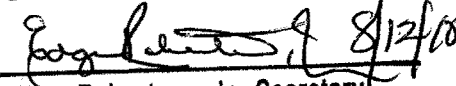


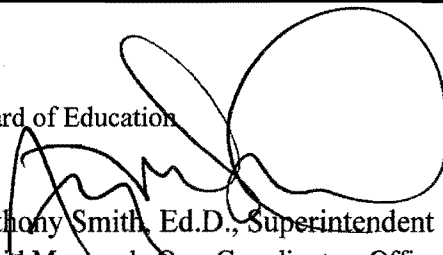
Certified:


Edgar Rakestraw, Jr., Secretary
Board of Education

OAKLAND UNIFIED SCHOOL DISTRICT

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


TO: Board of Education

FROM: 
Anthony Smith, Ed.D., Superintendent
David Montes de Oca, Coordinator, Office of Charter Schools

DATE: August 11, 2010

RE: Vincent Academy Charter Petition Request

Legislative File

File ID No.: 10-1456
Introduction Date: 5/12/2010
Enactment No.: 10-1385
Enactment Date: 8-11-10
By: 

ACTION REQUESTED

Approve the petition and charter to establish Vincent Academy, as revised. The charter is amended from the filed petition to incorporate the included revisions, conditions and deadlines below. The petition presents a sound educational program; the petitioners are demonstrably likely to successfully implement the program set forth in the petition; the petition contains the required signatures and affirmations; and the petition contains reasonably comprehensive descriptions of all of the 16 elements required by the California Charter Schools Act.

SUMMARY

Staff recommends that the OUSD Board of Education **approve** the petition for Vincent Academy charter school to serve students in grades K-5, to begin operation July 1, 2011 under the California Charter Schools Act serving students in grades K-1. Staff recommends approval based on due diligence conducted to ensure that the establishment of the charter is *consistent with sound educational practices*.

Staff recommends that the OUSD Board of Education stipulate as a condition of approval, the inclusion of a text revision to the charter document, attached herein, which stipulates an intent on the part of the Vincent Academy petitioners to meaningfully participate in further discussions and activities of the West Oakland Brain Trust and the development of the West Oakland Promise Neighborhood and Innovation Zone initiative over the course of the 2010-2011 school year. This recommendation is made in the spirit of ensuring concerted efforts be put forth to maximize the efficient use of limited public school resources, in order to provide effective public school options on behalf of and to the benefit of the target population.

Additionally, staff recommends that the OUSD Board of Education directs staff to facilitate engagement between the Vincent Academy petitioning group and the Martin Luther King elementary school community, staff and site leadership, in an effort to pro-actively ensure the thoughtful development of public school programming in West Oakland designed to effectively serve the target population.

PROCEDURAL BACKGROUND

- 1) The lead petitioner submitted the Vincent Academy petition on May 12, 2010 at a regularly scheduled Board of Education meeting.
- 2) Staff held an introductory meeting with the lead petitioners, Jean Driscoll, et. al, on May 19, 2010 to explain the petition review process and obtain petitioning group contact information.
- 3) A public hearing was held on June 9, 2010. Representatives from the lead petitioning group presented.
- 4) Staff conducted two Petitioner Interviews on June 7, 2010 and June 10, 2010.
- 5) Staff conducted two site visits (one scheduled / one unannounced) to the St. Vincent Day Home.

STATUTORY BACKGROUND

Pursuant to Education Code §47605:

Charter law outlines the criteria governing the approval or denial of charter school petitions. The following excerpt is taken from the Charter Schools Act, 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 comprised of leadership within the District, which subsequently conducted an evaluation of the petition pursuant to the Charter Schools Act and with the application of the Oakland Unified School District Petition Evaluation Rubric.

Following the petition review process, staff conducted two Petitioner Interviews in an attempt to clarify various aspects of the petition, as well as to evaluate the capacity of the petitioners to successfully implement the program as set forth in the petition.

Vincent Academy proposes to open in fall, 2011 as a direct-funded charter school, operating in District 3. The school proposes to serve 100 students in grades K-1 in its first year. Vincent Academy seeks to serve up to 324 students in grades K-5.

The staff report and charter petition evaluation contained herein describes the educational program, proposed school operations, as well as an articulation of strengths and foreseeable challenges, pursuant to the petition review process.

RECOMMENDATION

Staff recommends that the Oakland Unified School District's Board of Education **approve** the petition for Vincent Academy under the California Charter Schools Act. The factual findings illustrated in this report demonstrate that the petition satisfies the five legally required categories of *Education Code § 47605*:

- (1) *The charter school presents a sound educational program for the pupils to be enrolled in the charter school;*
- (2) *The petitioners are demonstrably likely to successfully implement the program set forth in the petition*
- (3) *The petition contains the number of signatures required;*
- (4) *The petition contains an affirmation of each of the conditions described in Education Code §47605(d);*
- (5) *The petition contains reasonably comprehensive descriptions of all required charter elements.*

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

The term of this charter will be from July 1, 2011 through June 30, 2016, the maximum period allowed under the California Charter Schools Act (*Education Code §47607(a)(1)*). The District will not accept a charter renewal request more than 270 days prior to the expiration of the charter.

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

The District retains the authority to delay opening for a period of up to one year, if any of the conditions on opening are not satisfactorily met by the associated deadlines contained herein. Not meeting any one of the conditions on opening and associated deadlines set forth in this approval may be grounds for revocation as provided for in the California Charter Schools Act (*Education Code §47607(c)(1)*) as all conditions on opening set forth herein are considered material in nature.

Pursuant to OUSD Governing Board Policy, BP 0420.4, if the school does not open on or before September 30, 2012, it will be considered a demonstration of petitioners' lack of capacity to implement the program set forth in the petition and the District will initiate charter revocation procedures.

ATTACHMENT I - CHARTER PETITION EVALUATION

Oakland Unified School District Charter Petition Evaluation

School Name: Vincent Academy

Submission Date: May 12, 2010

Lead Petitioner/s: Jean Driscoll

Public Hearing Date: June 9, 2010

Proposed Governing Board: Justice Carol A Corrigan, J.D., Jean Driscoll,
Justice Martin J. Jenkins, Corinne Mohrmann, Peter Reinke

Governing Board Interview Date: June 7, 2010

Petitioner Interview Date: June 10, 2010

Committee Presentation Date: August 2, 2010

Decision Date: August 11, 2010

Recommendation:

Approval of the Vincent Academy charter petition, as revised, to reflect the terms and conditions set forth in this report, to begin operation July 1, 2011, and to expire June 30, 2016. Staff recommends approval of a full five-year term of operation. Conditions set forth here-in state that, if certain conditions are not met as of April 1, 2011, and/or the petitioner and the Board of Education of the Oakland Unified School District mutually agree that success of the program would benefit from a delayed opening, the charter term will reflect the actual operation of the school to allow for a full five-year term of operation.

Proposed location of school	West Oakland preferred location A) Seeking Prop 39 facilities through OUSD; B) Letter affirms dialog with Acorn property located adjacent to St. Vincent Day Home for establishment of portables
Composition of petitioner group	Represents members of the St. Vincent Day Home Board of Directors and administration, as well as parents of students currently attending St. Vincent Day Home
Grade levels to be served in year 1	K-1 st
Anticipated enrollment in year 1	100 [Projected enrollment is K – 40, 1 st – 60] (pg. 17)
Grade levels to be served at full-capacity	K-5
Anticipated enrollment at full capacity	324 (pg. 6)
Target student population	<i>“Vincent Academy expects to serve children with a broad range of ethnic backgrounds, with the vast majority from low-income families.” (pg. 6)</i>

Brief description of the kind of school to be chartered.

“Vincent Academy is emerging out of the Day Home’s established community presence in West Oakland, a neighborhood that, while vibrant, faces economic and social challenges. This partnership is committed to working to sustain West Oakland, and to collaborate with and support the efforts of other organizations to improve the health and safety of this neighborhood.

[...]

The development of our vision has been inspired by the leadership of those who have guided the Day Home through generations of small children and waves of change in the community, as well as the work of Geoffrey Canada’s Harlem Children’s Zone. Canada’s work in Harlem and the research associated with that work have shown that to change the trajectory of a disadvantaged child, one needs to: intervene early in life; continue to intervene through adolescence; give the child extra time in school and support outside of school; involve the child’s parents and family; focus on improving cognitive skills but also nurture the child’s noncognitive, social and emotional skills. Our vision for Vincent Academy is the creation of just such an integrated learning community.” (pg. 5)

Brief explanation of the mission of proposed charter school.

“The mission of Vincent Academy is to provide excellent education, grounded in scholarship, compassion and resilience. The school is founded on the belief that academic success is attainable for all students in the context of family support and community involvement. Modeled after the approach of Saint Vincent’s Day Home, our school combines a rigorous academic program, augmented by a rich offering of the arts, with a strong system of education and support services for parents, in partnership with other community organizations. Our program promotes the intellectual, social and emotional growth of our students, helping them to develop deep respect for, and clear sense of responsibility to themselves, their families, their cultures, and their communities. While striving for academic excellence, we place equal value on character development and self-esteem of our students. Our robust curriculum prepares our students to be 21st century learners, and seeks to inspire and prepare them to participate actively as members and leaders of a democratic society.” (pg. 5)

Planning to work with a charter management organization (CMO)

Yes _____ No X If Yes, Name of CMO:

Signature Verification:

EC 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.*

	Y	N	PG #
<input type="checkbox"/> Parents / Guardians <ul style="list-style-type: none"> <input type="radio"/> # aligned with proposed opening enrollment <input type="radio"/> Prominent statement 	X		Appendix
<input type="checkbox"/> Teachers <ul style="list-style-type: none"> <input type="radio"/> # aligned with proposed opening enrollment <input type="radio"/> Prominent statement 			N/A N/A

Oakland Unified School District

Charter Petition Evaluation

Criteria Reference

- **Inadequate:** The response lacks meaningful detail; demonstrates lack of preparation; or otherwise raises substantial concerns about the petitioner's understanding of the issue in concept and/or ability to meet the requirement in practice.
- **Approaches:** The response addresses most of the selection criteria, but lacks some meaningful detail and requires important additional information in order to be reasonably comprehensive.
- **Meets:** **The response indicates solid preparation and grasp of key issues that would be considered reasonably comprehensive. It contains many of the characteristics of a response that excels even though it may require additional specificity, support or elaboration in places.**
- **Excels:** The response reflects a thorough understanding of key issues and indicates capacity to open and operate a quality charter school. It addresses the topic with specific and accurate information that shows thorough preparation and presents a clear, realistic picture of how the school expects to operate.

STATEMENT OF ASSURANCES

ASSURANCES	Y	N	PG #
1. Will not charge tuition, fees, or other mandatory payments for attendance at the charter school or for participation in programs that are required for students.	X		Pg. 1
2. Will enroll any eligible student who submits a timely and complete application, unless the school receives a greater number of applications than there are spaces for students, in which case a lottery will take place in accordance with California charter laws and regulations.	X		Pg. 1
3. Will be non-secular in its curriculum, programs, admissions, policies, governance, employment practices, and all other operations.	X		Pg. 1
4. Will be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic achievement.	X		Pg. 1
5. Will not base admission on the student’s or parent’s/guardian’s place of residence, except that a conversion school shall give admission preference to students who reside within the former attendance area of the public school.	X		Pg. 1
6. Will offer at least the minimum amount of instructional time at each grade level as required by law.	X		Pg. 3
7. Will provide to the Office of Charter Schools information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be used by the school, including where the school intends to locate, the manner in which administrative services will be provided, and potential civil liability effects, if any, upon the school and authorizing board.	X		Pgs. 91-98
8. Will 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.	X		Pg. 1, 38
9. Will 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, § 5; and MGL c. 89, 71 § (f) and (l).	X		Pg. 2, 49
11. Will submit an annual report and annual independent audits to the OUSD Office of Charter Schools by all required deadlines.	X		Pg. 3

12. Will submit required enrollment data each March to the OUSD Office of Charter Schools by the required deadline.	X	Pg. 3
13. Will operate in compliance with generally accepted government accounting principles.	X	Pg. 3
14. Will maintain separate accountings of all funds received and disbursed by the school.	X	Pg. 3
15. Will participate in the California State Teachers' Retirement System as applicable.	X	Pg. 3
16. Will obtain and keep current all necessary permits, licenses, and certifications related to fire, health and safety within the building(s) and on school property.	X	Pgs. 70-72
17. Will at all times maintain all necessary and appropriate insurance coverage.	X	Pg. 2
18. Will submit to the OUSD Office of Charter Schools the names, mailing addresses, and employment and educational histories of proposed new members of the Governing Board prior to their service.	X	Pg. 3
19. Will, in the event the Governing Board intends to procure substantially all educational services for the charter school through a contract with another person or entity, provide for approval of such contract by the Board of Education in advance of the beginning of the contract period.	X	Pg. 3
20. Will provide financial statements that include a proposed first-year operational budget with start-up costs and anticipated revenues and expenditures necessary to operate the school, including special education; and cash-flow and financial projections for the first three years of operation.	X	Pg. 3
21. Will provide to the Office of Charter Schools a school code of conduct, Governing Board bylaws, an enrollment policy, and an approved certificate of building occupancy for each facility in use by the school, according to the schedule set by the Office of Charter Schools but in any event prior to the opening of the school.	X	Pg. 3

EVALUATION:

The Vincent Academy charter petition contains all legally mandated assurances, as well as information that supports the assurance of other expectations set forth in the Oakland Unified School District Board Policies and charter petition evaluation procedures.

I. EDUCATIONAL PROGRAM

Statutory References:

E.C. § 47605(b)(1)

E.C. § 47605(b)(5)(A)-(C)

The education program should tell you who the school expects to serve, what the students will achieve, how they will achieve it, and how the school will evaluate performance. It should give you a clear picture of what a student who attends the school will experience in terms of educational climate, structure, materials, schedule, assessment, and outcomes.

Petition Section/s
Pg. 6, 17-20,

A. TARGET POPULATION

NOTE: *Detail in this area is often lacking in charter petitions, but has been assessed by OUSD in its experience creating new schools to be a critical factor in the success of proposed educational programs.*

A description of the Target Population excels if it has the following characteristics:

- Coherent description of the students the school expects to serve based on understanding of the district population and the location in which the school expects to operate;
- Demonstrated understanding of the educational needs of the target population; and
- Explanation of how the mission and vision align with the needs of the target population.

TARGET POPULATION

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: TARGET POPULATION

Strengths	Reference	Concerns & Additional Questions	Reference
<ul style="list-style-type: none"> • Petition contains a realistic enrollment growth plan • Petition contains a clear description of target population need, to include the needs of low income and second language students. • Petition contains a clear plan for language development • Petition provides for a Whole child / whole family approach that is likely to be of benefit to the target population • Petition sets forth weekly engagement plans • Petition presents a clear understanding of West Oakland demographics • Petition makes assurance of the multilingual staff to be employed by or otherwise made available to support the school. • Onsite observations of St. Vincent Day Home demonstrates a staffing model that includes a diverse and representative teaching, support, and administrative staff. 	<p>Pgs. 6, 17-22 Pgs. 17-19</p> <p>Pgs. 48-49</p> <p>Pgs. 30-31</p> <p>Pg. 20</p> <p>Pgs. 17-18</p> <p>Pg. 18</p>	<ul style="list-style-type: none"> • Petition over-all lacks clear articulation of specific assets/strengths inherent in target population, specifically for those target students identified as low income and second language learners. • Petitioner responses provided during petitioner interviews additionally lacked clear articulation of assets/strengths inherent in target population. 	<p>Interview</p>

B. PHILOSOPHY AND APPROACH TO INSTRUCTION

Petition Section/s
Pgs. 20-31

A description of the Educational Philosophy and Approach to Instruction excels if it has the following characteristics:

1. Rationale: *Is the rationale compelling?*

- A compelling rationale with a clear foundation in research-based educational practices, teaching methods and/or high standards for student learning;

2. Mission Alignment: *Do the philosophy and approach align with the mission and vision?*

- Alignment with mission and vision; and

3. Population Alignment: *Does sound reasoning or evidence indicate that the target population is likely to benefit?*

- Persuasive explanation of why the philosophy and approach are appropriate for and likely to result in improved educational performance for the target population, including any available performance data from use of the same educational philosophy and approach to instruction with similar populations.

1. Rationale: *Is the rationale compelling?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

2. Mission Alignment: *Do the philosophy and approach align with the mission and vision?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

3. Population Alignment: *Does sound reasoning or evidence indicate that the target population is likely to benefit?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: EDUCATIONAL PHILOSOPHY AND APPROACH TO INSTRUCTION

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Rationale</p> <ul style="list-style-type: none"> • Petition proposes the use of a Cycle of Inquiry to take place at all levels of the school and organization. Appendix and Petition contain clear descriptions of the intended use of the Cycles of Inquiry to maintain a focus on continuous improvement. • Petition articulates a clear understanding, aligned to research of a description of what an <i>Educated Person in the 21st Century</i> would look like. • Petition proposes Individualized Learning Plan structure, models, and differentiation that is likely to help focus teaching on individuals. • Petition sets forth clear and explicit foundational practices upon which to develop the curriculum, including <i>Culturally Responsive teaching, Differentiation, Data-Driven Instruction, High Quality Professional Development, Family Outreach and Participation</i>. • Petition provides a purposeful approach to instruction, implementation, and assessment, grounded in research and best practices. • Petitioner responses provided during petitioner interviews demonstrated sufficient capacity to evidence likelihood to successfully implement 	<p>Append E</p> <p>Pg. 21</p> <p>Pg. 24-25</p> <p>Pg. 24</p> <p>Pg. 31 Append C</p> <p>Interview</p>	<p>Rationale</p> <ul style="list-style-type: none"> • <p>Mission Alignment</p> <ul style="list-style-type: none"> • <p>Population Alignment</p> <ul style="list-style-type: none"> • Petition lacks specific articulation of petitioners' understanding of the target population needs not being met or target population assets/strengths not being tapped. 	

<p>approach to instruction.</p> <p>Mission Alignment</p> <ul style="list-style-type: none"> • Petition provides an instructional approach that is well developed. • Petition contains an approach to assessment that provides a full view of student progress. • Petition contains a well-integrated set of approaches to instruction that are complementary and likely to build off of one another to form a coherent program. • Petition sets forth a concise and well-constructed Educational Philosophy articulated as Environment, Expectations, and Experience that lay a thoughtful foundation for the Instructional Program to build upon. • Petition sets forth a whole child approach to education likely to result in engaged learning by students and families. <p>Population Alignment</p> <ul style="list-style-type: none"> • Petition contains effective articulation of wrap-around services approach and benefit for target population. • Site visit to St. Vincent Day Home provided insight into approach to wrap-around services and the likely benefit to target population. 	<p>Pg. 30 Append C</p> <p>Pgs. 25, 57</p> <p>Pgs. 31-36</p> <p>Pg. 7</p> <p>Pg. 21</p> <p>Pgs. 19-20</p>		
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<ul style="list-style-type: none"> • Petition contemplates the roles of parents and provides for Family Literacy and other opportunities for parents to further engage in their child’s academic experience. • Petition provides for ongoing professional development across all proposed program elements. • Petition provides for staff liaison and buddy approach to support engaged parents/families. 	<p>Pgs. 22, 29-30, 59</p> <p>Pgs. 25-29</p> <p>Pgs. 29, 47</p>		
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C. CURRICULUM FRAMEWORK X Mark this box on behalf of the curriculum that has already been selected/developed:

The description of the curriculum should provide the reviewer with a sense not only of *what* the school will teach but also of *how* and *why*. It must present research, applicant experience, and/or reasoning sufficient to convince the reviewer that the applicants have already made sound educational decisions.

Petition Section/s
Pgs. 31-49

A description of the Curriculum Framework excels if it has the following characteristics:

1. **Alignment:** *Is the selection well reasoned and aligned with the mission, state standards and student needs?*
 - o A clear description of the framework and research, experience, and/or sound reasoning that demonstrates alignment with the school’s mission, state standards, and anticipated student needs;
2. **Implementation:** *Does the plan demonstrate the resources, scheduling, and professional support needed for effective implementation?*
 - o An implementation plan showing persuasively the resources, daily schedule, annual calendar, and professional development that support effective implementation; and
 - o A clear description of the manner in which the school will prioritize the implementation of those elements of the proposed educational program that will ensure likely achievement of the goals of the program;
3. **Evaluation:** *Does the school have strategies to evaluate effectiveness and respond when student performance falls short of goals?*
 - o Effective strategies for evaluating the effectiveness of implementation and responding when student performance falls short of goals.

1. **Alignment:** *Is the selection well-reasoned and aligned with the mission, state standards and student needs?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

2. **Implementation:** *Does the plan demonstrate the resources, scheduling and professional support needed for effective implementation?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

3. **Evaluation:** *Does the school have strategies to evaluate effectiveness and respond when student performance falls short of goals?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: CURRICULUM FRAMEWORK

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Alignment</p> <ul style="list-style-type: none"> Proposed “PATHS” program set forth in the petition as part of the school’s approach to students’ health, wellness, and life skills is considered a quality program and is likely, if effectively implemented, to benefit the target student population. Petition sets forth an alignment with Robert Marzano’s framework for an instructional model, which is based on substantial research, aspects of which have been further developed for 21st century classrooms. The program’s proposed RTI (Response to Intervention) is consistent with the over-all <i>whole child</i> approach to the curriculum. Curriculum plan includes sample Individual Learning Plan that is comprehensive and includes a focus on student-generated goals and S.M.A.R.T. goals. Defined engaging text materials – balanced literacy model, hands on, foreign language (helps with ELA). Petition contains thoughtful delineation of the proposed Response to Intervention across four Tiers. 	<p>Pg. 34</p> <p>Pg. 31</p> <p>Pg. 37</p> <p>Append D</p> <p>Append C</p>	<p>Alignment</p> <ul style="list-style-type: none"> Petition lacks a clear articulation of the timelines for how and when the Tiers 1-4 Response to Intervention will be determined. <p>Implementation</p> <ul style="list-style-type: none"> Key aspects of the proposed educational program will require substantial planning and preparation prior to opening. The Conditions on Opening set forth expectations to require the petitioners to meet specific benchmarks of program development and submission of key documents to evidence the sufficient planning and preparation to ensure a likelihood of successful implementation of the proposed program. Petition sets forth ambitious, though necessary, professional learning goals for teachers to develop competencies across a range of approaches and curriculum source materials, while providing nonetheless a limited amount of funds, likely to be insufficient to fully implement all aspects of proposed program elements without significant fundraising efforts. Petition and responses provided during petitioner interviews evidence potential under-estimation of the professional development needed to effectively 	<p>Pg. 37</p> <p>Append A</p> <p>Interview</p>

<ul style="list-style-type: none"> • Petition proposes a Response to Intervention that is a standard, research-based model. • Petition sets forth curricular resources and materials that are aligned to the mission and philosophy, such as Everyday Math, which includes meaningful hands-on approach. • Petition provides an effective sample scope and sequence that are aligned to the over-all program proposed and effectively complements and enhances the understanding of the proposed program. <p>Implementation</p> <ul style="list-style-type: none"> • Petition proposes to implement a three-block workshop model, considered a “<i>balanced literacy approach</i>.” This model is considered an effective approach to language arts instruction and there are a variety of effective local models of this approach being implemented within Oakland public schools. • Approach to literacy is complemented by the petition’s proposed commitment to implementing a Cycle of Inquiry and the use of time built into the school day to allow for teacher collaboration and curriculum planning. • Petition contains descriptions of the Reading Workshop, Writing Workshop, and Language and Word Study that effectively describe these aspects of the school’s intended approach to literacy. 	<p>Pg. 37</p> <p>Pg. 37</p> <p>Pgs. 31-34 Append C</p> <p>Append C</p> <p>Pgs. 31-32 Append C</p> <p>Pgs. 31-32, Append C, E</p>	<p>implement program as proposed.</p> <ul style="list-style-type: none"> • Petition does not contain a clear articulation of the approach to the remaining scope and sequence of each grade level curriculum to better understand how vertical alignment will be achieved. <p>Evaluation</p> <ul style="list-style-type: none"> • Petition proposes to utilize a Social Studies and Science baseline assessment; however, pursuant to responses provided during the petitioner interviews, it was indicate that these assessments to not yet exist and there is not yet a clear plan for their development. The Conditions on Opening set forth the expectation that evidence must be provided that these proposed assessments have been either selected or developed with evidence to verify that such assessments are valid and reliable. • Petition sets forth a wide-range of assessments that are likely to occur with a frequency that will necessitate effective monitoring and management to effective use in informing instruction. 	<p>Append C</p> <p>Pg. 25</p> <p>Pg. 59</p>
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<ul style="list-style-type: none"> • Petition sets forth an inquiry model that is aligned to the over-all educational philosophy. 	<p>Pgs. 31-32 Append C</p>		
<ul style="list-style-type: none"> • Petition provides for Core teachers to have built-in collaboration time necessary to effectively develop curriculum and utilize assessment results to differentiate instruction. 	<p>Pg. 36</p>		
<ul style="list-style-type: none"> • Petition sets forth that teachers will become diagnosticians, which is a thoughtful approach to ensuring equity lens and differentiation. 	<p>Pg. 58</p>		
<p>Evaluation</p>			
<ul style="list-style-type: none"> • Petition contains descriptions of school’s approach to literacy that set forth a range of assessments and other diagnostics and instruments for each of the components that are likely to reinforce effective planning and implementation. 	<p>Pg. 32</p>		
<ul style="list-style-type: none"> • Implementation plan includes an evaluation schedule following the 3rd year to evaluate the over-all effectiveness of the school’s program. 	<p>Pg. 57</p>		
<ul style="list-style-type: none"> • Petition sets forth a commitment to a Data driven approach to instruction that is coherently described and likely to result in an ongoing evaluation of the effectiveness of the program. 	<p>Pgs. 35-36</p>		
<ul style="list-style-type: none"> • Petition contains a 3-year rollout plan that is thoughtful in consideration of many often missed considerations for the effective implementation of a new school program, including making determinations early regarding what to prioritize in 	<p>Pgs. 25, 27</p>		

<p>the implementation of the program.</p> <ul style="list-style-type: none"> • Petition sets forth that, by the 3rd year, the evaluation for student progress will be linked to teacher and school leader evaluations. 	<p>Pgs. 35-36</p>		
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D. CURRICULUM FRAMEWORK *X* Mark this box on behalf of the curriculum that has yet to be developed:

1. Plan: *Is there a sound curriculum development plan?*

- o A thorough, persuasive plan for development including the research base to be considered and foundation materials;

2. Schedule: *Is there a well-defined, realistic schedule?*

- o A realistic, time-specific development schedule and clear objectives to be met; and

3. Responsibilities: *Are the development responsibilities clear and manageable?*

- o Identification of individuals responsible for development and evidence that they are well-qualified for the task.

1. Plan: *Is there a sound curriculum development plan?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

2. Schedule: *Is there a well-defined, realistic schedule?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

3. Responsibilities: *Are the development responsibilities clear and manageable?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

ANALYSIS: CURRICULUM DEVELOPMENT PLAN

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Plan</p> <ul style="list-style-type: none"> • Petition contains overview of the proposed schedule of implementation. The schedule considers specific priorities including <i>Understanding of the Educational Program, Cycle of Inquiry, and the Equity Perspective</i>. The consideration given to the aspects of the program most likely to require early implementation is educationally sound and reflects appropriate choices being made. • Implementation plan includes an evaluation scheduled following the 3rd year to evaluate the over-all effectiveness of the school’s program. <p>Schedule</p> <ul style="list-style-type: none"> • Petition contains a specific plan setting forth the aspects of the program requiring continued development. • Petition proposal for continued development of curricular plan is ambitious and contemplates completing aspects of this planning in advance of the start of many operational aspects of the program that invariably distract from the efforts to focus on the curriculum development. <p>Responsibilities</p>	<p>Pgs. 35-36</p> <p>Pgs. 35-36 Append C</p> <p>Pgs. 37-38</p> <p>Pgs. 37-38</p>	<p>Plan</p> <ul style="list-style-type: none"> • The year-round program component that includes a summer intersession is not yet articulated to evidence the expected outcomes of the summer intersession, the intended curriculum, or the expectations for students with respect to their participation. The Conditions on Opening sets forth expectations that the summer intersession must be articulated to ensure sufficient planning and preparation. <p>Schedule</p> <ul style="list-style-type: none"> • Plan provided for continued development of the curricular program sufficiently outlines the required elements of the program to ensure proper planning and preparation; however, the timeline is not realistic to ensure through planning and will therefore require monitoring. The Conditions on Opening sets forth expectations for each aspect of the program outlined within the Appendix 6, Page 45. <p>Responsibilities</p> <ul style="list-style-type: none"> • Lacks clarity regarding the specific individuals who will be responsible for the further development of the educational program. 	<p>Append F</p> <p>Pg. 45 Append C</p>

<ul style="list-style-type: none"> • Petition sets forth a plan for continued development of the curriculum program that specifies committees responsible for their completion. 	<p>Pgs. 37-38</p>		
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E. SPECIAL POPULATIONS: SPECIAL EDUCATION

Federal law requires charter schools, like all public schools, to provide a free appropriate education in the least restrictive environment to students identified with disabilities who are enrolled at the school. A plan for serving students with disabilities excels if it has the following characteristics:

- Demonstrated understanding of state and federal special education requirements including the fundamental obligation to provide a free, appropriate education to students identified with disabilities and obligations held under Section 504 of the ADA;
- A clear statement regarding what petitioners expect will be the school’s anticipated LEA status for purposes of special education and the implications of that status determination;
- A sound plan -- including lead contact, funding, service, and intervention arrangements -- for identifying and meeting the needs of students identified with disabilities;
- Alignment of the special education plan with the core educational program; and
- Evidence of high expectations for students with special needs.

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: SPECIAL EDUCATION

Strengths	Reference	Concerns & Additional Questions	Reference
<ul style="list-style-type: none"> • Petition’s program design sets forth a “workshop” model for language arts and math that support differentiation for all learner types, including special education students. • Petition sets forth that school will implement an individualized learning plan for all students, which is likely to increase the school’s overall capacity to ensure the effective implementation of the IEP’s for students with identified learning disabilities. • Petition sets forth a clear understanding of the state and federal responsibilities held by public schools serving students with learning disabilities. Petition sets forth an understanding of the child-find, referral for assessment, IEP development and monitoring, and inclusion of students in the least restrictive learning environment. • Petition sets forth a clear understanding of the 504 process and the school’s roles and responsibilities as it pertains to the development and oversight of 504 plans for students who may not otherwise qualify as learning disabled. • Petition sets forth a thoughtfully articulated Response to Intervention (RTI) model that is additionally incorporated into the over-all design of the educational program, with various references within the petition. 	<p>Pgs. 38-46</p> <p>Pgs. 24-25</p> <p>Pgs. 38-45</p> <p>Pgs. 45-46</p> <p>Pgs. 36-37</p>	<ul style="list-style-type: none"> • Pursuant to responses provided during the petitioner interviews, while the design team holds experience and a background in implementing most aspects of the proposed interventions set forth in the RTI model, such as Reading Recovery and Read Naturally, the costs associated with proper training, materials, and continued staff development is not yet fully considered in the school’s over-all budget and will require additional fundraising efforts to effectively implement. • While the petition sets forth that Vincent Academy will enter into an MOU with the OUSD for purpose of Special Education, the district reserves the right to determine whether or not it will seek to enter into an MOU. The current practice of the Oakland SELPA is to treat all charter schools who operate as public schools for purposes of special education in a manner consistent with applicable law. 	<p>Interview</p> <p>Pg. 39</p>

<ul style="list-style-type: none"> • Petition sets forth that during the first 2-3 years, the school will operate as a public school under the Oakland SEPLA for purposes of special education. This is consistent with most new charter schools and is consistent with approximately 70% of Oakland charter schools. • Petition proposes an annual meeting between the district and the charter school to ensure <i>“ongoing mutual understanding ... and ongoing compliance.”</i> • Petition sets forth a detailed description of the roles and responsibilities of the school with respect to IEP meetings. • Petition considers the complaints and concerns by parents/guardians by detailing the manner in which the school and the district will work in collaboration to ensure proper complaint resolution. • Petition acknowledges the school’s obligation to contribute to the District’s special education costs by making payments to offset the District’s over-all special education contribution. 	<p>Pgs. 39-40</p> <p>Pg. 40</p> <p>Pg. 42</p> <p>Pgs. 43-44</p> <p>Pg. 44-45</p>		
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F. SPECIAL POPULATIONS: ENGLISH LANGUAGE LEARNERS

Federal law requires charter schools, like all public schools, to meet the needs of English language learners by helping them gain English proficiency and also make progress in all academic subjects. A plan for serving English language learners excels if it has the following characteristics:

- Demonstrated understanding of the likely English language learner population;
- A sound approach to identifying and meeting the needs of English language learners tailored to the anticipated population;
- A sound approach to helping English language learners fulfill expectations of the core educational program, including a lead contact and intervention process; and
- Evidence of high expectations for English language learners.

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: ENGLISH LANGUAGE LEARNERS

Strengths	Reference	Concerns & Additional Questions	Reference
<ul style="list-style-type: none"> • Petition sets forth plan to implement Systematic ELD, considered a high quality strategy (research based); works for standard English learners (teaches key vocabulary 1st, including learning to frame responses, as well as subject-matter projects, systematic sentence structure, and components of language acquisition). • Petition sets forth a plan to intervene using student study teams, Response to Intervention, and other assessments likely to assist in identifying students not progressing adequately. • Petition sets forth above grade level expectations for students that are sufficiently ambitious and realistic. • Petition sets forth a plan to identify early those students likely to need additional support and intervention. • Petition sets forth a proposed Workshop model across subject areas that are likely to benefit the school’s targeted ELL population. 	<p>Pg. 48</p> <p>Pg. 49</p> <p>Pg. 47</p> <p>Pgs. 36-37</p> <p>Append C</p>	<ul style="list-style-type: none"> • Petition is not clear as to whether or not there will be a specific ELD program to be provided to students who qualify, particularly students scoring at the beginning and early intermediate levels on CELDT upon entry. • Responses provided during petitioner interviews indicate that proposed approach to English Language Learners, including Systematic ELD, will require acquisition of additional expertise in the planning and implementation. • Proposed approach to English Language Development is not clearly or explicitly set forth in the program implementation plan included in the charter petition. It is not clear what the level of prioritization this aspect of the program development has in the overall implementation plan. 	<p>Interview</p> <p>Append C</p>

G. PUPIL OUTCOMES

Pupil outcomes are central to the school’s existence. They represent the school’s definition of success and should drive all aspects of the program and operation. A description of Pupil Outcomes excels if it has the following characteristics:

1. **Alignment:** *Do the objectives align with the mission and vision?*
 - Educational objectives aligned with the mission, vision and educational program;
2. **Measurement:** *Are the goals clear, specific and measurable?*
 - Multiple performance measures applied to student learning objectives;
 - Measures include performance goals based on absolute (e.g., proficiency levels), relative (e.g., comparison schools), and individual gains (e.g., year-to-year matched student cohort gains);
 - Goals that are specific, measurable and time-bound;
3. **Performance Level:** *Have the petitioners demonstrated that the target performance levels are both ambitious and attainable?*
 - Performance levels that are both ambitious and realistic including rigorous promotion and graduation standards; and
 - Performance levels are considered annually and graduated as needed to sufficiently accelerate learning based on the needs of the target population.

1. Alignment: *Do the objectives align with the mission and vision?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

2. Measurement: *Are the goals clear, specific and measurable?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

3. Performance Level: *Have the petitioners demonstrated that the target performance levels are both ambitious and attainable?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: PUPIL OUTCOMES

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Alignment</p> <ul style="list-style-type: none"> Petition sets forth a proposed curriculum approach that includes the use of 21st Century Skills likely to benefit target population. Petition sets forth Measurable Pupil Outcomes that address not only English Language Arts and mathematics, but PE, health, technology, etc. Petition sets forth Measurable Pupil Outcomes that are aligned to mission/vision. <p>Measurement</p> <ul style="list-style-type: none"> Petition contains clearly defined performance targets. Petition provides for a range of assessments. Petition sets forth targets that are measured in terms of absolutes, as well as provides for annual growth and comparison to similar populations. Petition sets forth performance targets that are time-bound and commit the school to meeting specific targets on a basis that can allow for frequent monitoring of results. <p>Performance Level</p> <ul style="list-style-type: none"> Petition sets realistic and ambitious targets for 	<p>Pgs. 5-7</p> <p>Pgs. 52-54</p> <p>Pgs. 52-54</p> <p>Pgs. 52-54</p> <p>Pgs. 52-54</p> <p>Pgs. 52-54</p> <p>Pgs. 52-54</p> <p>Pgs. 52-54</p>	<p>Alignment</p> <ul style="list-style-type: none"> Petition is not clear as to what extent the pacing guide developed will align to CSTs. <p>Measurement</p> <ul style="list-style-type: none"> Given the absence of a sample Vincent Academy ELA or Vincent Academy Math Interim Benchmark Assessment, the validity / reliability of this instrument of assessment cannot be conducted to establish a basis upon which to qualify the proposed targets set for students in the Measurable Pupil Outcomes section for this instrument of assessment. Petition sets forth a goal of obtaining status as a 90-90-90 school at some point in the second term of the charter; however, the petition does not contain explicitly those attributes of 90-90-90 schools reinforced by research of such programs. The extent of the benchmark assessments requires an articulation of the proposed use of these assessments to inform instruction that is not sufficiently articulated. <p>Performance Level</p> <ul style="list-style-type: none"> 	<p>Pg. 51</p>

<p>students.</p> <ul style="list-style-type: none"> • Petition contemplates the performance levels of comparable local district and charter schools in setting its targets for student performance. • Petition sets forth clear and rigorous promotion and retention requirements that are clearly articulated with associated processes and policies. 	<p>Pgs. 52-56</p> <p>Append C</p>		
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H. PUPIL PROGRESS

Summative evaluations measure student performance for the purpose of evaluating academic program effectiveness and overall school operation. In other words, they are used to determine how much students have learned.

Formative evaluations measure student performance for the purpose of determining students’ learning needs and informing instructional strategies. In other words, they are used to determine what students still need to learn. A plan for evaluating Pupil Progress excels if it uses both formative and summative assessments and includes the following characteristics:

- 1. Assessments:** *Does the school have valid and reliable measures of student progress?*
 - Identification of the expected range of formative and summative assessments including but not limited to state-mandated assessments;
 - Evidence that assessments will be valid and reliable measures of student progress toward achieving the identified Pupil Outcomes;
- 2. Instruction Improvement:** *Does the school have a sound plan for using assessments to inform instruction?*
 - A coherent strategy for using student assessment and performance data to evaluate and inform instruction on an ongoing basis;
- 3. Reporting:** *Is the school committed to reporting and disseminating performance information?*
 - A plan for sharing performance information, including standardized test results, with students, families and public agencies, as required;
 - A clear description of the manner in which stakeholders will act upon and make use of the performance information provided.

1. Assessments: *Does the school have valid and reliable measures of student progress?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

2. Instruction Improvement: *Does the school have a sound plan for using assessments to inform instruction?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

3. Reporting: *Is the school committed to reporting and disseminating performance information?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: PUPIL PROGRESS

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Assessments</p> <ul style="list-style-type: none"> • Petition contains a sample assessment calendar that considers a wide range of assessments and, while assessment-laden, is realistic and pursuant to responses during the petitioner interviews, well understood by the petitioning group. • Petition contains a thoughtfully delineated and comprehensive policy for retention and promotion. • Petition contains sample documents providing evidence of student grade reports that include performance evaluation rubrics (4 points) in both ELA and math that evidence the program expected in the 1st, 2nd, and 3rd trimesters. • Petition proposes the use of Data Director, which is an effective tool in the ongoing assessment and monitoring of student academic progress. • Many of the proposed assessments are solid and research-based, including Fountas & Pinell and curriculum embedded assessments, such as Everyday Mathematics. <p>Inform Instruction</p> <ul style="list-style-type: none"> • Petition sets forth the use of data from weekly data meetings among teachers to inform instruction. • Petition sets forth strong plan for a Cycle of Inquiry 	<p>Append C</p> <p>Append C</p> <p>Append C</p> <p>Pg. 58</p> <p>Pgs. 52-54, 57</p> <p>Append C</p> <p>Pgs. 25, 58</p> <p>Append E</p>	<p>Assessments</p> <ul style="list-style-type: none"> • Vincent Academy Interim Benchmark Assessments are not described, nor is a sample provided. This assessment is likely to have a significant impact on the quality and effectiveness of the program. The conditions on Opening sets forth expectations for the submission of a completed set of assessments for K, 1, and 2, in order to ensure a review of their validity and reliability for use as proposed in the educational program. • Petition is not sufficiently clear as to how teachers become “diagnosticians” and the training and support to be afforded to ensure this role is effectively developed. • Grade level signature project assessments are not included within the petition by example, and must therefore be provided under the terms set forth in the Conditions on Opening contained herein. <p>Inform Instruction</p> <ul style="list-style-type: none"> • Petition provides some description of the role that assessments will play in the improvement of instruction; however, pursuant to responses provided during the petitioner interviews as well as a review of the petition, it is not clear how the school will respond to the results of the Interim Assessments said to take place 3-4 times a year. 	<p>Pg. 32</p> <p>Pgs. 57-58 Interview</p>

<p>approach to assist in the school's over-all continuous improvement efforts.</p> <ul style="list-style-type: none"> • Petition contains clearly defined targets and frequency of assessments to be used to monitor progress towards obtaining targets. • Petition sets forth a “whole child-approach” to assessing learning. <p>Reporting</p> <ul style="list-style-type: none"> • Petition proposes a transparent process of reporting student performance results to all major stakeholder groups. 	<p>Pgs. 52-58</p> <p>Pgs. 52-54</p> <p>Pgs. 58-59</p>	<p>Reporting</p> <ul style="list-style-type: none"> • 	
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EDUCATIONAL PROGRAM SUMMARY

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

EDUCATIONAL PROGRAM SUMMARY

Strengths
 The petition as submitted provides evidence of a comprehensive, coherently described, and aligned educational program that is sound and likely to meaningfully benefit the target population. Aspects of the program that warrant further development, based on the contents of the petition and responses provided during the petitioner interviews indicates the capacity to further the development of the curricular program.

Concerns and Additional Questions
 Some aspects of the program, including specific articulation of performance assessments remain vague. This will require additional emphasis through the articulated conditions on opening to ensure sufficient planning takes place prior to opening.

II. PETITIONER CAPACITY

Statutory References:

E.C. § 47605(b)(2)

E.C. § 47605(b)(5)(D)-(P)

E.C. § 47605(c)(2)

E.C. § 47605(g)

The Charter Schools Act requires the authorizer to determine whether the petitioners are “demonstrably unlikely to successfully implement the program.” Experience with new school development demonstrates that unless petitioners have sound plans and capacity for governance, management, employment, and financial operation; they are unlikely to successfully implement the program. This section should provide a clear, convincing picture of the petitioners’ capacity to operate the school successfully.

A. GOVERNANCE CAPACITY

A description of the plan for Governance excels if it has the following characteristics:

Petition Section/s
Pgs. 60-99

1. Legal Structure: *Does the school have adequate and appropriate legal structure?*

- Documentation of proper legal structure (Articles of Incorporation stamped by the Office of the Secretary of State and corporate Bylaws);
- Evidence of 501(c)3 Non-Profit Corporation status; and
- Adequate bylaws, policies, and procedures for governing body operation (director selection and removal, decision making, powers and duties, expansion and transition plans).

2. Charter School Governance Experience/ Expertise: *Does the board demonstrate the capacity needed to govern effectively?*

- Evidence of analysis that proposed founding members of the governing body possess and will contribute the wide range of knowledge and skills needed to oversee a successful charter school, and
- Evidence of the existing or emerging capacity of the proposed founding members of the governing board to work as an effective unit in the interest of the proposed charter school.

3. Operating Plan: *Does the school have an operating plan that complies with legal obligations and incorporates sound governance practices?*

- Demonstrated understanding of the board’s responsibility for the educational and fiscal integrity of the school and for fulfilling the terms of the charter;
- Clear, reasonable selection and removal procedures, term limits, meeting schedules, and powers and duties for members of the governing body;
- Demonstrated understanding and assurance of compliance with open meetings requirements;
- Reasonable conflict of interest policy;
- Adequate plan for insurance;
- A plan for meaningful involvement or input of parents and community members in the governance of the school;
- Clear, sensible delineation of roles and responsibilities of parent councils, advisory committees, or other supporting groups; and
- Clear, sensible definition of governing body roles and responsibilities in relation to management.

1. Legal Structure: *Does the school have adequate and appropriate legal structure?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

2. Governance Experience: *Does the board demonstrate the capacity needed to govern effectively?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

3. Operating Plan: *Does the school have an operating plan that complies with legal obligations and incorporates sound governance practices?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: GOVERNANCE CAPACITY

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Legal Structure</p> <ul style="list-style-type: none"> Following discussion with the proposed governing board members of Partners In Oakland Education (a 501c3 non-profit) it has been agreed upon that the proposal contained within the charter petition of establishing a second non-profit corporation for the establishment of a subsidiary governing board would not effectively provide for the oversight and accountability necessary to ensure compliance and fulfillment of the terms of the school’s charter. Partners in Oakland Education will retain all duties and responsibilities as the holder of the charter. <p>Charter School Governance Experience & Expertise</p> <ul style="list-style-type: none"> Governance and design team include representatives from an Oakland-based private school frequently rated as a highly effective, popular program. Integration of experiences and lessons learned within this private school sector as represented by this relationship has the potential to meaningfully benefit the program design and the potential for that design to more broadly inform how the public school and private school sector may work more collaboratively in developing high quality school programs. Proposed governing board and design team members have conducted various visits to local charter schools, engaged local charter school operators, and evaluated 	<p>Pg. 60</p>	<p>Legal Structure</p> <ul style="list-style-type: none"> The petitioning group currently utilizes a formal reference to individuals as members of two “boards” which, while likely to provide for an increased sense of responsibility and/or ownership among members, is also likely to increase confusion and miscommunication with parents and community with respect to the actual roles and responsibilities of those individuals responsible for operating the school. A clear structure set forth in writing must be established as stated in the Conditions on Opening, attached herein, which spells out the specific delegated powers of the Partners in Oakland Education governing board to the Vincent Academy program committee; a clear description of the communication structure of these two bodies; as well as an organizational chart that illustrates the authority, decision-making, and corresponding reporting structures to be implemented within the school’s governance and operations. Given the current articulation of the retention policy appeals process, as well as the procedures set forth in the suspension and expulsion process, it will be necessary to revise and submit these policies and procedures for review and final approval by designated staff of the authorizer in order to ensure clarity for parents and families, as well as to ensure adequate provisions for Due Process. 	

<p>various program models to consider fully the potential for local effective practices to inform the school’s program design.</p> <ul style="list-style-type: none"> • Petitioning group is comprised of individuals that include a strong background in curriculum development, charter school and public school leadership, and the requisite fiscal, legal, and business background to effectively operate a charter school. • Proposed governing board members have experience supporting, overseeing, and effectively fundraising for an existing Oakland-based educational program (St. Vincent Day Home) <p>Operating Plan</p> <ul style="list-style-type: none"> • Petitioner responses during petitioner interviews provide evidence of a clear understanding of the roles and responsibilities of the governing board in the effective implementation of the program. • Petitioners provided a clear set of bylaws that meet quality standards for transparency and clarity. • Petition and responses provided during petitioner interviews provide reasonable assurances of understanding of the school’s obligations to open meeting practices. • Petitioner responses provide reasonable assurance of a completed Conflict of Interest Policy. • Petition contains a clear plan for insurance. 	<p>Pgs. 8-13</p> <p>Pgs. 8-13</p> <p>Append H</p> <p>Pg. 61</p> <p>Interview</p> <p>Pg. 91</p>	<p>Charter School Governance Experience & Expertise</p> <ul style="list-style-type: none"> • <p>Operating Plan</p> <ul style="list-style-type: none"> • Conditions on Opening include the expectations that the proposed communication structure will be articulated to ensure clarity regarding the role of parents in the governance of the school. • Petition sets forth draft policy language regarding Retention and Promotion that must be adjusted to accommodate changes in the proposed governance structure of the school to ensure accurate and transparent delineation of authority and appeals. 	<p>Pg. 64</p> <p>Append C</p>
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<ul style="list-style-type: none"> • Petition and responses provided during petitioner interviews provide a clear indication of the role parents have played in the development of the proposed program. 	Pgs. 13-14		
<ul style="list-style-type: none"> • Petition and responses provided during the petitioner interviews evidence a clear description of the role of parents in the governance and decision-making of the school. 	Pgs. 64-65		

B. MANAGEMENT CAPACITY

Petition Section/s
Pgs. 73-99

A leadership plan excels if it has the following characteristics:

1. Enrollment Procedures: *Does the petition present reasonable enrollment procedures that comply with applicable law?*

- A description of the means by which the school will seek to attain a racial and ethnic balance among its pupils that is reflective of the district including specific plans and strategies for student recruitment;
- A clear and compelling student recruitment plan likely to attract projected enrollment, particularly in Year 1;
- A specific plan for conducting a public random drawing or an assurance that such a drawing will be conducted subject to district approval in the event that the number of pupils who wish to attend the school exceeds the capacity;
- An assurance that the school will not impose admission requirements, OR, if the school proposes to have requirements, a precise description of those requirements, a compelling statement regarding why they are essential to fulfillment of the school's mission, and a specific plan for the school to incorporate the requirements into any random drawings; and
- A clear description of the enrollment process to include any unique intake or application evaluation process to be used by the school designed to meet the needs of the target population outlined in the petition.

2. Operating Procedures: *Does the petition present sound operating procedures that comply with applicable law?*

- The procedures that the school will follow to ensure the health and safety of pupils and staff;
- A clearly articulated discipline policy with suspension and expulsion procedures that are fully explained and consistent with the school's mission, educational philosophy, and applicable law;
- A statement regarding attendance alternatives for students residing in the district who choose not to attend the school;
- A statement that the school intends to use the district's approved procedure for resolving disputes relating to provisions of the charter, OR, in the alternative, a clear description of the procedures that the school proposes to use;
- A description of the systems likely to be effective in addressing parent and community complaints; and
- An assurance that the school will comply with the district's approved procedures for school closure in the event that the charter is relinquished, revoked, or not renewed.

3. Management Structure: *How effective is the management structure likely to be?*

- Clearly defined management roles and responsibilities for all positions within the administration of the school;

- A clear plan for recruitment, selection, development, and evaluation of staff, including the school leader;
- Verifiable internal procedures and controls to ensure conformance with the approved budget;
- An approved and public organizational chart delineating board and management roles and lines of authority;
- Clear, sensible delineation of roles and responsibilities for implementing the school program, including clearly defined roles for parent councils, advisory committees, and other supporting groups;
- Management job descriptions identifying key roles, responsibilities, and accountability;
- An allocation of time, financial resources, and personnel that is sufficient for planning and start-up prior to the school’s opening; and
- The manner in which administrative services are to be provided and any potential civil liability effects on the school or the district.

1. Enrollment Procedures: *Does the petition present reasonable enrollment procedures that comply with applicable law?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

2. Operating Procedures: *Does the petition present sound operating procedures that comply with applicable law?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

3. Management Structure: *How effective is the management structure likely to be?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: MANAGEMENT CAPACITY

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Enrollment Procedures</p> <ul style="list-style-type: none"> • Petition provides for a comprehensive Outreach Plan that includes a wide range of strategies to ensure and meaningful attempt to achieve the racial and ethnic balance of district. • Petition sets forth a program design and recruitment plan, in addition to a formal relationship with a local preschool program that is likely to ensure the attainment of the projected enrollment. • Petition sets forth a description for a random public lottery that meets expectations. <p>Operating Procedures</p> <ul style="list-style-type: none"> • Petition contains both a comprehensive description of the health and safety procedures as they pertain to students and families, as well as employees. • Petition contains a sample Illness and Injury Prevention Plan that is comprehensive and exemplary. • Petition contains clear description of the suspension and expulsion procedures that includes a clear delineation of the process, as well as its implications for students with identified learning disabilities. 	<p>Append M</p> <p>Pgs. 74-76</p> <p>Pg. 75</p> <p>Pgs. 70-71</p> <p>Append K</p> <p>Pgs. 76-90</p>	<p>Enrollment Procedures</p> <ul style="list-style-type: none"> • See Conditions on Opening regarding revisions to the enrollment preferences, including the rationale for the elimination of the enrollment preference for students who have previously attended the St. Vincent Day Home program. <p>Operating Procedures</p> <ul style="list-style-type: none"> • Conditions on Opening set forth revisions to the Suspension and Expulsion policies to reflect the governance structure and the appropriate final decision-making body. • Required text revisions align the charter language with respect to the Dispute Resolution procedures to those adopted by the District for use with charter schools. <p>Management Structure</p> <ul style="list-style-type: none"> • Petition and responses provided during petitioner interview evidence that the evaluation instrument for the Head of Schools is yet to be developed. Conditions on Opening include expectations that the school provide a complete draft evaluation process with associated tools and instruments to evidence clearly the standards and means by which the Head of Schools will be held accountable and evaluated. • A clear structure set forth in writing must be 	<p>Interview</p>

<ul style="list-style-type: none"> • Petition contains a statement regarding attendance alternatives for students residing in the district who choose not to attend the school. • Petition contains a description of the systems likely to be effective in addressing parent and community complaints. • Petition contains a reasonably comprehensive description of the procedures to be used in the event the school is closed, including the determination of the funds required to effectively complete that process. 	<p>Pg. 76</p> <p>Append A</p> <p>Pg. 93-95</p>	<p>established as stated in the Conditions on Opening, attached herein, which spells out the specific delegated powers of the Partners in Oakland Education governing board to the Vincent Academy program committee; a clear description of the communication structure of these two bodies; as well as an organizational chart that illustrates the authority, decision-making, and corresponding reporting structures to be implemented within the school's governance and operations.</p>	
<p>Management Structure</p> <ul style="list-style-type: none"> • Petition contains core competencies for the Head of School. • Petition contains a description of the plan for recruitment of teachers. • Petition contains a clear and thoughtful plan for professional development that is aligned to over-all instructional program and educational philosophy. The plan is coherent and threaded throughout the petition. • Petitioner responses during the petitioner interviews demonstrate evidence of capacity to develop a professional learning plan that will support effective implementation of the proposed program. 	<p>Pgs. 62-64</p> <p>Pg. 68 Append B</p> <p>Pgs. 68-69</p> <p>Interview</p>		

<ul style="list-style-type: none"> • Petition contains job description of the Head of School that is comprehensive. • Petition and responses provided during the petitioner interviews provide a clear description of how business services will be provided at least initially through consulting support and back-office agencies, prior to the growth of the program and eventual consideration of bringing these services in-house. • Petition clearly sets forth the limited liability of the district as a result of the operation of the charter school consistent with applicable law. 	<p>Pgs. 62-64</p> <p>Interview</p> <p>Pgs. 96-97</p>		
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C. EMPLOYMENT CAPACITY

Petition Section/s
Pgs. 66-72

An employment plan excels if it has the following characteristics:

1. **Qualifications and Responsibilities:** *How clear and sensible are required staff capacities and intended allocation of responsibilities?*
 - Description of the qualifications for and responsibilities of key employees of the school, including the instructional leader and other key school administration positions.
2. **Compensation Plan:** *How sound is the staff compensation plan?*
 - A compensation plan based on sound budget assumptions that reflects understanding of the prevailing market and supports the proposed educational program.
3. **Policies and Assurances:** *Does the petition contain the required assurances and a reasonable plan for policy development?*
 - Adequate personnel policies or a sound plan articulated for timely development;
 - An assurance that staff will meet applicable state and federal requirements for credentialing and "highly qualified" status;
 - An adequate description of the manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security;
 - A statement regarding employee rights of return, if any;
 - A clear declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act; and
 - An assurance that staff will have criminal background and other required health and safety checks and manner in which these will be conducted.

1. Qualifications and Responsibilities: *How clear and sensible are required staff capacities and intended allocation of responsibilities?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

2. Compensation Plan: *How sound is the staff compensation plan?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

3. Policies and Assurances: *Does the petition contain the required assurances and a reasonable plan for policy development?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: EMPLOYMENT CAPACITY

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Qualifications and Responsibilities</p> <ul style="list-style-type: none"> Petition contains a description of the qualifications for and responsibilities of the head of school, teachers, and teacher’s aides, as well as some description of the role of the family resource coordinator. <p>Compensation Plan</p> <ul style="list-style-type: none"> Based on responses provided during the petitioner interviews, as well as a thorough review of the proposed budget, the petition contains adequate consideration of the prevailing wages in the establishment of the compensation plan. <p>Policies and Assurances</p> <ul style="list-style-type: none"> Petition contains a thoughtful and comprehensive sample of an Employee Handbook with associated personnel policies. Petition contains an assurance that staff will meet applicable state and federal requirements for credentialing and "highly qualified" status. Petition contains an adequate description of the manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. 	<p>Pgs. 62-64, 66-68</p> <p>Append N Interview</p> <p>Append K</p> <p>Pg. 68</p> <p>Pg. 69</p>	<p>Qualifications and Responsibilities</p> <ul style="list-style-type: none"> <p>Compensation Plan</p> <ul style="list-style-type: none"> <p>Policies and Assurances</p> <ul style="list-style-type: none"> Conditions on Opening set forth expectations for the proper revision of the charter to reflect the actual exclusive employer to be consistent with the proposed governance structure. 	

<ul style="list-style-type: none"> • Petition contains a statement regarding employee rights of return that is consistent with applicable law and district policy. • Petition contains a clear declaration that the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act. • Petition contains an assurance that staff will have criminal background and other required health and safety checks and manner in which these will be conducted. 	<p>Pgs. 69-70</p> <p>Pg. 69</p> <p>Pg. 70</p>		
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D. FINANCIAL CAPACITY

The petition should present an understanding of how the charter operators intend to manage the school's finances and maintain the organization's financial viability. It should make a persuasive case for financial viability, including sound revenue projections, expenditure requirements, and budgetary support for and alignment with the educational program.

A plan for financial capacity excels if it has the following characteristics:

1. Financial Operation: *How would you rate the structures and practices related to financial operation?*

- A balanced three-year budget accurately reflecting all budget assumptions;
- A start-up year plan with reasonable assessment of and plan for costs;
- A clear indication that the school has a sound plan for sustainability, including funding for the core program that does not have ongoing reliance on "soft" money (e.g., donations, grants, etc.);
- Clear evidence and track record of sustainability, in the event there is an enduring reliance on "soft" money (e.g., donations, grants, etc.);
- An adequate reserve and contingency plan targeted to the minimum enrollment needed for solvency (especially for year 1);
- A sound plan for financial management systems;
- An audit assurance and/or plan with adequate budget allocation; and
- A plan for dissolution of assets should the school close.

2. Revenues: *How would you rate the accuracy and attainability of the revenue projections?*

- A narrative explaining key revenue assumptions;
- Realistic revenue projections showing all anticipated revenue sources -- including state, local, federal, and private funds, and any fee-based programs and services;
- Realistic cash flow projection; and
- A fundraising plan including assumptions and report on current status.

3. Expenditures: *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?*

- Spending priorities that align with the school's mission, educational program, management structure, professional development needs, and growth plan;
- A budget narrative explaining key expense assumptions;

- Realistic expense projections addressing major operating expenses including staffing and benefits, special education, facility, materials and equipment, and contracted services;
- Budgeting to meet minimum insurance requirements; and
- Evidence to support key assumptions including that compensation is sufficient to attract qualified staff and that facilities budget is adequate.

1. Financial Operation: *How would you rate the structures and practices related to financial operation?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

2. Revenues: *How would you rate the accuracy and attainability of the revenue projections?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

3. Expenditures: *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: FINANCIAL CAPACITY

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Financial Operation</p> <ul style="list-style-type: none"> • Petition contains a balanced three-year budget accurately reflecting all budget assumptions. • Petition contains a start-up year plan with reasonable assessment of and plan for costs. • Responses during petitioner interview provided evidence of a sound plan for financial management systems. • Petition contains an audit assurance and plan with adequate budget allocation. • Petition contains, within the school closure procedures, a plan for dissolution of assets should the school close. <p>Revenues</p> <ul style="list-style-type: none"> • Petitioners propose, based on their structure of establishing both the governing body of the Partners in Oakland Education, as well as the program committee for Vincent Academy, that the school will be well positioned to advantage these bodies to both fulfill the roles of effective program implementation and support the fundraising efforts needed to ensure successful implementation of the proposed program. 	<p>Append N</p> <p>Append N</p> <p>Interview</p> <p>Append N</p> <p>Pg. 95</p>	<p>Financial Operation</p> <ul style="list-style-type: none"> • Petitioners have acknowledged the need for substantial fundraising to ensure viability of program. Petitioners have linked the likelihood of fundraising success to the history of successful fundraising for the St. Vincent Day Home. <p>Revenues</p> <ul style="list-style-type: none"> • Program proposed includes a provision of year-round program that will require extensive fundraising. • The proposed program components as set forth in the petition will require substantial funding beyond the state and federal revenues to be apportioned the school within the charter term. • Petitioners acknowledge that the fundraising needs of the program, particularly to support that the all day / all year aspect will require, is substantial. <p>Expenditures</p> <ul style="list-style-type: none"> • Petition contains a plan for professional development and program needs for extensive staff development in various instructional strategies and curricular programs that will require an increase in the amount of revenue needed to fully and successfully implement. 	

<ul style="list-style-type: none"> • Petition contains a narrative explaining key revenue assumptions. 	Append N		
<ul style="list-style-type: none"> • Petition contains realistic revenue projections showing all anticipated revenue sources, including state, local, federal, and private funds, and any fee-based programs and services. 	Append N		
<ul style="list-style-type: none"> • Petition contains realistic cash flow projection. 	Append N		
<p>Expenditures</p> <ul style="list-style-type: none"> • Petition contains spending priorities that align with the school’s mission, educational program, management structure, professional development needs, and growth plan. 	Append N		
<ul style="list-style-type: none"> • Petition contains a budget narrative explaining key expense assumptions. 	Append N		
<ul style="list-style-type: none"> • Petition contains realistic expense projections addressing major operating expenses, including staffing and benefits, special education, facility, materials and equipment, and contracted services. 	Append N		

E. FACILITIES PLAN

The Facilities Plan should demonstrate that the petitioners understand the school's facilities needs and its options for meeting those needs.

Do the petitioners anticipate using a district facility or finding a facility independent of the district?

Non-district facility **District facility (Prop 39)**

Select One

Non-district facility anticipated

A description of the plan for using a non-district facility excels if it has the following characteristics:

- Informed assessment of anticipated facilities needs;
- Estimated costs for anticipated facilities needs based on research and evidence;
- A description of potential sites including location, size and resources;
- Informed analysis of the viability of potential sites;
- Adequate budget for anticipated facilities costs, including renovation, rent, maintenance, and utilities;
- A schedule for securing a facility including the person responsible for implementation
- An assurance of legal compliance (health and safety, ADA, and applicable building codes); and
- Identified funding sources.

District facility anticipated pursuant to Prop 39

A description of the facilities plan in which the applicants have not yet identified a specific site will include the following characteristics:

- Informed assessment and description of anticipated facilities needs;
- Adequate budget based on 3% of anticipated per pupil revenue;
- A thoughtful contingency plan in the event that a mutually agreeable district facility is unable to be procured,
- A site preference with a compelling rationale for the preference; and
- An assurance of legal compliance (health and safety, ADA, and applicable building codes).

Facilities Plan: *Does the facilities plan indicate a thorough understanding of the school's needs?*

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

ANALYSIS: FACILITIES PLAN

Strengths	Reference	Concerns & Additional Questions	Reference
<ul style="list-style-type: none"> Facilities plan provides a clear description of the site requirements to include a total 15 classrooms as well as 7 additional spaces. Plan includes a projected 20,000 square footage need. A projected budget for establishing the portable “alternative” facility to an adequate Prop 39 offer is included; with outdoor play space preparation, utility hook-up for portable classrooms, and paint and carpet allowance. Plan includes a “Lease Proposal for the Straight Lease” of 8 classrooms and 1 portable bathroom for initial year of operation. Plan includes letter confirming that Acorn Town Center and Courtyard and the proposed governing board of the charter school (Partners in Oakland Education) are in discussion regarding the potential use of Acorn property for play space. 	<p>Append O</p> <p>Append O</p> <p>Append O</p> <p>Append O</p> <p>Append O</p>	<ul style="list-style-type: none"> Pursuant to responses provided during the petitioner interview, the petitioning group acknowledged that a Prop 39 facility offer would only be appropriate if the proposed district facility were to be located in West Oakland (defined roughly by the 980, 580, and 880 freeways). 	<p>Interview</p>

PETITIONER CAPACITY SUMMARY

Based on the information presented in the petition, how would you rate the likelihood that petitioners will successfully implement the proposed program? Your comments should identify the most significant strengths and weaknesses with respect to petitioner capacity.

Inadequate	Approaches	Meets	Excels
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

PETITIONER CAPACITY SUMMARY

Strengths
 The petition and responses provided during the petitioner interviews, as well as due diligence conducted by staff, sets forth a demonstration of capacity within the petitioning group that is likely to successfully implement the program as set forth in the petition. The petitioning group represents individuals with strong skills ranging the varied needs of charter school governance and design.

Criteria Not Sufficiently Addressed, Concerns & Additional Questions
 The proposed governance structure has undergone changes that are likely to improve the transparency and public nature of the governing body; however it will be important to monitor the ongoing development of this body to ensure effective oversight of the school. Petition proposes a prioritization of the students and families enrolled in a specific pre-K program that is likely to impact the access of the program to other eligible students residing in the neighborhood of the school.

SIXTEEN ELEMENTS TABLE

Statutory Reference: E.C. §§ 47605(b)(5)(A) to (P).

The Charter Schools Act requires authorizers to evaluate whether the petitioners have presented a “reasonably comprehensive” description of 16 elements related to a school’s operation (the “16 Elements”). To complete the following table,

1. Read the Element (column 1)
2. Use column 2 to find your earlier assessment of the item
3. Translate your assessment into a rating of “Inadequate” or “Reasonably Comprehensive” and mark the corresponding box.

Element	Evaluation Reference	Inadequate	Reasonably Comprehensive	Statutory Reference
Description of the educational program of the school	<i>Section I., bullet 3</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(A)
Measurable pupil outcomes	<i>Section II.D.</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(B)
Method by which pupil progress is to be measured	<i>Section II.E.</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(C)
Governance structure	<i>Section III.A.</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(D)
Qualifications to be met by individuals employed at the school	<i>Section III.C.1.</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(E)
Procedures for ensuring health & safety of students	<i>Section III.B.2., bullet 1</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(F)
Means for achieving racial and ethnic balance	<i>Section III.B.1., bullet 1</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(G)
Admission requirements, if applicable	<i>Section III.B.1., bullet 3</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(H)
Manner for conducting annual, independent audits	<i>Section III.D.1., bullet 7</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(I)
Suspension and expulsion procedures	<i>Section III.B.2., bullet 2</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(J)
Manner for covering STRS, PERS, or Social Security	<i>Section III.C.3., bullet 3</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(K)
Attendance alternatives for pupils residing within the district	<i>Section III.B.2., Bullet 3</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(L)
Employee rights of return, if any	<i>Section III.C.3., bullet 4</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(M)
Dispute resolution procedure for school-authorizer issues	<i>Section III.B.2., Bullet 4</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(N)
Statement regarding exclusive employer status of the school	<i>Section III.C.3., bullet 5</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(O)
Procedures for school closure	<i>Section III.B.2., Bullet 5</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(P)

ANALYSIS: SIXTEEN ELEMENTS

Comment on strengths and concerns about specific elements only to the extent that you have not already provided the relevant analysis in an earlier section.

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

Criteria Not Sufficiently Addressed, Concerns & Additional Questions
Further elaboration and detail is required to nonetheless ensure effective opening and operation of the proposed school program are set forth in the required text revisions, as well as the Conditions on Opening, which are established as terms and conditions of the charter that are material in nature.

ATTACHMENT II - CHARTER TEXT REVISIONS: The approved charter is amended from the filed petition to incorporate the revisions below. The charter school must submit to the District’s Office of Charter Schools one hard copy and one electronic copy in *Word* format of a **Track Changes** version of the revised charter, as well as a **Final Text** version of the revised petition to include all revisions outlined below no later than **5pm on Friday, October 1, 2010**.

Charter Text	Text Reference	Required Revision
<u>Introduction</u>	Pg. 1	<p><u>Add text as follows:</u></p> <p><i>Pursuant to our intent to work in collaboration with the Oakland Unified School District, we the petitioning group of the Vincent Academy Charter School do hereby express our intent to engage in and participate in discussions and activities of the West Oakland Brain Trust and the planning and development work of the West Oakland Promise Neighborhood / Innovation Zone taking place during the 2010-2011 school year, in the spirit of ensuring concerted efforts be put forth to maximize the efficient use of limited public school resources, in order to provide effective public school options on behalf of and to the benefit of the target population.</i></p>
<u>Instructional Framework</u>	Appendix C Pg. 45	<u>Replace table contained within Appendix C: Instructional Framework with table set forth below in Conditions on Opening with associated deadlines.</u>
<u>Measurable Pupil Outcomes</u>	Page 52	<p><u>Revise text as follows:</u></p> <p>Replace the following test in Language Arts section of table on this page under “<i>Standards-based Report Card (K-5)</i>” to align with sample grade report instrument to state: <u>3 out of 4 point rubric</u> 4-out-of-5-point rubric</p>
<u>Governance</u>	Page 60	<p><u>Add the following text:</u></p> <p><i>“VINCENT ACADEMY will comply with the District policy related to charter schools to the extent it aligns with and does not exceed the law applicable to charter schools, as it may be changed from time to time as long as the charter school has been given written notice of the policy change.”</i></p>
<u>Governance</u>	Page 60	<u>Revise text as follows:</u>

		All references to the <i>Vincent Academy Board of Directors</i> or <i>Vincent Academy Board</i> must be revised to reflect the actual roles and responsibilities of the Partners in Oakland Education Board of Directors. These revisions must include, but are not limited to: Complaint resolution procedures, suspension and expulsion procedures, promotion and retention procedures, dispute resolution procedures, who the exclusive employer is, etc.
<u>Governance</u>	Page 60	<p><u>Revise text as follows:</u></p> <p><i>Included as appendices are the Articles of Incorporation and Corporate Bylaws for Vincent Academy Partners in Oakland Education (See Appendix H – Articles of Incorporation and Bylaws), which can be amended from time to time by the Board of Directors in accordance with the bylaws.</i></p> <p>Said Articles of Incorporation and Bylaws of Partners in Oakland Education must replace those previously included on behalf of the previously proposed Vincent Academy non-profit corporation.</p>
<u>Governance</u>	Page 60	<p><u>Revise text as follows:</u></p> <p>Partners in Oakland Education, a California nonprofit public benefit corporation, will serve as the <u>governing body for the Vincent Academy charter school.</u> sole statutory member of the Vincent Academy and will be responsible for, among other things, appointing the Board of Directors of Vincent Academy as outlined in the Vincent Academy bylaws.</p>
<u>Governance</u>	Page 60	<p><u>Revise text as follows:</u></p> <p><i>A list of the founding members of the Vincent Academy Founding Board of Directors Program Committee and the Roster of Key Contacts are included as Appendix I.</i></p>
<u>Governance</u>	Page 60	<p><u>Revise text as follows:</u></p> <p><i>The Vincent Academy Partners in Oakland Education Board of Directors will be</i></p>

		<i>responsible for the operation and fiscal affairs of the School, including but not limited to:</i>
<u>Governance</u>	Appendix J	Organizational Chart included in Appendix J must be revised to reflect the actual responsibilities of the Board of Directors of Partners in Oakland Education, as well as the roles and responsibilities, including those delegated powers, of the Partners in Oakland Education governing board to be held by the Vincent Academy Program Committee.
<u>Governance</u>	Page 60	<u>Add the following text and remove any text to the contrary:</u> <i>“VINCENT ACADEMY, in accordance with Education Code Section 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any such inquiries. VINCENT ACADEMY acknowledges that it is subject to audit by OUSD if OUSD seeks an audit of VINCENT ACADEMY, it shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by VINCENT ACADEMY by law or charter provisions.”</i>
<u>Governance</u>	Page 60	<u>Add the following text and remove any text to the contrary:</u> <i>“Members of VINCENT ACADEMY’s Governing Board, any administrators, managers or employees, and any other committees of the School shall at all times comply with federal and state laws, nonprofit integrity standards and OUSD’s Charter School policies and regulations regarding ethics and conflicts of interest so long as such policies and regulations are not in conflict with any then-existing applicable statutes or regulations applicable to charter schools.</i> <i>VINCENT ACADEMY and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school.”</i>
<u>Governance</u>	Page 60	<u>Add the following text and remove any text to the contrary:</u> <i>“[CHARTER SCHOOL], in accordance with Education Code Section 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries</i>

		<p>regarding financial records, from the District and shall consult with the District regarding any such inquiries. [CHARTER SCHOOL] acknowledges that it is subject to audit by OUSD if OUSD seeks an audit of [CHARTER SCHOOL], it shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by [CHARTER SCHOOL] by law or charter provisions.”</p>
<u>Human Resources</u>	Page 69	<p>Revise text as follows:</p> <p>Vincent Academy <u>Partners in Oakland Education</u> shall be deemed the exclusive public school employer of Vincent Academy teachers, staff and other employees of Vincent Academy for purposes of the Educational Employment Relations Act. Vincent Academy <u>Partners in Oakland Education</u> recognizes the employees’ rights under the EERA provisions to organize for collective bargaining.</p>
<u>Addressing Parent Complaints</u>	Page	<p><u>Add the following text and remove any text to the contrary:</u></p> <p>[CHARTER SCHOOL] will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. [CHARTER SCHOOL] will not, at any time, refer complaints to the District.</p> <p>The complaint procedures will include the clear information with respect to the response timeline of the school, whether the school’s response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school’s student and family handbook or distributed widely.</p> <p>[CHARTER SCHOOL] will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504) including any investigation of any complaint filed with [CHARTER SCHOOL] alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. [CHARTER SCHOOL] will notify all its students and employees of the name, office address, and telephone number of the designated</p>

		<p><i>employee or employees.</i></p> <p><i>[CHARTER SCHOOL] will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action, which would be prohibited by Title IX, or Section 504.</i></p> <p><i>[CHARTER SCHOOL] will implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to discriminate in such a manner.”</i></p>
<u>Student Admissions Policies and Procedures</u>	Page 74	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>By October 1 of each year, VINCENT ACADEMY will notify the District in writing of the application deadline and proposed lottery date. VINCENT ACADEMY will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.”</i></p>
<u>Student Admissions Policies and Procedures</u>	Page 75	<p><u>Revise text as follows:</u></p> <ol style="list-style-type: none"> 2. <i>Children of Vincent Academy employees (up to no more than 10% of the total applicants accepted in a given year)</i> 3. <i>Children of Vincent Academy Founders (to be defined by the individuals identified as founders within the petition submitted May 12, 2010)</i>
<u>Student Admissions Policies and Procedures</u>	Page 75	<p><u>Strike the following text:</u></p> <p><i>4. Students who have attended the Day Home for at least one year</i></p> <p><u>Rationale:</u> The St. Vincent Day Home is a program funded through Title V funding (Attachment</p>

	<p>IV contains eligibility requirements for programs funded through Title V). This source of funding sets forth eligibility requirements for parents/guardians seeking enrollment establishing conditions of employment, school registration, and income. These conditions present limitations with respect to admittance into the St. Vincent Day Home preschool program for those parents/guardians who do not meet these eligibility requirements.</p> <p>By providing for the preference of St. Vincent Day Home students in the admissions policy of the Vincent Academy charter school, and by establishing an enrollment capacity in grades K and 1 that closely aligns with, if not mirrors, the number of outgoing preschool and kindergarten students from the St. Vincent Day Home program, the admission preferences, as set forth, ultimately establish admissions requirements for which parents/guardians seeking enrollment into the Vincent Academy charter school program must:</p> <ol style="list-style-type: none"> I. comply with the admissions eligibility requirements set forth in the St. Vincent Day Home program with respect to employment, school registration, and income; and II. select the St. Vincent Day Home as the preschool choice for their child; and III. enroll their child in the St. Vincent Day Home preschool or kindergarten at least one year prior to seeking enrollment in the Vincent Academy K-5 program. <p>Charter law sets forth that charter schools “<i>shall admit all students who wish to attend</i>” (Ed Code: 47605).</p> <p>Additionally, charter law sets forth that a charter school must demonstrate that it will attempt to achieve a racial and ethnic balance that is reflective of the territory in which the district has jurisdiction (Ed Code 47605).</p> <p>Additionally, charter law sets forth that, while charter schools must admit students currently enrolled in a charter school, all other preferences must receive approval by the authorizing agency on a case by case basis.</p> <p>The admissions preference set forth above, and contained within the Vincent Academy charter petition significantly limits access to the Vincent Academy charter school for students that would otherwise likely benefit from the Vincent Academy educational program, but for whom the aforementioned restrictions would not be met or for whom</p>
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		<p>these criteria may be met, but for which access to the St. Vincent Day Home program was not otherwise achieved.</p> <p>While the families previously enrolled in the St. Vincent Day Home are <i>likely to be quickly and effectively integrated in the Vincent Academy approach to education</i>, it must be assumed that the program, by design, will provide for the effective integration of all students who enroll in the charter school, regardless of the previously chosen preschool options given that such students are likely to be enrolled with the program with or without the enrollment preference listed above.</p> <p>Students enrolled in the St. Vincent Academy Day Home program are likely to comprise the vast majority of students enrolling in the Vincent Academy charter school due to the inherent relationship the two programs are likely to establish, regardless of admissions preferences given, while at the same time, removing such a preference works towards ensuring equal access to all students and families who would benefit from the Vincent Academy charter school program.</p> <p>Finally, in an effort to engage in more strategic charter school authorizing, it will be critical to evaluate the role of the proposed charter school in the over-all program options available to families in West Oakland and the need to consider the impact and potential benefits of such a program. For this reason, maintaining open enrollment practices helps to ensure that the benefits of the program may positively and more broadly impact the West Oakland community so as to allow for continued review and evaluation of the over-all portfolio of public school options in West Oakland.</p>
<p><u>Student Admissions Policies and Procedures</u></p>	<p>Page 75</p>	<p><u>Strike the following text:</u></p> <p><i>Priority Given to Students Who Have Attended the Day Home</i></p> <p><i>The Day Home serves minority children from economically challenged families. The Day Home’s student population currently is: 36% Hispanic, 35% African American, 22% Asian, 13% Middle East – African, and 2% Caucasian. Approximately 97% of the Day Home’s families are at or below the poverty level, and 62% of the students are English Learners. This demographic profile represents an even more challenged population than that of West Oakland District school students, or the District generally.</i></p>

		<p><i>By giving priority to children from the Day Home’s program, Vincent Academy is demonstrating a commitment to serve those most in need. This priority is based on recognition that consistent exposure to an enhanced program aimed at integrating strengthened parental services and involvement significantly increases the chance of success for these children. Children and their families who have embraced the core values of the Vincent Academy program through their experience at the Day Home will have a solid foundation upon which to build. They are more likely to be quickly and effectively integrated in the Vincent Academy approach to education.</i></p>
<u>Health and Safety Procedures</u>	Page 70	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“[CHARTER SCHOOL] shall occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.”</i></p>
<u>Dispute Resolutions Procedures</u>	Page 72	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The staff and Governing Board members of [CHARTER SCHOOL] agree to attempt to resolve all disputes between the District and [CHARTER SCHOOL] regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.</i></p> <p><i>Any controversy or claim arising out of or relating to the charter agreement between the District and [CHARTER SCHOOL], except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.</i></p> <p><i>(1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing (“Written Notification”) by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date</i></p>

	<p><i>of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:</i></p> <p><i>To Charter School, c/o School Director: [CHARTER SCHOOL]</i></p> <p><i>To Coordinator, Office of Charter Schools: Office of Charter Schools Oakland Unified School District 1025 Second Avenue, Room 206 Oakland, California 94606</i></p> <p><i>(2) A written response (“Written Response”) shall be tendered to the party providing the Written Notification within twenty (20) business days from the date of receipt of the Written Notification. The Written Response shall state the responding party’s position on all issues stated in the Written Notification and set forth all fact which the responding party believes supports its position. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. The parties agree to schedule a conference to discuss the claim or controversy (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party.</i></p> <p><i>(3) If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. If no agreement on a mediator is reached within 30 days after a request to mediate, the parties will use the processes and procedures of the American Arbitration Association (“AAA”) to have an</i></p>
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		<p><i>arbitrator appointed...</i></p> <p><i>(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</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page 91	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“Pursuant to OUSD Board Policy 0420.4 VINCENT ACADEMY must submit its renewal petition to the Office of Charter Schools no earlier than 270 days before the charter is due to expire unless otherwise agreed by the Office of Charter Schools.”</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page 91	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The District may revoke the charter of VINCENT ACADEMY in accordance with Education Code Section 47607.any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.</i></p>
<u>External Reporting</u>	Page 91	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“[CHARTER SCHOOL] will maintains sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquires from District and other authorized reporting agencies.”</i></p>
<u>Facilities</u>	Page 91	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“If [CHARTER SCHOOL] fails to submit a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, not less than 30 days before the school is scheduled to begin operation pursuant to the first year of this renewal term, it may not commence operations unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. If [CHARTER SCHOOL] moves or expands to another facility during the term of this charter, [CHARTER SCHOOL] shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, to the District for each facility at</i></p>

		<p><i>least 30 days before school is scheduled to begin operations in the facility or facilities. [CHARTER SCHOOL] shall not begin operation in any location for which it has failed to timely provide a certificate of occupancy to the District, unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency.</i></p> <p><i>Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process.”</i></p>
<u>Impact on Charter Authorizer</u>	Page 96	<p><u>Add the following text and remove any text to the contrary:</u></p> <p>In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter;</p> <ul style="list-style-type: none"> ○ September 1 – Final Unaudited Financial Report for Prior Year ○ December 1 – Final Audited Financial Report for Prior Year ○ December 1 – First Interim Financial Report for Current Year ○ March 1 – Second Interim Financial Report for Current Year ○ June 15 – Preliminary Budget for Subsequent Year
<u>Impact on Charter Authorizer</u>	Page 96	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“[CHARTER SCHOOL] agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:</i></p> <ul style="list-style-type: none"> • <i>[CHARTER SCHOOL] is subject to District oversight.</i> • <i>The District’s statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of [CHARTER SCHOOL].</i> • <i>The District is authorized to revoke this charter for, among other reasons, the failure of [CHARTER SCHOOL] to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section 47607.</i>

		<p>Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit [CHARTER SCHOOL] books, records, data, processes and procedures through the Office of Charter Schools or other means. The audit may include, but is not limited to, the following areas:</p> <ul style="list-style-type: none"> • Compliance with terms and conditions prescribed in the charter, • Internal controls, both financial and operational in nature, • The accuracy, recording and/or reporting of school financial information, • The school’s debt structure, • Governance policies, procedures and history, • The recording and reporting of attendance data, • The school’s enrollment process, suspension and expulsion procedures, and parent involvement practices, • Compliance with safety plans and procedures, and • Compliance with applicable grant requirements. <p>[CHARTER SCHOOL] shall cooperate fully with such audits and to make available any and all records necessary for the performance of the audit upon 30 days notice to [CHARTER SCHOOL]. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hours notice.</p> <p>In addition, if an allegation of waste, fraud or abuse related to [CHARTER SCHOOL] operations is received by the District, the [CHARTER SCHOOL] shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools , at District cost. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by [CHARTER SCHOOL] by law or charter provisions”</p>
<p><u>Impact on Charter Authorizer</u></p>	<p>Page 96</p>	<p>In addition, if an allegation of waste, fraud or abuse related to VINCENT ACADEMY operations is received by the District, the VINCENT ACADEMY shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools, at District cost. <u>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 VINCENT ACADEMY by law or charter provisions”</u></p>

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ATTACHMENT III - CONDITIONS ON OPENING: The vast majority of these items are intended to be “one time” submissions for new schools. Only those items marked with an asterisk (*) are intended to be updated annually. **Please pay careful attention to the due date for all conditions on opening.** All items listed are to either be emailed on or before the due date to paige.hirsch@ousd.k12.ca.us and cc'd to rebecca.adams@ousd.k12.ca.us or hand-delivered to the OUSD Office of Charter Schools at 1025 2nd Ave Room 206, Oakland, CA 94606. *Hand-delivered items must receive a receipt from the Office of Charter Schools to ensure verification of timely submission.*

Charter Revision		
October 1, 2010.	<input type="checkbox"/>	Submit to the District’s Office of Charter Schools one hard copy and one electronic copy in <i>MS Word</i> format of a Track Changes version of the revised charter, as well as a Final Text version of the revised petition to include all revisions outlined in the charter approval.
Enrollment Policies and Application for Admission		
November 1, 2010.	<input type="checkbox"/>	Submit Governing Board-Approved Enrollment Policy and an Application for Admission.
July 1, 2011	<input type="checkbox"/>	Submit list of enrolled students--including name, DOB, prior school, home language, Oakland residency or not, and CSIS number (list to be updated September 1, 2010 and annually) using Excel template provided by the Office of Charter Schools.*
Complaint Procedures		
July 1, 2011	<input type="checkbox"/>	Submit Governing Board-Approved Uniform Complaint Process, posting location(s), and method of notifying parents of this annually.
Student Learning Time		
July 31, 2011	<input type="checkbox"/>	Submit certification of instructional hours to be provided in 2010-2011.* Carefully read <i>Education Code §46201(a)(3)</i> . [instructional minutes requirement]
	<input type="checkbox"/>	Submit Governing Board-Approved 12-month school calendar distinguishing dates with standard or reduced instructional time, and noting vacation days.*
Code of Conduct, Student Handbook, and Recommended Policies		
April 1, 2011	<input type="checkbox"/>	Submit Governing Board-Approved Student and Family Handbook.* (Prepare student/family handbook and registration materials--to include the enrollment schedule, school calendar, all policies and procedures pertaining to health and safety, homework, attendance, discipline, suspension and expulsions, parent complaint procedures--in all languages as distributed.)

	<input type="checkbox"/>	Submit Governing Board-Approved Code of Conduct. (Prepare the school's Code of Conduct so that it is consistent with the program and school characteristics outlined in your charter petition, as well as with applicable California <i>Education Code</i> .)
Insurance Policies		
July 1, 2011	<input type="checkbox"/>	Submit evidence of commercial general liability insurance for not less than \$1,000,000 per incident; to include the District as additionally insured.
	<input type="checkbox"/>	Submit evidence of fidelity bond coverage for not less than \$50,000 per occurrence and workers' compensation insurance.
Financial Organization		
July 31, 2011	<input type="checkbox"/>	Submit copy of the school's Annual Information Sheet & Funding Survey" to the CDE (plus annual filings to be provided to CDE by June 1 and any updates in future years).
School Facility and Building Safety		
July 1, 2011	<input type="checkbox"/>	Submit a copy of an executed lease or deed for a facility, or suitable comparable, noting occupancy on or before July 1, 2011.
	<input type="checkbox"/>	Submit written assurance that the facility selected for the school is programmatically accessible to physically handicapped individuals.
	<input type="checkbox"/>	Make available for inspection a current Certificate of Occupancy.
	<input type="checkbox"/>	Make available for inspection a current Fire Inspection Certificate.
	<input type="checkbox"/>	Make available for inspection a current Building Safety Inspection Certificate.
	<input type="checkbox"/>	Make available for inspection a current Health Inspection.
	<input type="checkbox"/>	Make available for inspection a current Asbestos Inspection Report and Management Plan.
	<input type="checkbox"/>	Submit Blood Borne Pathogens Exposure Control Plan.
	<input type="checkbox"/>	Submit Facilities Safety and Evacuation Plan.
	<input type="checkbox"/>	Submit Governing Board-Approved Emergency Preparedness Handbook.
<input type="checkbox"/>	Submit Governing Board-Approved Drug, Alcohol, and Smoke Free Environment Policies and Procedures.	
Special Education Program Plan		
April 1, 2011	<input type="checkbox"/>	Submit adopted 504 plan, policy, and procedures.
	<input type="checkbox"/>	Submit Special Education Identification and Assessment Plan.
Budget and Cash Flow		
July 1, 2011	<input type="checkbox"/>	Submit one paper copy, in addition to an electronic version of an updated and revised cash flow statement and 3-year projections. Include revised facility expenses.
School Health Plan and Medications Administration Plan		

April 1, 2011	<input type="checkbox"/>	Submit Governing Board-Approved School Health Plan (to comply with immunization audit, hearing and vision screening requirements) and Medications Administration Plan.
Instructional Staff		
July 31, 2011	<input type="checkbox"/>	Submit a list of teachers hired--including name, DOB, assignments, subject matter certification and credential evidence, qualification to teach ELL students, evidence of current clear tuberculosis test, date of fingerprinting, date of background review.*
	<input type="checkbox"/>	Submit employee handbook, including policies and procedures that ensure the health and safety of students and staff.
July 31, 2011	<input type="checkbox"/>	Submit list of teachers requiring Beginning Teacher Support and Assessment.
	<input type="checkbox"/>	Submit Governing Board-Approved personnel policies.
Programming Plans		
April 1, 2011	<input type="checkbox"/>	Submit a complete sample of Vincent Academy Interim Benchmark Assessments to be used for English Language Arts, writing, and mathematics to be used in each grade level served.
	<input type="checkbox"/>	Submit a complete sample of Grade Level Signature Project Assessment for science and social studies.
April 1, 2011	<input type="checkbox"/>	Submit English Learner Plan-- Governing Board-Approved policies and procedures that pertain to use of a home language survey and mandatory CELDT testing.
	<input type="checkbox"/>	Submit a list of which courses the school considers non-core, non-college preparatory courses.
	<input type="checkbox"/>	Submit a course catalog, or equivalent, notifying parents about transferability of courses to other public schools and the ability of courses to meet college entrance requirements.
Evaluation of School Leader, School Administrators, and Teachers		
April 1, 2011	<input type="checkbox"/>	Submit Governing Board-Approved performance evaluation criteria and evaluation plan templates for school site leader/administrator and teachers.

Appendix C Vincent Academy Charter Petition submitted May 12, 2010

The following table represents a modification from the original submitted within the charter petition, to reflect Conditions on Opening deadlines for submission of all completed components of documents described below. Documents must be submitted not later than 5pm on the date set forth, to be delivered to the Office of Charter Schools, 1025 Second Ave, Room 206, Oakland CA 95606.

VI. Instructional Framework Further Development

A. Curricular Framework

Curriculum	Responsible Party	Task	Process	Deadline for Submission to OUSD
Scope and Sequence Development	Ed Committee	Continue with scope and sequence development in order of Kindergarten, Second, Third and Fourth Grades	Peer Review	Kindergarten, First Grade, Second Grade, Third Grade, Fourth Grade, Fifth Grade December 1, 2010
Program Materials	Ed Committee	Build-out instructional block program materials (e.g. high-frequency word lists, core lit list, materials inventories etc.)	Peer Review and Teacher Review	December 1, 2010
Grade-Level Service-Learning Projects	Ed Committee	Develop integrated SL projects	Peer review	Kindergarten, First Grade, Second Grade, Third Grade, Fourth Grade, Fifth Grade December 1, 2010
Music Curriculum	Ed Committee w/ Music Consultant	Review music program options and finalize program resources	Peer review and teacher review	December 1, 2010
Technology Curriculum	Ed Committee w/ Tech Consultant	Review tech program options and finalize program resources	Peer review and teacher review	December 1, 2010
Development of Program Elements PD Modules	Ed Committee	Develop modules	Peer review and teacher review	February 1, 2011
Integrated Field Trip	Ed Committee	Assemble initial FT list and work into grade-level curriculum and after school schedules	Peer review and teacher review	February 1, 2011
Before and After School Program Development	Ed Committee w/ Lead Parent Group consultation	Develop program structure through consultation with parents and integration with academic program	Peer review, teacher review and parent review	February 1, 2011

ATTACHMENT IV: Title V Requirements

Title 5. EDUCATION
Division 1. California Department of Education
Chapter 19. Child Care and Development Programs
Subchapter 3. General Child Care Programs
Article 1. General Provisions

§18078. Definitions.

For the purposes of this chapter, the following definitions shall apply:

(a) "Adjusted monthly income" means the total countable income as defined in subdivision (q) below, minus verified child support payments paid by the parent whose child is receiving child development services, excluding the non-countable income listed below:

- (1) Earnings of a child under age 18 years;
- (2) Loans;
- (3) Grants or scholarships to students for educational purposes other than any balance available for living costs;
- (4) Food stamps or other food assistance;
- (5) Earned Income Tax Credit or tax refund;
- (6) GI Bill entitlements, hardship duty pay, hazardous duty pay, hostile fire pay, or imminent danger pay;
- (7) Adoption assistance payments received pursuant to Welfare and Institutions Code section 16115 et seq.;
- (8) Non-cash assistance or gifts;
- (9) All income of any individual counted in the family size who is collecting federal Supplemental Security Income (SSI) or State Supplemental Program (SSP) benefits;
- (10) Insurance or court settlements including pain and suffering and excluding lost wages and punitive damages;
- (11) Reimbursements for work-required expenses such as uniforms, mileage, or per diem expenses for food and lodging;
- (12) Business expenses for self-employed family members;
- ~~(13)~~ (13) When there is no cash value to the employee, the portion of medical and/or dental insurance documented as paid by the employer and included in gross pay; and
- (14) Disaster relief grants or payments, except any portion for rental assistance or

unemployment.

(b) "Certify eligibility" means the formal process the contractor goes through to collect information and documentation to determine that the family and/or child meets the criteria for receipt of subsidized child development services as specified in Education Code sections 8263(a)(1) and 8263(a)(2). The signature of the contractor's authorized representative on an application for services attests that the criteria have been met.

(c) "Child protective services" means children receiving protective services through the local county welfare department as well as children identified by a legal, medical, social service agency or emergency shelter as abused, neglected or exploited or at risk of abuse, neglect or exploitation.

(d) "Declaration" means a written statement signed by a parent under penalty of perjury attesting that the contents of the statement are true and correct to the best of his or her knowledge.

(e) "Displace families" means to disenroll families in order to reduce service levels due to insufficient funding or inability of a contractor to operate one or more sites because of reasons stated in Education Code section 8271.

(f) "Family" means the parents and the children for whom the parents are responsible, who comprise the household in which the child receiving services is living. For purposes of income eligibility and family fee determination, when a child and his or her siblings are living in a family that does not include their biological or adoptive parent, "family" shall be considered the child and related siblings.

(g) "Fee schedule" means the "Family Fee Schedule," issued by the department pursuant to Education Code section 8447(e). The "fee schedule" is used by child development contractors to assess fees for families utilizing child care and development services.

(h) "Homeless" means a person or family that lacks a fixed, regular, and adequate night-time residence and has a primary night time residence that is:

- (1) A supervised publicly or privately operated shelter, transitional housing, or homeless support program designed to provide temporary living accommodations; or
- (2) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

(i) "Income eligible" means for the purpose of child care and development services

that a family's adjusted monthly income is at or below 75 percent of the state median income, adjusted for family size.

(j) "Income fluctuation" means income that varies due to:

(1) Migrant, agricultural, or seasonal work;

(2) Intermittent earnings or income, bonuses, commissions, lottery winnings, inheritance, back child support payment, or net proceeds from the sale of real property or stock;

(3) Unpredictable days and hours of employment, overtime, or self-employment.

(k) "Legally qualified professional" means a person licensed under applicable laws and regulations of the State of California to perform legal, medical, health or social services for the general public.

(l) "Parent" means a biological parent, adoptive parent, stepparent, foster parent, caretaker relative, legal guardian, domestic partner of the parent as defined in Family Code section 297, or any other adult living with a child who has responsibility for the care and welfare of the child.

(m) "Parental Incapacity" means the temporary or permanent inability of the child's parent(s) to provide care and supervision of the child(ren) for part of the day due to a physical or mental health condition.

(n) "Recipients of service" means families and/or children enrolled in a child care and development program subsidized by the California Department of Education.

(o) "Self-Certification of Income" means a declaration signed by the parent under penalty of perjury identifying:

(1) To the extent known, the employer and date of hire and stating the rate and frequency of pay, total amount of income received for the preceding month(s), the type of work performed, and the hours and days worked, when an employer refuses or fails to provide requested employment information or when a request for documentation would adversely affect the parent's employment; or

(2) The amount and frequency of sources of income for which no documentation is possible.

(p) "State median income" means the most recent median income for California families as determined by the State Department of Finance.

(q) "Total countable income" means all income of the individuals counted in the family size that includes, but is not limited to, the following:

- (1) Gross wages or salary, advances, commissions, overtime, tips, bonuses, gambling or lottery winnings;
- (2) Wages for migrant, agricultural, or seasonal work;
- (3) Public cash assistance;
- (4) Gross income from self-employment less business expenses with the exception of wage draws;
- (5) Disability or unemployment compensation;
- (6) Workers compensation;
- (7) Spousal support, child support received from the former spouse or absent parent, or financial assistance for housing costs or car payments paid as part of or in addition to spousal or child support;
- (8) Survivor and retirement benefits;
- (9) Dividends, interest on bonds, income from estates or trusts, net rental income or royalties;
- (10) Rent for room within the family's residence;
- (11) Foster care grants, payments or clothing allowance for children placed through child welfare services;
- (12) Financial assistance received for the care of a child living with an adult who is not the child's biological or adoptive parent;
- (13) Veterans pensions;
- (14) Pensions or annuities;
- (15) Inheritance;
- (16) Allowances for housing or automobiles provided as part of compensation;
- (17) Portion of student grants or scholarships not identified for educational purposes as tuition, books, or supplies;
- (18) Insurance or court settlements for lost wages or punitive damages;
- (19) Net proceeds from the sale of real property, stocks, or inherited property; or
- (20) Other enterprise for gain.

(r) "Update the application" means the process of revising the application for services between recertifications as specified in section 18103 of this chapter. The application shall be revised by inserting the latest family information that documents the continued need and eligibility for child care and development services.

NOTE: Authority cited: Sections 8261 and 8263, Education Code. Reference: Sections

Article 2. Family Data File

§ 18081. Contents of Family Data File.

(a) Contractors shall establish and maintain a family data file for each family receiving child care and development services.

(b) The family data file shall contain a completed and signed application for services and the following records as applicable to determine eligibility and need in accordance with Education Code section 8263 (a)(1) and (a)(2):

- (1) Documentation of income eligibility, including an income calculation worksheet;
- (2) Documentation of employment;
- (3) Documentation of seeking employment;
- (4) Documentation of training;
- (5) Documentation of parental incapacity;
- (6) Documentation of child's exceptional needs;
- (7) Documentation of homelessness;
- (8) Documentation of seeking permanent housing for family stability;
- (9) Written referral from a legally qualified professional from a legal, medical, or social services agency, or emergency shelter for children at risk of abuse, neglect, or exploitation.
- (10) Written referral from a county welfare department, child welfare services worker, certifying that the child is receiving protective services and the family requires child care and development services as part of the case plan.
- (11) If the parent of the child was on cash assistance, the date the parental cash aid was terminated.

(c) A signed Child Care Data Collection Privacy Notice and Consent Form CD 9600A (Rev. 01/04) shall be included.

(d) Notice of Action, Application for Services and/or Recipient of Services shall be included.

(e) The family data file shall contain all child health and current emergency information required by California Code of Regulations, title 22, Social Security, Division 12, Community Care Facilities Licensing Regulations with the following exception. Immunization records are not required to be in the family data file for children attending

a public or private elementary school or for children receiving care in licensed facilities and reimbursed pursuant to Education Code sections 8220 and 8350.

NOTE: Authority cited: Sections 8261, 8261.5, 8263 and 8269, Education Code.

Reference: Sections 8261, 8261.5, 8263 and 8269, Education Code; and Sections 16500.5 and 16506, Welfare and Institutions Code.

§18084. Documentation of Income Eligibility.

The parent is responsible for providing documentation of the family's total countable income and the contractor is required to verify the information, as described below:

(a) The parent(s) shall document total countable income for all the individuals counted in the family size as follows:

(1) If the parent is employed, provide:

(A) A release authorizing the contractor to contact the employer(s), to the extent known, that includes the employer's name, address, telephone number, and usual business hours, and

(B) All payroll check stubs, a letter from the employer, or other record of wages issued by the employer for the month preceding the initial certification, an update of the application, or the recertification that establishes eligibility for services.

(2) When the employer refuses or fails to provide requested documentation or when a request for documentation would adversely affect the parent's employment, provide other means of verification that may include a list of clients and amounts paid, the most recently signed and completed tax returns, quarterly estimated tax statements, or other records of income to support the reported income, along with a self-certification of income.

(3) If the parent is self-employed, provide a combination of documentation necessary to establish current income eligibility for at least the month preceding the initial certification, an update of the application, or the recertification that establishes eligibility for services. Documentation shall consist of as many of the following types of documentation as necessary to determine income:

(A) A letter from the source of the income,

(B) A copy of the most recently signed and completed tax return with a statement of current estimated income for tax purposes, or

(C) Other business records, such as ledgers, receipts, or business logs.

(4) Provide copies of the documentation of all non-wage income pursuant to section 18078 (q), self-certification of any income for which no documentation is possible, and any verified child support payments pursuant to section 18078(a) of this chapter.

(b) The contractor:

(1) Shall retain copies of the documentation of total countable income and adjusted monthly income in the family data file.

(2) When the parent is employed, shall, as applicable, verify the parent's salary/wage; rate(s) of pay; potential for overtime, tips or additional compensation; hours and days of work; variability of hours and days of work; pay periods and frequency of pay, start date for the employee. If the employer refuses or is non-responsive in providing requested information or a request for employer documentation would adversely affect the parent's employment, and if the information provided pursuant to subdivision (a)(3) is inconsistent with the contractor's knowledge or community practice, shall request clarification in the self-certification of income, additional income information or a reasonable basis for concluding that the employer exists.

(3) When the parent is self-employed, shall obtain and make a record of independent verification regarding the cost for services provided by the parent that may be obtained by contacting clients, reviewing bank statements, or confirming the information in the parent's advertisements or website.

If the income cannot be independently verified, the contractor shall assess whether the reported income is reasonable or consistent with the community practice for this employment.

(4) May request additional documentation to verify total countable income to the extent that the information provided by the parent or the employer is insufficient to make a reasonable assessment of income eligibility.

(5) To establish eligibility, shall, by signing the application for services, certify to the contractor's reasonable belief that the income documentation obtained and, if applicable, the self-certification, support the reported income, are reliable and are consistent with all other family information and the contractor's knowledge, if applicable, of this type of employment or employer.

(c) If the family is receiving child care and development services because the child(ren) is/are at risk of abuse, neglect, or exploitation or receiving child protective

services, and the written referral required by sections 18081(b)(9) and (b)(10) specifies that it is necessary to exempt the family from paying a fee, then the parent will not be required to provide documentation of total countable income.

NOTE: Authority cited: Sections 8261 and 8263, Education Code. Reference: Sections ~~8208(k)~~, 8261 and 8263, Education Code.

§18085. Documentation of Public Assistance.

If the basis of eligibility as specified in Education Code section 8263(a)(1) is a current aid recipient, the parent shall provide documentation of public cash assistance, unless the contractor has and elects to use other means of obtaining verification.

NOTE: Authority cited: Section 8261 and 8263, Education Code. Reference: Sections 8261 and 8263, Education Code.

§18089. Documentation of the Child's Exceptional Needs.

The family data file shall contain documentation of the child's exceptional needs if the contractor is claiming adjustment factors pursuant to Education Code section 8265.5(b)(4) or (b)(5), the child with exceptional needs is 13 through 21 years of age, or the contractor is operating a program pursuant to Education Code section 8250(d). The documentation of exceptional needs shall include:

(a) A copy of the portion of the active individual family service plan (IFSP) or the individualized education program (IEP) that includes the information as specified in Education Code section 56026 and California Code of Regulations, title 5, sections 3030 and 3031; and

(b) A statement signed by a legally qualified professional that:

(1) The child requires the special attention of adults in a child care setting; and

(2) Includes the name, address, license number, and telephone number of the legally qualified professional who is rendering the opinion.

NOTE: Authority cited: Section 8261 and 8263, Education Code. Reference: Sections 8208, 8250, 8261, 8263 and 56026, Education Code.

§18090. Documentation of Homelessness.

If the basis of eligibility as specified in Education Code section 8263(a)(1) is homelessness, the family data file shall include documentation of homelessness. The

documentation of homelessness shall include:

(a) A written referral from an emergency shelter or other legal, medical or social service agency; or

(b) A written parental declaration that the family is homeless and a statement describing the family's current living situation.

NOTE: Authority cited: Section 8261 and 8263, Education Code. Reference: Sections 8261 and 8263, Education Code.

§18096. Calculation of Income.

The contractor shall calculate total countable income based on income information reflecting the family's current and on-going income:

(a) Using an income calculation worksheet that specifies the frequency and amount of the payroll check stubs provided by the parent and all other sources of income pursuant to section 18078(q).

(b) When income fluctuates because of:

(1) Agricultural work as referenced in section 18078(j)(1), by averaging income from the 12 months preceding the initial certification, an update of the application, or the recertification that establishes eligibility for services.

(2) Intermittent income as referenced in section 18078(j)(2), by averaging the intermittent income from the preceding 12 months by dividing by 12 and add this amount to the other countable income.

(3) Unpredictable income as referenced in section 18078(j)(3), by averaging the income from at least three consecutive months and no more than 12 months preceding the initial certification, an update of the application, or the recertification that establishes eligibility for services.

NOTE: Authority cited: Section 8261 and 8263, Education Code. Reference: Sections 8261 and 8263, Education Code.

Article 3. Enrollment

§18100. Documentation and Determination of Family Size.

(a) A parent shall provide the names of the parents and the names, gender and birthdates of the children identified in the family. This information shall be documented on a confidential application for child care and development services and used to

determine family size. The parent shall provide supporting documentation regarding the number of children and parents in the family.

(1) The number of children shall be documented by providing at least one of the following documents, as applicable:

- (A) Birth certificates;
- (B) Court orders regarding child custody;
- (C) Adoption documents;
- (D) Records of Foster Care placements;
- (E) School or medical records;
- (F) County welfare department records; or
- (G) Other reliable documentation indicating the relationship of the child to the parent.

(2) When only one parent has signed the application and the information provided pursuant to subdivision (a)(1) indicates the child(ren) in the family has another parent whose name does not appear on the application, then the presence or absence of that parent shall be documented by providing any one of the following documents, as applicable:

- (A) Records of marriage, divorce, domestic partnership or legal separation;
- (B) Court-ordered child custody arrangements;
- (C) Evidence that the parent signing the application is receiving child support payments from that person, has filed for child support with the appropriate local agency, or has executed documents with that agency declining to file for child support;
- (D) Rental receipts or agreements, contracts, utility bills or other documents for the residence of the family indicating that the parent is the responsible party; or
- (E) Any other documentation, excluding a self-declaration except as provided in subdivision (a)(3), to confirm the presence or absence of a parent of a child in the family.

(3) If, due to the recent departure of a parent from the family, the remaining applicant parent cannot provide any documentation pursuant to subdivision (a)(2), the applicant parent may submit a self-declaration signed under penalty of perjury explaining the absence of that parent from the family. Within six months of applying or reporting this change in family size, the parent must provide documentation pursuant to subdivision (a)(2).

(b) If the information provided by the parent is insufficient, the contractor shall

request any additional documentation necessary from subdivision (a) above to verify the family composition and family size.

(c) For income eligibility and family fee purposes, when a child and his or her siblings are living in a family that does not include their biological or adoptive parent, only the child and related siblings shall be counted to determine family size. In these cases, the adult(s) must meet a need criterion as specified in Education Code section 8263(a)(2).

(d) Upon the transfer of a family from CalWORKs Stage 1 to CalWORKs Stage 2 or Stage 3, the CalWORKs Stage 2 or Stage 3 contractor shall accept the CalWORKs Stage 1 agency's determination of family size until the family is re-certified.

NOTE: Authority cited: Section 8261 and 8263, Education Code. Reference: Sections 8263, Education Code.

Article 4. Admission Policies and Procedures

§ 18107. Residency Requirements.

(a) In addition to other applicable eligibility requirements as specified elsewhere in this Division, to be eligible for child care and development services the child must live in the State of California while services are being received.

(b) Any evidence of a street address or post office address in California will be sufficient to establish residency. A person identified as homeless pursuant to section 18078(h)(2) is exempted from this requirement and shall submit a declaration of intent to reside in California.

(c) The governing board of any school district, community college or county superintendent of schools may accommodate children residing outside its district boundaries in accordance with Education Code section 8322(a).

(d) The determination of eligibility for child care and development services shall be without regard to the immigration status of the child or the child's parent(s), unless the child or the child's parent(s) are under a final order of deportation from the United States Department of Justice.

NOTE: Authority cited: Section 8263, Education Code. Reference: Section 8263, Education Code.