achievement are characterized by a number of strengths. There are a few weaknesses, but neither singly nor collectively, do these have a significant adverse impact on the student experience. An evaluation of **(4)** may be appropriate in circumstances where the provision may make for a productive student experience; but it may not apply consistently to most or all students. There is strong evidence that this provision can be sustained at a level that positively impact student experiences. Typically, the school's academic-improvement practices will be characterized by strengths but one or more weaknesses will reduce the overall quality of the practices. The Quality Indicator (QI) for this provision is *proficient*.
- An evaluation of **(3)** applies to schools characterized by some strengths, but where some important weaknesses have an impact on the quality of students' experiences. In general, an evaluation of **(3)** will imply the need for structured and timed action on the part of the school. It may be arrived at in a number of circumstances. There may be some of strengths, but there will also be weaknesses which will be, either individually or collectively, sufficient to diminish the student experience in significant ways. There may be an overall lack of evidence that this provision can be sustained or implemented by the school at a level to positively impact student experiences. The QI for the provision provided is *underdeveloped*.
- An evaluation of **(2)** applies to schools where provisions are characterized by weaknesses that require immediate and significant corrective action by the school. Some, if not all, staff responsible for improving student achievement require support from senior managers in planning and carrying out necessary actions to enhance the effectiveness of the school's efforts to improve student outcomes. There are a few strengths but these are overshadowed by the impact of the weaknesses. There is little evidence that this provision can be sustained or implemented by the school at a level to positively impact student experiences. The Quality Indicator (QI) for this provision is *inadequate*.
- An evaluation of **(1)** applies when there are major weaknesses in provision, requiring immediate remedial action on the part of the school. The student experience is at risk in significant respects. In almost all cases, staff responsible for provision evaluated *unsatisfactory* will require significant support from senior managers in planning and carrying out the necessary actions to effect improvement. This may involve working alongside effective peers in or beyond the school. There is no evidence that this provision can be sustained or implemented by the school to positively impact student experiences. The Quality Indicator (QI) for this provision is *unsatisfactory*.

Criteria 1: Improving Student Achievement

A charter school promotes student learning through a clear vision and high expectations. It achieves clear, measurable program goals and student learning objectives, including meeting its stated performance standards, state and federal performance standards, and closing achievement gaps of students.

	<i>The criteria for making judgments on the quality of Improving Student Achievement</i>	<i>Score</i>	<i>Comments</i>
1.1	Demonstrates high expectations for student achievement	4	<ul style="list-style-type: none"> School implements variety of interventions to ensure all students are supported to meet high expectations and be prepared for college
1.2	Provides a challenging and coherent curriculum for each individual student	4	
1.3	Implements and directs learning experiences (consistent with the school's purpose and charter) that actively engage students	4	<ul style="list-style-type: none"> Interdisciplinary work between teachers ensures actively-engaging lessons
1.4	Allocates appropriate resources in the way of instructional materials, staffing and facilities to promote high levels of student achievement	4	
1.5	Promotes academic risk taking by supporting students in a safe, healthy and nurturing environment characterized by trust, caring and professionalism	5	<ul style="list-style-type: none"> Advisory is a strength; students are well-supported on their path to college from ninth grade onward
1.6	Productively engages parental and community involvement as a part of the school's student support system	4	<ul style="list-style-type: none"> Parents feel as if they have a voice, receive frequent communication from teachers and the school
1.7	Shares its vision among the school community and demonstrates its mission in daily action and practice	4	<ul style="list-style-type: none"> College-going mission is clear and consistent; college trips start in ninth grade
1.8	Involves staff, students, parents and other stakeholders in its accountability for student learning and in the school's program evaluation process	4	

Criteria 2: Strong Leadership

The leaders of a charter school are stewards of the charter's mission and vision and carry out their duties in a professional, responsible and ethical manner. Charter school leaders use their influence and authority for the primary purpose of achieving student success.

	<i>The criteria for judging the quality of Strong Leadership</i>	<i>Score</i>	<i>Comments</i>
2.1	Effectively communicates and engages stakeholders in the vision mission of the school	3	<ul style="list-style-type: none"> Structures for parental involvement in management and governance are unclear and underdeveloped
2.2	Consistently puts into practice the educational program outlined in its charter.	4	
2.3	Generates and sustains a school culture conducive to staff professional growth	4	<ul style="list-style-type: none"> Significant collaboration among teachers, many of whom have been at the school since its beginning
2.4	Actively monitors and evaluates the success of the school's program	4	
2.5	Provides regular, public reports on the school's progress towards achieving its goals to the school community and to the school's authorizer	3	<ul style="list-style-type: none"> School completes regular required reporting; additional reporting could be part of enhanced parental involvement in school decision-making
2.6	Treats all individuals with fairness, dignity and respect	4	
2.7	Has a cogent understanding of the laws that govern charter schools and monitors the trends, issues and potential changes in the environment in which charter schools operate	4	<ul style="list-style-type: none"> School leader very involved with charter support organizations
2.8	Makes management decisions and uses his/her influence and authority for the primary purpose of achieving student success	5	
2.9	Respects diversity and implements practices that are inclusive of all types of learners consistent with the school charter	4	<ul style="list-style-type: none"> Member of Oakland SELPA; multiple intervention steps and strategies
2.10	Engages community involvement in the school	3	<ul style="list-style-type: none"> School engages parents regarding their students (providing college info, general progress); parents have served as Board members in prior years but not currently

Criteria 3: A Focus on Continuous Improvement

A charter school engages in a process of continuous self-improvement in order to increase the effectiveness of its educational program. The school regularly assesses and evaluates student learning based on stated goals.

	<i>The criteria for judging the quality of the Continuous Focus on Improvement</i>	<i>Score</i>	<i>Comments</i>
3.1	Uses information sources, data collection and data analysis strategies for self-examination and improvement	4	<ul style="list-style-type: none">• School uses DataDirector and participates in Project ZOOM
3.2	Establishes benchmarks and a variety of accountability tools for monitoring student progress and uses the results of these assessments to improve curriculum and instruction	4	<ul style="list-style-type: none">• School administers quarterly benchmarks to assess students' progress on content standards
3.3	Establishes both long and short term goals and plans for accomplishing the school's mission as stated in its charter	4	<ul style="list-style-type: none">• Goals are reasonable, but not aggressive
3.4	Uses student assessment results to improve curriculum and instruction	4	<ul style="list-style-type: none">• Teachers use benchmark test results to inform their curriculum planning and delivery
3.5	Uses the results of evaluation and assessment as the basis for the allocation of resources for programmatic improvement	4	<ul style="list-style-type: none">• Implementation of ninth grade interventions was a direct result of data analysis

Criteria 4: Responsible Governance

A charter school board and administration establish and implement policies that are transparent and focused on student achievement. Charter school board members and administrators have a cogent understanding of and comply with the laws that govern charter schools. Governing Board establishes structures that ensure the long-term viability, stability, and consistency of the program through student outcomes.

	<i>The criteria for judging Responsible Governance</i>	<i>Score</i>	<i>Comments</i>
4.1	Ensure that policies and practices are implemented in a fair and consistent manner	4	
4.2	Monitor the trends, issues and potential changes in the environment in which charter schools operate	3	<ul style="list-style-type: none"> Board relies heavily on school leader and Executive Director for charter school-related information without independent expertise
4.3	Seek input from impacted stakeholders	4	<ul style="list-style-type: none"> School conducts annual survey
4.4	Enact policies that respect diversity and implements practices that are inclusive of all types of learners consistent with the school charter	4	<ul style="list-style-type: none"> School policy and practice enrolls lateral students
4.5	Actively engage the school's authorizer in monitoring the school's educational program and its fiscal status	4	<ul style="list-style-type: none"> School is responsive to OCS requests
4.6	Establishes and maintains a safe environment for students, staff, and community stakeholders	4	
4.7	Consistently engages in timely reporting or required information to the District, the County, and the State	4	
4.8	Establishes clear and well-understood systems for decision-making and communication that results in a common sense of purpose and understanding for all stakeholders	4	
4.9	Maintains effective and active control of the charter school	3	<ul style="list-style-type: none"> Board is heavily reliant on current school leadership, raising questions about board's degree of understanding and control
4.10	Abstains from any decision involving a potential or actual conflict of interest	3	<ul style="list-style-type: none"> Conflict of Interest Policy is not clear
4.11	Ensures implementation of the student recruitment, retention, and enrollment process intended in the charter, in the school's recruitment and retention plan, and as defined by statute and regulation	3	<ul style="list-style-type: none"> Anecdotal data provided to indicate challenges in recruiting diverse student population; school has not been able to achieve a racial and ethnic balance reflective of the district as a whole, despite its proximity to district middle school with a greater degree of balance
4.12	Employs best practices to hire effective school leader and annually and systematically assesses the performance of school leader against clearly defined goals, and makes effective and timely use of the evaluations	4	
4.13	Implements an accountability process for the school's academic results and operates with a clear set of goals for the school, and has developed a set of tools for understanding progress towards meeting	4	

	<i>The criteria for judging Responsible Governance</i>	<i>Score</i>	<i>Comments</i>
	those goals		
4.14	Involves parents/guardians as partners in the education of their children and maintains positive relationships with parents.	4	<ul style="list-style-type: none"> School facilitates parents' connection to CCSA group designed to empower and educate parents regarding charter schools

Criteria 5: Fiscal Accountability

A charter school fulfills its fiduciary responsibility for public funds and maintains publicly accessible fiscal records. The school conducts an annual financial audit which is made public.

	<i>The criteria for making judgments on Fiscal Responsibility</i>	<i>Score</i>	<i>Comments</i>
5.1	Creates and monitors immediate and long-range financial plans to effectively implement the school's educational program and ensure financial stability and sustainability	4	
5.2	Conducts an annual financial audit which is made public	3	<ul style="list-style-type: none">• Unclear how auditor is selected; school has used same auditor for several years and reports are minimally compliant
5.3	Establishes clear fiscal policies to ensure that public funds are used appropriately and wisely	4	
5.4	Ensures financial resources are directly related to the school's purpose: student achievement of learning goals	4	
5.5	Managing cash flow	4	
5.6	Enrollment is stable and/or growing at the rate anticipated by the charter school as projected in the approved charter and in the multi-year budget.	3	<ul style="list-style-type: none">• School is relocating in order to expand enrollment to a more sustainable size

ATTACHMENT II: CHARTER TEXT REVISIONS

Oakland Unified School District
Office of Charter Schools

CHARTER TEXT REVISIONS – Oakland Unity High School

The approved charter is amended from the filed petition to incorporate the revisions below. The charter school must submit to the District’s Office of Charter Schools a revised charter to include all revisions outlined below in one hard copy and one electronic copy in *WORD* format on a CD or via email of no later than **5pm on June 1, 2012.**

Charter Text	Text Reference	Recommended Revision
<p><u>Measurable Pupil Outcomes</u></p>	<p>Page 21</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p>Oakland Unity High School will achieve the following outcomes:</p> <ol style="list-style-type: none"> 1. Academic performance (as measured by the California Standards Tests) will be at least equal to the academic performance of the schools that students would otherwise be required to attend. [Data Sources: CDE DataQuest]; 2. Passage rates of Unity 10th graders on the California High School Exit Exam (CAHSEE) will be higher than those of the schools that students would otherwise be required to attend. [Data Sources; CDE DataQuest]; 3. Percentages of students who score at the “proficient” or “advanced” levels on the California Standards Tests in English-Language Arts and Mathematics will exceed the percentages of students of same racial/ethnic backgrounds attending all OUSD high school, who score at the “proficient” or “advanced” levels on the same tests [Data Source: STAR results]. 4. Students that are identified as English Language Learners when first enrolled at Unity will either achieve a Level 5 on the CELDT or improve on the CELDT by two levels in two of the test areas after two or more years of study at Unity. [Data Source: CELDT scores]. 5. Unity will meet API growth targets each year [Data Source: API]. 6. Unity will achieve Average Daily Attendance of 95% or higher [Data Source: Student information system records]. 7. Unity students’ interest in and motivation to attend college will increase over the course of their high school education with at least 90% of Unity seniors expressing interest in attending college [Data Source:

		<p>Annual student survey results].</p> <p>8. At least 90% of Unity students will have taken a college entrance exam such as the SAT or ACT prior to their senior year [Data Source: College application records].</p> <p>9. At least 85% of Unity seniors will submit applications for admissions to four-year colleges [Data Source: College application records].</p> <p>10. At least 90% of students who enter Unity in the ninth grade will graduate from Unity [Data Source: Student information system records].</p> <p>11. 65% of Unity seniors who have applied will be accepted to four-year colleges [Data Source: College application and acceptance records].</p>
<u>Governance</u>	Page 28	<p>Add the following text and remove any text to the contrary:</p> <p><i>“Oakland Unity High School will comply with OUSD-the District policy related to charter schools to the extent it aligns with and does not exceed (space) the law applicable to charter schools, as it may be changed from time to time as long as the charter school has been given written notice of the policy change.”</i></p>
<u>Student Admissions Policies and Procedures</u>	Page 35	<p>Add the following text and remove any text to the contrary:</p> <p><i>Oakland Unity High School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).</i></p> <p><i>As part of the Fall Information Update, Oakland Unity High School will notify the District in writing of the application deadline and proposed lottery date. Oakland Unity High School will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.”</i></p>
<u>Public Records</u>	Page 47	<p>Add the following text and remove any text to the contrary:</p> <p><i>“Oakland Unity High School acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including Oakland Unity High School to provide certain</i></p>

		<p>information in certain formats in certain ways to the general public and specifically to parents of students at Oakland Unity High School and of the District. Oakland Unity High School further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that Oakland Unity High School does not have that Oakland Unity High School needs in order to meet its obligations, the District shall provide the same to Oakland Unity High School in a reasonably timely manner upon request.”</p>
<u>Reporting and Accountability</u>	Page 23	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“If Oakland Unity High School does not test (i.e., STAR) with OUSD the District, Oakland Unity High School hereby grants authority to the State of California to provide a copy of all test results directly to OUSD the District as well as Unity the charter school.</i></p> <p><i>Test results for the prior year, if not provided directly to OUSD the District by the State, will be provided by the Unity charter school to OUSD the District no later than September 1 of each year.”</i></p>
<u>External Reporting</u>	Page 22	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“Oakland Unity High School will maintains sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from OUSD District and other authorized reporting agencies.”</i></p>
<u>Governance Structure of the School</u>	Pages 28	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“Oakland Unity High School, in accordance with Education Code Section 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any such inquiries. Oakland Unity High School acknowledges that it is subject to audit by OUSD if OUSD seeks an audit of Oakland Unity High School, it shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by Oakland Unity High School by law or charter provisions.”</i></p>
<u>Governance Structure</u>	Page 24	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“Members of Oakland Unity High School’s Governing Board, any administrators, managers or employees, and any other</i></p>

		<p><i>committees of the School shall at all times comply with federal and state laws, nonprofit integrity standards and OUSD's Charter School policies and regulations regarding ethics and conflicts of interest so long as such policies and regulations are not in conflict with any then-existing applicable statutes or regulations applicable to charter schools.</i></p> <p>Oakland Unity High School and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school."</p>
<p><u>Addressing Parent Complaints</u></p>	<p>Page 27</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p>Oakland Unity High School will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. Oakland Unity High School will not, at any time, refer complaints to the District.</p> <p><i>The complaint procedures will include the clear information with respect to the response timeline of the school, whether the school's response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school's student and family handbook or distributed widely.</i></p> <p>Oakland Unity High School will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504) including any investigation of any complaint filed with Oakland Unity High School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Oakland Unity High School will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.</p> <p>Oakland Unity High School will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action, which would be prohibited by Title IX, or Section 504.</p> <p>Oakland Unity High School will implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or</p>

		<p><i>professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to discriminate in such a manner."</i></p>
<p><u>Health and Safety Procedures</u></p>	<p>Page32</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"Oakland Unity High School shall occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan."</i></p>
<p><u>Dispute Resolutions Procedures</u></p>	<p>Page 41</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"The staff and Governing Board members of Oakland Unity High School agree to attempt to resolve all disputes between the District and Oakland Unity High School regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.</i></p> <p><i>Any controversy or claim arising out of or relating to the charter agreement between the District and Oakland Unity High School, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.</i></p> <p><i>(1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing ("Written Notification") by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:</i></p> <p><i>To Charter School, c/o School Director: Oakland Unity High School</i></p> <p><i>To Coordinator, Office of Charter Schools:</i></p>

~~Tilden School~~**Education Complex**
4551 Steele Street, Room 11
Oakland, California 94619

(2) A written response ("Written Response") shall be tendered to the party providing the Written Notification within twenty (20) business days from the date of receipt of the Written Notification. The Written Response shall state the responding party's position on all issues stated in the Written Notification and set forth all fact which the responding party believes supports its position. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. The parties agree to schedule a conference to discuss the claim or controversy ("Issue Conference"). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party.

(3) If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. If no agreement on a mediator is reached within 30 days after a request to mediate, the parties will use the processes and procedures of the American Arbitration Association ("AAA") to have an arbitrator appointed...

(4) If the mediation is not successful, the parties agree that each party has exhausted its administrative remedies and shall have any such recourse available by law

Suspension and Expulsion

Pages ()

Add the following text and remove any text to the contrary:

"Oakland Unity High School shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves Oakland Unity High School without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil's last known address. ASCEND shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health

<p><u>Suspension and Expulsion: Due Process for Students with Disabilities</u></p>	<p>Pages 72</p>	<p><i>information, pursuant to Education Code Section 47605(d)(3)."</i> <u>Add the following text and remove any text to the contrary:</u></p> <p><i>"In the case of a special education student, or a student who receives 504 accommodations, Oakland Unity High School will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled."</i></p>
<p><u>Independent Fiscal Audits</u></p>	<p>Page 36</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"To the extent that Oakland Unity High School is a recipient of federal funds, including federal Title I, Part A funds, Oakland Unity High School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. Oakland Unity High School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not the limited to, the following:</i></p> <ul style="list-style-type: none"> <i>• Notify parents at the beginning of each school year of their "right to know" the professional qualifications of their child's classroom teacher including a timely notice to each individual parent that the parent's child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.</i> <i>• Develop jointly with, and distribute to, parents of participating children, a school-parent compact.</i> <i>• Hold an annual Title I meeting for parents of participating Title I students.</i> <i>• Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.</i>

		<i>Oakland Unity High School also understands that as part of its oversight of the school, the Office of Charter Schools may conduct program review of federal and state compliance issues."</i>
<u>Facilities</u>	Page 47	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"If Oakland Unity High School fails to submit a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, not less than 30 days before the school is scheduled to begin operation pursuant to the first year of this renewal term, it may not commence operations unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. If Oakland Unity High School moves or expands to another facility during the term of this charter, Oakland Unity High School shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, to the District for each facility at least 30 days before school is scheduled to begin operations in the facility or facilities. Oakland Unity High School shall not begin operation in any location for which it has failed to timely provide a certificate of occupancy to the District, unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process."</i></p>
<u>District Fee for Oversight</u>	Page 48	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"The District may charge for the actual costs of supervisory oversight of Oakland Unity High School not to exceed 1% of the charter school's revenue, or the District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if Oakland Unity High School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time."</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page 48	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"Oakland Unity High School willmust submit its renewal petition to the Office of Charter Schools no earlier than 270 days before the charter is due to expire unless otherwise agreed by the Office of Charter Schools..."</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page 48	<u>Add the following text and remove any text to the contrary:</u>

		<p><i>"The District USD may revoke the charter of Oakland Unity High School in accordance with Education Code Section 47607, any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.</i></p>
<p><u>Impact on Charter Authorizer</u></p>	<p>Page 45</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p>In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter;</p> <ul style="list-style-type: none"> ○ September 1 – Final Unaudited Financial Report for Prior Year ○ December 1 – Final Audited Financial Report for Prior Year ○ December 1 – First Interim Financial Report for Current Year ○ December 15 – Schedule of Expenditures of Federal Awards ○ March 1 – Second Interim Financial Report for Current Year ○ June 15 – Preliminary Budget for Subsequent Year
<p><u>Impact on Charter Authorizer</u></p>	<p>Page 46</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"Oakland Unity High School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:</i></p> <ul style="list-style-type: none"> • <i>Oakland Unity High School is subject to District oversight.</i> • <i>The District's statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of Oakland Unity High School.</i> • <i>The District is authorized to revoke this charter for, among other reasons, the failure of Oakland Unity High School to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section 47607.</i> <p><i>Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit Oakland Unity High School books, records, data, processes and procedures through the Office of Charter Schools or other means. The audit may include, but is not limited to, the following areas:</i></p>

- Compliance with terms and conditions prescribed in the charter,
- Internal controls, both financial and operational in nature,
- The accuracy, recording and/or reporting of school financial information,
- The school's debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- The school's enrollment process, suspension and expulsion procedures, and parent involvement practices,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

Oakland Unity High School shall cooperate fully with such audits and to make available any and all records necessary for the performance of the audit upon 30 day's notice to **Oakland Unity High School**. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hour's notice.

In addition, if an allegation of waste, fraud or abuse related to **Oakland Unity High School** operations is received by the District, the **Oakland Unity High School** shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools (space), at District cost. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by Oakland Unity High School by law or charter provisions."