



TO: Board of Education
FROM: Anthony Smith, Ph.D., Superintendent
Gail Greely, Coordinator, Office of Charter Schools
DATE: March 9, 2011
RE: Achieve Academy Charter School
Charter Renewal Request

Mario Sentes

Legislative File
File ID No.: 10-3048
Introduction Date: 12/4/2010
Enactment No.: _____
Enactment Date: _____
By: _____

ACTION REQUESTED:

Approve Achieve Academy Charter School for charter renewal **as revised**, because the charter school has met the standards and expectations set forth in the OUSD Charter Renewal Standards, which are based on the standards and criteria set forth in the Charter Schools Act, Education Code §47605, which governs charter school renewals. The approved charter is amended from the filed petition to incorporate the included text revisions, conditions and deadlines below.

BACKGROUND:

School Description and Key Program Elements:

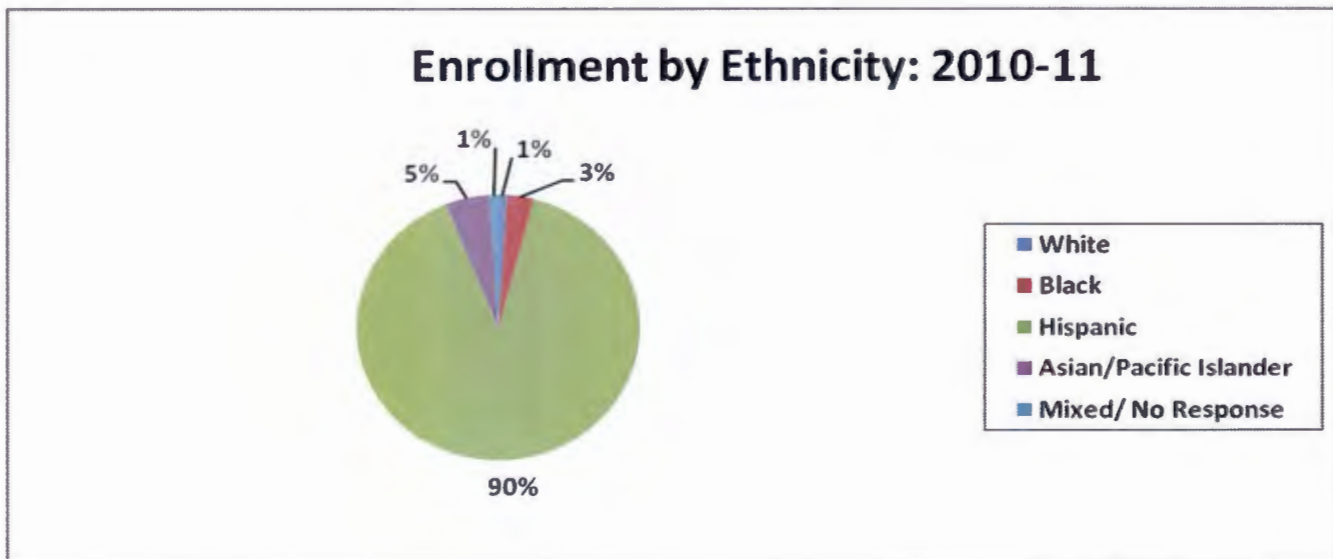
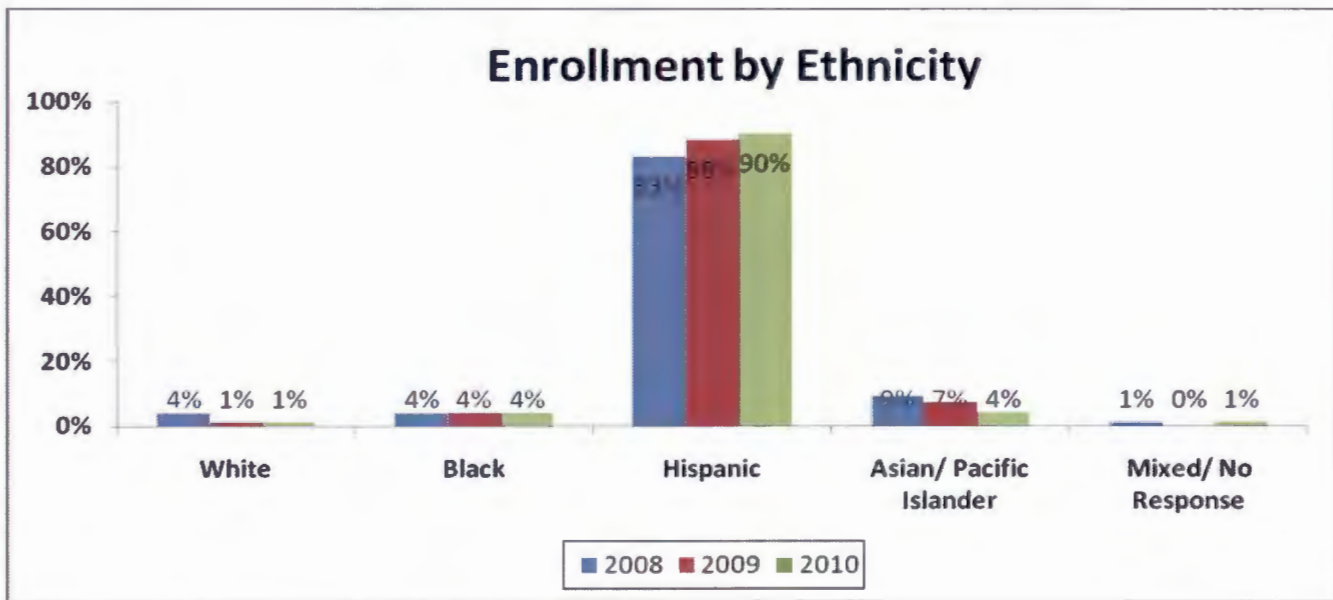
Opening Year	2006	Grades	4-5
Term Approval	2006	Attendance Area	Fremont High School
Renewal Date	6/30/2011	Board District	5
Term	Second	Funding	Direct-Funded

The school is currently not in Program Improvement.

The following table describes their enrollment growth and projection:

YEAR	2007-08	2008-09	2009-10	2010-11
GRADES	4-5	4-5	4-5	4-5
ENROLL	222	225	224	222

The school's enrollment demographics are as follows:



	2009-10	2010-11
Free & Reduced Lunch *	96%	96%
Special Education	3%	3%
English Language Learners	59%	52%

* NOTE: Schools have reported the Free & Reduced Lunch percentages upon request, which are reported here.

Program Summary:

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

Education for Change will provide a superior public education to Oakland's most underserved children by creating a system of public schools that relentlessly focuses on our students' academic achievement. We believe that high quality instruction, and its continuous refinement, will lead to success for our students.

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

1. EFC uses the Caring School Community (CSC) program from the Developmental Studies Center in Oakland as a resource to work toward developing skills in the classroom, across the grades in the school, and with families. Currently, CSC lessons are used as a resource to reinforce the Six Principles (6 Ps).
2. EFC has established the 6 Ps as the fundamental expectations of EFC students are citizens for our community. The 6 Ps encapsulate expected social skills and work habits. The 6 Ps are: Be Prompt, Be Polite, Be Proud, Be Productive, Be Prepared, Be Positive.
3. EFC implements a core curriculum using Open Court Reading and Saxon Mathematics. Additionally, science and social studies are offered as integrated components of the Open Court curriculum where themes will traverse subject areas. EFC supports this curriculum with supplemental arts through a partnership with the Museum of Children's Art.
4. Instructional strategies:
 - Whole-class, small group and individualized instruction
 - Cooperative learning
 - Peer tutoring
 - Computer activities
 - Educational excursions
 - Multi-sensory instruction such as songs and dances
 - Phonetic-based instruction
 - Balanced literacy

The following represents an EXCERPT of the program description set forth in the school's Charter Renewal Performance Report:

Education for Change believes good teaching through a coherent, rigorous curriculum with an **environment focused on continual improvement and learning leads to high student achievement**. Coupled with this approach to academics, EFC schools are populated with students, staff, and families that agree **with EFC's mission and come together as a larger community to build and support the elements necessary** for all students to succeed. EFC strives to achieve its mission by focusing on the following:

1. High Quality Teaching. Every student deserves a high quality teacher in the classroom. EFC expects that teachers are committed to the belief that every student can achieve. EFC expects a commitment on the part of its teachers to continually strive toward high level implementation of the core curriculum and high levels of student engagement. Differentiated instruction and scaffolding so that all students can access the core curriculum are vital components of high quality instruction. Teachers work as a team to analyze assessments and utilize the resulting data systematically to inform instructional practices.

The goal of EFC is to create powerful, collaborative learning communities where high quality instruction is the ultimate goal. Through a practice-based professional development model, data analysis, coaching, cognitive planning and grade level planning, teachers collaborate with their colleagues to share their successes and challenges, to deepen their knowledge of instructional designs, and to continually work toward improving their instruction.

2. Extended Time for Collaboration and Learning. All teachers have additional professional development and dedicated collaboration time to improve their instructional practices. Each EFC managed school has an Instructional Leadership Team that guides the work on improving teaching and learning.

EFC students participate in extended learning opportunities that align after-school instructional programs with core instructional needs. They encourage students to acquire the academic knowledge and skills as well as broaden extracurricular experiences that will prepare them for middle school and high school.

3. Coherent, Comprehensive, Rigorous Standards Based Curriculum. No school succeeds without focus, especially one with educationally-underserved students. EFC implements a core curriculum using Open Court Reading and Saxon Mathematics. Science and social studies are addressed as part of the integrated components of the Open Court curriculum, where themes traverse subject areas. **Social Studies** also taught for 50 minutes weekly by the classroom teacher. Science is taught as a released prep period.

4. Choice & Commitment. Students, their parents, and the faculty and administration are part of the school by choice. No one is assigned or forced to attend the school. Everyone must make and uphold a commitment to the school and to each other to do what is required to achieve success. While no child is assigned to the school, EFC is deeply committed to serving the children in the neighborhood. Thus, all students who are interested in the school are welcomed, unless the school is at capacity.

5. Engagement of Community. EFC is an Oakland-based organization and as such is intent on engaging each school community and collaborating with local partners. Lifelong learners are not just cultivated within the boundaries of the classroom or solely through the study of the core subjects. Achieve Academy sponsors a number of community events to encourage students to interface with the community including Autobiography Day, Expositions of Learning, and events such as **Back to School Night and Open House**.

GOVERNING LAW:

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

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

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

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

PREREQUISITE FOR CHARTER RENEWAL (AB 1137)

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

ACHIEVE: SB 1137 CRITERIA FOR RENEWAL	Y/N
1. API Growth Target:	
Did school attain API Growth Target in prior year?	N
Did school attain API Growth Target in two of last three years?	N
Did school attain API Growth Target in the aggregate of the prior three years?	Y
2. API Rank:	
Is the school ranked 4 or higher on API in prior year?	Y
Is the school ranked 4 or higher on API in two of last three years?	Y
3. API Similar Schools Rank:	
Is the school ranked 4 or higher on API Similar Schools in prior year?	Y
Is the school ranked 4 or higher on API Similar Schools in two of last three years?	Y
4. Is the school at least equal to the academic performance of schools students would have attended, including District as a whole?	Y

STANDARDS AND CRITERIA

OUSD Charter Renewal Standards

Oakland Unified School District, in an effort to develop a **Balanced Performance-Based Accountability System**, has established the following standards and expectations for charter renewal based on the intent of California Charter School Act and the “standards and criteria” outlined above. (*Education Code § 47605 d(1)*)

Staff, in its evaluation of charter schools for purposes of renewal, is guided by the legislature’s intent regarding accountability for charter schools, which is to:

Education Code 47601(a-g) (emphasis added)

- **“Improve Pupil Learning”**
- “hold the schools ...accountable for meeting measurable pupil outcomes, and provide schools with a method to change from a rule-based to **performance-based accountability systems.**”

Staff, in its evaluation of charter schools for purposes of renewal, is also guided by the legislature’s intent to create schools that:

- **“Increase learning opportunities** for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.”
- “Encourage the use of **different and innovative teaching methods.**”
- “Create **new professional opportunities for teachers,** including the opportunity to be responsible for the learning program at the school site.”
- “Provide parents and pupils with **expanded choices** in the types of educational opportunities that are available within the public school system.”
- “Provide vigorous competition within the public school system to **stimulate continual improvements in all public schools.**”

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

I. Authorizer Evaluation

- a. Review of charter school academic performance over prior charter term
- b. Comparison of charter school academic performance to other public school options
- c. Evaluation of program implementation and operational effectiveness
 - i. Accomplished through:
 1. Data Analysis
 2. Document review and evaluation
 3. On-site visitation records
 4. 3-Day site inspection w/ stakeholder focus groups & classroom observations
 5. Review of compliance w/ state/federal requirements for charter schools



II. Charter School Performance Reporting

- a. Development of Performance Report pursuant to Charter School Quality Standards
- b. Development of Renewal Charter Petition for subsequent charter term
- c. Public Hearing presentation
- d. Stakeholder Focus Group Responses; administrators, staff, students, and parents
- e. Self-Evaluation prior to 3-Day Site Inspection

III. Third-Party Independent Audit*

- a. Analysis of data
- b. Evaluation of program implementation and operational effectiveness
 - i. Accomplished through
 1. Data Analysis
 2. Document review and evaluation
 3. 2-Day site inspection w/ stakeholder focus groups & classroom observations
 4. Review of faithfulness to the terms set forth in the charter

*For some schools, including Achieve, a Third Party Audit was not utilized. This was due to a combination of factors, including limited available funding, the fact that Education for Change schools World and Cox underwent a Third Party Audit in 2009-2010 as part of renewal, and staff confidence in its ability to effectively evaluate the school in the absence of the Third Party.

Pursuant to CA Education Code section 47605 we ask;

I. IS THE SCHOOL AN ACADEMIC SUCCESS?

An evaluation of the *soundness of the educational program*, for the purposes of charter renewal, by reviewing student performance outcomes and program implementation.

Criteria 1: Improving Student Achievement

Criteria 2: Strong Leadership

Criteria 3: A Focus on Continuous Improvement

II. IS THE SCHOOL AN EFFECTIVE, VIABLE ORGANIZATION?

An evaluation of the *capacity of the petitioner to successfully implement the program*, for the purposes of charter renewal, by reviewing the financial oversight and governance of the school.

Criteria 4: Responsible Governance

Criteria 5: Fiscal Accountability

III. HAS THE SCHOOL BEEN FAITHFUL TO THE TERMS OF ITS CHARTER?

An evaluation of the charter to assess the alignment to the program as approved. This process involves reviewing, when changes have occurred, what information and circumstances motivated the changes and what the results of the changes were with respect to achieving the school's stated outcome goals.

In addition;

An evaluation of the charter petition submitted for a future charter term is conducted to ensure that:

- A) The petition meets the standards and criteria set forth in Education Code Section 47605.
- B) The petition includes all new laws and regulations relevant to charter schools enacted since the charter was last approved.
- C) Any major amendments to the charter since the last charter term are reviewed, evaluated and incorporated into this staff report.

PLEASE NOTE:

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

* The charter school generated **PERFORMANCE REPORT NARRATIVE** and supporting documents provided within the initial petition submission and referenced in this report, serve to expand the discussion and evidence based of the school's performance.

Renewal Standard I: Is the school an Academic Success?

- **Outputs** are the Academic Achievement Levels reached by the school's students.

Improving Student Achievement: Measurable Pupil Outcomes

The school has met or made substantial progress towards meeting the majority of the Measurable Pupil Outcomes outlined in its charter. The school opened in 2006. In **2007** the school API performance score was **740**. As of **2010**, the school API performance score was **789**. Over the prior four years, the school has grown their API by **49** points.

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

Current Charter:

MET or SUBSTANTIAL PROGRESS MADE

Measurable Pupil Outcomes	Instrument	Target	Progress
1. Exceed the average performance levels of students in schools with similar demographics in the District in ELA and Math as measured by CST and benchmark assessment scores.	o CST ELA, CST MATH	Exceed the average performance levels of students in schools with similar demographics	See CST analysis below
2. Maintain progress towards benchmarks of proficiency in all academic subjects as defined by the California Core Content Standards.	o California Core Content Standards	Maintain progress towards benchmarks of proficiency	See ATTACHMENT IV
3. Demonstrate continual improvement on the STAR, including the CST.	o STAR; CST	Demonstrate continual improvement	See ATTACHMENT IV
4. Demonstrate a minimum of one year's growth for each year of instruction on the CELDT.	o CELDT	A minimum of one year's growth for each year of instruction	See ATTACHMENT IV
5. Meet or exceed Schools' annual API growth target each year.	o API	Meet or exceed annual growth target each year	See API Analysis below; See ATTACHMENT IV
6. Achieve a similar schools ranking of 8 using CA similar school index which compares our school to 100 schools with similar student populations.	o CA similar school index	Similar schools ranking of 8	SEE API TABLE BELOW
7. Meet or exceed Adequate Yearly Progress (AYP) growth rates each year.	o AYP Growth	Meet or exceed AYP growth rates each year	SEE ATTACHMENT IV
8. Students will be effective and confident communicators, able to write and speak with clarity, accuracy, and precision.	o Open Court writing assessments, informal classroom monitoring, public speaking, and mandated	Performance Band Growth	SEE ATTACHMENT IV

	assessments.		
9. Student attendance will exceed OUSD's norm when compared with schools with similar demographics.	o Average Daily Attendance	Exceed OUSD norm	SEE ATTACHMENT IV
10. Student and Parent/Guardian school satisfaction surveys will exceed a 3.5 average on a 5-point scale.	o EFC-created surveys for students and parents/guardians requesting satisfaction assessments of the school on an annual basis, at a minimum.	Exceed 3.5 average	SEE ATTACHMENT IV

improvement to the measurability of the pupil outcomes set forth in the charter petition. In addition, these outcomes also present meaningful measures of student learning that have the potential to inform the district's over-all repertoire for assessing student learning.

Future Charter:

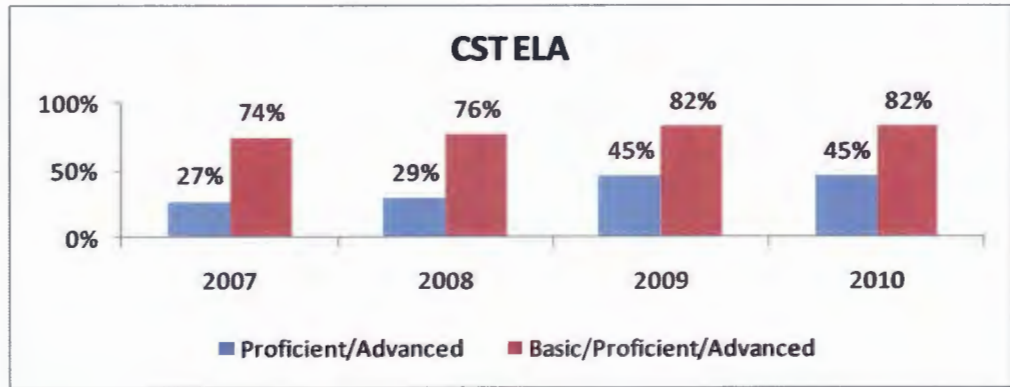
The school pursues the following student outcomes:

1. Students will exceed the average performance levels of students in schools with similar demographics (ethnicity, percent of ELLs, and socioeconomic status) in the District in English Language Arts and Mathematics as measured school-wide by the CST each year during the term of the charter.
2. Achieve Academy will reduce the number of students school wide who are performing Below Basic and Far Below Basic on the STAR assessments by 15% a year on average over five years for all assessed students.
3. Achieve Academy will increase the number of students, school wide, who are performing at proficient or advanced level on the STAR assessment by 10% a year on average over five years.
4. Achieve Academy will increase the number of students who achieve proficiency by 20% as measured by the English Language Arts benchmark assessments (comparing Unit 1 and Unit 4) and EFC math benchmark assessments (comparing Trimester Test 1 results with Trimester 3).
5. Achieve Academy will demonstrate continual student improvement on the CST by insuring that 20% of all assessed students move to the next CST band (FBB to BB, BB to B, etc.) on average over the five years of the charter.
6. All English Language Learners will show a minimum of one year's growth measured by CELDT for each year of instruction.
7. The School will meet the API growth target in at least two of the last three years of the charter term.
8. The School will meet or exceed Adequate Yearly Progress goals by the end of the term of the charter.
9. At least 80% of students will be able to write and speak with clarity, accuracy, and precision as measured by scoring at least 3 on the SRA listening and speaking rubrics and the SCOE writing rubric by the end of each school year. (Please see Appendix # 21 a-c).
10. At least 80% of students will demonstrate the ability to think critically and problem solver as measured by scoring at least 3 on the inquiry rubric by the end of each school year. (Please see Appendix # 21.e).
11. At least 90% of students will demonstrate EFC's principles of preparedness and productivity by completing daily homework as evidenced by report card data to parents at least three times a year. (Please see Appendix # 14).

STAR Testing Performance, API Results, & AYP Results

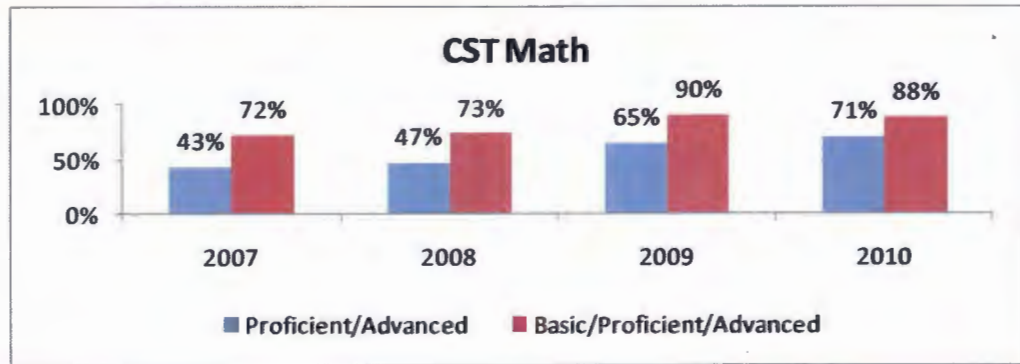
CST English Language Arts (Performance Over Time)

YEAR	P/A	B/P/A
2007	27%	74%
2008	29%	76%
2009	45%	82%
2010	45%	82%



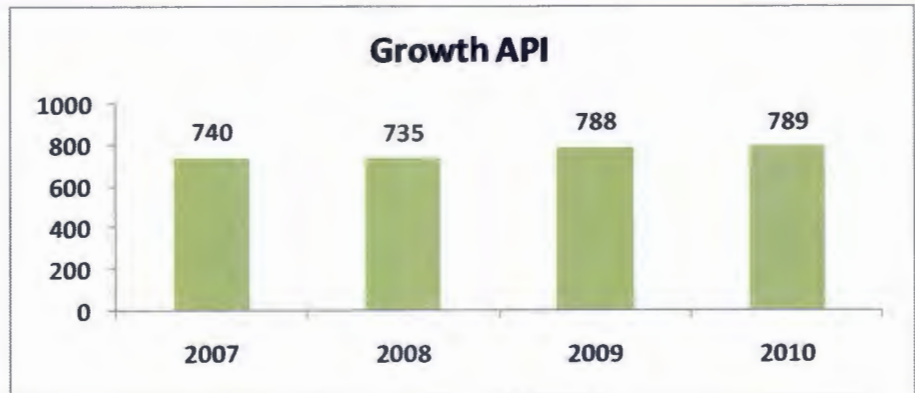
CST Mathematics (Performance Over Time)

YEAR	P/A	B/P/A
2007	43%	72%
2008	47%	73%
2009	65%	90%
2010	71%	88%



API (Performance Over Time)

YEAR	API	RANK	SIMILAR
2007	740	4	9
2008	735	3	7
2009	788	5	9
2010	789	<i>Pend</i>	<i>Pend</i>



2007	2008	2009	2010	GROWTH
740	735	788	789	49 pts

AYP (Performance Over Time)

	2007	2008	2009	2010
AYP Met?	YES	NO	YES	NO
AMO's	100%	90%	100%	76%

- The school has demonstrated **consistently improved student CST performance** in both English Language Arts and mathematics over the past four years;
- The school opened in 2006. In **2007** the school API performance score was **740**. As of **2010**, the school API performance score was **789**. From **2007 to 2010** the school has grown their API by **49** points.
- The school has **improved** its API score in **two** of the prior four years.
- The school **has met** its AYP targets in **two** of the past four years.
- From **2007 to 2010** the school averaged **over 36%** proficient and advanced levels in ELA.
- From **2007 to 2010** the school averaged **over 56%** proficient and advanced levels in Math.
- From **2007 to 2010** the school increased proficient and advanced levels by **67%** in ELA and **67%** in math.
- From **2007 to 2010** the school has decreased the percent of students scoring in the lowest two performance levels at a rate of **30%** in ELA and **57%** in math.

COMPARISON ANALYSIS

A. Comparison Sub-Group: OAKLAND CHARTER SCHOOLS

➤ Similar Grades Served: K-5, K-8

API - 2010

Order rank based on 2010 API Score

SCHOOL	GRADES	2007	2008	2009	2010
North Oakland Community Charter School	K-8	834	845	855	880
Conservatory of Instrumental and Vocal Arts	K-8	N/A	837	795	847
Berkley Maynard Academy	K-8	730	769	817	825
Monarch Academy	K-5	795	776	774	825
Achieve Academy (EFC-UE)	4-5	740	735	788	789
World Academy	K-3	643	682	759	785
Lighthouse Community Charter School	K-8	681	758	726	773
Millsmont Academy	K-5	687	692	783	757
East Oakland Leadership Academy	K-8	621	715	709	747
Civicorps Elementary School	K-4	701	698	757	743
Reems (E.C.) Academy of Technology & Art	K-8	716	695	722	707

API - 2009

Order rank based on 2009 API Score

SCHOOL	GRADES	2007	2008	2009	2010
North Oakland Community Charter School	K-8	834	845	855	880
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A. Comparison Sub-Group: **OAKLAND CHARTER SCHOOLS**

➤ **Similar Grades Served: K-5, K-8**

CST - 2010

Order rank based on 2010 CST % Proficient/Advanced

CST ELA SCORES OVER TIME		Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv
SCHOOL	GRADES	ELA 07	ELA 08	ELA 09	ELA 10
North Oakland Community Charter School	K-8	65%	71%	74%	79%
Conservatory of Instrumental and Vocal Arts	K-8	N/A	60%	57%	64%
Berkley Maynard Academy	K-8	42%	45%	57%	59%
Lighthouse Community Charter School	K-8	27%	37%	48%	48%
Millsmont Academy	K-5	26%	38%	47%	46%
Monarch Academy	K-5	46%	37%	47%	56%
Achieve Academy (EFC-UE)	4-5	27%	30%	45%	45%
Civicorps Elementary School	K-5	25%	30%	39%	42%
Reems (E.C.) Academy of Technology & Art	K-8	34%	28%	37%	36%
World Academy	K-3	18%	21%	35%	38%
East Oakland Leadership Academy	K-8	14%	31%	30%	42%

Order rank based on 2010 CST % Proficient/Advanced

CST MATH SCORES OVER TIME		Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv
SCHOOL	GRADES	Math 07	Math 08	Math 09	Math 10
North Oakland Community Charter School	K-8	69%	69%	78%	80%
Monarch Academy	K-5	73%	75%	67%	77%
Achieve Academy (EFC-UE)	4-5	43%	47%	66%	72%
Conservatory of Instrumental and Vocal Arts	K-8	N/A	64%	45%	65%
World Academy	K-3	39%	46%	65%	63%
Millsmont Academy	K-5	30%	51%	66%	62%
Berkley Maynard Academy	K-8	50%	60%	68%	61%
Lighthouse Community Charter School	K-8	32%	45%	49%	54%
Civicorps Elementary School	K-5	36%	34%	42%	49%
East Oakland Leadership Academy	K-8	13%	30%	40%	48%
Reems (E.C.) Academy of Technology & Art	K-8	39%	25%	30%	34%

A. Comparison Sub-Group: **OAKLAND CHARTER SCHOOLS**

➤ **Similar Grades Served: K-5, K-8**

CST - 2009

Order rank based on 2009 CST % Proficient/Advanced

CST ELA SCORES OVER TIME		Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv
SCHOOL	GRADES	ELA 07	ELA 08	ELA 09	ELA 10
North Oakland Community Charter School (NOCCS)	K-8	71%	74%	71%	79%
Conservatory of Instrumental and Vocal Arts (COVA)	K-8	N/A	60%	57%	64%
Berkley Maynard Academy (BMA)	K-8	42%	45%	57%	59%
Lighthouse Community Charter (LCC)	K-8	27%	37%	48%	48%
Monarch Academy	K-5	46%	37%	47%	56%
Millsmont Academy	K-5	26%	38%	47%	46%
Achieve Academy (EFC-UE)	4-5	27%	30%	45%	45%
Civicorps Elementary School	K-5	25%	30%	39%	42%
Reems (E.C.) Academy of Technology & Art	K-8	34%	28%	37%	36%
World Academy (EFC-EOCC)	K-3	18%	21%	35%	38%
East Oakland Leadership Academy (EOLA)	K-8	14%	31%	30%	42%

Order rank based on 2009 CST % Proficient/Advanced

CST MATH SCORES OVER TIME		Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv
SCHOOL	GRADES	Math 07	Math 08	Math 09	Math 10
North Oakland Community Charter School	K-8	69%	69%	78%	80%
Berkley Maynard Academy	K-8	50%	60%	68%	61%
Monarch Academy	K-5	73%	75%	67%	77%
Achieve Academy (EFC-UE)	4-5	43%	47%	66%	72%
Millsmont Academy	K-5	---	51%	66%	62%
World Academy	K-3	39%	46%	65%	63%
Lighthouse Community Charter School	K-8	32%	45%	49%	54%
Conservatory of Instrumental and Vocal Arts	K-8	N/A	64%	45%	65%
Civicorps Elementary School	K-5	36%	34%	42%	49%
East Oakland Leadership Academy	K-8	13%	30%	40%	48%
Reems (E.C.) Academy of Technology & Art	K-8	39%	25%	30%	34%

Comparison Sub-Group ANALYSIS: OAKLAND CHARTER SCHOOLS

- The school **API score is (788) above the median** performance of Oakland charter schools in **2010** serving similar grades.
- The school **API score is (789) above the median** performance of Oakland charter schools in **2009** serving similar grades.
- The school has demonstrated consistent and steady improvement in API performance, CST ELA and CST math performance over the past four years.

CST

Achieve's performance compared to Oakland Charter Schools.

Year/Subject	Compared to the Median	Compared to the Average
2010 ELA	Above	Above
2010 Math	Above	Above
2009 ELA	Above	Above
2009 MATH	Above	Above

B. Comparison Sub-Group: OUSD DISTRICT SCHOOLS

- Similar Grades Served: K-5
- Similar Demographic (< or > 50% Comparable low-income)

API - 2010

Order rank based on 2010 API Score

SCHOOL	LEVEL	2009	2010	met AYP?
Think College Now	K-5	848	859	Yes
Manzanita Seed Elementary	K-5	736	842	Yes
ACORN Woodland	K-5	782	807	No
Horace Mann Elementary	K-5	761	797	Yes
Achieve Academy (EFC-UE)	4-5	788	789	No
ASCEND	K-8	742	781	Yes
International Community School	K-5	746	770	No
Bridges Academy	K-5	730	767	Yes
Sobrante Park	K-5	754	744	No
EnCompass Academy Elementary	K-5	733	742	No
Esperanza Elementary	K-5	704	739	No
Fruitvale Elementary	K-5	739	739	No
New Highland Academy	K-5	687	735	Yes
Manzanita Community	K-5	672	733	Yes
Garfield Elementary	K-5	693	729	No
Learning without Limits	K-5	718	728	No
Futures Elementary	K-5	701	711	Yes
Rise Community	K-5	646	706	Yes
Lazear Elementary	K-5	709	687	No
Fred T. Korematsu	K-5	641	685	Yes
Reach Academy	K-5	596	569	No

B. Comparison Sub-Group: OUSD DISTRICT SCHOOLS

- **Similar Grades Served: K-5**
- **Similar Demographic (< or > 50% Comparable low-income)**

API - 2009

Order rank based on 2009 API Score

SCHOOL	LEVEL	2009	2010	met AYP?
Think College Now	K-5	848	859	Yes
Achieve Academy (EFC-UE)	4-5	788	789	No
ACORN Woodland	K-5	782	807	No
Horace Mann Elementary	K-5	761	797	Yes
Sobrante Park	K-5	754	744	No
International Community School	K-5	746	770	No
ASCEND	K-8	742	781	Yes
Fruitvale Elementary	K-5	739	739	No
Manzanita Seed Elementary	K-5	736	842	Yes
EnCompass Academy Elementary	K-5	733	742	No
Bridges Academy	K-5	730	767	Yes
Learning without Limits	K-5	718	728	No
Lazear Elementary	K-5	709	687	No
Esperanza Elementary	K-5	704	739	No
Futures Elementary	K-5	701	711	Yes
Garfield Elementary	K-5	693	729	No
New Highland Academy	K-5	687	735	Yes
Manzanita Community	K-5	672	733	Yes
Rise Community	K-5	646	706	Yes
Fred T. Korematsu	K-5	641	685	Yes
Reach Academy	K-5	596	569	No

B. Comparison Sub-Group: OUSD DISTRICT SCHOOLS

- **Similar Grades Served: K-5** (*Because Achieve only serves 4th and 5th graders, the 4th and 5th grade CST scores of the comparison schools were isolated for the purposes of this analysis.*)
- **Similar Demographic (< or > 50% Comparable low-income)**

CST: ELA - 2010

Order rank based on 2010 CST % Proficient/Advanced

ELA

SCHOOL	LEVEL	ELA 09	ELA 10
Think College Now	K-5	67%	69%
Sobrante Park	K-5	57%	57%
ACORN Woodland	K-5	59%	56%
Lazear Elementary	K-5	53%	52%
Manzanita Seed Elementary	K-5	48%	46%
Achieve Academy (EFC-UE)	4-5	45%	45%
Fruitvale Elementary	K-5	44%	43%
International Community School	K-5	44%	42%
EnCompass Academy Elementary	K-5	36%	39%
Horace Mann Elementary	K-5	38%	37%
Esperanza Elementary	K-5	39%	37%
Bridges Academy	K-5	37%	36%
ASCEND	K-8	37%	35%
Garfield Elementary	K-5	33%	34%
New Highland Academy	K-5	35%	33%
Learning without Limits	K-5	28%	28%
Manzanita Community	K-5	29%	25%
Futures Elementary	K-5	24%	23%
Fred T. Korematsu	K-5	23%	23%
Rise Community	K-5	16%	16%
Reach Academy	K-5	15%	16%

B. Comparison Sub-Group: **OUSD DISTRICT SCHOOLS**

- **Similar Grades Served: K-5** (Because Achieve only serves 4th and 5th graders, the 4th and 5th grade CST scores of the comparison schools were isolated for the purposes of this analysis.)
- **Similar Demographic (< or > 50% Comparable low-income)**

CST: Math - 2010

Order rank based on 2010 CST % Proficient/Advanced

Math

SCHOOL	LEVEL	MATH 09	MATH 10
Think College Now	K-5	82%	81%
ACORN Woodland	K-5	80%	78%
ASCEND	K-8	77%	76%
Achieve Academy (EFC-UE)	4-5	66%	72%
Bridges Academy	K-5	68%	69%
Esperanza Elementary	K-5	67%	64%
Sobrante Park	K-5	60%	60%
International Community School	K-5	56%	54%
Lazear Elementary	K-5	55%	53%
Fruitvale Elementary	K-5	55%	52%
Horace Mann Elementary	K-5	50%	51%
New Highland Academy	K-5	51%	50%
Manzanita Seed Elementary	K-5	50%	49%
Fred T. Korematsu	K-5	43%	42%
EnCompass Academy Elementary	K-5	40%	42%
Manzanita Community	K-5	47%	41%
Garfield Elementary	K-5	40%	39%
Learning without Limits	K-5	38%	38%
Futures Elementary	K-5	33%	34%
Rise Community	K-5	34%	33%
Reach Academy	K-5	14%	14%

B. Comparison Sub-Group: OUSD DISTRICT SCHOOLS

- **Similar Grades Served: K-5** (Because Achieve only serves 4th and 5th graders, the 4th and 5th grade CST scores of the comparison schools were isolated for the purposes of this analysis.)
- **Similar Demographic (< or > 50% Comparable low-income)**

CST: ELA - 2009

Order rank based on 2009 CST % Proficient/Advanced

ELA

SCHOOL	LEVEL	ELA 09	ELA 10
Think College Now	K-5	67%	69%
ACORN Woodland	K-5	59%	56%
Sobrante Park	K-5	57%	57%
Lazear Elementary	K-5	53%	52%
Manzanita Seed Elementary	K-5	48%	46%
Achieve Academy (EFC-UE)	4-5	45%	45%
Fruitvale Elementary	K-5	44%	43%
International Community School	K-5	44%	42%
Esperanza Elementary	K-5	39%	37%
Horace Mann Elementary	K-5	38%	37%
Bridges Academy	K-5	37%	36%
ASCEND	K-8	37%	35%
EnCompass Academy Elementary	K-5	36%	39%
New Highland Academy	K-5	35%	33%
Garfield Elementary	K-5	33%	34%
Manzanita Community	K-5	29%	25%
Learning without Limits	K-5	28%	28%
Futures Elementary	K-5	24%	23%
Fred T. Korematsu	K-5	23%	23%
Rise Community	K-5	16%	16%
Reach Academy	K-5	15%	16%

B. Comparison Sub-Group: OUSD DISTRICT SCHOOLS

- **Similar Grades Served: K-5** (Because Achieve only serves 4th and 5th graders, the 4th and 5th grade CST scores of the comparison schools were isolated for the purposes of this analysis.)
- **Similar Demographic (< or > 50% Comparable low-income)**

CST: Math - 2009

Order rank based on 2009 CST % Proficient/Advanced

Math

SCHOOL	LEVEL	MATH 09	MATH 10
Think College Now	K-5	82%	81%
ACORN Woodland	K-5	80%	78%
ASCEND	K-8	77%	76%
Bridges Academy	K-5	68%	69%
Esperanza Elementary	K-5	67%	64%
Achieve Academy (EFC-UE)	4-5	66%	72%
Sobrante Park	K-5	60%	60%
International Community School	K-5	56%	54%
Lazear Elementary	K-5	55%	53%
Fruitvale Elementary	K-5	55%	52%
New Highland Academy	K-5	51%	50%
Horace Mann Elementary	K-5	50%	51%
Manzanita Seed Elementary	K-5	50%	49%
Manzanita Community	K-5	47%	41%
Fred T. Korematsu	K-5	43%	42%
EnCompass Academy Elementary	K-5	40%	42%
Garfield Elementary	K-5	40%	39%
Learning without Limits	K-5	38%	38%
Rise Community	K-5	34%	33%
Futures Elementary	K-5	33%	34%
Reach Academy	K-5	14%	14%

Comparison Sub-Group ANALYSIS: OUSD DISTRICT SCHOOLS

- The school **API score (789)** is **above the median** performance of Oakland district schools in **2010** serving both similar grades and a demographically similar population based on student socio-economic status.
- The school **API score (788)** is **above the median** performance of Oakland district schools in **2009** serving both similar grades and a demographically similar population based on student socio-economic status.
- The school has demonstrated consistent and steady improvement in API performance, CST ELA and CST math performance over the past four years.

CST

Achieve's performance compared to Oakland District Schools serving both similar grades and a demographically similar population.¹

Year	CST Subject	Compared to the Median	Compared to the Average
2010	ELA	Above	Above
	MATH	Above	Above
2009	ELA	Above	Above
	MATH	Above	Above

¹ Based on student socio-economic status.
Achieve Academy – Charter Renewal Petition
March 9, 2011

EDUCATIONAL PROGRAM: CHARTER SCHOOL RENEWAL QUALITY REVIEW

The quality of the school's educational program has been evaluated through a three-day site inspection conducted on **October 4, 5, 6, 2010** by **District staff**.

The following represent key findings of **District staff**:

Strengths:

- EFC believes deeply in building strong professional learning communities as a foundation for improving instructional practice. Teachers regularly engage in collaborative planning both with their grade level and with coaches. EFC has shifted to practice-based professional development, a model of support based on helping teachers directly in their practice over an extended period of time.
- Through analyzing data, EFC determined that the ELD curriculum previously selected was not resulting in the growth expected. As a result, a committee of teachers, along with Home Office and administrative input, selected the Language for Learning, Language for Thinking and Language for Writing curriculum as EFC's new ELD program.
- Teachers and coaches have a robust system for enhancing the Saxon Math curriculum with "mitigations" and ensuring that it meets students' needs.
- The school has created a School Action Plan to specifically address what the principal described as "stagnant" English Language Arts performance.
- The school holds monthly grade level parent meetings, led by the teachers, are held to inform parents of grade-level curriculum and directly instructing them on how to work with and support their child at home.
- The school provides an afterschool program in conjunction with the East Bay Agency for Children's Hawthorne Family Resource Center and provides programming to over 120 students from World and Achieve Academies.
- The school holds data analysis meetings every six to eight weeks, where individual student data is scrutinized and any patterns identified and examined, which drives professional development workshops used to plan for shortcomings.
- Grade level teams meet weekly to plan for instruction and the school-wide instructional leadership team meets twice per month to review performance data.

Challenges:

- The rigid structure of the Open Court program limits the teachers' ability to use differentiation effectively in the classroom to meet the needs of different learners, including different learning styles. As a result, teacher-directed activities with little opportunity to collaborate with their peers or to be actively engaged in their learning, are the norm for students.
- Though leadership and staff described the "workshop" time of Open Court as the structure for ensuring sufficient differentiation, it is not consistently or regularly implemented and was not seen once during staff's site visit and multiple visits to classrooms at times when the schedule indicated workshop was to occur.
- The principal stated that teachers are not consistently engaging in quality small group instruction, and it is necessary to increase focus on this.
- Teachers indicate that student absenteeism can be challenging and that the school does not have a School Attendance Review Board (SARB) or similar system in place to address these situations.

- There is inconsistency in teachers' use of higher order questioning skills that promote critical thinking. Coaches acknowledged an attempt to build teacher capacity in this area.
- Strategies to engage students in their learning are not used consistently enough to make an impact on student achievement.
- There is a gap between English Language Learner performance and that of their peers, yet the school does not analyze data by subgroup, but rather looks at individual student performance. While beneficial, not examining subgroup performance prevents the school from noting trends such as the gap in ELL performance.
- Nearly half of ELL students did not progress in CELDT levels in 09-10; once at a level four or five, students struggle to achieve CST scores that would allow reclassification. Thorough analysis of why this happens has not yet occurred.

Based on an analysis of Achieve Academy's performance outcomes and an evaluation of its educational program over the past four years, the school is deemed an **Academic Success** for the purposes of renewal.

The school has met or made substantial progress towards meeting its Measurable Pupil Outcomes identified in its charter. Additionally, the school has attained achievement rates above the median and averages of the comparison schools in those areas outlined in the OUSD Charter Renewal Standards.

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

The effectiveness and viability of the school has been evaluated through a three-day site inspection conducted on **October 4, 5, 6, 2010** by **District staff**.

The following represent key findings of **District staff**:

Strengths:

- The school principal is focused on student results, on developing her staff, and on improving school operations. Parents are very happy with her and appreciate her accessibility, willingness to hear feedback, and dedication to the school community.
- Achieve Academy maintains partnerships with the East Bay Agency for Children (EBAC) and Clinica De la Raza. EBAC and La Clinica work with Achieve students, particularly those at-risk, to improve health, offer hope and provide enrichment opportunities to Achieve students and their families.
- The school has a Parent Leadership Council which provides parents with an opportunity to provide input at the school site level. For the subsequent charter term, the school intends to establish a structure for the election of officers for the council, to insure ongoing and consistent involvement and training for parent leadership development.
- The governing board of the school is comprised of individuals with varied backgrounds and expertise necessary for the effective operation and management of a charter school. One board member has provided professional development for EFC teachers around culturally relevant pedagogy.
- The school has a business operations manager who handles much of the non-instructional work at the school site, thus freeing up the principal to focus on the role of instructional leader.
- EFC is using a *Skill/Will Analysis* to gauge teacher quality; staff examines teachers across a spectrum of skill and will relative to the implementation of the school's instructional program, which guides the support and development of teachers.
- Dine and Delve is an opportunity for staff to connect with EFC's CEO around the school's mission and vision, as well as to share ideas with the CEO over a meal.

Challenges:

- Parents are not able to articulate the role of the home office, indicating that transparency and parent understanding regarding the organizational structure of the school is lacking. Home office staff has begun to spend more time on campus in order to be a visible and known part of the school.
- Because EFC acknowledges that parents traditionally have not participated in the overall governance of the organization, and in an effort to provide greater consistency of participation and increased involvement in school governance, a parent liaison to the EFC board has been established; however it is unclear how this parent was selected and why the Parent Leadership Council did not have a voice in the selection of the parent.
- The Charter Management Organization is delayed in its creation of a strategic action plan, in part due to the pending search for a new Chief Executive Officer for EFC.

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

An evaluation by staff of the school's Fiscal Accountability and Governance over their recent charter term included:

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

Based on this analysis, the school is deemed an **Effective, Viable Organization** for the purposes of charter renewal.

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

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

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

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

RECOMMENDATION:

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

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

This report recommends that the Oakland Unified School District Board of Education **approve** the charter renewal petition for Achieve for a term of five years, as required by law (Education Code 47605 d(1)). The charter renewal term would begin on July 1, 2011 and expire on June 30, 2016. The District will not accept a charter renewal request more than 270 days prior to the expiration of the charter.

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

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

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

ATTACHMENT I: CHARTER TEXT REVISIONS

ATTACHMENT II: CHARTER SCHOOL RENEWAL QUALITY STANDARDS

ATTACHMENT III: CHARTER SCHOOL RENEWAL QUALITY CRITERIA

ATTACHMENT IV: SCHOOL PERFORMANCE REPORT EXCERPTS

ATTACHMENT I - 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 revised charter to include all revisions outlined below no later than **5pm on June 1, 2011**.

Oakland Unified School District Office of Charter Schools **REQUIRED CHARTER TEXT**

APPENDIX I – REQUIRED 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 a revised charter to include all revisions outlined below in one hard copy and one electronic copy in *Word* format on a CDR-W disc or via email of no later than **5pm on June 1, 2011**.

Charter Text	Text Reference	Required Revision
<u>Governance</u>	Pages 62-63 Page 68	<p>Add the following text:</p> <p><u>“Achieve 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.”</u></p> <p><u>The activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the board.</u></p>
<u>Student Admissions Policies and Procedures</u>	Pages 84-85 - Admission Requirements	<p>Add the following text and remove any text to the contrary:</p> <p><u>By October 1 of each year, Achieve Academy will notify the District in writing of the application deadline and proposed lottery date. Achieve 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.”</u></p>
<u>Public Records</u>	Page 112 Miscellaneous Provisions	<p>Add the following text and remove any text to the contrary:</p> <p><u>“Achieve Academy acknowledges that pursuant to Article XVI section 8.5(e) of the</u></p>

California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including Achieve Academy to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at Achieve Academy and of the District. Achieve Academy further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that Achieve Academy does not have that Achieve Academy needs in order to meet its obligations, the District shall provide the same to Achieve Academy in a reasonably timely manner upon request.”

		<p><u>California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including Achieve Academy to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at Achieve Academy and of the District. Achieve Academy further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that Achieve Academy does not have that Achieve Academy needs in order to meet its obligations, the District shall provide the same to Achieve Academy in a reasonably timely manner upon request.”</u></p>
<p><u>Reporting and Accountability</u></p>	<p>Page 57</p>	<p>Add the following text and remove any text to the contrary:</p> <p><u>“As-if Achieve Academy does not test (i.e., STAR) with the District, Achieve Academy hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as the charter school.</u></p> <p><u>Test results for the prior year, if not provided directly to the District by the State, will be provided by the charter school to the District no later than September 1 of each year.”</u></p>
<p><u>External Reporting</u></p>	<p>Page 103</p>	<p>Add the following text and remove any text to the contrary:</p> <p><u>“Achieve Academy will maintain sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from District and other authorized reporting agencies.”</u></p>
<p><u>Governance Structure of the School</u></p>	<p>Page 62</p>	<p>Add the following text and remove any text to the contrary:</p> <p><u>“Achieve Academy, in accordance with Education Code Section 47604.3, shall</u></p>

		<p><i>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. Achieve Academy acknowledges that it is subject to audit by OUSD and that if OUSD seeks an audit of Achieve Academy, OUSD it shall assume all costs of such audit. This obligation for the District to pay for an audit <u>applies</u> only applies if the audit <u>requested</u> is specifically requested by the District and is not otherwise required to be completed by Achieve Academy by law or charter provisions.”</i></p>
<p><u>Governance Structure</u></p>	<p>Page 63</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“Members of Achieve 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></p> <p><i>Achieve Academy and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school.”</i></p>
<p><u>Addressing Parent Complaints</u></p>	<p>Pages 72-83</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><u>Achieve Academy will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. Achieve Academy will not, at any time, refer complaints to the District.</u></p> <p><i>The complaint procedures will include the clear information with respect to the response timeline of the school, whether the school’s response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing.</i></p>

		<p><i>The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school's student and family handbook or distributed widely.</i></p> <p><i>Achieve Academy 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 Achieve Academy alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Achieve Academy will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.</i></p> <p><i>Achieve Academy 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>Achieve Academy <u>will</u> implements 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 <u>or any other characteristic described in Education Code Section 220</u> in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to discriminate in such a manner."</i></p>
<p><u>Dispute Resolutions Procedures</u></p>	<p>Pages 83-84</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"The staff and EFC Governing Board members of Achieve Academy agree to attempt to resolve all disputes between the</i></p>

District and Achieve Academy regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Any controversy or claim arising out of or relating to the charter agreement between the District and Achieve Academy, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.

(1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing ("Written Notification") by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:

*To Charter School, c/o School Director:
Achieve Academy*

*To Coordinator, Office of Charter Schools:
Office of Charter Schools
Oakland Unified School District
1025 Second Avenue, Room 206
Oakland, California 94606*

*Office of Charter Schools
Oakland Unified School District
Tilden School, Room 11
4551 Steele Street*

Oakland, California 94619

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

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

(4) If the mediation is not successful, the parties agree that each party has exhausted its administrative remedies and shall have

		<i>any such recourse available by law</i>
<u>Suspension and Expulsion: Due Process for Students with Disabilities</u>	Pages 53-54	<p>Add the following text and remove any text to the contrary:</p> <p><u><i>“In the case of a special education student, or a student who receives 504 accommodations, Achieve Academy will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child’s disability; or 2) if the conduct in question was the direct result of the LEA’s failure to implement the 504 plan or IEP. If it is determined that the student’s misconduct was not caused by or had direct and substantial relationship to the child’s disability or the conduct in question was not a direct result of the LEA’s failure to implement the 504 plan or IEP, the student may be expelled.”</i></u></p>
	Page 88	<u><i>A student may be suspended or expelled for prohibited misconduct if the act is 1) related to school activity or school attendance occurring at Charter School or at any other school, or 2) a Charter School sponsored event.</i></u>
<u>District Fee for Oversight</u>	Page 103 Financial Planning, Reporting, and Accountability	<p>Add the following text and remove any text to the contrary:</p> <p><u><i>“The District may charge for the actual costs of supervisory oversight of Achieve Academy not to exceed 1% of the charter school’s revenue, or the District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if Achieve Academy is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee</i></u></p>

		<u>allowed under the law as it may change from time to time.”</u>
<u>Impact on Charter Authorizer</u>	Page 104	<p>Add the following text and remove any text to the contrary:</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 ○ <u>December 15 – Schedule of Expenditure of Federal Awards</u> ○ March 1 – Second Interim Financial Report for Current Year ○ June 15 – Preliminary Budget for Subsequent Year
<u>Impact on Charter Authorizer</u>	Page 111 The Impact of the Charter Authority	<p>Add the following text and remove any text to the contrary:</p> <p><i>“Achieve Academy 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>Achieve Academy 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 Achieve Academy.</i> • <i>The District is authorized to revoke this charter for, among other reasons, the failure of Achieve Academy to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section 47607.</i>

Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit Achieve Academy 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:

- ***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.***

Achieve Academy 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 Achieve Academy. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hours notice.

In addition, if an allegation of waste, fraud or abuse related to Achieve Academy operations is received by the District, the Achieve Academy 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 Achieve Academy by law or charter provisions"

ATTACHMENT II: CHARTER SCHOOL RENEWAL QUALITY STANDARDS

Oakland Unified School District Site Review Evaluation Criteria for Charter Renewal

Is the School an Academic Success?

Criteria 1: Improving Student Achievement

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

A quality charter school . . .

- Achieves clear, measurable program goals and student learning objectives, including meeting its stated performance standards and state and federal standards
- Achieves comparably improved student learning outcomes relative to students in traditional public schools that students would have otherwise attended
- Demonstrates high expectations for student achievement
- Provides a challenging and coherent curriculum for each individual student
- Implements and directs learning experiences (consistent with the school's purpose and charter) that actively engage students
- Allocates appropriate resources in the way of instructional materials, staffing and facilities to promote high levels of student achievement
- Promotes academic risk-taking by supporting students in a safe, healthy and nurturing environment characterized by trust, caring and professionalism
- Productively engages parental and community involvement as a part of the school's support system
- Shares its vision among the school community and demonstrates its mission in daily action and practice
- Involves staff, students, parents and other stakeholders in its accountability for student learning and in the school's program evaluation process

Criteria 2: Strong Leadership

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

A quality charter school leader . . .

- Effectively communicates and engages stakeholders in the vision and mission of the school
- Consistently puts into practice the educational program outlined in its charter
- Generates and sustains a school culture conducive to student learning and staff professional growth
- Actively monitors and evaluates the success of the school's program
- Provides regular, public reports on the school's progress towards achieving its goals to the school community and to the school's authorizer
- Treats all individuals with fairness, dignity and respect
- Has a cogent understanding of the laws that govern charter schools and monitors the trends, issues, and potential changes in the environment in which charter schools operate

- Makes management decisions and uses his/her influence and authority for the primary purpose of achieving student success
- Abstains from any decision involving a potential or actual conflict of interest
- Respects diversity and implements practices that are inclusive of all types of learners consistent with the school charter
- Engages community involvement in the school

Criteria 3: A Focus on Continuous Improvement

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

A quality charter school . . .

- Uses information sources, data collection, and data analysis strategies for self-examination and improvement
- Establishes benchmarks and a variety of accountability tools for monitoring student progress and uses the results of these assessments to improve curriculum and instruction
- Establishes both long and short term goals and plans for accomplishing the school’s mission as stated in its charter
- Uses student assessment results to improve curriculum and instruction
- Uses the results of evaluation and assessment as the basis for the allocation of resources for programmatic improvement

Is the School an Effective, Viable Organization?

Criteria 4: Responsible Governance

A charter school board and administration establish and implement policies that are transparent and focused on student achievement. Charter school board members and administrators have a cogent understanding of and comply with the laws that govern charter schools.

A quality charter school board and administration . . .

- Ensure that policies are implemented in a fair and consistent manner
- Monitor the trends, issues, and potential changes in the environment in which charter schools operate
- Seek input from impacted stakeholders
- Enact policies that respect diversity and implements practices that are inclusive of all types of learners consistent with the school charter
- Actively engage the school’s authorizer in monitoring the school’s educational program and its fiscal status

Criteria 5: Fiscal Accountability

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

A quality charter school . . .

- Creates and monitors immediate and long-range financial plans to effectively implement the school’s educational program and ensure financial stability
- Conducts an annual financial audit which is made public
- Establishes clear fiscal policies to ensure that public funds are used appropriately and wisely
- Ensures financial resources are directly related to the school’s purpose: student achievement of learning goals

ATTACHMENT III: CHARTER SCHOOL RENEWAL QUALITY CRITERIA

Criteria 1: Improving Student Achievement

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

	<i>The criteria for making judgments on the quality of Improving Student Achievement</i>	<i>Rating</i>
1.1	Achieves clear, measurable program goals and student learning objectives, including meeting its stated performance standards, and state and federal standards	4
1.2	Achieves comparably improved student learning outcomes relative to students in traditional public schools that students would have otherwise attended	4
1.3	Demonstrates high expectations for student achievement	3
1.4	Provides a challenging and coherent curriculum for each individual student	3
1.5	Implements and directs learning experiences (consistent with the school's purpose and charter) that actively engage students	3
1.6	Allocates appropriate resources in the way of instructional materials, staffing and facilities to promote high levels of student achievement	4
1.7	Promotes academic risk taking by supporting students in a safe, healthy and nurturing environment characterized by trust, caring and professionalism	4
1.8	Productively engages parental and community involvement as a part of the school's student support system	4
1.9	Shares its vision among the school community and demonstrates its mission in daily action and practice	3
1.10	Involves staff, students, parents and other stakeholders in its accountability for student learning and in the school's program evaluation process	3

Criteria 2: Strong Leadership

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

	<i>The criteria for making judgments on the quality of Improving Student Achievement</i>	<i>Rating</i>
2.1	Effectively communicates and engages stakeholders in the vision mission of the school	3
2.2	Consistently puts into practice the educational program outlined in its charter	3
2.3	Generates and sustains a school culture conducive to staff professional growth	3
2.4	Actively monitors and evaluates the success of the school's program	3
2.5	Provides regular, public reports on the school's progress towards achieving its goals to the school community and to the school's authorizer	2
2.6	Treats all individuals with fairness, dignity and respect	3
2.7	Has a cogent understanding of the laws that govern charter schools and monitors the trends, issues and potential changes in the environment in which charter schools operate	3
2.8	Makes management decisions and uses his/her influence and authority for the primary purpose of achieving student success	4
2.9	Abstains from any decision involving a potential or actual conflict of interests	4
2.10	Respects diversity and implements practices that are inclusive of all types of learners consistent with the school charter	4
2.11	Engages community involvement in the school	4

Criteria 3: A Focus on Continuous Improvement

A charter school engages in a process of continuous self-improvement in order to increase the effectiveness of its educational program.

The school regularly assesses and evaluates student learning based on stated goals.

	<i>The criteria for making judgments on the quality of Improving Student Achievement</i>	<i>Rating</i>
3.1	Uses information sources, data collection and data analysis strategies for self-examination and improvement	4
3.2	Establishes benchmarks and a variety of accountability tools for monitoring student progress and uses the results of these assessments to improve curriculum and instruction	4
3.3	Establishes both long and short term goals and plans for accomplishing the school's mission as stated in its charter	4
3.4	Uses student assessment results to improve curriculum and instruction	3
3.5	Uses the results of evaluation and assessment as the basis for the allocation of resources for programmatic improvement	3

Criteria 4: Responsible Governance

A charter school board and administration establish and implement policies that are transparent and focused on student achievement. Charter school board members and administrators have a cogent understanding of and comply with the laws that govern charter schools.

	<i>The criteria for making judgments on the quality of Improving Student Achievement</i>	<i>Rating</i>
4.1	Ensure that policies are implemented in a fair and consistent manner	3
4.2	Monitor the trends, issues and potential changes in the environment in which charter schools operate	3
4.3	Seek input from impacted stakeholders	3
4.4	Enact policies that respect diversity and implements practices that are inclusive of all types of learners consistent with the school charter	3
4.5	Actively engage the school's authorizer in monitoring the school's educational program and its fiscal status	2

Criteria 5: Fiscal Accountability

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

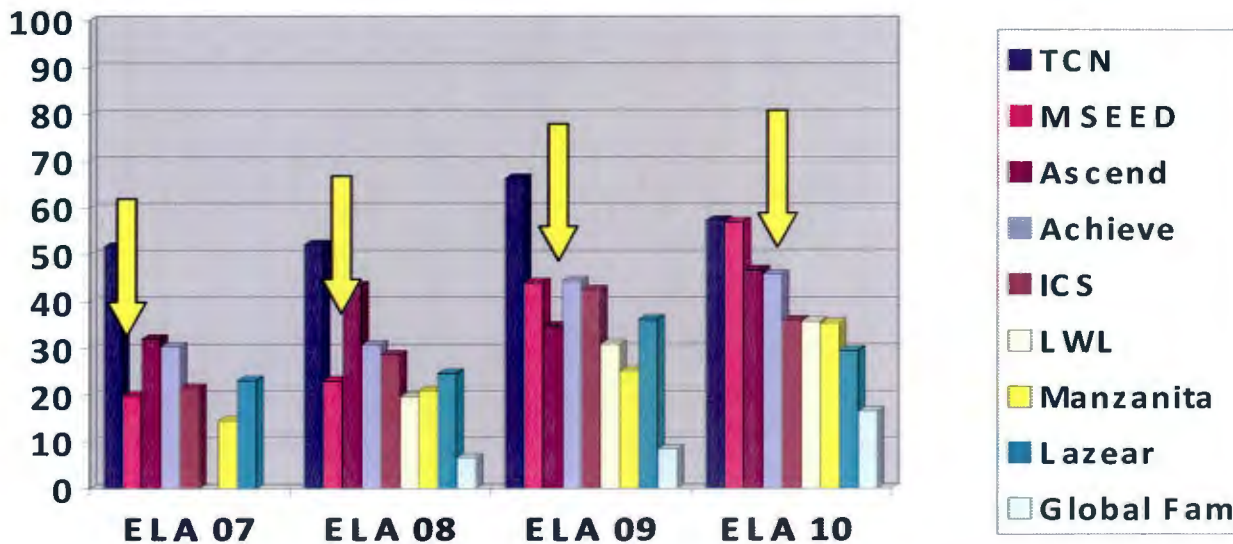
	<i>The criteria for making judgments on the quality of Improving Student Achievement</i>	<i>Rating</i>
5.1	Creates and monitors immediate and long-range financial plans to effectively implement the school's educational program and ensure financial stability	4
5.2	Conducts an annual financial audit which is made public	4
5.3	Establishes clear fiscal policies to ensure that public funds are used appropriately and wisely	4
5.4	Ensures financial resources are directly related to the school's purpose: student achievement of learning goals	4

ATTACHMENT IV: SCHOOL PERFORMANCE REPORT EXCERPTS

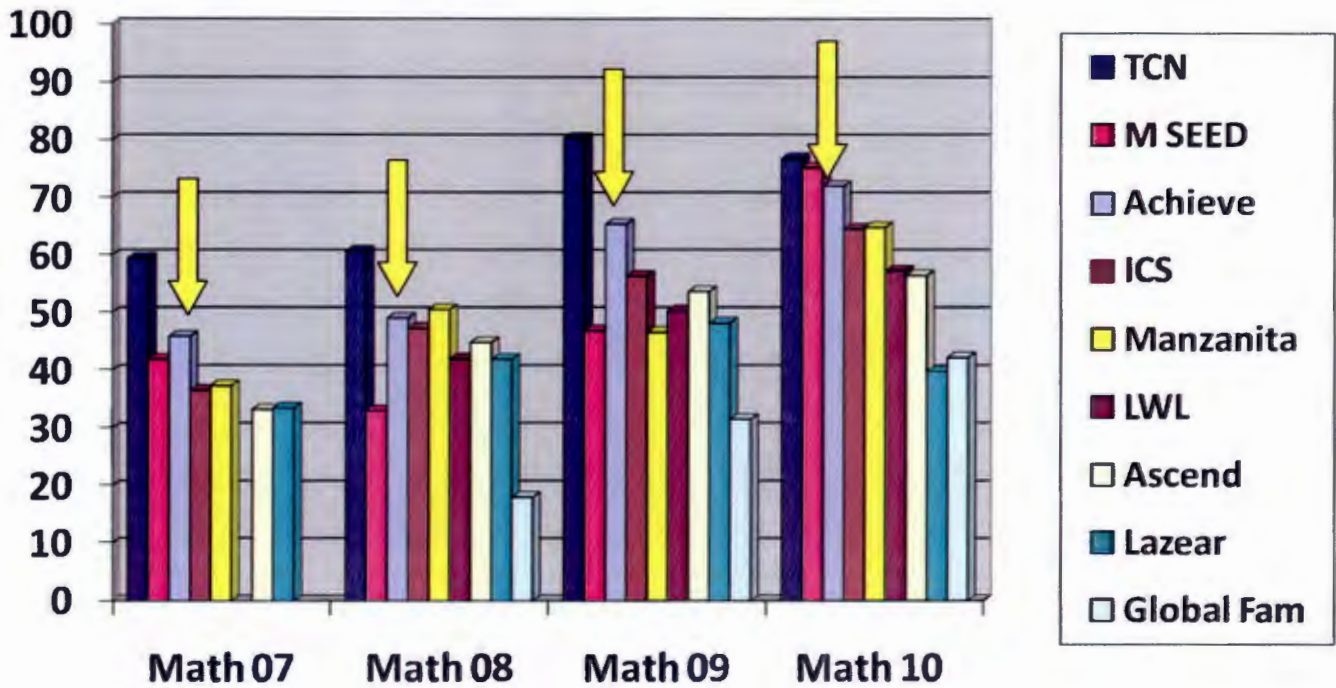
Goal: Students will exceed the average performance levels of students in schools with similar demographics in the District in English-Language Arts and Mathematics as measured by the CST and benchmark assessment scores.

The graph below demonstrates that in the spring of 2010, Achieve Academy outperforms or is similar to those OUSD schools where Achieve Academy students would normally attend (as determined by enrollment forms of current students), in English Language Arts. In Mathematics, Achieve Academy's scores are in the top three schools.

English Language Arts CST Results Spring 2007- Spring 2010: Percent Proficient

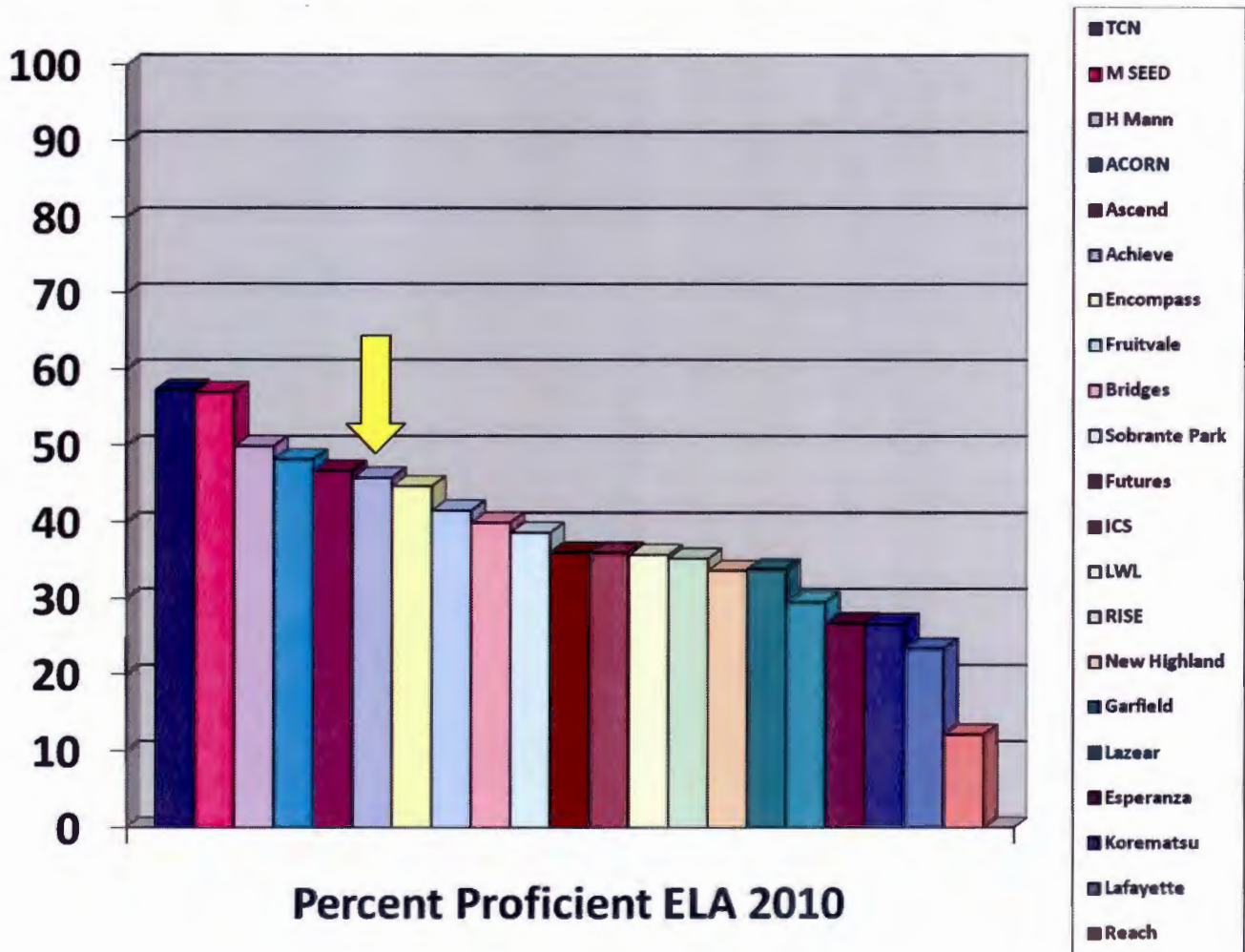


Mathematics CST Results Spring 2007- Spring 2010: Percent Proficient

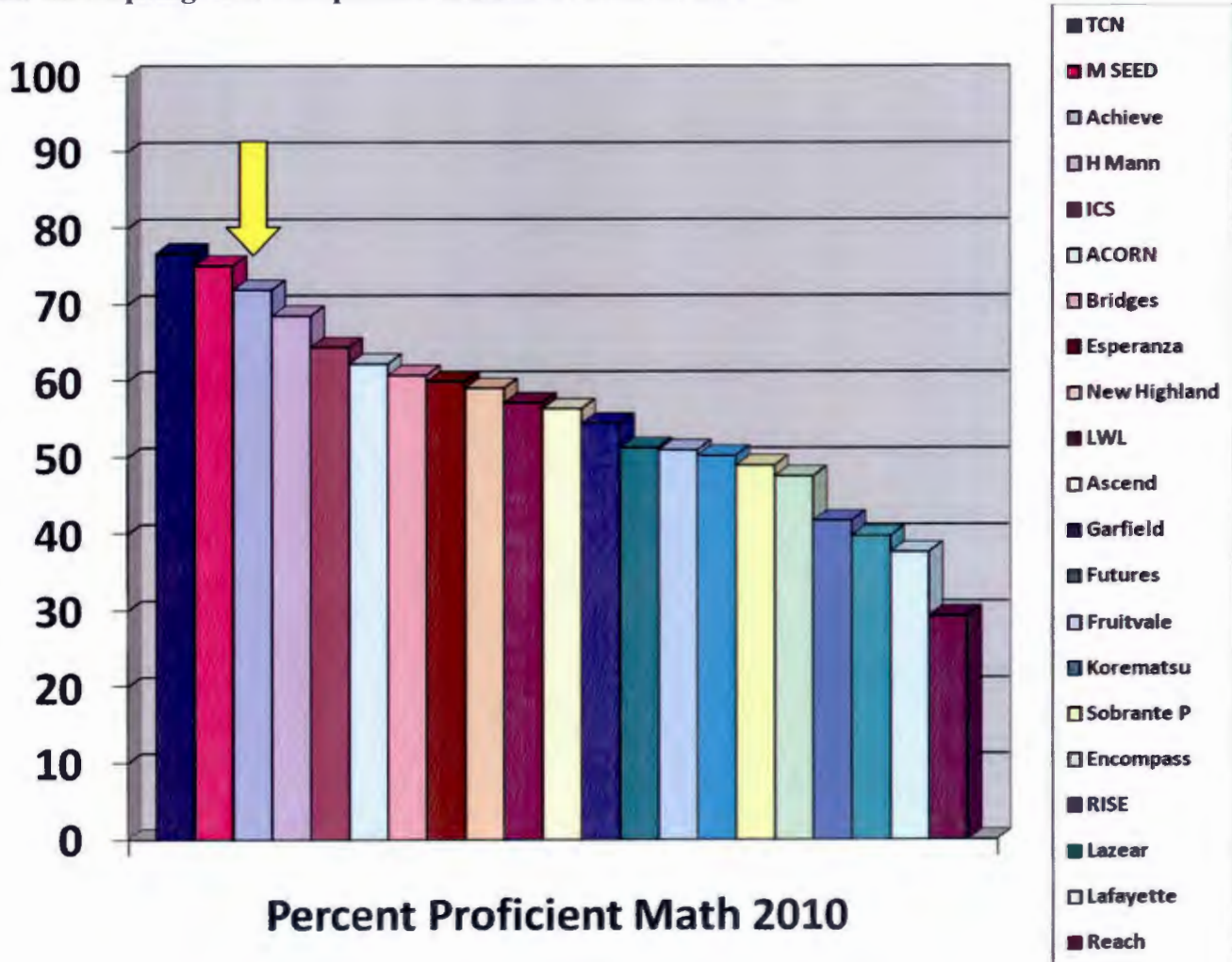


As you can see in the charts below, Achieve compares favorably to the schools OUSD identified as Achieve Academy's comparison schools. In English Language Arts, Achieve Academy is the sixth highest scoring school in the comparison group. In Mathematics, Achieve Academy scores in the top three schools with a 4.8 percentage point difference between Achieve and the highest scoring comparison school, Think College Now.

ELA CST Results Spring 2010 Comparison Schools: Percent Proficient



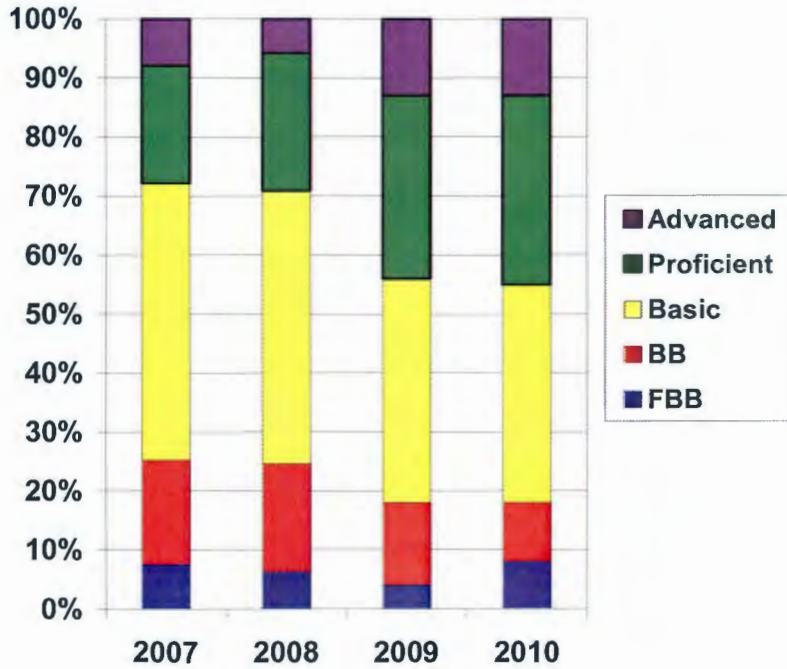
Math CST Spring 2010 Comparison Schools: Percent Proficient



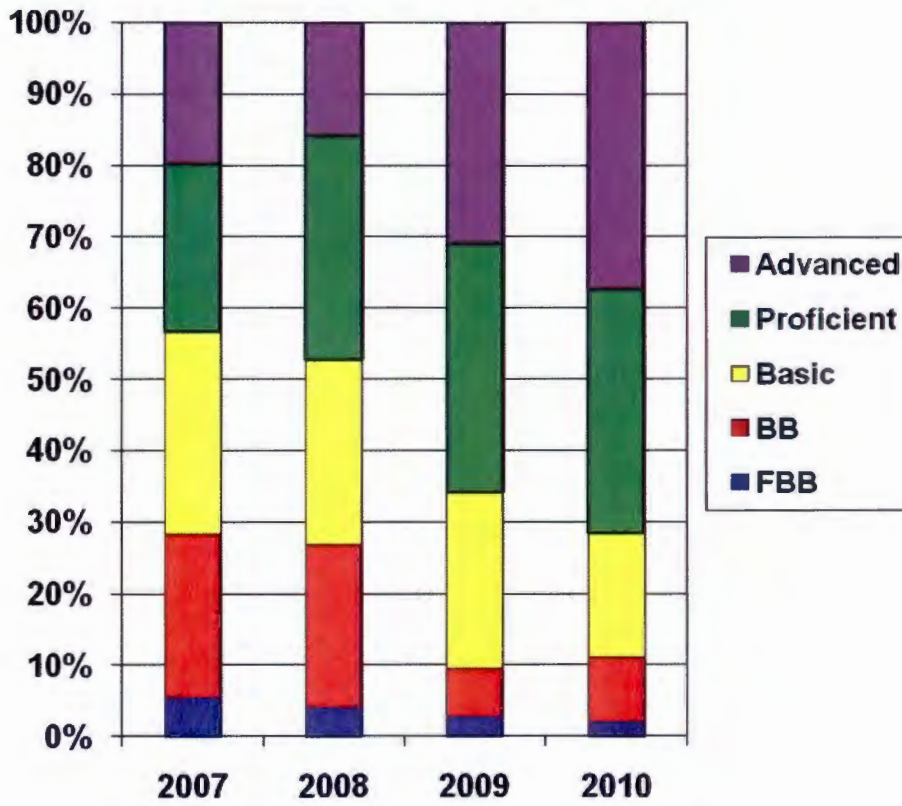
Goal: Students will maintain progress towards benchmarks of proficiency in all academic subjects as defined by the California Core Content Standards.

As demonstrated in the charts below, students at Achieve Academy have consistently been scoring at higher rates of proficient and advanced in both English Language Arts and Mathematics.

CST Growth English Language Arts Spring 2007- Spring 2010



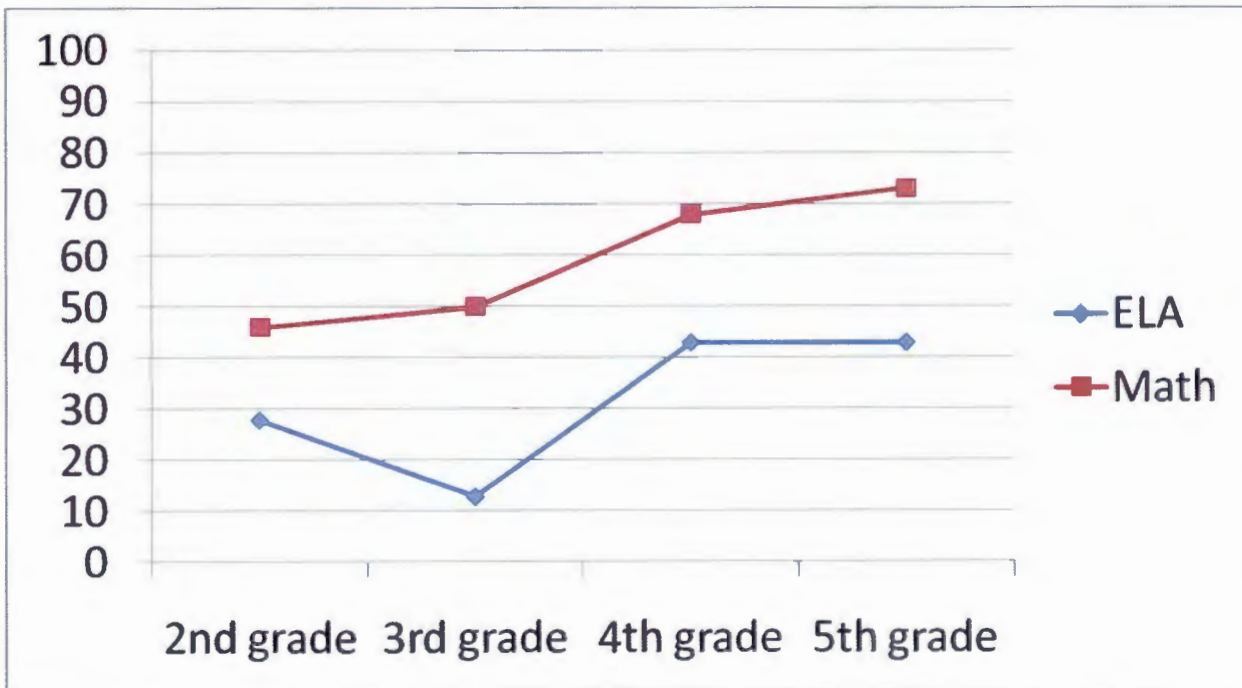
CST Growth Math Spring 2007- Spring 2010



Goal: Students will demonstrate improvement on the STAR, as well as a minimum of one year's growth for each year of ELL instruction on the CELDT.

As seen in the charts above and below, students at Achieve Academy have improved both on the STAR assessment and on the CELDT. The chart below demonstrates how students have grown across proficiency bands on the STAR assessment from one grade level to the next grade level. This chart tracks the 5th grade cohort from Spring 2010. Second and third grade data are retrieved from the previous school, in order to show the cohort growth across their experience at Education for Change Schools.

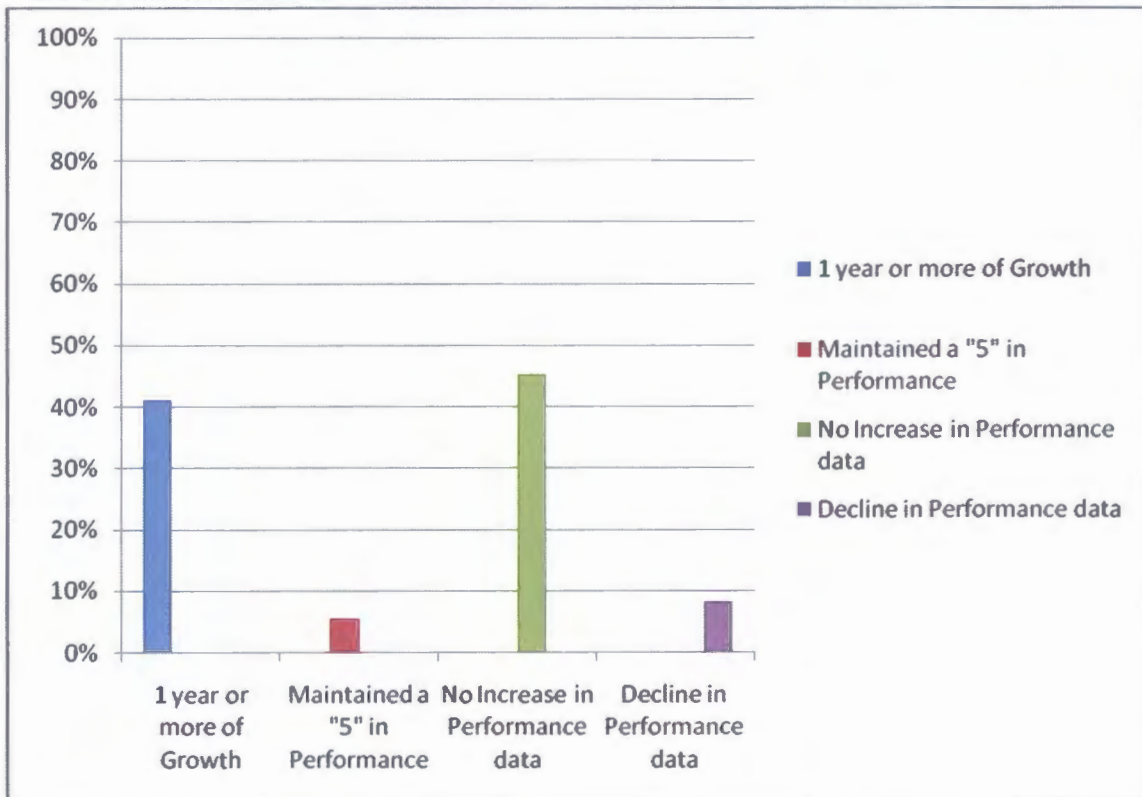
CST Spring 2007- Spring 2010: Cohort Growth in Percentage at/above Proficient (2nd and 3rd grade data from previous school)



Growth on CELDT

Achieve Academy is in the midst of administering the CELDT for 2010; thus the chart below shows growth from the October 2008 CELDT and the October 2009 CELDT administrations. Forty-one percent of the English Language Learners at Achieve Academy advanced one or more years' growth as measured by the CELDT. Five percent of students were at the Advanced level and maintained that level of proficiency. Forty-five percent of English Language Learners stayed at the same performance level. Fifty-eight percent of the students who had no increase in performance bands were at the Early Advanced level. Eight percent of students declined in performance level on CELDT.

Growth on CELDT between October 2008 and October 2009



Goal: The School will meet or exceed Adequate Yearly Progress goals.

The charts below demonstrate:

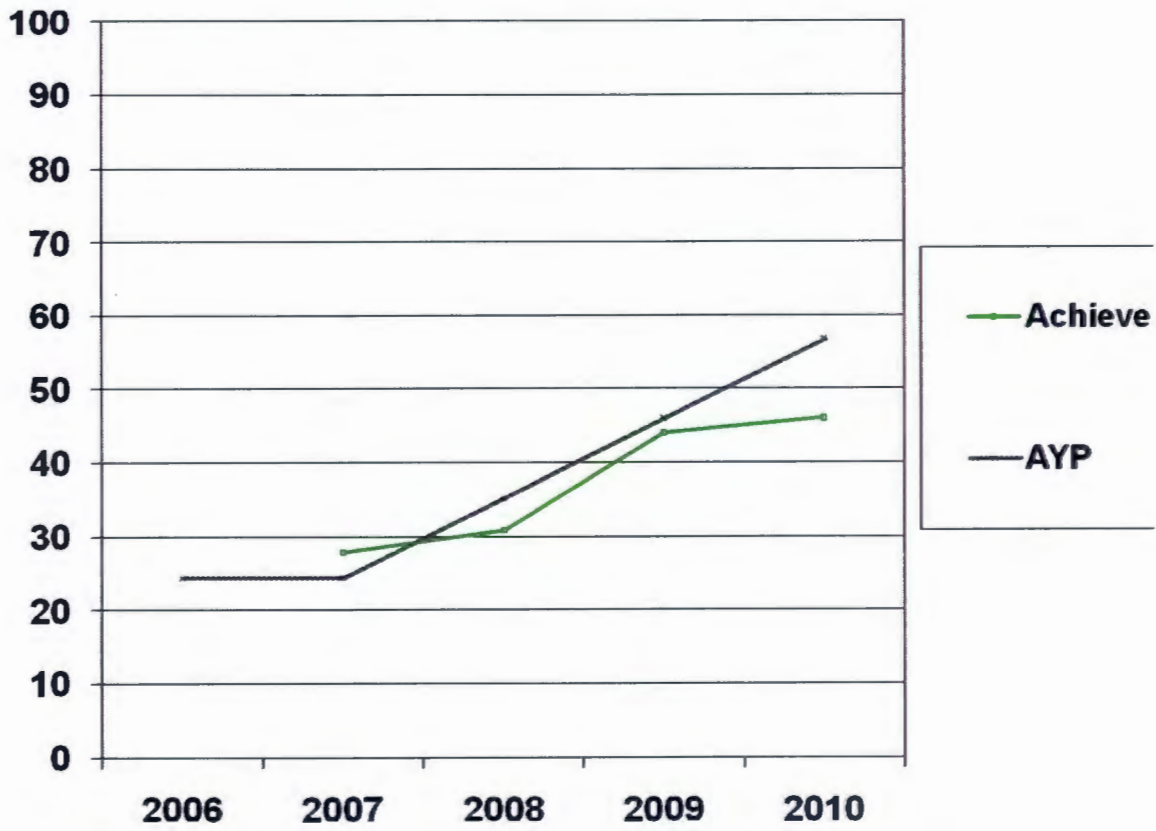
- In 2007, Achieve Academy met all AYP targets.
- In 2008, Achieve Academy met participation rate, API and Math targets.
- In 2009, Achieve Academy met all AYP targets.
- In 2010, Achieve Academy met participation rate, API and Math targets
- From 2007 to 2010, Achieve Academy has consistently exceeded the Math AYP targets
- In both 2008 and 2010, Achieve Academy did not meet AYP in English Language Arts and all subgroups also did not meet AYP in that year.

Meeting or Exceeding AYP Targets: Achieve

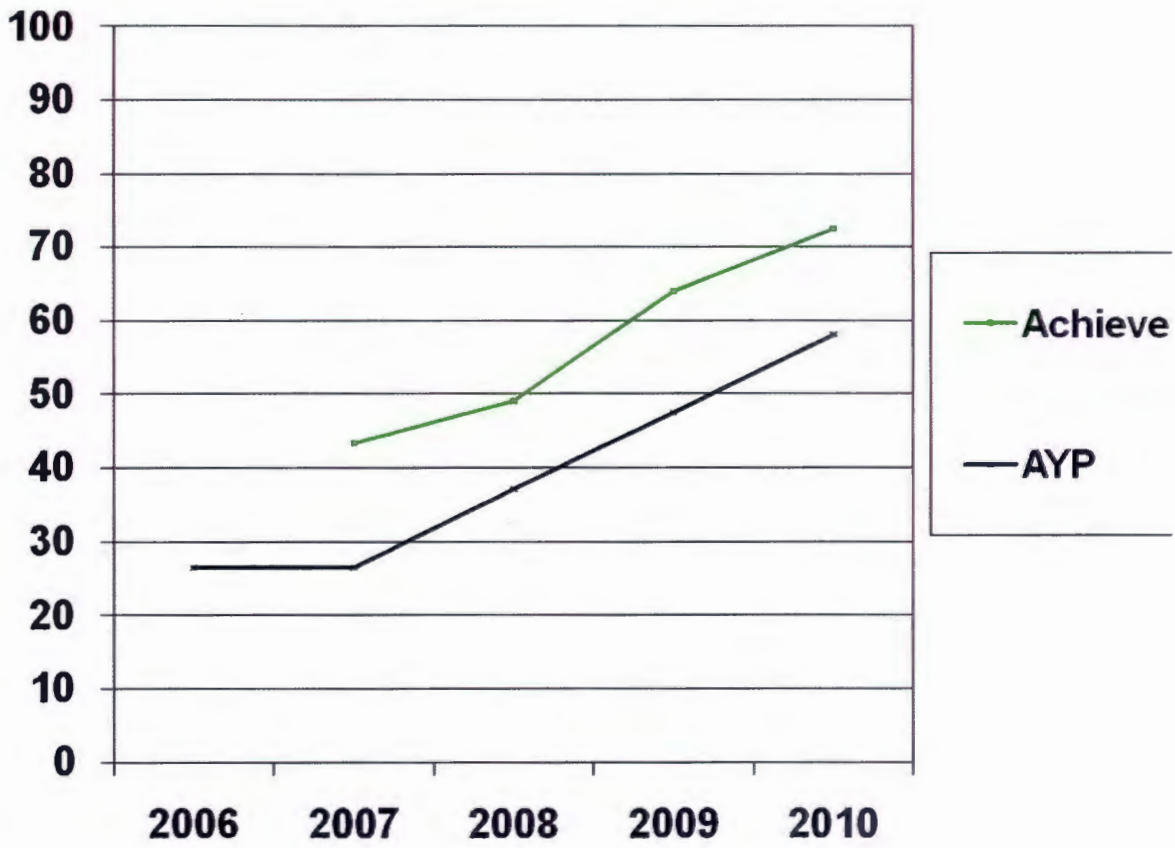
	Participation Rate	Percent Proficient Schoolwide-ELA	Percent Proficient Schoolwide-Math	Significant Subgroups-ELA	Significant subgroups-Math	API
2007	yes	yes	yes	L- yes SD- yes EL- yes	L- yes SD- yes EL- yes	yes
2008	yes	no	yes	L- no SD- no EL- no	L-yes SD- yes EL- yes	yes
2009	yes	yes	yes	L-yes SD-yes EL-yes	L-yes SD-yes EL-yes	yes
2010	yes	no	yes	L- no SD- no EL- no	L- yes SD- yes EL- yes	yes

Key: L- Latino SD- Socio-economically disadvantaged EL- English Learners

CST Growth ELA and AYP: Percent at/ above proficient



CST Growth Math and AYP: Percent at/ above proficient



Goal: The School will meet or exceed its annual Academic Performance Index growth target. Achieve a similar schools ranking of 8 using the California similar school index which compares our school to 100 schools with similar student populations.

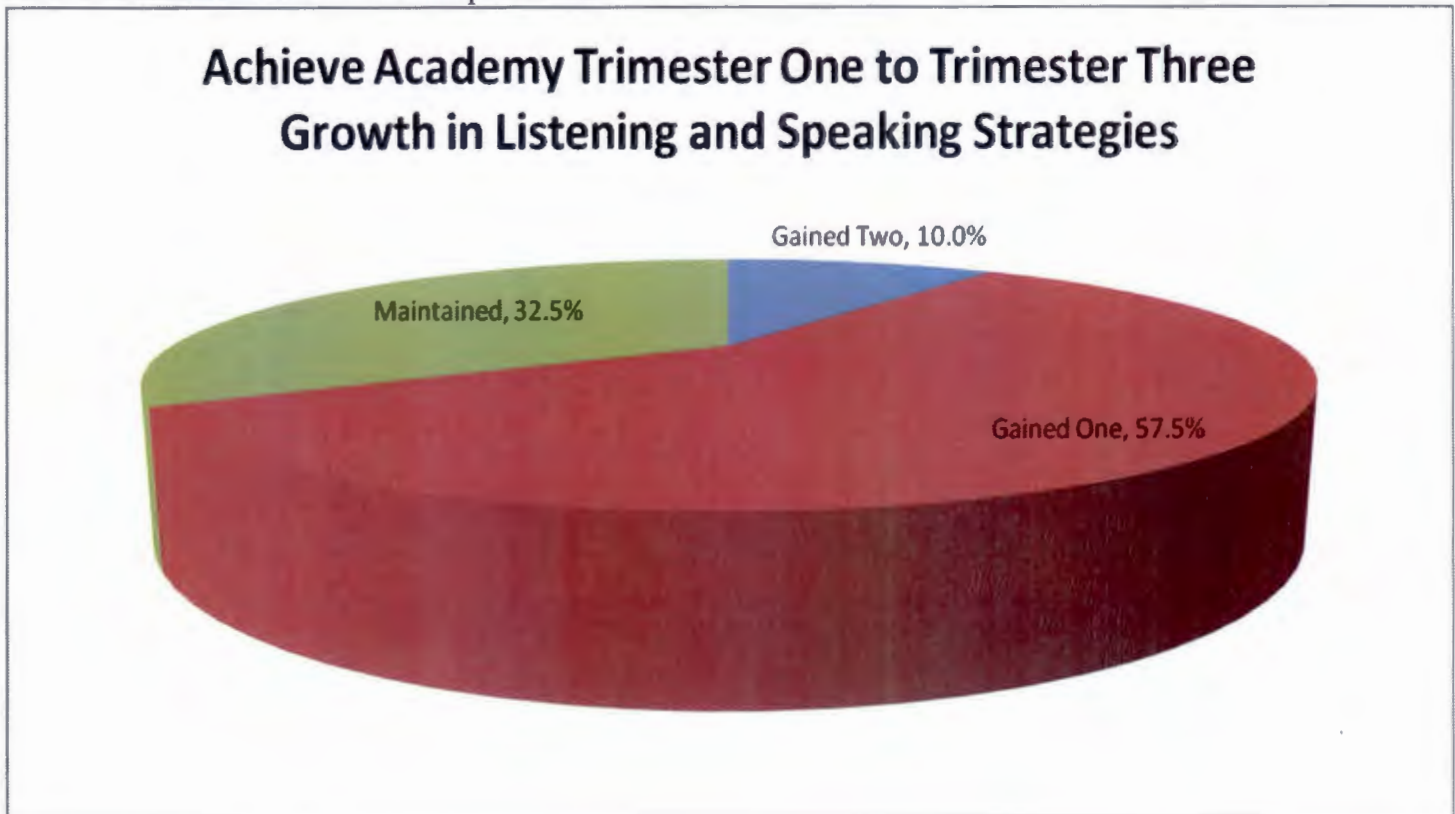
	2007	2008	2009	2010**
API	739	729	788	789
Statewide Rank	4	3	5	
Similar Schools	9	7	9	

** We expect similar schools and statewide rank in early 2011.

Goal: Students will be effective and confident communicators, able to write and speak with clarity, accuracy, and precision.

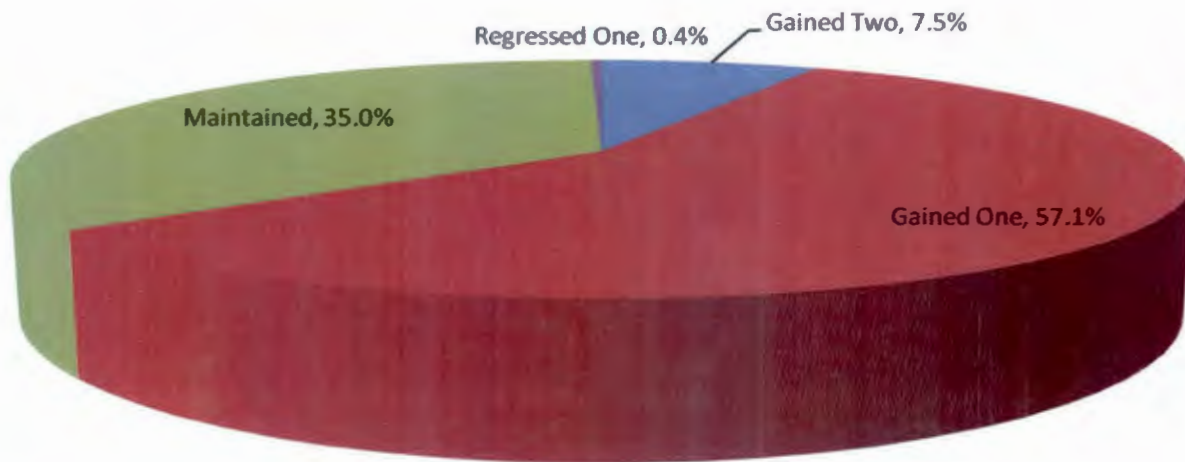
Achieve Academy tracks the performance of its students' ability to be effective communicators through the report card grades for the standards in Writing and Listening and Speaking.

The chart below shows that between the first trimester and the last trimester, 67.5 percent of students at Achieve Academy grew one or two performance bands, based on the report card grades, in Listening and Speaking. The other 32.5% maintained at the same performance band.



In Written and Oral Conventions, 64.6% of the students at Achieve Academy improved one or two performance bands.

Achieve Academy Trimester One to Trimester Three Growth in Written and Oral Conventions



Other goals:

Goal: Student attendance will exceed OUSD's norm.

Achieve Academy's attendance rate for the 2009-2010 school-year was 96.25 percent, and the OUSD reported rate is at 93.79 percent.

Goal: Student and Parent/Guardian school satisfaction surveys will exceed a 3.5 average on a 5-point scale.

While EFC used a 5 point scale, EFC tracked the satisfaction survey data by percentage at each level of response rather than by an average. Parent survey results show the following:

- 85 percent of parents agreed or strongly agreed that Achieve Academy was doing a good job educating their child;
- 59 percent of the parents agreed or strongly agreed that the school was safe;
- 76 percent of the parents agreed or strongly agreed that the school is a caring and nurturing place;
- 83 percent of parents agreed or strongly agreed that they felt welcomed and respected at the school;
- 100 percent of the parents agreed or strongly agreed they would recommend the school to other families;
- 95 percent of parents surveyed gave the principal either an A or B;
- 88 percent of parents surveyed gave the school either an A or a B for an overall schoolwide grade