

Board Office Use: Legislative File Info.	
File ID Number	21-0446B
Introduction Date	11/17/2021
Enactment Number	21-1813
Enactment Date	10/17/2021 CJH



Board Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Sonali Murarka, Executive Director, Office of Charter Schools
Kelly Krag-Arnold, Deputy Director, Office of Charter Schools

Meeting Date November 17, 2021

Subject Second Remanded New Charter Petition, Oakland Youth Services (TK-3) – Staff Recommendation

Ask of the Board **Deny** the second remanded new charter petition request from Oakland Youth Services (“OYS”).

Background

- OYS submitted a complete petition to the District on 2/1/21.
- The District held an initial public hearing on 3/10/21.
- The District held a decision public hearing on 4/28/21. The Board voted to deny the petition.
- OYS submitted an appeal petition to Alameda County Board of Education (“ACBOE”) on 5/27/21.
- ACBOE voted to remand the petition back to OUSD on 7/13/21, as the petition that was submitted to ACBOE contained new or different material terms compared to the petition submitted to the District.
- The District held a reconsideration public hearing for the remanded petition on 8/11/21. The Board voted to deny the remanded petition.
- OYS submitted another appeal petition to ACBOE on 9/8/21.
- ACBOE voted to remand the petition back to OUSD on 10/26/21, as the petition that was submitted to ACBOE contained new or different material terms compared to the petition that was submitted to the District.
- The District is holding a reconsideration hearing for the second remanded petition on 11/17/21.

Discussion If Oakland Youth Service’s second remanded charter petition request is approved, the charter school will be authorized to serve up to 210 students in grades TK-3.

The attached Supplemental Findings presents analysis as to why the second remanded petition does not alter the findings, in either the original staff report or the staff findings for the first remanded petition, that the proposed charter school does not meet the standards for any of the five criteria necessary for opening a new charter school, per Education Code:

- Criterion 1: Has the Petitioner Presented a Sound Educational Program?
- Criterion 2: Is the Petitioner Demonstrably Likely to Successfully Implement the Proposed Educational Program?
- Criterion 3: Is the Petition Reasonably Comprehensive?
- Criterion 4: Is the Proposed Charter School Demonstrably Likely to Serve the Interests of the Entire Community in Which the School is Proposing to Locate?
- Criterion 5: Is the School District Positioned to Absorb the Fiscal Impact of the Proposed Charter School?

Fiscal Impact

The full proposed enrollment at OYS (210 students) could lead to a loss of funding to the District that is estimated to be \$2.3 million annually.

The District is under State receivership, as described and defined by Education Code section 47605(c)(8), and is therefore not positioned to absorb the fiscal impact of the proposed charter school.

Attachment(s)

- Second Remanded Petition Supplemental Staff Findings
- First Remanded Petition Supplemental Staff Findings
- Original Staff Findings
- Second Remanded Charter Petition
- Denial Resolution



Legislative File	
File ID Number:	21-0446B
Introduction Date:	11/17/2021
Enactment Number:	21-1813
Enactment Date:	10/17/2021 CJH
By:	

TO: Board of Education

FROM: Kyla Johnson-Trammell, Ed.D., Superintendent
Sonali Murarka, Executive Director, Office of Charter Schools and Office of Enrollment
Kelly Krag-Arnold, Deputy Director, Office of Charter Schools

DATE: November 17, 2021

SUBJECT: Oakland Youth Services Second Remanded Charter Petition – Supplemental Staff Findings

STAFF RECOMMENDATION

Deny the second remanded charter petition to establish Oakland Youth Services (“OYS”) for a five-year term.

While the second remanded petition does include substantive changes as compared with both the first remanded petition and the original petition submitted to Oakland Unified School District (“OUSD” or “District”), the fundamental findings listed in the original staff report on OYS from April 28, 2021 remain unchanged:

- The petition does not present a sound educational program
- The charter school is not demonstrably likely to successfully implement the proposed educational program
- The petition is not reasonably comprehensive
- The charter school is not demonstrably likely to serve the interests of the entire community in which the school is proposing to locate
- The District is not positioned to absorb the fiscal impact of the proposed charter school

PROCEDURE SUMMARY

1. OYS submitted a complete petition to the District on 2/1/21.
2. The District held an initial public hearing on 3/10/21.
3. The District held a decision public hearing on 4/28/21. The Board voted to deny the petition.
4. OYS submitted an appeal petition to Alameda County Board of Education (“ACBOE”) on 5/27/21.
5. ACBOE voted to remand the petition back to OUSD on 7/13/21, as the petition that was submitted to ACBOE contained new or different material terms compared to the petition submitted to the District.
6. The District held a reconsideration public hearing for the remanded petition on 8/11/21. The Board voted to deny the remanded petition.
7. OYS submitted another appeal petition to ACBOE on 9/8/21.

8. ACBOE voted to remand the petition back to OUSD on 10/26/21, as the petition that was submitted to ACBOE contained new or different material terms compared to the petition that was submitted to the District.
9. The District is holding a reconsideration hearing for the second remanded petition on 11/17/21.

Education Code § 47605(k)(1)(A)(i):

If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. . . . If the petition submitted on appeal contains new or different material terms, the county board of education shall immediately remand the petition to the governing board of the school district for reconsideration, which shall grant or deny the petition within 30 days.

Education Code § 47605(k)(1)(A)(iii):

As used in this subdivision, “material terms” of the petition means the signatures, affirmations, disclosures, documents, and descriptions described in subdivisions (a), (b), (c), and (h), but shall not include minor administrative updates to the petition or related documents due to changes in circumstances based on the passage of time related to fiscal affairs, facilities arrangements, or state law, or to reflect the county board of education as the chartering authority.

SUMMARY OF CRITERIA FOR NEW PETITIONS

The below table outlines the criteria from State Education Code that are used to evaluate new charter petitions and whether the charter petition meets the minimum standard:

Criterion	Education Code Reference(s)	Does the Remanded Petition Meet the Standard for this Criterion?
<i>Criterion 1: Does the Charter School Present a Sound Educational Program?</i>	§47605(c)(1)	No
<i>Criterion 2: Is the Charter School Demonstrably Likely to Successfully Implement the Proposed Educational Program?</i>	§47605(c)(2)	No
<i>Criterion 3: Is the Petition Reasonably Comprehensive?</i>	§47605(c)(3) thru (6);§47605(h)	No
<i>Criterion 4: Is the Charter School Demonstrably Likely to Serve the Interests of the Entire Community in Which the School is Proposing to Locate?</i>	§47605(c)(7)	No
<i>Criterion 5: Is the School District Positioned to Absorb the Fiscal Impact of the Proposed Charter School?</i>	§47605(c)(8)	No

ANALYSIS OF DIFFERENCES BETWEEN FIRST REMANDED PETITION AND SECOND REMANDED PETITION

Staff identified the following substantive and material differences between the first remanded petition and the second remanded petition. These differences are listed below. (Other differences that appear

not to be substantive have not been included.) As the list demonstrates, the vast majority of the concerns and conclusions articulated in the original staff report remain. Per the staff analysis below, none of the listed differences, in part or as a whole, are sufficient to alter the fundamental conclusion of the original staff report regarding whether the petition meets the criteria for new petitions. Furthermore, several of the changes in fact raise additional concerns about the school’s ability to meet the five criteria for new charter petitions.

Change	Analysis of change
The list of projected demographics have changed to no longer include students with disabilities; the projected demographics have also changed from 5% students with disabilities (first remanded petition, p. 10) to 0% students with disabilities (second remanded petition, p. 10).	While 5% students with disabilities is far below the District average, serving no students with disabilities is unacceptable under Criterion 4.
The projected demographics have changed from 85% ELL (first remanded petition, p. 10) to 40% ELL (second remanded petition, p. 10).	This large decline in projected ELL students represents a drastic change to the school’s educational program. There is no explanation for the change or how the school’s educational program will be different as a result.
Measurable Pupil Outcomes for TK changed to include “Spire Placement Test Part (A) and Part (B)” (second remanded petition, p. 83).	This change is not directly related to any of the challenges that staff noted in the original petition or the supplemental staff findings for the first remanded petition.

Board Office Use: Legislative File Info.	
File ID Number	21-0446A
Introduction Date	August 11, 2021
Enactment Number	21-1292
Enactment Date	8/11/2021 If



Board Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Sonali Murarka, Executive Director, Office of Charter Schools
Kelly Krag-Arnold, Deputy Director, Office of Charter Schools

Meeting Date August 11, 2021

Subject Reconsideration of Remanded Charter Petition, Oakland Youth Services (TK-3)

Ask of the Board Deny the Oakland Youth Services (“OYS”) Remanded Petition

Background Oakland Youth Services (“OYS” or “Charter School”) submitted a request to approve a New Charter Petition (“Original Petition”) that was deemed complete and received by the District on February 1, 2021. The OUSD Board of Education (“Board”) properly voted to deny the Original Petition via Resolution No. 2021-0212. OYS appealed the District’s denial to the Alameda County Board of Education (“ACBOE”) and ACBOE properly voted to remand the petition (“Remanded Petition”) back to OUSD on July 13, 2021, as required by Education Code section 47605(k)(1)(A)(i), as it contained new or different material terms compared to the Original Petition submitted to the District. Education Code section 47605(k)(1)(A)(i) requires that the Board to grant or deny the Remand Petition by August 12, 2021.

Discussion If the Remanded Petition is approved, the charter school will be authorized to serve up to 210 students in grades TK-3.

The Supplemental Findings presents analysis as to why the Remanded Petition does not alter the findings in the Original Staff Report that the proposed charter school does not meet the standards for any of the five criteria necessary for opening a new charter school, per Education Code:

- Criterion 1: Has the Petitioner Presented a Sound Educational Program?
- Criterion 2: Is the Petitioner Demonstrably Likely to Successfully Implement the Proposed Educational Program?
- Criterion 3: Is the Petition Reasonably Comprehensive?
- Criterion 4: Is the Proposed Charter School Demonstrably Likely to Serve the Interests of the Entire Community in Which the School is Proposing to Locate?
- Criterion 5: Is the School District Positioned to Absorb the Fiscal Impact of the Proposed Charter School?

Fiscal Impact The full proposed enrollment at OYS (210 students) could lead to a loss of funding to the District that is estimated to be \$2.3 million annually. The decrease in expenditures is not known.

The District is under State receivership, as described and defined by Education Code section 47605(c)(8), and is therefore not positioned to absorb the fiscal impact of the proposed charter school.

Attachment(s)

- Supplemental Staff Findings
- Original Staff Findings
- Resolution No. 2021-0212A - Denial of Oakland Youth Services Remanded Charter Petition
- July 15, 2021 Letter from Alameda County Remanding Petition Back to OUSD
- Remanded Charter Petition



Legislative File	
File ID Number:	21-0446A
Introduction Date:	8/11/2021
Enactment Number:	21-1292
Enactment Date:	8/11/2021
By:	If

TO: Board of Education

FROM: Kyla Johnson-Trammell, Ed.D., Superintendent
Sonali Murarka, Executive Director
Kelly Krag-Arnold, Deputy Director

DATE: August 11, 2021

SUBJECT: Oakland Youth Services Remanded Charter Petition – Supplemental Staff Report

STAFF RECOMMENDATION

Deny the remanded charter petition to establish Oakland Youth Services (“OYS”) for a five-year term.

While the remanded petition does include substantive changes as compared with the original petition submitted to Oakland Unified School District (“OUSD” or “District”), the fundamental findings listed in the original staff report on OYS from April 28, 2021 remain unchanged:

- The petition does not present a sound educational program
- The charter school is not demonstrably likely to successfully implement the proposed educational program
- The petition is not reasonably comprehensive
- The charter school is not demonstrably likely to serve the interests of the entire community in which the school is proposing to locate
- The District is not positioned to absorb the fiscal impact of the proposed charter school

PROCEDURE SUMMARY

1. OYS submitted a complete petition to the District on 2/1/21.
2. The District held an initial public hearing on 3/10/21.
3. The District held a decision public hearing on 4/28/21. The Board voted to deny the petition.
4. OYS submitted an appeal petition to Alameda County Board of Education (“ACBOE”) on 5/27/21.
5. ACBOE voted to remand the petition back to OUSD on 7/13/21, as the petition that was submitted to ACBOE contained new or different material terms compared to the petition submitted to the District.
6. The District is holding a reconsideration hearing for the remanded petition on 8/11/2021.

Education Code § 47605(k)(1)(A)(i):

If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. . . . If the petition submitted on appeal contains new or different material terms, the county board of

education shall immediately remand the petition to the governing board of the school district for reconsideration, which shall grant or deny the petition within 30 days.

Education Code § 47605(k)(1)(A)(iii):

As used in this subdivision, “material terms” of the petition means the signatures, affirmations, disclosures, documents, and descriptions described in subdivisions (a), (b), (c), and (h), but shall not include minor administrative updates to the petition or related documents due to changes in circumstances based on the passage of time related to fiscal affairs, facilities arrangements, or state law, or to reflect the county board of education as the chartering authority.

SUMMARY OF CRITERIA FOR NEW PETITIONS

The below table outlines the criteria from State Education Code that are used to evaluate new charter petitions and whether the charter petition meets the minimum standard:

Criterion	Education Code Reference(s)	Does the Remanded Petition Meet the Standard for this Criterion?
<i>Criterion 1: Does the Charter School Present a Sound Educational Program?</i>	§47605(c)(1)	No
<i>Criterion 2: Is the Charter School Demonstrably Likely to Successfully Implement the Proposed Educational Program?</i>	§47605(c)(2)	No
<i>Criterion 3: Is the Petition Reasonably Comprehensive?</i>	§47605(c)(3) thru (6);§47605(h)	No
<i>Criterion 4: Is the Charter School Demonstrably Likely to Serve the Interests of the Entire Community in Which the School is Proposing to Locate?</i>	§47605(c)(7)	No
<i>Criterion 5: Is the School District Positioned to Absorb the Fiscal Impact of the Proposed Charter School?</i>	§47605(c)(8)	No

ANALYSIS OF DIFFERENCES BETWEEN ORIGINAL PETITION AND REMANDED PETITION

Staff identified the following differences that are substantive and materially differences between the original petition and the remanded petition. These differences are listed below. (Other differences that appear to not be substantive or materially different have not been included.) As the list demonstrates, the vast majority of the concerns and conclusions articulated in the original staff report remain and, per the staff analysis below, none of the listed differences, in part or as a whole, are sufficient to alter the fundamental conclusion of the original staff report regarding whether the petition meets the criteria for new petitions.

Change	Analysis of change
Instructional model changed from “Constructivist Approach” (Original Petition, p 16) to “Standard, with	This change is not directly related to any of the challenges that staff noted in the original petition.

<p>Aspects of Student Centered and Constructivist” (Remanded Petition, p 9).</p>	
<p>The projected demographics have changed from 50% SPED students (Original Petition, p 17) to 5% SPED students (Remanded Petition, p 10).</p>	<p>The population at 50% special education was an ambitious goal that staff appreciated. A population that is 5% special education is far below the District average and is a new cause for concern related to Criterion 4.</p>
<p>The percent FRL for African American and Latino students changed from 90% (Original Petition, p 17) to 100% (Remanded Petition, p 10).</p>	<p>This change is not directly related to any of the challenges that staff noted in the original petition.</p>
<p>The governance structure has changed substantially (Original Petition, p 96-97 vs Remanded Petition, p 93).</p>	<p>The updated governance structure is unclear and has significant irregularities that are inappropriate for the governing board of a non-profit charter school. For example, the chairman of the board reports to a different board member and the board reports to the chief executive of the organization.</p>
<p>Added “Listed Procedures; But Not Appropriate for Oakland Youth Services Students” to <i>School Suspension, Expulsion and Mandatory Expulsion Guidelines Suspension and Expulsion</i> subsection in element 6 (Remanded Petition, p 137).</p>	<p>This change is not directly related to any of the challenges that staff noted in the original petition.</p>
<p>Added “These Procedures are not appropriate for students enrolled in OYS” to each of the following subsections under element 10 (Remanded Petition, p 163-168):</p> <ul style="list-style-type: none"> • Student Due Process Protections • Discretionary Suspension Offenses • Discretionary Expellable Offences <p>Added “Procedures were listed, But Not Appropriate for Oakland Youth Services Students” to the Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities under element 10 (Remanded Petition, p 177-179)</p>	<p>The addition of this language appears to address staff’s concerns around element 10, but the petition still does not meet Criterion 3 as element 4 and element 8 continue to be not reasonably comprehensive.</p>



Legislative File	
File ID Number:	21-0446
Introduction Date:	2/1/2021
Enactment Number:	21-0627
Enactment Date:	4/28/2021
By:	os

TO: Board of Education

FROM: Kyla Johnson-Trammell, Ed.D., Superintendent
Office of Charter Schools Staff – Sonali Murarka, Executive Director; Kelly Krag-Arnold, Deputy Director; Elizabeth Wendt, Compliance Specialist; Brett Noble, Analytics Specialist; Giselle Hendrie, Educational Consultant

DATE: April 28, 2021

SUBJECT: Oakland Youth Services New Charter Petition

School Overview

School Name	Oakland Youth Services		
Lead Petitioner(s)	Barbara Swoffard		
Charter Operator	N/A	Grade levels served in Year 1	TK-K
Proposed school address	Not provided	Anticipated enrollment in Year 1	84
Proposed neighborhood	Elmhurst	Grade levels served at scale	TK-3
Proposed Board District	7	Maximum enrollment at scale	210
Instructional focus	Constructivist approach	Proposed SELPA	Unclear ¹
Other distinguishing characteristics	<ul style="list-style-type: none"> • Year-round program • Teachers loop with students for all of grades TK-3 		

Staff Recommendation

Deny the petition and charter to establish Oakland Youth Services (OYS) for a five-year term, based on the following:

- The petition does not present a sound educational program
- The charter school is not demonstrably likely to successfully implement the proposed educational program
- The petition is not reasonably comprehensive
- The charter school is not demonstrably likely to serve the interests of the entire community in which the school is proposing to locate
- The District is not positioned to absorb the fiscal impact of the proposed charter school

Summary of Criteria for New Petitions

The below table outlines the criteria from State Education Code that are used to evaluate new charter petitions and whether the charter petition meets the minimum standard:

¹ In the petition there are references to belonging to three different SELPAs: OUSD, El Dorado, and OYS’s own SELPA. During the leader capacity interview with OCS staff, the petitioner was unable to clarify which SELPA the school intended to join.

Criterion	Education Code Reference(s)	Does the Petition Meet the Standard for this Criterion?
<i>Criterion 1: Does the Charter School Present a Sound Educational Program?</i>	§47605(c)(1)	No
<i>Criterion 2: Is the Charter School Demonstrably Likely to Successfully Implement the Proposed Educational Program?</i>	§47605(c)(2)	No
<i>Criterion 3: Is the Petition Reasonably Comprehensive?</i>	§47605(c)(3) thru (6);§47605(h)	No
<i>Criterion 4: Is the Charter School Demonstrably Likely to Serve the Interests of the Entire Community in Which the School is Proposing to Locate?</i>	§47605(c)(7)	No
<i>Criterion 5: Is the School District Positioned to Absorb the Fiscal Impact of the Proposed Charter School?</i>	§47605(c)(8)	No

Procedure

1. OYS submitted a Letter of Intent to the Office of Charter Schools on 12/10/20
2. OYS submitted a complete petition to the District on 2/1/21. Note: OYS had previously submitted petitions on 2/12/20 and 3/11/20, which were deemed incomplete based on not meeting the signature requirement.
3. The initial appropriately noticed public hearing was held on 3/10/21
4. The Office of Charter Schools scheduled a virtual leader capacity interview on 3/15/21 with the lead petitioner, which no representative from OYS attended. The Office of Charter schools rescheduled and conducted the virtual leader capacity interview with the lead petitioner on 3/15/21.
5. On 4/1/21, the Office of Charter Schools hosted a virtual community engagement with the petitioner and Elmhurst neighborhood school leaders. Four school leaders attended, along with two other community members. The Office of Charter Schools invited school leaders who were unable to attend the meeting to share their feedback by email.
6. The Office of Charter Schools conducted a virtual board capacity interview on 4/2/21 with 5 members of the proposed founding board: Gabriel Burton, Cheryl Crenshaw, Glenester Irvin, Dr. Lamont Ali Frances, and Dr. Mosi Williams. This interview focused on founding board members’ past experience with governance and plans for the proposed school.
7. The Office of Charter Schools requested the petitioners provide responses to some additional questions about operations and a Community Impact Questionnaire, which the petitioners provided on 4/5/21.
8. Staff findings were made public by the 15-day posting requirement of 4/13/21.
9. The decision public hearing is being held on 4/28/21.

Summary of Findings

Below is a staff summary of the petition’s primary strengths and challenges.

Strengths

- Proposed school leadership team has a demonstrated commitment to serving the Elmhurst community.
- Petitioners are deeply motivated by the low student achievement in the area, and are proposing some effective instructional strategies to address the root causes of that low achievement.

Challenges

- Numerous and substantial inconsistencies within the petition, as well as between the petition and the capacity interviews. For example:
 - Petition references involvement in several different SELPAs, and petitioners were unable to clarify their plans.
 - Budget includes enrollment projections for students in grade 4, although the petition is for a school serving grades TK-3.

- When asked to clarify the proposed leadership structure, OCS received conflicting answers from the capacity interview, written responses from the lead petitioner, and the board capacity interview.
- There is a significant dearth of details of how to operationalize the proposed program. For example:
 - Inadequate description of facilities plans.
 - No clear plan in either the petition or in the capacity interviews about how back office support will be handled.
 - Proposed budget is missing several critical items (e.g., cost of SELPA participation, cost of food services) and also provides unrealistic estimates for other items.
 - No acknowledgement that enrollment targets and staffing will be difficult or impossible to reach given their proposed timeline for opening.
- The petition does not demonstrate an understanding of how the proposed school would impact the existing Elmhurst school communities. For example:
 - The proposed TK-3 model would heavily impact neighboring schools when students must transition for fourth grade.
 - The intention of the proposed school is to serve students from the Elmhurst neighborhood, which would negatively impact neighboring schools' enrollments; however, when asked about this issue at the board capacity interview, the petitioners said the charter school would not draw students from neighboring schools, without providing further explanation.
 - The petition did not include any meaningfully interested student signatures, thereby providing no evidence that there is broad community awareness or support for this charter school.
- The District is not positioned to absorb the fiscal impact of a new charter school, due to being under state receivership.

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I. Criterion 1: Has the Petitioner Presented a Sound Educational Program?

Determination

Based on the analysis below, OYS has **not** presented a sound educational program.

A. Educational Program Design

In evaluating whether the charter school petition presents a sound educational program design, staff considered the following factors:

- Clear and concise mission
- Target student population
- Curriculum and instructional design
- Professional development
- Assessments, data, and reporting

Strengths	Areas of Concern
<ul style="list-style-type: none"> ● Proposes a unique model: year round, small class sizes where teacher loops with students for the duration of their enrollment at the school, intentional attention to a constructivist, culturally responsive approach to teaching and learning. ● Demonstrated understanding of the social, economic, cultural, and political context of the students and community the petitioner intends to serve. ● Proposes a focus on family involvement embedded throughout educational program. ● Proposes ambitious student goals: 65-75% proficiency. 	<ul style="list-style-type: none"> ● Identifies existing educational problems but does not offer practical or actionable solutions that can be realistically implemented. Examples include: <ul style="list-style-type: none"> ○ Discusses a variety of literacy assessment tools and options, to be implemented by teachers, which are overly taxing without cohesive discussion of how these will collectively be used. ○ Lacks comprehensive discussion of formative assessment tools in mathematics. ○ Professional development plan holds unrealistic expectations for staff and lacks discussion of the overall leadership approach. ○ Proposes several programming ideas without articulating funding sources; for example, parental English classes, bussing for every student that needs it. ● Mentions a dual language model once in the petition, with no details or further description. In the community engagement meeting, it became clear that the petitioner is conflating supports for students in multiple languages with a dual language instructional model.

B. Plan to Serve Special Populations

In evaluating whether the charter school’s educational program appropriately addresses how it plans to serve special student populations, staff considered the school’s plan to serve the following student groups:

- Students with disabilities

- English Learners
- Students above or below expected levels

Strengths	Areas of Concern
<ul style="list-style-type: none"> ● Demonstrated understanding of some key pedagogical methods to support students with disabilities. 	<ul style="list-style-type: none"> ● Suggests that all English Learner students will be Spanish speakers and that every classroom will have one adult who speaks every language in the room. This is likely unrealistic given the diversity of Oakland students as well as the proposed staffing levels described in the petition. ● The special education program mentions “Special Education teachers” but does not discuss any specific programmatic elements, such as special day classes or mod-severe inclusion classes, which may be necessary to serve a population that is projected by the petitioner to be 50% students with disabilities. ● The list of conditions for suspension includes two causes (disruption, sexual harassment) that are not permissible for K-3 students. ● The notification of expulsion described in the petition is missing student’s reentry date and referral to home district.

II. Criterion 2: Is the Petitioner Demonstrably Likely to Successfully Implement the Proposed Educational Program?

Determination

Based on the analysis below, OYS is **not** demonstrably likely to successfully implement the proposed educational program.

A. Budget and Fiscal Plan

In evaluating the proposed charter school’s budget and fiscal plan, staff considered the following factors:

- Perceived likelihood of meeting enrollment targets
- Three-year budget projections
- Financial audit procedures

Strengths	Areas of Concern
No notable strengths	<ul style="list-style-type: none"> ● Projected budget is extremely unrealistic; school would very likely have a negative ending fund balance at the end of each fiscal year, and additionally would not be able to maintain a 5% reserve. <ul style="list-style-type: none"> ○ Projected operations, facilities, and custodial costs are very low ○ Enrollment targets will be difficult or impossible to reach given the stated timeline for enrollment ○ Budget assumes an average annual salary of approximately \$55,000 for each certificated FTE, and approximately \$29,500 for each classified FTE, which are much lower than average salaries for these positions ○ No projected costs for participating in any SELPA ○ No projected costs for student food services ● Budget for the 2024-25 school year includes enrollment of 42 students in grade 4 (representing 20% of the proposed enrollment and therefore revenue for that year), although the petition does not propose to serve students in grade 4

B. Governance and Board Capacity

In evaluating the governance and board capacity of the proposed charter school, staff considered the following factors:

- Governance structure
- Experience and qualifications of founding board members

Strengths	Areas of Concern
<ul style="list-style-type: none"> Founding board members demonstrated deep passion and commitment to serving students in the Elmhurst community. 	<ul style="list-style-type: none"> There are several inconsistencies between the petition and the bylaws, including the number of board members, the number of family board members, and the term length. Many of the proposed charter board members did not have familiarity with the legal requirements for charter schools or requirements around transparent governance. Although the founding board recently recruited several additional skilled members, it does not appear that the group as a whole has had time to become a cohesive decision-making body or incorporate the expertise of new board members into the charter school’s petition. Board members shared, at times, visions and practices for the school which did not align with the information included in the petition, including around the organizational structure.

C. Organizational Capacity

In evaluating the organizational capacity of the proposed charter school, staff considered the following factors:

- Experience and qualifications of school site leadership
- Experience and qualifications of founding staff
- Procedures for hiring and school site safety

Strengths	Areas of Concern
<p>No notable strengths</p>	<ul style="list-style-type: none"> Proposes unrealistic instructional model; for example, teachers will be in classrooms with 14 students, of whom 90% are low income, 50% are students with disabilities, and 85% are English learners. However, there is no clear discussion of the support staff and or structures that will be layered into the classroom to support this model. References several positions without discussing the details or responsibilities of these positions, including a “Superintendent of Schools”. Petition lacks a comprehensive hiring plan, including mechanisms to recruit and hire school leadership, teachers, and support staff. Furthermore, the roles and amount of support staff necessary is not fully discussed, such as paraprofessionals. Lead petitioner displayed minimal understanding of charter law and AB 1505 during the leader capacity interview, but also stated that she would be the

	<p>individual responsible for ensuring the proposed school complies with all legal requirements.</p> <ul style="list-style-type: none"> ● Petition does not name a Founding Director, so actual organizational capacity is challenging to determine. ● Petition contains significant typos that interfere with staff's ability to understand the intent of the petition.
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D. Facilities

Staff attempted to evaluate the suitability of the petitioner's proposed facility or plan to acquire a facility. There is no plan in the petition regarding acquiring an appropriate facility for the school. The petition states that OYS does not intend to acquire a facility through Proposition 39, but provides no further information about the location of a proposed school site, beyond the general Elmhurst neighborhood. Furthermore, the proposed budget included in the petition assumes unrealistically low costs associated with renting or owning a facility and providing custodial services for the school. In written responses to follow-up questions that staff received, the petitioner provided a proposed address for the school. However, the address provided is currently zoned "RD-1" for detached residential, and the lot does not appear to include a suitable facility for a school.

III. Criterion 3: Is the Petition Reasonably Comprehensive?

In order for a charter school’s new petition to be approved, the petition must include all of the following:

- Reasonably comprehensive descriptions of all 15 required elements
- All other information required by the Ed Code
- All OUSD-specific requirements

Evidence considered for this criteria includes a review of the corresponding sections of the new charter petition.

Determination

Based on the analysis below, the OYS charter petition is **not** reasonably comprehensive.

A. The Required Fifteen Elements

All charter petitions must include a “reasonably comprehensive” description of 15 required elements related to the school’s operation.² The following table summarizes staff findings related to whether this standard was met for each element.

Element	Reasonably Comprehensive?
1. Description of the educational program of the school, including what it means to be an “educated person” in the 21st century and how learning best occurs.	Yes
2. Measurable student outcomes	Yes
3. Method by which student progress is to be measured	Yes
4. Governance structure	No
5. Qualifications to be met by individuals employed at the school	Yes
6. Procedures for ensuring health and safety of students	Yes
7. Means for achieving a balance of racial and ethnic, English learner, and special education students	Yes
8. Admission policies and procedures	No
9. Manner for conducting annual, independent financial audits and manner in which audit exceptions and deficiencies will be resolved	Yes
10. Suspension and expulsion procedures	No
11. Manner for covering STRS, PERS, or Social Security	Yes
12. Attendance alternatives for students residing within the district	Yes
13. Employee rights of return, if any	Yes
14. Dispute resolution procedure for school-authorizer issues	Yes
15. Procedures for school closure	Yes

Source: Ed Code §47605(c)(5) subsection (A) thru (O) and staff analysis of the charter petition

Findings for elements that are not reasonably comprehensive

Element 4 – Governance: The petitioner has stated the intent to require parent volunteer hours, which is illegal.

Element 8 – Admission policies and procedures: Admissions priorities are not clearly specified. Unclear why siblings would be exempt from the lottery as opposed to receiving a preference. Mention of a “weighted preference” for certain groups of students without specifying what weight, or whether it is in fact a priority rather than a weight. Mention of “students at Oakland Youth Services founders” under list of students exempt from the lottery and then “Children of Oakland Youth Services founders” under list of students receiving a

² EC §47605(c)(5)

weighted priority – unclear if these are intended to be the same group and, if so, whether they are exempted or weighted in the lottery.

Element 10 – Suspension and expulsion procedures: The list of conditions for suspension includes 2 causes (disruption, sexual harassment) that are not permissible for TK-3 students.

B. Other Required Information

In addition to the required 15 elements, Education Code also requires charter petitions to include the following information.

Other Required Information	Included in Petition?
The required number and type of signatures specified in §47605(a). ³	Yes
An affirmation of each of the conditions described in EC §47605(d).	Yes
A declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Government Code §3540 thru 3540.2.	Yes
Information regarding the proposed operation and potential effects of the charter school, including: <ul style="list-style-type: none"> • The facilities to be used by the charter school, including where the charter school intends to locate. • The manner in which administrative services of the charter school are to be provided. • Potential civil liability effects. 	No
Financial statements that include the annual operating budget and 3-year cashflow and financial projections, backup and supporting documents and budget assumptions.	Yes

Source: Ed Code §47605(c)(3), §47605(c)(4), §47605(c)(6), and §47605(h)

C. OUSD-Specific Requirements

OUSD-Specific Requirement	Included in Petition?
District Required Language	Yes
Executive Summary ⁴	No

³ OYS chose to meet this requirement via teacher signatures. In order to meet this requirement via teacher signatures, the petition “must be signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation” per EC §47605(a)(1)(B).

⁴ The Executive Summary that was included in the petition did not follow the requested format and did not fully respond to the specified questions.

IV. Criterion 4: Is the Proposed Charter School Demonstrably Likely to Serve the Interests of the Entire Community in Which the School is Proposing to Locate?

Determination

Based on the analysis below, OYS is **not** demonstrably likely to serve the interests of the entire community in which the school is proposing to locate.

A. Community Engagement

In evaluating OYS's previous community engagement, staff considered the following factors:

- Petitioner's prior community engagement
- Meaningfully interested student/teacher signatures
- Feedback gathered from community meeting

Strengths	Areas of Concern
No notable strengths	<ul style="list-style-type: none"> ● Minimal evidence of outreach that has been conducted by the petitioners in the community: some community leaders from District 7 have been engaged, but not families, preschool service providers, or other elementary schools. ● The petitioner provided 3 teacher signatures as evidence of meaningful interest. Based on the experience of the interested teachers (Middle school teacher, K-12/Young Adults Program), it seems that these teachers may have experience with older students.

B. Community Impact

In evaluating the community impact of OYS's proposed school, staff considered the following factors:

- Impact to existing services and programs (including enrollment)
- Duplicative programming
- Support for the program in the surrounding community

Strengths	Areas of Concern
<ul style="list-style-type: none"> ● Some elements of the proposed program are unique to OYS and are not currently offered in any neighboring schools, such as teachers looping with students for all of grades TK-3. 	<ul style="list-style-type: none"> ● The petition did not include any meaningfully interested student signatures, thereby providing no evidence that there is broad community awareness or support for this charter school. ● The petition did not include any analysis of the school's impact on the community. ● The unusual grade span (TK-3) would likely be challenging for both families and surrounding school

	<p>communities as students transition to a new school in the 4th grade.</p> <ul style="list-style-type: none"> • The petitioner intends to locate the school in close proximity to several other elementary school programs that are under-enrolled, which may further exacerbate under-enrollment at those schools and undermine their programming. • If the proposed charter school is fully enrolled at 210 students, it may result in a loss of \$2.3 million annually in ADA revenue for the District. The enrollment at OYS would lead to a decrease in enrollment at other neighborhood schools serving the same grades. This loss of enrollment would, in turn, lead to a loss of funding, which would have a direct negative impact on existing services, academic offerings, and programmatic offerings at the other neighborhood school.
--	---

V. Criterion 5: Is the School District Positioned to Absorb the Fiscal Impact of the Proposed Charter School?

Determination

Based on the analysis below, the District is **not** positioned to absorb the fiscal impact of OYS.

A. Fiscal Impact Criteria

A new charter petition may be denied if the district is not positioned to absorb the fiscal impact of the charter school, as defined by any of the three criteria below.

Criteria	Has the District met this standard?
The district has a qualified interim certification and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team (FCMAT), certifies that approving the material revision would result in the school district having a negative interim certification.	No
The district has a negative interim certification.	No
<i>The district is under state receivership.</i>	Yes

VI. Appendix

Enrollment of Neighboring Schools

Enrollment for Grades TK-3 Only in Neighboring Schools

School	Enrollment for Grades TK-3				
	2016-17	2017-18	2018-19	2019-20	2020-21
ACORN Woodland Elementary	202	201	192	192	192
Aspire College Academy	176	184	197	194	170
Aspire Monarch Academy	276	280	286	285	284
Brookfield Elementary	207	199	164	150	138
Cox Academy	395	399	411	387	378
East Oakland Pride Elementary	235	224	205	229	212
EnCompass Academy Elementary	213	214	237	260	232
Esperanza Elementary	226	237	246	272	284
Francophone Charter School of Oakland	158	169	193	218	202
Fred T. Korematsu Discovery Academy	246	213	188	152	124
Lighthouse Community Charter	192	207	205	206	211
Lodestar	169	205	254	266	230
Madison Park Academy	202	213	167	159	182
New Highland Academy	248	239	240	238	205
Parker Elementary	139	184	153	131	102
Reach Academy	267	283	263	288	286
Rise Community	177	168	144	144	143
TK-3 Total Enrollment	3728	3819	3745	3771	3575

Source: CALPADS Census Day Enrollment 2016-17 thru 2019-20 (Official); 2020-21 (Preliminary).

Table includes all schools that serve any of grades TK-3 within an approximately 2-mile radius of the proposed address of the school.

State Test Outcomes for Neighboring Schools

Summary of Neighboring Elementary School State Test Outcomes by Student Group

Student Group	Median State Test Proficiency for Nearby Elementary Schools ⁵ (ELA/Math average)		
	2016-17	2017-18	2018-19
All Students	20%	24%	19%
Black or African American	13%	15%	12%
Economically disadvantaged	19%	21%	19%
English learner	5%	8%	8%
Hispanic or Latino	21%	25%	22%
Students with disabilities	5%	5%	7%

Source: 2016-17 thru 2018-19 CAASPP ELA/Math Smarter Balanced Assessment Research Files

⁵ Includes all schools listed in the subsequent table.

Schoolwide State Test Outcomes for Nearby Elementary Schools

School Name	ELA/Math Average Percent Meeting Standard All Students		
	2016-17	2017-18	2018-19
ACORN Woodland Elementary	32%	35%	42%
Aspire College Academy	20%	28%	23%
Aspire Monarch Academy	39%	43%	46%
Brookfield Elementary	16%	12%	17%
Cox Academy	18%	24%	19%
East Oakland Pride Elementary	15%	20%	17%
EnCompass Academy Elementary	29%	24%	14%
Esperanza Elementary	24%	26%	31%
Francophone Charter School of Oakland	69%	71%	80%
Fred T. Korematsu Discovery Academy	14%	21%	19%
Lighthouse Community Charter	26%	32%	34%
Lodestar	21%	25%	24%
Madison Park Academy TK-5	20%	20%	17%
New Highland Academy	10%	9%	12%
Parker Elementary	26%	21%	20%
Reach Academy	4%	9%	11%
Rise Community	3%	6%	10%

Source: 2016-17 thru 2018-19 CAASPP ELA/Math Smarter Balanced Assessment Research Files

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

Resolution No. 2021-0212A

Denial of Oakland Youth Services Remanded Charter Petition

WHEREAS, Oakland Youth Services (“OYS” or “Charter School”) submitted a request to approve a New Charter Petition (“Original Petition”) that was deemed complete and received by the District on February 1, 2021;

WHEREAS, a public hearing on the Original Petition was properly noticed for and held by the Board of Education of OUSD (“Board”) on March 10, 2021;

WHEREAS, the District’s Original Staff Report was properly and timely posted by April 13, 2021;

WHEREAS, the decision hearing on the Original Petition was properly noticed for and held by the Board on April 28, 2021;

WHEREAS, the Board properly voted to deny the Original Petition via Resolution No. 2021-0212;

WHEREAS, OYS appealed the District’s denial to the Alameda County Board of Education (“ACBOE”) on May 27, 2021;

WHEREAS, ACBOE properly voted to remand the petition (“Remanded Petition”) back to OUSD on July 13, 2021 as it contained new or different material terms compared to the Original Petition submitted to the District;

WHEREAS, the reconsideration hearing for the remanded petition is timely scheduled for August 11, 2021;

WHEREAS, the Charter Schools Act (Ed. Code § 47600 *et seq.*), as amended most recently by Assembly Bill No. 1505 (“CSA”), establishes the standards and criteria by which charter school petitions are to be approved or denied;

WHEREAS, Education Code section 47605(k)(1)(A)(i) states: “If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. . . . If the petition submitted on appeal contains new or different material terms, the county board of education shall immediately remand the petition to the governing board of the school district for reconsideration, which shall grant or deny the petition within 30 days”;

WHEREAS, Education Code § 47605(k)(1)(A)(iii) defines “material terms” of the petition to mean “the signatures, affirmations, disclosures, documents, and descriptions described in subdivisions (a), (b), (c), and (h), but shall not include minor administrative updates to the petition or related documents due to changes in circumstances based on the passage of time related to fiscal affairs, facilities arrangements, or state law, or to reflect the county board of education as the chartering authority”;

WHEREAS, the Original Staff Report and the Supplemental Staff Report, both attached hereto and incorporated herein by reference, group the aforementioned “standards and criteria” into five criteria as follows:

- Criterion 1: Has the Petitioner Presented a Sound Educational Program? [§47605(c)(1)]
- Criterion 2: Is the Petitioner Demonstrably Likely to Successfully Implement the Proposed Educational Program? [§47605(c)(2)]
- Criterion 3: Is the Petition Reasonably Comprehensive? [§47605(c)(3)-(6);§47605(h)]
- Criterion 4: Is the Proposed Charter School Demonstrably Likely to Serve the Interests of the Entire Community in Which the School is Proposing to Locate? [§47605(c)(7)]
- Criterion 5: Is the School District Positioned to Absorb the Fiscal Impact of the Proposed Charter School? [§47605(c)(8)];

WHEREAS, the Supplemental Staff Report, in evaluating changes in the Remanded Petition (as compared with what was in the Original Petition), found that those changes failed to alter the fundamental conclusion of the Original Staff Report that the Remanded Petition does not meet any of the criteria for new petitions.

WHEREAS, on this basis, the Supplemental Staff Report recommended denial of the Remanded Petition.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts all aspects of the Supplemental Staff Report on the Remanded Petition as well as all aspects of the Original Staff Report (unless inconsistent with the Supplemental Staff Report) except to the extent that any aspect of either is inconsistent with this Resolution;

BE IT FURTHER RESOLVED THAT, the Board reaffirms and, to the extent applicable, updates its conclusion from Resolution No. 2021-0212 that OYS *presents an unsound educational program for the pupils to be enrolled in OYS* and incorporates specific facts found in the Original Staff Report and the Supplemental Staff Report to support this updated finding including, but not limited to, the following:

- Discusses a variety of literacy assessment tools and options, to be implemented by teachers, which are overly taxing without cohesive discussion of how these will collectively be used,
- Lacks a comprehensive discussion of formative assessment tools in mathematics,
- Holds unrealistic expectations for staff and lacks discussion of the overall leadership approach with respect to the professional development plan,

- Proposes several programming ideas without articulating funding sources (e.g., parental English classes, bussing for every student that needs it),
- Mentions a dual language model once in the petition, with no details or further description,
- Suggests that all English Learner students will be Spanish speakers and that every classroom will have one adult who speaks every language in the room, and
- Mentions “Special Education teachers” but does not discuss any specific programmatic elements with respect to the special education program;

BE IT FURTHER RESOLVED THAT, in addition to and separately from the prior paragraph, the Board reaffirms and, to the extent applicable, updates its conclusion from Resolution No. 2021-0212 that OYS *is demonstrably unlikely to successfully implement the program set forth in the petition* and incorporates specific facts found in the Original Staff Report and the Supplemental Staff report to support this updated finding including, but not limited to, the following:

- Projected budget is extremely unrealistic and missing key elements, such as the costs of participating in any SELPA and the costs of student food services,
- Projected budget for the 2024-25 school year includes enrollment of 42 students in grade 4, although the petition does not propose to serve students in grade 4,
- Several inconsistencies between the petition and the bylaws, including the number of board members, the number of family board members, and the term length,
- Petition lacks a comprehensive hiring plan, including mechanisms to recruit and hire school leadership, teachers, and support staff, and
- Governance structure is unclear and has significant irregularities that are inappropriate for the governing board of a non-profit charter school;

BE IT FURTHER RESOLVED THAT, in addition to and separately from the prior two paragraphs, the Board reaffirms and, to the extent applicable, updates its conclusion from Resolution No. 2021-0212 that the OYS petition *is not reasonably comprehensive* and incorporates specific facts found in the Original Staff Report and the Supplemental Staff report to support this update finding, including but not limited to, the following:

- The description of Element 4 – Governance contains a stated intent to require parent volunteer hours, which is illegal to require, and
- The description of Element 8 – Admissions Policies and Procedures does not clearly specify how the admissions preferences would be implemented;

BE IT FURTHER RESOLVED THAT, in addition to and separately from the prior three paragraphs, the Board reaffirms and, to the extent applicable, updates its conclusion from Resolution No. 2021-0212 that OYS *is not demonstrably likely to serve the interests of the entire community in which the school is proposing to locate* and incorporates specific facts found in the Original Staff Report and the Supplemental Staff Report to support this finding including, but not limited to, the following:

- The petition did not include any meaningfully interested student signatures, thereby providing no evidence that there is broad community awareness or support for this charter school,

- The unusual grade span (TK-3) would likely be challenging for both families and surrounding school communities as students transition to a new school in the 4th grade, and
- The full enrollment at OYS (210 students) would lead to a decrease in enrollment at other neighborhood schools serving the same grades, leading to a loss of funding (est. \$2.3 million), which would have a direct negative impact on existing services, academic offerings, and programmatic offerings at the other neighborhood school;

BE IT FURTHER RESOLVED THAT, in addition to and separately from the prior four paragraphs, the Board reaffirms and, to the extent applicable, updates its conclusion from Resolution No. 2021-0212 that *the District is not positioned to absorb the fiscal impact of the proposed charter school* and incorporates specific facts found in the Original Staff Report and the Supplemental Staff Report to support this updated finding including, but not limited to, the following:

- The District is under State receivership, as described and defined by Education Code section 47605(c)(8);

BE IT FURTHER RESOLVED THAT, in considering these factors, the Board is relying on the information, data, and analysis of these factors found in the Original Staff Report and the Supplemental Staff Report; and

BE IT FURTHER RESOLVED THAT, the Board hereby denies the Remanded Petition on the bases set forth in this Resolution.

PASSED AND ADOPTED on August 11, 2021, by the Governing Board of the Oakland Unified School District by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

AYES: Aimee Eng, VanCedric Williams, Gary Yee, Mike Hutchinson, Clifford Thompson, Vice President Benjamin "Sam" Davis, and President Shanthi Gonzales

NOES: None

ABSTAINED: None

RECUSED: None

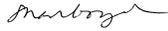
ABSENT: Samantha Pal (Student Director) and Natalie Gallegos Chavez (Student Director)

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on August 11, 2021.

Legislative File	
File ID Number:	21-0446A
Introduction Date:	August 11, 2021
Enactment Number:	21-1292
Enactment Date:	8/11/2021 lf

OAKLAND UNIFIED SCHOOL DISTRICT



Shanthi Gonzales
President, Board of Education



Kyla Johnston-Trammell
Superintendent and Secretary, Board of Education



Alameda County Office of Education

L. K. Monroe
Superintendent

July 15, 2021

BOARD OF EDUCATION

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Sonali Murarka
Oakland Unified School District
Enrollment and Charter Offices

RE: Oakland Youth Services Charter Petition Appeal

Dear Ms. Murarka,

On July 13, 2021, the Alameda County Office of Education Board of Trustees voted unanimously to remand the Oakland Youth Services charter petition back to the Oakland Unified School District. As this file is too large to attach, staff will be sending a link to the charter petition shortly.

Please feel free to contact our office with any further questions.

In partnership,

Juwen Lam
Executive Director, Research Assessment and Accountability Partnerships

313 W. Winton Ave.
Hayward, California
94544-1136

(510) 887-0152

www.acoe.org

Oakland Youth Services Charter School Petition

Alameda County
Office of Education
313 W Winton Ave
Hayward, CA 94544
September 7, 2021



Lifting, As We Climb

Cover Letter

Not being able to meet standards at grade level speaks about the teaching system not the students. With the advance education of the teachers, children in the third grade fail to know the basics at grade level. What is this evidence trying to tell us that we do not want to hear? Why are we turning a deaf ear to the published facts? Thousands of our children are dropping out or graduating from school who are functioning illiterates. If the children in an educational system that does not render to them the educational skills that they deserved; then that educational system must be discarded, and a new one must take its place.

Without knowledge, our children's dreams of academic success will be replaced by the nightmares of reality. Haunted by the ghosts of under-employment, unemployment, homelessness, crime involvement, incarceration, and heightened risk to drug dependency. In addition to the overwhelming psychological state of low-self-esteem, rejection, and disappointment in the adult life. People of color daily encounter discrimination, particularly, people of African descent. Violence is directed toward them in disrespectful ways. They receive poor service in business. They are looked upon as not being intelligent. They are characterized as being someone to be feared and not trusted. Because of their ancestry, without provocation they are called names, insulted; threaten or harassed. This brutal treatment affects the family, and the children, being an extension of the family, also suffers. It is a published fact that African Americans have the least wealth, the highest rate of incarceration, poorest health and have the shortest life span of any other race in the United States.

“School Factors That Contribute to the Underachievement of Students of Color and What Culturally Competent School Leaders Can Do.” An article written by Camille A Smith, California Department of Education, Volume 17, Fall 2005

The article reported on the ineffectiveness of the educational system for poor students of color. The first reading confused me. The information was difficult for me to accept. It forced me to remember growing up in the east Oakland flat lands, and to think about why was it so hard for me to do well in school? In the primary grades, I was not taught the phonetic approach to reading. I asked my second-grade teacher when are we going to learn phonetics? She did not answer. I always felt a distant to my white teachers and I constantly worried about did they like me? The first time I heard the word “black” in reference to a person, I laughed in shame. In elementary school, I tried to be invisible. I went to school. I said very little and did what I was told to do. In doing research for this petition, I learned that students who don't learn to read, don't learn to write. Reading is essential for all academic disciplines.

As I look back on those days, it really did not matter if the teachers liked me are not. The grave crime that was committed, was that teachers did not give me the skills that I needed to be a successful person in life. For thirteen years I sat before teachers, and I graduated academically empty and intellectually incompetent as a young adult facing the world. I was fortunate enough to realize that I had to go back to school and learn the skills that my teachers refused to teach me. By the grace of providence, I graduated from college.

My first job was teaching at College of Alameda. When the first written assignment was returned by the students, it was obvious that these students had not gained competence in language art, English, and literacy. This tragedy, of not being proficient in the basic skills, happened to me over a half century ago and it is still happening today. Why is this situation still allowed to happen? Does anyone even care? Why are we not protesting in the streets about the educational injustices that are

done to our children? Why are we not studying the latest research on the education on how to best teach poor students of color? Research studies have been done and are available. Why are we not looking at lowering class sizes and reducing the enormous expense of school administration?

Without a strong foundation in the basic skills, they are unprotected from propaganda and deceptions of the present age. They become easy prey to lack of self-esteem and susceptible to the depravities of life. Poor children of color, including children in the foster care system are at high risk for unemployment, incarceration, or homeless at the age of 22 or younger. Evidence shows that in not educating the children, we are producing more people to restock the rolls of the so-called “wretched of the earth.” The restocking of these people does result in the financial gains of some, for it refurbishes clients suitable for the prison industrial complex, social services, law enforcement and all the accompaniments. However, the loss of human potential is a great humanitarian expense. How much could the world have gained if these young people were educated? With the proper education, these students could become people who discover a cure for diseases which pledge our countries, or they could become leaders who would negotiate world peace or even social scientists that would direct paths to philosophical human advancement.

Many poor students of color don't like school. Sadly, most of these children have not gotten to a state of enjoying school. Teachers have to bribe students with grades, trinkets, or promises of delayed gratification to get them to do work in class and complete homework assignments. Where the interests of these children lie; that is where education should start. The challenge to make learning so interested that students are motivated to study independently is the goal that Oakland Youth Services strives to obtain. Children are instinctively born open to exploration and learning about their world; and we must seize the moment.

The teaching approach of students in this area need to be changed. It is not accomplishing the objected goals. Smarter Balance Assessments Test' results and the academic performance of students in the classroom verify these facts. Test results are made public on-line. However, I am unaware of anyone complaining about students test results. It is like the failure of these children is acceptable. The parents are unhappy about the quality education their children are receiving in school; but feel helpless. At last month's school board meeting, a few Middle Eastern parents came to the board and asked, if their children could be taught by qualified people of their homeland culture. The board chairperson allowed each person for two minutes and then moved on to the next person, with no response concerning their requests.

The lives of our children are too valuable to put into the hands of misgiving people. People who are aware of their failed teaching practice in the past; but presently, continue to turn out students of poor academic quality. Poor students of color need smaller class sizes. They need more individual attention. Children of families that suffer segregation and discrimination, need additional personal nurture. They also need to know their history, for in the history of a people, are testimonies and stories of human fortitude and spiritual liberation; of which these students need to know.

There are many uncontrollable issues in the education of the poor underachieving student of color; however, there are a few traits that are indispensable. Teachers must serve students; not their ego; not securing a good financial status, nor any other entity that does not vehemently support the advancement of all children. Teachers must be open to change. They must be relevant in addressing the needs of their students. Teachers must enrich the lives of their students with academic and critical thinking tools that will address challenges of the present day and the future world of which they will be residents. If this cannot happen; the educational system is dis-functional and must be casted aside.

Are these children not entitled to an adequate education? If not; why not? Is the school administration so powerful that it decides who receives the fruits of knowledge? My prayer is that it will not continue to be.

Oakland Youth Services will labor to see a day when education successfully educates all children and fights to remove the blinders that are built in stereotypes, monocultural instruction, methodologies, ignorance, social distance, biased research, and racism. These blinders must be destroyed so that it is possible to really see, to really know the students we must teach.¹

Barbara Swoffard is the founder and director of the Oakland Youth Services Charter School. She is native of Oakland, a product of OUSD. She has created and directed afterschool tutoring centers in the Elmhurst community, created, and served as administrator of a residential programs for emotionally disturbed youth, pregnant and parenting teenagers, and scout leader of Brookfield Girl Scout Troup. She has taught at Elmhurst Middle School, Castlemont, Fremont, Skyline, Oakland Technical High School-Oakland, Arroyo High School-San Lorenzo, Tennyson High School-Hayward, Piedmont Middle School-San Jose, College of Alameda-Alameda, Merritt College-Oakland, Assistant Director of Laney College Childcare Center and Instructional Support Specialist, Frick Impact Academy of Language

¹ Delpit Lisa, p.183, *“Other People Children*

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Affirmations, Declarations, and Assurances

Affirmation of Conditions Described in Education Code Section 47605(e)

Oakland Youth Services:

1. Shall be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (“Ed. Code”) § 47605(e)(1))
2. Shall not charge tuition (including fees or other mandatory payments for attendance at Oakland Youth Services or for participation in programs that are required for students except as authorized by those Education Code provisions that explicitly apply to Oakland Youth Services). (Ed. Code § 47605(e)(1))
3. Shall not discriminate on the basis of the characteristics included in Education Code section 220, including but not limited to disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, immigration status. (Ed. Code § 47605(e)(1))
4. Except for legally permissible admission preferences [as provided in Education Code section 47605(e)(2)], admission to Oakland Youth Services shall not be determined according to the place of residence of the pupil, or of the pupil’s parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a Oakland Youth Services shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school. (Ed. Code § 47605(e)(1))
5. Shall admit all pupils who wish to attend Oakland Youth Services. However, if the number of pupils who wish to attend Oakland Youth Services exceeds its capacity, attendance, except for existing pupils of Oakland Youth Services, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending Oakland Youth Services and pupils who reside in the Oakland Unified School District (“OUSD” or “District”) except as provided for in Education Code section 47614.5. Priority order for any preference shall be determined in the charter petition in accordance with all of the following: (Ed. Code § 47605(e)(2)(A)-(B))
 - a. Each type of preference shall be approved by OUSD at a public hearing. (Ed. Code § 47605(e)(2)(B)(i))
 - b. Preferences shall be consistent with federal law, the California Constitution, and Education Code section 200. (Ed. Code § 47605(e)(2)(B)(ii))
 - c. Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. (Ed. Code § 47605(e)(2)(B)(iii))
 - d. Preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. (Ed. Code § 47605(e)(2)(B)(iv))
6. If a pupil is expelled or leaves Oakland Youth Services without graduating or completing the school year for any reason, Oakland Youth Services shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. (Ed. Code § 47605(e)(3))
7. Shall not discourage a pupil from enrolling or seeking to enroll in Oakland Youth Services for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code section 47605(e)(2)(B)(iii). (Ed. Code § 47605(e)(4)(A))
8. Shall not request a pupil’s records or require a parent, guardian, or pupil to submit the pupil’s records to Oakland Youth Services before enrollment. (Ed. Code § 47605(e)(4)(B))

9. Shall not encourage a pupil currently attending Oakland Youth Services to disenroll from Oakland Youth Services or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code section 47605(e)(2)(B)(iii). (Ed. Code § 47605(e)(4)(C))
10. Shall post the California Department of Education’s Charter School Complaint Notice on Oakland Youth Services’ website and Oakland Youth Services shall provide a parent or guardian, or a pupil if the pupil is 18 years old, a copy of this notice at all of the following times: When a parent, guardian, or pupil inquires about enrollment; before conducting an enrollment lottery; and before disenrollment of a pupil. (Ed. Code § 47605(e)(4)(D))

Declaration Required by Education Code Sections 47611.5(b) and 47605(c)(6)

Oakland Youth Services is and shall be deemed the exclusive public employer of the employees of Oakland Youth Services for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, and shall meet the requirements of Government Code sections 3540-3549.3 related to collective bargaining in public education employment (Ed. Code § 47611.5)

Other Assurances

Oakland Youth Services:

1. Shall meet all statewide standards and conduct the pupil assessments required pursuant to Education Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non charter public schools. (Ed. Code § 47605(d)(1))
2. Shall operate in compliance with generally accepted government accounting principles. (Ed. Code § 47605(c)(5)(I))
3. Shall at all times maintain all necessary and appropriate insurance coverage.
4. Shall be subject to conflict of interest and other laws pertaining to public officials, including Government Code section 1090 et seq. and the Political Reform Act (Ed. Code § 47604.1(b)(3) and (4))
5. Shall require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold. (Ed. Code § 47605(l))
6. Shall not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Ed. Code §§ 44830.1, 45122.1, and 45125.1)
7. Shall not discriminate against any employee or candidate for employment on the basis of the fact or perception of a person’s race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital-status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status or any other protected classification, in accordance with applicable law, and shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. (Government Code § 12940; Title 5 CCR § 11967.5.1(f)(5))
8. Shall adhere to all applicable provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act; Section 504 of the Rehabilitation Act of 1974; and Title II of the Americans with Disabilities Act of 1990, and serve students with disabilities in the same manner as such students are served in other public schools. (Ed. Code §§ 47646, 56145)

9. Shall adhere to all applicable provisions of federal law relating to students who are English language learners, including Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; MGL c. 76, section 5; and MGL c. 89, 71 sections (f) and (I).
10. Shall follow the provisions of the McKinney–Vento Homeless Assistance Act of 1987 (42 U.S.C. chapter. 119 § 11431 et seq.) and Education Code sections 48850-48859 to ensure that homeless students and foster youth have access to the same free, appropriate public education, including public preschools, as provided to other children and youths.
11. Shall provide reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. (Ed. Code § 222)
12. Shall provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications. (Ed. Code §§ 48907 and 48950)
13. Shall comply with all other applicable federal, state and local laws and regulations that pertain to the applicant or operation of Oakland Youth Services, including, but not limited to, the following:
 - a. The California Code of Regulations
 - b. The Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99)
 - c. Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.)
 - d. Displaying all required postings at school site and online
 - e. Following the minimum and maximum age requirements for enrollment
 - f. Providing the minimum number of instructional minutes

NOTE: This Charter contains specific “District Required Language (DRL)”, including the above *Affirmations, Declarations, and Assurances* section. The DRL should be highlighted in gray with each Charter element or section. To the extent that any inconsistency may exist between any provision contained within the body of the Charter and the DRL, the provisions of the DRL shall control.

PETITION APPLICATION
Executive Summary & Overview

Name of Proposed Charter School	Oakland Youth Services
Proposed Grade Configuration	Transitional Kindergarten Through Third Grade
Proposed Maximum Enrollment	210
Proposed Address (or neighborhood)	Elmhurst Community 98 th Ave, Oakland, CA.
Primary Contact (name, email, phone)	Barbara Swoffard OYServices@Aol.Com 510 569 4462
Board Chair (name, email, phone)	Gabriel Burton organochemist@gmail.com (510) 340-8780
Affiliated Charter Management Organization (if applicable)	
Proposed Instructional Start Date	Fall 2021
Instructional Model or Focus	Standard, with Aspects of Student Centered and Constructive Approaches

Charter School Executive Summary Narrative:

“In the seed lies critical ingredients for future growth, but the initial nurturance of that seed also determines the same growth.” Conrad Lorenz

The tragedy in the current educational system is that it is not serving many African Americans, Latinx and poor students well. Substantiated by the results from the National Assessment of Educational Progress and Smarter Balanced Assessments report of schools that are predominately enrolled by students of color and poor students. It is also regrettable that the system passes students on to higher grades without the students meeting standards in language arts and mathematics at grade level. Ultimately students, that graduate or drop-outs of the educational system, become adults who are not prepared for higher levels of academic performance. Legitimizing the fact that a poor education creates a permanent underclass and threatens economic and social integration into mainstream America.

There are many factors that contribute to the underachievement of these students; but non-proficiency in the basic skills at grade level are major bars to student progress. The task at hand is not only to see the future but to enable it. Teachers can make a difference. With knowledge of students who sit before them and charged with delivering truth; educators can inspire higher places in academic excellence. For “Knowledge and skills are important enoughbut true education and real teaching involve far more: helping students understand, appreciate and grapple with important ideas while developing a depth of comprehension of a wide range of issues.”² But without student achievement of the basic skills of language arts/English and mathematics these goals are difficult to obtain. Teachers can inspire students to learn; by teaching skills that will develop their intellectual abilities and involve them in learning activities that will enhance human relationships, critical thinking, and civic responsibility. For these are the keys in establishing a true democratic society.

² Eugene Garcia, p.112, “Student Cultural Diverse”

Student Demographics:

African American and Latino	FRL 100%	SPED 5%	ELL 15%
Projected Demographics	Latinx, African American, Foster Care children, Poor children	0%	ELL 40%

Founding Board of Directors Membership: 1

Name	Current Professional Title and Organization	Board Role	Focus/Expertise
Gabriel Burton	Special Education Teacher	Acting Chairperson	Science
Barbara Swoffard	Special Education	Member	Teacher
Cheryl Crenshaw	Lawyer	Member	Counselor
Dr. Glenester Irvin	Developmentally Disabled Administrator	Member	Positive Links LLC

Summary Budget:

	Year 1	Year 2	Year 3	Year 4	Year 5
	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
Number of Students	84	126	168	210	210
Per Pupil Revenue	878,953	1,357,700	1,865,412	2,294,187	2,294,187
State & Federal Grant Funds	15,797	25,071	33,690	42,340	42,340
Private Grants / Foundation Revenue / Gifts & Contributions	0	0	0	0	0
Other Sources	0	0	0	0	0
Total Revenue	894,750	1,382,771	1,899,102	2,336,527	2,336,527
Instructional Salaries & Benefits	304,723	505,443	715,111	867,397	867,397
Instructional Services / Supplies	26,695	29,054	31,492	34,005	34,005
Other Instructional Expenses	8,790	13,577	18,654	22,942	22
Total Instructional Expenditures	340,208	548,074	765,257	924,344	924,344
Supporting Services Salaries & Benefits	321,924	446,000	513,184	631,134	631,134
Purchased Property Services	0	0	0	0	0
Other Supporting Services Expenses	179,670	314,940	492,617	725,440	725,440
Total Supporting Services Expenditures	501,594	760,940	1,005,801	1,356,574	1,356,574
Total Expenses	841,802	1,309,014	1,771,058	2,280,918	2,280,918
NET INCOME	52,947	55,704	166,196	196,311	196,311

Element 1 – Educational Program

“The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.” – Ed. Code § 47605(c)(5)(A)(i)

“The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” – Ed. Code § 47605(c)(5)(A)(ii)

“If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A to G” admissions criteria may be considered to meet college entrance requirements.” – Ed. Code § 47605(c)(5)(A)(iii)

Local Control Accountability Plan (LCAP)

Oakland Youth Services shall annually submit a Local Control and Accountability Plan (LCAP)/annual update to the Office of Oakland Youth Services on or before July 1, in accordance with Education Code section 47604.33. In accordance with Education Code section 47606.5, Oakland Youth Services shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code section 47605(c)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time, including but not limited to the following:

- A review of the progress towards the goals included in the charter, an assessment of the effectiveness of specific actions toward achieving those goals, and a description of the changes to the specific actions Oakland Youth Services will make as a result of the review and assessment.
- Listing and description of the expenditures for the fiscal year in implementing the specific actions included in the charter as a result of the reviews and assessments, classified using the California School Accounting Manual.
- To the extent practicable, data shall be reported in a manner consistent with how information is reported on the California School Dashboard.

Oakland Youth Services shall comply with all other requirements of Education Code section 47606.5, including but not limited to the requirement that Oakland Youth Services ‘shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan and annual update...’ (Ed. Code § 47606.5(d))

Western Association of Schools and Colleges (WASC) Accreditation

If Oakland Youth Services serves students in grades 9-12, Oakland Youth Services shall obtain Western Association of Schools and Colleges (WASC) accreditation before Oakland Youth Services graduates its first class of students.

Mathematics Placement Policy

If Oakland Youth Services serves ninth grade, Oakland Youth Services shall comply with the requirements of Education Code section 51224.7 with respect to implementing a fair, objective and transparent mathematics placement policy for pupils entering the ninth grade.

Student Enrollment and Grade Levels Served

For the term of the Charter, Oakland Youth Services projects the following grade levels and enrollment:

Grade Level	Year 1	Year 2	Year 3	Year 4	Year 5
	2021 - 2022	2022- 2023	2023 - 2024	2024- 2025	2025- 2036
TK	42	42	42	42	42
K	42	42	42	42	42
1	X	42	42	42	42
2	X	X	42	42	42
3	X	X	X	42	42
4	X	X	X	X	X
5	X	X	X	X	X
6	X	X	X	X	X
7	X	X	X	X	X
8	X	X	X	X	X
9	X	X	X	X	X
10	X	X	X	X	X
11	X	X	X	X	X
12	X	X	X	X	X
Total	84	126	168	210	210

Maximum enrollment of school during the upcoming charter term: [210]

Oakland Youth Services acknowledges that it is the position of the District that any deviation from the grade levels listed above shall be considered a material revision of the Charter under Education Code section 47607(a). Further, any increase in enrollment exceeding either 5% OR 20 students of the total enrollment, shall be considered a material revision of the Charter, and any decrease in enrollment exceeding 10% AND 20 students below the projected enrollment for a given year shall also be considered a material revision of the Charter.

Element 1A The Target Community

A Description of the Community in which the Target Students live

The community can be described as having garbage-filled streets, run-down shuttered stores, burnt-out abandoned cars, and deteriorating houses. The community is filled with over-crowded homes and homeless encampments on the streets. The geophysical atmosphere of these dwellings is an over-abundance of life-destroying instruments and an absence of life-supporting establishments. Unemployment and underemployment abound in the community. The economic picture of the community is not encouraging. The unemployment rate for residents in the area is 17% for Blacks, 14% for Hispanics and 15% for Native American and Alaskan Natives. The economic escape for this disadvantaged community is through education and training which are available to a relatively small number of residents.

Basic goods and services are lacking due to the scarcity of means to procure them. What few goods are allocated are done so mainly by social service agencies and are too small to have lasting effect. The high pricing of goods and services, the lack of investment, the outflow of capital, the lack of extension of credit and cash serves to establish an economic environment that is tenuous, unpredictable, poverty-stricken and life-destroying which serve to force the exploitation of some residents of the community by others. Criminal behavior is resorted to by those who wish to obtain the scarce economic material goods possessed by their neighbors.

The geophysical environment is a disinvested one. A one where all valuable physical resources are deteriorating or being taken out; none being brought in. A geophysical environment of this type cannot be life-supporting; it is life-destructive. A well-grounded cultural structure cannot be erected on such a geophysical foundation. Frustration, powerlessness and all its attendant ills will set in and effects the community, the family, and the children.

The effects of a family frustration and powerlessness are actualized in exposure to adverse social, municipal, and local services. Living in a low-income neighborhood, children live in chaotic unstable households. They are likely from single-guardian homes, whose parent or caregiver tend to be less responsive to their needs.

This community can be described as a culture of poverty. A culture of poverty that is psychologically degrading to the residents and their children.

A Description of Diverse Students Living in the Targeted Area

They are children who have been subjected to years of doing without. Children who are not usually taken to museums, theaters, or the library; and they rarely go on culturally enriching outings. Their households are more crowded, noisy, and physically deteriorated. Financial limitations often exclude these students from healthy afterschool activities. They have fewer or smaller designated play areas in the home and spend more time watching television or playing video games. In this target community, there is a greater traffic volume, higher crime rates and less likely to contain green spaces or playgrounds.

The lifestyle of these children accrues many stressors. The stressors of these students may include living in overcrowded substandard housing, unsafe neighborhoods, domestic violence, separation, divorce, loss of a family member, financial strain, and forced mobility which may mean removal of children by Child Protective Services. In addition to these deprivations such as evictions, utility disconnections, lack of stove or refrigeration cause stress to poor children. The lack of proper

supervision, physical -neglect or abuse, cause these children to have difficulties in forming healthy friendships and a vulnerability to depression.

The effects of stress on school behavior and performance are linked to over fifty percent of all absences. Stress impairs attention and concentration. It reduces cognition, creativity, memory and diminishes social judgement. Stress, in addition, reduces motivation, determination and effort. Stress increases the likelihood of depression and reduces neurogenesis which is the growth of new brain cells. Impulsivity is a common disruptive classroom behavior among low-economic students.

Common issues in poor families include depression: chemical dependence and unemployment. These factors interfere with the healthy attachment that foster children's self-esteem, sense of mastery of their environment and optimistic attitudes. Instead, poor children often feel isolated and unloved, feelings which generate an attitude of unhappy living, including poor academic performance, behavior problems, dropping out of school and drug abuse. These events tend to rule out higher education and perpetuate the cycle of poverty.

The psychosocial environment into which children of color and poor children are born is confusing and complex. The overall reigning psychosocial environment of these students is grounded in the history, experience of genocide, exploitation, and colonization by the dominate culture. They must constantly adapt and cope with a confusing unstable, but all powerful- dominate culture on which they depend for their very existence; yet is locked-out forming to any significant extent of power and is generally degraded and discriminated against.³

A Description of How These Students Experience Education.

Culturally diverse and poor students experience school differently from children of the dominate culture. These students battle negative perceptions and social expectations that often hinder their achievement. They may not be given access to advance classes because teachers and administrators may perceive them as inferior to their White counterparts.

Full cultural consideration to the cultural background of diverse and poor students being taught must take place in the schools. Language and culture are intimately connected. Both bilingual and multicultural approaches seek to involve and empower the most vulnerable student. For it is essential that their natural links are fostered. However, culturally diverse students are often confronted with contexts for education that do not allow them to apply and extend their constructed knowledge. Such students are vulnerable to failure when faced with schooling practices that exclude their histories, language, experiences, and values.

Many of these students internalize negative concepts, they suffer what has been characterized by psychologist as stereotype threat. Stereotype threat is the hazard of being viewed through the lens of a negative stereotype or the fear of doing something that would inadvertently confirm that stereotype. Negative connotations about the intellectual capabilities of African American students impede their performance on standardized tests. In both subtle and overt ways, African Americans remain devalued in public schools. National surveys reveal that, from elementary through high school, African Americans are twice as likely as White students to receive punishment and are disproportionately suspended or expelled from school or labeled mentally retarded.⁴

³ Wilson, Amos, p.53, "The Development of The Black Child"

⁴ Jensen, Eric, p. 33-34, "Teaching with Poverty in Mind"

Stereotyping is a major problem for black and brown males. In the American psyche, young black and brown males are continually seen as enraged, threatening, and beset by hardships; just as they were centuries ago. Caricatures and critiques of these young men usually pivot around the common appearance: violent, drug-involved gangsters, withdrawn teens, the crude disrespectful provocateur, the unsmiling, unfeeling untouchable thug. Many young black and brown males are negatively targeted by police and media; hence they remain misunderstood and targeted.

Teachers sometimes refrain from calling on Native American students to avoid causing them discomfort and these children subsequently miss the opportunity to discuss or display their knowledge of the subject matter. A primary source of stereotyping is often the teacher education program itself. It is in these programs that teachers learn the poor students and students of color should be expected to achieve less than their mainstream counterparts. Young male students of color often feel the burning glare of misperception early on in school, where teachers and other officials are more likely to perceive their actions and emotions as disrespectful or defiant. Native Americans and other students of color express that they are more disproportionately disciplined in school. A team of sociologists found that schools vary their messaging based on whether students are white or of color. White students often see schools as places of care that invest in them, where teachers are supportive mentors. Students of color generally report that school teaches them discipline and social responsibility. As indicated by the suspension rate of students of color in public schools.

It has been confirmed that students of color are openly provoked in class by teachers who feel that they are a threat to the academic atmosphere. Many members of society draw from negative stereotypes in media and apply these ideas, often subconsciously, to young black and brown males looking up at them in the classroom. American perspective on these young men then becomes the control and policing of their bodies rather than the acknowledgement of an affirmation of their minds and personhoods. Being a student of color, appearing intellectually inferior, and seen as underachieving adds to the obstacles already faced by many diverse students.

One study found that forty-nine percent of teachers surveyed considered higher-order thinking was inappropriate for poor or low-achieving students⁵. Black, Brown, and poor students soon learn to detect two things: Society is preconditioned to see the worst in them and that many educators, whether consciously or unconsciously, believed that children of color and poor children cannot achieve at the same academic levels of children of the dominate white culture.

In addition to the diversity and poverty, the lives of students in foster care are impacted physically, mentally, and psychologically to a greater degree. As the result of the removal from home; 46% of foster youth fail to complete high school, 65% of California's foster youth face imminent homelessness, 70% of foster youth dream of going to college, only 3% actually make it, rates of Post- Traumatic Stress Disorder among foster care alumni are up to twice the rate of US war veterans who faced combat, 83% of children in foster care are held back in school by the 3rd grade and 75% are working below grade level, and 51% are unemployed at the age of 22. As adults, foster youth become unemployed, homeless, or incarcerated. Many teachers are not aware of the living circumstances of these students and sadly do not adjust the teaching expectations of the students to address their needs. Most of the children in foster care are poor children of color.⁶

⁵ Zohar, Degan & Vaaknin, 2001

⁶ casaofalamedacounty.org/District/1226

Relevant Characteristics and Unmet Educational Needs of the Community

Many of these students in this target area are academically behind. The tragedy is from elementary school to high school, students are not educationally equipped to progress to higher levels of academic performance. The unmet education needs of the community are students' inability to meet the Smarter Balance English Language Arts Literacy and Mathematics Standards at grade level. Not meeting the Smarter Balance assessments means that when many students progress to middle school, they do not know multiplication facts, and they are puzzled about how to write a paragraph. The penmanship of some students is not legible. Countless of them are unable to read manuscript written in cursive. Many of them are unable to participate in higher order critically thinking as demonstrated in verbal discussions and written form. As the students move on to higher grades, the percentage of students that meet standards lessens. By the time that students are in eleventh grade, an average of twenty-one percent met standards in Language/Arts and an average of six percent met standards on mathematics.

African Americans, Latinx, financially poor parents are disappointed and angry about the outcome of the children's educational accomplishments. In an article entitled, "Reparable Harm" authored by Laurie Olsen published by California Together Research & Policy reports that: "Students that are classified as Long-Term English learners arrive in secondary schools with a set of characteristics that described their overall accomplishments. These students struggle academically. They have distinct language issues, including high functioning social language, very weak academic language, and significant deficits in reading and writing skills. Most of these English learners are stuck at intermediate levels of English proficiency or below. Long-term English Learners have significant gaps in academic background knowledge. In addition, many have developed habits of non-engagement, learned passivity and invisibility in school. The majority of long-term English Learners want to go to college; but are unaware that their academic skills, records, and courses are not preparing them to reach the goal. Neither students, their parents nor the community realize that they are in academic jeopardy." Parents are angry, disappointed, and frustrated. Experiencing a kind of frustration that stems from the overall racial theory of inferiority of students of color which prevents the children of a diverse community from attaining many of the things they desire, like a job that pays living wages with health benefits.

The problem to be addressed is that a poor education creates a permanent underclass and threatens these students' economic and social integration into mainstream America. While Blacks and Hispanics represent more than a quarter of the United States population; they make up less than six percent of doctors and nine percent of the nurses. Sparse representation is also present in the fields of law, science, and technology. One of the looming tragedies of the unmet educational community needs is that students do not meet, or students are not taught the basic skills of Language arts and mathematics; but they are passed on to the next higher grade. At the third-grade level, sixteen percent met standards language arts/English and twenty-two percent met mathematics standards. The average percent for eighth graders in middle school was twenty percent in Language Arts/English and nine percent mathematics. The average percentage of the three high schools in the target area for eleventh graders that met standards was twenty percent in language arts/English and six percent for mathematics.

Elementary Schools in the target community that are in the vicinity of OYS are: Brookfield, Parker, New Highland, Rise, Reach, Aspire College Academy, Madison, Encompass, Korematsu, East Oakland Pride, Cox, Aspire Monarch.

Middle Schools in the target community that are in the vicinity of OYS are: Alliance, Elmhurst, Parker.

High Schools in the target community that are in the vicinity of OYS are: Castlemont, Fremont, Skyline.

Percentage of Students in Target Community that Met Standards as Recorded by Smarter Balance

Latest Assessment OUSD School Digger Report 10/9/2018

Smarter Balance Test Results	English/Language	Mathematics
Elementary Schools:		
Brookfield	16.7%	26.2%
Parker	13.9%	13.9%
New Highland	13.3%	12.7%
Rise	10.8%	10.8%
Reach	20.3%	20.0%
Aspire College Academy	17.4%	NR
Madison	7.7%	15.4%
Encompass	10.2%	14.0%
Korematsu	7.1%	17.4%
East Oakland Pride	20.0%	20.8%
Cox	18.2%	17.8%
Aspire Monarch	37.9%	69.7%
Average	16.1%	21.7%
Middle Schools:		
Alliance Eighth Graders	14.3%	9.4%
Elmhurst Eighth Graders	14.3%	8.8%
Parker Eighth Graders	30.3%	6.1%
Average	19.6%	8.1%
High Schools:		
Castlemont Eleventh Graders	9.4%	0%
Fremont Eleventh Graders	17.6%	2.5%
Skyline Eleventh Graders	33.3%	14.9%
Average	20.1%	5.8%

The community as a whole is in dismay, after years of schooling, which is costly in time, money and human sacrifice, many students are so uninspired by the education they received that, they drop-out of school or graduate unprepared to succeed in institutions of higher learning.

An Educated person of the 21st Century

An educated person of the 21st century is a person who is proficient in academic English; a specific type of English used in reading, writing papers, and discussing academic issues. A person who knows her history and the history of mankind; for without self-knowledge, humanity struggles with a sense of purpose and direction. A person who is non acceptance of the plight of humanity; but is motivated to search for answers to the question: “Why.” He is dreamer whose imagination and confidence in self are used as resources to make his dreams a reality. The educated person of the 21st century is active, not passive in his civic responsibility. For she knows that to know, and not do is, not to know. Armed with the knowledge of self and world history, he can understand the purpose of his existence and with this insight, he can better design a design a future himself and progeny. The educated person of the 21st century realizes that he is traveling on a life-journey of discovering, securing, and maintaining truth, justice, and prosperity for all mankind and, particularly those who live in her community.

Oakland Youth Services’ Mission

To survive the storms of nature, a structure must have a strong foundation. This concept is also true in educating children. If students do not get a good academic foundation by the third grade, in the basic reading and math skills, they will be progressively behind as students move to higher grades. And with the influx of social media in the form of video games, television, movies, and pop culture artifacts; reading, writing and academic verbal discussions are not extremely attractive to poor students and students of color. The enjoyment of reading, the expression of ideas in written form and intellectual verbal discourse are seeds that must be planted early in the learner’s life. Oakland Youth Services Charter School’s mission is to increase the percentage of third grade students that will meet or go beyond standards on: English, language arts, literacy and mathematics on the Smarter Balance Assessments.

In addition, OYS’ purpose is to be instrumental in helping students become more knowledgeable of their heritage and the beauty of their unique personhood. Students cannot know or can appreciate who they are; if they do not know the history of the people from whom they have evolved. It is the mission of Oakland Youth Services to help students become so knowledgeable of the beauty of their personhood, that at the end of the school year they can proudly say: “I love myself; I love my history and I love learning.”⁷

Oakland Youth Services’ Vision

Oakland Youth Services envisions a day “when educators will see that teaching does more than imparting knowledge and teaching skills. Knowledge and skills are important enough... but true education and real teaching involve far more: helping students understand, appreciate and grapple with important ideas while developing a depth of comprehension of a wide range of issues ...and promote enlarge understanding of ideas.”⁸

Oakland Youth Services hopes to see a day when education successfully educates all children and fights to remove the blinders that are built in stereotypes, monocultural instruction, methodologies, ignorance, social distance, biased research, and racism. These blinders must be destroyed so that it is possible to really see, to really know the students we must teach.⁹

⁷ Delpit Lisa, p.18, “Other People Children”

⁸ Garcia, Eugene, p. 112-113, “Student Cultural Diverse”

⁹ Delpit Lisa, p.183, “Other People Children”

Element 1B:

Oakland Youth Services' Philosophy and Approach to Instruction

Keys to Understanding the Learning Underachievement of Culturally Diverse Students

Over the years, an array of theoretical perspectives on the educational needs of culturally diverse populations, span a broad continuum. Some researchers claim that educational failure is related to a mismatch between the home and school. Others claim that students fail academically because schools do not utilize principles of effective teaching and learning. Still, other theorists point to the social oppression, socioeconomic status, and social expectation for certain groups as key to understanding underachievement. Friere (1970) has argued that educational initiatives cannot expect to lead to academic or intellectual success under social circumstances that are oppressive. He and others (Cummins, 1986; Pearl, 1991) suggest that social oppression experienced by students taint any curriculum or pedagogy.¹⁰

For poor students of color, school can be a discontinuous experience. Disconnectedness and discontinuities are the major causes of psychological distress and upheaval in life. Schools do not form a continuous link with the culture of the poor student of color and essentially foreign establishments as far as they are concerned. They require the use of language and verbal skills that are foreign and alien. Consequently, the student resists learning these useless skills. Attending school for the poor children of color is often a schizoid process. They are called to alienate themselves abruptly from their culture and they must maintain a psychological balance between their culture and the culture of the dominate class.

Americanization and Its Effect on Poor Diverse Students of Color

Americanization, based on the sociological theory of assimilation, is an approach to acculturation that seeks to merge small ethnic and linguistically diverse communities into a single dominant national institutional structure and culture. Historically, Americanization has been a prime institutional education objective for immigrant and culturally diverse children. The Americanization philosophy presumes that culturally different children are as a group culturally flawed. By changing their values and language, teachers will have the solution to the educational underachievement of the students who represent these groups. The notion that these children are flawed and need to be fixed, causes a disruption in the learning process. For these students, Americanization unfortunately still means the elimination not only of linguistic and culture differences but also the elimination of an undesirable culture. The challenge facing education to culturally diverse is not to "Americanize" them but to act responsively to their specific diversity to achieve academic success for all students.¹¹

A more appropriate perspective on learning is one that recognizes that learning is enhanced when it occurs in context that socio-culturally, linguistically, and cognitively meaningful for the learner. Full cultural consideration to the cultural background of diverse and poor students being taught must take place in the schools.

Teachers must comprehend the fact that children come to school motivated to enlarge their culture, and teachers must start with their culture. Initially as organisms to be molded and regulated. But teachers must first determine how they seek to know themselves and others and how their expertise and experience can be used as the fuel to fire their interest, knowledge, and skills. Teachers should

¹⁰ Garcia, Eugene, p. 103, "Student Cultural Diverse"

¹¹ Garcia, Eugene, p. 103, "Student Cultural Diverse"

look first not at their deficits but at what they need to know. Far from having deficits, they are rich in assets. Teachers enter their world to aid them and to build bridges between two cultures.¹²

The school must allow cultural elements that are relevant to the children to enter the classroom freely. The school must provide a set of supports that utilize the child's home language, discourse style, participation orientation to enable the child to move through relevant experience from the home toward the demands of the representative of society. The idea is to encourage the child to respect the demands of the school culture while preserving the integrity of the home culture. A pedagogy that is responsive to culturally diverse students utilizes their constructed knowledge as a foundation for appropriating new knowledge. It also incorporates the students' native language or bilingual abilities.

Culture and Second-Language Acquisition for Diverse Students

Lack of English proficiency and academic deficiency has been said to be caused by a devaluation of student's language and cultural heritage. Language and culture are intimately connected, and because both bilingual and multicultural approaches seek to involve and empower the most vulnerable student, it is essential that their natural links be fostered.

One student complained bitterly, saying:

“Mrs. _____ always be interrupting to make you ‘talk correct’ and stuff. She be butting into your conversations when you not even talking to her! She needs to mind her own business.”¹³

“Another example is from a Mississippi preschool teacher. A teacher had been drilling her three-and four-year-old charges on responding to the greetings, “Good morning, how are you?” with “I’m fine, thank you. Posting herself near the door one morning, she greeted a four-year-old black boy in an interchange that went like this:

Teacher: Good morning, Tony, how are you?

Tony: I be’s *fine*

Teacher: Tony, I said, How *are* you?

Tony: (with raised voice) I be’s *fine*.

Teacher: No, Tony, I said *how are you*?

Tony: (angrily) I done told you *I be’s fine* and I ain’t telling you no more!

Tony must have questioned his teacher's intelligence, if not sanity. In any event, neither of the students illustrated would be predisposed to identify with their teachers and thereby increase the possibility of unconsciously acquiring the latter language form.” Language and culture are intimately connected.¹⁴ For it is essential that their natural links are fostered.

Language acquisition and development of language comprehension with diverse students is an important factor in academic underachievement. Dr. Stephen Krashen, a language professor, in his work on second-language acquisition, distinguishes the processes of conscious learning from unconscious learning. Krashen found unconscious acquisition to be much more effective. In further studies, he found that in some cases people did not easily acquire a new language. The finding led him to postulate the existence of what he called the affective filter. The filter operates when affective conditions are not optimal, when the student is not motivated, does not identify with the speakers of the second language, or is over-anxious about his performance causing a mental block; the student

¹² Sarason, 1990

¹³ Delpit Lisa, p.51, “Other People Children”

¹⁴ Delpit Lisa, p.51, “Other People Children”

does not identify with the speakers of the second language which will prevent the input from reaching those parts of the brain responsible for language acquisition. Although the process of learning a new dialect cannot be completely equated with learning a new language, some processes seem to be similar. In this case, it seems that the less stress attached to the process, the more easily it is accomplished.”¹⁵

The affective hypothesis embodies Krashen's view that several 'affective variables' play a facilitative, but non-causal, role in second language acquisition. These variables include motivation, self-confidence, anxiety, and personality traits. Krashen claims that learners with high motivation, self-confidence, a good self-image, a low level of anxiety and extroversion are better equipped for success in second language acquisition. Low motivation, low self-esteem, anxiety, introversion, and inhibition can raise the affective filter and form a 'mental block' that prevents comprehensible input from being used for acquisition. In other words when the filter is 'up' it impedes language acquisition. On the other hand, positive affect is necessary, but not enough on its own, for acquisition to take place. Teachers can encourage student motivation, self-confidence, good self-image, low level of anxiety and extroversion or discourage them.¹⁶

Teacher judgement is a factor in the underdevelopment of linguistically diverse students. Harrison (1985) concludes that a dialect can affect the initial judgement about how smart a child is likely to be, how well that child will fare as a learner, how that person is grouped for instruction, and how their contribution to class will be treated. This judgement may affect the child's attitude about the self, the willingness to participate in class and the expectations for the results of participation. A child's competence is not easily predicted from dialect, but as Edward (1981) found, it is more probable that teachers who expect problems from children who speak a dialect will treat those children differently.¹⁷

Krashen uncovers more. Words trigger emotional responses. The society in which these students live is an oppressed community. An oppressed culture that has been historically traumatized by terrorism and a culture that even today is constantly under attack. For many in this oppressed culture language acquisition not only causes a mental block for identification with the speaker but a rebellion toward the embodiment of generations of exploitation.

Diverse Students are Challenged by Educational Inequities

The progress of education for students of color and poor students is also hindered by educational inequities that support: 1) Educators assume that the academic failure of students lies with their families and not with the structure of the school. The greater part of educational success depends on the teacher. The academic failure of any student rests on the failure of instruction personnel to implement what is known to work. It is not a mismatch of cultures but the failure of instructional programs to utilize appropriate general principles of teaching and learning. Specific instructional strategies proposed for “what works with everyone” are direct instruction, tutoring, frequent evaluation of academic progress and cooperative learning. Researchers also identifies expectations as significant factors in underachievement and report that students, teachers, and school professionals in general have low academic expectations for culturally and linguistically diverse students. Bernstein (1971), Laosa (1982), Wilson (1999), and Anyon (1997) address underachievement by pointing to socioeconomic factors that influence the way schools and instruction are organized. When a group of people is exposed, over generations, to poverty and debilitating socioeconomic

¹⁵Delpit Lisa, p.50, “Other People Children”

¹⁶ [sk.com.br/ Krash](http://sk.com.br/Krash), *English*

¹⁷ Garcia, Eugene, p. 223,, “Student Cultural Diverse”

conditions, the teaching and learning process for children at home, in the community and in the school will suffer. To further explain underachievement, theorists suggest that in this country, the social approach to several immigrant and minority populations as “cast-like.” They also claim that these populations are perceived as forming a layer of U.S. society that is not expected to excel academically or economically. These social expectations are reinforced until they become self-perceptions adopted by the members of “caste-like” populations, with academic underachievement and social withdrawal as the inevitable result.

2) White educators remain unaware that the home environment of poor students and racially diverse students are dynamically different from the school environment and therefore these students may not experience as smooth of a transition between home and school as White middle-class students do. Teachers must acknowledge and validate students’ home language without using it to limit students’ potential. Students’ home discourses are vital their perception of self and sense of community connectedness. Teachers must recognize the conflict details between students’ home discourse and the discourse of the school. They must understand that students who appear to be unable to learn are in many instances choosing to not-learn, choosing to maintain their sense of identity in the face of what they perceive as a painful choice between allegiance to themselves or the dominate culture. When a significant difference exists between the students’ culture and the school’s culture, teachers can easily misread students’ aptitude, intent, or abilities as a result of the difference in styles of language use and interactional patterns. When such cultural differences exist, teachers may utilize styles of instruction and/or discipline that are at odds with community norms. As I have stated previously, a primary source of stereotyping is often the teacher education program itself. If we do not have some knowledge of children’s lives outside the classroom, then we cannot know their strengths. Not knowing students’ strengths leads to “teaching down” to children from communities that are culturally different from that of the teachers in the school.¹⁸

3) Advantages flow to some and not to others based merely on their membership in the dominant culture of this country.¹⁹ The educational inequity of “advantages flow to some and not to others based merely on their membership in the dominant culture” is a legacy of privilege. A legacy of privilege, identified as White privilege, the precursor to racism. Racism can be conscious or unconscious; systemic or institutional. Systemic racism are racist practices that infiltrate every part of society, on an individual, institution, and cultural level. (Camille A Smith, CA. DEPT. of Ed. 1994 School Factors Contribute to the Underachievement of Students Color)

The Constructive Approach to Educating Poor Diverse Students of Color

The constructive approach to education is based on a specific model of how humans come to know and understand. It proposes that humans gain knowledge by constructing it by comparing and organizing old and new information within a surrounding local context or environment that greatly affects the final form the knowledge will take. This approach acknowledges that children come to school with constructed knowledge about many things and points out that children’s development and learning are best understood as the interaction of past and present linguistic, sociocultural, and cognitive constructions.²⁰

Embedded in the constructive approach to education is the understanding that language, culture, and values that accompany them are constructed in the home and the community environments. A more

¹⁸ *Educational Leadership Administration Volume 17, Fall 2005*

¹⁹ Howard, 2002, p2-3

²⁰ Trueba, 1988b, 1999

appropriate perspective on learning is one that recognizes that learning is enhanced when it occurs contexts that are socio-culturally, linguistically, and cognitively meaningful for the learning.²¹

Such meaningful context has been notoriously inaccessible to culturally diverse children. Schooling practices often contribute to their educational vulnerability. The monolithic culture transmitted by American schools in the form of pedagogy, curricula, instruction, classroom configuration and language dramatize the lack of fit between the culturally diverse student and the school experience.

The culture of the American schools is reflected in such practices as: 1) The systematic exclusion of the histories, languages, experiences and values of these students from the classroom curricula and activities; 2) "Tracking," which limits access to academic courses and justifies learning environment that do not foster academic development and socialization or perception of oneself as a competent learner and language-user; 3) A lack of opportunities to engage in developmentally and culturally appropriate learning in ways other than teacher-led instruction.

The new pedagogy is one that envisions the classroom as a community of learners in which speakers, readers and writers come together to define and redefine the meaning of the academic experience. A pedagogy of empowerment, where cultural learning provides instructional assistance and guidance. This new pedagogy appropriate allows for respect and integration of the students' values, beliefs, histories, and experiences and recognizes the active role that students must play in their own learning. This responsive pedagogy utilizes students' present knowledge and experiences as a foundation for appropriating new knowledge. Since language is a substantial part of the social network within which children's knowledge, strategies that incorporate the student's native language must be used. Recent research focuses on understanding and facilitating successful interaction among cultures rather than on discounting the attributes of minority cultures to accommodate those of the majority culture.²²

The constructive, student centered approaches serve as an affirmation of the student's personhood. Through dialogue in daily adult-child conversations, the student will develop language-literacy skills and build vocabulary. In teacher-student conversations, the teacher challenges the student to think and to speak on a progressive level. Also, an adult talking to the student about things that student is interested in, makes the student feel special. This exercise also serves as an informational assessment that helps the teacher to plan strategically and subsequent instruction.

Realities Faced by the Poor Underachieving Students of color

Living in a culturally poor community, children experience chaotic unstable households. The common issues in poor families include depression, chemical-dependence, and unemployment. These family stresses impair student's attention and concentration in learning. They also contribute to student disruptive behavior in the classroom. In addition, many students are taught by teachers, who consider higher order thinking as being inappropriate for them. The list of adversities for diverse students is: 1) the denial or acceptance of the Americanization concept; 2) the acquisition of a second language and literacy; and 3) the proficiency in the basic skills- language arts, English, and mathematics. These are important elements in ensuring academic achievement. However, for students, whom the society have designated as caste-like and marginalized in the classroom by instructors; being adept in acquiring academic skills are difficult to achieve.

²¹ *sk.com.br/sk-Krash. English*

²² *Garcia, Eugene, p. 119, "Student Cultural Diverse"*

Oakland Youth Services' Approach to Instruction

OYS' educational use of the standard educational approach to teach the basics: language arts, English, and mathematics. The student-centered teaching approach will focus on language development and literacy. The constructive teaching approach, students explore and learn about the greatness of their individual heritage.

OYS teachers will make the difference. Teachers can make a difference by seeing each student as a precious jewel to be molded into a diamond. OYS teachers will know their students. They will set high standards and then carefully and explicitly instruct students in how to meet them. They teach to ensure that their students met their expectations. They will be people who can teach in classrooms the rules for dominant culture, allowing students to succeed in mainstream America. People who were not only born outside of the realms of power and status, but who had no access to status institutions. Teachers who are not a part of the power elite; nor are members of the dominant discourses. Yet they provide the keys for their students' entry into the larger world, never knowing if the doors would ever swing open to allow them in.

OYS teachers are aware that they cannot hope to begin to understand who sits before them unless they can connect with the families and communities from which their students come. But first, it is vital that our teachers explore their own beliefs and attitudes about non-white and non-middle-class people. Many teachers harbor unexamined prejudices about people from ethnic groups different from their own.²³

OYS teachers also acknowledge that because they do not really know the children that sit before them, they have misconceptions about intellectual ability and acceptable behavior. Hence, included in OYS' educational design, students will be assigned to the same teacher for his entire enrollment. This practice will allow the teacher an opportunity to become a trusted friend of the family and a surrogate parent for the student.

For children raised in an oppressive environment, too little is expected. Teachers and some of the public assume that children raised in poverty have less access to resources, more stressed, sick more often, have less emotional support and intellectual stimulation at home. Although this notion may be statistically supported, but there are reasons that must be acknowledged. These students have experienced enough negatives in their lives and often feel hopeless and see no viable future for themselves, more than any other school population, they need to feel hopeful.

Many students are disappointed with the education they are receiving in the present school system and this is reflected by their disrespect in the classroom. This can be validated by the disrespect and lack of interest from students starting from the fourth grade. The challenges these students must face in the classroom, make many students of color educational dropouts, and miss the adventurous joy of learning before they reach middle school. In being constantly marginalized by instructors, these underachieving students do not acquire basic skills which will open opportunities for higher academic performance. These students start as kindergarteners excited about going to school; but by the fourth grade, they want to stay home rather than go to school. As a result, many poor diverse students of color say that: "they hate school."

²³ Delpit Lisa, p.183, "Other People Children"

OYS teachers know that students given proper support, can make it in culturally alien environments. Supporting students' transformation demands an extraordinary amount of time and commitment, but teachers can make a difference if they are willing to make that commitment. These poor culturally diverse students face daily rejection from various sources, the home, the classroom, and the community. These experiences constitute young people who are hopeless and see no viable future for themselves. Unrelenting hopelessness is learned helplessness which is an adaptive response to life conditions.

Students with learned helplessness believe that they have no control over their situation and that whatever they do is futile. Because of these persistent feelings of inadequacy, individuals will remain passive even when they have the power to change their circumstances. Such beliefs and behaviors can take hold as early as transitional kindergarten. Hope and learned optimism are crucial factors in the lives of children. Hopeful kids try harder, persist longer and ultimately get better grades. When educators believe students are competent, students tend to perform better. When educators believe students have deficits, students tend to perform poorly.²⁴

OYS charter school has hope for poor diverse underachieving students of color. Unitedly, the staff believes together with informed teachers of the history, heritage, and ethnicity of those who sit before them can inspire students to learn. In addition to the fact that these instructors are willing to sacrifice, work extremely hard and exceptionally long, take risks learn from failure, rise above frustration, rethink existing paradigms, support and collaborate with their colleagues and be open to direction from divine providence; they will succeed.

More than any other school population, poor diverse underachieving student of color, need to feel hopeful. Hope changes brain chemistry which influences decisions and actions. OYS staff believes that it is our purpose to adopt, nurture, celebrates, and challenge these students. "They" must become we;" for too many of these beautiful young people have given up hope.

Education Design

Oakland Youth Services charter school curriculum adheres to the California Department of Educational requirements of children in the elementary grades. OYS will use the standard approach to teach the basic skills curriculum. To develop language and literacy, the student centered, constructive approach will be employed. In the standard approach, students will gain proficiency in the basic skills. Focus on the student-centered approach, students will have an opportunity to explore self and understand better the beauty of their personhood. In the constructive approach, through student in daily talking to instructors, the teacher will have the opportunity to discover the assets and hidden treasures in the student's character which allows teachers to mold beautiful human works of art out of the students they encounter.

OYS will be a year-round charter school from Transitional Kindergarten through the third grade. The use of a year-around school design is to reduce the amount of forgotten material taught in class over the summer break and to instill in young minds the concept that academic learning is a daily pursuit. Parents will be encouraged to review with their student, the lessons taught in class each day. Maximum class size will average fourteen students per class. It is planned that in the first year of operation, the entire student body would consist of TK, and Kindergarten. To be better accountable of students' academic growth, students will be assigned the same instructor for the duration of enrollment at OYS charter school. OYS' teaching approach is standard in core subjects. OYS'

²⁴ John, Schmader & Marten, 2005

pedagogy for language arts and literacy will be a combination of constructive and, student centered approach. Our student body will consist of four, five and, six- year-old students.

Oakland Youth Services' educational design will consist of following components: Language Arts and Literacy Development, Phonetic Approach to Reading, Manuscript Skills, Early Mathematics Skills, Science Exploration, Social Studies Adventures, Physical Education Activities, Positive Behavior and Personal Responsibility. The focus of the education design is student centered with the emphasis on basic skills proficiency at grade level or above. The constructive component of the education will work with the attributes of the students, his language, her culture, and history to create a person of the 21th century. One of the features of the constructive approach is the development of thinking skills. Students will be taught to listen, analyze, compare, and evaluate. To support the kindergartener's learning, large murals will be placed on the wall featuring different land formations, the evolution of man, historical progressions of the United States starting from the 15th to the 20th century, and the development of a tadpole to a frog. Also, a display of the solar system hanging from the ceiling.

The development of social skills of group participation, cooperation, taking turns, learning to share, cleaning-up after play, putting away, waiting, being less distractible, following instruction, learning positive behavior, personal management, and asking for teacher's help are essential and will be emphasized in every opportunity in formal and less formal learning activities. OYS also believes that it is necessary to teach students how to learn, how to manage their own behaviors in school and how to generalize information from one setting to another. Cognitive learning strategy models emphasize that students need to be trained to be productive, self-sufficient, and independent learners for life.

Transitional Kindergarten Curriculum

Language acquisition and development of language comprehension with diverse students is an important factor in academic achievement.

To address the problem of literacy, teachers will use strategies that prompt students to become proficient in the use of language. This strategy is called language facilitation. This strategy is a process by which the teacher guides and supports the student learning by building on what the student is already able to do, which is referred to as scaffolding. The notion of scaffolding has been successfully used to teach language and literacy skills to young children with language delays, children at-risk, and children from diverse cultural backgrounds. Scaffolding is a flexible responsive to the student and draws upon a broad variety of student's information.

The language building strategies used to develop language and literacy development will be: "Comment and Wait, "Ask Questions and Wait, and Respond by Adding Little More." An expansion of the students' utterance is a basic tool in language facilitation. The teacher will repeat what the student said and then expand the utterance with one or two new words. This allows the student to contrast their utterance with the teacher expansion and the student also hears the next level of difficulty for language production.

Reading to students facilitating language development when asking questions and responding by adding a little more. It is important to provide opportunities for students to talk. If the book has a lot of text, the teacher will read a few sentences and then talk. Looking at pictures in the book will be used to stimulate speech. Works of art, posters on the wall are developmentally appropriate and will be used as tools to facilitate language.

Since there are no best ways for facilitating language, each student has their own individual preferences to talk about what is of interest to them. The most important thing is making it fun and engaging the student. Making it fun for the student is by allowing the student to take the lead in choosing the book or toy and then choosing what to look at and talk about in the book or in play. Students talk more and listen better when they do the choosing. The teacher will incorporate the cultural, linguistic and background experiences that students bring to the classroom. Since “Play” is a rich environment for communication development for young students across cultures, the teacher will use, “Play,” as a medium for language development. A teacher or an assistant will daily talk to a student to develop their speaking skills. Students will also participate in games that require solving problems or riddles.

To confirm understanding of language by students, the teacher will ask students to tell the events in the order in which they occurred or retell the story. Students talking about the story or events will help the teacher to note language, sequence of ideas or any misunderstandings. This exercise also serves as an informational assessment that helps to plan strategically and subsequent instruction. The teacher will select books that will reflect the diverse cultures of the children.

Students will learn how to engage in daily discussions. Discussions will occur in pairs, small groups, or the entire class. Some discussions are adult-led, others are conducted by students with teacher guidance and monitoring. Ideas from students’ discussions will be printed by the teacher on large poster paper and placed on the wall to be seen by all. In this exercise students will learn to develop thinking skills. The student centered, constructive approach to teaching will be used in inviting the students to talk about their life, values and culture. The teacher will use the student’s experiences as base for future lessons plans that are engaging and relevant to the student. Fun times with relatives, cultural holidays, whatever the student wants to talk about, is accepted. Student talking to an adult, develops student literacy and teacher will encourage students to think clearly and critically.

Phonetic Approach to Reading

In teaching the phonetic approach to reading, a book titled, “Victory Drill Book,” by William Vimont will be used. The phonetic approach to reading starts with learning to pronounce the short vowel sounds and the consonant sounds of the alphabet. Then students will learn blending pronunciations of a consonant and a vowel. Students will continue by pronouncing to consonant-vowel-consonant words. Words featuring the short vowel sound of the letter “A.” Words like pat, sag, rap, lap, etc. After students are proficient, the lesson will focus on three letter words with the middle letter short sound letter “E.” At this point, students can read sentences like: “Let Dan get a red jet; or A big red jet did pass a tan van.” This approach continues for the last three vowels (“I”, “O,” and, “U,”) in the same consonant, vowel-consonant pattern. After each new phonetic concept, there is a review of skills and a practice of reading exercises, using the words learned in the previous lessons.

Student will be able to spell one syllable-three letter words. Comprehend sentences composed of one syllable three letter words. Recognize the words, an, and, & the. Distinguish the difference between lower-and-upper case letters. Demonstrate an understanding of positional relationships of above, below, before, after, middle. When the students are proficient in pronouncing, spelling and knowing the meaning of three letter (consonant-vowel-consonant) words, they will proceed to learn to pronounce three letter words that begin with the with letters. “C,” and “K.” Example: cut, cup. Students will go on to learn the pronunciation of four-letter words that end in the letters, “CK.” Example: rock, sick, etc. This reading approach will continue until students can easily decode, pronounce, syllabize, spell, and comprehend sentences read. The phonetic ability to decode words for bilingual student is essential for development of literacy. Educational researchers have discovered that bilingual students have a more difficult time reaching proficiency level needed to access reading.

The books that they are required to assess when they begin reading are often already on a level beyond what they are capable of assessing. As a result of the failure to learn to achieve enough basic proficiency to assess reading, these students do not learn to write. They are also challenged by the common problem of building language and literacy. Even when their English is adequate for ordinary situations, it is insufficient given the linguistic demands that they face in an academic setting. OYS's early instructional design in focusing of language arts/literacy development and the phonetic approach to reading, which includes all aspects of word recognitions will benefit all students in the program. When students have difficulty reading, they also are challenged in other academic areas.

Early Mathematics Skills

Because of the age of the students and intellectual development math skills will begin by learning to identify and create repeating patterns. Students will sing, jump and run-in-place counting. Students will learn to sort objects that are different into groups and use language to describe how the groups are similar or different. Students will learn to recognize, count, and compare numbers, and quantities to 5. Students will learn the following: compare lengths, count items, order objects by size and length, match numerals to quantity, compare distances, use position words (more, less, on, over, etc.), see shapes in the real world, name the shapes, build structures, learn to problem solve. Math skills will be supported by fun games and activities. Students will participate in singing songs that count items and participate in hands-on games that involve counting. Teacher will use activities that will encourage independent practice with counting, patterning, measuring, and simple equations solving.

Manuscript Skills

Manuscript skills will be introduced by telling students that the print on paper tells stories and gives information. Writing is used to communicate ideas that we speak and enjoy listening to at story time. That language spoken at home and at school can be written down and read. Writing tells what the student's name is, mother's name, the names of favorite toys and everything in the student's world. Students, through manipulative toys, will develop fine motor muscles in hands and fingers. Students will begin to learn good manuscript skills by drawing shapes and coloring pictures. Students will be instructed on how to hold the pencil. Students will continue daily to improve manuscript skills by drawing, coloring, and playing manipulative games. Manuscript skills will be supported by physical education activities that develop manipulation. Students by participating in manipulative activities will build eye/hand coordination as they link, push, and snap the pieces together. They will then advance to constructing complex objects and designs. Teachers will inspire students to twist, notch and stretch to create fun structures.

To develop manipulative skills students will also participate in striking a stationary ball or balloon with hands, arms, and feet. Students would learn to toss a ball to oneself, using the underhand throw patten and catch it before it bounces twice. They will also learn to bounce a ball continuously, using two hands. Students will also learn to kick stationary object, using a simple kicking pattern.

Science

Science will be taught to transitional kindergarten in hands-on activities. Lessons will consist of looking at the different seeds, counting seeds, comparing them with other seeds, looking at the shapes and colors of seeds. Students will do experiments with seeds. Students will plant seeds and watch the seed grow from seed to plant. Seeds will be placed in a plastic divided container with a see-through shield placed in front. Dirt will be put in a divided container with a seed. A plastic

shield will be placed in front of the dirt and the seed. This transparent construction will give students the ability to see the seed change from seed to growing plant.

Students will learn about different animals; their name, description, where they live and distinguishing features about them. After students understand the basic features of the animals learned, students will compare, and contrast the difference of one animal to another.

The next study the students will explore the world of the insects, focused on bugs. Students will learn about ladybugs, butterflies, honeybees, spiders, and caterpillars. Students will study each insect, looking at their size, color, shape, leg count, where they live and what happened when they first met one of them. After the study of two of the insects, we will compare, and contrast insects. Prompting students to analyze the positive or negative qualities that the insects possess.

In classrooms, science lessons will be supported by a mural of the development of a tadpole into a frog, or the development of a caterpillar to a butterfly. Classes will also showcase the solar system, brightly colored, the sun, stars, and the planets, will be hanging from the classroom ceiling.

Social Studies

The OYS 'curriculum is designed to open children to the world around them. It will begin at the center of the child's experience, the self, and people that make up the family. Students will be taught that families look different but have one thing in common. A family is a group of people who love and care about each other. The next topic of exploration will be our immediate environment, who are our classmates, our teacher and our teacher's assistant. The students will formally meet their classmates, learn their names and something about their background. Teacher will point to the geographical place on the globe from where the ancestors of each student may have originated.

This will open a whole new area of discovery. The discovery of the globe. The home of humanity. The discovery of finding the place on the globe from where ancestors originated. Uncovering the different foods that was probably eaten. Then teacher and students would explore the kind of houses in which they lived, the music they made, the art they created, the songs they sang, and the contributions they made to everyone. The teacher will read stories about families in different parts of the world.

Students also experience multicultural awareness and appreciation through food, music, literature, and art. Teacher would prompt students to respond to discussions in drawing, making-up stories or in impromptu acting. The constructive approach to teaching is used in social studies because students will learn about values, cultures, and histories of other people and themselves. It will focus on the student-centered approach in that each student will learn about how they are different as a culture; in the way they dress, the kind of food they eat, the music they make, and where they live.

Students will learn about different jobs outside the school that help and serve the community in which they live. Students will match simple description of work that people do and with names of relevant jobs in the local community and from historical accounts. Jobs described as police, firemen, doctors, nurses, pastors, soldiers, carpenters, bus-drivers, store-clerks, janitors, etc. Students will learn to put event in order using a calendar, placing days, weeks, and months in proper order. Students will learn about American holidays and understand why these holidays are celebrated. Students will learn the times of the day, the seasons, and the months of the year.

The teaching of American History, stimulated by a time graph mural of events from the 15th century to the 20th, will be placed along the wall. American history instruction will begin first with a story of

a Native American village where people live. The historical time graph will depict major historical events in American history in accordance with the date that they occurred. The depiction of these historical events will be available for the teacher's use for class discussion and lessons. The historical event will be supplemented by reading stories about early American life in watching videos, drawing pictures, listening to music, singing songs, play acting and dressing-up as native Americans, or settlers. Students will also make Native-American headdress put them on and dance the Native American spirit dance to sound of drums.

Physical Education

Students will participate in physical activities that will focus on developing and strengthening body movement, body management, locomotor movement skills. To develop movement skills, student will participate in moving forward and sideways while changing direction quickly in response to a signal. They will learn to demonstrate contrasts between slow and fast speeds while using locomotor skills. They will also learn to create shapes at high, medium, and low levels by using hands, arms, torso, feet, and legs in a variety of combinations.

To strengthen body management muscles, students will learn to balance on one, two, and three body parts. Balance while walking forward and sideways on a narrow, elevate surface. Students will also learn to demonstrate the relationship of under, over, behind, next, right, left, up, down, forward, backward, and in front of by using the body and an object. Locomotor movement skills will be developed by students participating in traveling in straight, curved, and zigzag pathways. Jumping over a stationary rope several times in succession, using forward-and-back and side-to-side movement patterns. Students will also participate in performing in continuous log rolls.

To develop rhythmic skills, students will learn to clap in time to simple rhythmic beats. They will learn to move their body parts rhythmically to music. In this activity students will learn to identify and describe parts of the body: the head, shoulders, neck, back, chest, waist, hips, arms, elbows, wrists, hands, fingers, legs, knees, ankles, feet, and toes. Singing, dancing and nursely rhymes will support the physical activities.

Positive Behavior

Students will learn the expectation, routines, and behaviors at school. Students will the differences between inside and outside voice and use appropriate voice. They will learn that at school students must follow directions and ask permission from adults. As a class, the class moves together in a line, and they must stay in that line until told they are dismissed. Students will learn the following school behavior: to pay attention to your teacher and other people giving information. They will also learn and practice to sit quietly, raise your hand when you need assistance. Do not leave the classroom without permission. Respect the space of others, keep your hands and feet to yourself, be polite to classmates, teachers, and adults.

Personal Responsibility

Students will be taught to keep track of all personal belongings. Leave toys and other items at home. Pick up trash after yourself. Students will practice and learn to put on coats/sweaters. Students will practice buttoning clothes, using the zipper, and tying shoes. Washing hands well will be taught and students will be reminded of good bathroom etiquette which includes the used of toilet paper, flushing the toilet, and the washing of hands after use.

Kindergarten Curriculum

The curriculum for the kindergarten classes has been structured to foster the development of lifetime cognitive skills. All subjects in the OYS kindergarten curriculum will adhere to California Department of Education guidelines. Children will be encouraged to become accomplished readers and writers, skilled in mathematics and practiced in the arts of observation, creative thinking and problem solving. The learning process is as important as the educational content. OYS provides opportune settings for children to master their language to question and express their curiosity, which results in developing confidence, independence, and high self-esteem.

Child-centered settings will be developed for children to gain proficiency in language, math, science social and sensorial skills. Through a thematic based curriculum, OYS's teaching methods that will provide for the exploration of individual interests as they develop, high academic standards, strong focus development and the aspiration to become lifelong learners. Kindergarten, like the curriculum of transitional kindergarten will start with language development and literacy. The development of thinking skills will begin with child's participation in listening to stories. Story time is particularly important for this age group. The child's imagination and the increased ability to remember the past make the child an interesting storyteller. Children at OYS will learn that reading is about using words to convey ideas. Each month a new theme will be developed and explored.

Language facilitation, teacher-student interaction, described as a process by which the teacher guides and supports the student's learning by building on what the student is already able to do. Similar to educational design for Transitional Kindergarten, follow the student's lead will be one of the main strategies used for early language development. The strategies are: Comment and wait, ask questions, and wait. The teacher then responds by adding a little more. For example, a story is read to the students. Teacher starts with an open-ended question. Student is asked; did you like the story? The teacher waits on responses from students then begins to prod the student to talk about what part they liked best and why? The discussion would continue by asking students to describe the characters, count the characters, point out events that lead to the favorite part or conclusion of the story. Talking about favorite parts they like help students to engage, build interest and develop a voice in personal written expression. Education researcher found that the amount of quality cognitively challenging talk that children experience in adult-child discourse is important to language literacy development of young students.

Phonetic approach to reading

The phonetic approach to reading begins with learning the names of the alphabet, then learning their sounds. They learn that there are two kinds of letters in the alphabets: vowels and consonants; both combine to create words. After learning the sound of letters of the alphabet, we will put consonants and vowels to create two-letter blends. From there the student will learn to pronounce consonant-vowel-consonant blends. At this point, students can read three letter words with middle vowel being "a" or "e". Students will also begin to spell three letter words. Students will read sentences composed of three letter, consonant-vowel-consonant blends. The teaching method will continue with the remaining vowels, "I", "O", and "U", being the center of the consonant-vowel-consonant. Students will read and spell the words.

As mentioned in transitional kindergarten, this reading approach will continue until students can easily decode, pronounce, syllabize, and comprehend sentences read. The phonetic ability to decode words for bilingual student is essential for development of literacy.

Educational researchers have discovered that bilingual students have a more difficult time reaching proficiency level needed to access reading. The books that they are required to assess when they begin reading are often already on a level beyond what they are capable of assessing. As a result of the failure to learn to achieve enough basic proficiency to assess reading, these students do not learn to write. They are also challenged by the common problem of building language and literacy. Even when their English is adequate for ordinary situations, it is insufficient given the linguistic demands that they face in an academic setting. OYS's instructional design in focusing of language arts/literacy development and the phonetic approach to reading, which includes all aspects of word recognitions will benefit all students in the program. When students have difficulty reading, they also are challenged in other academic areas.

This reading approach will continue until students can easily decode, pronounce, syllabize, and comprehend sentences read. The phonetic ability to decode words for bilingual student is essential for development of literacy.

Math

Students will learn their math lessons by singing, jumping and running-in-place to counting. Students will learn to count to 100 by ones, tens, and fives. Count forward beginning from a given within the known sequence (instead of having to begin at 1). Represent the number of objects with a written numeral 0-20 (with 0 representing a count no objects. Students will learn the relationship between numbers and quantities; connect counting to cardinality. They will learn that the last number name said tells the number of objects counted. The number of objects is the same regardless of their arrangement or the order in which they were counted and understand that each successive number name refers to a quantity that is one larger. Students will also be taught to answer question of how many up to 20 objects arranged in a line, rectangular array, circle or as many as 10 things in a scattered configuration.

Students will also learn to describe and compare attributes. They will learn to identify whether the number of objects in one group is greater than, less then, or equal to the number of objects in another group and compare two numbers between 1 and 10 presented as written numerals. To classify objects into given categories; count the numbers of objects in each category and sort the categories by count.

Students will learn to identify, and describe shapes (squares, circles, triangles rectangles and cones). Describe shapes in relative position to other objects using terms such as above, below, besides, in front of, behind, and next to. They will learn to see and name shapes regardless of their orientation or overall size. Students will participate in modeling shapes in the world by building shapes from components of sticks, clay balls and drawing shapes. Students will be taught to see patterns and create patterns. Participating in hands-on activities with the use of balance wooden planks and building bricks, students can practice replicating real-world designs.

Students will learn to understand that addition as putting together and adding to, and understand subtraction is taking from. Students will learn to solve addition and subtraction word problems and add and subtract within 10 by using objects or drawing to represent the problem. Students will learn to decompose number less than or equal to 20 into pairs in more than one way, by using objects or drawings, and record each decomposition by drawing or equation ($5 = 2 + 3$ and $5 = 4 + 1$). Students will also learn to fluently add and subtract within 5. Students will learn to identify and to describe shapes (squares, triangles, rectangles, and cones).

Manuscript Skills-Art

Students will draw and color pictures. When finished the artworks are completed they will be displayed on all activities in developing manuscript skills that strengthen fine-motor muscles will be used. Students will play with clay and making figures. Students will be taught how to correctly use a pencil, crayon, paint brush and scissors. And we will practice using these tools safely. Students will learn to use scissors to cut-out different shapes and paste them on paper.

Manuscript skills will be supported by physical education activities that develop manipulation. Students by participating in manipulative activities will build eye hand coordination as they link, push, and snap the pieces together. They will then advance to constructing complex objects and designs. Teachers will inspire students to twist, notch and stretch to create fun structures gear constructions to fantastic imaginary creatures.

To develop manipulative skills students will participate in striking a stationary ball or balloon with hands, arms, and feet. Students would learn to toss a ball to oneself, using the underhand throw pattern and catch it before it bounces twice. They will also learn to bounce a ball continuously, using two hands. Students will also learn to kick stationary object, using a simple kicking pattern.

Social Studies-Humanities

Students will learn the important parts of school and what it means to be a part of the school community. Students will learn about different jobs in the school-community that help and serve the students. Students will learn about different jobs outside the school that help and serve the community in which they live. Students will match simple description of work that people do and with names of related jobs in the local community. Jobs described as police, firemen, doctors, nurses, pastors, soldiers, carpenters, bus-drivers, store-clerks, janitors, etc. Students will learn to put events in order using a calendar, placing days, weeks, and months in proper order. Students will learn about American holidays and understand why these holidays are celebrated. Students will learn the times of the day, the seasons, and the months of the year.

Students will be acquainted to the understanding of history related to events, people, and places of other times. This will be accomplished by various murals arranged against the classroom walls. One classroom may be the time graph of the evolution of man, while another depicts the graphic history of the United States from 1400 to the 20th century. Other classrooms may have a large drawing showing the development of a model of the solar system with planets placed around the sun hanging from the ceiling. There will also be posters of great people who have served humanity and made the world a better place to live.

The teaching of American History, stimulated by a time graph mural of events from the 15th century to the 20th, will be placed in a mural along the wall. American history instruction will begin first with a story of a Native American village where people live. The historical time graph will depict major historical events in American history in accordance with the date that they occurred. The teacher will use the historical event and build lessons around that event. The historical event will be supplemented by stories about early American life in watching videos, drawing pictures, listening to music, singing songs, play acting and dressing-up as native Americans and/or settlers. Students will also make costumes of Native American dress and dance the spirit dance of bringing back their ancestors to life.

Science

In science, students with investigation and experimentation on a beginner level that will allow them to make a concrete association between science and the study of nature as well as provide them with many opportunities to take measurements and use their basic mathematical skills. Students will explore science in four different areas: Physical Science, Life Science, Earth Science, and Investigation and Experimentation. In the area of physical science, students will learn that the properties of materials (such as water) can be seen, observed, measured, and predicted. In the Life Sciences section, students explore the different types of plant, animals and insects that inhabit the earth. The study of Earth Science, students will be taught the composition of the earth: land, air, and water. They will be large pictures of mountains, rivers, valleys, and deserts posted on the walls around the classroom. Students will be able to see the difference in the earth's terrain. The students will delve into scientific experimentation by working with seeds, in planting them in different materials (water, dirt, sand, sun light or no sunlight) to see if, or how well they grow.

Physical Education Program

Students will participate in physical activities that will strengthen and further develop movement concepts. Which is the ability to travel within a large group, without bumping into others or falling, while using locomotor skills. Students will participate in locomotor skills of walking, jogging, running, jumping sliding, galloping and be able to identify each. Body management which demonstrated is balancing while walking forward and sideways on a narrow, elevated and demonstrate the relationship of under, over, behind, next to, through; right, left, up down forward, and in front of by using body and an object. Locomotor Movement, which the ability to travel in straight, curved, and zigzag pathways. Manipulative skills development, which takes the form of striking a stationary ball or balloon with the hands, arms and feet or bounce a ball continuously, using two hands. Also, practice identifying the point of contact for kicking a ball in a straight line. And understand the position of the fingers in the follow-through phase of bouncing a ball continuously. In the Body Management segment of physical education, students will also be taught to identify and describe parts and know the functions of the body: their head, shoulders, neck, back, chest, waist, hips, arms, elbows, wrists, hands, etc. and explain base support. Students will also participate in a performance of "Dance." Students will move in a locomotor and non-locomotor movements to a steady beat. Students will also stretch shoulders, legs and back. They will clap in time to a simple, rhythmic beat.

In the area of body fitness, students will be taught that nutritious foods provide energy for physical activity and that water is an essential nutrient for the body.

Positive Behavior

Students will learn the expectation, routines, and behaviors at school. Students will the differences between inside and outside voice and use appropriate voice. Students learn what it means to be a good citizen involves acting in certain ways. Good citizenship will mean, following directions taking turns, sharing, asking permissions from adults, and knowing consequences of breaking them. As a class, the class moves together in a line, and they must stay in that line until told they are dismissed. Pay attention to your teacher and other people giving information. Sit quietly and raise your hand when you need assistance. Do not leave the classroom without permission. Respect the space of others and keep your hands and feet to yourself. Be polite to classmates, teachers, and adults.

Personal Management

Keep track of all personal belongings. Leave toys and other items at home. Pick up trash after yourself. Students will practice and learn to put on coats/sweaters. Students will practice buttoning clothes, using the zipper, and tying shoes. Students will be taught to ask permission to go to the *bathroom*. *Students will be reminded of bathroom etiquette procedures.*

The Objective of the Instruction Design

Woven within the educational design is preparation, direct teaching, reteaching, and evaluation of concepts taught. The instructional design emboldens the psyche of the culturally and poor students by developing their language arts proficiency and the competence in the basics of reading, writing and mathematics; with the purpose of making sense of the problems and persevering in solving them. These skills will include seeking information, analyzing, comparing, classifying, predicting, justifying, persuading, synthesizing, evaluating, and problem solving.

Every activity presented will prepare students for a higher stage of academic performance. The exercise of the physical body will result in the development of the fine and gross motor skills. The connection of both visual and auditory skills will result in creativity and the development of thinking skills. Students will be taught to describe, to compare, to sequence, to explain, to employ the skills of cause and effect, to compare/contrast and to explain and describe, and to speak these findings orally. Students will be taught to look at knowledge in an analytical manner. With the questions of: how can this new information resonate with my accumulated understanding of what I already know, and does this new information taught edify or offend me?

Interdependence of subject matter is evident in each lesson. Which means that each lesson taught will incorporate basic skills of another. Each lesson taught will review or reteach another basic skill. For example, in teaching life sciences and introducing the different kinds of animals, the teacher will lead the class in counting the different animals, point to the letter that spell the name of the animal. Pronounce and review the phonetic sounds of the letter in the name of the animal. If the animal is a “cat” what is the phonetic sound of “c” of “a” of “t.” After that discussion, the teacher would go on to ask the class to look at the consonant-vowel blends “c-a” and the vowel consonant blend of “a-t.” The blending of the letters would produce the pronunciation of the word.

The lesson would continue in looking at the similarities and differences of the animals, (a cat versus a dog) in discussion. However, the discussion would center on one of the animals, the cat. Students would be prompted to talk about their own personal experience with a cat. Was this experience good or bad; and explain why. Students would also talk about what they have learned about the cat from the story-times, videos, or movies. The teacher would prompt the students to share their experience in answering questions like: ‘Where did you see the animal; describe the cat, was the cat big, how big; was the animal scary or friendly; how do you know, was the animal’s face shaped like a circle, a square, or a triangle? What evidence can you show to support your conclusion. The teacher would direct students to compare their experiences in small groups and from the sharing, select one group member to summarize the group’s discussion.

Interdependence subject matter, with the collaboration of peers creates an intellectual space where students learn from the instructor and each other. It also creates perception, in the form of creativity and thinking skills. Instructor led, direct teaching is re-taught in student discussions, and is evaluated in the students practice of pronunciation, spelling, definition of the word and learning objective. Learning presented as a shared adventure makes learning more fun and less boring.

Proficiency in the basic skills in of reading writing and arithmetic are eminent in the OYS' Education Design. However, sharing their thoughts in collaboration with teacher led student-group discussions will help students to think clearly and speak in complete sentences. Students will also be encouraged to listen, analyze, compare, and evaluate. In this approach to learning, students are saturated with an overwhelming drive to make sense of problems and to persevere in solving them. The driving force to make sense of the problem and perseverance to solve it, compels students to initiate thinking that reasons and explains, and uses tools and sees structures and generalizations. Teaching these skills as the educational foundation are the academic seeds for development of the twenty-first century educated person.

Included into the Educational Design is the constructive component, which is essential to students of color and poor students, is the practice of affirmation of the student's self and personhood. Each student will be appreciated, nurtured, and cared for as the unique gift of providence.

Staff and Teacher Accountability

Woven into the educational plan is the matter of staff and teacher accountability. OYS will be a year around-school and the student would have the same teacher during his entire enrollment. As the progression of students continue to higher grades, it is a common complaint that students do not know basic skills in English, and math. Middle and high school teachers blame elementary school teachers. Elementary school teachers blame parents, for out-of-control student behavior or whatever seems right at that time. OYS attempts to stop this mysticism by establishing the accomplishment charts. These charts will record of student's academic and social behavior from the beginning of his school career. Because the chart is progressive, it is easily seen what skill is challenging and where instruction support is needed. In what academic area is the student lacking and what additional support is needed.

If the student is not progressing academically, the meaningful question is "why?" A written report will be written by the teacher describing the student's challenges, plus intervention techniques the teacher has tried to address the problem. This report will be reviewed, by the director, and by at least one board member. A meeting, composed of the director, teacher, parent, and special education teacher will be called to discuss the student's non-progress. Information about the student's home life and life after school would be valuable. And all that we can learn about the student will be helpful in obtaining student success.

Hopefully, valuable information will be discovered; enlightening staff and parent of how their united effort can improve the student learning. Regardless of the outcome, OYS staff will continue to teach, reteach, and evaluate student's achievement; exploring different pedagogical approaches that will better serve the student's needs. Meetings will be recorded, dated, and placed in student's files. Name of teacher, grade year of instruction and all accomplishments charts will be placed in student's files.

Instructional Staff Will Record and Date Student's Accomplishments

Name _____ Date _____ Grade _____ Age _____

Reading Chart Accomplishments

Transitional Kindergarten		Yes	No	Date
Step 1	Knowledge of the Alphabet- point to letters and can pronounce names			
Step 2	Knowledge of short vowel sounds			
Step 3	Knowledge of letter sounds			
Step 4	Can identify between letter sounds when spoken			
Step 5	Can pronounce consonant sounds of the alphabet			
Step 6	Can pronounce vowel sounds of the alphabet			
Step 7	Can pronounce and identify between vowel and consonant sounds			
Step 8	Demonstrate verbally the ability pronounce consonant/ vowel blends: pa, mi, se, etc.			
Step 9	Demonstrate verbally the ability pronounce vowel/ consonant blends: ad, et, it, etc.			
Step 10	Demonstrate verbally the ability to spell consonant/vowel blends			
Step 11	Demonstrate verbally the ability to spell vowel/consonant blends			
Step `12	Demonstrate the ability to pronounce consonant/vowel/consonant blended words			
Step 13	Demonstrate the to read sentences composed of consonant/vowel/consonant words			
Step 14	Demonstrate the ability to verbally comprehend the sentences composed of consonant/ vowel/words			
Step 15	Demonstrate the ability to read and understand the use of articles of: "the," "An," and "A."			
Step 16	Participate in read books and stories composed of consonant/vowel/consonant words			
Step 17	Share with another what was learned from the book or story			
Student is in agreement				
Comments:				

Name _____ Date _____ Grade _____ Age _____

Reading Accomplishments

Kindergarten		Yes	No	Date
Step 1	Knowledge of the Alphabet- point to letters and can pronounce names			
Step 2	Knowledge of short vowel sounds			
Step 3	Knowledge of letter sounds			
Step 4	Can identify between letter sounds when spoken			
Step 5	Can pronounce consonant sounds of the alphabet			
Step 6	Can pronounce vowel sounds of the alphabet			
Step 7	Can pronounce and identify between vowel and consonant sounds			
Step 8	Demonstrate verbally the ability pronounce consonant/ vowel blends: pa, mi, se, etc.			
Step 9	Demonstrate verbally the ability pronounce vowel/ consonant blends: ad, et, it, etc.			
Step 10	Demonstrate verbally the ability to spell consonant/vowel blends			
Step 11	Demonstrate verbally the ability to spell vowel/consonant blends			
Step `12	Demonstrate the ability to pronounce consonant/vowel/consonant blended words			
Step 13	Demonstrate the to read sentences composed of consonant/vowel/consonant words			
Step 14	Demonstrate the ability to verbally comprehend the sentences composed of consonant/ vowel/words			
Step 15	Demonstrate the ability to read and understand the use of articles of: “the,” “An,” and “A.”			
Step 16	Participate in reading books and stories composed of consonant/vowel/consonant words			
Step 17	Share with another classmate what was learned from reading a book or story			
Step 18	Demonstrate the ability to pronounce, spell, read and comprehend sentences composed of three-letter words that begin with “C” and “K.”			
Step 19	Demonstrate the ability to pronounce four-letter words that end in the sound K, but end with the letters “ck.”			
Student is in agreement				
Comments:				

Name _____ Date _____ Grade _____ Age _____

Math Accomplishments

Transitional Kindergarten		Yes	No	Date
Step 1	Demonstrate an understanding of the positional relationship of above, below, before, after, middle.			
Step 2	Demonstrate the ability to identify and create repeating patterns.			
Step 3	Demonstrate the ability to sort objects that are different into groups and describe how the groups are similar, or different.			
Step 4	Demonstrate the ability to recognize, count and compare objects up to 5 and compare quantities.			
Step 5	Demonstrate the ability to compare lengths.			
Step 6	Demonstrate the ability to order objects by size and length.			
Step 7	Demonstrate to match numerals to quantity.			
Step 8	Demonstrate the ability to compare distances.			
Step 9	Demonstrate the ability to see shapes in the real world.			
Step 10	Demonstrate the ability to name shapes.			
Step 11	Demonstrate the ability to build structures.			
Step 12	Demonstrate the ability to solve simple equation problems. $2+1=3$			
Step 13	Demonstrate the ability to count to 10.			
Step 14	Demonstrate the ability to count backward from 10.			
Students is in agreement				
Comments:				

Name _____ Date _____ Grade _____ Age _____

Math Accomplishments

Kindergarten		Yes	No	Date
Step 1	Demonstrate an understanding of the positional relationship of above, below, before, after, middle.			
Step 2	Demonstrate the ability to identify and create repeating patterns.			
Step 3	Demonstrate the ability to sort objects that are different into groups and describe how the groups are similar, or different.			
Step 4	Demonstrate the ability to recognize, count and compare objects up to 5 and compare quantities.			
Step 5	Demonstrate the ability to compare lengths			
Step 6	Demonstrate the ability to order objects by size and length			
Step 7	Demonstrate to match numerals to quantity			
Step 8	Demonstrate the ability to compare distances			
Step 9	Demonstrate the ability to see shapes in the real world			
Step 10	Demonstrate the ability to name shapes			
Step 11	Demonstrate the ability to build structures			
Step 12	Demonstrate the ability to solve simple equation problems. $2+1=3$			
Step 13	Demonstrate the ability to count to 10			
Step 14	Demonstrate the ability to represent the count of objects with a number			
Step 15	Demonstrate the ability to solve one-digit addition problems with-in 10.			
Step 16	Demonstrate the ability to solve one digit subtraction problems with-in 10			
Step 17	Demonstrate the ability to solve one-digit			
Step 18	Demonstrate the ability to count backward from the number 20			
Students is in agreement				
Comments:				

Name _____ Date _____ Grade _____ Age _____

Language Arts and Development Literacy Chart Accomplishments

Transitional Kindergarten and Kindergarten		Yes	No	Date
Step 1	Demonstrate the ability to describe in detail a favorite toy, fun activity or whatever occurs interesting.			
Step 2	Demonstrate the ability to state sequence of events in a story read.			
Step 3	Demonstrates the ability to offer an optional conclusion to the ending of a story read.			
Step 4	Demonstrates the ability to talks in sentences.			
Step 5	Demonstrates the ability to listen to instructions.			
Step 6	Demonstrates the ability to follow one-and-two oral directions.			
Step 7	Demonstrates the ability to recite rhymes and songs.			
Step 8	Demonstrates the ability to express ideas so that others can understand.			
Step 9	Demonstrate the ability to listen to ideas of others.			
Step 10	Demonstrate the ability to work in collaborative groups of twos or threes.			
Step 11	Demonstrate the ability to share information.			
Step 12	Demonstrate the ability to express feelings verbally			
Step 13	Demonstrate the ability to socialize verbally			
Student is in agreement				
Comments:				

Name _____ Date _____ Grade _____ Age _____

Manuscript

Transitional Kindergarten		Yes	No	Date
Step 1	Demonstrate the ability to make figures and shapes with play dough.			
Step 2	Demonstrate the ability to make horizontal lines in finger-painting.			
Step 3	Demonstrate the ability to make vertical lines with chalk on construction paper.			
Step 4	Demonstrate the ability to make circles on cardboard squares.			
Step 5	Demonstrate the ability to make squares on cardboard circles.			
Step 6	Demonstrate the ability to draw half-circles on dry-erase board.			
Step 7	Demonstrate the ability to recognize name in print.			
Step 8	Demonstrates the ability to use blocks to make images.			
Step 9	Demonstrates the ability to put simple puzzles together.			
Step 10	Demonstrates the ability to cut, paste and tear.			
Step 11	Demonstrate the ability to hold and use crayons, markers, and pencils correctly.			
Step 12	Demonstrate the ability to trace printed objects.			
Student is in agreement				
Comments:				

Name _____ Date _____ Grade _____ Age _____

Manuscript Accomplishments

Kindergarten		Yes	No	Date
Step 1	Demonstrate the ability to make shapes and figures with play dough.			
Step 2	Demonstrate the ability to draw horizontal lines when finger painting.			
Step 3	Demonstrate the ability to draw vertical lines with chalk on construction paper.			
Step 4	Demonstrate the ability to paint circles on cardboard squares.			
Step 5	Demonstrate the ability to paint square on cardboard circles.			
Step 6	Demonstrate the ability to draw half-circles on dry-erase board.			
Step 7	Demonstrate the ability to use blocks to build structures			
Step 8	Demonstrate the ability to thread and lace beads.			
Step 9	Demonstrate the ability to cut, paste, and tear.			
Step 10	Demonstrate the ability to put puzzles together.			
Step 11	Demonstrate the ability to cut with scissors			
Step 12	Demonstrate the ability to hold and use crayons, markers, and pencils correctly			
Step 13	Demonstrate the ability to recognize printed name.			
Step 14	Demonstrate the ability to write name			
Step 15	Demonstrate the ability to write the letters of the alphabet.			
	Demonstrate the ability to write numbers up to 20			
Step 16	Demonstrate the ability to copy three-letter words learned.			
Step 17	Demonstrate the ability to collaborate about written work with other classmates.			
Student is in agreement				
Comments:				

Name _____ Date _____ Grade _____ Age _____

Science and Social Studies Accomplishments

Science		Yes	No	Date
Transitional Kindergarten and Kindergarten				
Step 1	Vocally demonstrate the knowledge of the basic fact about a plant: to grow plant need: soil, water, sun light, etc.			
Step 2	Vocally demonstrate the knowledge of the facts about animals: they need shelter, food, different kinds, different colors, some are wild, some are tame, etc.			
Step 3	Demonstrate vocally knowledge about the earth: we live on a planet called the earth, the earth has a moon, it circles around the sun, the earth has stars at night, the earth has planets, etc.			
Step 4	Verbally demonstrate that the difference the description of a mountain, river, valley, and a desert.			
Social Studies				
Step 1	Verbally demonstrate the ability to recall the days of the week			
Step 2	Verbally demonstrate the ability to recall at least four holidays of the year and to tell why they are celebrated.			
Step 3	Verbally demonstrate the knowledge at least two different seasons of the year and how the weather changes.			
Step 4	Verbally describe another culture that is not their own.			
Step 5	Verbally describe characteristics of the student's own culture			
Step 6	Verbally describe an example of another culture.			
Step 7				
Student is in agreement				
Comments:				

Name _____ Date _____ Grade _____ Age _____

Physical Education Accomplishments

Transitional Kindergarten and Kindergarten		Yes	No	Date
Step 1	Under given instruction, demonstrate the ability to jump forward.			
Step 2	Under given instructions, demonstrate the ability to jump backward.			
Step 3	Under given instructions, the student will demonstrate the ability to jump to the right side of his body.			
Step 4	Under given instructions, the student will demonstrate the ability to jump to the left side of her body.			
Step 5	With arms out-stretched, student will demonstrate the ability to make horizontal lines in the air.			
Step 6	With arms out-stretched, students will demonstrate the ability to make vertical lines in the air.			
Step 7	Under given instructions, student will demonstrate the ability to make left arm windmill circles in the air.			
Step 8	Under given instructions, student will demonstrate the ability to make right arm windmill circles in the air.			
Step 9	Under given instructions, student will hop on one foot.			
Step 10	Under given instructions, student will jump, jog, and run in-place.			
Step 11	Under given instructions, student will jump forward,			
Step `12	Under given instructions, students will jump forward, to the right, to the left in a group.			
Step 13	Under given instructions, students will jog in a circle and then in a square			
Step 14				
Step 15				
Step 16				
Step 17				
Student is in agreement				
Comments:				

Oakland Youth Services

Daily schedule and class time of curriculum

Time	TK	K	1st	2nd	3rd
	Staff Meeting	Staff Meeting			
8:00 8:30	Arrival and Breakfast	Arrival and Breakfast	For the first year of operation, school enrollment will be TK, kindergarten and first grade.	For the first year of operation, school enrollment will be TK, kindergarten and first grade.	For the first year of operation, school enrollment will be TK, kindergarten and first grade.
8:30 8:50	Morning circle Early Language Arts Skills- Follow the child's lead. In a circle, whatever the students want to talk about. Instructor will use strategies: comment and wait, ask questions wait, to facilitate student language development.	Morning circle Early Language Arts Skills- Follow the child's lead. In a circle, whatever the students want to talk about. Instructor will use strategies: comment and wait, ask questions wait, to facilitate student language development.			
8:50 9:55	Beginning Math Skills- Counting objects, (15 minutes). Oral Reading to students- Language development- Ask questions and	Beginning Math Skills- Counting, (15 minutes) Introduction Of the plus sign. Oral Reading to students. Language development-			

	wait- focus on diverse cultures. (10 minutes math review)	Ask questions and wait. (10 minutes math review)			
10:00 10:20	Recess During recess, they will be taught group participation, cooperation, taking turns, putting away & sharing. play equipment.	Recess During recess, they will be taught group participation, cooperation, taking turns, putting away and sharing. play equipment			
10:25 11:30	Reading - Phonetic Approach (15 minutes at the beginning & end of the period). Language development focusing on science- instructor will use the comments and waits strategy	Reading - Phonetics Approach to reading (15 minutes at the beginning & end of period). History lesson/ Language Development using a book about the story of a native American child.			
11:35 12:05	Lunch	Lunch			
12:15 1:10	Manuscript skills- Fun play with clay-making lines and circles making line and circles with paint	Language Arts Developmental Skills/ Science Lesson Looking at and learning about dinosaurs Presenting the picture book,			

	playing with lines and circles puzzles	instructor will use language development strategies: comment and wait, ask questions, and wait.			
1:15 1:35	Recess	Recess			
1:40 2:30	Computer time Supports math and spelling skills. Physical Education will be the last twenty minutes of the day. Instructor will re-teach appropriate social behavior.	Computer time Supports math and reading skills learned in class. Physical Education will be the last twenty minutes of the day instructor will re-teach appropriate social behavior.			
2:30-6:00	Extended Care				

Instructional Minutes

Grades	Grades Offered	Number of Days	Number of Instr. Minutes Per Regular Day	Number of Early Dismissal Days	Number of Instr. Minutes Per Early Dismissal Day	Number of Minimum Days	Number of Instr. Minutes Per Minimum Day	Number of [Other] Days	Number of Instr. Minutes Per [Other] Day	Total Number of Instr. Days	Minutes Req'd Per State Law	Total Number of Instr. Minutes	Number of Instr. Minutes Above/below State Req't
TK	Yes	180	255	39	205	39	205	6	0	0	36000	41,5300	Above 5,530
K	Yes	180	255	39	205	39	205	6	0	0	36000	41,5300	5,530
1													
2													
3													

Number of Instructional per regular day: 25 Number of Instructional per minimum day 205

Oakland Youth Services 2021-2022 Student Calendar Year-Round School Year

July 2021

M	T	W	TH	F
			1	2
★	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

August 2021

M	T	W	TH	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

September 2021

M	T	W	TH	F
		1	2	3
★	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

October 2021

M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

November 2021

M	T	W	TH	F
1	2	3	4	5
8	9	10	★	12
15	16	17	18	19
22	23	24	★	★
29	30			

December 2021

M	T	W	TH	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

January 2022

M	T	W	TH	F
3	4	5	6	7
10	11	12	13	14
★	18	19	20	21
24	25	26	27	28
31				

February 2022

M	T	W	TH	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28				

March 2022

M	T	W	TH	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	★	

April 2022

M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

May 2022

M	T	W	TH	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
★	31			

June 2022

M	T	W	TH	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

- July 5
- July 19
- July 20
- August 23
- August 24
- September 6
- September 20-23
- September 24
- September 27-October 15
- November 1
- November 5
- November 11

- Independence Day (No School)
- Teacher Work Day (No School)
- School Begins
- Staff Development Day (No School)
- Staff Development Day (No School)
- Labor Day (No School)
- Parent Conferences (Minimum Days)
- Parent Conferences (No School)
- Fall Break
- Staff Development Day (No School)
- First Trimester Ends
- Veterans' Day (No School)

- November 22-26
- December 20-January 7
- January 17
- February 14
- February 21
- March 4
- March 31
- April 4-15
- May 30
- June 14
- June 15

- Thanksgiving Break
- Winter Recess
- Martin Luther King Jr. Day (No School)
- Lincoln's Birthday Observed (No School)
- Presidents' Day (No School)
- Second Trimester Ends
- Cesar Chavez Day (No School)
- Spring Recess
- Memorial Day (No School)
- School Ends
- Teacher Work Day (No School)

180 Student Days
3 Teacher Work Days
3 District Wide Staff Development Days

Staffing and Professional Development

Teaching the whole child is consistent with teaching to the mental, physical and psyche. Teaching to the whole child also means teaching that is respectful to the child's family, and the historical ancestry from which the students have evolved. Therefore, OYS thinks it is essential that instructors know and understand the culture, history, and the current social economic conditions of the children they teach. To create this teaching environment, OYS will recruit instructors who have the same or similar backgrounds as the students. Staff must have the attitude that we are all stakeholders in the educational success of the students; for they will have voices in future communities in which we will live.

To address this academic challenge of diverse and poor students not being educated well, reported in an article in the National Assessment of Educational Progress, OYS will search for instructors who are willing to sacrifice, work hard, and long, take risks, learn from failure, rise above frustration, rethink existing paradigms, support and collaborate with their colleagues. Being aware of the possible despairing outcome of many of these students, OYS teachers need to see beyond this crisis. The task at hand is not only to see the future but also to enable it. With commitment, knowledge, and leadership, OYS' educators can enable the future for our culturally diverse students.

OYS would reach out to retired teaching professionals who are concerned about the youth in their community and professions who would actively like to participate in helping our children. For all non-credential positions, preference will be given to people living in the community. These positions will be advertised by circulating flyers in the community. OYS will also encourage young people, who live and have grown-up in the community, to consider teaching as a profession. Oakland Youth Services believes that people who were born and grew-up in that community can be some of the best teachers for this population.

Professional Development

The first year's topic for professional development will focus on "Knowing Who Sits Before Us." As a group we will read and discuss books that explain the history, culture and the present issues that affect the families of the children we teach. This information will be taught in relationship with American history. The staff will also look at and explore the ideas about human existence of diverse cultures at that time. It is OYS' conviction that to accurately understand the present; one must have knowledge of the people's past and present's history. With prospective in mind, professional development will consist of teaching us how to be more knowledgeable about diverse students. And how the staff can be more relevant to their educational experience. The staff will read and discuss the following books: "Bury My Heart at Wounded Knee" by Dee Brown, "People's History of the United States" by Howard Zinn, "Capitol Men" by Philip Dray, "The Development Psychology of the Black Child" by Amos Wilson, "Student Cultural Diversity" by Eugene Garcia, "Slavery by Another Name" by Douglas A Blackmon, and "Reading, Writing and learning in ESL" by Suzanne F. Peregoy.

Extracurricular activities will be the following:

- Extended day Program is from 2:30 to 6:00 every school day.
- Group Parent Meeting – Once a month a gathering of interested parents will meet with their child’s teachers to discuss concerns about what is going on in the classroom and how the parent can assist the student at home. This meeting will occur the first Tuesday of each month.
- The school buildings can be used in the evenings, after school, for various community group meetings.
- There will be English Learner’ Class offered at the facility one night a week for parents or interested members of the community.
- There will also be a Marriage, Family and Child Therapist on campus at a scheduled time to conduct circles with young mothers.

Element 1D: School Culture

The beauty of the physical space of the school is enclosed by a strong metal fence. Upon entrance, one enters in a garden-like atmosphere of plants and greenery that adore the site. A feeling of safety, cleanliness, orderliness is eminent. As one enters the office, one is greeted by prints of great works of art hung on the walls. Soft music of diverse cultures will be heard in the background. Feelings of openness, warmth, affirmation, and respect, regardless of socio-economic status will be present.

The classrooms will be bright and colorful. A peaceful place of refuge. Instructional staff will be aware of the affective domain in the classroom. An affective domain that provides cultural and linguistic validation that is missing in the local community. The classrooms are student-centered, which is culturally sensitive to different languages, and cultures. The classroom will be a safe place where the student can feel comfortable.

There will be various murals arranged against the classroom walls. One classroom may be the time graph of the evolution of man, while another depicts the graphic history of the United States from 1400 to the 20th century. Other classrooms may have a large drawing showing the development of a frog or mobile of the solar system with plants placed around the sun hanging from the ceiling. There will also be posters of great people who have served humanity and made the world a better place to live.

In the classroom, two large table with six student seats and one small table with two student seats. This arrangement makes small group instruction, student collaboration with other student, and individual instruction assessable. There will be a small library of books in the corner of the room. The library will have a soft throw-rug with a small table and two chairs placed upon it. A bookcase filled with books and must-read books recommended by other students will be placed on top of the bookcase.

The atmosphere in the classroom will be a place where openness, affirmation of personhood and nurture will be teacher led. A place where teachers are not time-bound to curriculum and do not move on to new subject matter until all students grasp the concept. An environment where the teacher connects books, instructional materials, and all learning to life. A space where teachers realize that the classroom (being the society of diverse cultures) is essential that one knows one's culture. To be disconnected from that culture means losing not only the ability to explain one's essence to others but also the potential for self-knowledge and self-identity. Being acquainted with one's identity and the knowing of the self allows the student to find purpose for their life. The classroom culture is a place where the spiritual environment is saturated with the concept that children of color need to see the brilliance of their legacy.

The display of work of art by diverse people of the world will put in motion the concept of the universality of man. United by a common bond of humanity and the distinct beauty of the unique culture and language. These themes will be actualized in the physical appearance of the artifacts around the campus, in the office and in the classrooms. Events to enhance the spirit of openness and acceptance will be demonstrated in school-community gatherings. The first will be a social gathering of students, parents, friends, board members, volunteers, credential, certificated and administration staff to meet. It will be an informal meeting where residents will meet and get to know parents in the community.

There would be variety of delicious foods and fun activities for the children. Children's activities will be planned to ensure that all will have a good time at school sponsored events; and that they will feel encouraged to return. There be a staff introduction, where staff will share a small narrative about

their life and how they plan to be instrumental in the academic success of our children. The purpose of this gathering is to establish human connectiveness and bonding of students, parents, school, and the community.

School Social Events

There will be events through-out the school year celebrating and honoring the history and legacy of different cultures represented by the students enrolled. There will be events where students and family will be asked to come in their cultural dress and bring a cultural dish to the affair. These events will also serve to inform parents of student progress and to help parents to become involved with education of their children. Parents will be made aware of the child's academic abilities at the beginning and end of school year, benchmarks of development, and academic goals achieved. A language Interpreter, equally fluent in the native language and English will be available at these meetings, as needed.

Element 1E: Student Recruitment & Enrollment

The goal is to serve students in the Elmhurst community. Hence, enrollment for students in the target area will be preferred, but not limited to students outside of the Elmhurst community.. OYS staff will recruit students by going to the homes in the target community and informing neighbors about the program. The director will speak in neighboring churches, explaining the educational approach and what OYS hopes to accomplish in the community. The future staff and board members will also leave leaflets in places where children frequently visit such as parks, childcare centers, shopping malls and groceries stores. There is also an organization in Oakland called “Bananas” that helps working parents find childcare for their children. OYS will contact Bananas and inform them of OYS’ program to students.

OYS’ target re-enrollment for first year is eighty-four students. The student recruitment for the second year of operation will be different from the pre-opening first year. For the second-year recruitment, it is hoped that parents will be compelled to tell a friend about the academic achievements their child has made in one year. Parents would also report about how they were helped in monthly meetings in how to assist their child academically at home. In addition, hopefully parents would talk about all the extra-curricular activities available for parents and students at the school. OYS will schedule an open-house and invite people to come learn about the program. This event will take place at least once each year.

Element 1F: Student Engagement & Satisfaction

The goal for student attendance is 98%. To ensure a high rate of student attendance, OYS will pursue and maintain a bonding relationship between the parents and the school. At the orientation meeting, parents will be told the importance of consistent student attendance. Parents will be told that they and OYS staff must work together for student success. For student school success, it will be clearly stated that the main roles of parent participation are to get the student to school on time every instructional day. The parent will also be told that when a student is absent, a phone call to the parent to inquire why the child is absent and that the child is missed by his teachers and classmates. However, when parents who have difficulties getting their student to school each day on time, the director and the principal will meet with the family to discuss solutions to eliminate the problem. OYS is also aware that families in this community are heavily stressed, and irregular attendance may be only the tip of the surface of the problem. However, staff wants the student in school; and if transportation is the predominant problem, bus service will be provided. There will also be at least three arranged home visits from staff throughout the school year.

Element 1G: Community School: Ongoing Family Involvement & Satisfaction

The OCO, Oakland Community Organization, is a collection of groups that work for the common welfare of the Oakland community. Illegal Dumping committee is a part of the OCO. The OYS' director has worked closely with illegal dumping groups for years and believes that clean streets and sidewalks are what our children deserve. Mothers in the community share this opinion. Staff and parents of students will unite in putting our concerns into action by forming a group against garbage and trash on our streets where our children walk and play. Illegal dumping on the streets in this area is difficult to manage. The director knows that members of the community are extremely disgusted by this problem. The possibility of the children, who live in this trashy environment, to feel inferior to other children is high. With staff, parents of the community united to work together, this problem can be conquered.

The building and grounds of OYS will serve as a statement of how beautiful a well-kept debris free facility can be. It is hope that the beauty of the campus will inspire community residents to improve the looks of their properties. To encourage residents to act by picking up trash that litter the sidewalks where the children daily walk, an activist group of the staff will be initiated will create a neighborhood clean-up committee. This group of staff and parents will create a more beautiful environment and hopefully inspire residents to become more involved in city issues that affect their lives and the lives of their children.

Element 1H: Special Population Identification, Remediation & Acceleration: Special Education

Oakland Youth Services will use the following bodies of evidence to identify students with disabilities and special needs:

- Interview
- Observations
- Differential Ability Scales-2
- Education Local Plan Area Test of Auditory Processing Skills-3
- Behavior Assessment System for Children-2
- Behavior Rating Inventory for Executive Functioning (BRIEF)
- Scales for Assessing Emotional Disturbance-2 (SAED-2Special (SELPA)

OYS pledges to work in cooperation with its Special Education Local Plan Area (SELPA) to ensure that a free and appropriate education is provided to all students with exceptional needs. California law gives schools various options on how to deliver special education and related services either as (1) an arm of the charter-granting agency, (2) an independent local education agency, or (3) as a charter SELPA, OYS shall be its own local education agency (LEA) and Office of Education (EDCOE) Charter SELPA in conformity with Education Code Section 47641(a). OYS retains the right to operate as a school of the district for purposes of special education. In this case, a Memorandum of Understanding (MOU) would be developed between the school and the authorizer. A change in LEA status or SELPA membership shall not require a material revision of this charter.

Assurances

OYS recognizes its responsibility to enroll and support students with disabilities who can benefit from its programs and who otherwise qualify for enrollment and pledges to work in cooperation with OUSD and the Special Education Local Plan Area (SELPA) to ensure that a free and appropriate education is provided to all students with exceptional needs. OYS will comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and any other civil rights enforced by the U.S. Department of Education Office of Civil Rights (OCR). Furthermore, OYS will comply with AB 602, all California laws pertaining to special education students, and OUSD guidelines as they relate to the service of special education students so long as they are within the boundaries of state law for authorizers in regards to charter schools.

Per Federal Law, all students with disabilities will be fully integrated into the programs of OYS, with the necessary materials, services, and equipment to support them in learning. The school will ensure that any student with a disability attending OYS is properly identified, assessed, and provided with necessary services and supports. OYS will meet all the requirements mandated within a student's Individual Education Plan (IEP). The school will seek to include all special needs students with nondisabled peers to the maximum extent appropriate according to their IEP. However, if the student's needs as documented on the IEP require a program, other than inclusion, the school will work with OUSD and/or the EDCOE SELPA to provide an appropriate placement and services. OYS will work with OUSD and/or THE EDCOE SELPA to make time and facilities available to meet the needs of the student's IEP. OYS will actively participate in all aspects of the IEP to enable the student to be successful, including the appropriate individual tutoring schedule and classroom modifications, strategies, and techniques. The school will make available student's work products for analysis and evaluation of progress and will participate in the IEP reviews conducted by OUSD, where applicable.

If a parent or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to OYS, which will then forward such written notice to OUSD and/or EDCOE SELPA within five school days. The school will encourage open communication between the parents plus the OUSD and/or EDCOE SELPA for any items related to the special education services.

Interim and Initial Placements of New Oakland Youth Services Students

If a student enrolls at OYS with an existing IEP, OYS will notify OUSD and/or EDCOE SELPA (where applicable according to SELPA policies) within 5 days. An IEP meeting will be convened within 30 days to review the existing IEP, discuss the student's present levels of performance, and needs, and offer an appropriate placement and services. Prior to such meeting and pending agreement on a new IEP, OYS shall work with OUSD and/or EDCOE SELPA to implement the existing IEP at OYS or as otherwise agreed by the parent/guardian.

Referral for Assessment

The referral process is a formal, ongoing review of information related to students who are suspected of having special needs and show potential signs of needing special education and related services. OYS's internal method for referral for assessment will be made by the classroom teacher. The parent of any student suspected of needing or qualifying for special education services may also make a referral for an evaluation. Any such referrals will be responded to in writing by OYS within 15 days. OYS will notify the OUSD and/or EDCOE SELPA (where applicable according to SELPA policies) of the assessment request within 5 days of receipt. If OYS, in collaboration with the EDCOE SELPA, concludes that an assessment is appropriate, the parent will receive a written Assessment Plan within 15 days. The parent will be given at least 15 days to provide written consent to the Assessment Plan. Assessments will be done only upon receipt of written parent permission. The assessment will be completed and an Individualized Education Program (meeting held within 60 days of receipt of the parent's) with written consent for assessment.

Assessment

Information gathered will be used as tools to determine the student's disability, eligibility for services and determining the nature and extent of required services. Assessment procedures will be conducted in the student's primary language, and an interpreter will be provided if needed. The types of assessments that may be used for determining eligibility for specialized instruction and services will include, but not limited to:

- Individual testing
- Teacher observations
- Interviews
- Review of school records, reports, and work samples
- Parent input
- Unless conflicting with OUSD or EDCOE SELPA policies and procedures, OYS will adhere to the following assessment guidelines. If a conflict with OUSD or EDCOE SELPA policies and procedures exists, then EDCOE SELPA policies and procedures will govern.
- Parents or guardians of any student referred for assessment must give their written consent for the school to administer the assessment.
- The assessment will be completed and an Individualized Education Program (IEP)

meeting held within 60 days of receipt of the parent's written consent for assessment.

- The student must be evaluated in all areas related to his/her suspected disability. Assessments must be conducted by a person with knowledge of the student's suspected disability and administered by trained and knowledgeable personnel and in accordance with any instructions provided by the producer of the assessments. Individually administered tests of intellectual or emotional functioning must be administered by a credentialed school psychologist.
- Assessments must be selected and administered so as not to be racially, culturally, or sexually discriminatory
- Assessments will be delivered in the student's primary language, and a qualified interpreter will be provided if needed.
- Assessment tools must be used for purposes for which the assessments or measures are valid and reliable
- Assessments will be adapted as necessary for students with impaired sensory, physical or speaking skills
- A multidisciplinary team will be assembled to assess the student, including a teacher knowledgeable in the disability.

Upon completion of the assessment, an IEP team will be assembled to review the results of the assessment and determine the student's need for special education. OYS, in coordination with the EDCOE SELPA will be responsible for scheduling, coordinating, and facilitating the IEP meeting. Educators qualified to interpret test results will present the assessment data at the IEP meeting. Parents will be provided with written notice of the IEP meeting, and the meeting will be held at a mutually agreeable time and place.

Development and Implementation of IEP

Every student who is assessed by the school will have an IEP that documents assessment results, and eligibility determination for special education services. OYS, in collaboration with COST will ensure that all aspects of the IEP and school site implementation are maintained. OYS will provide modifications and accommodations (outlined within everyone's IEP) in the general education environment taught by the general education teacher. Students at the school who have IEP's will be served in the Least Restrictive Environment (LRE). Each student who has an IEP will have an IEP team that oversees the IEP development, implementation, and progress of the student. All decisions concerning the special education programs and services to be provided to a student with a disability are to be made by the IEP team. The IEP team must include all the following members:

- The parent or guardian of the student for whom the IEP was developed
- The student, if appropriate
- At least one special education teacher

A General Education teacher who is familiar with the curriculum appropriate to that student, if the student is, or may be, participating in the general education environment.

- If the child was recently assessed, the individual who conducted the assessment or who is qualified to interpret the assessment results.

Others familiar with the student may be invited as needed. OYS views the parents as the key stakeholders in these meetings and will make every effort to accommodate their schedules and needs so that they will be able to participate effectively on the IEP team. The school will provide an interpreter, if necessary, to ensure that all parents and/or guardians understand and can participate in the IEP process. If a parent cannot attend the IEP meeting, the school will ensure his/her participation

using other methods, such as conferencing by telephone, zoom meeting (if possible) or meeting at the parent's home.

A copy of the IEP will be given to the parent in accordance with state laws and SELPA policies. Upon the parent or guardian's written consent, the IEP will be implemented by OYS, in cooperation with the SELPA.

Upon the parent or guardian's written consent, the IEP will be implemented by OYS. The IEP will include all required components and be written on SELPA forms.

The student's IEP will include the following:

- A statement of the student's present levels of academic achievement and functional performance
- The rationale for placement decisions
- The services the student will receive and the means for delivering those services
- A description of when services will begin, how often the student will receive them, who will provide them, and where they will be delivered.
- Measurable annual goals and short-term objectives focusing on the student's current level of performance
- A description of how the student's progress toward meeting the annual goals will be measured and monitored and when reports will be provided; and
- Accommodations necessary to measure the academic achievement and functional performance of the pupil on state and district assessments
- For students 16 years of age and older, measurable postsecondary goals related to training, education, employment, and independent living skills, along with transition services needed to assist the student in reaching those goals.

IEP meetings will be held according to the following schedule:

- Yearly to review the student's progress and make any necessary changes
- Every three years to review the results of a mandatory comprehensive reevaluation of the student's progress
- After the student has received a formal assessment or reassessment

When a parent or teacher feels that the student has demonstrated significant educational growth or a lack of anticipated progress (consistent with state and federal law, IEP meetings will be held within 30 days of a parent's request)

- When an Individual Transition Plan is (ITP) required at the appropriate age
- When OYS seeks to suspend or remove the student for a period of 10 days or more for the same behavior, to determine if the student's misconduct was a manifestation of his/her disability.

IEP Review

The IEP team will formally review the student's IEP at least once a year to determine how the IEP is meeting his/her needs. In accordance with IDEA regulations, the IEP team will also conduct a formal review of the IEP once every three years, in which the student is reassessed, and the IEP is reviewed as part of an overall comprehensive reevaluation of the student's progress. If a parent or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to the school. Once the request is received, OYS will have thirty days, not including school vacations

greater than five days, to hold the IEP meeting. Unless otherwise specified on the student's IEP, parents will be informed four times a year (which is the same frequency as progress is reported to all students and parents) of the student's progress toward meeting annual goals and whether the student is expected to meet his/her annual goals. The Goals and Objectives section of the IEP will be an attachment to the general progress report. This will serve to document the method by which the student's progress toward achieving the annual goal is measured, the student's progress during the relevant period, the extent to which it is anticipated the student will achieve the annual goal prior to the next annual review, and where needed, the reasons the student did not meet the goal.

Reporting

OYS, in collaboration with OUSD, will collect and maintain the following information on disabled students as required by IDEA:

- A calculation of all school-age students with disabilities being provided special education services by age, grade, category of disability and the number of students with disabilities who are English Language Learners,
- The number of students provided with test modifications and the types and the number of students exempted from District assessments,
- The settings in which students with disabilities receive their services, specifically including the portion of the school day they receive services with non-disabled peers and time away from the regular classroom,
- The number of students with disabilities suspended "in-school" and "out of school" organized by disability and length of suspensions,
- The basis of exit from OYS of students with disabilities

All necessary procedures and practices to ensure confidentiality and accurate timely reporting will be the responsibility of the OYS director. The director will ensure that a central file with all special education evaluation material and IEP's is maintained and that this file is locked and confidential, in accordance with IDEA guidelines. The director will oversee access to these records, and will be responsible for ensuring that all providers responsible for the implementation of a student's IEP will have access to a copy of the IEP and will be informed of their specific responsibilities in implementing the IEP.

Procedural Safeguards

Parents or guardians of students with IEP's at OYS must give written consent for the evaluation and placement of their child, will be included in the decision-making process when change in placement, is under consideration, and be invited, along with teachers, to conferences and meetings to develop their child's IEP. Any concerns or disagreements raised by parents will be acknowledged by the school within five days, after which a meeting between the parent and school will be scheduled to seek resolution of the disagreement. If a disagreement or concern persists, parents or guardians have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their child. The school will provide the parent with a written Notice of Procedural Safeguards, which will include information on the procedure to initiate both formal and informal dispute resolutions, at least once per year. OYS will utilize the Notice of Procedural Safeguards used by the EDCOE and SELPA.

Dispute Resolution

OYS's policy is to comply with applicable federal and state laws and regulations. OYS is the local agency primarily responsible for compliance with federal and state laws and regulations governing educational programs. Pursuant to this policy, there is a board-adopted complaint policy and procedure to provide a uniform system of complaint processing for the following types of complaints:

1. Complaints of discrimination against any protected group including actual or perceived, including discrimination on account of age, sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or based on a person's association with a person or group with one or more of these actual or perceived characteristics in any Oakland Youth Services program or activity.
2. Complaints of violations of state or federal law and regulations governing the following programs including but not limited to special education, Title II, Section 504 of the Rehabilitation Act consolidated categorical aid, No Child Left Behind, migrant education, career technical and technical education training programs, childcare and development programs, child nutrition program.

Parents also have the right to file a complaint with OUSD and/or the California State Department of Education. Special Education Strategies for Instruction and Service OYS will comply with the federal mandate of the "least restrictive environment", meaning that the school will make every attempt to educate special education students along with their non-disabled peers. OYS will mainstream all students as much as is appropriate according to each individual IEP, offering a comprehensive inclusion program that includes specialized individual tutoring. Each student's IEP requires different kinds of modifications for instruction and services, therefore the educational strategies of the IEP will be built around the student's needs and how these fit within the general educational program of the school. The instruction outlined in each student's IEP will be delivered by personnel qualified to do so.

Professional Development for OYS Staff

Team members participate in the professional development opportunities provided by Seneca and the EDCOE/SELPA. This helps to build the capacity of the special education staff in the areas of promising instructional practices, compliance with state and federal statutes, reporting requirements, and use of instructional data. In addition, all staff members will receive regular coaching and ongoing professional development to build capacity. Finally, special education teachers will receive training to ensure they have research-based instructional strategies specific to supporting special education students' strategies like the Slingerland Approach, or Lindamood Bell Wilson Reading, Orton-Gillingham, or Davis Math. This is to ensure that all students receive the targeted academic interventions as well as the interventions specific to supporting their disabilities.

Section 504 of the Rehabilitation Act

OYS shall be solely responsible for its compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. All facilities of the School shall be accessible for all students with disabilities in accordance with the ADA. OYS recognizes its legal responsibility to ensure that no qualified person with a disability shall, on account of that disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of OYS.

Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the school. A 504 team will be assembled by the director and shall include the parent/guardian, the student, a qualified staff member, and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social, and behavioral records, and is responsible for determining as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include the considerations of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligent quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude, achievement level, or whatever factor the test purposes to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, a referral for assessment under the IDEA will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations, or services are needed to ensure, that the student receives the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff. The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary.

All 504 team participants, parents, guardians, teachers, and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The principal will ensure that teachers include 504 Plans with lesson plans for short-term substitutes, and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year, to determine the appropriateness of the plan, needed modifications to the plan, and continued eligibility.

Response to Intervention

Multi-Tiered System of Supports

OYS has high expectations for all students and is committed to working with students who are not meeting outcomes to help them achieve at expected levels. OYS has developed a comprehensive assessment system designed to track and monitor student growth. These are both summative and formative assessments that track student growth and monitor their mastery of grade-level standards. Teachers will use the assessment system to inform their overall planning, differentiate for specific children, and develop strategic lessons to accelerate growth.

OYS, as part of Education for Change Public Schools implements a comprehensive multi-tiered system of supports (MTSS) in partnership with the Seneca Center to provide students the academic, behavioral, and social-emotional supports they need. MTSS is a framework for providing comprehensive support to students and is not an instructional practice. It is a prevention-oriented approach to linking assessment and instruction that can inform educators' decisions about how best to teach their students. A goal of MTSS is to minimize the risk for long-term negative learning outcomes by responding quickly and efficiently to documented learning or behavioral problems and ensuring appropriate identification of students with disabilities.

A prevention system provides for the early identification of learning and behavioral challenges and timely intervention for students who are at risk for long-term learning problems. This system includes three levels of intensity or three levels of prevention, which represent a continuum of supports.

Multi-tiered System of Support (MTSS)

MTSS is a prevention framework that organizes building-level resources to address each individual student's academic and/or behavioral needs within intervention tiers that vary in intensity. MTSS allows for the early identification of learning and behavioral challenges and timely intervention for students who are at risk for poor learning outcomes. It also is called a multi-level prevention system. The

increasingly intense tiers (e. g. Tier 1, Tier 2, Tier 3) sometimes referred to as levels of prevention (i. e. primary, secondary, intensive) represent a continuum of supports. Response to Intervention (RtI) and Positive Behavioral Interventions and Supports (PBIS) are examples of MTSS.

Tier 1: (Primary Prevention) involves the delivery of high-quality core instruction that meets the needs of most students in the class.

- A core curriculum that is research-based.
- Instructional practices that are culturally and linguistically responsive.
- Universal screening to determine students' current levels of performance.
- Differentiated learning activities (e.g. mixed instructional grouping, use of learning centers, peer tutoring) to address student needs.
- Accommodations to ensure all students have access to the instructional program.
- Problem solving to identify interventions, as needed, to address behavior problems that prevent students from demonstrating the academic skills they possess.

Tier 2: (Secondary Prevention) Involves the delivery of research-based intervention(s) of moderate intensity to address the learning or behavioral challenges of most at risk students. This is provided in addition to the daily core instruction:

- Typically involves adult- led small-group instruction.
- Duration of typically 10-15 weeks of 20-40-minute sessions 3-4 times weekly.
- Uses clearly articulated validated interventions.
- Evidence-based rather than research-based.
- High degree of fidelity of intervention implementation.
- Frequent progress monitoring every 1-4 weeks.

Tier 3: (Tertiary Prevention) Involves the delivery of individualized intervention(s) of increased intensity for students who show minimal response to Tier 2 interventions.

- Individualized to target each student’s area(s) of need.
- More intensive than Tier 2 meaning longer sessions, 4-5 times weekly, smaller groups.
- Frequent progress monitoring (weekly).
- Frequent problem-solving to determine changes in the interventions.

Cut Point

Score on the scale of a screening tool or a program monitoring tool to determine whether the student is in need of additional interventions. Also, in progress monitoring, the cut point is used to determine whether the student has demonstrated adequate responses (progress) and whether to make an instructional change or whether to move the student to a more (or less) intensive service including further evaluation.

Evidence-Based Intervention

An intervention for which data from scientific, rigorous research studies have demonstrated (or empirically validated) the efficacy of the intervention. Applying findings from experimental studies, single-case studies or strong quasi-experimental studies, an evidence-based intervention improves student learning beyond what is expected without that intervention.

Note: More rigorous research than “research-based”.

Fidelity of Implementation

Refers to the accurate and consistent delivery of instruction or assessment in the manner in it was prescribed according to research findings and/or developers’ specifications. Five common aspects of fidelity are: adherence, exposure, program differentiation, student responsiveness and quality of delivery.

Goal Line- Also referred to as the “aim line” represents the expected rate of progress over time. A goal line is constructed by connecting the data point representing the student’s initial performance level and the data point corresponding to the student’s year-end goal. The goal line should be compared with the trend line to help inform responsiveness to intervention and to tailor a student’s instructional program.

Problem-solving Approach

Within an MTSS, RTI or PBIS model, a problem-solving approach is used to tailor an intervention for an individual student. A problem-solving approach typically has four stages:

Problem identification (screening).

Problem analysis

(reviewing student data by a team of teachers and selecting interventions).

Plan implementation (in one of the three tiers).

Plan evaluation (progress monitoring).

Progress Monitoring

Used to assess a student's performance to quantify the student's rate of improvement or responsiveness to an intervention, to adjust the student's instructional program to make it more effective and suited to the student's needs, and to evaluate the effectiveness of the intervention. It involves the use of a research-based assessment tool that is used to repeatedly measure performance over time and provides useful information to inform the instruction of individual students. Progress monitoring tools must be valid and reliable for representing students' development and have demonstrated utility for helping teachers plan more effective instruction. The frequency is determined individually but usually ranges from weekly to at least once a month.

PLAN FOR STUDENTS WHO ARE ACADEMICALLY HIGH

These students will be identified in the same way as the "academically low achieving" students. With OYS's approach will be the formation of a student advisory committee. This committee will consist of an administrator, classroom teacher, special education teacher, and parents. The committee will meet to evaluate language arts/English, mathematic, social, and literacy skills. If the student is evaluated as an academically high achiever, that student will be assigned schoolwork that will be compatible to his or her intellectual skill ability. Information collected and agreed upon by committee will be documented and filed in student records. An individual educational program will be designed for the student. Since OYS conducts small classroom instruction; much of the teaching is done in small groups or individually. With this kind of educational environment, high academic achievers can feel comfortable working at an accelerated academic level among their peers.

Educational Design for English Language Learners

Young children learn language in communication. OYS' curriculum for English language learners will be designed to teach students to read well and to development their language communication skills along with standards requirements of the curriculum. Educational researchers have discovered that bilingual students have a more difficult time reaching proficiency level needed to access reading. The books that they are required to assess when they begin reading are often already on a level beyond what they are capable of assessing. As a result of the failure to learn to achieve enough basic proficiency to assess reading, these students do not learn to write. They are also challenged by the common problem of building language and literacy. Even when their English is adequate for ordinary situations, it is insufficient given the linguistic demands that they face in an academic setting. OYS's instructional design in focusing of language arts/literacy development and the phonetic approach to reading, which includes all aspects of word recognitions will benefit all students in the program. When students have difficulty reading, they also are challenged in other academic areas.

In obtaining proficiency in the English language, OYS believes the speaking the language in conversation is a key. Teachers will daily talk to ELL students about things that interest them and prod them to speak more about the subject. The conversation would focus on description, comparison, explanation, and support as to why this item is important to the student. OYS will be a dual language school. Classrooms that have ELL students enrolled, at least one staff person will speak the language of the students.

Parents will be encouraged to support the home-language of the student. Research findings have shown that students who are bilingual do better in school. Parents will also be encouraged to engage their children in conversations about anything (a toy, game of their day) of the child's interest, first in the home language then in English. This Educational Design of language/literacy proficiency, phonetics approach to reading, early mathematics, science, social studies, physical education, manuscript training, behavioral and personal responsibility is identical to the strategy used in the school instruction but will be implemented in Spanish and English.

*For more information about Educational Design for ELL Students, see: Education Design for OYS.

Introduction and Overview

OYS is committed to supporting English Language Learners (ELLs), who make up approximately 55% of the student population (40% are current ELLs and another 35% are reclassified EL who are still speaking English as a second language). OYS holds the same expectations for all students, regardless of primary language, however, OYS will be more patient with them in achieving the educational goals. Both integrated and targeted English Language Development (ELD) will be designed in alignment with the California ELD Standards with the intent to align instructional support for ELLs in both settings with the knowledge, concepts, and skills they will need to master the Common Core State Standards, Next Generation Science Standards, California State Standards, and be college and career ready.

English learners take the California English Language Development Test (CELDT) to determine their levels of proficiency in the English language and will transition to the English Language Proficiency Assessments for California (ELPAC) following the state timeline. The test, as well as the NWEA MAP reading test, the SAT writing prompt, and the school's own local assessments, determines the personalized educational plan best suited to each individual student.

OYS's philosophy is that every student brings strengths, as well as struggles. And it is equally important to build on strengths and allow all students to shine and experience success. Our ELL program outlined addresses the process for student identification, curriculum, assessments, reporting, and re-designation as well as professional development and teacher qualifications for working with our ELL students. OYS will comply with federal, state, and district mandates regarding ELL education and re-designation of ELL students. In addition, OYS will meet all requirements of federal and state law relative to equal access to the curriculum for English Language Learners.

Identification, Designation & Notification

As required by Education Code Section 52164.1 OYS will determine the home language of each student upon enrollment through the administration of a home language survey. This survey will be part of the registration packet that is filled out when students enroll at the school. In compliance with the Office for Civil Rights (OCR) of the U.S. Department of Education, if a parent affirms on the home language survey that the child currently speaks a language other than English, or that a

language other than English is spoken in the home, the child will be classified as having a primary home language other than English.

English Language Learner Criteria and Policy

Criteria and Assessment

Students who are limited-English proficient shall be designated as fluent-English proficient when they have demonstrated English language proficiency comparable to that of the average native speakers and can participate equally with average native speakers in the school's regular instructional program. Students who have been designated will be expected to meet language proficiency and academic standards.

Criteria for Designation

Students must have overall proficiency of Early Advanced or Advanced on the California English Language Development Test (CELDT). The student must reach a score on CAASPP English Language Arts assessment SBAC score or higher on the English-Language Arts California or exceeds Standards Test (ELA SBAC). The classroom teacher and other certificated staff with direct responsibility to teaching or placement decisions of the pupil participation in the process. The parent must be consulted for opinion and consent to the designation. The student must obtain passing grades GPA of 2.0 or above in the current grading period in grades four thru eight or progressing in language arts' standard based report card. An OYS administrator will be responsible for insuring completion of the final checklist for each ELL student being re-designated.

Within the first week of enrollment, the Student Oral Language Observation Matrix will be given to English language learners. English language learners which are the poor, culturally diverse students of color, although not officially designated ELL, will be included. Hence, all students enrolled at OYS will be given this Matrix. Matrix will be given by two staff personnel, one bi-lingual and one English speaking. The results of the test will be used determine the level of the student's language, what are his language needs and, what education design what be most beneficial. An evaluation of student's oral language ability will be recorded at the beginning of the school year. The students will be re-evaluated every three months to assess teaching strategies. Addressing these students' needs will be used to direct creative lesson planning to help the student become more knowledgeable in the speaking of the English language. OYS staff will talk to ELL student daily and challenge students to answer questions in accordance with language building strategies in Element 1C.

This Observation Matrix will be given to all students enrolled three times in the school year to determine the growth in language and literacy

OYS Services Observation Student Oral Language Observation Matrix					
Student's Name:			Age:	Date:	
Language:			Administered By (signature):		
	1	2	3	4	5
A. Comprehension	Cannot be said to understand given simple conversation	Has great difficulty following what is said. Can comprehend slowly and with frequent repetitions.	Understands most of what is said at slower-than normal- speed with repetitions	Understands nearly everything at normal speech. Although occasional repetition may be necessary.	Understands everyday conversation and normal discussions.
B. Fluency	Speech so halting and fragmentary as to make conversation impossible	Usually hesitant: often forced into silence by language limitations.	Speech in everyday conversation and classroom discussion frequently disrupted by student's search for the correct manner of expression.	Speech in everyday conversation and classroom discussion generally fluent with occasional lapses while the student searches for the correct manner of expression.	Speech in everyday conversation and normal classroom discussions fluent and effortless; approximating that of a native speaker.
C. Vocabulary	Vocabulary limitation so extreme as to make conversation virtually impossible.	Misuse of words and extremely limited: comprehension quite difficult.	Student frequently uses wrong words: conversation somewhat limited because of inadequate vocabulary.	Student occasionally uses inappropriate terms and/or must rephrases ideas because of lexical inadequacies.	Use of vocabulary and idioms approximate that of a native speaker
D. Pronunciation	Pronunciation problems so severe as to make speech virtually unintelligible.	Extremely hard to understand because of pronunciation problems. Must frequently repeat to make himself understood.	Pronunciation problems necessitates concentration on the part of the listener and occasionally lead to misunderstanding.	Always intelligible, though the listener is conscious of a definite accent and occasional inappropriate information patters	Pronunciation and intonation approximate that of a native speaker.
E. Grammar	Errors in grammar and words order so severe as to make speech virtually unintelligible.	Grammar and word order errors makes comprehension difficult. Must often rephrase and/or restrict him/herself to basic patterns.	Makes frequent errors of grammar and word order that occasionally obscures meaning.	Occasionally makes grammatical and/or word order that do not obscure meaning.	Grammar and word order approximate that of a native speaker.

Reclassification (Exit) Criteria

Grade Level Spans	Required Criteria (California Education Code Section 313[d])	LEA Criteria
K-2	English Language Proficiency Assessment (CELDT) Comparison of Performance in Basic Skills Parental Opinion and Consultation	NWEA MAP ELA & Reading Assessments, Fountas and Pinnell Reading Assessment: BPST, Common Formative Assessments (Critchlow), IEP Goals
3	English Language Proficiency Assessment (CELDT) Comparison of Performance in Basic Skills Parental Opinion and Consultation	NWEA MAP ELA & Reading Assessments, Fountas and Pinnell Reading Assessment, Common Formative Assessments (Critchlow), IEP Goals

Procedure for Re-designation

1. The Coordinator of English Language Development or Designated School Site Staff may recommend designation procedures begin based on CELDT annual exam.
 2. The school secretary completes the designation Form with the parent(s), teacher(s), and principal.
 3. Parents must sign the designation form giving approval for the re-designation from ELL status to non-ELL student. (LEP to FEP)
- Completed designation forms are placed in the yellow ELD folder within the cumulative folder, a copy is sent home to parents.

Follow-up / Monitoring of designated Students

Designated students are monitored until they are off the roll, after being designated which will require each student to achieve a score of meets or exceeds standard on CAASPP English Language Arts.

Assessment:

- Teachers are given a list of designated students at the beginning of the school year.
- Administrators monitor and review designated students through the PowerSchool database.
- Multiple measures for monitoring achievement of students in a timely manner.
- When necessary, interventions are provided for designated students as determined appropriate by the site administration through examination of the school.

Records

OYS maintains in the pupil's permanent record documentation of the following: Language and academic performance assessments and participants in the reclassification designation.

Criteria and Assessment

Students who are limited-English proficient shall be designated as fluent-English proficient when they have demonstrated English language proficiency comparable to that of the average native speakers and can participate equally with average native speakers in the school's regular instructional program. Students who have been designated will be expected to meet language proficiency and academic standards.

Assessment and Placement

Assessment and Placement of ELLs will be done by a meeting of the parents of the student, a bilingual teacher assistant, the director, and the student. The assessment will be orally given using the Diagnosis and Placement Inventory and Student Oral Language Observation Matrix. Placement will also be determined based on how language is spoken in the home. Students will be placed in accordance to how well they speak English. All participants in the meeting must agree on how well the student speaks English. The meeting will be documented and signed by all in attendance and placed in the student's file.

Student Services Support

The programs and services that will be offered to ELL families are English language learning classes offered once a week for adults. There will also be a Marriage, Child/Family therapist on campus, available by appointment, to help young parents address some of the problems involving child rearing and family matters. All publications sent to parents will be in English and the native language of the students. At meetings that involve many parents who are not proficient in English, there will be a translator who uses a head-set device that translates the native language to English and/or English into the native language. It is hoped that this device will open the door to a greater parent participation in school meetings and board meetings.

School Social Events

Events to inform parents of student progress and assessment will be held to help parents be more involved with the education of their child. Parents will be made aware of the child's basic skills abilities at the beginning of the school year. Progress in acquisition of these skills will be documented by benchmarks. Progress in the learning basic skills will be weekly recorded and placed in the child's files. Parents will be informed of student's progress bi-monthly. A list of suggestions as to how to help their child progress in learning basic skills will be sent home to the parent, written in the child's home language and in English.

Professional development

Professional development is designed to help teachers meet the needs of diverse students. It will consist of workshops where staff will discuss and collaborate on topics such as the following:

- (1) What resources, experience and structures contribute to the professional development of the school community; and how are they related to student achievement?
- (2) How does professional development lead to a school vision that celebrates cultural diversity and that is aimed at optimizing the learning opportunity for all students (Pease-Alvarez et al., 1991).
- (3) What relationships and structural features of the school facilitate active participation across all sectors of the school community, again with the goal of high academic

performance?

- (4) How are the school's vision and missions alive in each instructor's teaching and how are they articulated for and to each teacher? (Garcia, p.311)
- (5) How do power relationships in educational and local community as well as in the society become embedded in the classroom?
- (6) What prevailing norms and underlying belief shape the roles, expectations, and standards in classroom instruction? (Delpit, Ladsen-Billings 1994)

***These topics will be addressed along with the required reading.**

Professional Development Calendar

Professional Development Dated Sessions	Theme – Getting to Know, Whom We Teach	Facilitators
Books listed will be read and discussed by staff		
“Bury My Heart at Wounded Knee”, Dee Brown	Discussion of student and teaching challenges. Review of staff required reading of first seven chapters	Director
	Discussion of student and teaching challenges Review of staff required reading of chapters eight through thirteen	Rotating Staff
	Collaboration with teaching staff on ways to improve instruction. Review of assigned reading chapters fourteen through nineteen	Rotating Staff
	Discussion what is to be learned from assigned reading? Staff collaboration of the question: “What resources, experience and structure contribute to the professional development of the school community, and how are they related to student achievement?”	Rotating Staff
“People’s History of the United States”, Howard Zinn	Discussion of parental concerns. Entire staff will collaborate on how they can better serve parents. Review and discuss assigned reading chapters, one through eight.	Rotating Staff
	Review assigned reading chapters nine through twelve. Staff collaboration to the question: Do we have a school vision that celebrates cultural diversity?	Rotating Staff
	Review and discuss assigned reading chapters thirteen through nineteen. Staff continued collaboration of school vision in celebration of culture diversity and, how does the school’ vision optimize the learning opportunity for all students?	Rotating Staff
	How has the readings, discussions and collaborations helped us to better understand diversity?	Rotating Staff

	As a staff member, “What is Your Vision and Mission?”	Rotating Staff
“Capital Men”, Philip Dray	Review and discuss assigned reading, chapters one through five.	Rotating Staff
	Review and discuss assigned reading, chapters six through ten.	Rotating Staff
	Review and discuss assigned reading, chapter eleven through fifteen.	Rotating Staff
	Discussion topic: In relation to all we have read and discussed, how is the school’s vision and mission alive in each instructor’s teaching and how is it articulated?	Rotating Staff
“Slavery in Another Name”, Douglas Blackmon	Review and discuss assigned reading, chapters, one through six.	Rotating Staff
	Read and discuss assigned reading, chapters seven through twelve.	Rotating Staff
	Read and discuss assigned reading, chapters twelve through seventeen.	Rotating Staff
	Discussion Topic: How do power relationships in education and local community as well as in the society become embedded in the classroom?	Rotating Staff
“The Developmental Psychology of the Black Child” Amos Wilson	Review and discussed assigned reading, chapters one through three.	Rotating Staff
	Review and discuss assigned reading, chapters four through seven.	Rotating Staff
	Read and discuss assigned reading, chapters eight, & nine.	Rotating Staff
	Discussion Topic: What prevailing norms and underlying beliefs shapes the roles, expectations, and standards in classroom instruction?	Rotating Staff
“Harvest of Empire” Juan Gonzales	Review and discuss assigned reading, chapters one through five	Rotating Staff

	Review and discuss assigned reading, chapters six through twelve.	Rotating Staff
	Review and discuss assigned reading, chapters thirteen and fourteen.	Rotating Staff
“Other People’ Children” Lisa Delpit	Review and discuss assigned reading, chapter one	Rotating Staff
	Review and discuss assigned reading, chapter two.	Rotating Staff
	Review and discuss assigned reading, chapter three.	Rotating Staff
“Student Cultural Diversity” Eugene Garcia	Review and discuss assigned reading, chapters one through five. Collaborate in groups of four on major points in chapters.	Rotating Staff
	Review and discuss assigned reading, chapters six through twelve. Collaboration in groups of four on major points in chapters. Report to entire staff of agreed major points	Rotating Staff
	Review and discuss assigned reading, chapters thirteen and fourteen. Collaborate in groups of four on major points in chapter. Report to entire staff of agreed major points.	Rotating Staff
Black Reconstruction in America 1860-1880 W.E.B. DuBois	Read and discuss Introduction of the book. This book will be the first to read in next trimester	Director & Rotating Staff
	Staff member reports on how Professional Development has helped to better serve the student and her/his family.	Director & Rotating Staff

Element 2 (Measurable Pupil Outcomes) and Element 3 (Method of Measuring Pupil Outcomes)

“The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.” – Ed. Code § 47605(c)(5)(B)

“The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.” – Ed. Code § 47605(c)(5)(C)

Increases in Student Academic Achievement, Overall and by Subgroup

In accordance with Education Code section 47605(c)(5)(B), OYS’s pupil outcomes will be set related to increases in pupil academic achievement both schoolwide and for all numerically significant subgroups of pupils served by OYS, as that term is defined in paragraph (4) of subdivision (c) of section 47607. The pupil outcomes shall align with state priorities, as described in subdivision (d) of section 52060, that apply for the grade levels served, or the nature of the program operated, by OYS. OYS’s LCAP goals will serve as the goals for this section unless OYS’s LCAP goals do not include increases in student academic achievement by subgroup, in which case such goals should be included below.

[If OYS’s LCAP goals do not include increases in student academic achievement by subgroup, insert student academic achievement goals by subgroup in compliance with Education Code section 47605(c)(5)(B).]

OYS hereby grants authority to the State of California to provide a copy of aggregated (by school, numerically significant subgroups, etc.) test results directly to the District. Test results for the prior year, if not provided directly to the District by the State in a timely manner, will be provided by OYS to the District, upon request, no later than September 1 of each year.

Additional Measurable Pupil Outcomes

[If the school is **not** adopting the District’s Collective MPOs, school should include their own MPOs here instead of the Collective MPOs below.]

Collective MPOs

OYS sets the following targets for Measurable Pupil Outcomes related to school culture and climate. [Fill in target percentages in table below. Additionally, please choose two measurable pupil outcomes and associated measures/targets specific to your school’s unique program (e.g. proficiency in another language, citizenship, arts proficiency, etc.).]

Collective MPOs for Elementary Schools	
1. Annually, at least 60% of families complete a school survey that includes questions about school safety, satisfaction with academic instruction, and voice in school decision-making.	
MPO	Target (%)
2. Each year, at least _____ percent of families positively rate school safety.	[75%]
3. Each year, at least _____ percent of families positively rate academic instruction.	[80%]
4. Each year, at least _____ percent of families positively rate their voice in school decision-making and/or opportunity for feedback.	[80%]

Collective MPOs for Middle and High Schools	
1. Annually, at least 70% of students complete a school survey that includes questions about school safety, satisfaction with academic instruction, and voice in school decision-making.	
MPO	Target (%)
2. Each year, at least _____ percent of students positively rate school safety.	
3. Each year, at least _____ percent of students positively rate academic instruction.	
4. Each year, at least _____ percent of students positively rate their voice in school decision-making and/or opportunity for feedback.	
5.	

Each year, at least 80% of the students will rate the pedagogical approach as being a lot of fun. Each year at least 75% of the families positively support before and after school extended care program.

Application of Education Code section 47607.3

Under Education Code section 47607.3, if OYS meets certain criteria outlined in section 47607.3(a), the following shall apply:

- Depending on circumstances specified in section 47607.3, either the county superintendent of schools or the chartering authority shall provide technical assistance to OYS using an evaluation rubric adopted by the State Board.
- The entity providing technical assistance may request assistance from the California Collaborative for Educational Excellence, which may, after consulting with the Superintendent and with the approval of the State Board, provide advice and assistance to OYS.

- The chartering authority shall consider for revocation any OYS to which the California Collaborative for Educational Excellence has provided advice and assistance and,
- has made findings that: 1) OYS has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence; or 2) that the inadequate performance of OYS, based upon the evaluation rubric, is so persistent or so acute so as to require revocation of the charter.

Assessments

Standard Assessments for Reading

Assessment for students will be based on the student's ability to recognize and knowing the names of alphabet letters and their sounds. The students will be able to blend consonant-vowel blends, vowel-consonant blends, and consonant-vowel-consonants blended words. Students will be able to read sentences that are composed of three-words and comprehend what was read. Students will not only be able to pronounce the words but be able to spell the words using the phonetic approach. Students will be reading short stories on their own and reading stories to small groups of their classmates. Students will be given the Spire Reading Placement Test, Part A and Part B. Part A, phonograms, involves naming letters and saying the sounds the letters make. Part B is a series of words lists organized by level and concept. Nonsense words are included to assess decoding skills and set it apart from sight recognition. Students will be assessed on their decoding skills, comprehension, and their ability to orally paraphrase what was read.

Standard Assessments for Math

Assessment for math instruction will be on the student's ability to identify repeating patterns. Demonstrate the use of location words. Identify, names and create common shapes. Compare the different heights of objects. Students will be able to sort objects that are the same and different into groups and use language to describe how the groups are similar and different. Students will be able to demonstrate the use of location words, recognize and compare the heights of objects. Transitional Kindergarten students will be able to count, identify, and compare numbers to 5. Kindergarten students will be able to count, identify and compare numbers to 10. Students will be able to identify, without counting, the number of objects from 1-5 for TK; and 1-10 for Kindergarten. Students will verbally demonstrate verbally the meaning of the mathematical sign of plus to mean add, and the mathematical sign of minus to means subtract. TK students will be able to add and subtract numbers from 1-5 with the sum or difference, not larger than 5. Kindergarten students will be able to add and subtract numbers from 1-10 with the sum or difference, not larger than 10.

Standard Assessment for Language Development

Early language and literacy assessment will be the student's ability to speak in complete sentences. Understands instructional language. Responds appropriately. Shares appropriately. Uses pronouns. Uses subject-verb agreement. Follows oral directions. Takes turns speaking. Shares personal experiences. Uses descriptive words and verb tenses correctly. Demonstrates the difference of inside and outside voice. Engages in conversations. Speaks politely. Makes eye contact, speaks and answers questions. Demonstrates attentive listening. Use appropriate tone of voice, use details in sentence, and make relevant comments. Use verb tense correctly. Student will predict, retell, and contribute ideas while using good listening skills.

Standard Assessment for Manuscript

The assessment for manuscript will be that the student will demonstrate that the purpose of writing is to convey ideas and messages. Students will be assessed on the ability to form symbols, form letters, numbers, contribute ideas for writing. Identify name written. Write name. Copies letters. Copies short sentences. Contributes ideas for writing. Dictates a sentence. Labels a picture.

Standard Assessment for Social Studies

Assessment in social studies will be composed of the student's ability to demonstrate a knowledge and pride about parts of his heritage. Students will demonstrate knowledge about the role of the family, and the unique quality of the family. Students will demonstrate the roles of learning together and getting along with classmates. Students will demonstrate that they understand the role of a good citizen in the school community. Students will demonstrate an understanding of the difference between the home and the school community. Students will demonstrate a knowledge of jobs that people perform outside the school community and how these people meet needs of the community. Students will demonstrate a knowledge of holidays and an awareness of reason for the celebration.

Standard Assessment for Science

Students will demonstrate the knowledge of different body parts and functions. Demonstrate the understanding that all people need food, clothing, and shelter. Demonstrate an understanding of what foods are good for the body. Demonstrate an understanding of how to take care of the body. Students will demonstrate the knowledge of the five senses and experiment the senses with different plants and objects. Students will demonstrate the knowledge of investigating why some plants survive and the reason some plants do not survive. Students will demonstrate a knowledge of the characteristics of landforms, (mountains, rivers, oceans, valley, and deserts) and the globe as a representative of the earth.

STEP and Fountas and Pinnell Literacy Assessments

Students' reading proficiency will be assessed using the Strategic Teaching Evaluation of Progress (STEP) for Transitional kindergarten, kindergarten through second grade) and Fountas and Pinnell (F&P) for the third grade. Students will be assessed five times throughout the year: once in the beginning of the year during orientations, and then once every quarter thereafter. The STEP and F & P both assess students for their instructional and independent reading levels; however, OYS uses F&P after second grade because the assessment is more comprehensive and rigorous for those levels. And OYS students will assess at or above third grade level.

The director or the principal, and teachers will meet monthly with grade levels for literacy meetings to lead development around guided reading and other components of balanced literacy. Goals are individualized to ensure that students are on track for success and growing regardless of wherever they are on the reading scale.

Promotion/retention policies and procedures

The types of data that the school will use are the following: teacher observations, student performance, student accomplishment of benchmarks in reading, mathematics, language art/literacy and manuscript progress, portfolio of student's work and parent's comments about language development at home. The data will be collected daily and stored in the computer. Actual work of student and recording of student's language development/literacy will be available for parent to listen

to and review at any time. The data will be used to direct future lesson plans for the students. The grading for TK, kindergarten will be happy face, indicating good work, sad face indicating, work that needs improvement and just a picture of a sun shining indicating that the student is doing satisfactory work.

A report on student's progress will be communicated to parent every four weeks. Promotion and retention policies will depend upon the child's ability to master the steps. Children grow psychologically and intellectually at different rates. Not achieving a step within a certain times period does not suggest that the student is academically slow and in need of special education. It may only serve an alarm to tell the instructional staff that the student needs a different approach to learning or that the student needs more direct individualized instruction. Oakland Youth Services Charter School's proposed instructional design, which incorporated small class sizes, makes individual instruction assessable. However, regarding promotion/retention, OYS will not retain any student, but will first, re-teach, and explore different teaching approaches. If these approaches fail, OYS will seek other alternatives.

		Teacher accounts		
Kindergarten Math	<p>Identify and create repeating patterns, Sort objects that are different into groups and describe how the groups are similar, or different, Recognize count and compare to 5 and compare quantity, Compare lengths, Order object by size and length Match numerals to quantity Compare distances, See shapes in the real world, Name shapes Build structures, Solve problems,</p>	<p>Teacher and parent Assessment Kindergarten Assessments Math Assessment for CA. Math Standards</p>	1x per year	<p>70% of students will achieve proficiency. 65% of ELL Students</p>
	<p>Identify and create repeating patterns, Sort objects that are different into groups and describe how the Groups are similar, or different, Recognize count and compare to 5 and compare quantity, Compare lengths, Order object by size and length Match numerals to quantity Compare distances, See shapes in the real world, Name shapes: Triangles, squares, circles, diamond, diamond Build structures, Solve problems, Count to 100 by ones, tens and five, Write numbers from 0-20 Represent the count of objects with a number, Compare numbers, Solve one-digit addition problems with- in 20, Solve one-digit subtraction problems with-in 20, Decompose numbers less than or equal to 20</p>	<p>Teacher and parent assessment</p>	1x per year	<p>70% of students will achieve proficiency. 65% of ELL students</p>

Subject Area:	Measurable Outcomes	Assessment Tools	Frequency	Proficiency Goals
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TK Language and Literacy Development	<p>Describes in detail a favorite toy, a fun activity or whatever occurs. Student will state sequence of events in a story read and Offers an optional conclusion, Talks in sentences, Listens to instructions, Follows one-and-two-step oral directions, Recites rhymes and songs, Expresses ideas so that others can understand, Listens to ideas of peers, Works in collaborative groups of twos or threes to share information Express feelings Socializes</p>	Teacher and parent listening assessment.	1x per year	<p>75% of students will achieve proficiency.</p> <p>65% of ELL-students will achieve proficiency</p>
Kindergarten Language and Development	<p>Describes in detail a favorite toy, or a fun activity or whatever occurs. Student will state sequence of events in a story read and offers an optional conclusion, Talks in sentences, Listens to instructions, Follows one-and-two-step oral directions, Recites rhymes and songs, Expresses ideas so that others can understand, Listens to ideas of peers, Works in collaborative groups of twos or threes to share informative, Expresses feelings Socializes</p> <p>ELL students will be able make gains in their acquisition at 60% literacy in comparison to non-ELL students at 70% in reading, math and speaking English language development</p>	Teacher and parent assessment	1x per year	<p>75% of students will achieve proficiency.</p> <p>65% of ELL Students will achieve proficiency.</p>
TK Manuscript	Makes playdough figures,			

<p>Kindergarten Manuscript</p> <p>—</p>	<p>Makes horizontal lines in finger-paintings, Makes vertical lines with chalk on construction paper, Paints circles on card broad squares Paints squares on card broad circles, Draws half-circles dry erase board, Recognizes name in print, Makes playdough figures, Builds using blocks, Puts puzzles together, Cuts with scissors Threads and laces beads Cuts, and pastes paper Holds and uses crayons, makers, and pencils correctly,</p> <p>Makes playdough shapes and figures, Makes horizontal lines in finger-paintings, Makes vertical lines with chalk on construction paper, Paints circles on card broad squares Paints squares on card broad circles, Draws half-circles on dry-erase board, Recognizes name in print, Builds using blocks, Threads and laces beads Cuts, and pastes paper Puts puzzles together, Cuts with scissors Holds and uses crayons, markers, and pencils correctly, Writes name, Copies three-letter words learned, Collaborates about written work with other classmates,</p> <p>.</p>	<p>Teacher and parent assessment</p> <p>Teacher and parent assessment</p>	<p>1x per year</p> <p>1x per year</p>	<p>75% of students will achieve proficiency.</p> <p>75% of ELL students will achieve proficiency.</p>
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Subject Area	Measurable Outcomes	Assessment Tools	Frequency	Proficiency Goals
TK Creative arts and music	(Students will demonstrate the ability to do the following as listed below)	Teacher observation and assessment of student performance	1x per year	That 80% of students will achieve proficiency.
Kindergarten Creative arts and music	Names basic colors Draws shapes, circles, squares, triangles, vertical and horizontal lines, Tells a story with pictures, Sing in group, Clap hands to the music Moves to a beat, Names basic colors Draws shapes, circles, squares, triangles, vertical and horizontal lines, Tells a story with pictures, Moves to a beat, Sing songs in a group, Clap hands to the music		1X per year	80% of ELL students 90% of students will achieve proficiency, 90% of ELL students will achieve proficiency

	Measurable Outcomes	Assessment Tools	Frequency	Proficiency Goals

<p>Science TK and Kindergarten</p>	<p>Verbally demonstrates the knowledge of basic facts about plant’s needs, Exp.: soil, water, sun light, etc. Verbally demonstrates the knowledge of basic facts about animals’ need such as: shelter, food, protection, etc. Verbally demonstrates that there are many kinds of different looking animals, but they all have common needs. Verbally demonstrates the knowledge of basic facts about the sun, moon, stars, and the planet, such as: We live on a planet, the earth has a moon, the earth circles around the sun, etc.</p>	<p>Teacher and parent observation assessment</p>	<p>1xper year</p>	<p>75% of students will achieve proficiency, 60% of ELL students</p>
<p>Social Studies TK and Kindergarten</p>	<p>Verbally demonstrates the difference and description of mountains, rivers, valleys, and deserts. Can state the days of the week, Can state at least four holidays of the year and why they are celebrated, Can verbally demonstrate the knowledge of different seasons, State and describe one other culture beyond their own.</p>	<p>Teacher and parent assessment</p>	<p>1xper year</p>	<p>75% of students will achieve proficiency, 60% of ELL students</p>
<p>Physical Education Transitional Kindergarten</p>	<p>Under given instructions, and a pre-determined number, students will do the following exercises: jump forward, jump backward,</p>	<p>Teacher and parent assessment</p>	<p>1xper year</p>	<p>80% of students will achieve proficiency. 60% of ELL students</p>

<p>and Kindergarten</p>	<p>jump to the right side of their body, jump to the left side of their body, with their arms out- stretched, will make a horizontal line in the air, with their arms stretched-out in the air, with make a vertical line in the air, with the left arm, make windmill circles in the air, with the right arm, make windmill circles in the air, hop on the right foot and then the left foot, Jump and then jog in place, students will jump to the right in a group and then will jump to the left in a group, Student will demonstrate the knowledge of parts of their body, Students will demonstrate the knowledge that water is healthy for the body</p>			<p>90% of all students</p> <p>80% of ELL students</p>
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*Teachers are required to submit student accomplishment charts monthly to the director and/or principal.

Element 4 (Governance)

“The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.” – Ed. Code § 47605(c)(5)(D)

Operation by or as a Nonprofit Public Benefit Corporation

As an independent charter school, Oakland Youth Services, operated as or by its nonprofit public benefit corporation, is a separate legal entity and shall be solely responsible for the debts and obligations of Oakland Youth Services. Oakland Youth Services shall comply with the provisions of Education Code section 47604(b)(1) and shall not operate as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. A for-profit educational management organization and a for-profit charter management organization are entities that manage or operate a charter school.

Oakland Youth Services I shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter. In the event that the governing board and/or nonprofit corporation operating Oakland Youth Services amend the bylaws to change the number of governing board members, Oakland Youth Services shall provide a copy of the amended bylaws to the OUSD Office of Charter Schools (“OCS”) within 30 days of adoption.

Oakland Youth Services will respond to Public Records Act requests in a timely manner and in compliance with the California Public Records Act (Government Code section 6250 et seq.).

Indemnification of District

Oakland Youth Services through this Charter agrees to defend, and indemnify and hold harmless the District, its officers, directors, employees, attorneys, agents, representatives, volunteers, successors and assigns (collectively hereinafter “District” and “District Personnel”) from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, Oakland Youth Services’ performance under this Agreement or the Charter, the condition or use of its facilities, or any acts, errors, negligence, omissions or intentional acts by Oakland Youth Services, its Governing Board, administrators, employees, agents, representatives, volunteers, successors and assigns.

Governing Board Operation

Oakland Youth Services shall follow Education Code section 47604.1, and comply with the Ralph M. Brown Act (Government Code section 54950 et seq.); the California Public Records Act (Government Code section 6250 et seq.); Government Code section 1090 et seq.; and the Political Reform Act (Government Code section 81000 et seq.) Oakland Youth Services shall also comply with the provisions of Education Code section 47604.1(c) with respect to the location of its meetings, and broadcasting its meetings on a two-way teleconference where required.

Oakland Youth Services shall publicly post all governing board meeting agendas in accordance with the Brown Act. Oakland Youth Services shall keep accurate records of all governing board meetings, whether they were canceled, rescheduled, or held, and make board meeting documents, including board meeting minutes, available to the public either upon request or by posting on the Oakland Youth Services' website.

The District reserves the right, but is not obligated, to appoint a single representative of the District's choosing to the Oakland Youth Services governing board pursuant to Education Code section 47604(c).

Required Notifications to the District

Oakland Youth Services shall notify OCS in writing of any citations or notices of workplace hazards; investigations by outside regulatory or investigative agencies, lawsuits, changes in corporate or legal status (e.g. loss of IRS 501(c)(3) status), or other formal complaints or notices, regarding any aspect of Oakland Youth Services operations, within one week of receipt of such notices by Oakland Youth Services. Unless prohibited by law, Oakland Youth Services shall notify OCS in writing of any internal investigations within one week of commencing investigation. Oakland Youth Services shall notify OCS within 24 hours of any dire emergency or serious threat to the health and safety of students or staff. This 24-hour notification applies to any allegations of serious misconduct related to student safety or child abuse by any student or adult that occurred on campus.

Oakland Youth Services Records

Upon receiving a records request from a receiving school or district, Oakland Youth Services shall transfer a copy of the student's complete cumulative record within ten (10) school days in accordance with Education Code section 49068. Oakland Youth Services shall comply with the requirements of California Code of Regulations, title 5, section 3024, regarding the transfer of student special education records. In the event Oakland Youth Services closes, Oakland Youth Services shall comply with the student records transfer provisions in Element 15. Oakland Youth Services shall comply with the requirements of Education Code section 49060 et seq., regarding rights to access student records, and Education Code section 49069.3 and 49069.5 regarding transfer of records for youth in foster care.

Oakland Youth Services 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 Youth Services to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at Oakland Youth Services and of the District. Oakland Youth Services 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 Youth Services does not have that Oakland Youth Services needs in order to meet its obligations, the District shall provide the same to Oakland Youth Services in a reasonably timely manner upon request under Education Code section 47604.3.

Oakland Youth Services in accordance with Education Code section 47604.3, shall promptly respond to all reasonable inquiries from the District, including but not limited to, inquiries regarding financial records, and shall consult with the District as needed regarding any such inquiries. Oakland Youth Services acknowledges that it is subject to audit by District. If the District seeks an audit of Oakland Youth Services, the District 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 Youth Services by law or charter provisions.

Oakland Youth Services shall ensure that, throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter. If the governing board and/or nonprofit corporation operating Oakland Youth Services

amends OYS' bylaws, Oakland Youth Services shall provide a copy of the amended bylaws to the OCS within 30 days of adoption.

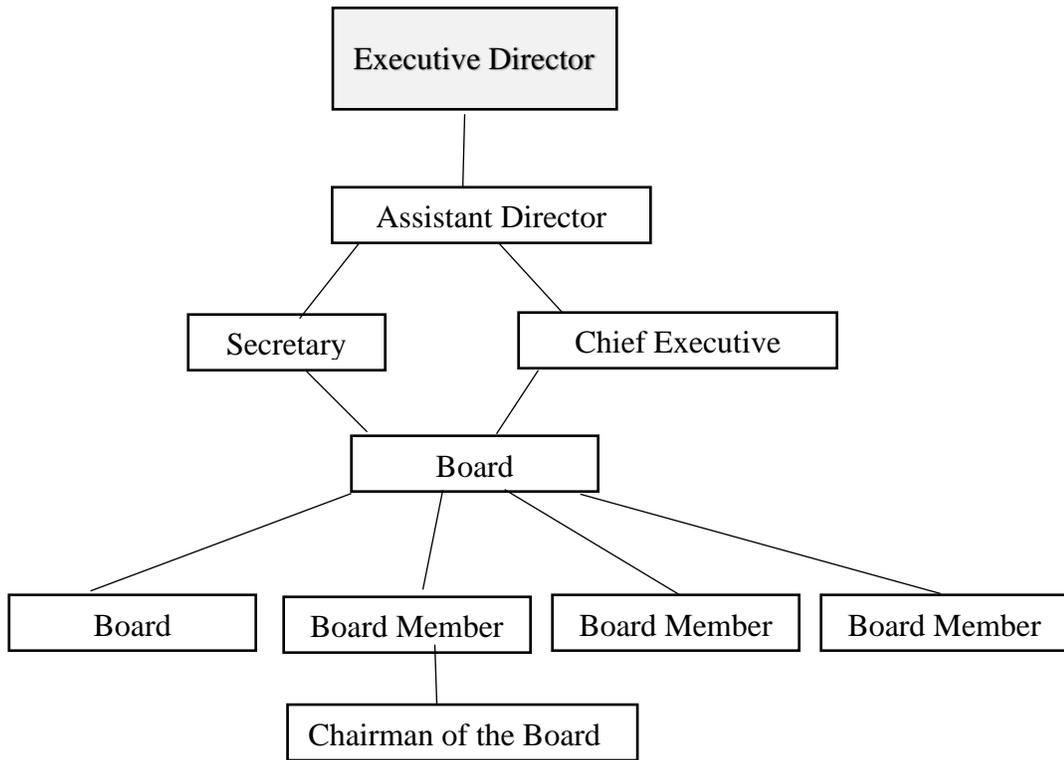
Oakland Youth Services shall send to the OCS copies of all OYS' governing board meeting agendas at the time that they are posted in accordance with the Brown Act. Oakland Youth Services shall also send to the OCS copies of all board meeting minutes within one week of governing board approval of the minutes. Timely posting of agendas and minutes on Oakland Youth services' website will satisfy this requirement.

The District reserves the right, but is not obligated, to appoint a single representative to the Oakland Youth Services governing board pursuant to Education Code section 47604(b).

Oakland Youth Services shall be governed by a corporate Board of Directors who shall be selected, serve and govern the school in accordance with their adopted corporate bylaws, which shall be maintained to align with the terms of this charter and applicable law. Oakland Youth Services Inc., a California nonprofit public benefit corporation, will serve as the sole statutory member of Oakland Youth Services and will be responsible for appointing the Board of Directors as outlined in bylaws.

The qualifications for a Board Member are that this person must care about the education of poor diverse young people and their future. A person who is willing to give time and service to see that children are well educated. People who feel that these students are not just "Other People's Children." A person who takes the position that: "We are all stakeholders." Stakeholders in the educational development of students who will become significant voices of the future world. Board members must work to make the school a successful place, an asset to lives of young students and their families. The board member must also be willing to serve a minimum of three years.

Governing Board



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ARTICLES OF INCORPORATION:

OAKLAND YOUTH SERVICES, INC.

FILED.
in this office of the Secretary of
of the State of California

OCT 11 1988

MARCH FONG EU
MARCH FONG EU, Secretary of State

The name of this corporation is

Oakland Youth Services, Inc,

II.

- t. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person, It is organized under the Nonprofit Public Benefit Corporation law for public benefit purposes,
- B. The specific purpose of this corporation is to promote and sponsor programs for young people and adolescents in general and to make sure programs are integrated into the East Bay community,

III

The name and address in the State of California of this corporation's initial agent for service of process is:

Barbara Swoffard-Waller

Oakland Youth Services, Inc,
8909 East 14th Street
Oakland, CA, 94621

IV

- A, This corporation is organized and operated exclusively for public benefit purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code,
- ,B Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax section 501 (c) (3) of the Internal Revenue Code or (b) by a corporation to which contributions are deductible under Section 170 (c) (2) of the Internal Revenue Code,
- C, No substantial part of the activities of this corporation shall consist of carrying on propaganda or otherwise attempting to influence legislation in all matters of political controversy related to the purpose and objectives of this nonprofit public benefit corporation

V.

- A. The Board of Directors of this nonprofit public benefit corporation shall consist of a minimum of five and a maximum of nine persons.
- B. The existence of the corporation shall be perpetual,

VI

The property of this corporation is irrevocably dedicated to public benefit purposes and no part of the net income or assets of this corporation shall be used to the benefit of any private person. In the event of dissolution of this corporation, or in the event of its failure to carry out the objects and purposes therein set forth, all of the business, property and assets of the corporation shall be distributed to such nonprofit corporation(s) as may be selected by the Board of Directors so that such business properties and assets can be used for, and devoted to, the purposes of carrying on a nonprofit organization for tutoring young people. In no way shall the assets or property of this corporation, or any of its proceeds, in the event of dissolution, be distributed to members, either for reimbursement of any sums subscribed, donated or contributed by such members, or for any other such purpose; it is the intent that in the event of the dissolution of this corporation, or upon its ceasing to carry out the objects and purposes herein set forth, that the property and assets then owned by the corporation be devoted to nonprofit public organizations purposed for educational, enriching young people.

Upon the dissolution of the corporation, its assets remaining after payment, or provision of payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund corporation or foundation which is organized and operated exclusively for public benefit purposes and which has established its tax-exempt status under Section 501 (c) (3) of the Internal Revenue Code.

(2)

we and the persons whose names are subscribed to these articles of incorporation are all of the incorporators or directors of the corporation, and we hereby certify that we have signed these articles of incorporation and that the persons whose names are subscribed to these articles of incorporation are all of the incorporators or directors of the corporation.

Executed on Friday, April 21, 1988, 13378 Campus Drive, Oakland, California 94619.

Laura Swoffard-Waller
Signature of Incorporator and Director

Gabriel Jhrtran
Signature

Laura Swoffard-Waller
Typed name of Incorporator and Director

Gabriel Jhrtran
Typed name

W B Knowles
Signature

Willie B Knowles
Typed name of Incorporator

Juanita Bulter
Signature of Director

Juanita Bulter
Typed name of Director

W B Knowles
Signature

Olive Lynch
Typed name of Director

STATE OF CALIFORNIA
FRANCHISE TAX BOARD
P O BOX 651
SACRAMENTO, CA 95812-0651

oc111 1988



October 11, 1 988

In reply refer to
344:APP:PTS:rk:g

Oakland Youth Services, Inc.
8909 East 14th Street
Oakland, CA 94621

Purpose Charitable
Form of Organization Corporation
Accounting Period Ending: December 31
Organization Number

On the basis of the information submitted and provided your present operations continue unchanged or conform to those proposed in your application, you are exempt from state franchise or income tax under Section 23701d, Revenue and Taxation Code. Any change in operation, character or purpose of the organization must be reported immediately to this office so that we may determine the effect on your exempt status. Any change of name or address also must be reported.

You are required to file Form 199 (Exempt Organization Annual Information Return) or Form 199B (Exempt Organization Annual Information Statement) on or before the 15th day of the 5th month (4 1/2 months) after the close of your accounting period. See annual instructions with forms for requirements.

You are not required to file state franchise or income tax returns unless you have income subject to the unrelated business income tax under Section 23731 of the Code. In this event, you are required to file Form 109 (Exempt Organization Business Income Tax Return) by the 15th day of the 5th month (4 1/2 months) after the close of your annual accounting period.

If the organization is incorporating, this approval will expire unless incorporation is completed with the Secretary of State within 60 days.

Exemption from federal income or other taxes and other state taxes requires separate applications.

Exempt Organizations Unit
Telephone (800) 852-7050

cc: Barbara Swoffard-Waller
Secretary of State
Registrar of Charitable Trusts

FTB 4206-ATS (REV. 8-87)

82102

BYLAWS OF OAKLAND YOUTH SERVICES
(A California Nonprofit Public Benefit Corporation)

ARTICLE I
NAME

Section 1. NAME: The name of this corporation is Oakland Youth Services

ARTICLE II
PRINCIPAL OFFICE OF THE CORPORATION

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of this corporation is the county of Alameda, State of California. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the Secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board of Directors may at any time establish branch or subordinate offices at any place or places where this corporation is qualified to conduct its activities.

ARTICLE III
GENERAL AND SPECIFIC PURPOSES; LIMITATIONS

Section 1. GENERAL AND SPECIFIC PURPOSES. The purpose of this corporation is to manage, operate, guide, direct and promote Oakland Youth Services, a California public charter school. Also, in the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE IV
CONSTRUCTION AND DEFINITIONS

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context indicates otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular, and the term "person" includes both a legal entity and a natural person.

ARTICLE V
DEDICATION OF ASSETS

Section 1. DEDICATION OF ASSETS. This corporation's assets are irrevocably dedicated to public benefit purposes as set forth in the OYS's Charter. No part of the net earnings, properties, or assets of the corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the corporation shall be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3).

ARTICLE VI CORPORATIONS WITHOUT MEMBERS

Section 1. CORPORATIONS WITHOUT MEMBERS. This corporation shall have no voting members within the meaning of the Nonprofit Corporation Law. The corporation's Board of Directors may, in its discretion, admit individuals to one or more classes of nonvoting members; the class or classes shall have such rights and obligations as the Board of Directors finds appropriate.

ARTICLE VII BOARD OF DIRECTORS

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the corporation's activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors ("Board"). The Board may delegate the management of the corporation's activities to any person(s), management company or committees, however composed, provided that the activities and affairs of the corporation shall be managed, and all corporate powers shall be exercised under the ultimate direction of the Board.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1 of these bylaws, but subject to the same limitations, the Board of Directors shall have the power to:

- a. Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, and these bylaws; fix their compensation; and require from them security for faithful service.
- b. Change the principal office or the principal business office in California from one location to another; cause the corporation to be qualified to conduct its activities in any other state, territory, dependency, or country; conduct its activities in or outside California; and designate a place in California for holding any meeting of members.
- c. Borrow money and incur indebtedness on the corporation's behalf and cause to be executed and delivered for the corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.
- d. Adopt and use a corporate seal; prescribe the forms of membership certificates; and alter the forms of the seal and certificates.

Section 3. DESIGNATED DIRECTORS AND TERMS. The number of directors shall be no less than 5 and no more than 11, unless changed by amendments to these bylaws. All directors shall have full

voting rights, including any representative appointed by the charter authorizer as consistent with Education Code Section 47604(b). The board will always appoint at least one Board member who is a parent. If the charter authorizer appoints a representative to serve on the Board of Directors, the Board of Directors may appoint an additional director to ensure an odd number of Board members. All directors, except for the representative appointed by the charter authorizer, shall be designated by the existing Board of Directors at the corporation's annual meeting of the Board of Directors. The Board of Directors shall consist of at least 9 directors unless changed by amendment to these bylaws.

Section 4. **RESTRICTION ON INTERESTED PERSONS AS DIRECTORS.** No more than 49 percent of the persons serving on the Board of Directors may be interested persons. An interested person is (a) any person currently being compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. However, any violation of this paragraph shall not affect the validity or enforceability of transactions entered by the corporation. The Board may adopt other policies circumscribing potential conflicts of interest.

Section 5. **DIRECTORS' TERM.** Each director shall hold office for 2 years and until a successor director has been designated and qualified.

Section 6. **NOMINATIONS BY COMMITTEE.** The Chairman of the Board of Directors or, if none, the President will appoint a committee to designate qualified candidates for election to the Board of Directors at least thirty (30) days before the date of any election of directors. The nominating committee shall make its report at least seven (7) days before the date of the election or at such other time as the Board of Directors may set and the Secretary shall forward to each Board member, with the notice of meeting required by these bylaws, a list of all candidates nominated by committee.

Section 7. **USE OF CORPORATE FUNDS TO SUPPORT NOMINEE.** If more people have been nominated for director than can be elected, no corporation funds may be expended to support a nominee without the Board's authorization.

Section 8. **EVENTS CAUSING VACANCIES ON BOARD.** A vacancy or vacancies on the Board of Directors shall occur in the event of (a) the death, resignation, or removal of any director; (b) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under California Nonprofit Public Benefit Corporation Law, Chapter 2, Article 3; (c) the increase of the authorized number of directors; or (d) the failure of the directors, at any meeting at which any director or directors are to be elected, to elect the number of directors required to be elected at such meeting; (e) termination of employment with the Oakland Youth Services; and (f) the failure of a parent representative, appointed by the Board as such, per Section 3 above, to have at least one child enrolled at the Oakland Youth Services.

Section 9. **RESIGNATION OF DIRECTORS.** Except as provided below, any director may resign by giving written notice to the Chairman of the Board, if any, or to the President, or the Secretary, or to the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director's resignation is effective, at a later time, the Board of Directors may elect a successor to take office as of the date when the resignation becomes effective.

Section 10. **DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS.** Except on notice to the California Attorney General, no director may resign if the corporation would be left without a duly elected director or directors.

Section 11. **REMOVAL OF DIRECTORS.** Any director, except for the representative appointed by the charter authorizer, may be removed, with or without cause, by the vote of the majority of the members of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of that meeting and of the removal questions are given in compliance with the

provisions of the Ralph M. Brown Act. (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code). The representative appointed by the charter authorizer may be removed without cause by the charter authorizer or with the written consent of the charter authorizer. Any vacancy caused by the removal of a director shall be filled as provided in Section 12.

Section 12. **VACANCIES FILLED BY BOARD.** Vacancies on the Board of Directors, except for the seat of the representative appointed by the charter authorizer, may be filled by approval of the Board of Directors or, if the number of directors then in office is less than a quorum, by (a) the affirmative vote of a majority of the directors then in office at a regular or special meeting of the Board, or (b) a sole remaining director. A vacancy in the seat of the representative appointed by the charter authorizer shall be filled by the charter authorizer.

Section 13. **NO VACANCY ON REDUCTION OF NUMBER OF DIRECTORS.** Any reduction of the authorized number of directors shall not result in any directors being removed before his or her term of office expires.

Section 14. **PLACE OF BOARD OF DIRECTORS MEETINGS.** Meetings shall be held at the principal office of the Corporation. The Board of Directors may designate that a meeting be held at any place within the granting agency's boundaries that has been designated by resolution of the Board of Directors or in the notice of the meeting. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government Code Sections 54950, et seq., ("Brown Act") as said chapter may be modified by subsequent legislation.

*(Section 15. **MEETINGS; ANNUAL MEETINGS.** All meetings of the Board of Directors and its committees shall be called, noticed, and held in compliance with the provisions of the Brown Act. The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. This meeting shall be held at a time, date, and place as may be specified and noticed by resolution of the Board of Directors.

Section 16. **REGULAR MEETINGS.** Regular meetings of the Board of Directors, including annual meetings, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least 72 hours before a regular meeting, the Board of Directors, or its designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting. Section 17. **SPECIAL MEETINGS.** Special meetings of the Board of Directors for any purpose may be called at any time by the Chairman of the Board of Directors, if there is such an officer, or a majority of the Board of Directors. If a Chairman of the Board has not been elected, then the President is authorized to call a special meeting in place of the Chairman of the Board. The party calling a special meeting shall determine the place, date, and time thereof.

Section 18. **NOTICE OF SPECIAL MEETINGS.** In accordance with the Brown Act, special meetings of the Board of Directors may be held only after twenty-four (24) hour notice is given to each director and to the public through the posting of an agenda. Directors shall also receive at least twenty-four (24) hour notice of the special meeting, in the following manner:

Any such notice shall be addressed or delivered to each director at the director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Board of Directors are regularly held.

Notice by mail shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission: or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.

Section 19. QUORUM. A majority of the directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be by majority vote of the directors in attendance, based upon the presence of a quorum. Should there be fewer than a majority of directors' present at any meeting, the meeting shall be adjourned. Directors may not vote by proxy. The vote or abstention of each Board member present for each action taken shall be publicly reported.

Section 20. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

- a. At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school district in which Oakland Youth Services operates
- b. All votes taken during a teleconference meeting shall be by roll call
- c. If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting
- d. All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;²⁵
- e. Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and
- f. The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.²⁶

Section 21. ADJOURNMENT. A majority of directors is present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. Notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to the directors who were not present at the time of the adjournment, and to the public in the manner prescribed by any applicable public open meeting law.

Section 22. COMPENSATION AND REIMBURSEMENT. Directors may not receive compensation for their services as directors or officers.

Section 23. CREATION AND POWERS OF COMMITTEES. The Board, by resolution adopted by a majority of directors then in office, may create one or more committees, each consisting of two or more directors and no one who is not a director, to serve at the pleasure of the Board. Appointments to committees of the Board of Directors shall be by majority vote of the authorized number of directors. The Board of Directors may appoint one or more directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee shall have all the authority of the Board, to the extent provided in the Board of Directors' resolution, except that no committee may:

²⁵ This means that members of the Board of Directors who choose to utilize their homes or offices as teleconference locations must open these locations to the public and accommodate any members of the public who wish to attend the meeting at that location.

²⁶ The Brown Act prohibits requiring members of the public to provide their names as a condition of attendance at the meeting.

- a. Take any final action on any matter that, under the California Nonprofit Public Benefit Corporation Law, also requires approval of the members or approval of a majority of members
 - b. Fill vacancies on the Board of Directors or any committee of the Board
 - c. Fix compensation of the directors for serving on the Board of Directors or on any committee
 - d. Amend or repeal bylaws or adopt new bylaws
- Amend or repeal any resolution of the Board of Directors that by its express terms is not so amendable or subject to repeal.
- f. Create any other committees of the Board of Directors or appoint the members of committees of the Board.
 - g. Expend corporate funds to support a nominee for director if more people have been nominated for director than can be elected; or
 - h. Approve any contract or transaction to which the corporation is a party and in which one or more of its directors has a material financial interest.

Section 24. **MEETINGS AND ACTION OF COMMITTEES.** Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors' actions, and the Brown Act, if applicable, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors' resolution or, if none, by resolution of the committee. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 25. **NON-LIABILITY OF DIRECTORS.** No director shall be personally liable for the debts, liabilities, or other obligations of this corporation.

Section 26. **COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS.** OYS and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA") as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

ARTICLE VIII OFFICERS OF THE CORPORATION

Section 1. **OFFICES HELD.** The officers of this corporation shall be a President, a Secretary, and a Chief Financial Officer. The corporation, at the Board's direction, may also have a Chairman of the Board, one or more Vice-Presidents, one or more assistant secretaries, one or more assistant treasurers, and such other officers as may be appointed under Article VIII, Section 4, of these bylaws. The officers in addition to the corporate duties set forth in this Article VIII shall also have administrative duties as set forth in any applicable contract for employment or job specification.

Section 2. **DUPLICATION OF OFFICE HOLDERS.** Any number of offices may be held by the same person, except that neither the Secretary nor the Chief Financial Officer may serve concurrently as either the President or the Chairman of the Board.

Section 3. **ELECTION OF OFFICERS.** The officers of this corporation shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board, subject to the rights of any officer under any employment contract.

Section 4. **APPOINTMENT OF OTHER OFFICERS.** The Board of Directors may appoint and authorize the Chairman of the Board, the President, or another officer to appoint any other officers that the corporation may require. Each appointed officer shall have the title and

authority, hold office for the period, and perform the duties specified in the bylaws or established by the Board.

Section 5. **REMOVAL OF OFFICERS.** Without prejudice to the rights of any officer under an employment contract, the Board of Directors may remove any officer with or without cause. An officer who was not chosen by the Board of Directors may be removed by any other officer on whom the Board of Directors confers the power of removal.

Section 6. **RESIGNATION OF OFFICERS.** Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the corporation under any contract to which the officer is a party.

Section 7. **VACANCIES IN OFFICE.** A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

Section 8. **CHAIRMAN OF THE BOARD.** If a Chairman of the Board of Directors is elected, he or she shall preside at the Board of Directors' meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time. If a Chairman of the Board of Directors is elected, there shall also be a Vice-Chairman of the Board of Directors. In the absence of the Chairman, the Vice-Chairman shall preside at Board of Directors meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

Section 9. **PRESIDENT.** The President, also known as the Executive Director, shall be the general manager of the corporation and shall supervise, direct, and control the corporation's activities, affairs, and officers as fully described in any applicable employment contract, agreement, or job specification. The President shall have such other powers and duties as the Board of Directors, or the bylaws may require. If there is no Chairman of the Board, the President shall also preside at the Board of Directors' meetings.

Section 10. **VICE-PRESIDENTS.** If the President is absent or disabled, the Vice-Presidents, if any, in order of their rank as fixed by the Board, or, if not ranked, a Vice-President designated by the Board, shall perform all duties of the President. When so acting, a Vice-President shall have all powers of and be subject to all restrictions on the President. The Vice-Presidents shall have such other powers and perform such other duties as the Board of Directors, or the bylaws may require.

Section 11. **SECRETARY.** The Secretary shall keep or cause to be kept, at the corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings, and actions of the Board and of committees of the Board. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, special, or emergency and, if special or emergency, how authorized; the notice given; the names of director present at Board of Directors and committee meetings; and the vote or abstention of each Board member present for each action taken.

The Secretary shall keep or cause to be kept, at the principal California office, a copy of the articles of incorporation and bylaws, as amended to date.

The Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board of Directors that these bylaws require to be given. The Secretary shall keep the corporate seal, if any, in safe custody and shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 12. **CHIEF FINANCIAL OFFICER.** The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the corporation's properties and transactions. The Chief Financial Officer shall send or cause to be given to directors such financial statements and reports as are required to be given by law, by these bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

The Chief Financial Officer shall (a) deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the Board of Directors may

designate; (b) disburse the corporation's funds as the Board of Directors may order; (c) render to the President, Chairman of the Board, if any, and the Board, when requested, an account of all transactions as Chief Financial Officer and of the financial condition of the corporation; and (d) have such other powers and perform such other duties as the Board, contract, job specification, or the bylaws may require. If required by the Board, the Chief Financial Officer shall give the corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Chief Financial Officer on his or her death, resignation, retirement, or removal from office.

ARTICLE IX CONTRACTS WITH DIRECTORS

Section 1. **CONTRACTS WITH DIRECTORS.** The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor any other corporation, firm, association, or other entity in which one or more of this Corporation's directors are directors have a material financial interest) unless all of the following apply: a. The director with a material financial interest in the proposed contract or transaction fully discloses his/her financial interest in such contract or transaction in good faith and said disclosure is noted in the Board of Directors meeting minutes.

The director with a material financial interest in the proposed contract or transaction recluses himself/herself from any participation whatsoever in the proposed contract or transaction (i.e., the interested director who recluses himself/herself shall refrain from voting on the matter and shall leave the room during Board discussion and when the final vote is taken).

sufficient for that purpose.

Before authorizing or approving the transaction, the Board of Directors considers and in good faith decides after reasonable investigation that the corporation could not obtain a more advantageous arrangement with reasonable effort under the circumstances.

The corporation for its own benefit enters into the transaction, which is fair and reasonable to the corporation at the time the transaction was entered into.

This Section does not apply to a transaction that is part of an educational or charitable program of this corporation if it (a) is approved or authorized by the corporation in good faith and without unjustified favoritism and (b) results in a benefit to one or more directors or their families because they are in the class of persons intended to be benefited by the educational or charitable program of this corporation.

ARTICLE X CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES

Section 1. **CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES.** The Corporation shall not enter into a contract or transaction in which an employee directly or indirectly has a material financial interest unless all of the requirements in the School Conflict of Interest Policy have been fulfilled.

**ARTICLE XI
LOANS TO DIRECTORS AND OFFICERS**

Section 1. **LOANS TO DIRECTORS AND OFFICERS.** This corporation shall not lend any money or property to or guarantee the obligation of any director or officer without the approval of the California Attorney General; provided, however, that the corporation may advance money to a director or officer of the corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that director or officer would be entitled to reimbursement for such expenses of the corporation.

**ARTICLE XII
INDEMNIFICATION**

Section 1. **INDEMNIFICATION.** To the fullest extent permitted by law, this corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any “proceeding,” as that term is used in that section, and including an action by or in the right of the corporation by reason of the fact that the person is or was a person described in that section. “Expenses,” as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code Section 5238 (b) or Section 5238 (c) the Board of Directors shall promptly decide under Corporations Code Section 5238 (e) whether the applicable standard of conduct set forth in Corporations Code Section 5238 (b) or Section 5238 (c) has been met and, if so, the Board of Directors shall authorize indemnification.

**ARTICLE XIII
INSURANCE**

Section 1. **INSURANCE.** This corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its directors, officers, employees, and other agents, to cover any liability asserted against or incurred by any director, officer, employee, or agent in such capacity or arising from the director’s, officer’s, employee’s, or agent’s status as such.

**ARTICLE XIV
MAINTENANCE OF CORPORATE RECORDS**

Section 1. **MAINTENANCE OF CORPORATE RECORDS.** This corporation shall keep:

- a. Adequate and correct books and records of account
- b. Written minutes of the proceedings of the Board and committees of the Board; and
- c. Such reports and records as required by law.

**ARTICLE XV
INSPECTION RIGHTS**

Section 1. **DIRECTORS' RIGHT TO INSPECT.** Every director shall have the right at any reasonable time to inspect the corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

Section 2. **ACCOUNTING RECORDS AND MINUTES.** On written demand on the corporation, any director may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board of Directors and committees of the Board of Directors at any reasonable time for a purpose reasonably related to the director's interest as a director. Any such inspection and copying may be made in person or by the director's agent or attorney. This right of inspection extends to the records of any subsidiary of the corpus.

Section 3. **MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.** This corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the directors at all reasonable times during office hours. If the corporation has no business office in California, the Secretary shall, on the written request of any director, furnish to that director a copy of the articles of incorporation and bylaws, as amended to the current date.

ARTICLE XVI REQUIRED REPORTS

Section 1. **ANNUAL REPORTS.** The Board of Directors shall cause an annual report to be sent to itself.

(the members of the Board of Directors) within 120 days after the end of the corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- a. The assets and liabilities, including the trust funds, or the corporation as of the end of the fiscal year.
- b. The principal changes in assets and liabilities, including trust funds.
- c. The corporation's revenue or receipts, both unrestricted and restricted to particular purposes.
- d. The corporation's expenses or disbursement for both general and restricted purposes
- e. Any information required under these bylaws; and
- f. An independent accountant's report or, if none, the certificate of an authorized officer of the corporation that such statements were prepared without audit from the corporation's books and records.

Section 2. **ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS.** As part of the annual report to all directors, or as a separate document if no annual report is issued, the corporation shall, within 120 days after the end of the corporation's fiscal year, annually prepare and mail or deliver to each director and furnish to each director a statement of any transaction or indemnification of the following kind:

a. Any transaction in which the corporation, or its parent or subsidiary, was a party, (ii) in which an “interested person” had a direct or indirect material financial interest, and (iii) which involved more than \$50,000 or was one of several transactions with the same interested person involving, in the aggregate, more than \$50,000. For this purpose, an “interested person” is either:

(1) Any director or officer of the corporation, its parent, or subsidiary (but mere common directorship shall not be considered such an interest); or

(2) Any holder of more than 10 percent of the voting power of the corporation, its parent, or its subsidiary. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the corporation, the nature of their interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.

(b) The amount and circumstances of any indemnifications aggregating more than \$10,000 paid during the fiscal year to any director or officer of the Corporation pursuant to Article XII of these Bylaws.

ARTICLE XVII BYLAW AMENDMENTS

Section 1. **BYLAW AMENDMENTS.** The Board of Directors may adopt, amend, or repeal any of these Bylaws by a majority of the directors being present at a meeting duly held at which a quorum is present, except that no amendment shall change any provisions of Oakland Youth Services or make any provisions of these Bylaws inconsistent with that Charter, the corporation’s Articles of Incorporation, or any laws.

ARTICLE XVIII

FISCAL YEAR Section 1. **FISCAL YEAR OF THE CORPORATION.** The fiscal year of the Corporation shall begin on July 1st and end on June 30th of each year.

CERTIFICATE OF SECRETARY I certify that I am the duly elected and acting Secretary of Oakland Youth Services, Inc, a California nonprofit public benefit corporation; that these bylaws, consisting of 14 pages, are the bylaws of this corporation as adopted by the Board of Directors on; and that these bylaws have not been amended or modified since that date.)

Barbara Swoffard

DATE

Board Duties

The OYS Board of Directors will be responsible for the operation and fiscal affairs of the school, including but not limited to:

- Approval of the annual budget, calendar, salary schedules, mayor fundraising events and grant writing.
- Approval of bylaws, resolutions, policies, and procedures of school operation.
- Approval of all changes to the charter to be submitted to the Authorizer as necessary in accordance with applicable law.
- Long-term strategic planning for the School.
- Participation as necessary in dispute resolution with Authorizer.
- Monitoring overall student performance.
- Evaluating the Executive Director.
- Monitoring the performance of the School and taking necessary action to ensure that the School remains true to its mission, charter, and applicable laws.
- Monitoring the fiscal solvency of the School.
- Participation in the School's performance report to the Authorizer.
- Participation as necessary in student expulsion matters.
- Increasing public awareness of the school and fundraising efforts.

The Board of Directors may initiate and carry out program or activity that is not in conflict with or inconsistent with its charter, governance document and any applicable law and which is not in conflict with purposes for which schools are established.

Board Meetings

The Board of Directors will meet regularly to review and act on its responsibilities. All meetings of the Board of Directors shall be held in accordance with the Brown Act.

The Board of Directors shall adopt a conflicts code which shall comply with the Political Reform Act. Government Code Section 87100 and applicable conflict restrictions required by the Corporations School. The corporation will have an approved conflict of interest policy on file at the District and all members will file Form 700 annually.

The Board of Directors meetings will be headed by the Chairman of the Board who will be elected annually by the Board Directors.

Board Delegation of Duties

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee or contractor of the School any of those duties apart from employment of the Executive Director, approval of Board policies, approval of the budget or budget revisions. The Board retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing:
- Specify the entity designated.
- Describe in specific terms the authority of the Board of Directors being delegated any conditions on the delegated authority or its exercise and the beginning and ending dates of

delegation.

- Require an affirmative vote of most present Board members.

Director

- The director will be employed for the school. That person will be responsible for administering a school in all aspects of its daily operations, which includes working with the Board of Directors, the Authorizer, children, parents, and community members. The Director will report directly to the Board of Directors and is responsible for the orderly operation of the Oakland Youth Services and the supervision of all employees in the school.
- The Director's duties shall include, but are not limited to the following:
 - Understand, promote, and support the mission, vision, and guiding principles of OYS.
- Ensure that all school staff understand, promote, and support the mission, vision, and guiding principles of the school.
- Develop and monitor the school program.
- Communicate school-wide instruction practices and pedagogical approach to staff, parents, and children of the community.
- Coordinate the use of standardized test and other assessments.
- Develop the school's annual performance report and SARC.
- Contribute to the development of a school-wide "ethic of critical inquiry" through actively participating in school and classroom-based research and evaluation activities focused on improving practice.
- Lead annual, quarterly, and ongoing reviews of students' achievement data for continued school improvement.
- Ensure continual curricular review and acquisition of relevant materials using student achievement data analysis to drive decision-making.
- Develop and administer the budget as approved by the Board of Directors in accordance with generally accepted accounting principles presented at minimum quarterly financial reports to the Board of Directors.
- Draft the school budget for Board approval.
- Monitor the budget and provide regular reporting to the Board of Directors.
- Assure the necessary equipment and supplies are available to support the school's program and enhance the school's physical plant.
- Attend meetings at the Authorizer as requested by the Authorizer and stay in direct contact with the Authorizer to assist the authorizer in its oversight duties.
- Stay up to date on school laws and regulations.
- Ensure ongoing professional development, prioritization, and evaluation of program effectiveness.
- Act as a resource to all staff in the development and implementation of the school's programs.
- Welcome input from staff, parents, children, and Board of Directors on the school's functioning through formal and informal structures to make positive changes over time while maintaining program continuity and comprehensiveness.
- Through an established supervision process and daily informal observation, acquired through understanding of individual style and strengths of all the teaching and administrative staff, the director will work to help all teaching staff reach instructional goals and improve their performance.
- Provide opportunities and encouragement for staff to grow professionally. Directly or indirectly facilitate the work of staff in groups. Assist all staff in providing improved learning

environment for children.

- Provide overall supervision of supervision of student teachers, interns and other unpaid classroom and school volunteers at the school.
- In regularly scheduled staff meeting, work with teachers to:
 - Anticipate future needs.
 - Discuss potential problems and potentials solutions.
 - Coordinate programs and procedure
- Involve parents and the larger community help teaching staff to beware of and comfortable with diversity in teaching styles and techniques.
- Assign teaching staff to non-instructional duties in line with their interests, capabilities, and teaching load.
- When there is a vacancy in the teaching staff, seek and interview qualified applicants.
- Ensure compliance with all regulations regarding teachers' credentials.
- Develop a sense of community while respecting and responding appropriately to the strengths and needs of staff.
- Be available to staff to help address their individual and collective needs. Act as a liaison, when
- Necessary and appropriate between parents and staff.
- Actively seeks parent, student and staff input and involvement in key decisions that affect the school.
- Demonstrate excitement about learning and excitement about engaging children in learning and teaching staff.
- Provide appropriate discipline and encouragement for children when necessary.
- Provide a meaningful and efficient system for maintaining necessary student record.
- Attend IEP meetings as required by law.
- Be available to parents on a regular basis.
- Keep parent informed and involved in policy changes at school.
- Encourage parent support and cooperation.
- Enlist their efforts to sustain well-kept school structure.
- Plan and conduct interesting and informative parent meetings.
- Establish and maintain communication with the school's internal and external community.

The above duties may be delegated as approved by the Board of Directors to another employee of Oakland Youth Services or to an appropriate third provider as allowed by applicable law.

Board Member Job Description and Qualifications

Each member of the OYS' Board must be individually and collectively responsible for the ethical and legal mandates that govern the School. Board members are solely responsible for determining School policy and have ultimate responsibility for the operation and activities of the School.

Board members must have key responsibilities in the following areas:

COMMUNITY RELATIONS

PERSONNEL

PLANNING

FINANCE

Board Member Job Description

OPERATIONS

MINIMAL JOB REQUIREMENTS

Governance Procedures and Operations Stakeholder Involvement & Dispute Resolution

Stakeholder Involvement- Family Participation in Governance

Oakland Youth Services will ensure parents and caregivers have an opportunity to participate in the governance of its school through involvement in the Family Advisory Council. The Family Advisory Council shall include one parent or caregiver from each classroom who will be selected by election annually at the first-class meeting of the year. The Family Advisory Council will provide a forum for parents to express concerns, request information, review schoolwide performance data, and provide feedback on school policy, and will work to facilitate effective communication among parents, teachers, and administration. The Family Advisory Council shall meet every other month as a body and co-lead with the teacher family meetings by classroom every other month. Consequently, Oakland Youth Services will build family leadership capacity and build greater ownership for the school and its direction. They shall provide information, feedback, and make recommendations to the Director, as well as the Family Advisory Council board representatives, who will be charged with sharing recommendations with the Board of Directors as appropriate. The Family Advisory Council will collectively have two representatives on the Board of Directors.

Expectations and Opportunities for Family Involvement

The school recognizes that children learn best when parents are engaged in their education. The school will meet with each family on an annual basis to develop a family participation plan. Oakland Youth Services will also request a minimum of ten participation hours by each family each year. The School recognizes this may present a challenge to some families; hence the staff will work with each family annually in developing individual family participation plans that support a family in meaningful participation. The School will provide a variety of opportunities to participate with family members different skills, needs and interest. Families will be rewarded for helping in classrooms, leading extra-curricular activities, coaching sports teams, assisting with event planning, attending field trips, attending parent meetings/committees, fundraising, mentoring children, and parent education events.

Dispute Resolution

Governing Law: The procedures to be followed by Oakland Youth Services and the entity granting the charter to resolve disputes relating to the charter.

California Education Code Section 47605 (b)(5)N

The OYS recognizes that it cannot bind the OUSD to dispute resolution procedure to which the OUSD does not agree. The policy is intended as a discussion of dispute resolution procedures. The OYS is willing to consider changes to the process outline as suggested by the OUSD.

The OYS and the chartering authority will be encouraged to attempt to resolve any dispute with the OYS amicably and reasonably without resorting to formal procedures. In the event of a dispute between the OUSD and the OYS, School staff, employees, and board members of the OYS and the OUSD agree to first frame the issues to written format “dispute statement” and to refer the issue to the chartering authority and director of the OYS in dispute. In the that the district board of trustees believe that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607 the School requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the OUSD to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act

as a pre-requisite to the OUSD's ability to proceed with revocation in accordance with Education Code Section 47607.

The director and superintendent of charter schools shall informally meet and confer in a timely fashion to attempt to resolve the dispute, no later than five business days from receipt of the dispute statement. If this informal meeting fails to resolve the dispute, both parties shall identify two board members from their respective boards who shall jointly meet with the charter authority and the director of the school in dispute and attempt to resolve the dispute within fifteen days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the chartering authority and director shall meet to jointly identify a neutral third-party mediator to engage the parties in a mediation session designed to facilitate the resolution of the dispute. The format of the mediation session shall be developed jointly by the chartering authority and the director. Mediation shall be held within sixty business days of receipt of the dispute statement. The costs of the mediator shall be split equally between the OUSD and the OYS. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the OUSD and the OYS.

Addressing Internal Concerns and Complaints

Oakland Youth Services is committed to working with parents, students, and staff to address any concerns and complaints. All are encouraged to share their ideas and concerns with the director at any time. If the director is unable to resolve a concern, the chairperson of the board of directors is available to address the concern. A formal complaint process will be used if, necessary to address any community concerns that are not resolved through informal conversations.

Oakland Youth Services, through this charter and/or a separate memorandum of understanding, agrees to defend, and indemnify and hold harmless the OUSD, its officers, directors, employees, attorneys, agents, representatives, volunteers, successors and assigns (collectively hereinafter "OUSD" and "OUSD personnel") from and against any and actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions or liabilities that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, OYS' performance under this agreement or the charter, the condition or use of its facilities, or any acts, errors, negligence, omissions or intentional acts by OYS, its governing board, administrators, employees, agents, representatives, volunteers, successors and assigns.

Element 5 (Employee Qualifications)

“The qualifications to be met by individuals to be employed by the charter school.” – Ed. Code § 47605(c)(5)(E)

Equal Employment Opportunity and Nondiscrimination

Oakland Youth Services acknowledges and agrees that all persons are entitled to equal employment opportunity. Oakland Youth Services shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment. Oakland Youth Services further acknowledges that it shall not retaliate against any employee for engaging in protected activity, exercising a protected right, or initiating or pursuing any claim, proceeding, charge or complaint based upon an allegation of discrimination.

Teacher Credentialing Requirements

Oakland Youth Services shall adhere to all State and federal requirements that are applicable to teachers and paraprofessional employees. Oakland Youth Services shall ensure that all teachers meet applicable state requirements for certificated employment, including the provisions of Education Code section 47605(1). Oakland Youth Services shall maintain current copies of all teacher credentials and make them readily available for inspection.

Reporting Educator Misconduct to the California Commission on Teacher Credentialing

Oakland Youth Services shall comply with Education Code section 44030.5 with respect to reporting the change in employment status to the California Commission on Teacher Credentialing where the change of employment status is a result of an allegation of misconduct, or while an allegation of misconduct is pending, and with Education Code section 44939.5 regarding the reporting of egregious misconduct.

Employment of Felons

Oakland Youth Services shall comply with the provisions of Education Code section 44830.1 and 45122.1 with respect to the submission of fingerprints to the Department of Justice and the employment of persons convicted of violent or serious felonies.

Employee Positions and Qualifications

In accordance with Oakland Youth Services health and safety, all employees shall be fingerprinted and background-checked and receive background clearance and tuberculosis clearance prior to commencing employment with Oakland Youth Services Charter School.

Director of Oakland Youth Services Qualifications:

Credential teacher with experience in teaching culturally/linguistically diverse economically disadvantaged students. Director must have between from five to ten years of teaching experience

and have taught on multiple levels in the educational system. To qualify for this position, the applicant must have at least three years of administrative experience in a youth facility. The ability to work well with people of diverse backgrounds. In addition, this person must be educated in the cultural history of the students enrolled.

The Director of the school will lead the school and be responsible for helping the school and the students to achieve the outcome outlined in this charter petition.

Required:

Experience managing or demonstrate capacity to manage a growing start-up organization. A person who can inspire a strong professional culture which will be strategically aligning in securing resources, creating, and implementing accounting systems, managing transitions commitment, demonstrate ability to successfully handle projects simultaneously, ability to work as part of a team.

- Ability to provide leadership and serve as a mentor, facilitate, and manage conflict.
- Able to model strong instruction, effective and respectful management of classroom culture and strong communication skills.
- Able to coach and build capacity of teachers and design and implement a professional development system that builds teacher capacity and effectively engage teachers as professionals in their own development.
- Computer literacy and comfort with acquiring new technology skills.

JOB DESCRIPTION FOR SCHOOL PRINCIPAL

A. PRIMARY FUNCTION

The Principal will provide leadership and administration. Provide the best possible opportunities for student growth and development, both educationally and personally.

B. LINE OF AUTHORITY

Solely responsible to the Superintendent of Schools except in the areas of curriculum and instruction where the responsibility is to the Director of Educational Services, unless modified by the Superintendent of Schools.

C. SUPERVISION OF OTHERS

Direct supervision over:

1. Licensed Staff
2. Head custodian
3. Head cook
4. Secretarial/clerical staff
5. All regular instructional and other professional staff members assigned to the school.

D. AREAS OF RESPONSIBILITY

In addition to the primary function, the principal shall be responsible for:

1. Developing and administering the general school routine, and coordinate all activities within the school building.
2. Participating in the selection of new teaching and classified personnel.
3. Observing, counseling, and motivating professional staff toward performances to attain the educational goals of the District.
4. Utilizing to the fullest extent possible, all available school facilities, materials, and staff service personnel.
5. Continually evaluating existing programs and practices, curriculum content, and pilot or experimental programs.
6. Maintaining an educational philosophy and school climate which encourages a cooperative and participating attitude on the part of all teachers and students.
7. Maintaining a standard of student behavior designed to command respect and minimize school and classroom interruptions.
8. Resolving student behavioral problems on buses.
9. Encouraging and initiating continued improvement in curriculum and teaching methods in cooperation with District Administration, subject area specialists, and faculty.
10. Identifying intellectual, physical, social, and emotional needs affecting students' success in school, and taking steps to direct and coordinate the efforts of teachers and parents with staff services and special education personnel.
11. Planning and submitting annual budget needs for the school to the Director of Business Affairs prior to April 1 of each year.
12. Maintaining effective communication to keep the staff, students, and parents properly informed.
13. Orienting new personnel assigned to the school.
14. Having school records available and up to date for ready reference and reporting.
15. Planning and conducting faculty meetings, as necessary.
16. Interpreting and clarifying relationships between teachers, subject area chairpersons, and specialized personnel in accordance with District policy.
17. Affecting or recommending changes which will lead to improved administration, supervision, and opportunity for student development.
18. Making recommendations to District Administration on any matter.
19. Actively participating and encouraging staff participation in parent-teacher and other community groups, as a means of developing understanding, cooperation, and respect for school objectives and endeavors.
20. Review, authorize, or disapprove Authorizing all professional staff requests for instructional materials and equipment within the approved budget.
21. Authorizing all requests for special pupil transportation needs of the professional staff.
22. Attending professional conferences, seminars, and workshops in education and/or educational administration as per master agreement and/or Superintendent.
23. Performing all other acts reasonable and necessary to accomplish his/her primary function as requested by the Superintendent.

The principal's responsibilities shall include, but not be limited to the following:

Administer to the requirements of "No Child Left Behind" and "Education Yes, School Improvement efforts."

Responsibilities will also include:

Title I Coordinator

Assist in Grant Applications

Scheduling

Testing

MEAP Student Demographics/Attendance/Grades (Computerized)

Teacher Evaluations/IDPs

Student Supervision/Discipline

K-3 Special Education

K-3 Curriculum

And all other duties as assigned by the Director and Superintendent.

JOB DESCRIPTION - TEACHER

Teacher Qualifications, Education and/or Qualifications:

- Bachelor's degree (BA or BS) from four-year college or university; and teaching experience in age group assigned.
- Appropriately credential
- CLAD Certification

The duties and responsibilities of a Teacher shall include the following:

Overall Functions:

- To teach and educate students according to guidelines provided by the National Curriculum Framework under the overall guidance of the competent education authority
- Teach and educate students according to the educational needs, abilities and attainment potential of individual students entrusted to his/her care by the Head of School or Head of Unit.

Main Responsibilities

- Planning, preparing, and delivering lessons to all students in the class
- Teaching according to the educational needs, abilities, and achievement of the individual students and groups of students
- Adopting and working towards the implementation of the school development plan of the school they are giving service in
- Assigning work, correcting, and marking work carried out by his/her students
- Assessing, recording, and reporting on the development, progress, attainment, and behavior of one's students
- Providing or contributing to oral and written assessments, reports and references relating to individual students or groups of students
- Participating in arrangements within an agreed national framework for the appraisal of students' performance
- Promoting the general progress and well-being of individual students, groups of students or class entrusted to him/her.
- Providing guidance and advice to students on educational and social matters and on their further education and future careers; providing information on sources of more expert advice
- Communicating, consulting, and co-operating with other members of the school staff, including those having posts of special responsibility and parents/guardians to ensure the best interest of students
- Reviewing and evaluating one's own teaching and learning strategies, methodologies and program/s in line with the National Curriculum Framework guidelines
- Advising and co-operating with the director, principal and other teachers in the preparation and development of courses of study, teaching materials, teaching programmes, methods of teaching, assessment, and arrangements
- Ensuring high standards of professional practice quality of teaching and learning of the subjects.

- Participating in In-Service education and training courses as well as in continuing professional development (CPD) opportunities, and taking part in action research exercises
- Maintaining good order and discipline amongst students under one's care and safeguarding their health and safety always
- Participating in staff, group or other meetings related to the school curriculum or pastoral care arrangements, for the better organization and administration of the school
- Contributing to the professional development of new teachers and student teachers according to arrangements agreed with the administrators of the school
- Ensuring the safe custody and optimum use of equipment normally used by oneself during lessons and sees to its regular servicing and maintenance
- Participating in school assemblies
- Registering and monitoring the attendance of students under one's care
- Sharing in any possible and reasonable way in the effective management, organization, order, and discipline of the school
- Nurtures a culture where teachers view themselves essentially as facilitators of learning and reflective practitioners
- Participating in and contributing to MAPS and IEP conferences and reviews of officially stated students and collaborating with parents, SMT, Inclusion Coordinators and other professionals/stakeholders working with the student
- Together with the Learning Support Assistants, developing and implementing the Individual Educational Program (IEP) of students with Individual Educational Needs and participating in IEP and Individual Transition Plan (ITP) meetings
- Ensuring that schemes and forecast of work carried out in class are handed to the LSA in good time so that the necessary adaptations and resources are made for use with students with individual educational needs in class
- In the case of students with severe learning difficulties and with communication problems, ensuring that a contact book is daily updated with the necessary information including parents' signature
- Liaising and collaborating with specialist teachers/resource persons and other professionals working with stated students
- Making use of audiovisual technological devices/aides (such as radio aids; projectors) and other adaptations during the delivery of the lessons

Special Education Teacher qualification and Job description

Responsible for planning, developing, delivering, and evaluating appropriate individualized educational services, learning programs and instruction for special needs students in both self-contained and integrated settings in consultation with other school personnel.

Main Job Tasks and Responsibilities

- Identify the needs of assigned students through formal and informal assessments.
- Review referral data, history, and assessment data to develop appropriate goals and objectives for each student.
- Confer with general education teachers regarding the educational, social, emotional, and physical needs and objectives of each student.
- Plan, develop and implement individualized learning plans for each student.
- Design appropriate teaching strategies
- Prepare instructional materials and lesson plans according to Individual Educational Plans (IEPs)
- Review IEPs with parents, school administrators and general education teachers

- Utilize appropriate methods of learning delivery and instruction to meet the needs of each student in the Least Restrictive Environment (LRE)
- Monitor, evaluate and document each student's progress utilizing appropriate measurements and assessment devices.
- Prepare timely progress reports for each student.
- Develop and implement necessary interventions and strategies to promote achievement of student objectives.
- Collaborate and consult with general school personnel regarding the implementation of the IEPs and special educational services.
- Modify and adapt conventional educational programs and curriculum to meet the requirements of special needs students.
- Maintain regular communication with parents by means of email, phone calls, conferences, and progress reports.
- Assist parents with understanding and supporting educational objectives, learning expectations and behavioral standards.
- Ensure adherence to reasonable rules of classroom discipline and order to maintain a secure and effective learning environment.
- Manage student behavior through monitoring, supervising, and assessing behavioral patterns.
- Utilize appropriate corrective methods to modify behavior.
- Develop and implement Behavioral Intervention Plans (BIPs) when necessary.
- Instruct students on socially acceptable behaviors and personal development skills.
- Prepare special needs students for inclusion and transition to mainstream.
- Maintain accurate and complete records in compliance with school district regulations and legal requirements.
- Maintain a current knowledge of special education best practices and trends.

Qualifications and Experience

- Bachelor's degree in the appropriate field
- Valid State teaching certification
- Appropriate Special Education endorsements or licensure
- Experience in diagnosing and assessing learning disorders.
- Experience in educating special needs students.
- Proven effective classroom and student behavior management skills.
- Knowledge of current special education practices and methodologies
- Knowledge and understanding of State, local and federal regulations and policies affecting special education.
- Working knowledge of educational technology applications

Key Competencies

- Organizational and planning skills
- Collaboration and teamwork
- Judgment and decision-making
- Creative thinking
- Problem-solving
- Conflict management and resolution
- Appreciation of diversity
- Adaptability

Teacher's Aide Qualifications:

Bachelor's degree from four-year college or university and experience in working with children.

Teacher Assistant Job Descriptions:

Teaching assistant is an accredited individual who has been briefed on a student's educational needs as they pertain to his or her diagnosis, behavior, academic goals and works to carry out programming goals with the student daily.

The duties of the teaching assistant are:

- Work with students who have physical disabilities, cognitive impairments, or developmental delays.
- Work with students who have documented behavioral issues that affect learning in the mainstream classroom.
- Work with students who may have a combination of any of these additional learning needs.
- Carry out measures to address student need in the classroom on a focused basis.
- Participate or provide data and input on the Individual Education Plan each year in order to ensure best outcomes for teaching.
- Document observations about student behavior or activity
- Act as a point of contact for internal stakeholders, classroom teachers, and other students
- Deploy accommodation and/or modification and/or alternate programming to classroom tasks to ensure that tasks are achievable by the student.
- Meet with parents/guardians and internal and external stakeholders for an annual review of IEP and program goals, known as Identification, Placement, and Review Committee (IPRC) meetings
- Manage integration in the classroom environment where teachers have deemed integration is a good fit.
- Suggest additional support for the student to foster safe attachment while protecting the vulnerability of a person with special needs.
- Support teachers' programming goals, and teaching strategies while reinforcing students' learning strategies in the classroom.
- Assist classroom teachers in documenting appropriate assessment data that results in fair, though not equal, assessment.
- Engage in professional development on a continual basis.
- Understand the medical, physical, behavioral, emotional, and social implications of a diagnosis on an as-needed basis.
- Advocate on behalf of the student's needs to classroom teachers and administration
- Dialogue with and provide perspectives for mainstream to focus on inclusion in classroom.
- Network in a professional manner with other support staff as the need arises.
- Help ensure that instructional accommodations or modifications are present during assessment time as well.
- Stay apprised of the student's transition plan from year to year.
- Engage in active listening with students, parents, and other stakeholders.
- Promote and advocate for the school and district mission and vision statements.
- Support academic and developmental goals that have been set for students - ensure that data collection is accurate and timely so that every success is measurable.

- Communicate proactively and professionally about students with teaching and non-teaching staff bearing in mind the impact of confidentiality regarding vulnerable persons.
- Support the school's culture and practices for inclusion.
- Conduct all work activities in a professional manner.
- Demonstrate commitment to working in a diverse school community and/or work environment.

School Language Interpreter Qualifications and Job Description

Trained interpreter must be able to translate many discipline-specific terms and the meaning of important phrases. The interpreter must speak the variation which the student and parent are familiar. If possible, the interpreter should be equally fluent in both languages. If the student may use terms in both languages known as code switching. Preferably the candidate should live in the community.

Job Description:

Be an active participant in meetings with parents and school staff.

Before the Meeting:

- Interpreter must understand the purpose of the meeting to convey and translate meaning in an accurate manner.
- Explain basic early childhood and special education procedures.
- Explain the most important aspects of the meeting (content of meeting, test administration procedures avoiding unintentional prompting of answers).
- Interpreter must take notes so that information is not forgotten.
- Interpreter must ask for information about the child's and family's culture.

 Protocols and forms of address

 Interaction styles

 A few basic words and sentences in the family's language

 Specific culture's belief or perspective on related issues, such as disability, early intervention,

 Child-reading practices, etc.

- Interpreter checks the family's understanding and accuracy of the translation by asking the parents to repeat what was communicated in their own words.
- Interpreter checks understanding and clarifies any additional points.
- Interpreter will furnish information on how family perceives the situation from their cultural perspective and belief.

In the classroom the interpreter will assist the instructional staff in teaching bilingual students.

SECRETARY

General Purpose

Provide personal administrative support to management and the company through conducting, organizing administrative duties and activities including receiving and handling information.

Main Job Tasks, Duties and Responsibilities

- Prepare and manage correspondence, reports, and documents.
- Organize and coordinate meetings, conferences, travel arrangements.
- Take, type, and distribute minutes of meetings.
- Implement and maintain office systems.
- Maintain schedules and calendars.
- Arrange and confirm appointments.
- Organize internal and external events.
- Handle incoming emails, mail, and other material.
- Set up and maintain document management systems.
- Set up work procedures.
- Collate information.
- Maintain databases.
- Communicate verbally and in writing to answer inquiries and provide information.
- Liaison with internal and external contacts
- Coordinate the flow of information both internally and externally.
- Operate office equipment.
- Manage office supplies.

Education and Experience

- Relevant training or qualification
- Knowledge and experience of relevant software applications including spreadsheets and Database management.
- Knowledge of administrative and clerical procedures
- Knowledge of business principles
- Proficient in spelling, punctuation, grammar, and other English language skills
- Proven experience of producing correspondence and documents.
- Proven experience in information and communication management
- Required typing speed.

Key Competencies

- Verbal and written communication skills
- Attention to detail.
- Confidentiality
- Planning and organizing
- Time management
- Interpersonal skills
- Customer-service orientation
- Initiative
- Reliability
- Stress tolerance

School Clerk Front Office

DUTIES AND RESPONSIBILITIES:

Applies knowledge of clerical techniques, office procedures, School Board policies and procedures, and school rules and regulations in the performance of duties related to front office-management,

student discipline and attendance, student records maintenance/control and registration, or guidance services.

Front Office:

Is responsible for main reception area of a school or assists in the front office operations of a PTEC and provides clerical/quasi-secretarial assistance to at least one assistant principal or assistant director and, in some cases, the activities coordinator. Duties may include, but are not limited to the following: greets, directs, and provides school-related information to parents, students, visitors, school personnel, and the general public; monitors school visitor log; operates switchboard to screen and route telephone calls and place long-distance calls or assists as needed; may instruct, oversee, and grade student assistants in switchboard and Xerox operation, mail distribution and other routine clerical activities; may coordinate and oversee work of supporting personnel; coordinates and types student/teacher/school bulletins, teacher handbook, financial obligation lists, parent newsletters and other mail-outs, plus correspondence from assistant principal(s)/assistant director(s) and, in some cases, the activities coordinator utilizing word processor and/or typewriter; responsible for student insurance forms and claims; provides assistance to principal's/director's secretary in various projects and clerical activities; may compile instructional, clerical, and/or plant operations biweekly payrolls; issues work orders to Plant Operations staff; key operator for large Xerox copier which includes responsibility for maintenance and repair requisitions; oversees teacher workroom; receives deliveries; maintains master teacher list and room utilization chart; maintains records on use of facility; requisitions and distributes instructional supplies; may utilize microcomputer and/or other data processing equipment for information input/retrieval and generating reports. Performs related work as required.

School Clerk Attendance Office

Attendance and Discipline Office: Performs clerical/quasi-secretarial duties for several assistant principals/assistant directors primarily in the areas of student discipline and attendance. Acts as liaison between parents/students and school-based administrative staff. Duties may include, but are not limited to: continuous interaction with students and/or parents involving discipline, attendance, school clinic; applies knowledge of Board policy on student attendance and discipline to carry out day-to-day activities; maintains student attendance/discipline files; issues student hall passes and "admits" to class; monitors student sign-in and sign-out sheets; types general correspondence, suspension and discipline-related letters, memos, forms, and reports; utilizes microcomputer for attendance-related record keeping; may also utilize microcomputer and/or other data processing equipment for information input/retrieval and generating reports; may train, oversee, and grade student assistants in routine clerical tasks and coordinate and oversee work of supporting personnel. Performs related work as required.

DUTIES AND RESPONSIBILITIES:

Records Office: Is responsible for the maintenance and transfer of cumulative records for incoming and outgoing students. Screens incoming records for information that may need additional attention, Exceptional Education records, etc. Screen students entering from private, nonaccredited schools and makes appointments for required testing. Greets and provides school-related information to all incoming families. Acts as liaison between parents and guidance counselors/administrative staff about registration/withdrawals. Assists in registration processing. Utilizes student information system to input student information pertaining to the student's demographic, health, entry, or withdrawal status into FIRN. Is responsible for electronic transfers of student transcripts. Utilizes

knowledge of immigration procedures in the handling of I-20 immigration papers Performs related work as required.

MINIMUM QUALIFICATIONS:

Graduation from high school or possession of a GED, plus two (2) years of diversified clerical office experience; or an equivalent combination of education, training, and experience.

Janitor Job Description and Responsibilities Include:

Clean and supply building areas.
Performing and documenting routine inspection and maintenance activities
Carrying out heavy cleansing tasks and special projects.

The goal is to keep our building in a clean and orderly condition.

Responsibilities:

- Clean and supply designated building areas (dusting, sweeping, vacuuming, mopping, cleaning ceiling vents, restroom cleaning etc.)
- Perform and document routine inspection and maintenance activities.
- Carry out heavy cleansing tasks and special projects.
- Notify management of occurring deficiencies or needs for repairs.
- Adjust and fix minor repairs.
- Stock and maintain supply rooms.
- Cooperate with the rest of the staff.
- Follow all health and safety regulations.

Requirements

- Proven working experience as a janitor.
- Ability to handle heavy equipment and machinery.
- Knowledge of cleaning chemicals and supplies
- Familiarity with Material Safety Data Sheets
- Integrity and ability to work independently.
- High school degree

Security Guard Duties and Responsibilities:

- Monitor company's property and maintain a safe and secure environment.
- Watch for signs of crime or disorder; investigate disturbances.
- Act lawfully always in direct defense of life or property
- Act as a consistent presence to deter criminals.
- Evict violators of rules and regulations.
- Report any suspicious/unusual occurrences to authorities and management.
- Patrol premises randomly and regularly, including buildings and perimeter.
- Monitor and control access of building entrances and vehicle gates.
- Operate metal detectors and x-ray machines, as needed.
- Monitor alarm systems and video cameras.

- Perform first-aid or CPR if needed.

Security Guard Requirements and Qualifications:

- High school degree or equivalent
- Significant work experience as a security guard or other relevant position
- Thorough training and current certification or security officer diploma required.
- Basic computer skills necessary for reporting and communications
- Ability to operate detecting systems and emergency equipment.
- Extensive working knowledge of public safety and security procedures/protocols
- Willingness to comply with all laws and institutional regulations.
- Keen surveillance skills and detail orientation
- Integrity, professionalism, and character beyond reproach

Extended Day Childcare Worker Requirements:

- Supervise and monitor the safety of children in their care.
- Prepare meals and organize mealtimes and snacks for children.
- Help children keep good hygiene.
- Organize activities or implement a curriculum that allow children to learn about the world and explore interests.
- Develop schedules and routines to ensure that children have enough physical activity, rest, and playtime.
- Watch for signs of emotional or developmental problems in children and bring the problems to the attention of parents and teacher.
- Keep records of children's progress, routines, and interests.

Extended Day Childcare Workers Qualifications:

- Highschool graduate or equivalent
- Eighteen years of age
- Significant work experience in working with children.
- Ability to work well with children and their parents.
- Basic computer skills necessary for reporting and communications
- Willing to comply with all laws and institutional regulations.
- Integrity, professionalism, and character beyond reproach

Cook Qualifications:

- The ability to serve students attractive nutrition meals in an atmosphere of efficiency, cleanliness, and warmth.
- knowledge and compliance with the California State Standards on School Nutrition
- High school diploma or training and experience that are considered equivalent.
- proficiency in the preparation of large quantities of food.
- Good human relations with the ability to communicate in a courteous manner.
- Neat appearance
- Competence in supervising others

Job Responsibilities:

- Maintains a neat and orderly kitchen with highest standards of safety and cleanliness.
- Checks food shipments into school, signing invoices only after each order has been verified.
- Serves the proper serving sizes to meet the necessary requirement regarding the ages of those served per production sheets.
- Records all food requisitions from the storeroom and records all meals served as required by state standards.
- Calls in order of all necessary supplies to approved vendors.
- Reports immediately to the principal any accident or student behavioral problem in the cafeteria premises.
- Complies with all Federal, state, and local laws and regulations for the maintenance, repair and operations of equipment and machines (OSHA)
- Complies with all Federal, state, and local laws and regulations for the storage use and disposal of trash, rubbish, waste, and hazardous material.
- Other duties assigned by director or designee.

Element 6 (Health and Safety)

“The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.” – Ed. Code § 47605(c)(5)(F)*

Site Safety Plan

Oakland Youth Services shall develop a school safety plan, which shall include the following topics set forth in Education Code section 32282(a)(2), and which shall be updated by March 1 every year:

- (A) Child abuse reporting procedures.
- (B) Disaster procedures, routine, and emergency, including adaptations for pupils with disabilities.
- (C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations.
- (D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.
- (E) A discrimination and harassment policy consistent with the prohibition against discrimination set forth in Education Code section 200.
- (F) The provisions of any schoolwide dress code, pursuant to Education Code section 35183 that prohibits pupils from wearing “gang-related apparel,” if the school has adopted that type of a dress code.
- (G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.
- (H) A safe and orderly environment conducive to learning at the school.
- (I) The rules and procedures on school discipline adopted pursuant to Education Code sections 35291, 35291.5, 47605, and 47605.6.
- (J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

Pupil Safety

Immunizations, Health Examinations, and Health Screenings

Oakland Youth Services shall comply with all federal and state legal requirements related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. Oakland Youth Services shall maintain student immunization, health examination, and health screening records on file.

Suicide Prevention Policy (Grades 7-12)

Oakland Youth Services shall adopt, at a regularly scheduled meeting, a policy on pupil suicide prevention in Grades 7 through 12 inclusive, that meets the requirements of Education Code section

215, if it serves any of those grade levels. The policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts and shall, at a minimum, address procedures relating to suicide prevention, intervention, and postvention, and shall specifically address the needs of high-risk groups, including, but not limited to, all of the following: Youth bereaved by suicide; Youth with disabilities, mental illness, or substance use disorders; Youth experiencing homelessness or in out-of-home settings, such as foster care; and lesbian, gay, bisexual, transgender, or questioning youth.

Employee Training

Oakland Youth Services shall ensure that all staff members receive annual training on Oakland Youth Services' health, safety, and emergency procedures, including but not limited to training on blood borne pathogens, and shall maintain a calendar for, and conduct, emergency response drills for students and staff. Oakland Youth Services shall also ensure that its employees receive the required sexual harassment training under Govt. Code 12950.1.

Oakland Youth Services shall provide all employees, and other persons working on behalf of Oakland Youth Services who are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person's employment if employed after the beginning of the school year, in accordance with the requirements of Education Code section 44691.

Employee Screening Requirements

Criminal Background Clearances and Fingerprinting

Oakland Youth Services shall comply with all requirements of Education Code sections 44237, 44830.1 and 45125.1. Oakland Youth Services shall designate and maintain at all times at least one Custodian of Records duly authorized by the California Department of Justice.

Oakland Youth Services shall maintain on file and available for inspection evidence that (1) Oakland Youth Services has performed criminal background checks and cleared for employment all employees prior to employment; (2) Oakland Youth Services has obtained certification from each of its contracting entities/independent contractors that the entity/contractor has conducted required criminal background clearances for its employees prior to provision of school site services and/or any contact with students and has requested subsequent arrest notification service; and (3) Oakland Youth Services has performed criminal background checks and cleared for service all volunteers not directly supervised by staff and who may have contact with students. Oakland Youth Services shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice for all employees and volunteers not directly supervised by staff. Upon request, Oakland Youth Services shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records.

Tuberculosis Screening

Oakland Youth Services shall require all employees, and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students, to undergo a risk assessment and/or be examined and determined to be free of active tuberculosis (TB) within the period of 60 days prior to employment/service, in accordance with Education Code section 49406. Oakland Youth Services shall maintain TB clearance records and certifications on file.

COVID-19

Oakland Youth Services shall require all employees, and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students, to undergo a risk assessment and/or be examined and determined to be free of active COVID-19 within the period of 60 days prior to employment/service. Oakland Youth Services shall require all employees be vaccinated against COVID-19. Oakland Youth Services shall maintain COVID-19 clearance records and certifications on file.

Site Safety Plan

OYS shall develop a school safety plan, which shall include the following topics set forth in Education Code section 32282(a)(2), and which shall be updated by March 1 every year:

- (A) Child abuse reporting procedure
- (B) Disaster procedures, routine, and emergency, including adaptations for pupils with disabilities
- (C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations
- (D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079
- (E) A discrimination and harassment policy consistent with the prohibition against discrimination set forth in Education Code section 200
- (F) The provisions of any schoolwide dress code, pursuant to Education Code section 35183 that prohibits pupils from wearing “gang-related apparel,” if the school has adopted that type of a dress code
- (G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school
- (H) A safe and orderly environment conducive to learning at the school
- (I) The rules and procedures on school discipline adopted pursuant to Education Code sections 35291, 35291.5, 47605, and 47605.6
- (J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

Pupil Safety

(A) Child Abuse Reporting Procedures (EC35294.2[a][2]; PC11166)

Child Abuse Reporting

The Governing Board recognizes that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The Director or designee shall establish procedures for the identification and reporting of such incidents in accordance with the law.

Employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

The Director or designee shall provide training regarding the reporting duties of mandated reporters.

Parents/Guardians may contact the Director or designee to obtain procedures for filing a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site.

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints
44690-44691 Staff development in the detection of child abuse and neglect
48906 Notification when student released to peace officer.
48987 Dissemination of reporting guidelines to parents
49001 Prohibition of corporal punishment

PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act.
273a Willful cruelty or unjustifiable punishment of a child; endangering life or health 288 Definition of lewd or lascivious act requiring reporting.
11164-11174.4 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting CODE OF REGULATIONS, TITLE 5
4650 Filing complaints with CDE, special education students Management Resources:

CDE LEGAL ADVISORIES

0514.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at a school site.

WEBSITES

California Attorney General's Office, Crime and Violence Prevention Center: www.safestate.org
California Department of Education, Safe Schools: www.cde.ca.gov/ls/ss,
California Department of Social Services, Children and Family Services Division:
www.childsworld.ca.gov
California Department of Social Services: www.dss.cahwnet.gov
U.S. Department of Health and Human Services, National Clearing house on Child Abuse and Neglect Information: www.nccanch.acf.hhs.gov

Administrative Regulation 5141.4

Child Abuse Prevention and Reporting Definitions

Child abuse or neglect includes the following:(PenalCode11165.5,11165.6)

- 1.A physical injury or death inflicted by other than accidental means on a child by another person.
- 2.Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code11165.1
- 3.Neglect of a child as defined in Penal Code11165.2
- 4.Willful cruelty or unjustifiable punishment of a child as defined in Penal Code 11165.3
- 5.Unlawful corporal punishment or injury resulting in a traumatic condition as defined in Penal Code 11165.4

6. Abuse or neglect of a child in out- of home care, including at school, as defined in Penal Code 11165.5

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
3. An injury resulting from the exercise by a teacher, Vice Principal, Principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An amount of force that is reasonable and necessary for a school employee to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001) (cf. 5144.1-Discipline)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

Mandated reporters include, but are not limited to, teachers; instructional aides; classified employees; site and district administrators; administrators and employees of a licensed day care facility; Head Start teachers; school resource officers; campus security officers. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows, or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the agency designated below. (Penal Code 11166.05) Any person shall notify a peace officer if he/she reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury. (Penal Code 152.3.288)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166) AR 5141.4(c)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by

the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (PenalCode11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (PenalCode11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows, or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code11166)

Reporting Procedures

1. Initial Telephone Report

Immediately, or as soon as practicably possible after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to the Alameda County Child Protective Services at

2. Written Report

Within 36 hours of receiving information concerning the incident, the mandated reporter shall prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form. (Penal Code11166,11168)

Mandated reporters may obtain copies of the Department of Justice form from either the district or the appropriate agency.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter.
- b. The child's name and address, present location and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information
- e. The name, address, telephone number, and other relevant personal information about the person (s) who might have abused or neglected the child.

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (PenalCode11167)

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case. (PenalCode11167)

3. Internal Reporting

Employees reporting child abuse or neglect to an appropriate agency are encouraged to notify the Principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the Principal shall inform the Director or designee.

The Principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Governing Board policy, and administrative regulation. At the mandated reporter's request, the Principal may assist in completing and filing the necessary forms.

The mandated reporter shall not be required to disclose his/her identity to the Principal.
(PenalCode11166)

He/she may provide or mail a copy of the written report to the Principal or Director or designee without his/her signature or name.

Reporting the information to an employer, supervisor, Principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency.
(PenalCode11166)

Training

Training of mandated reporters shall include child abuse and neglect identification and mandated reporting. All employees receiving such training shall receive written notice of state reporting requirements and employees' confidentiality rights. (Penal Code11165.7)

Victim Interviews

Upon request, a representative of an agency investigating suspected child abuse or neglect, or the state Department of Social Services deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the Principal or designee shall inform him/her of the following requirements:
(Penal Code11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code11174.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Director or designee and/or Principal shall not notify the parent/guardian, as required in other instances of removal of a child from school, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (EducationCode48906)

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form. (cf.5145.11-Questioning and Apprehension)

Parent/Guardian Complaints

Upon request, the Director or designee shall provide parents/guardians with a copy of the district's administrative regulation that describes how to report suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided. (EducationCode48987)

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures."

If a parent/guardian makes a complaint to any district employee, that employee shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code11166 to file a report himself/herself using the procedures described above for mandated reporters. (cf.1312.1-Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5CCR4650 (a) (viii) (C) (cf.1312.3-Uniform Complaint Procedures)

Notifications

The Director or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, of their reporting obligations under Penal Code11166, and of their confidentiality rights under Penal Code11167. The district shall also provide these new employees with a copy of Penal Code11165.7,11166, and11167. (Penal Code11165.7,11166.5)

Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Director or designee. (PenalCode11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code15630-15637.

The Director or designee shall also notify all employees that:

1.A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the

mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)

2.If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

3.No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

TO REPORT SUSPECTED CHILD ABUSE

Telephone 24-Hour Hotline

Alameda County Child Protective Services Telephone (510) -259-1800

Website: <https://www.alamedasocialservices.org>

Immunizations, Health Examinations, and Health Screenings

OYS shall comply with all federal and state legal requirements related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. OYS shall maintain student immunization, health examination, and health screening records on file.

Suicide Prevention Policy (Grades 7-12) *Not appropriate for Oakland Youth Services Students

OYS shall adopt, at a regularly scheduled meeting, a policy on pupil suicide prevention in Grades 7 through 12 inclusive, that meets the requirements of Education Code section 215, if it serves any of those grade levels. The policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts and shall, at a minimum, address procedures relating to suicide prevention, intervention, and postvention, and shall specifically address the needs of high-risk groups, including, but not limited to, all of the following: Youth bereaved by suicide; Youth with disabilities, mental illness, or substance use disorders; Youth experiencing homelessness or in out-of-home settings, such as foster care; and lesbian, gay, bisexual, transgender, or questioning youth.

Employee Training

OYS shall ensure that all staff members receive annual training on OYS's health, safety, and emergency procedures, including but not limited to training on blood borne pathogens, and shall maintain a calendar for, and conduct, emergency response drills for students and staff. OYS shall also ensure that its employees receive the required sexual harassment training under Govt. Code 12950.1.

OYS shall provide all employees, and other persons working on behalf of OYS who, are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person's employment if employed after the beginning of the school year, in accordance with the requirements of Education Code section 44691.

(B) Emergency Disasters - General Procedures:

1. It is important teachers consistently remind students how they are to behave during or a real emergency. Communicating the emergency procedures and your expectations for their behavior is essential.
2. Teachers must keep their emergency procedures handout on the wall.
3. Students must remain calm, orderly and exit the building in that fashion.
4. During all drills and emergency, staff must turn off their cell phones. Phones would interfere with emergency response and in the case of a bomb, could have further repercussions.
5. During a drill or real emergency, the teacher must take a copy of their roll sheets. The roster with the students' names, the names of the guardians and the phone numbers in the roll book.
6. On the field, students should line up behind the teacher and the teacher's assistant. Roll is to be taken to ensure that all students are present.
7. Then hold up:
 - a) The Green sign if all students are present.
 - b) The Red sign if any students are missing.
8. Wait for the "all-clear" announcement to return to class.

Emergency Procedures for: Earthquake, Fire, Lockdown/ Intruder/Weapon and Bomb:

1) Earthquake:

- a) At the sound of the special Earthquake Alarm or an actual earthquake, teachers are to direct all students to DROP and take cover under desks or tables. Students must hold on to the desk or table.
- b) An announcement or bell will be made to determine if an evacuation is necessary.
- c) If evacuation is necessary, the teacher's assistant will lead the students to the field.
- d) The teacher should be the last to exit the room after assessing the needs of any students with disabilities.
- e) The teacher must take the attendance sheets and red/green sign.
- f) Upon arriving to the field, the teacher must take roll and hold up signs to notify an administrator or the principal of any missing students/injuries.
- g) In the event of an actual earthquake, the attendance clerks will exit to the field with all of the school emergency cards.
- h) When it is safe to re-enter the building, an announcement will be made.

2) Fire:

- a) At the sound of the fire bell, the teacher will have the students form a single line in the classroom.
- b) Teacher's assistant will lead the students to the field.
- c) Teacher will be the last to exit the room after assessing the needs of any student with disabilities.
- d) Teachers must take roll book with attendance sheets and red/green sign with them.
- e) Classes should proceed out of the building to the designated area on the field.
- f) Once in designated area, attendance/roll is taken, and signs held up to notify an administrator/principal of any missing or injured students.
- g) In the event of an actual fire, the attendance clerk will exit to the field with all of the school emergency cards.

- h) At the sound of one long bell or announcement ending the drill, the teacher assistant will lead the class back to their class. The teacher will supervise the students who walk at the end of the line.

3) Lockdown/Intruder/Weapon:

When the teacher hears: “We are having a lockdown,” the teacher is to follow the lockdown procedures:

- a) Teacher should quickly check the halls and get students into the classroom.
- b) Lock all doors and close all windows and blinds. Move all students away from doors and windows.

When an announcement is heard alerting the staff that a possible bomb is on campus, the following procedures must be followed:

- c) Cell phones should not be used as this would interfere with emergency radio communication.
- d) The lockdown is over when the teacher hears: **“The lockdown is now over.”**
 - a) Make sure all cell phone and electronic devices are off because these devices could trigger a bomb.
 - b) Evacuate the building following the fire drill procedures. The staff paying special attention to avoid any trashcans or other object that could hold a BOMB.

All students with disabilities are assigned instructors called paraeducators. These paraeducators help handicapped students with their assignments, class instructions and whatever the pupil may need to assure their learning and safety. In the case of an emergency, the teacher along with the paraeducator would assist SPED students in following the mandated procedures.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines Suspension and, Expulsion * Listed Procedures; But Not Appropriate for Oakland Youth Services Students

Students may be subject to suspension and/or expulsion and /or arrest for committing any of the acts listed below (or any other pertinent education codes not listed):

1. EC48900 (a1) Caused, attempted to cause, or threatened to cause physical injury to another person
2. EC48900(a2) Willfully used force or violence upon the person of another, except in self-defense
3. EC48900 (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object
4. EC48900 (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind
5. EC48900 (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant
6. EC48900 (e) Committed or attempted to commit robbery or extortion
7. EC48900 (f) Caused or attempted to cause damage to school property or private property
8. EC48900 (g) Stolen or attempted to steal school property or private property
9. EC48900 (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel
10. EC48900 (i) Committed an obscene act or engaged in habitual profanity or vulgarity
11. EC48900 (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code

12. EC48900 (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties
13. EC48900 (l) Knowingly received stolen school property or private property
14. EC48900 (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm.
15. EC48900 (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code
16. EC48900 (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both
17. EC48900 (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma
18. EC48900 (q) Engaged in, or attempted to engage in, hazing as defined in Section 32050
19. EC48900 (r) Cyberbullying
20. EC48900 (s) A pupil who aids or abets, the infliction or attempted infliction of physical injury to another person
21. EC48900.2-Committed sexual harassment as defined in Section 212.5
22. EC48900.3-Caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233
23. EC48900.4-Intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that disrupts classwork, creates substantial disorder, and invades the rights of either school personnel or pupils by creating an intimidating or hostile educational environment
24. EC48900.7-Has made terrorist threats against school officials or school property, or both.

A student maybe suspended or expelled (and face arrest) for any of the acts listed above (as well as other board policy and/or administrative regulations) if the act is related to school activity or school attendance occurring at any district school or with in any other school district, including but not limited to the following circumstances:

(Education Code 48900)

1. While on schoolgrounds.
2. While going to or coming from school.
3. During the lunch period, whether on or off school campus.
4. During, going to, or coming from a school activity.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC49079)

Based on Education Code 49079 the Superintendent or designee shall inform the teacher of each student who has engaged in, or is reasonably suspected of, any act during the previous three school years which could constitute grounds for suspension or expulsion under Education Code 48900, with the exception of the possession or use of tobacco products, or Education Code 48900.2, 48900.3, 48900.4, or 48900.7.

The shared information is based on district records maintained in the ordinary course of business or records received from a law enforcement agency. Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion, the Superintendent or designee shall inform any of the student's teacher(s) that the student was suspended from his/her former district and of the act that resulted in the suspension or expulsion.

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

When informed by the court that a minor student has been found by a court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism or graffiti, the Superintendent or designee shall so inform the Principal, who shall disseminate this information to the counselor(s) who directly supervises or reports on the student's behavior or progress. The Principal also may inform any teacher or administrator he/she thinks may need the information so as to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. All court-initiated information that a teacher, counselor or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff and probation officer is necessary to rehabilitate the student or to protect students and staff.

(E) Harassment, Discrimination

It is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, 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, including immigration status, equal rights, and opportunities in the educational institutions of the state. The purpose of this chapter is to prohibit acts that are contrary to that policy and to provide remedies therefor.

OYS is determined to provide all students an environment free from harassment, discrimination, bullying, and hazing. This includes but is not limited to: harassment of any grade level or age of students, ethnic group, religion, gender, color, race, sexual orientation, national origin and physical or mental disability. The Board of Trustees and Education Code 48900 prohibits the intimidation, harassment, hazing or retaliatory behavior against any group or individual student. Students who harass, bully, or haze other students shall be subject to appropriate school discipline, up to and including suspension/expulsion, and may be liable for damages in private legal action. Students who intimidate or threaten a witness (a potential felony) face suspension and possible arrest. Any student who feels that is he/he is being intimidated, sexually harassed, bullied, hazed or discriminated against in anyway must IMMEDIATELY tell a teacher, administrator or any school personnel.

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC35183)

*Listed Relations on Dress Codes; But not Relevant for Oakland Youth Services Student
The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

The Board also acknowledges that gang activity is dangerous and threatening. Therefore, to ensure the health and safety of the students and staff in the District, the wearing or carrying of any clothing or symbol that denotes membership in such gangs or other groups which a detrimental effect on the academic atmosphere of the schools is not condoned. Action will be taken to keep District schools

and students free from the threats or harmful influences of gangs or other groups which advocate drug or illegal, intimidating behavior.

The Board of Education thus authorizes the adoption of regulations prohibiting students from wearing inappropriate apparel as defined in the Rules and Regulations. In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Governing Board policy and administrative regulations. These school dress codes shall be regularly reviewed.

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (EducationCode35183.5) In addition, the following guidelines shall apply to all regular school activities:

1. The district and school dress codes shall be forced equitably on the school campus and at any school sponsored activity by all staff members.

2. Shoes, at all times, must be worn.

3. Clothing, jewelry, and personal items (backpacks, fanny packs, gym bags, water bottles, etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane, or sexually suggestive, depict weapons or images of violence, bear drug, alcohol or tobacco company advertising, or any likeness of, or reference to, the afore mentioned subjects.

4. Clothing shall not advocate racial, ethnic, or religious prejudice.

5. Clothing shall conceal undergarments at all times. Covering the body from torso to mid-thigh. See-through or fishnet fabrics, halter tops, off-the-shoulder or low-cut tops, bare mid riffs and skirts or shorts shorter than deemed appropriate by school administration.

6. Students maintain their freedom of speech/expression even if the school does not like the message; however, administration can limit expression if it results in a substantial disruption of the school environment or an invasion of the rights of others.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes. No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (EducationCode49066)

The Principal, staff, students, and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

“The Governing Board expects that students will present themselves in an orderly manner which will not disrupt the educational program at school. Their appearance should be neat, clean, and acceptable to the general society and in keeping with the activity at school. The Governing Board considers this to be a judgment area of the site administrator or the school (BP5132).” The dress code also applies to activities after school (i.e. dances, sports) and off campus (i.e. fieldtrips, away sports).

The school administration recognizes that fashion trends change over time, making it difficult for students to find appropriate clothing; however, it is important to maintain a proper learning

environment. Parents/Guardians and students are requested to take the proper steps to ensure their school wardrobe meets the standards of the dress code.

Students at OYS are “showing up for work”; therefore, they need to be in “business casual” clothing for their workday. The following guidelines are intended to define appropriate student attire and personal grooming for students at school. The appropriateness of the clothing will be determined by the normal wear of the clothes; that is to say, they will be judged not just by the way the clothes fit when the student is standing still, but by the way they fit as the student participates in the regular activities of the school day (walking, sitting, moving around, etc.). The dress code is meant to inspire pride and confidence for success in the 21st century professional work environment. The administration reserves the right to determine if clothing is acceptable.

- Shorts must have a 3” in seam; skirts need to cover mid-thigh.
- No undergarments should be visible.
- Inappropriate shirts including: halter tops, crop tops, strapless, spaghetti straps, mesh, or see-through sheer tops, and lowcut tank tops (including the neck and arm areas of the tank top). Shirts must not expose the midriff or cleavage. Tank tops straps must be at least 1” wide.
- Pants should be worn at the waist without “sagging.”
- Anything with language not conducive to a safe and positive learning environment, unauthorized group affiliations, drug/alcohol/tobacco or sexual references, images of or reference to weapons, or otherwise Supreme Court deemed (Tinker Des Moines 1969) offensive content is prohibited.
- Chains of any kind (such as wallet chains) and clothing or jewelry with protrusions that could be considered dangerous or unsafe are not allowed
- No see-through or fishnet fabrics.
- Hats may be worn but must be removed when inside any building. Hats must be worn with the brim in the front.
- Holes, rips, or tears in pants should not expose skin above mid-thigh.
- Pajama type pants/shorts and pajama slippers are not allowed (exceptions will be made on designated “spirit days”).
- Shoes with wheels are not allowed. Backless sandals and flip flops are allowed except during PE (proper shoes need to be worn during PE).
- No costumes or “costume like” attire (exceptions will be made on designated “spirit days”).
- Gang-related attire is strictly prohibited and subject to the interpretation of the administration. The appropriateness of clothing in question as per this dress code will be left to the discretion of the OYS administration and staff. Students out of dress code may be asked to change into different clothes (school issued or extra clothes on hand) and may receive disciplinary consequences. Habitual offenders will be expected to call home for a change of clothing. Students will wait in the office until parents bring the change of clothing.

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC35294.2)

The Governing Board recognizes the importance of providing a safe school environment to help ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including practices relative to school facilities and equipment, outdoor environment, educational programs, and school-sponsored activities. Staff shall be responsible for the proper supervision of students during school hours, while at school-sponsored activities and while students are using district transportation to and from school.

Student Will Expected to Follow Inside and Outside Commendable Behavior

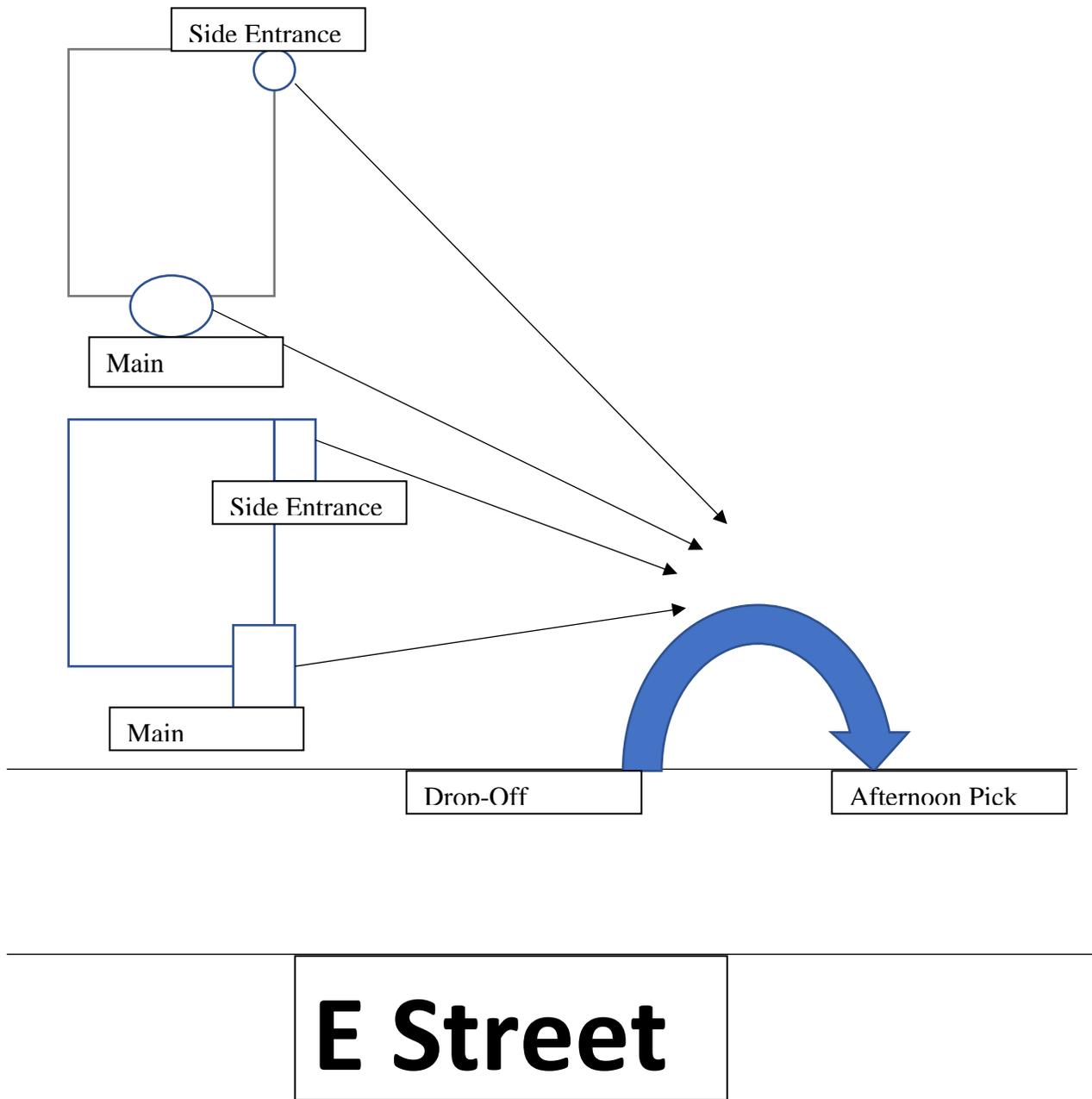
(H) Safe and Orderly

Student Procedure for Drop-off and Pick-up

Assembly Room	Cafeteria	Field Trips	Arrival/Departure Station	Computer Lab
Sit quietly and ready to listen Keep hands & feet to yourself. Keep track of your personal belongs	Walk Only request food/drink when needed	Follow directions. Use buddy system. Leave personal items at home. Be prepared for weather	Stay in line for your class. Listen for your name. Respond right away. Keep track of personal belongings	Sit quietly. Raise a hand when you need assistance. Only use educational websites and programs as directed by teacher
Follow directions. Walk Respect personal space of other	Ask permission to go to the kitchen. Get permission from food service manager before taking food or milk. Use indoor voice	Follow directions. Respect the chaperones. Use appropriate voice. Listen	Politely alert a friend when their name is called. Respect personal space Keep object to yourself	Keep hands to yourself. Respect other learning time Use headphones or mute volume on computer
Pick up after yourself. Put trash in trash can	Keep your area clean. Make sure all trash gets into trash can line up quietly. Keep line order	Respect the space. Pay attention to person giving information about the can be learned from the field trip	Wait quietly. Avoid playing with other classmates	Make sure laptops stay on table or desktop. Food or drinks are not allowed in computer lab. Return all computer equipment to proper location

Student Procedure for Movement around the Campus

<p>Ask for permission. Don't waste time. Respect the right to privacy. Wash hands with soap</p>	Hallway	Small Yard	Large Yard	Office/Lobby
<p>Respect others privacy and space Respect learning time Others Use quiet voices</p>	<p>Get permission and use hall pass. Use inside voice.</p>	<p>Stay in your area. Follow rules. Play safely. Line up when asked</p>	<p>Stay in your area. Follow rules. Play safely. Line up when asked</p>	<p>Walk to and from the office/lobby Go only when, Sent by staff member.</p>
<p>Tell an adult if supplies are needed. Tell an adult if there is a clog or spill is on the floor. Flush the toilet. Place trash on the trash can</p>	<p>Respect personal space Walk in single file. Use inside voice' Respect others learning time</p>	<p>Share Take turns. Follow directions. Line up when asked</p>	<p>Line up when asked. Take turns. Share</p>	<p>Respect privacy Return borrowed materials. Be polite. Use inside voices.</p>
	<p>Respect others work on display. Pick up and hold all trash until you reach a trash can. Keep hands to yourself. Tell an adult of any spills</p>	<p>Share play-ground equipment. Take turns. Listen to your teacher</p>	<p>Respect equipment and play structures. Use toys and play structures safely</p>	<p>Be polite. Use your inside voice. Return to class as soon as possible</p>

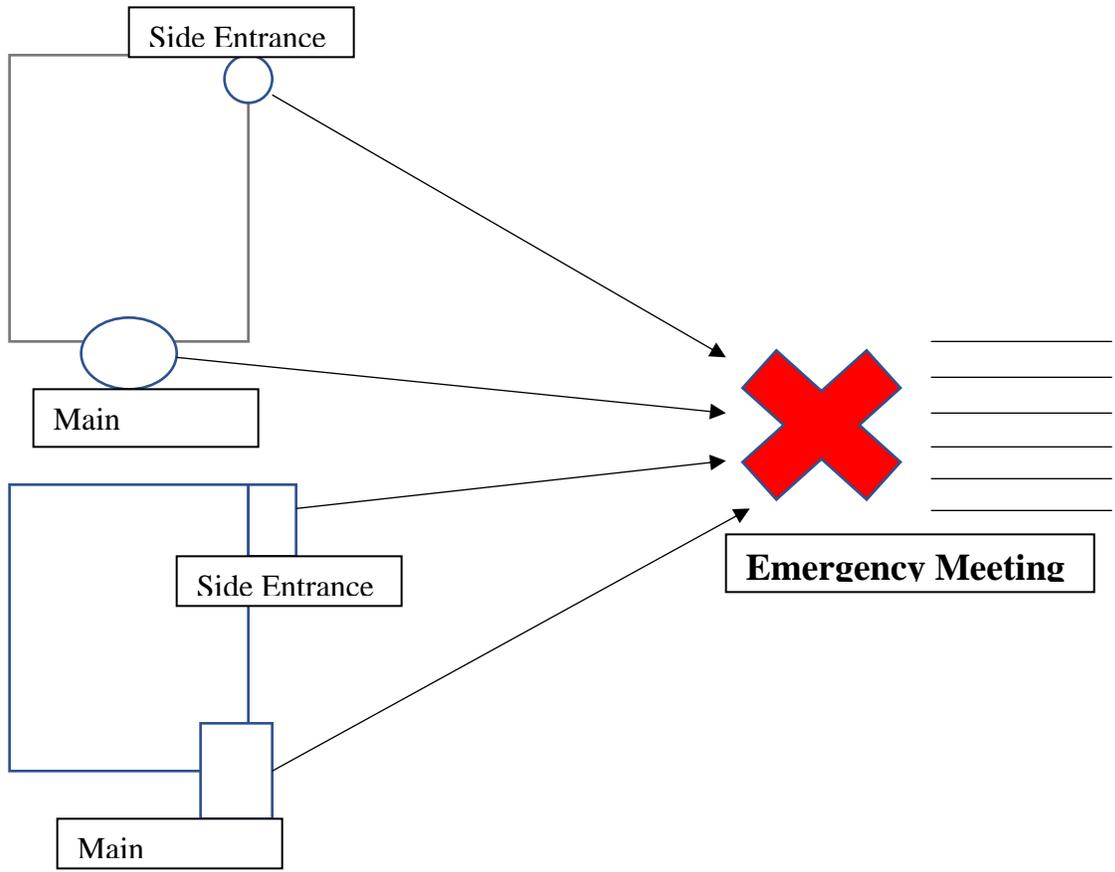


Drop-off and Pick-up Procedure

If the students are driven to school, drivers will be asked to drive down 92nd Avenue to “E” St and turn left on to “E” St.. The driver will continue the distance of a half block, passing the front of the school. Then take a left turn into the driveway on to the entry patio. The teacher and her assistant will be waiting there. To avoid a traffic problem of too many drop-offs at one time, Classes will have different times to report to school. Transitional kindergarten will report to school at 7:40, 7:50 and 8:00. Kindergarten student will report to school 8:00, 8:10 and 8:20.

Pick-Up Procedure

To Pick-Up students, drivers will be asked to take the same route taken when dropping-off student. Drive down 92nd. Turn left on to “E” St., continue turning into the school driveway to pick-up waiting student, with teacher on patio. Transitional Kindergarten pick-up time will be 2:00, 2:10 and 2:20. Transitional kindergarten pick-up time will be 2:30, 2:40 and 2:50.



E Street

Buildings are lettered, A and B. In case of an emergency, students will walk out of the building (led by the teacher assistant and followed by the teacher) on to the playground and lie up at their designated place, until dismissed by the all-clear signal.

School Discipline Rules and Consequences (*EC35291andEC35291.5*)
 Student Conduct Code Under California Law, students will be held strictly accountable for disorderly conduct on school property and on the way to and from school. Students are expected to follow the directions of school personnel while on school property, on the way to and from school, and at any school function. Students are expected to conduct themselves in a manner that will bring credit to themselves, their parents, and the school at all times.

Conduct Code Procedures

Hate Crime Reporting Procedures and Policies
 In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from hate motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and

social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

(I) RULES AND PROCEDURES ON SCHOOL DISCIPLINE – EC 35291A.

*** As Requested, Listed Procedures on School Discipline; But Not Relevant for Oakland Youth Services' Students.**

All Students

1. Suspension-EC 48900

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r) inclusive:

A. (1) Caused, attempted to cause or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense.

B. Possessed, sold or otherwise furnished a firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or designee of the principal.

C. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

D. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage, or intoxicant.

E. Committed or attempted to commit robbery or extortion.

F. Caused or attempted to cause damage to school property or private property.

G. Stolen or attempted to steal school property or private property.

h. Possessed or used tobacco, or products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

I. Committed an obscene act or engaged in habitual vulgarity or profanity.

J. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

K. (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.

L. Knowingly received stolen school property or private property.

M. Possessed an imitation firearm. As used in this section “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

N. Committed or attempted to commit sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

O. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

P. Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.

Q. Engaged in or attempted to engage in hazing. For purposes of this subdivision, “hazing” is any method of initiation or pre-initiation into a pupil organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.

R. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

i. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 28900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
2. Causing a reasonable pupil to experience substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

ii.(A) “Electronic act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, pager, of a communication including, but not limited to, any of the following:

1. A message, text, sound, or image.

2. A post on a social network Internet Web site, including but not limited to:

a) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (i);

b) creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (i). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purposes of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (i). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile. (B) Notwithstanding paragraph (i) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

iii. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

S. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless, that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for the acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:

i. While on school grounds,

ii. While going to or coming from school,

iii. During the lunch period whether on or off the campus,

iv. During, or while going to or coming from, a school sponsored activity.

T. A pupil who aides or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

U. As used in this section, "school property" includes, but is not limited to electronic files and databases.

V. For a pupil subject to discipline under this section, a superintendent of the school district may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5.

W. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

2. Expulsion

A student may be recommended for expulsion for any of the reasons enumerated in Education Code 48915, and pursuant to the expulsion procedures identified in Education Code 48918 and 48918.5

(J) Armed Assault on Campus

The District understand that each emergency situation comes with a unique set of circumstances. The following bulleted items are general recommendations. The safety of students and staff will be the top priority when emergency situations occur.) Threats occur when a belligerent or armed person on the school site bullies intimidates or coerces others, targeting an individual, particular group, or the entire school community. Threats are presented as overt hostility. They may be received by written note, email communication, phone call or orally. PRINCIPAL/SITE ADMINISTRATOR ACTIONS:

- Assess the type of threat to determine the level of risk to the safety of students and staff. In categorizing the risk, attempt to determine:
 - Is the individual moving towards violent action?
 - Is there evidence to suggest movement from thought to action?
 - High violence potential qualifies for arrest or hospitalization.
 - Safety is endangered when there is:
 - Sufficient evidence of repetitive /intentional infliction of emotional distress upon others; or
 - Sufficient evidence of the unintentional infliction of emotional distress upon others. •Initiate LOCK DOWN if appropriate.
 - Notify police(dial9-1-1) if the safety of students or staff is endangered. Provide exact location and nature of incident and school response actions.
 - Isolate the threatening person from other students and staff; if it is safe to do so.
 - Initiate appropriate response actions, which may be LOCKDOWN or EVACUATION. Cancel all outside activities.
 - Notify District supervisors or designee. Comprehensive School Safety Plan 34 of 45 2/11/20
 - Respond to students who are prone to overt displays of anger in a calm, non-confrontational manner.
 - If an immediate threat is not clearly evident attempt to diffuse the situation.
 - If an individual is armed with any type of weapon, USE EXTREME CAUTION.
 - Do not attempt to remove the weapon from the possession of the individual. Allow police to do so.
 - Facilitate a meeting with student(s) and family to review expectations.
 - Facilitate a staff meeting to review plans for keeping school safe. Enlist the support of community service providers. STAFF ACTIONS:
 - If any students are outside, move them inside the building or away from the site of the threat/assault.
 - If unable to do so, have students lie down and cover their heads. Keep students calm.
 - Inside the classroom, institute LOCKDOWN.
 - Close all curtains and blinds.
 - Remain with students until ALLCLEAR is given.

Tactical Responses to Criminal Incidents

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282) However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed. The District uses the Bow Mac RED IIII Online Emergency Planning System. The software has six modules designed to assist school districts in their planning, response,

management, and National Incident Management System (NIMS) compliance to make their environments safer.

Employee Screening Requirements

Criminal Background Clearances and Fingerprinting

OYS shall comply with all requirements of Education Code sections 44237, 44830.1 and 45125.1. OYS shall designate; and maintain, at least one Custodian of Records duly authorized by the California Department of Justice.

OYS shall maintain on file and available for inspection evidence that (1) OYS has performed criminal background checks and cleared for employment all employees prior to employment; (2) OYS has obtained certification from each of its contracting entities/independent contractors that the entity/contractor has conducted required criminal background clearances for its employees prior to provision of school site services and/or any contact with students and has requested subsequent arrest notification service; and (3) OYS has performed criminal background checks and cleared for service all volunteers not directly supervised by staff and who may have contact with students. OYS shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice for all employees and volunteers not directly supervised by staff. Upon request, OYS shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records.

Tuberculosis Screening

OYS shall require all employees, and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students, to undergo a risk assessment and/or be examined and determined to be free of active tuberculosis (TB) within the period of 60 days prior to employment/service, in accordance with Education Code section 49406. OYS shall maintain TB clearance records and certifications on file.

SAFE PLACE TO LEARN ACT

Oakland Youth Services shall comply with all applicable requirements of the Safe Place to Learn Act, Education Code section 234 et seq.

COMPETITIVE ATHLETICS

*Not Relevant to Oakland Youth Services Students

Oakland Youth Services shall comply with the requirements of Education Code section 221.9 with respect to the disclosure requirements regarding competitive athletics and shall comply with the requirements of Education Code section 33479.1 et seq. with respect to any athletic program that it offers.

GUN-FREE SCHOOLS ACT

Oakland Youth Services shall comply with the federal Gun-Free Schools Act.

TOBACCO USE PREVENTION

Oakland Youth Services shall enact policies to prohibit the use of Tobacco near its school site in accordance with the provisions of California Health and Safety Code section 104495.”

TRANSPORTATION Relevant to OYS Students

Oakland Youth Services shall meet the requirements of Education Code section 39831.3 with respect to any transportation services provided to or from school or a school activity.

DATA PRIVACY

Oakland Youth Services shall take the required steps to protect the data privacy of its pupils, including but not limited to complying with the requirements of Education Code section 49073.6 with respect to any maintenance of any information obtained from social media in its pupil records.

Oakland Youth Services shall comply with the requirements of Education Code section 33133.5 with respect to notifying pupils of the appropriate telephone number to call to report child abuse or neglect, and Education Code section 51900.6 with respect to the age-appropriate content in sexual abuse and sexual assault awareness and prevention.

A “reasonably comprehensive” petition will include, in addition to the District Required Language, the following:

1.0 SAFETY AT SCHOOL

"Safe schools are orderly and purposeful places where students and staff are free to learn and teach without the threat of physical and psychological harm. They are characterized by sensitivity and respect for all individuals, an environment of non-violence, clear behavioral expectations, disciplinary policies that are consistently and fairly administered, students' affiliation and bonding to the school, support and recognition for positive behavior, and a sense of community on the school campus. Safe schools also are characterized by proactive security procedures, established emergency response plans, timely maintenance, cleanliness, and a nice appearance of the campus and classrooms."

Taken from "Safe Schools: A Planning Guide for Action" California State Department of Education

1.1 Health and Safety Procedures.

1.1.1 Governing Law: The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.

California Education Code Section 47605.6(b)(5)(G)

1.1.2 Procedures for Background Checks: Employees and contractors of the school will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Section 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Director and Human Resources department shall monitor compliance with this policy. Individuals who will volunteer at the School outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering.

1.1.3 Role of Staff as Mandated Child Abuse Reporters:

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws and the same policies and procedures used by ACOE.

1.1.4 TB Risk Assessment and Examination: All School staff will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

1.1.5 Immunizations: All students and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

1.1.6 Medication in School: The School will adhere to Education Code Section 49423 regarding administration of medication in school.

1.1.7 Vision, Hearing, Scoliosis: Students will be screened for vision, hearing and scoliosis: The School will adhere to Education Code Section 49450, et seq., as applicable to the grade levels served by the school.

1.1.8 Blood-borne Pathogens: The School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The School has a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

1.1.9 Drug-Free / Alcohol-Free / Smoke-Free Environment: The School shall be a drug-, alcohol- and smoke-free environment.

1.1.10 Comprehensive Anti-Discrimination and Harassment Policies and Procedures: The School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The School has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at Oakland Youth Services (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is serious and will be addressed in accordance with the School’s Anti-Discrimination and Anti-Harassment policy.

2.0 COMPREHENSIVE SCHOOL SAFETY PLAN.

The School shall adhere to a Comprehensive School Safety Plan drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. This handbook shall include, but not be limited to the following responses: e.g, earthquakes, floods, shootings, and electricity loss.

2.1 Facility Safety: The School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the State Building Code. The School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are always maintained in an operable condition. The School shall conduct fire drills at least annually.

2.2 Emergency and Disaster Preparedness Plan: Preventative efforts are in place to prevent problems before they occur. Education of staff and students is critical to ensure a smooth, uncomplicated action plan should a real emergency occur during school hours. Therefore, the following plans are in place:

2.2.1 Emergency procedures: are provided to all staff.

2.2.2 Evacuation maps are posted in all rooms,

2.2.3 Evacuation drills are held monthly and include faculty, staff, and students:

Specific procedures are defined for the following emergencies: fire, explosion or threat of explosion, earthquake, fallen aircraft, bomb threat, chemical spill, severe windstorm, flood, and intrusion.

The administrator or assistant administrator coordinates disaster procedures.

The disaster plan will be reviewed and updated annually under the coordination of the administrator with input from the Fire Department and the Faculty.

2.3 Emergency Information Staff Responsibilities: Command Post will be in Main Office. If not accessible, the Command Post will be in front of main entrance (outside).

2.3.1 School Operations and Logistics Team chaired by Dean of School Culture

2.3.2 1.1.1 Crisis Response Team:

2.3.3 (i) Command and Control: Principal or designee Dean of School Culture

2.3.4 (ii) Communications: Principal or designee Dean of School Culture

2.3.5 (iii) Public Information: Principal or designee Dean of School Culture

2.3.6 (iv) Search and Rescue: Lead Recess Staff

2.3.7 (v) Counseling: School Counselors (EBFI)

2.3.8 (vi) Damage Assessment: HR Specialist or After Care Director

2.3.9 (vii) Safety & Security: Office Manager

2.3.10 Command Post Runners: Instructional Assistants, on site.

2.4 First Aid/CPR: (As needed) Class teachers

2.5 Turn off Gas, Water and Electricity Janitorial staff or special ed aides.

2.6 Locators 2 assigned staff members (class aides, or available teachers, special ed teacher)

2.7 Traffic Controllers: Classroom Aides

2.8 Student Release: Office Manager and 2 assigned team members.

2.9 STAFF RESPONSIBILITIES DEFINED.

To be revised annually

2.10 Crisis Plan Coordinators: Develop, implement, and continue to assess the school crisis plan.

2.11 Crisis Response Team: Coordinate efforts of all staff in a crisis drill or actual event.

2.12 Command Post Runners: Report to Command Post and be prepared to record and deliver crisis information throughout the school site.

2.13 First Aid/CPR: May need to administer First aid/CPR during or following an emergency.

2.14 Turn off Gas, Water, and Electricity: Have tools and knowledge to shut off the utilities if necessary.

2.15 Locators: Report to Command Post and be prepared to locate staff/students as needed.

2.16 Traffic Controllers: After reporting to Command Post, report to designated area to control the incoming/outgoing emergency vehicles and other vehicles.

2.17 Student Release: After reporting to Command Post, be prepared to follow guidelines for the safe release of students to their parent/guardian.

2.18 Public Information: After reporting to Command Post, supervise the room where media will be expected to stay. Report NO information to media personnel until instructed by Crisis Coordinators.

2.19 Cellular Phones and Battery-Operated Radios: In the event of an emergency, keep cellular phone / battery-operated radios with you until instructed otherwise by Crisis Coordinators.

3.0 CHEMICAL SPILL: Students and staff should be familiar with these procedures in the event of an actual chemical spill. Notification of an actual chemical spill would be made in person or via the intercom system.

3.1 IF INSIDE:

3.1.1 Stay inside the room.

3.1.2 Shut all doors and windows.

3.1.3 Turn off heat or air conditioning.

3.1.4 Await further instructions.

3.2 IF OUTSIDE:

3.2.1 Unsupervised students should return to their class quickly and quietly.

- (i) (If recess, this class should be the homeroom.)
- (ii) (If classroom is across campus, go inside the nearest classroom.)

3.2.2 Staff members go inside their classrooms & follow inside procedures.

3.2.3 Keep phone lines free.

3.2.4 Await further instructions. *

*Further instructions would be directed by phone or intercom system.

4.0 INTRUSION DRILL/LOCK DOWN:

(Intrusion bell signal is three (3) sets of three (3) rings or a verbal all call stating 'lock-down')

4.1 IF AN INTRUSION BELL SOUNDS AND YOU ARE INSIDE:

4.1.1 Teachers immediately lock their classroom doors.

4.1.2 Close windows / blinds.

4.1.3 Turn off any equipment and lights.

4.1.4 To the maximum extent possible, students and teachers gather in classroom where they cannot be seen by any intruder.

4.1.5 Everyone face away from windows.

4.1.6 REMAIN CALM.

4.1.7 DO NOT USE THE PHONE; OFFICE STAFF MAY BE TRYING TO REACH YOU.

4.1.8 Hold this position until "all clear" bell rings (one long, continuous bell).

4.1.9 Teachers bring students & emergency folders to designated location on field.

4.1.10 Indicate status of class with red/green folder.

4.1.11 Await further instructions (dismissal).

4.1.12 INSTRUCT STUDENTS THAT IF THEY HEAR AN INTRUSION SIGNAL AND THEY ARE NOT IN THE CLASSROOM THEY SHOULD:

4.1.13 Enter the nearest classroom or office.

4.1.14 To the maximum extent possible, students and teachers gather in classroom where they cannot be seen by any intruder.

4.1.15 Everyone face away from windows.

4.1.16 REMAIN CALM.

4.1.17 Remain there until school staff directs them otherwise or “all clear” bell rings.

4.1.18 If possible, students are found and escorted to designated location near office.

5.0 FIRE DRILL.

5.1 When a fire alarm is sounded, all students and staff safely exit the campus classrooms.

5.2 Classroom evacuation should occur quickly and quietly.

5.3 Teachers will take the following appropriate action to evacuate all students.

5.4 Teachers bring student list.

5.4.1 Announce that no student is to return to a room unless directed.

5.4.2 Turn off all lights and close classroom door.

5.4.3 Walk students single file, quietly to designated location on field/open space.

5.4.4 Be prepared to encounter emergency vehicles on roadway.

5.4.5 Make sure that all students are present.

5.4.6 Remain in designated area until all-clear bell is sounded. If ground is dry and delay occurs, have students sit quietly until all-clear bell is sounded.

6.0 EXPLOSION OR THREAT OF EXPLOSION.

6.1 Explosion:

6.1.1 911.

6.1.2 Give DROP AND COVER command (See below).

6.1.3 Sound school fire alarm.

6.1.4 Evacuate to outdoor rally point.

6.1.5 Take roll.

6.1.6 Secure access roads for emergency vehicles.

6.1.7 Keep students at a safe distance from the school buildings and firefighting equipment.

6.1.8 Director - notify District Office.

6.1.9 Director - determine if Student Release or Site Evacuation should be implemented.

6.1.10 Fire Department will determine when the school is safe for re-entry.

6.2 Threat of Explosion: (See also Bomb Threat below)

Follow procedure above.

7.0 EARTHQUAKE DRILL.

When an earthquake occurs, the following procedure will be followed:

7.1 IF INSIDE:

7.1.1 Move away from windows, shelves, heavy objects, or furniture that may fall. Take cover under a table or desk.

7.1.2 Assume the DROP AND COVER posture: Head low, near knees, hands covering back of head & neck.

7.1.3 Remain in DROP AND COVER posture until shaking has ceased, then prepare to evacuate.

7.1.4 Classroom evacuation should occur quickly, and quietly.

7.1.5 Designated school official should turn off gas at main connection and, if water pipes are ruptured, turn off main water connection.

7.1.6 Teachers will take the following appropriate action to evacuate all students:

- (i) Teachers bring class list.
- (ii) Announce that no student is to return to a room unless directed.
- (iii) Turn off all lights and close classroom door.
- (iv) Walk students single file, quietly to designated location on field/open space.
- (v) Be prepared to encounter emergency vehicles on roadway.
- (vi) Make sure that all students are present.
- (vii) Remain in designated area until all-clear bell is sounded. If ground is dry and delay occurs, have students sit quietly until all-clear bell is sounded.

7.2 IF OUTSIDE DURING AN EARTHQUAKE:

7.2.1 Students should move away from buildings and assume DROP AND COVER posture.

7.2.2 Follow the directions of nearest adult.

7.2.3 When shaking has ceased, all students report to designate area for his or her class.

8.0 FALLEN AIRCRAFT.

8.1 Administrator will determine what action should be taken.

8.2 When necessary, teachers and staff will take immediate action for the safety of students without waiting for directions from the director.

8.3 Activate 911 emergency services.

8.4 Maintain a safe distance, allowing for possible explosion.

9.0 BOMB THREAT.

9.1 Stop use of all walkie-talkies.

9.1.1 Telephone Operator

9.1.2 Listen - DO NOT interrupt caller. Take notes if possible.

9.1.3 If possible, alert supervisor by a pre-arranged signal (Turn your phone upside down) while the caller is on the line.

9.1.4 Complete Bomb Checklist.

9.1.5 Notify supervisor or Director immediately after completing the call.

9.2 Director.

9.2.1 Determine if school should be evacuated.

9.2.2 Activate 911 emergency services.

9.2.3 Notify District Office -

10.0 SEVERE WINDSTORM.

10.1 **Prior Warning:** Administrator determines if Student Release should be implemented.

10.2 **No Warning:** enrollment processes, including but not limited to documentation of implementation of lottery and waitlist criteria and procedures in accordance with the terms of the Charter. These records shall be made available to the District upon request.

10.2.3 Remain near an inside wall.

10.2.4 Avoid auditoriums, gymnasiums, and other structures with large roof spans.

10.2.5 Evacuate classrooms bearing full force of wind to safe area.

11.0 FLOOD

Depending on the method of warning and estimated time before flooding arrives; the Administrator may initiate any of the following procedures:

11.1 Evacuate school buildings.

11.2 Evacuate school site.

11.3 Student release

Element 7 (Balance of Racial/Ethnic, Special Education, and English Learner Students)

“The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” – Ed. Code § 47605(c)(5)(G)

[No DRL.]

Oakland Youth Services will recruit and reach out to students with a history of low academic performance, socio-economically disadvantaged students, Els and students with disabilities using a variety of activities and strategies. These strategies will include:

1. OYS will contact the Regional Center of Alameda County to notify them that we are open and will welcome any students who are interested in enrolling in our program.
2. Meet with organizations that assist families in search of childcare. OYS will also inform parent groups, community organizations and churches of its presence in the community. OYS’ representative will contact Bananas, a childcare referrals service in Oakland, to inform them of our program.
3. Posting enrollment information on the website in multiple language.
4. Holding school workshops and host scheduled tours for interested parents.
5. Advertising by distributing flyers in the community, buying ad space on buses or newspapers, and advertisement on the internet.
6. Door to door canvass of the neighborhood and distributing information about the school. The School will be located in a community that is primarily populated with low-income families of color.

Element 8 (Admissions Policies and Procedures)

Foster

“Admission policies and procedures, consistent with subdivision (e) [of Education Code section 47605].” – Ed. Code § 47605(c)(5)(H)

Documentation of Admissions and Enrollment Processes

Upon request, Oakland Youth Services will notify the District in writing of the application deadline and proposed lottery date. Oakland Youth Services 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.

Oakland Youth Services shall maintain complete and accurate records of its annual admissions and enrollment processes, including but not limited to documentation of implementation of lottery and waitlist criteria and procedures in accordance with the terms of the Charter, and a record of all written communications with parents related to admissions. These records shall be made available to the District upon request.

As indicated in the affirmations included at the beginning of this petition, Oakland Youth Services shall comply with all requirements related to admissions preferences found in Education Code section 47605(e)(2)(B).

The location of Oakland Youth Services charter school will be in a community of poor families of color. Appendix D shows a demographic report of the free lunch eligibility and Smarter Balance Assessment scores, dated 11/1/2018, for school year 2017-2018. OYS will recruit students from this community. Demographics of student body of Oakland Youth Services Charter School will be open to Charter School Office, OUSD, and whoever is of interest.

It will be easy and, a pleasure to comply with the California Educational Code because they are young people OYS was designed to serve.

The founders of OYS are children of the East Oakland Flatland community. They grew up in the neighborhood, they went and graduated from its neighborhood schools. Being poor students of color; a good education is difficult to obtain. OYS knows that if one is not proficient in the basic skills, one experiences educational anguish early in life. Through learning how to read proficiently, the founders of OYS were given an opportunity to relocate. Not only out of the neighborhood, but into a more meaningful prospective of life. Since its inception, the OYS organization was created for the purpose of not limiting service, or access to enrollment to students with disabilities, academically low achieving students, neglected or delinquent students, homeless students, poor students (as determined by eligibility for free or reduced-price meals), foster care youth, or youth based on nationality, race, ethnicity, or sexual orientation.

Students should not be allowed to fail academically, after years of schooling, because they lack proficiency in the basic skills. Basic skills and the love of reading should be taught and instilled in young students at an early age. For framers of Oakland Youth Services are driven by the belief that regardless of one’s plight in life, where one lives in the city of Oakland, or what one’s ethnicity may be; knowledge leads to the doors of mental, physical, and psychological liberation. Proficiency in the basic skills procures knowledge. OYS will gladly comply to the Education Code. To be in compliance of this code will result in the benefit of all mankind.

Homeless and Foster Youth

Oakland Youth Services shall adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. Oakland Youth Services shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that Oakland Youth Services is open to enroll and provide services for all students and provides a contact number for access to additional information regarding enrollment. Oakland Youth Services shall comply with all applicable provisions of Education Code sections 48850 – 48859 with respect to foster children and homeless youth.

Non-Discrimination

Oakland Youth Services shall not require a parent/legal guardian/student to provide information regarding a student's disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, 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 any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. Oakland Youth Services may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

Oakland Youth Services shall not request or require submission of a student's IEP, 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.

As indicated in the affirmations included at the beginning of this petition, pursuant to Education Code section 47605(e)(4)(A), Oakland Youth Services shall not discourage a pupil from enrolling or seeking to enroll in Oakland Youth Services for any reason.

Parent Engagement

Oakland Youth Services shall not require a parent or legal guardian of a prospective enrolled student to perform volunteer service hours or attend an orientation event, or make payment of fees or other monies, goods, or services in lieu of performing volunteer service, as a condition of their child's admission, continued enrollment, attendance, or participation in the school's educational activities, or otherwise discriminate against a student in any manner because their parent cannot, has not, or will not provide volunteer service to Oakland Youth Services.

Admission Requirements

Oakland Youth Services Charter School will be open to all children. Application for open enrollment will be from March to April. Applications are available school office at 9234 E St. or, on-line at OYServices@Aol.Com. All families that wish their student to attend Oakland Youth Services Charter School shall be admitted up to capacity. Within one week of submitting the application, a confirmation notice will be sent to the prospective applicants. If confirmation letter is not received within two weeks, The office manager must be contacted to confirm that the application was received. The office manager will help in completing the application upon family request.

Deadline for the application is May 1st for the coming school year. Letter of acceptance will be mailed to applicants one week after deadline. Applications received after deadline will become a part of a lottery pool. If the number of students who wish to attend the School exceeds capacity, except for existing enrollment, admission shall determine by public random drawing. The following categories of students will be exempt from the public drawing:

Currently enrolled students

Students at Oakland Youth Services founders

Siblings of students currently enrolled in Oakland Youth Services

As part of the random drawing, the following categories will receive weighted preference for admission to the school in ranked order:

Children seeking to change school under the public-school choice provisions of ESEA.

Children of Oakland Youth Services founders.

Children of Oakland Youth Services Board Members after two years of service on the Board.

Children residing within the boundaries of Oakland Unified District.

Applications received after deadline; if enrollment is not to capacity will become a part of a lottery pool.

LOTTERY INFORMATION

The lottery will be held at Oakland Youth Services Conference Room, Friday, May 10th, at 4:00pm. All are invited to attend. Attendance at the lottery is NOT required for selection. All applicants will be notified of the lottery results Friday, May 15th, 4:00pm. Applicants not selected in the lottery drawn will be placed on a waiting list for future consideration.

Once a student has been offered a seat at Oakland Youth Services Charter School, families will be requested to attend an orientation meeting. There will be at least four orientation meetings, two in the daytime and two in the evening, to ensure that all parents can plan to attend one of those meetings. At the meeting, the staff will officially welcome the families, restate the philosophy and mission, and have a social gathering to get to know students' families. The intent of this meeting is to encourage a building of a community between parents, students, and staff. At that meeting, families have opportunity to meet and volunteer, with family approval, for on-going activities at the School.

At this meeting, parents will be given an opportunity to meet the teacher of their student and arrange a date for individual conference to learn about the child, to address any questions and concerns, to ensure that Oakland Youth Services has sufficient student information to develop learning program and to be informed about any assets the student/family can bring to the school community.

Element 9 (Independent Financial Audits)

“The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.” – Ed. Code § 47605(c)(5)(I)

- On or before July 1, an annual update required pursuant to Section 47606.5.
- 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
- March 1 – Second Interim Financial Report for Current Year
- June 15 – Preliminary Budget for Subsequent Year

Annual Audit Procedures

The Board of Directors will request and documented written confirmation that the auditor selected is on the State Controller’s list of approved auditors to conduct Oakland Youth Services audits. The Director will be responsible for contracting with an accountant and working with the auditor to complete the audit. The process that that Oakland Youth Services will use to resolve any deficiencies are: 1) to make the material weakness known to the Broad of Directors; 2) with input from the accountant; 3) examine the findings of the auditor; 4) and together as united Board members come up with a solution. The Director is responsible, in the oversight of the Board of Director for ensuring that the auditor sends the completed audit to the required agencies by the statutory deadline. To ensure financial transparency to the district and the public, including its plan for public adoption of its budget and public dissemination of its annual audit and an annual financial report, copies will be upon request or available for viewing on the internet.

An annual independent fiscal audit of the books and records of the School will be conducted as required under the School Act, Education Code Section 457605.6(b)(5)(1) and 47605.6(m). The books and records of the School will be kept in accordance with accepted accounting principles and as required by law and the audit will employ accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of schools as published in the State Controllers Guide. The Treasurer of the Board of the School will select an independent auditor and will be responsible for overseeing the independent audit. The auditor will have, at a minimum, a CPA and educational institution audit experience and be approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual will be completed within four months of the close of the fiscal year and that a copy of the auditor’s findings will be forwarded to the District Superintendent, the State Controller and to the CDE by the 15th of December of each year. The Board of Directors will review any audit exceptions or deficiencies and develop a plan to resolve them. The School will submit a report to the District proposing how the exceptions and/or deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Any disputes between the District and the School regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process referenced in Element 14, Mandatory Dispute Resolution, in this Charter. The independent fiscal audit of the School is a public record to be provided to the public upon request.

Element 10 (Procedures by which Pupils Can Be Suspended or Expelled)

“The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil’s side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform the pupil, the pupil’s parent or guardian, or the pupil’s educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil’s parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).” – Ed. Code § 47605(c)(5)(J)

Student Due Process Protections *These Procedures are not appropriate for students enrolled in OYS.

Oakland Youth Services’ student discipline procedures, at a minimum, shall comply with federal and state constitutional procedural and substantive due process requirements as follows:

(i) For suspensions of fewer than 10 days, Oakland Youth Services shall provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil’s side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, Oakland Youth Services shall provide both of the following:

(I) Timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.

(II) A hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-

examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) No pupil shall be involuntarily removed by Oakland Youth Services for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until Oakland Youth Services issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

As indicated in the affirmations included at the beginning of this petition, pursuant to Education Code section 47605(e)(4)(C), Oakland Youth Services shall not encourage a pupil currently attending Oakland Youth Services to disenroll from the Oakland Youth Services or transfer to another school for any reason. (Note: This shall not apply to actions taken by Oakland Youth Services pursuant to legally permissible expulsion procedures.)

[Other inserts should specify exact times of procedures and include the procedure of "oral and written notices in pupil and parents' native language."]

Required Notifications

As indicated in the affirmations included at the beginning of this petition, Oakland Youth Services shall comply with notification requirements included in Education Code section 47605(e)(3) for any pupil who is expelled or leaves Oakland Youth Services without graduating or completing the school year for any reason, and, upon request, will provide the District with the student's last known contact information.

Compliance with OCS Student Discipline Guidelines

Oakland Youth Services shall comply with the District's "Disciplinary and Expulsion Documentation Requirements Policy," posted on the Student Discipline page of the OUSD Office of Oakland Youth Services website, whose terms are incorporated by reference as if set forth expressly in this Charter. The purpose of this policy is to outline the notification requirements to families and to the Office of Charter Schools.

This Pupil Suspension and Expulsion Policy has been established to promote learning and protect the safety and well-being of all students at Oakland Youth Services ("OYS"). In creating this policy, OYS has reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools' list of offenses and procedures to establish its list for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* OYS is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the OYS's policy and procedures for student suspension and expulsion, and it may be amended from time to time without the need to amend the charter so long as

the amendments comport with legal requirements. OYS staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff, or other persons or to prevent damage to school property. OYS administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Principal's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom OYS has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. OYS will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom OYS has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in accordance with due process to such students.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil: **These Procedures are not appropriate for students enrolled in OYS.**

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- q) Made terroristic threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and

specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by OYS.
- 2) “Electronic Act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil: These Procedures are not appropriate for students enrolled in OYS.

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.

- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

- q) Engaged in; or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body; whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terroristic threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- a) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- b) Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- c) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- d) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person

- of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Oakland Youth Services.
- 2) "Electronic Act" means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- i. A message, text, sound, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- e) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- f) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had

obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm, or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

(d) The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device.

iv. similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or OYS employee who referred the student to the Principal or designee.

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety, or health of students or OYS personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with OYS officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian

shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If OYS officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when OYS has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

A student may be expelled either by the OYS Board of Directors following a hearing before it or by OYS Board of Directors upon the recommendation of an Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a member of the OYS Board of Directors. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearings
2. A statement of the specific facts, charges, and offenses upon which the proposed expulsion is based.

OYS's disciplinary rules which relate to the alleged violation.

3. Notification of the student's or parent/guardian's obligation to provide information about the student's status at OYS to any other school district or school to which the student seeks

enrollment.

4. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor.
5. The right to inspect and obtain copies of all documents to be used at the hearing.
6. The opportunity to confront and question all witnesses who testify at the hearing.
7. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

OYS may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by OYS or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five-days-notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present, in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. OYS must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both support persons is also a witness, OYS must present evidence that the witness' presence is both desired by the witness and will be helpful to OYS. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, if a reasonably accurate and complete written transcription of the proceedings can be made.

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board of Directors, which will make a final determination regarding the expulsion. The final decision by the Board of Directors shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Principal or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with OYS. The Principal or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

J. Disciplinary Records

OYS shall maintain records of all student suspensions and expulsions at OYS. Such records shall be made available to the authorizer upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from OYS as the OYS Board of Directors' decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. OYS shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

Students who are expelled from OYS shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to OYS for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or Oakland Youth Services shall be in the sole discretion of the Board of Directors following a meeting with the Principal or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal or designee shall make a recommendation to the Board of Directors following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon OYS's capacity at the time the student seeks readmission.

O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of SELPA

OYS shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student that OYS or the SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, OYS, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If OYS, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If OYS, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that OYS had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement.
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed unless the parent and OYS agree to a change of placement as part of the modification of the behavioral intervention plan.

If OYS, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then OYS may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or OYS believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or OYS, the hearing officer shall determine whether the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day-time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent agrees otherwise.

5. Special Circumstances

OYS personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct. The Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a. Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function.
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 Team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the OYS's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if OYS had knowledge that the student was disabled before the behavior occurred.

OYS shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to OYS supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other OYS personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other OYS supervisory personnel.

If OYS knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.

If OYS had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. OYS shall conduct an expedited evaluation if requested by the parents; however, the student shall remain in the education placement determined by the OYS pending the results of the evaluation.

OYS shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined too not be eligible.

Procedures were listed, But Not Appropriate for Oakland Youth Services Students

Adopted: October 28, 2015

Amended:

Element 11 (Employee Retirement Systems)

“The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.” – Ed. Code § 47605(c)(5)(K)

All employees of Oakland Youth Services will qualify for membership in STRS (including teachers and other qualified certificated employees) shall be covered under the appropriate system. Employees will contribute at the rate established by STRS. The School will work with the District Office of Education pursuant to Education Code Section 47611.3 to ensure that appropriate arrangements for coverage have been made. All employees who are not members of STRS must contribute to the federal social security. The School will make contributions for workers’ compensation insurance, unemployment insurance and any other payroll obligations of an employer. The Director or designee will be responsible for arranging retirement benefits. Oakland Youth Services shall be deemed the exclusive public-school employer of Oakland Youth Services for the Educational employment Relations Act. Oakland Youth Services recognizes the employees’ right under the EERA provisions to organize for collective bargaining.

Persons employed by Oakland Youth Services are not considered employees of the authorizer for any purpose. Employees of the District who resign from District employment to work at Oakland Youth Services and later wish to return to the District shall be treated the same as any other former District employee seeking re employment. Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to Oakland Youth Services. Employment by Oakland Youth Services provides no rights of employment at any other entity, including any right in the case of closure of Oakland Youth Services.

Employee Representation

Oakland Youth Services shall be deemed the exclusive public-school employer of Oakland Youth Services for the Educational employment Relations Act. Oakland Youth Services recognizes the employees’ right under the EERA provisions to organize for collective bargaining.

Element 12 (Pupil Attendance Alternatives)

“The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.” – Ed. Code § 47605(c)(5)(L)

Pupils who choose not to attend the Oakland Youth Services may choose to attend other public schools in their district of residence or pursue inter-district transfers in accordance with existing enrollment and transfer policies of the District. Parents or guardians of each pupil enrolled in the Oakland Youth Services shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in Oakland Youth Services, except to the extent that such a right is extended by the District.

Element 13 (Employee Rights of Return)

“The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” – Ed. Code § 47605(c)(5)(M)

Employees of the District who choose to leave the employment of the District to work at Oakland Youth Services shall have no automatic rights of return to the District after employment at Oakland Youth Services unless specifically and explicitly granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with Oakland Youth Services, if any, will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.

Element 14 (Dispute Resolution)

“The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.” – Ed. Code § 47605(c)(5)(N)

Procedures for Complaints against Oakland Youth Services

Oakland Youth Services will establish complaint procedures that address both complaints against Oakland Youth Services alleging discrimination or violations of law and complaints regarding other areas. Oakland Youth Services will not, at any time, refer such complaints to the District for handling.

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 impartial and neutral ombudsperson for situations in which the school leader is the subject person of the complaint, or the ombudsperson has a perceived bias. If the complainant requests an alternate ombudsperson, Oakland Youth Services shall have a procedure for reviewing the request and responding to the complainant with the findings of the review, and either (a) identifying an alternate ombudsperson, or (b) providing a rationale for why an alternate ombudsperson is not necessary. The complaint procedures will be clearly articulated in the school’s student and family handbook or distributed widely.

Oakland Youth Services 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 Youth Services alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Oakland Youth Services will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

Oakland Youth Services shall comply with the requirements of Education Code section 221.61 with respect to posting information regarding the filing complaints under Title IX, including but not limited to the following: 1) the name and contact information of the Title IX coordinator; 2) the rights of the pupil and the public and the responsibilities of the Oakland Youth Services under Title IX; 3) a description of how to file a complaint under Title IX, including an explanation of the statute of limitations, how the complaint will be investigated and how the complainant may further pursue the complaint; and a link to the United States Department of Education Office for Civil rights complaint form.

Oakland Youth Services 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 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.

Complaints by Students and Employees

Oakland Youth Services 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.

Disputes between the District and the Oakland Youth Services

The staff and Governing Board members of Oakland Youth Services agree to attempt to resolve all disputes between the District and Oakland Youth Services 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.

Any controversy or claim arising out of or relating to the charter agreement between the District and Oakland Youth Services, 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.

(1) Any controversy or claim arising out of or relating to the Charter, except any controversy or claim that in any way related to revocation of the Charter, must be put in writing (“Written Notification”) by the party asserting the existence of such dispute. If the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47607(f), the matter will be addressed at the District's discretion in accordance with that provision of law and any regulations pertaining thereto. 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, mail, or electronic mail. The Written Notification, and all subsequent notifications under this procedure, shall be deemed received (a) if personally delivered, or sent by electronic mail, upon date of delivery to the address of the person to receive such notice if received by the District by 5:00 PM; (b) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:

To [Oakland Youth Services Name], c/o School Director:
[Oakland Youth Services]
[9234 E Street
Oakland CA, 94603]

To Director, Office of Charter Schools:
1000 Broadway, 3rd Floor, Suite 300
Oakland, CA 94607

(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 facts which the responding party believes supports its position. The Written Response may be tendered by personal delivery, mail, or electronic 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 calendar 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.

Element 15 (Closure Procedures)

“The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.” – Ed. Code § 47605(c)(5)(O)

Closure Action

The decision to close Oakland Youth Services must be documented in a “Closure Action.” A Closure Action shall be deemed to have been automatically taken when any of the following occur: the Charter is revoked (subject to the provisions of Education Code section 47607(h)) or non-renewed by the OUSD Board of Education, and the Charter has exhausted any appeals procedures the Charter pursued; the governing board of Oakland Youth Services votes to close Oakland Youth Services; the Charter lapses or is surrendered; or the Oakland Youth Services ceases to serve students for at least six consecutive months.

Closure Procedures

The procedures for Oakland Youth Services closure set forth below are guided by Education Code sections 47604.32, 47605, and 47607 as well as California Code of Regulations, title 5, sections 11962 and 11962.1, and are based on “Oakland Youth Services Closure - Requirements and Recommendations” posted on the California Department of Education website. All references to “Charter School” apply to Oakland Youth Services, including its nonprofit corporation and governing board.

Designation of Responsible Person(s) and Funding of Closure

Prior to or at the time of the taking of a Closure Action by either the governing board of Oakland Youth Services or the OUSD Board of Education, the governing board of Oakland Youth Services shall designate a person or persons responsible for conducting and overseeing all closure-related procedures and activities, and allocate sufficient funding for, or otherwise determine how Oakland Youth Services will fund, these activities.

Notification of Closure Action

Upon the taking of a Closure Action, Oakland Youth Services shall send written notice of its closure to:

1. The OUSD Office of Charter Schools (OCS). Oakland Youth Services shall provide OCS with written notice of (1) the person(s) designated to be responsible for conducting and overseeing all closure activities, and (2) the funding for such activities. If the Closure Action is an act of Oakland Youth Services, Oakland Youth Services shall provide the OCS with a copy of the governing board resolution or minutes that documents its Closure Action.
2. Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in Oakland Youth Services within 72 hours of the Closure Action. Oakland Youth Services shall simultaneously provide a copy of the written parent notification to OCS.
3. Alameda County Office of Education (ACOE). Oakland Youth Services shall send written notification of the Closure Action to ACOE by registered mail within 72 hours of the Closure Action. Oakland Youth Services shall simultaneously provide a copy of this notification to OCS.

4. The Special Education Local Plan Area (SELPA) in which Oakland Youth Services participates. Oakland Youth Services shall send written notification of the Closure Action to the SELPA in which Oakland Youth Services participates by registered mail within 72 hours of the Closure Action. Oakland Youth Services shall simultaneously provide a copy of this notification to OCS.
5. The retirement systems in which Oakland Youth Services' employees participate. Within fourteen (14) calendar days of the Closure Action, Oakland Youth Services shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, and ACOE of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. Oakland Youth Services shall provide a copy of this notification and correspondence to OCS.
6. The California Department of Education (CDE). Oakland Youth Services shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. Oakland Youth Services shall provide a copy of this notification to OCS.
7. Any school district that may be responsible for providing education services to the former students of Oakland Youth Services. Oakland Youth Services shall send written notification of the Closure Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Oakland Youth Services shall provide a copy of these notifications, if any, to OCS.
8. All Oakland Youth Services employees and vendors within 72 hours of the Closure Action. Oakland Youth Services shall simultaneously provide a copy of the written employee and vendor notification to OCS.

Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information:

1. The effective date of the closure of Oakland Youth Services
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The students' school districts of residence
4. How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification of the CDE shall also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records

In addition to the four required items above, notification of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

1. Information on how to enroll or transfer the student to an appropriate school.
2. A certified packet of student information that includes closure notice, a copy of the student's cumulative record, which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and state testing results.
3. Information on student completion of college entrance requirements, for all high school students affected by the closure.

Notification of employees and vendors shall include:

1. The effective date of the closure of Oakland Youth Services
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure.
3. The date and manner, which shall be no later than 30 days from the effective date of the closure of Oakland Youth Services, by which Oakland Youth Services shall provide employees with written verification of employment.

Within 30 calendar days of the effective date of closure Oakland Youth Services shall provide all employees with written verification of employment. Oakland Youth Services shall send copies of all such employee verification letters to OCS.

Records Retention and Transfer

Oakland Youth Services shall comply with all applicable laws as well as District policies and procedures, as they may change from time to time, regarding the transfer and maintenance of Oakland Youth Services records, including student records. These requirements include:

1. Oakland Youth Services shall provide the District with original student cumulative files and behavior records, pursuant to District policy and applicable District handbook(s) regarding cumulative records for secondary and elementary schools, for all students, both active and inactive, of Oakland Youth Services. Transfer of the complete and organized original student records to the District, in accordance with District procedures applicable at the time of closure, shall occur within seven (7) calendar days of the effective date of closure.
2. Oakland Youth Services' process for transferring student records to receiving schools shall be in accordance with OUSD procedures for students moving from one school to another.
3. Oakland Youth Services shall prepare and provide an electronic master list of all students to OCS in accordance with the District procedures applicable at the time of closure. This list shall include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school/school district, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Oakland Youth Services closure occurs before the end of the school year, the list also shall indicate the name of the school to which each student is transferring, if known. This electronic master list shall be submitted to OCS in accordance with District procedures.
4. Oakland Youth Services must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. Oakland Youth Services will coordinate with OCS for the delivery of student records.
5. Oakland Youth Services must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
6. Oakland Youth Services must provide to OCS the name, title, and contact information of the person designated to maintain all Oakland Youth Services personnel records after the closure. Personnel records to be transferred to and maintained by the designee must include any and all employee records, including but not limited to, records related to performance and grievance. Oakland Youth Services must provide to OCS and the designee a spreadsheet of personnel records of all active and inactive employees, that includes dates of employment role, salary, and any other information necessary for employment verification. Both Oakland Youth Services and the designee, individually and separately, shall inform OCS immediately upon the transfer of Oakland Youth Services' employee records to the designee.
7. Oakland Youth Services shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.

8. Oakland Youth Services shall provide to the responsible person(s) designated by the governing board of Oakland Youth Services to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student's district of residence.

Financial Close-Out

After receiving notification of closure, the CDE may notify Oakland Youth Services and the authorizing entity of any liabilities Oakland Youth Services owes the state, which may include overpayment of Local Control Funding Formula and select apportionments, start-up grants, or other liabilities. The CDE may ask the County Office of Education to conduct an audit of the Oakland Youth Services if it has reason to believe that the school received state funding for which it was not eligible.

Oakland Youth Services shall ensure completion of an independent final "closeout audit" within six months after the closure of Oakland Youth Services that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.
2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.
3. An assessment of the disposition of any restricted funds received by or due to Oakland Youth Services

This audit may serve as Oakland Youth Services' annual audit, if so permitted by the California Department of Education, California State Controller, and/or the State Superintendent of Public Instruction.

Oakland Youth Services shall pay for the financial closeout audit of Oakland Youth Services. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by Oakland Youth Services will be the responsibility of Oakland Youth Services and not OUSD. Oakland Youth Services understands and acknowledges that Oakland Youth Services will cover the outstanding debts or liabilities of Oakland Youth Services. Any unused monies at the time of the audit will be returned to the appropriate funding source. Oakland Youth Services understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds or other special education funding will be returned to the District SELPA or the SELPA in which Oakland Youth Services participates, and other categorical funds will be returned to the source of funds.

Oakland Youth Services shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budget
2. Local control and accountability plan and annual updates
3. Interim financial reports
4. Second interim financial reports
5. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. If Oakland Youth Services chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports

should be submitted as soon as possible after the Closure Action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (ADA) or enrollment data of the closed Oakland Youth Services with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.

Disposition of Liabilities and Assets

The closeout audit must identify the disposition of all liabilities of Oakland Youth Services. Oakland Youth Services closure procedures must also ensure appropriate disposal, in accordance with the Oakland Youth Services' governing board bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of Oakland Youth Services have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. Oakland Youth Services, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to Oakland Youth Services by or on behalf of the District. The District discloses that the California Education Code sets forth the requirements for the disposition of the District's personal property and Oakland Youth Services shall bear responsibility and liability for any disposition in violation of statutory requirements.
2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If Oakland Youth Services is operated by a nonprofit corporation, and if the corporation does not have any functions other than operation of Oakland Youth Services, the corporation shall be dissolved according to its bylaws.

Oakland Youth Services shall retain sufficient staff, as deemed appropriate by the Oakland Youth Services governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

Oakland Youth Services' governing board shall adopt a plan for closure of Oakland Youth Services and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

Oakland Youth Services shall provide OUSD within fourteen (14) calendar days of the Closure Action with written notice of any outstanding payments due to staff and the time frame and method by which Oakland Youth Services will make the payments.

Prior to final close-out, Oakland Youth Services shall complete all actions required by applicable law, including but not limited to the following:

1. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.
2. Make final federal tax payments (employee taxes, etc.)

3. Complete and submit all required federal and state filings and notices to the State of California, the Internal Revenue Service, and the Department of the Treasury, including, but not limited to, final tax returns and forms (e.g., Form 990 and related Schedules).

This Element 15 shall survive the revocation, nonrenewal, expiration, termination, cancellation of this Charter, or any other act or event that would end Oakland Youth Services' authorization to operate as a charter school or cause Oakland Youth Services to cease operation. Oakland Youth Services agrees that, due to the nature of the property and activities that are the subject of this Charter, the District and public shall suffer irreparable harm should Oakland Youth Services breach any obligation under this Element 15. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element 15 or any provision of this Element 15 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

ADDITIONAL PROVISIONS

Facilities

Prior to occupancy or use of any school site or facility, Oakland Youth Services shall provide OCS with a current Certificate of Occupancy or equivalent document issued by the applicable permitting agency that allows Oakland Youth Services to use and occupy the site as an Oakland Youth Services. Prior to occupancy or use of any school site or facility, Oakland Youth Services shall provide documentation to OCS that the facility complies with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which Oakland Youth Services is to be located. This requirement shall also apply, upon request by the District, to the construction, reconstruction, alteration of or addition to the facility. Oakland Youth Services shall resolve in a timely manner any and all corrective actions, orders to comply, or notices issued by the authorized building and safety agency or the District. Oakland Youth Services cannot exempt itself from applicable building and zoning codes, ordinances, and ADA/Section 504 requirements. Oakland Youth Services shall maintain on file readily accessible records that document facilities compliance and provide such documentation to OCS upon request.

Pest Management: Oakland Youth Services shall comply with the Healthy Schools Act, Education Code section 17608, which details pest management requirements for schools.

Asbestos Management: Oakland Youth Services shall comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40 C.F.R. 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.

Hold Harmless/Indemnification Provision

Oakland Youth Services, through this Charter agrees to defend, indemnify, and hold harmless OUSD, its officers, directors, agents, representatives, employees, attorneys, volunteers, successors and assigns (collectively hereinafter “District” and “District Personnel”) from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities including but not limited to attorneys’ fees that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, Oakland Youth Services’ performance under this Agreement or the Charter, the condition or use of its facilities, or any acts, errors, negligence, omissions or intentional acts by Oakland Youth Services, its Governing Board, administrators, employees, agents, representatives, volunteers, successors and assigns. Moreover, Oakland Youth Services agrees to indemnify, defend, and hold harmless OUSD and the OUSD Board of Education and their members, officers, directors, agents, representatives, employees, and volunteers, for any contractual liability resulting from third party contracts with Oakland Youth Services’ vendors, contractors, partners or sponsors.

Fiscal Matters

District Oversight Costs

The District may charge for the actual costs of supervisory oversight of Oakland Youth Services not to exceed 1% of the Oakland Youth Services’ revenue, or the District may charge for the actual costs of supervisory oversight of Oakland Youth Services not to exceed 3% if Oakland Youth Services 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. The oversight fee provided herein is separate and distinct from the charges arising under Oakland Youth Services facilities use agreements.

Third Party Contracts

Oakland Youth Services shall ensure that all third party contracts, whether oral or written, for supplies, equipment, goods and/or services, for the direct or indirect benefit of, or otherwise related to the operation of Oakland Youth Services, require compliance with and otherwise conform to all applicable local, state, and federal policies, regulations, laws, and guidelines, including, but not limited to, licensing and permit requirements as well as requirements related to protection of health and safety. Oakland Youth Services shall notify all parties with whom it enters into a contract that the District is a separately legal entity and is not responsible for performing any of the Oakland Youth Services' obligations under the contract, including payment for services.

Special Education Revenue Adjustment/Payment for Services

In the event that Oakland Youth Services owes funds to the District for the provision of agreed upon or fee for service or special education services or as a result of the State's adjustment to allocation of special education revenues from Oakland Youth Services, Oakland Youth Services authorizes the District to deduct any and all of the in lieu property taxes that Oakland Youth Services otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. Oakland Youth Services further understands and agrees that the District shall make appropriate deductions from the in-lieu property tax amounts otherwise owed to Oakland Youth Services. Should this revenue stream be insufficient in any fiscal year to cover any such costs, Oakland Youth Services agrees that it will reimburse the District for the additional costs within forty-five (45) business days of being notified of the amounts owed.

Audit and Inspection of Records

The District hereby reserves the right, pursuant to its oversight responsibility, to audit Oakland Youth Services' books, records, data, processes and procedures through the Office of Charter Schools, or in coordination with FCMAT, or in coordination with a mutually agreed upon third party. The audit may include, but is not limited to, the following areas:

- 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,
- Oakland Youth Services' debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- Oakland Youth Services' enrollment process, suspension and expulsion procedures, and parent involvement practices,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

Oakland Youth Services shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 business-days-notice to Oakland Youth Services. In extreme circumstances when 30 business-days-notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hours-notice.

In addition, if an allegation of waste, fraud, or abuse of power related to Oakland Youth Services operations is received by the District, Oakland Youth Services shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools.

Data and Information Reporting

Oakland Youth Services shall provide the following data elements to OCS, according to a data reporting calendar that will be published by OCS prior to September 1 of each school year:

- Fall Census Day enrollment spreadsheet.
- Reports required by Education Code section 47604.33:
 - Preliminary budget
 - Local control and accountability plan
 - First interim financial report
 - Second interim financial report
 - Final unaudited report
- Other audit-related, attendance, and/or enrollment information and reports:
 - Annual independent audit report (Ed. Code § 47605(m))
 - Independent Auditor Selection Form (Ed. Code § 41020(f)(1))
 - 20-day attendance report (Ed. Code § 47652(a))
 - Monthly attendance reports
 - Monthly student exit reports (Ed. Code § 47605(e)(3))
- Information/documentation related to Oakland Youth Services' facilities, SELPA, student/family handbook, and governing board (including membership, bylaws, and specified policies),

Additionally, Oakland Youth Services shall notify OCS in writing in a timely manner of changes to leadership at the Oakland Youth Services, the Charter Management Organization, and the governing board.

Appendix A

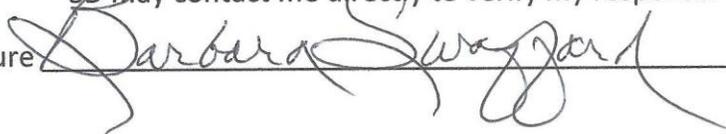
Meaningfully Interested Teachers Signature Form

By submitting this form, you are indicating that you are meaningfully interested in teaching at Oakland Youth Services for the 2021-22 school year.

Name	Barbara Swoffard
Home address	13378 Campus Drive Oakland CA 94619
Phone number	510 569 4462
Email address	OYServices@aol.com
Current teaching position (grade level(s) and school name)	Middle School, Frick School of Language OUSD
Current credential(s)	Elementary, Secondary, Community College

By signing below, I am indicating that I am meaningfully interested in teaching at the above named charter school for the 2021-22 school year. I understand that signing this form does not guarantee employment at the charter school. I further understand that this information will be disclosed to the Oakland Unified School District to support in a new charter petition request and that OU SD may contact me directly to verify my response.

Signature



Date: January 18, 2021

Meaningfully Interested Teachers Signature Form

By submitting this form, you are indicating that you are meaningfully interested in teaching at Oakland Youth Services Charter School for the 2021-22 school year.

Name	Sharon Rhynes
Home address	6130 Brann Street # C Oakland, California 94605
Phone number	(510) 927-0556
Email address	sharanrhynes@gmail.com
Current teaching position (grade level(s) and school name)	Grades K-12 / Young Adult Programs
Current credential(s)	Clinical Rehabilitative Service Credential with Special Day Class Authorization

By signing below, I am indicating that I am meaningfully interested in teaching at the above, named charter school for the 2021-22 school year. I understand that signing this form does not guarantee employment at the charter school. I further understand that this information will be disclosed to the Oakland Unified School District to support in a new charter petition request and that OUSD may contact me directly to verify my response.

Signature Sharon Rhynes Date: 01/10/2021

Meaningfully Interested Teachers Signature Form
Meaningfully Interested Teachers Signature Form

By submitting this form, you are indicating that you are meaningfully interested in teaching at Oakland Youth Services Charter School for the 2021-22 school year.

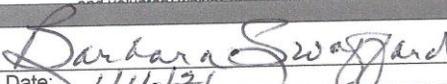
Name	JULIETTE SAPP
Home address	3005 BROADMOOR VIEW OAKLAND CA. 94605-5311
Phone number	510-635-3763
Email address	
Current teaching position (grade level(s) and school name)	RETIRED TEACHER - OAKLAND UNIFIED SCHOOL DISTRICT - 2011
Current credential(s)	(LIFE) RYAN CREDENTIAL

By signing below, I am indicating that I am meaningfully interested in teaching at the above, named charter school for the 2021-22 school year. I understand that signing this form does not guarantee employment at the charter school. I further understand that this information will be disclosed to the Oakland Unified School District to support in a new charter petition request and that OUSD may contact me directly to verify my response.

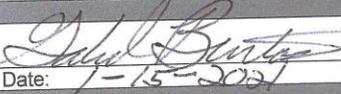
Signature Juliette Sapp Date: 1-15-21

Appendix B

Appendix B: OUSD Due Diligence Questionnaire

Oakland Unified School District Due Diligence Questionnaire		
Charter Petition Applicant Information		
Name of Applicant (First/Middle/Last): Barbara Swoffard		
Other Names Used (i.e. Maiden): Waller Burton		
Date of Birth: 9/8/1943		
Current address: 13378 Campus Drive		
City: Oakland	State: CA	ZIP: 94619
How long at current address?		
Prior Addresses (Past five years):		
Background Information (Please Attach Separate Sheets if Necessary)		
Criminal History (Date(s) of Arrest(s) or detentions leading to conviction/ Date(s) of Conviction(s)):		
Education History: BA: Humanities, MA: Humanities, English, MA: Theology		
Employment History: Teacher: Merritt College, Middle and High schools, Director of emotional disturbed children program		
All Professional Licenses / Credentials Held: Elementary, Secondary, Community College		
Professional Affiliations (Corporate Positions, Board Positions, etc.): NA		
Fictitious Business Name Affiliations: Oakland Youth Services, Inc.		
Professional References: Conscious Voices		
Proposed Charter School		
Charter School name: Oakland Youth Services		
Address (if available):		
City: Oakland	State: CA	ZIP:
Legal Entity Behind Charter School (if available):		
Other Charter Schools with which Affiliated (prior and current): NA		
Location of Other Charter Schools: NA		
Authorization to Release Information		
<p>My signature affirms that all information on this application is true to the best of my knowledge. Further, I authorize all employers, institutions, government agencies and persons named as references to release information for use in establishing my qualifications and credentials for this position. This authorization:</p> <ul style="list-style-type: none"> Removes all liability from those who provide information and verification in response to any information I have stated in applying on behalf of the above referenced Charter School. Releases the Oakland Unified School District and any agent acting on its behalf from any and all liability of whatever nature in requesting or using such information to assess my candidacy on behalf of the above referenced Charter School. Is valid during my entire candidacy and during any resulting period of employment or governing board membership with the above-referenced Charter School. Is an indication of my knowledge and understanding that the information provided in this application will be used to investigate my background and my knowing and voluntary agreement to the background information being publicly disclosed as part of the charter petition review process. Is an indication of my understanding that any reports generated by the Office of Charter Schools will not be confidential and my knowing and voluntary waiver of any such confidentiality. 		
Signature		
		
Date: 1/16/21	Title:	
FOR OFFICE USE ONLY		
Charter School Application Processed by:		
Phone:	Fax:	E-mail:

Appendix B: OUSD Due Diligence Questionnaire.

Oakland Unified School District Due Diligence Questionnaire		
Charter Petition Applicant Information		
Name of Applicant (First/Middle/Last): Gabriel Burton		
Other Names Used (i.e. Maiden):		
Date of Birth: 5/13/74		
Current address: 13378 Campus Drive		
City: Oakland	State: CA	ZIP: 94619
How long at current address? 30 years		
Prior Addresses (Past five years):		
Background Information (Please Attach Separate Sheets if Necessary)		
Criminal History (Date(s) of Arrest(s) or detentions leading to conviction/ Date(s) of Conviction(s)): NA		
Education History: College of Notre Dame: BS Biochemistry/Biology		
Employment History: Oakland Unified School District, Hayward Unified School District		
All Professional Licenses / Credentials Held:		
Professional Affiliations (Corporate Positions, Board Positions, etc.):		
Fictitious Business Name Affiliations:		
Professional References:		
Proposed Charter School		
Charter School name: Oakland Youth Services		
Address (if available): 9234 E Street		
City: Oakland	State: California	ZIP: 94603
Legal Entity Behind Charter School (if available):		
Other Charter Schools with which Affiliated (prior and current):		
Location of Other Charter Schools:		
Authorization to Release Information		
<p>My signature affirms that all information on this application is true to the best of my knowledge. Further, I authorize all employers, institutions, government agencies and persons named as references to release information for use in establishing my qualifications and credentials for this position. This authorization:</p> <ul style="list-style-type: none"> Removes all liability from those who provide information and verification in response to any information I have stated in applying on behalf of the above referenced Charter School. Releases the Oakland Unified School District and any agent acting on its behalf from any and all liability of whatever nature in requesting or using such information to assess my candidacy on behalf of the above referenced Charter School. Is valid during my entire candidacy and during any resulting period of employment or governing board membership with the above-referenced Charter School. Is an indication of my knowledge and understanding that the information provided in this application will be used to investigate my background and my knowing and voluntary agreement to the background information being publicly disclosed as part of the charter petition review process. Is an indication of my understanding that any reports generated by the Office of Charter Schools will not be confidential and my knowing and voluntary waiver of any such confidentiality. 		
Signature		
		Title:
Date: 7-15-2007		
FOR OFFICE USE ONLY		
Charter School Application Processed by:		
Phone:	Fax:	E-mail:

Appendix B: OUSD Due Diligence Questionnaire.

Oakland Unified School District		
Due Diligence Questionnaire		
Charter Petition Applicant Information		
Name of Applicant (First/Middle/Last):	Cheryl Renee Cranshaw	
Other Names Used (i.e. Maiden):	N/A	
Date of Birth:	1-3-1956	
Current address:	3207 Millsview Ave O	
City:	Oakland	State: CA ZIP: 94619
How long at current address?	25 years	
Prior Addresses (Past five years):		
Background Information		
Criminal History (Date(s) of Arrest(s) or detentions leading to conviction/ Date(s) of Conviction(s)):	PC 487 - 1973	
Education History:	Juris Doctorate (J.D.) Masters Degree - Education	
Employment History:	Public Defender 1990-1997 Therapist 1998 - present	
All Professional Licenses / Credentials Held:	Licensed Attorney LMFT	
Professional Affiliations (Corporate Positions, Board Positions, etc.):		
Fictitious Business Name Affiliations:	Conscious Voices	
Professional References:		
Dr. William Lowe		
Proposed Charter School		
Charter School name: Oakland Youth Services		
Address (if available): 9234 E Street		
City:	Oakland	State: California ZIP: 94603
Legal Entity Behind Charter School (if available):		
Other Charter Schools with which Affiliated (prior and current):		
Location of Other Charter Schools:		
Authorization to Release Information		
My signature affirms that all information on this application is true to the best of my knowledge. Further, I authorize all employers, institutions, government agencies and persons named as references to release information for use in establishing my qualifications and credentials for this position. This authorization:		
<ul style="list-style-type: none"> Removes all liability from those who provide information and verification in response to any information I have stated in applying on behalf of the above referenced Charter School. Releases the Oakland Unified School District and any agent acting on its behalf from any and all liability of whatever nature in requesting or using such information to assess my candidacy on behalf of the above referenced Charter School. Is valid during my entire candidacy and during any resulting period of employment or governing board membership with the above-referenced Charter School. Is an indication of my knowledge and understanding that the information provided in this application will be used to investigate my 		
Signature		
Cheryl Cranshaw		LMFT
Date:	1-17-2021	Title:
FOR OFFICE USE ONLY		
Charter School Application Processed by:		
Phone:	Fax:	E-mail:

Oakland Unified School District Due Diligence Questionnaire

Charter Petition Applicant Information

Name of Applicant (First/Middle/Last): Glenester Irvin

Other Names Used (i.e. Maiden): _____

Date of Birth: 09 09 - 1948

Current address: 1760 View Dr.

City: San Leandro, CA 94577 State: CA ZIP: 94577

How long at current address? 8 years

Prior Addresses (Past five years): _____

Background Information (Please Attach Separate Sheets if Necessary)

Criminal History (Date(s) of Arrest(s) or detentions leading to conviction/ Date(s) of Conviction(s)): None

Education History: Doctr

Employment History: Retired - 30 years as Graystone administrator

All Professional Licenses / Credentials Held: None currently former teacher, Ph.D.

Professional Affiliations (Corporate Positions, Board Positions, etc.): Tower of Life Ministries over 15 years Pres. Board Director

Fictitious Business Name Affiliations: Irvin Care Home & Positive Links LLC

Professional References:
Stephany Clayton Dr. Barbara Staggars, MD
 Colonia Sawyers, LCSW

Proposed Charter School

Charter School name: Oakland Youth Services

Address (if available): 9234 E St.

City: Oakland State: CA ZIP: 94619

Legal Entity Behind Charter School (if available): NA

Other Charter Schools with which Affiliated (prior and current): NA

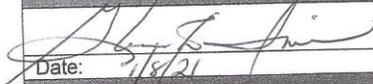
Location of Other Charter Schools: NA

Authorization to Release Information

My signature affirms that all information on this application is true to the best of my knowledge. Further, I authorize all employers, institutions, government agencies and persons named as references to release information for use in establishing my qualifications and credentials for this position. This authorization:

- Removes all liability from those who provide information and verification in response to any information I have stated in applying on behalf of the above referenced Charter School.
- Releases the Oakland Unified School District and any agent acting on its behalf from any and all liability of whatever nature in requesting or using such information to assess my candidacy on behalf of the above referenced Charter School.
- Is valid during my entire candidacy and during any resulting period of employment or governing board membership with the above-referenced Charter School.
- Is an indication of my knowledge and understanding that the information provided in this application will be used to investigate my background and my knowing and voluntary agreement to the background information being publicly disclosed as part of the charter petition review process.
- Is an indication of my understanding that any reports generated by the Office of Charter Schools will not be confidential and my knowing and voluntary waiver of any such confidentiality.

Signature



Date: 5/8/21 Title: Board Member

FOR OFFICE USE ONLY

Charter School Application Processed by: _____

Phone: _____ Fax: _____ E-mail: _____



OAKLAND YOUTH SERVICES CHARTER SCHOOL

2021-2022 Proposed Preliminary Budget and MYP Narrative



Oakland Youth Services Charter School

2021-2022 Proposed Preliminary Budget and MYP

Covid-19 Statement

Oakland Youth Services Charter School originally intended to submit its new charter district petition in the spring of 2020. However, the Covid-19 virus pandemic scuttled those plans and pushed back one year the submission of its initial new charter district petition.

By delaying its submission by one calendar year, Oakland Youth Services Charter School did avoid the brunt of dealing with how to facilitate educating students in the worst of the pandemic as well as the corresponding financial consequences the pandemic caused on the State of California's FY 2020-2021 budget and the ripple effect on the education sector.

With the advent of multiple Covid-19 vaccines and a new push from the Federal Government prioritizing the re-opening of schools, it does appear that Oakland Youth Services Charter School will avoid being materially impacted by Covid-19 should its petition be granted and opening its doors during the FY 2021-2022 school year. As such, the preliminary budget for FY 2021-2022 and the multi-year projections presented for fiscal years 2022-2023, 2023-2024 and 2024-2025 do not include expenditures aimed at combating Covid-19.

If Covid-19 is not under control by the time Oakland Youth Services Charter School opens its doors to accept students for FY 2021-2022, it will need to possibly reallocate resources to ensure the safety of its students and its staff. Finally, the cash flow statements presented do include for each year the deferral of the June LCFF Principal Apportionment payments until the corresponding following month of July. It is a possibility that should the economic fortunes of the State of California continue to rebound that legislation will be introduced to remove the deferrals moving forward. Any new venture, whether it be a public or private endeavor, needs to carefully monitor its cash flows and Oakland Youth Services Charter School will need to be vigilant in that respect.

Oakland Youth Services Charter School
2021-2022 Proposed Preliminary Budget and MYP

	ADA 79.38	ADA 119.07	ADA 158.76	ADA 198.45
	2021-2022 Preliminary Budget	2022-2023 MYP Year 1	2023-2024 MYP Year 2	2024-2025 MYP Year 3
A. REVENUES				
LCFF	878,953	1,357,700	1,865,412	2,294,187
Federal Revenues	0	0	0	0
Other State Revenues	15,797	25,071	33,690	42,340
Other Local Revenues	0	0	0	0
TOTAL REVENUES	894,750	1,382,771	1,899,102	2,336,527
B. EXPENDITURES				
Certificated Salaries	219,900	371,697	545,548	659,614
Classified Salaries	237,100	312,253	343,620	423,350
Employee Benefits	169,648	267,493	339,127	415,567
Books and Supplies	26,695	29,054	31,492	34,005
Services, Other Oper Exp.	179,670	314,940	492,617	725,440
Depreciation Expense	0	0	0	0
Other Outgo	8,790	13,577	18,654	22,942
TOTAL EXPENDITURES	841,802	1,309,014	1,771,058	2,280,918
C. EXCESS (DEFICIENCY) OF REVENUES (A. minus B.)	52,947	73,757	128,045	55,609
D. OTHER FINANCING SOURCES				
Other Financing Sources In	0	0	0	0
Other Financing Sources Out	0	0	0	0
TOTAL OTHER FINANCING SOURCES	0	0	0	0
E. NET INCREASE (DECREASE IN FUND BALANCE (C + D))	52,947	73,757	128,045	55,609
F. FUND BALANCE				
BEGINNING BALANCE	0	52,947	126,704	254,748
ENDING BALANCE (E. plus F.)	52,947	126,704	254,748	310,357
Revolving Cash	0	0	0	0
Economic Uncertainties	0	71,000	88,553	114,046
Restricted Balance	0	0	0	0
Fund Balance, Assigned	0	0	0	0
UNDESIGNATED AMOUNT (Unrestricted Net Assets)	52,947	55,704	166,196	196,311

Oakland Youth Services Charter School

2021-2022 Proposed Preliminary Budget and MYP

■ *Background*

California public agencies, including charter schools, are required by law to prepare financial reports and budgets that show all purposes for which the agency will need financial support. These reports and budgets are prepared on the attached forms prescribed by the State Superintendent of Public Instruction.

As required by California Education Code, the budget is reported to the governing board, public, and county office of education three times per year, as follows:

1. Annual Budget must be adopted by the governing board on or before July 1st (Education Code Sections 42127).
2. First Interim Budget Report (as of October 31st) must be certified by the governing board on or before December 15th (Education Code Sections 42130 and 42131).
3. Second Interim Report (as of January 31st) must be certified by the governing board on or before March 15th (Education Code Sections 42130 and 42131).

In addition to preparing budget information, the Unaudited Actual Financial Reports are presented to the governing board for acceptance on or before September 15th and submitted to the county office of education to be forwarded to the State Superintendent of Public Instruction (Education Code Section 42100).

■ *Budget Certification*

Education Code 42131 (a) (1) states that “pursuant to the reports required by Section 42130, the governing board of each school district or charter shall certify, in writing, within 45 days after the close of the period being reported, whether or not the charter is able to meet its financial obligations for the remainder of the fiscal year, and based on current forecasts, for the subsequent two fiscal years.

A ***positive certification*** shall be assigned if the charter will be able to meet its financial obligations for the current and subsequent two fiscal years.

A ***qualified certification*** shall be assigned if the charter may not be able to meet its financial obligations for the current or two subsequent fiscal years. Copies of qualified Interim reports are sent to the Superintendent of Public Instruction and to the State Controller for review and possible audit. The County Superintendent shall have additional oversight responsibilities for the charter, including the right to assign a fiscal expert to advise the charter. However, the Board still retains all authority for the charter.

A ***negative certification*** shall be assigned if the charter will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year. Copies of negative Interim reports are sent to the Superintendent of Public Instruction and to the State Controller for review and possible audit. The County Superintendent, in consultation with the Superintendent of Public Instruction and governing board, develops and imposes budget revisions that will enable the charter to meet its financial obligations in the current fiscal year. Also, the County Superintendent or appointed fiscal advisor(s) has stay and rescind authority over Board actions that are inconsistent with the charter’s ability to meet financial obligations.

Oakland Youth Services Charter School

2021-2022 Proposed Preliminary Budget and MYP

Budget Assumptions

Oakland Youth Services Charter School is committed to developing its budget and multi-year projections (MYP) to identify anticipated revenue and expense to maintain the school’s fiscal solvency and to present a budget that meets the criteria for positive certification. The most current recommendations *from School Services of California (SSC), Fiscal Crisis Management Assistance Team (FCMAT) and the California Department of Education (CDE)* are used to create the revenue and expenditure assumptions used in the budget and MYP. Chart I provides a summary of Oakland Youth Services Charter School’s major budget assumptions.

Chart I

2021-2022 Preliminary Budget and Multi-Year Projection Assumptions

Assumptions	2021-2022 Base Year	2022-2023 Projected	2023-2024 Projected	2024-2025 Projected
LCFF Per ADA: FCMAT Calculator (TK – 6) (Includes Supplemental and Concentration grant funds)	\$10,626	\$10,943	\$11,276	\$11,276
California Consumer Price Index (CPI)	1.57%	1.82%	2.12%	2.40%
Dept of Finance Estimated Statutory COLA	1.50%	2.98%	3.05%	Not Available
Dept of Finance Estimated Funded COLA	3.84%	2.98%	3.05%	Not Available
P-2 ADA	79.38	119.07	158.79	198.45
Attendance Percentage Assumed	94.50%	94.50%	94.50%	94.50%
Certificated Full-Time Equivalent (FTEs)	4.00	7.00	10.00	12.00
Classified Full-Time Equivalent (FTEs)	8.00	11.00	13.00	15.00
Certificated Work Days	189	189	189	189
Lottery (Unrestricted) per ADA	\$150	\$150	\$150	\$150
Lottery (Restricted) per ADA (instructional materials)	\$49	\$49	\$49	\$49
Health & Welfare per Eligible Employee	\$3,600	\$3,780	\$3,969	\$4,167
Payroll Expense Rates:				
State Teachers’ Retirement System (STRS)	15.92%	18.00%	18.00%	18.00%
Public Employees’ Retirement System (PERS)	23.00%	26.30%	27.30%	27.80%
Social Security (OASDI)	6.20%	6.20%	6.20%	6.20%
Medicare	1.45%	1.45%	1.45%	1.45%
Unemployment Ins & Workers’ Comp (includes ETT, SDI)	4.5%	4.5%	4.5%	4.5%

Oakland Youth Services Charter School

2021-2022 Proposed Preliminary Budget and MYP

Revenue

Revenue Assumptions

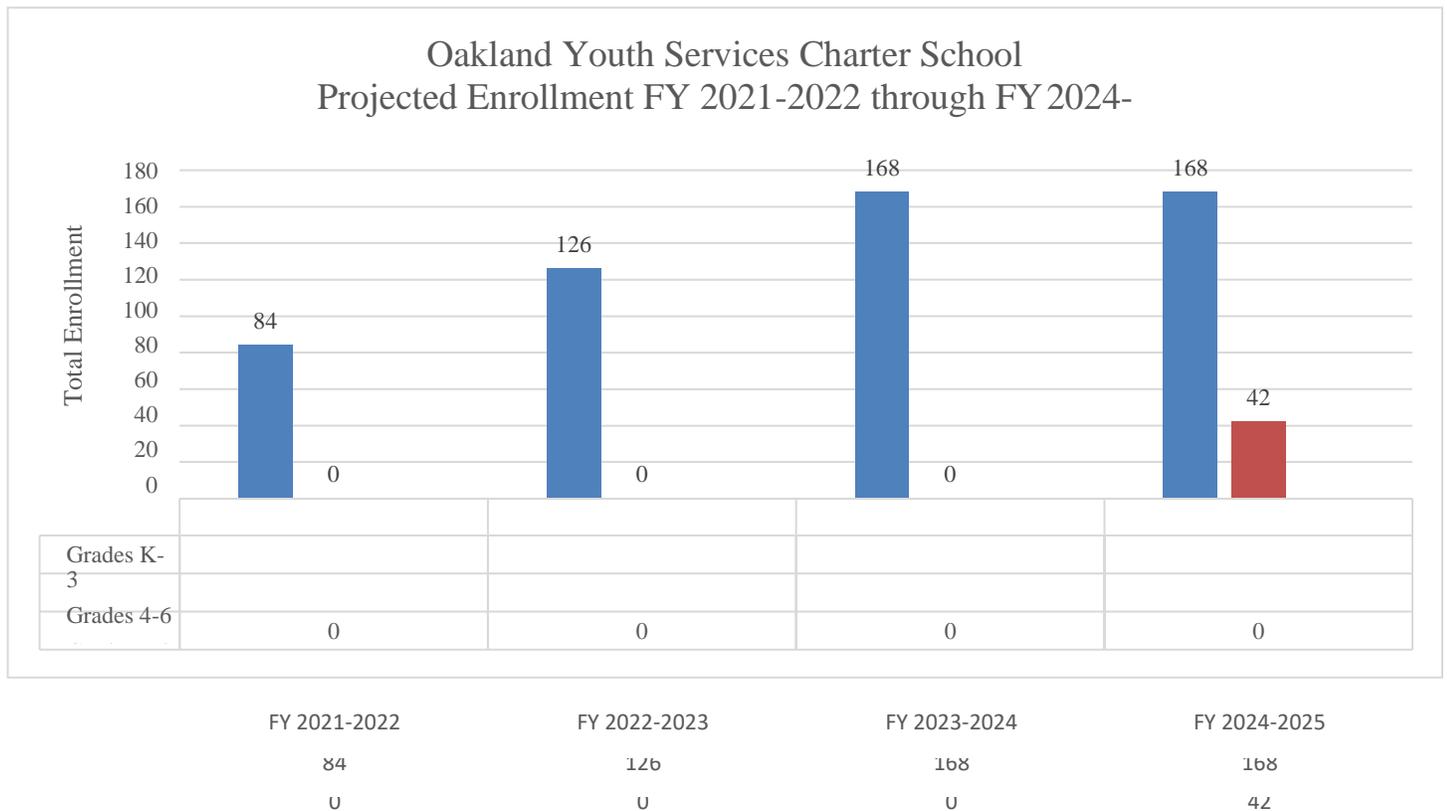
- All rates used are from School Services of California (Governor’s 2021-2022 Budget Dartboard), California Department of Education.
- LCFF Projections are calculated utilizing the most current version of the FCMAT calculator.

Enrollment and Average Daily Attendance

Enrollment:

Oakland Youth Services Charter School plans to open its door commencing with the 2021-2022 school year enrolling 84 students spanning grades TK through 1st Grade. In 2022-2023, the school will open two 2nd Grade sections; in 2023-2024 Oakland Youth Services intends to open two 3rd Grade sections and likewise intends to open two 4th Grade sections in 2024-2025. These projected enrollment levels are shown below in Chart II:

Chart II



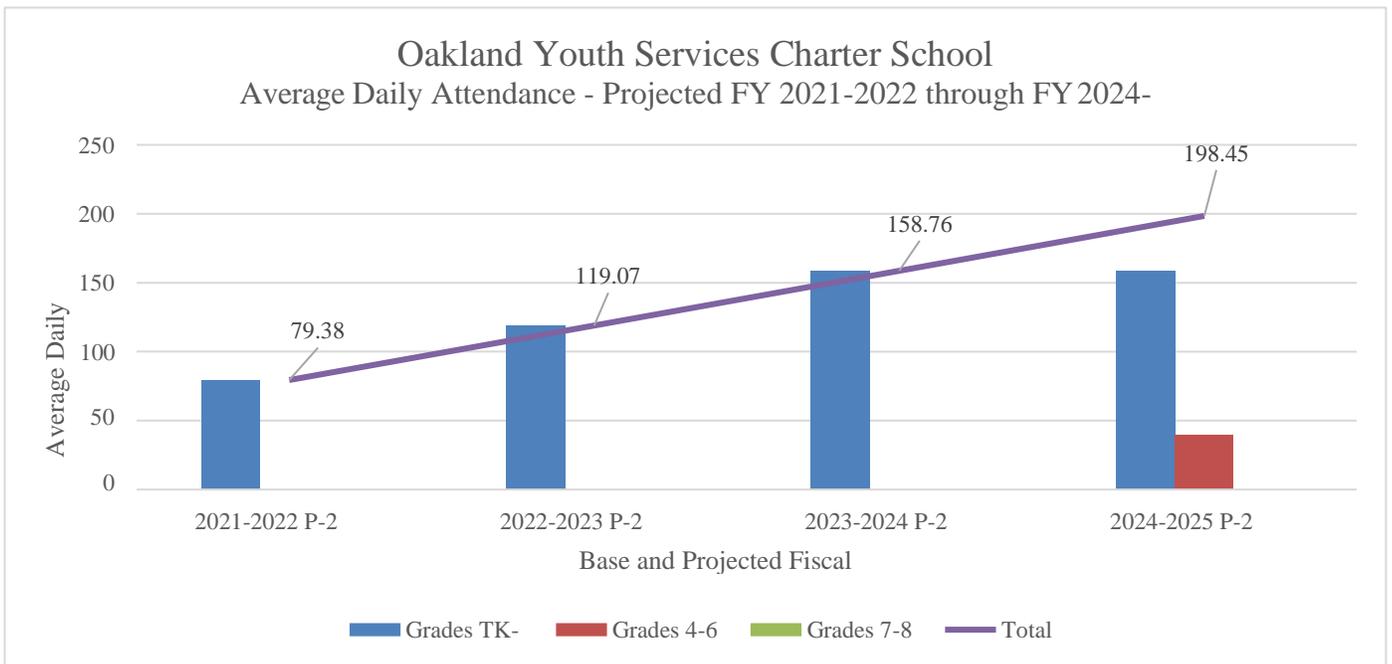
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Average Daily Attendance:

Oakland Youth Services Charter School assumes its Average Daily Attendance (ADA) rate to mirror that of Oakland Unified School District’s current collective charter schools’ rate of 94.50%, which provides the corresponding projected P-2 ADA by grade level shown in Chart III below:

Chart III



Additionally, the charter assumes student demographic characteristics as follows:

- Free & Reduced Lunch % to be 90% of enrolled students.
- Students requiring SPED services to be 5% of enrolled students.
- Students with English as their Second Language to be 15% of enrolled students.

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Finally, the charter assumes an unduplicated student count of 75.57% creating funding in both the supplemental and concentration grant categories based upon the collective unduplicated student counts of existing approved Oakland Unified School District charter schools.

Oakland Youth Services Charter School

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Local Control Funding Formula

The Fiscal Crisis Management Assistance Team (FCMAT) provides a calculator to assist school districts and charter schools in estimating their Local Control Funding Formula (LCFF) funding on an annual basis. Oakland Youth Services Charter School has budgeted utilizing the current FCMAT calculator as outlined in Chart IV:

Chart

LCFF Funding Component	FY 2021-2022	FY 2022-2023	FY2023-2024	FY 2024-2025
8011 – State Aid	\$663,909	\$1,035,135	\$1,435,325	\$1,756,578
8012 – EPA	\$15,876	\$23,814	\$31,752	\$39,690
8096 – In-Lieu Property Taxes	\$199,168	\$298,751	\$398,35	\$497,919
Total LCFF Funding	\$878,953	\$1,357,700	\$1,865,412	\$2,294,187

Source: Current FCMAT LCFF Calculator, **APPENDIX A**

State Aid

Total 2021-2022 LCFF funding is \$878,953. From this total, both Proposition 30 Education Protection Account (EPA) funds of \$15,876 and In-Lieu Property Taxes of \$199,168 must be deducted resulting in adjusted state aid of \$663,909 which includes \$104,282 in supplemental grant funds and \$69,521 in concentration grant funds.

Total 2022-2023 LCFF funding is \$1,357,700. From this total, both EPA funds of \$23,814 and In-Lieu Property Taxes of \$298,751 must be deducted resulting in adjusted state aid of \$1,035,135 which includes \$163,640 in supplemental grant funds and \$111,356 in concentration grant funds.

Total 2023-2024 LCFF funding is \$1,865,412. From this total, both EPA funds of \$31,752 and In-Lieu Property Taxes of \$398,335 must be deducted resulting in adjusted state aid of \$1,435,325 which includes \$224,833 in supplemental grant funds and \$152,998 in concentration grant funds.

Total 2024-2025 LCFF funding is \$2,294,184. From this total, both EPA funds of \$39,690 and In-Lieu Property Taxes of \$497,919 must be deducted resulting in adjusted state aid of \$1,756,578 which includes \$276,512 in supplemental grant funds and \$188,165 in concentration grant funds.

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In-Lieu of Property Tax

Oakland Youth Services Charter School used Oakland Unified School District's California Department of Education 2019-2020 P-2 certified rate of \$2,504.09 per ADA in the calculation for In-Lieu of Property Tax for a total of \$199,168 in the 2021-2020 Preliminary Budget and \$298,751, \$398,335 and \$497,919 in the three projected out years.

Federal Revenue

While Oakland Youth Services Charter School will seek to secure available federal funding, no estimates have been made with respect to federal revenue for the four years of the budget projection to be as conservative as possible in this area. As a dependent charter school, Oakland Youth Services Charter School will seek special education services to be provided by its sponsoring district until the Charter has been accepted into an appropriate Special Education Local Plan Area, or SELPA. Therefore, revenue and expense for purposes of special education is assumed to remain within the Oakland Unified School District's budget for the purposes of these projections.

Other State Revenue

Total 2021-2022 Other State funding is budgeted at \$15,797 as specified below:

Unrestricted lottery funds are budgeted at \$150 per ADA (SSC Dartboard rate) for a total of \$11,907 and Restricted Lottery at \$49 per ADA for a total of \$3,890.

Total 2022-2023 Other State funding is budgeted at \$25,071 as specified below:

Unrestricted lottery funds are budgeted at \$150 per ADA (SSC Dartboard rate) for a total of \$17,861 and Restricted Lottery at \$49 per ADA for a total of \$5,834.

Commencing with the 2022-2023 school year, the Mandated Block Grant is funded at \$17.33 per prior year P-2 ADA for a total of \$1,376 in 2022-2023.

Total 2023-2024 Other State funding is budgeted at \$33,690 as specified below:

Unrestricted lottery funds are budgeted at \$150 per ADA (SSC Dartboard rate) for a total of \$23,814 and Restricted Lottery at \$49 per ADA for a total of \$7,779.

Mandated Block Grant is funded at \$17.61 per prior year P-2 ADA for a total of \$2,097.

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Total 2024-2025 Other State funding is budgeted at \$42,340 as specified below:

Unrestricted lottery funds are budgeted at \$150 per ADA (SSC Dartboard rate) for a total of \$29,768 and Restricted Lottery at \$49 per ADA for a total of \$9,724.

Mandated Block Grant is funded at \$17.94 per prior year P-2 ADA for a total of \$2,848.

Local Revenue

Oakland Youth Services Charter School does not estimate any local revenue for all four years of the budget projection as a measure of conservatism.

Oakland Youth Services Charter School does anticipate an active fundraising campaign with excellent parent involvement and support. However, the Charter does not choose to budget any local revenue until a history of concerted fundraising efforts can be established.

Expenditures

Expenditure Assumptions

- Personnel expenditures are assumed to increase on a yearly basis based upon using the increases in the Consumer Price Index.
- The California's Consumer Price Index rate (provided through SSC) has been applied as appropriate factor for estimating increases in compensation for both certificated and classified personnel.
- Major specific assumptions relating to both salaries and corresponding benefits are outlined in Chart I of this document.
- Certificated salaries have been estimated based off the current Oakland Unified School District's Certificated Salary Schedule for a new hire with a bachelor's degree.
- Classified salaries have been estimated based upon a review of current comparable job listings via various Internet websites including Indeed.com and Edjoin.com.

Oakland Youth Services Charter School 2021-2022 Proposed Preliminary Budget and MYP

Salaries

Certificated:

In 2021-2022, certificated salaries are estimated to total \$219,900 and reflect 4 full-time equivalents (FTEs).

In 2022-2023, certificated salaries are estimated to total \$371,697 and reflect 7 full-time equivalents (FTEs) by adding 3 teaching positions.

In 2023-2024, the Charter estimates 10 FTEs by adding 2 teaching positions and an additional administrative position, totaling \$545,548.

In 2024-2025, the Charter estimates 12 FTEs by adding 2 teaching positions for total certificated related salaries of \$659,614. Certificated salaries include both substitute teacher costs and CPI increases.

Chart V

Certificated Salaries	2021-2022	2022-2023	2023-2024	2024-2025
Teachers' Salaries	142,500	289,275	392,953	499,742
Supervisor/Administrative Salaries	72,000	74,160	141,385	145,626
Substitute Teachers	5,400	8,262	11,210	14,246
Total Certificated Salaries	219,900	371,697	545,548	659,614

Classified:

In 2021-2022, classified salaries are estimated to total \$237,100 and reflect 8 full-time equivalents (FTEs).

In 2022-2023, classified salaries are estimated to total \$312,253 and reflect 11 full-time equivalents (FTEs) due to the addition of 3 teaching assistants.

In 2023-2024, the Charter estimates 13 FTEs by adding 2 teaching assistant positions, totaling \$343,620.

In 2024-2025, the Charter estimates 15 FTEs by adding 2 teaching assistant positions, totaling \$423,350.

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Classified projected salaries include CPI increases and are broken down in Chart VI shown on the following page.

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Chart VI

Classified Salaries	2021-2022	2022-2023	2023-2024	2024-2025
Instructional Support	73,710	143,961	170,280	244,809
Clerical/Office Staff	81,760	84,231	86,739	89,341
Other Classified Staff	81,630	84,079	86,601	89,199
Total Classified Salaries	237,100	312,253	343,620	423,350

Benefits

As a reminder, statutory benefit rates are outlined in Chart I of this document. Oakland Youth Services Charter School will participate and contribute to both the CalSTRS and CalPERS retirement programs as well as all other required statutory benefit programs. The Charter will open its doors with a health and welfare cap of \$3,600 for all full-time employees.

In 2021-2022, total benefits are estimated at \$169,648. In 2022-2023, total benefits rise to \$267,493 a reflection of the rising CalSTRS & CalPERS employer contribution rates and additional personnel. In 2023-2024, total benefit costs again rise to \$339,127 as rates continue to climb and 5.0 FTE is hired to accommodate the Charter’s continued growth. In 2024-2025, total benefit costs increase again to \$415,567 as rates climb and 4.0 FTE is hired to accommodate the Charter’s continued growth.

Chart VII

Employee Benefits	2021-2022	2022-2023	2023-2024	2024-2025
STRS	35,008	66,905	98,199	118,731
PERS	54,533	82,123	93,808	117,691
Medicare & OASDI	21,327	29,277	34,197	41,951
Health & Welfare Benefits	39,974	63,573	81,152	99,609
State Unemployment Insurance	5,096	5,096	5,096	5,096
Workers' Compensation	13,710	20,519	26,675	32,489
Total Employee Benefits	169,648	267,493	339,127	415,567

Books & Supplies

The Charter anticipates startup costs for curriculum and other classroom supplies of \$26,695 in 2021-2022, and ongoing materials and supplies expenses of \$29,054 in 2022-2023, \$31,492 in 2023-2024 and \$34,005 in 2024-2025. The breakdown of these expenses for each projected year is reflected in Chart VIII on the following page:

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Chart VIII

Books and Supplies	2021-2022	2022-2023	2023-2024	2024-2025
Approved Textbooks	1,236	1,500	1,600	1,600
Books & Other Reference Materials	2,654	4,334	6,179	8,124
Materials & Supplies	17,817	18,141	18,526	18,970
Non-Capitalized Equipment	4,988	5,079	5,186	5,311
Total Books and Supplies	26,695	29,054	31,492	34,005

Services & Other Operating Expenditures

The Charter anticipates professional services and other operating expenditures of \$179,670 in 2021-2022, and increased services and leasing costs of \$314,940 in 2022-2023, \$492,617 in 2023-2024 and \$725,440 in 2024-2025. A breakdown of those professional services and other operation expenses are reflected in following chart:

Chart IX

Services, Other Operating Expenses	2021-2022	2022-2023	2023-2024	2024-2025
Travel & Conferences	2,000	2,036	2,080	2,129
Dues & Memberships	0	0	0	0
Insurance	12,000	12,218	12,477	12,777
Utilities & Housekeeping	5,100	5,193	5,303	5,430
Rentals, Leases, Repairs	98,790	142,588	166,611	191,610
Professional/Consulting Services	61,780	152,904	306,146	513,493
Communications	0	0	0	0
Total Services & Other Operating Expenses	179,670	314,940	492,617	725,440

The Charter has not estimated costs for potentially transporting students. At this point it is not clear as to whether the Charter can work with the sponsoring district to provide these services or if the Charter will need to contract these services on its own. If the Charter does contract these services, the amounts shown in Chart VIII above will need to be increased.

Depreciation Expense

Oakland Youth Services Charter School has no plans to purchase any capital assets to run its instructional program and therefore has not budgeted nor projected depreciation expense during the fiscal periods shown.

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Oakland Youth Services Charter School

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Other Outgo

The Charter has budgeted the requisite 1% of projected LCFF funding for oversight responsibilities provided by the sponsoring district for fiscal years 2021-2022, 2022-2023, 2023-2024 and 2024-2025 as shown in the following chart:

Chart X

Other Outgo	2021-2022	2022-2023	2023-2024	2024-2025
District Oversight Fee	8,790	13,577	18,654	22,942
Total Other Outgoing Costs	8,790	13,577	18,654	22,942

Fund Balance

Oakland Youth Services Charter School estimates that it will have positive results from operations in all years provided in this report. Given that these will be the initial start-up years for the Charter it will be incumbent of the Administration and the Governing Board to closely monitor incoming revenues and outgoing expenses to identify quickly any large unanticipated variances. Per Education Code Section 42127(a) (2) (B), the following Charter Reserve for Economic Uncertainties (REU) information will be presented at a public hearing. In its initial operating fiscal year, while the Charter had a positive ending fund balance, there was not enough funds to provide the set-asides that would include the required \$71,000 Reserve for Economic Uncertainty (5%). Additionally, the Charter will identify projected supplemental and concentration funding as specified by the FCMAT calculator in Chart IV of this document for all four years of the projection and will designate a portion of its ending fund balance as “Assigned: Board Designated” if either Supplemental and/or Concentration funding has remained unspent or unallocated at the end of the fiscal period:

As Oakland Youth Services Charter School continues to develop their Local Control Accountability Plan (LCAP), this process will ensure that funds designed to provide service above and beyond the base program are accurately identified and budgeted.

Cash

Oakland Youth Services Charter School is acutely aware that cash and budget are two very different issues. Small schools must always remain vigilant to always assure a positive cash position. New charter schools require greater attention and planning to cover operational expenses as they wait for initial apportionments. To this end, the Charter will either need to work with its sponsoring district or seek short-term borrowing that will provide an initial cash infusion of \$150,000 to ensure cash solvency until first year principal apportionments are received. The Charter will experience up and down swings in its cash position during its initial fiscal year, but it is projected to close out the 2021-2022 with a positive cash balance on hand of \$122,581 based upon accruals for the June 2022 LCFF Principal Apportionment payment, In-Lieu Property Taxes and State Lottery receipts in the amount of \$80,366. In 2022-2023, the charter's cash position grows to \$152,622. In 2023-2024, the charter's cash position again grows to \$234,342 and closes out the projected four-year period at \$250,761 at the end of fiscal year 2024-2025. **Appendix B** provides a four-year cash flow analysis and demonstrates that Oakland Youth Services Charter School will maintain a positive cash position during the projected fiscal years.

Action Requested

It is recommended that Oakland Unified School District approve the Oakland Youth Services Charter School 2021-2022 Preliminary Budget and three-year Multi-Year Projection.

Oakland Youth Services Charter School 2021-2022 Proposed Preliminary Budget and MYP

Appendix B Cashflow Fiscal Year: 2021-2022

Oakland Youth Services	Resource	Object Code	Budget	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD Actuals Plus Projected Cash	Accruals	Totals	Variance
			Prelim	Projectio															
Beginning Cash Balance			\$150,000	\$150,000	\$128,412	\$73,057	\$19,535	\$194,079	\$137,090	\$100,058	\$151,281	\$152,664	\$165,422	\$172,198	\$162,849				
Receipts																			
Revenue Limit Sources																			
	0000	8010 - 8099																	
LC FF	0000	8011	\$663,909	\$0	\$0	\$0	\$245,646	\$0	\$0	\$119,504	\$59,752	\$59,752	\$59,752	\$59,752		\$604,157	\$59,752	\$663,909	\$0
EP A	1400	8012	\$15,876	\$0	\$0	\$3,969	\$0	\$0	\$3,969	\$0	\$0	\$3,969	\$0	\$0	\$3,969	\$15,876	\$0	\$15,876	\$0
In-Lieu Taxes	0000	8096	\$199,168	\$0	\$11,950	\$23,900	\$15,933	\$15,933	\$15,933	\$15,933	\$15,933	\$27,605	\$13,970	\$13,970	\$13,970	\$185,031	\$14,137	\$199,168	\$0
Other State Revenues																			
		8300 - 8599														\$0			\$0
Unrestricted State Lottery	1100	8560	\$11,907	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,215	\$0	\$3,810	\$0	\$0	\$7,025	\$4,882	\$11,907	\$0
Restricted State Lottery	6300	8560	\$3,890	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,050	\$0	\$1,245	\$0	\$0	\$2,295	\$1,595	\$3,890	\$0
All Other State	0000	8590	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Receipts			\$894,750	\$0	\$11,950	\$27,869	\$261,580	\$15,933	\$19,902	\$135,437	\$79,950	\$91,325	\$78,776	\$73,721	\$17,938	\$814,384	\$80,366	\$894,750	\$0
Disbursements																			
Certificated Salaries		1000 - 1999	\$219,900	\$6,000	\$19,445	\$19,445	\$19,445	\$19,445	\$19,445	\$19,445	\$19,445	\$19,445	\$19,445	\$19,445	\$19,445	\$219,900	\$0	\$219,900	\$0
Classified Salaries		2000 - 2999	\$237,100	\$0	\$17,563	\$25,090	\$27,599	\$21,326	\$13,799	\$26,344	\$23,835	\$23,835	\$20,072	\$27,599	\$10,036	\$237,100	\$0	\$237,100	\$0
Employee Benefits		3000 - 3999	\$169,648	\$2,279	\$14,059	\$16,919	\$17,872	\$15,489	\$12,630	\$17,396	\$16,442	\$16,442	\$15,013	\$13,906	\$11,200	\$169,648	\$0	\$169,648	\$0
Supplies & Materials		4000 - 4999	\$26,695	\$0	\$1,977	\$2,825	\$3,107	\$2,401	\$1,554	\$2,966	\$2,684	\$2,684	\$2,260	\$3,107	\$1,130	\$26,695	\$0	\$26,695	\$0
Services & Other Operating Expense		5000 - 5999	\$179,670	\$13,309	\$14,260	\$17,111	\$19,013	\$14,260	\$9,506	\$18,062	\$16,161	\$16,161	\$15,210	\$19,013	\$7,605	\$179,670	\$0	\$179,670	\$0
Other Outgoing		7000 - 7999	\$8,790	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$8,790	\$8,790	\$0	\$8,790	\$0
Total Disbursements			\$841,803	\$21,588	\$67,305	\$81,391	\$87,037	\$72,922	\$56,935	\$84,214	\$78,568	\$78,568	\$72,000	\$83,071	\$58,206	\$841,803	(\$0)	\$841,803	\$0
Assets																			
Accounts Receivable		9200	\$0													\$0	\$0	\$0	\$0
Prior Year State Aid		9200	\$0						\$0							\$0	\$0	\$0	\$0
Total Assets			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Liabilities																			
Accounts Payable (Current Liabilities)		9500	\$0																
Total Liabilities			\$0	\$0	\$0.00	\$0	\$0.00	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0				
Receipts, Assets				\$0	\$11,950	\$27,869	\$261,580	\$15,933	\$19,902	\$135,437	\$79,950	\$91,325	\$78,776	\$73,721	\$17,938				
Disbursements, Liabilities				\$21,588	\$67,305	\$81,391	\$87,037	\$72,922	\$56,935	\$84,214	\$78,568	\$78,568	\$72,000	\$83,071	\$58,206				
Ending Cash Balance				\$128,412	\$73,057	\$19,535	\$194,079	\$137,090	\$100,058	\$151,281	\$152,664	\$165,422	\$172,198	\$162,849	\$122,581				

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Appendix B Cashflow Fiscal Year: 2022-2023

Oakland Youth Services	Resource	Object Code	Estimated Ending	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD Actuals Plus Projected Cash	Accruals	Totals	Variance
			FY 2021-	Projection															
Beginning Cash Balance			\$122,581	\$122,581	\$222,199	\$186,964	\$197,413	\$182,407	\$187,252	\$222,359	\$210,805	\$213,848	\$233,953	\$244,202	\$225,569				
Receipts																			
Revenue Limit Sources																			
	0000	8010 - 8099																	
LCF	0000	8011	\$1,035,135	\$51,757	\$51,757	\$93,162	\$93,162	\$93,162	\$93,162	\$93,162	\$93,162	\$93,162	\$93,162	\$93,162	\$0	\$941,973	\$93,162	\$1,035,135	\$0
EP A	1400	8012	\$23,814	\$0	\$0	\$5,954	\$0	\$0	\$5,954	\$0	\$0	\$5,954	\$0	\$0	\$5,954	\$23,814	\$0	\$23,814	\$0
In-Lieu Taxes	0000	8096	\$298,751	\$0	\$17,925	\$35,850	\$23,900	\$23,900	\$23,900	\$23,900	\$23,900	\$41,407	\$20,954	\$20,954	\$20,954	\$277,546	\$21,205	\$298,751	\$0
Other State Revenues		8300 - 8599														\$0			\$0
Unrestricted State Lottery	1100	8560	\$17,861	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,822	\$0	\$5,716	\$0	\$10,538	\$7,323	\$17,861	\$0	
Restricted State Lottery	6300	8560	\$5,834	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,575	\$0	\$1,867	\$0	\$3,442	\$2,392	\$5,834	\$0	
All Other State	0000	8590	\$1,376	\$0	\$0	\$0	\$0	\$0	\$1,376	\$0	\$0	\$0	\$0	\$0	\$1,376	\$0	\$1,376	\$0	
Total Receipts			\$1,382,771	\$51,757	\$69,682	\$134,966	\$117,062	\$117,062	\$124,392	\$117,062	\$123,460	\$140,523	\$121,699	\$114,117	\$26,908	\$1,258,689	\$124,082	\$1,382,771	\$0
Disbursements																			
Certificated Salaries		1000 - 1999	\$371,697	\$6,180	\$33,229	\$33,229	\$33,229	\$33,229	\$33,229	\$33,229	\$33,229	\$33,229	\$33,229	\$33,229	\$33,229	\$371,697	\$0	\$371,697	\$0
Classified Salaries		2000 - 2999	\$312,253	\$0	\$23,130	\$33,043	\$36,347	\$28,086	\$18,173	\$34,695	\$31,391	\$31,391	\$26,434	\$36,347	\$13,217	\$312,253	\$0	\$312,253	\$0
Employee Benefits		3000 - 3999	\$267,493	\$2,348	\$21,411	\$25,177	\$26,432	\$23,294	\$19,528	\$25,804	\$24,549	\$24,549	\$22,666	\$26,465	\$25,272	\$267,493	\$0	\$267,493	\$0
Supplies & Matierals		4000 - 4999	\$29,054	\$0	\$2,152	\$3,074	\$3,382	\$2,613	\$1,691	\$3,228	\$2,921	\$2,921	\$2,460	\$3,382	\$1,230	\$29,054	\$0	\$29,054	\$0
Services & Other Operating Expense		5000 - 5999	\$314,940	\$23,329	\$24,995	\$29,994	\$33,327	\$24,995	\$16,663	\$31,661	\$28,328	\$28,328	\$26,662	\$33,327	\$13,331	\$314,940	\$0	\$314,940	\$0
Other Outgoing		7000 - 7999	\$13,577	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$13,577	\$13,577	\$0	\$13,577	\$0
Total Disbursements			\$1,309,014	\$31,857	\$104,917	\$124,517	\$132,716	\$112,217	\$89,284	\$128,617	\$120,417	\$120,417	\$111,450	\$132,749	\$99,855	\$1,309,014	\$0	\$1,309,014	\$0
Assets																			
Accounts Receivable		9200	\$80,366	\$79,718			\$648									\$80,366	\$0	\$80,366	\$0
Prior Year State Aid		9200	\$0						\$0							\$0	\$0	\$0	\$0
Total Assets			\$80,366	\$79,718	\$0	\$0	\$648	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$80,366	\$0	\$80,366	\$0
Liabilities																			
Accounts Payable (Current Liabilities)		9500	\$0																
Total Liabilities			\$0	\$0	\$0.00	\$0	\$0.00	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0				
Receipts, Assets				\$131,475	\$69,682	\$134,966	\$117,710	\$117,062	\$124,392	\$117,062	\$123,460	\$140,523	\$121,699	\$114,117	\$26,908				
Disbursements, Liabilities				\$31,857	\$104,917	\$124,517	\$132,716	\$112,217	\$89,284	\$128,617	\$120,417	\$120,417	\$111,450	\$132,749	\$99,855				
Ending Cash Balance				\$222,199	\$186,964	\$197,413	\$182,407	\$187,252	\$222,359	\$210,805	\$213,848	\$233,953	\$244,202	\$225,569	\$152,622				

Oakland Youth Services Charter School 2021-2022 Proposed Preliminary Budget and MYP

Appendix B Cashflow Fiscal Year: 2023-2024

Oakland Youth Services	Resource	Object Code	Estimated Ending	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD Actuals Plus Projected Cash	Accruals	Totals	Variance
			FY 2022-	Projection															
Beginning Cash Balance			\$152,622	\$152,622	\$295,102	\$247,257	\$264,792	\$248,512	\$258,021	\$306,649	\$295,031	\$302,506	\$332,732	\$348,492	\$327,631				
Receipts																			
Revenue Limit Sources																			
	0000	8010 - 8099																	
LC FF	0000	8011	\$1,435,325	\$71,766	\$71,766	\$129,179	\$129,179	\$129,179	\$129,179	\$129,179	\$129,179	\$129,179	\$129,179	\$129,179	\$0	\$1,306,146	\$129,179	\$1,435,325	\$0
EP A	1400	8012	\$31,752	\$0	\$0	\$7,938	\$0	\$0	\$7,938	\$0	\$0	\$7,938	\$0	\$0	\$7,938	\$31,752	\$0	\$31,752	\$0
In-Lieu Taxes	0000	8096	\$398,335	\$0	\$23,900	\$47,800	\$31,867	\$31,867	\$31,867	\$31,867	\$31,867	\$55,209	\$27,939	\$27,939	\$27,939	\$370,061	\$28,274	\$398,335	\$0
Other State Revenues		8300 - 8599														\$0			\$0
Unrestricted State Lottery	1100	8560	\$23,814	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$6,430	\$0	\$7,620	\$0	\$0	\$14,050	\$9,764	\$23,814	\$0
Restricted State Lottery	6300	8560	\$7,779	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,100	\$0	\$2,489	\$0	\$0	\$4,590	\$3,189	\$7,779	\$0
All Other State	0000	8590	\$2,097	\$0	\$0	\$0	\$0	\$0	\$2,097	\$0	\$0	\$0	\$0	\$0	\$0	\$2,097	\$0	\$2,097	\$0
Total Receipts			\$1,899,102	\$71,766	\$95,666	\$184,917	\$161,046	\$161,046	\$171,081	\$161,046	\$169,576	\$192,326	\$167,228	\$157,118	\$35,877	\$1,728,696	\$170,406	\$1,899,102	\$0
Disbursements																			
Certificated Salaries		1000 - 1999	\$545,548	\$11,782	\$48,524	\$48,524	\$48,524	\$48,524	\$48,524	\$48,524	\$48,524	\$48,524	\$48,524	\$48,524	\$48,524	\$545,548	\$0	\$545,548	\$0
Classified Salaries		2000 - 2999	\$343,620	\$0	\$25,453	\$36,362	\$39,998	\$30,908	\$19,999	\$38,180	\$34,544	\$34,544	\$29,090	\$39,998	\$14,545	\$343,620	\$0	\$343,620	\$0
Employee Benefits		3000 - 3999	\$339,127	\$4,476	\$28,104	\$32,248	\$33,630	\$30,176	\$26,032	\$32,939	\$31,558	\$31,558	\$29,485	\$33,663	\$25,259	\$339,127	\$0	\$339,127	\$0
Supplies & Materials		4000 - 4999	\$31,492	\$0	\$2,333	\$3,332	\$3,666	\$2,833	\$1,833	\$3,499	\$3,166	\$3,166	\$2,666	\$3,666	\$1,333	\$31,492	\$0	\$31,492	\$0
Services & Other Operating Expense		5000 - 5999	\$492,617	\$36,490	\$39,097	\$46,916	\$52,129	\$39,097	\$26,064	\$49,522	\$44,309	\$44,309	\$41,703	\$52,129	\$20,852	\$492,617	\$0	\$492,617	\$0
Other Outgoing		7000 - 7999	\$18,654	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$18,654	\$18,654	\$0	\$18,654	\$0
Total Disbursements			\$1,771,058	\$52,748	\$143,511	\$167,383	\$177,946	\$151,537	\$122,452	\$172,665	\$162,101	\$162,101	\$151,468	\$177,979	\$129,166	\$1,771,058	\$0	\$1,771,058	\$0
Assets																			
Accounts Receivable		9200	\$124,082	\$123,462			\$621									\$124,082	\$0	\$124,082	\$0
Prior Year State Aid		9200	\$0						\$0							\$0	\$0	\$0	\$0
Total Assets			\$124,082	\$123,462	\$0	\$0	\$621	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$124,082	\$0	\$124,082	\$0
Liabilities																			
Accounts Payable (Current Liabilities)		9500	\$0																
Total Liabilities			\$0	\$0	\$0.00	\$0	\$0.00	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0				
Receipts, Assets				\$195,228	\$95,666	\$184,917	\$161,667	\$161,046	\$171,081	\$161,046	\$169,576	\$192,326	\$167,228	\$157,118	\$35,877				
Disbursements, Liabilities				\$52,748	\$143,511	\$167,383	\$177,946	\$151,537	\$122,452	\$172,665	\$162,101	\$162,101	\$151,468	\$177,979	\$129,166				
Ending Cash Balance				\$295,102	\$247,257	\$264,792	\$248,512	\$258,021	\$306,649	\$295,031	\$302,506	\$332,732	\$348,492	\$327,631	\$234,342				

Oakland Youth Services Charter School 2021-2022 Proposed Preliminary Budget and MYP

Appendix B Cashflow Fiscal Year: 2024-2025

Oakland Youth Services	Resource	Object Code	Estimated Ending	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD Actuals Plus Projected Cash	Accruals	Totals	Variance	
			FY 2023-2024	Projection	Projected	Projected														
Beginning Cash Balance			\$234,342	\$234,342	\$420,800	\$353,914	\$365,950	\$335,253	\$338,777	\$393,887	\$368,975	\$368,943	\$397,349	\$408,033	\$371,069					
Receipts																				
Revenue Limit Sources																				
	0000	8010 - 8099																		
LCF F	0000	8011	\$1,756,578	\$87,829	\$87,829	\$158,092	\$158,092	\$158,092	\$158,092	\$158,092	\$158,092	\$158,092	\$158,092	\$158,092	\$158,092	\$0	\$1,598,486	\$158,092	\$1,756,578	\$0
EPA	1400	8012	\$39,690	\$0	\$0	\$9,923	\$0	\$0	\$9,923	\$0	\$0	\$9,923	\$0	\$0	\$9,923	\$39,690	\$0	\$39,690	\$0	
In-Lieu Taxes	0000	8096	\$497,919	\$0	\$29,875	\$59,750	\$39,834	\$39,834	\$39,834	\$39,834	\$39,834	\$69,012	\$34,924	\$34,924	\$34,924	\$462,577	\$35,342	\$497,919	\$0	
Other State Revenues																				
		8300 - 8599														\$0			\$0	
Unrestricted State Lottery	1100	8560	\$29,768	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$8,037	\$0	\$9,526	\$0	\$0	\$17,563	\$12,205	\$29,768	\$0	
Restricted State Lottery	6300	8560	\$9,724	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,625	\$0	\$3,112	\$0	\$0	\$5,737	\$3,987	\$9,724	\$0	
All Other State	0000	8590	\$2,848	\$0	\$0	\$0	\$0	\$0	\$2,848	\$0	\$0	\$0	\$0	\$0	\$0	\$2,848	\$0	\$2,848	\$0	
Total Receipts			\$2,336,527	\$87,829	\$117,704	\$227,765	\$197,926	\$197,926	\$210,696	\$197,926	\$208,588	\$237,026	\$205,653	\$193,016	\$44,847	\$2,126,901	\$209,626	\$2,336,527	\$0	
Disbursements																				
Certificated Salaries		1000 - 1999	\$659,614	\$12,136	\$58,862	\$58,862	\$58,862	\$58,862	\$58,862	\$58,862	\$58,862	\$58,862	\$58,862	\$58,862	\$58,862	\$659,614	\$0	\$659,614	\$0	
Classified Salaries		2000 - 2999	\$423,350	\$0	\$31,359	\$44,799	\$49,279	\$38,079	\$24,639	\$47,039	\$42,559	\$42,559	\$35,839	\$49,279	\$17,920	\$423,350	\$0	\$423,350	\$0	
Employee Benefits		3000 - 3999	\$415,567	\$4,610	\$34,275	\$39,381	\$41,083	\$36,828	\$31,722	\$40,232	\$38,530	\$38,530	\$35,977	\$41,116	\$33,285	\$415,567	\$0	\$415,567	\$0	
Supplies & Materials		4000 - 4999	\$34,005	\$0	\$2,519	\$3,598	\$3,958	\$3,059	\$1,979	\$3,778	\$3,418	\$3,418	\$2,879	\$3,958	\$1,439	\$34,005	\$0	\$34,005	\$0	
Services & Other Operating Expense		5000 - 5999	\$725,440	\$53,736	\$57,575	\$69,090	\$76,766	\$57,575	\$38,383	\$72,928	\$65,251	\$65,251	\$61,413	\$76,766	\$30,706	\$725,440	\$0	\$725,440	\$0	
Other Outgoing		7000 - 7999	\$22,942	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$22,942	\$22,942	\$0	\$22,942	\$0	
Total Disbursements			\$2,280,918	\$70,482	\$184,589	\$215,729	\$229,947	\$194,402	\$155,585	\$222,838	\$208,620	\$208,620	\$194,969	\$229,980	\$165,154	\$2,280,918	(\$0)	\$2,280,918	\$0	
Assets																				
Accounts Receivable		9200	\$170,436	\$169,111			\$1,325									\$170,436	\$0	\$170,436	\$0	
Prior Year State Aid		9200	\$0						\$0							\$0	\$0	\$0	\$0	
Total Assets			\$170,436	\$169,111	\$0	\$0	\$1,325	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$170,436	\$0	\$170,436	\$0	
Liabilities																				
Accounts Payable (Current Liabilities)		9500	\$0																	
Total Liabilities			\$0	\$0	\$0.00	\$0	\$0.00	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Receipts, Assets				\$256,940	\$117,704	\$227,765	\$199,251	\$197,926	\$210,696	\$197,926	\$208,588	\$237,026	\$205,653	\$193,016	\$44,847					
Disbursements, Liabilities				\$70,482	\$184,589	\$215,729	\$229,947	\$194,402	\$155,585	\$222,838	\$208,620	\$208,620	\$194,969	\$229,980	\$165,154					
Ending Cash Balance				\$420,800	\$353,914	\$365,950	\$335,253	\$338,777	\$393,887	\$368,975	\$368,943	\$397,349	\$408,033	\$371,069	\$250,761					

Oakland Youth Services Charter School

2021-2022 Proposed Preliminary Budget and MYP

LCFF Calculator Universal Assumptions				
Oakland Youth Services - Oakland Youth		1/21/2021		
Summary of Funding				
	2021-22	2022-23	2023-24	2024-25
Target Components:				
COLA & Augmentation	3.84%	2.98%	3.05%	0.00%
Base Grant Proration Factor	0.00%	0.00%	0.00%	0.00%
Add-on, ERT & MSA Proration Factor	0.00%	0.00%	0.00%	0.00%
Base Grant	634,881	980,661	1,347,396	1,689,325
Grade Span Adjustment	66,044	102,043	140,185	140,185
Supplemental Grant	105,938	163,640	224,833	276,512
Concentration Grant	72,090	111,356	152,998	188,165
Add-ons	-	-	-	-
Total Target	878,953	1,357,700	1,865,412	2,294,187
Transition Components:				
Target	\$ 878,953	\$ 1,357,700	\$ 1,865,412	\$ 2,294,187
Funded Based on Target Formula (PY P-2)	TRUE	TRUE	TRUE	TRUE
Floor	-	-	-	-
<i>Remaining Need after Gap (informational only)</i>				
Gap %	100%	100%	100%	100%
Current Year Gap Funding	-	-	-	-
Miscellaneous Adjustments	-	-	-	-
Economic Recovery Target	-	-	-	-
Additional State Aid	-	-	-	-
Total LCFF Entitlement	\$ 878,953	\$ 1,357,700	\$ 1,865,412	\$ 2,294,187
Components of LCFF By Object Code				
	2021-22	2022-23	2023-24	2024-25
8011 - State Aid	\$ 663,909	\$ 1,035,135	\$ 1,435,325	\$ 1,756,578
8011 - Fair Share	-	-	-	-
8311 & 8590 - Categorical	-	-	-	-
EPA (for LCFF Calculation purposes)	15,876	23,814	31,752	39,690
<i>Local Revenue Sources:</i>				
8021 to 8089 - Property Taxes	-	-	-	-
8096 - In-Lieu of Property Taxes	199,168	298,751	398,335	497,919
<i>Property Taxes net of in-lieu</i>	-	-	-	-
TOTAL FUNDING	\$ 878,953	\$ 1,357,700	\$ 1,865,412	\$ 2,294,187
<i>Basic Aid Status</i>	-	-	\$ -	\$ -
<i>Less: Excess Taxes</i>	\$ -	\$ -	\$ -	\$ -
<i>Less: EPA in Excess to LCFF Funding</i>	\$ -	\$ -	\$ -	\$ -
Total Phase-In Entitlement	\$ 878,953	\$ 1,357,700	\$ 1,865,412	\$ 2,294,187
EPA Details				
% of Adjusted Revenue Limit - Annual	19.00000000%	19.00000000%	19.00000000%	19.00000000%
% of Adjusted Revenue Limit - P-2	19.00000000%	19.00000000%	19.00000000%	19.00000000%
EPA (for LCFF Calculation purposes)	\$ 15,876	\$ 23,814	\$ 31,752	\$ 39,690
8012 - EPA, Current Year Receipt (P-2 plus Current Year Accrual)	15,876	23,814	31,752	39,690
8019 - EPA, Prior Year Adjustment (P-A less Prior Year Accrual)	-	-	-	-
Accrual (from Assumptions)	-	-	-	-

Oakland Youth Services Charter School

2021-2022 Proposed Preliminary Budget and MYP

LCFF Calculator Universal Assumptions				
Oakland Youth Services - Oakland Youth		1/21/2021		
Summary of Student Population				
	2021-22	2022-23	2023-24	2024-25
Unduplicated Pupil Population				
Enrollment	84	126	168	210
COE Enrollment	-	-	-	-
<i>Total Enrollment</i>	<i>84</i>	<i>126</i>	<i>168</i>	<i>210</i>
Unduplicated Pupil Count	63	95	127	159
COE Unduplicated Pupil Count	-	-	-	-
<i>Total Unduplicated Pupil Count</i>	<i>63</i>	<i>95</i>	<i>127</i>	<i>159</i>
Rolling %, Supplemental Grant	75.5700%	75.5700%	75.5700%	75.5700%
Rolling %, Concentration Grant	75.5700%	75.5700%	75.5700%	75.5700%
FUNDED ADA				
Adjusted Base Grant ADA	<i>Current Year</i>	<i>Current Year</i>	<i>Current Year</i>	<i>Current Year</i>
Grades TK-3	79.38	119.07	158.76	158.76
Grades 4-6	-	-	-	39.69
Grades 7-8	-	-	-	-
Grades 9-12	-	-	-	-
Total Adjusted Base Grant ADA	79.38	119.07	158.76	198.45
Necessary Small School ADA	<i>Current year</i>	<i>Current year</i>	<i>Current year</i>	<i>Current year</i>
Grades TK-3	-	-	-	-
Grades 4-6	-	-	-	-
Grades 7-8	-	-	-	-
Grades 9-12	-	-	-	-
Total Necessary Small School ADA	-	-	-	-
Total Funded ADA	79.38	119.07	158.76	198.45
ACTUAL ADA (Current Year Only)				
Grades TK-3	79.38	119.07	158.76	158.76
Grades 4-6	-	-	-	39.69
Grades 7-8	-	-	-	-
Grades 9-12	-	-	-	-
Total Actual ADA	79.38	119.07	158.76	198.45
<i>Funded Difference (Funded ADA less Actual ADA)-</i>				
		-	-	-

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

Resolution No. 2021-0212B

Denial of Oakland Youth Services Remanded Charter Petition

WHEREAS, Oakland Youth Services (“OYS” or “Charter School”) is seeking an initial charter term of five years commencing July 1, 2021;

WHEREAS, OYS submitted a request to approve a New Charter Petition (“Original Petition”) that was deemed complete and received by the District on February 1, 2021;

WHEREAS, a public hearing on the Original Petition was properly noticed and held by the Board of Education of OUSD (“Board”) on March 10, 2021;

WHEREAS, the District’s Original Staff Report was properly and timely posted by April 13, 2021;

WHEREAS, the decision hearing on the Original Petition was properly noticed and held by the Board on April 28, 2021;

WHEREAS, the Board properly voted to deny the Original Petition via Resolution No. 2021-0212;

WHEREAS, OYS appealed the District’s denial to the Alameda County Board of Education (“ACBOE”) on May 27, 2021;

WHEREAS, ACBOE properly voted to remand the petition back to OUSD on July 13, 2021 as the petition submitted to ACBOE contained new or different material terms compared to the Original Petition;

WHEREAS, the reconsideration hearing for the remanded petition (“Remanded Petition”) was properly noticed and held by the Board on August 11, 2021;

WHEREAS, the Board properly voted to deny the Remanded Petition via Resolution No. 2021-0212A;

WHEREAS, OYS appealed the District’s denial to ACBOE on September 8, 2021;

WHEREAS, ACBOE properly voted to remand the Remanded Petition back to OUSD on October 26, 2021 as the petition submitted to ACBOE contained new or different material terms compared to the Remanded Petition;

WHEREAS, the reconsideration hearing for the second remanded petition (“Second Remanded Petition”) is timely scheduled for November 17, 2021;

WHEREAS, the Charter Schools Act (Ed. Code § 47600 *et seq.*), as amended most recently by Assembly Bill No. 1505 (“CSA”), establishes the standards and criteria by which charter school petitions are to be approved or denied;

WHEREAS, Education Code section 47605(k)(1)(A)(i) states: “If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. . . . If the petition submitted on appeal contains new or different material terms, the county board of education shall immediately remand the petition to the governing board of the school district for reconsideration, which shall grant or deny the petition within 30 days”;

WHEREAS, Education Code § 47605(k)(1)(A)(iii) defines “material terms” of the petition to mean “the signatures, affirmations, disclosures, documents, and descriptions described in subdivisions (a), (b), (c), and (h), but shall not include minor administrative updates to the petition or related documents due to changes in circumstances based on the passage of time related to fiscal affairs, facilities arrangements, or state law, or to reflect the county board of education as the chartering authority”;

WHEREAS, the Original Staff Report, the First Supplemental Staff Report, and the Second Supplemental Staff Report, all attached hereto and incorporated herein by reference, groups the aforementioned “standards and criteria” into five criteria as follows:

- Criterion 1: Has the Petitioner Presented a Sound Educational Program? [§47605(c)(1)]
- Criterion 2: Is the Petitioner Demonstrably Likely to Successfully Implement the Proposed Educational Program? [§47605(c)(2)]
- Criterion 3: Is the Petition Reasonably Comprehensive? [§47605(c)(3)-(6);§47605(h)]
- Criterion 4: Is the Proposed Charter School Demonstrably Likely to Serve the Interests of the Entire Community in Which the School is Proposing to Locate? [§47605(c)(7)]
- Criterion 5: Is the School District Positioned to Absorb the Fiscal Impact of the Proposed Charter School? [§47605(c)(8)];

WHEREAS, the Second Supplemental Staff Report, in evaluating changes in the Second Remanded Petition (as compared with what was in the First Remanded Petition), found that those changes failed to alter the fundamental conclusion of the Original Staff Report and the First Supplemental Staff Report that the Second Remanded Petition does not meet the criteria for new petitions; and

WHEREAS, on this basis, the Second Supplemental Staff Report recommended denial of the Second Remanded Petition.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts all aspects of the Original Staff Report, the First Supplemental Staff Report, and the Second Supplemental Staff Report on the Second Remanded Petition in favor of denial except to the extent that any aspect of either is inconsistent with this Resolution;

BE IT FURTHER RESOLVED THAT, the Board reaffirms and, to the extent applicable, updates its conclusions from Resolution No. 2021-0212 and Resolution No. 2021-0212A that OYS *presents an unsound educational program for the pupils to be enrolled in OYS* and incorporates specific facts found in the Original Staff Report, the First Supplemental Staff Report, and the Second Supplemental Staff Report to support this updated finding including, but not limited to, the following:

- Discusses a variety of literacy assessment tools and options, to be implemented by teachers, which are overly taxing without cohesive discussion of how these will collectively be used,
- Lacks a comprehensive discussion of formative assessment tools in mathematics,
- Holds unrealistic expectations for staff and lacks discussion of the overall leadership approach with respect to the professional development plan,
- Proposes several programming ideas without articulating funding sources (e.g., parental English classes, bussing for every student that needs it),
- Mentions a dual language model once in the petition, with no details or further description,
- Suggests that all English Learner students will be Spanish speakers and that every classroom will have one adult who speaks every language in the room,
- Mentions “Special Education teachers” but does not discuss any specific programmatic elements with respect to the special education program, and
- Fails to serve students with disabilities;

BE IT FURTHER RESOLVED THAT, in addition to and separately from the prior paragraph, the Board reaffirms and, to the extent applicable, updates its conclusions from Resolution No. 2021-0212 and Resolution No. 2021-0212A that OYS *is demonstrably unlikely to successfully implement the program set forth in the petition* and incorporates specific facts found in the Original Staff Report, the First Supplemental Staff Report, and the Second Supplemental Staff Report to support this updated finding including, but not limited to, the following:

- Projected budget is extremely unrealistic and missing key elements, such as the costs of participating in any SELPA and the costs of student food services,
- Projected budget for the 2024-25 school year includes enrollment of 42 students in grade 4, although the petition does not propose to serve students in grade 4,
- Several inconsistencies between the petition and the bylaws, including the number of board members, the number of family board members, and the term length,
- Petition lacks a comprehensive hiring plan, including mechanisms to recruit and hire school leadership, teachers, and support staff, and
- Governance structure is unclear and has significant irregularities that are inappropriate for the governing board of a non-profit charter school;

BE IT FURTHER RESOLVED THAT, in addition to and separately from the prior two paragraphs, the Board reaffirms and, to the extent applicable, updates its conclusions from Resolution No. 2021-0212 and Resolution No. 2021-0212A that the OYS petition *is not reasonably comprehensive* and incorporates specific facts found in the Original Staff Report, the First

Supplemental Staff Report, and the Second Supplemental Staff Report to support this update finding, including but not limited to, the following:

- The description of Element 4 – Governance contains a stated intent to require parent volunteer hours, which is illegal to require, and
- The description of Element 8 – Admissions Policies and Procedures does not clearly specify how the admissions preferences would be implemented;

BE IT FURTHER RESOLVED THAT, in addition to and separately from the prior three paragraphs, the Board reaffirms and, to the extent applicable, updates its conclusions from Resolution No. 2021-0212 and Resolution No. 2021-0212A that *OYS is not demonstrably likely to serve the interests of the entire community in which the school is proposing to locate* and incorporates specific facts found in the Original Staff Report, the First Supplemental Staff Report, and the Second Supplemental Staff Report to support this finding including, but not limited to, the following:

- The petition did not include any meaningfully interested student signatures, thereby providing no evidence that there is broad community awareness or support for this charter school,
- The unusual grade span (TK-3) would likely be challenging for both families and surrounding school communities as students transition to a new school in the 4th grade, and
- The full enrollment at OYS (210 students) would lead to a decrease in enrollment at other neighborhood schools serving the same grades, leading to a loss of funding (est. \$2.3 million), which would have a direct negative impact on existing services, academic offerings, and programmatic offerings at the other neighborhood school, and
- Fails to serve students with disabilities;

BE IT FURTHER RESOLVED THAT, in addition to and separately from the prior four paragraphs, the Board reaffirms and, to the extent applicable, updates its conclusions from Resolution No. 2021-0212 and Resolution No. 2021-0212A that *the District is not positioned to absorb the fiscal impact of the proposed charter school* and incorporates specific facts found in the Original Staff Report, the First Supplemental Staff Report, and the Second Supplemental Staff Report to support this updated finding including, but not limited to, the following:

- The District is under State receivership, as described and defined by Education Code section 47605(c)(8);

BE IT FURTHER RESOLVED THAT, in considering these factors, the Board is relying on the information, data, and analysis of these factors found in the Original Staff Report, the First Supplemental Staff Report, and the Second Supplemental Staff Report; and

BE IT FURTHER RESOLVED THAT, the Board hereby denies OYS's Charter Petition as submitted for a five-year term, commencing July 1, 2021.

PASSED AND ADOPTED on _____, 2021, by the Governing Board of the Oakland Unified School District by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

AYES: Aimee Eng, VanCedric Williams, Gary Yee, Mike Hutchinson, Clifford Thompson, Vice President Benjamin "Sam" Davis

NOES: None

ABSTAINED: None

RECUSED: None

ABSENT: Student Director Samantha Pal, Student Director Natalie Gallegos Chavez

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on _____, 2021.

Legislative File	
File ID Number:	21-0446B
Introduction Date:	11/17/2021
Enactment Number:	21-1813
Enactment Date:	10/17/2021 CJH

OAKLAND UNIFIED SCHOOL DISTRICT	
	10/18/2021
Shanthi Gonzales President, Board of Education	
	10/18/2021
Kyla Johnston-Trammell Superintendent and Secretary, Board of Education	