



OAKLAND UNIFIED SCHOOL DISTRICT

Office of the State Administrator
1025 Second Avenue, Room 301
Oakland, CA 94606
Phone (510) 879-8200
Fax (510) 879-8800

TO: Vincent Matthews, State Administrator
& Members of the OUSD Board of Education

FROM: Kirsten Vital, Chief of Community Accountability
David Montes de Oca, Coordinator; Office of Charter Schools

DATE: April 16, 2008

RE: Peacemaker Leadership Academy
Charter Petition Request

ACTION REQUESTED:

Deny the petition and charter to establish the Peacemaker Leadership Academy. The petition presents an unsound educational program; the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition; the petition does not contain reasonably comprehensive descriptions of all of the 16 elements required by the California Charter Schools Act.

SUMMARY

Staff recommends that the State Administrator **deny** the petition for Peacemaker Leadership Academy under the California Charter Schools Act. Staff recommends denial based on factual findings, specific to this particular petition, detailed in this report.

PROCEDURAL BACKGROUND

- 1) The lead petitioners submitted the Peacemaker Leadership Academy petition on February 13, 2008 at a regularly scheduled Board of Education Meeting.
- 2) Staff held an introductory meeting with the lead petitioner, Henry Roberts on Monday, February 25, 2008 to explain the petition review process and obtain contact information.
- 3) A public hearing was held on March 12, 2008. Representatives from the lead petitioning group presented, as well as speakers in opposition to this petition.
- 4) Staff conducted a petitioner interview on April 1, 2008.

STATUTORY BACKGROUND

California Charter law outlines the criteria governing the approval or denial of charter school petitions. The following excerpt is taken from the California Charter Schools Act, California Education Code §47605. This excerpt delineates charter approval and denial criteria:

A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.*
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.*
- (3) The petition does not contain the number of signatures required.*
- (4) The petition does not contain an affirmation of each of the conditions described in Education Code §47605(d).*
- (5) The petition does not contain reasonably comprehensive descriptions of the 16 required charter elements.*

DISCUSSION

Staff convened a petition review team to evaluate the petition based on the California Charter Schools Act and the application of the OUSD Petition Evaluation Rubric. The team was composed of the following members:

- 1) *(Facilitator)* **D. Montes de Oca**; Coordinator, Office of Charter Schools
- 2) **L. Spielman**; Director, New Teacher Support
- 3) **A. Sands**; Director, School Portfolio Management
- 4) **S. Audap**; OUSD School Improvement Coach
- 5) **P. Abramson Hirsch**; Compliance Specialist, Office of Charter Schools
- 6) **I. Roberson**; Coordinator, Tiered Support and Intervention
- 7) **A. Townsend**; Principal, Coliseum College Prep Academy
- 8) **M. Scott**; Principal, Explore College Prep Academy
- 9) **S. Aguilera**; Principal, Esperanza Elementary
- 10) **M. Settles**; Principal, Cleveland Elementary

Following the petition review team process, staff conducted a petitioner interview on April 1, 2008, in an attempt to clarify various aspects of the petition, as well as establish the capacity of the petitioners to successfully implement their program as set forth in the petition.

The following factual findings, specific to this particular petition, lead to the recommendation of **denial**.

Education Code §47605 (b)(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

FINDINGS OF FACT

Education Code §47605(b)(5)(A)(i) A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate. [...]

1) The petition states: “The students to be served are primarily defined as children of parents/legal guardians who reside within the local education agency and low performing students that reside outside the LEA.”

2) The lead petitioner stated during an introductory meeting on February 25, 2008: “We want to serve elementary students who have been through DHP (disciplinary hearing panel)...students with behavioral and academic problems.” During the Public Hearing held on March 12, 2008, when questioned by Board members regarding who the school would serve, petitioners cited the “lack of an alternative school for elementary children constantly suspended.”

Analysis of the petition with respect to the target population presents the following *unsound educational program* elements:

Target Population	Findings
	<ol style="list-style-type: none"> 1) The stated population identified in the petition is students from low-performing schools; the target population stated in public comment is children who are constantly suspended; but the petition fails to describe the needs of these students. 2) The stated population identified at the public hearing is elementary students who have been expelled through the Disciplinary Hearing Process; nowhere in the petition is there mention of this population. 3) The petition fails to describe <i>how</i> the academic “catch up” needed by this target population will occur. The “how” of the school program is always important, but of particular importance here because the school seeks to enroll students that are low-performing and typically unsuccessful in traditional schools. 4) Cited research contained in the petition does not align to address the needs of the stated target population. 5) Petition lacks an articulated plan to ensure sufficient enrollment will be achieved, and lacks an articulated contingency if under-enrollment occurs given the short timeline prior to proposed opening. 6) Description of student outcomes within the petition, including achieving one year’s progress, is not aligned with the needs of the stated target population and not sufficient to adequately improve or accelerate achievement. 7) The petition fails to make a connection between the curriculum and the academic, social, and emotional needs of the target population. 8) Description of the leadership component outlined as in the petition fails to make adequate connection to the needs of the target population

Education Code §47605(b)(5)(A)(i) A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to education, 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.

Analysis of the petition with respect to the educational program presents the following *unsound educational program* elements:

Educational Program	Findings	Page Number
	<ol style="list-style-type: none"> 1) Program does not include any type of appropriate strategies to engage the target population. 2) Petition fails to describe a plan for intervention, lacking description of when, why, or how intervention would occur. 3) In the section addressing low-achieving students, the petition states basic elements of instruction, versus targeted interventions for struggling students. This is particularly problematic given the target population the petitioners propose to serve. 4) Petition discusses “self-motivated” students yet does not bridge the gap between where target population is when entering the school (as at-risk students, likely not self-motivated) and achieving this characteristic. 5) Mention of modeling for students by adults as outlined in the petition does not logically lead to skill attainment by students. 6) Program as outlined in the petition lacks any professional development plan ensuring teachers’ growth and improvement. 7) Petition as written assumes teachers will enter with required skill set to implement program, and makes no allowance for teacher learning. 8) Petition fails to describe how teachers will be trained in the chosen curriculum, nor describes any ongoing supervision and evaluation. 9) The petition contains an overemphasis on reading at the expense of other content areas, and understanding of reading as outlined in the petition is rudimentary. 10) The description of the plan for high-achieving students as outlined in the petition is significantly limited. 11) Meeting needs of high-achieving students as stated in petition by simply “<i>giving them harder texts that are not frustrating</i>”, is not sound educational practice. 12) Description outlined in the petition of social studies does not refer to state standards, though a standards-based curriculum is proposed elsewhere in the petition. 13) The Core Second Grade curriculum provided as an attachment in the petition is vague, lacks both depth and breadth, and is not aligned with state standards; <i>aspects of described as second grade science and social studies are actually third and fourth grade standards.</i> 14) The method outlined in the petition of assessing student language level is limited to teacher observation only. 	Pgs. 2-11

	<p>15) The petition fails to identify the mandatory administration of CELDT as part of the plan to serve the English Language Learner (ELL) population.</p> <p>16) Petition lacks evidence of high expectations for English Language Learner students.</p>	
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

Education Code §47605(b)(5)(B) 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 school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.

Measurable Pupil Outcomes	Findings	Page Number
	<p>1) Accelerating student achievement by one percentage point per year, as stated in the petition, is not sufficiently ambitious and demonstrates a lack of analysis of the needs of the target population.</p> <p>2) Petition states that students <i>attending for one year will achieve one year’s progress</i> which represents gross misalignment with the target population and its needs.</p> <p>3) Petition lists numerous diagnostics that are to be used to measure outcomes, however doing so is not a psychometrically sound use of tools designed for diagnostic purposes.</p> <p>4) While the petition ambitiously indicates the intent to achieve AYP for a period of five years, there is no indication that the proposed program is designed to ensure the target population will achieve the performance levels required to meet the increasing demands of NCLB and AYP over the next five years.</p>	Pgs. 2-11

Education Code §47605(b)(5)(C) The method by which pupil progress in meeting those pupil outcomes is to be measured.

Pupil Progress	Findings	Page Number
	<p>1) Petition fails to establish any pupil outcomes focused on areas such as student behavior, engagement, motivation, participation, etc. or any other non-academic outcomes; demonstrating a gross misalignment with the target population.</p>	Pgs. 2-11

Education Code §47605(b)(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

FINDINGS OF FACT

Analysis of the petition with respect to the petitioner capacity presents the following evidence that the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition:

Education Code §47605(b)(5)(A)(i) A description of the educational program of the school, designed, among other things, to identify those whom the 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.

Petitioner Capacity	Findings	Page Number
Element A	1) Proposed plan to open K-5 and expand program “ <i>if parents express desire</i> ” demonstrates a lack of understanding and planning to meet the actual needs of the target population.	Pgs. 2-11

Education Code §47605(b)(5)(D): The governance structure of the school, including but not limited to, the process to be followed by the school to ensure parental involvement.

Petitioner Capacity	Findings	Page Number
Element D	<ol style="list-style-type: none"> 1) Petition fails to describe the process to be followed by the school to ensure authentic parental involvement. 2) The attached proposed contract between the Charter School and EdFutures establishes that “<i>The Charter School is only interested in the results obtained under this agreement. The manner and means of conducting the work is under the sole control of EdFutures.</i>” 3) Petition lacks clarity regarding who will be managing the school; the petition states that the Charter Board will run many aspects of operations, and separately states that EdFutures will be charged with hiring and firing. 4) Discrepancy in who has authority to hire; on page 14, petition states that the principal hires subject to approval by the Charter Board; on page 71 of the attachments, EdFutures is given hiring authority. 5) The petition lacks a coherent educational philosophy which raises questions regarding the capacity of the petitioners to successfully implement the proposed program. 6) The petition fails to adequately describe a plan for how the Charter Board will be informed of the daily operations of the school, and of EdFutures’ back office operations. 7) Petition lacks evidence of Peacemakers Inc.’s program philosophy, history, or relationship with Oakland. 	Pgs. 12-14

	8) Budget included in the petition does not reflect an allocation of monies to the proposed mentoring program. 9) Budget does not include an allocation to compensate teachers for additional training required to successfully implement the program set forth in the petition.	
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

*Education Code §47605(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including but not limited to, **the facilities to be utilized by the school...**The description of the facilities to be used by the school shall specify where the school intends to locate.*

Facilities Plan	1) The petition states an intention to pursue a facility through the district, yet the timeline for doing so via Prop. 39 has elapsed. 2) Petitioners intend to open the school in the fall and do not yet have a facility identified or acquired. 3) At the public hearing, the petitioners stated they have “ <i>not explored any buildings yet</i> ” and that they “ <i>are willing to go where the opportunity presents itself.</i> ”	Pgs. 25, 28
------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

See the section in this report titled “**Additional Concerns**” for a description of further findings regarding petitioners’ capacity.

EC §47605 (1) The petition does not contain reasonably comprehensive descriptions of the 16 required charter elements.

FINDINGS OF FACT

Analysis of the petition with respect to the sixteen elements presents the following lack of reasonably comprehensive descriptions of the 16 required charter elements.

Education Code §47605(b)(5)(A)(i) A description of the educational program of the school, designed, among other things, to identify those whom the 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.

<p>Element A</p>	<p>Average Rating: Inadequate</p>	<ol style="list-style-type: none"> 1) The petition does not clearly define the school’s mission. 2) Numerous educational references within the petition are outdated; no reference to how this target population of students learns best. 3) Petition cites low minority college rates and high drop-out rates but fails to explain how this school is designed to address those issues. 4) The petition “tells” and does not “show” and lacks any description of how most elements will be achieved. 5) Petition provides no specific description of teaching strategies, but simply references disparate practices, and no detail of their alignment to the school’s mission, state standards, or students’ needs. 6) Petition lacks a description of the mentoring component of the school’s program. This is particularly problematic as the founding group is petitioning on the basis of its mentoring program. 7) Petition lacks a description of the role and responsibilities mentors will have in the school’s operation. 8) Petition lacks a description of who the mentors and role models will be, and how the two program components are, if at all, connected. 9) Description within petition of <i>6 Elements of Instruction</i> is both brief and inadequate; fails to describe actual teaching strategies. 10) Petition states the school will utilize performance-based learning but fails to define this or provide any elaboration on the reference. 11) Petition fails to describe plan for teacher supervision and evaluation. 12) Curricular framework within petition is overly general and broad, lacks coherence, and lacks specific detail and plan for implementation. 13) Petition fails to provide a general scope and sequence of curriculum; lacks a general description of what students 	<p>Pgs. 2-11</p>
-------------------------	----------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------

		<p>will know and be able to do at each grade level.</p> <p>14) Petition lacks a clear description of the curricular framework and research supporting the curriculum.</p> <p>15) Petition lacks a description of alignment of the curriculum to the mission, state standards, content areas, and student needs.</p> <p>16) Petition lacks a description of the leadership program, and no connection to the mission or educational philosophy of the school.</p> <p>17) Petition includes no description of curricular choices (i.e. Saxon Math) and how the chosen curriculum meets the needs of the target population.</p> <p>18) Petition fails to identify which “<i>state-adopted texts</i>” will be used or what the process will be for making this decision.</p> <p>19) The petition states that students will use <i>higher-level thinking</i>, yet fails to provide any description of how the program will scaffold students to this level</p> <p>20) Guidelines within the petition for determining high-achieving students lack specificity and is unclear; description only references students’ reading achievement.</p> <p>21) Petition fails to describe benchmarks that will be used to determine whether students’ needs are being met.</p> <p>22) Petition fails to describe the alignment of the special education program with the core educational program.</p> <p>23) Included in the petition is a vague description of teachers meeting with each other, however no plan included.</p> <p>24) Petition lacks clarity regarding special education encroachment assumptions.</p> <p>25) Reference to “<i>Good Schools for All</i>” lacks any description of what this phrase means or its relevance to the school proposed in the petition, and appears to indicate petition as potentially “recycled”.</p> <p>26) Petition provides no description of the likely English Language Learner population or its needs.</p> <p>27) Petition lacks information about supporting students who have traditionally struggled in school including; classroom management, relationship-building, etc.</p>	
--	--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

Education Code §47605(b)(5)(B) 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 school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.

Element B	Average Rating: Inadequate	<p>1) Petition fails to describe multiple performance measures; focus on traditional testing only does not align with target population.</p> <p>2) Petition lacks a description of the rationale for this method of assessment given the target population.</p> <p>3) Measures do not include performance goals based on</p>	Pgs. 2-11
------------------	--------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

		relative comparisons, or student individual gains. The school's added value is not sufficiently defined by the measurable pupil outcomes. 4) Petition fails to describe promotion standards.	
--	--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

Education Code §47605(b)(5)(C) The method by which pupil progress in meeting those pupil outcomes is to be measured.

Element C	Average Rating: Inadequate	<ol style="list-style-type: none"> 1) Learning objectives not described in the petition. 2) Petition provides no information regarding the means by which the school will share performance information with students and families. 3) Petition lacks a description of the plan for linking teacher compensation to student test performance; no description of how compensation will be structured; how integrity of the testing program will be maintained as the outcomes are tied to compensation. 4) Petition fails to discuss the plan for analyzing student data. 5) Reference to “<i>progress towards achieving targets</i>” is vague and does not specify which targets will be met. 6) Failure to provide adequate description of teacher-based assessments, rubrics, etc. outlined in the petition. 	Pgs. 2-11
------------------	--------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

Education Code §47605(b)(5)(D): The governance structure of the school, including but not limited to, the process to be followed by the school to ensure parental involvement.

Element D	Average Rating: Inadequate	<ol style="list-style-type: none"> 1) Petition contains significant discrepancies with the statements made in this section and those made elsewhere regarding the governance structure between Peacemaker Inc., EdFutures, and a proposed Charter Board. 2) The petition suggests that the board is yet to be established yet information provided by the lead petitioner suggests the current Peacemaker Inc. governing board will oversee the charter school. 3) Parent involvement component mentions “<i>adult education and GED programs for parents</i>” which is not mentioned or elaborated upon in any other section of the petition. 	Pgs. 12-13
------------------	--------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------

Education Code §47605(b)(5)(F): The procedures that the school will follow to ensure the health and safety of pupils and staff... .

Element F	Average Rating: Inadequate	<ol style="list-style-type: none"> 1) Petition fails to describe a plan for required health and wellness assessments, including but not limited to, vision, hearing, and scoliosis screening. 2) Petition states in this section that the school will follow applicable state and federal laws, but does not demonstrate an understanding of the obligations set forth in those laws. 	Pg. 18
------------------	--------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------

Education Code §47605(b)(5)(G): The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

Element G	Average Rating: Inadequate	<ol style="list-style-type: none"> 1) In order to achieve the racial and ethnic balance required in statute, the petition does not adequately describe the means of achieving this outcome; petition lacks a demonstrated knowledge of the local context. 2) Petition does not provide adequate plans for student recruitment given the proposed timeline for opening. 	Pg. 21
------------------	--------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------

Education Code §47605(b)(5)(I): 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.

Element I	Average Rating: Inadequate	<ol style="list-style-type: none"> 1) Petition fails to describe the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. 2) Management contract within petition binds the charter school to “back office finance services” to be provided by an unnamed company. 	Pgs. 25-26
------------------	--------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------

Education Code §47605(b)(5)(J): The procedures by which pupils can be suspended or expelled.

Element J	Average Rating: Inadequate	<ol style="list-style-type: none"> 1) Failure to adequately describe the procedures by which pupils can be suspended or expelled; the petition states: “The policies for suspension and expulsion will be established by the Charter Board and will provide due process for students,” but does not outline the procedures as statutorily required; 2) Petition merely lists “some” of the grounds for disciplinary action, but is not sufficiently described. 	Pgs. 22-23
------------------	--------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------

Education Code §47605(b)(5)(M): A description of the rights of any 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.

Element N	Average Rating: Inadequate	<ol style="list-style-type: none"> 1) Petition inaccurately describes the return rights of employees. 	Pgs. 19-20
------------------	--------------------------------------	----------------------------------------------------------------------------------------------------------------------	------------

Education Code §47605(b)(5)(N): The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

Element N	Average Rating: Inadequate	<ol style="list-style-type: none"> 2) The petition’s dispute resolution clause is narrow and outlines procedures between the school and the district only “in the event of a dispute concerning whether the Charter School is meeting the goals and objectives of the charter.” 	Pgs. 19-20
------------------	--------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------

Sixteen Elements Table

Element	Inadequate	Reasonably Comprehensive	Statutory Reference
Description of the educational program of the school, including what it means to be an “educated person” in the 21 st century and how learning best occurs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(A)
Measurable pupil outcomes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(B)
Method by which pupil progress is to be measured	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(C)
Governance structure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(D)
Qualifications to be met by individuals employed at the school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(E)
Procedures for ensuring health & safety of students	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(F)
Means for achieving racial and ethnic balance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(G)
Admission requirements, if applicable	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(H)
Manner for conducting annual, independent audits and for resolving exceptions or deficiencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(I)
Suspension and expulsion procedures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(J)
Manner for covering staff members through the State Teachers’ Retirement System, the Public Employees’ Retirement System or federal social security	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(K)
Attendance alternatives for pupils residing within the district who choose not to attend the charter school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(L)
Employee rights of return, if any	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(M)
Dispute resolution procedure for school-authorizer issues related to the charter.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(N)
Statement regarding exclusive employer status of the school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(O)
Procedures for school closure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(P)

ADDITIONAL CONCERNS & FINDINGS

Charter Management Organization

The Peacemaker Leadership Academy charter petition states that the petitioner, upon approval of this petition will contract with EdFutures Inc. to manage its charter school.

Staff conducted research, as well as nine interviews with former staff, school leaders, or local community members who have had experience working with either EdFutures Inc., or its founders. This research sought to establish a basis for the capacity for this organization to effectively manage the proposed charter school as set forth in the charter petition. Over-all this research raises serious concerns regarding the organization's capacity to fulfill the obligations set forth in the petition. *Staff believes that this organization is demonstrably unlikely to contribute to the successful implementation of the program as set forth in the petition.*

FINDINGS

1. EdFutures' founder, Eugene Ruffin founded and was the CEO of **School Futures Research Foundation**, a non-profit charter management organization once funded by John Walton.
2. School Futures was awarded five petitions from **OUSD** in **1999**. Three of those five charter petitions were **ABANDONED**. Two were opened as *Dolores Huerta Learning Academy* and *EC Reems Academy of Technology and Arts*.
3. One interview conducted described the experience of the neighborhood community which participated in the development of one of the petitions that was *abandoned* as "*devastated*".
4. Interviews conducted with individuals associated with the *Dolores Huerta Learning Academy* and *EC Reems* charter schools, originally **founded by School Futures**, were mixed. Favorable sentiment was focused on the financial capital the organization contributed at the time through sources such as John Walton. Substantial opposition was expressed by three interviewees towards the organization's lack of effective management of these schools. Interviewees recounted issues of *poor fiscal management, lack of financial oversight or checks and balances, and persistently problematic communication*.
5. The two Oakland charter schools and one East Palo Alto Charter School operated by School Futures **discontinued association and operation with School Futures** and established their own non-profit status. A change in leadership at School Futures eventually occurred and School Futures dissolved.
6. In **2000**, Central Missouri State University, which oversaw Benjamin Bannekar Charter School of Technology in Kansas City, **operated by School Futures** released an audit criticizing the school's operation. A news article about the report stated that the school:
 - *Has failed to follow state school accounting procedures and that School Futures has not provided detailed financial information to the school's own board.*
 - *Has had "persistent and pervasive problems" paying teachers and vendors and could face a \$1 million deficit by June 30.*
 - *Has failed to do criminal background checks on teachers and failed to inform the*

university when a student brought a gun to class.

- *Is operating in questionable temporary facilities, including a church basement where noise levels are too high.*
7. In **2001**, Benjamin Banneker Charter School **operated by School Futures** was **revoked**, leaving what news reports stated were “300 students looking for a new school.”
 8. A staff report dated **July 23, 2002** from San Diego City Schools outlined the **dissolution of the relationship** between School Futures and Holly Drive Leadership Academy. The report indicated that, following an external audit, that the district had concerns about the “*school’s governance structure, and the financial and academic viability of the school.*”
 9. **EdFutures** is a For-Profit organization founded by the founder of School Futures Research Foundation, Eugene Ruffin. Its website stated as of **February 15, 2008** that it “*operates four start-up charter schools*” in Georgia, Florida, and Hesperia, California.
 10. Staff contacted the director of the charter school office for the Hesperia School District who stated that EdFutures **DOES NOT OPERATE** two charter schools in their district, and that she had recommended that the two schools not pursue a contract with EdFutures as proposed due to the extent to which their proposed contract called for virtually total control of the school’s operations to transfer to EdFutures.
 11. Staff contacted the principal overseeing both Hesperia charter schools for which the EdFutures’ website claimed operation. The principal stated emphatically that the two schools were **NOT OPERATED** by EdFutures and that her schools had entered into a brief consulting contract with EdFutures only to be renounced following significant communication and fiscal issues.
 12. In **2005**, the Nevada State Board of Education **denied** a charter petition for the Marion Bennett Leadership Academy submitted with a proposal to be operated by EdFutures. The subcommittee recommendation for denial included concerns about the school’s lack of curriculum and specifically cited concerns about financial aspects of the application involving EdFutures.
 13. The State of Louisiana **revoked** charters awarded to EdFutures just weeks before the start of school in **2006** citing “*philosophical differences*” between EdFutures and a Treme-based social services organization with whom they proposed to open the school.
 14. The following text is taken from a **2006** staff report to the Tennessee State Board of Education **recommending denial** of a petition sought in that state: “*EdFutures apparently has charter schools operating in Georgia and Florida. Its website states, ‘In 2005 EdFutures will operate schools in California, Tennessee, Texas, Michigan and Nevada. In 2006 Louisiana and Arizona will be added.’ However, as of January 2006, EdFutures does not have schools operating in any of those states. Nor have any applications been approved in those states’.*”
 15. The EdFutures annual report letter, attached to the petition states that its *University Community Academy* received the *Georgia School of Excellence* award for **2006**. Staff research of the 2005, 2006 and 2007 list of schools receiving this award; found that *University Community Academy* is **NOT** listed.
 16. The EdFutures **2007** annual report letter, attached to the petition states that its *Good Schools for All* charter school in Delray, Florida was **CLOSED** in **2007** due to low enrollment.

Petitioner Contact

Concerns	<ul style="list-style-type: none">• Upon submission, the petition contained no contact information for the lead petitioner. As a result, the Office of Charter Schools experienced difficulty contacting the petitioners to set-up an introductory meeting.• At the February 25, 2008 introductory meeting, Office of Charter Schools staff requested contact information for proposed board members and a signed affirmation page, to be faxed as soon as possible.• The board information was submitted almost four weeks later on March 20, 2008 and the signed affirmation page was never submitted.
-----------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Petition Signatures

Staff conducted a routine review of the required petition signatures submitted. Nine out of sixteen teachers who signed the petition responded.

*Education Code §47605(a)(3): A petition shall include a prominent statement that a signature on the petition means that the parent or guardian is meaningfully interested in having his or her child, or ward, attend the charter school, or in the case of a teacher's signature, means that the **teacher is meaningfully interested in teaching at the charter school.** The proposed charter shall be attached to the petition.*

When asked if they were meaningfully interested in teaching at the school:

- Four out of nine teachers stated “yes”
- **Three out of nine teachers stated “no”**
- **Two out of nine teachers stated “maybe”**

*Education Code §47605(a)(3): A petition shall include a prominent statement that a signature on the petition means that the parent or guardian is meaningfully interested in having his or her child, or ward, attend the charter school, or in the case of a teacher's signature, means that the **teacher is meaningfully interested in teaching at the charter school.** The proposed charter shall be attached to the petition.*

When asked if the charter accompanied the petition at the time of signing:

- One out of nine teachers stated “yes” and this teacher also stated that she was not meaningfully interested in teaching at the school.
- **Eight out of nine teachers stated “no”**

Additional Comment:

Staff believes, based on its engagement with the specific petitioning members of the *Peacemaker Inc.* organization that it has made a quality contribution to the lives of the children and families it has served in Oakland. Staff believes that the organization may continue to have a meaningful impact on the schools in Oakland that it serves through its mentoring programs.

RECOMMENDATION

Staff recommends that the Oakland Unified School District's State Administrator/Board of Education **deny** the petition for Peacemaker Leadership Academy under the California Charter Schools Act. The factual findings illustrated in this report demonstrate that the petition fails in three out of five legally required areas of Education Code § 47605:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school;
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
- [...]
- (5) The petition does not contain reasonably comprehensive descriptions of the 16 required charter elements.