

## EXECUTIVE SUMMARY

### French American Charter School of the East Bay (FACSEB)

#### SIXTEEN ELEMENTS TABLE

The Charter Schools Act requires authorizers to evaluate whether the petitioners have presented a “reasonably comprehensive” description of the 16 elements related to a school’s operation. Please see the results of this analysis contained in the following table:

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

## **EDUCATIONAL PROGRAM SUMMARY**

### **Strengths**

The petition provides evidence of a comprehensive, coherently described, and aligned educational program that is likely to meaningfully benefit the target population; as well as providing a French dual immersion elementary school option to Oakland families that does not currently exist.

Research based curriculum, which is common core standards aligned and used at other French immersion schools, is being purchased/implemented (i.e. Teachers College Reading & Writing Project for ELA, Singapore Math, and FOSS Science).

Research was cited showing that African American students enrolled in French dual immersion schools outperformed similar peers.

The dual immersion model has the potential to bolster language acquisition (both English and French); particularly for those students who speak Spanish, which has similar patterns/elements to French.

FACSEB has committed to offering professional development opportunities in cultural competence (i.e. The Center for Culturally Responsive Teaching and Learning), which builds teachers' background knowledge in the cultures and languages of underserved students to ensure that teachers and administrators are able to adequately teach and maintain a diverse and successful student body.

The chosen curriculum and assessments, as well as the professional development plan, is sound and likely to support successful implementation of the proposed program

## **PETITIONER CAPACITY SUMMARY**

### **Strengths**

The petition, responses provided during the petitioner interviews, and the due diligence conducted by staff, demonstrate capacity within the petitioning group that is likely to successfully implement the program as set forth in the petition.

The Founding Team conducted diversity surveys to collect data on the race of interested students and family income. They used this data throughout the recruitment process to target groups to ensure student diversity that is comparable to that of OUSD.

FASCEB will be a part of the EDCOE Charter SELPA and the petition benefited from the expertise of the former SELPA Director who serves as founding team member.

The petitioners have a wide range of education, health, finance, and business expertise needed to oversee a successful education program.



TO: Board of Education

FROM: Antwan Wilson, Superintendent  
Silke Bradford, Ed.D., Director-Quality Diverse Providers

DATE: August 13, 2014

RE: French American Charter School of the East Bay  
Charter Petition Request

## Legislative File

File ID No.: 14-1323

Introduction Date: 05/28/14

Enactment No.: 14-1416Enactment Date: 8-13-14

By: \_\_\_\_\_

**ACTION REQUESTED**

**Approve** the petition and charter to establish French American Charter School of the East Bay (FACSEB) as an Oakland Unified School District (OUSD) authorized charter school that serves grades TK-8<sup>th</sup>. 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 approves the petition for French American Charter School of the East Bay to serve students in grades TK-8<sup>th</sup>, to begin operation as an OUSD authorized charter school on July 1, 2015. Staff recommends approval based on the following:

- 1) The FACSEB founding group and advisory board is comprised of experts in the education field specializing in dual immersion, French language instruction, special education, and English Learner and intervention instruction/professional development.
- 2) The proposed school model/program provides a French-English dual immersion option to students in Oakland USD that does not currently exist within the district
- 3) Due diligence conducted to ensure that the establishment of the charter is consistent with sound educational practices

**PROCEDURAL BACKGROUND**

- 1) The lead petitioner submitted a petition for the French American Charter School of the East Bay on May 28, 2014 at a regularly scheduled Board of Education meeting.
- 2) A public hearing was held on June 25, 2014. Representatives from the lead petitioning group, including parents of prospective students, presented.
- 3) Staff conducted Petitioner Interviews on July 24, 2014.

## 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, 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 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.

French American Charter School of the East Bay proposes to open in Fall 2015, possibly in the uptown or downtown areas of Oakland. The school will serve approximately 130 students in grades TK-3<sup>rd</sup> in Year 1 of operation; growing to 494 TK-8<sup>th</sup> grade students at full capacity in 2024.

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

## RECOMMENDATION

Staff recommends that the Oakland Unified School District's Board of Education **approve** the petition for French American Charter School of the East Bay 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 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 the 16 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, 2015 through June 30, 2020, 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 Board of Education'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. Not meeting any one of the conditions on opening and associated deadlines set forth in this approval may be grounds for revocation as set forth in the California Charter Schools Act (*Education Code §47607(c)(1)*).

Pursuant to OUSD Governing Board Policy, BP 0420.4, if the school does not open on or before September 30, 2015, 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 1 – CHARTER PETITION EVALUATION

Oakland Unified School District  
**Charter Petition Evaluation**

<b>School Name:</b> French American Charter School of the East Bay	<b>Submission Date:</b> May 28, 2014
	<b>Public Hearing Date:</b> June 25, 2014
<b>Petitioner Team</b> <b>Lead Petitioners-</b> Mathilde Andrejko & Renae Waneka	<b>Petitioner Interview Date:</b> July 24, 2014
<b>Home Office Leadership/Staff</b>	<b>Governing Board Interview Date:</b> July 24, 2014
	<b>Decision Date:</b> August 13, 2014

**Recommendation:**

**Approval** of the French American Charter School of the East Bay charter petition, as revised, to reflect the terms and conditions set forth in this report, to begin operation July 1, 2015, and to expire June 30, 2020. Staff recommends approval of a full five-year term of operation. If conditions set forth herein are not met as of August 1, 2015, 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.

<b>Proposed location of school</b>	“...located in the attendance area of a public elementary school in which at least 70 percent of the student enrollment is eligible for Free and Reduced Lunch so that the Charter School can qualify for SB740 Facility Grant funds.” (p. 119)  “Current areas of interest based on their central location and the distribution of our interested families are near the following BART stations: 12 <sup>th</sup> Street, 19 <sup>th</sup> Street, MacArthur and Lake Merritt.” (p.119)
<b>Composition of petitioner group</b>	Educators and other professionals residing in Oakland and neighboring East Bay cities (p. 12-14)
<b>Grade levels to be served in year 1</b>	TK- 3 <sup>rd</sup> (p. 18)
<b>Anticipated enrollment in year 1</b>	130 (p. 18)
<b>Grade levels to be served at full-capacity</b>	TK-8 <sup>th</sup> (p. 18)
<b>Anticipated enrollment at full capacity</b>	494 (p. 18)
<b>Target student population</b>	“Activities in the Outreach Plan (Appendix 3) are designed to attract students who represent the population living in the jurisdiction comprising the Oakland Unified School District.” (p. 19)

	“Over the past 18 months, the Founding Team conducted diversity surveys to collect data on the race of interested students and on family income and will continue to collect these data as a method of ensuring student diversity that is comparable to that of the diversity within the jurisdiction comprising the OUSD. Data collected will guide modifications to outreach strategies.” (p. 20)
--	---

**Brief description of the kind of school to be chartered.**

“FACSEB will achieve its mission by:

- Providing an academically rigorous curriculum that teaches students to excel in French and English and prepares them for the best high schools and colleges;
- Preparing students for the 21st century by offering a well-rounded education that also incorporates global themes, arts and technology;
- Valuing and incorporating community into the life of the school, including civic engagement on a local and global level;
- Recruiting and maintaining a diverse student body and staff;
- Teaching the value of inquiry, analysis, evaluation and creative problem solving as strategies for making well-informed decisions;
- Encouraging students and staff to work in teams, learn from each other, and share in the decision-making process;
- Fostering values of accountability and responsibility.” (p. 16)

**Brief explanation of the mission of proposed charter school.**

“The mission of the French American Charter School of the East Bay (FACSEB) is to provide a dual-immersion curriculum to a diverse community of students. Our goal is to develop bilingual and bi-literate global citizens who are open-minded and value intellectual curiosity, personal integrity and creativity.” (p.16)

**Planning to work with a charter management organization (CMO)**

Yes  No  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	X		Appendix Q-5
<input type="checkbox"/> # aligned with proposed opening enrollment	X		
<input type="checkbox"/> Prominent statement	X		
<input type="checkbox"/> Teachers			
<input type="checkbox"/> # aligned with proposed opening enrollment	N/A		
<input type="checkbox"/> Prominent statement			



### 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		p. 7
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		p. 7
3. Will be non-secular in its curriculum, programs, admissions, policies, governance, employment practices, and all other operations.	X		p. 7
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		p. 7
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		p. 7
6. Will offer at least the minimum amount of instructional time at each grade level as required by law.	X		p. 7
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		p. 7
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		p. 7
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 (I).	X		p. 8
10. Will comply with all other applicable federal and state laws and regulations.	X		p. 8
11. Will submit an annual report and annual independent audits to the OUSD Office of Charter Schools by all required deadlines.	X		p. 5
12. Will submit required enrollment data each March to the OUSD Office of Charter Schools by the required deadline.	X		p. 8
13. Will operate in compliance with generally accepted government accounting principles.	X		p. 8
14. Will maintain separate accountings of all funds received and disbursed by the school.	X		p. 8

<b>15.</b> Will participate in the California State Teachers' Retirement System as applicable.	<b>X</b>	<b>p. 8</b>
<b>16.</b> 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.	<b>X</b>	<b>p. 8</b>
<b>17.</b> Will at all times maintain all necessary and appropriate insurance coverage.	<b>X</b>	<b>p. 8</b>
<b>18.</b> 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.	<b>X</b>	<b>p. 8</b>
<b>19.</b> 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.	<b>X</b>	<b>p. 8</b>
<b>20.</b> 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.	<b>X</b>	<b>p. 8</b>
<b>21.</b> 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.	<b>X</b>	<b>p. 8</b>

## 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.

<b>Petition</b> <b>p. 18-24</b>
------------------------------------

### 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

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<ul style="list-style-type: none"> <li>• Used a data driven process to recognize areas of development in recruitment outreach and attempted to rectify issues of underrepresentation of African and Hispanic students/families</li> <li>• The diverse student body being sought aligns with the mission/vision of creating "global citizens who are open-minded" and "valuing and incorporating community into the life of the school."</li> <li>• Cited studies showing how dual immersion programs have addressed the needs of traditionally underserved groups: "A study of the</li> </ul>	<p>p. 21</p> <p>p. 16-17</p> <p>p. 22-23</p>	<ul style="list-style-type: none"> <li>• Interventions described for non-IEP students in the petition are not robust (i.e. no explicit curriculum or detailed plans for intervention specific to subgroups' varying needs).</li> <li>• The TOSA tasked with providing these to IEP and non-IEP students, is not employed full time in Year 1. This is of concern considering the aim to attract a diverse group of Oakland students, some of whom may need expert intervention support. The petitioner answers addressing this fact included the following:               <ul style="list-style-type: none"> <li>- Increased LCFF funding levels and a sizeable grant</li> </ul> </li> </ul>	<p>Interviews</p>

<p>Milwaukee Public Schools showed that African American students and students of disadvantaged background who enrolled in the district's French immersion program had better test scores than students with the same characteristics who enrolled in other public schools in the district"; "Data also show that English Learners (ELs) enrolled in a two-way immersion program outperformed ELs in every other EL program on English reading standardized tests"</p> <ul style="list-style-type: none"> <li>• "FACSEB will offer professional development opportunities in cultural competence through an organization such as The Center for Culturally Responsive Teaching and Learning, which builds teachers' background knowledge in the cultures and languages of underserved students to ensure that teachers and administrators are able to adequately teach and maintain a diverse and successful student body."</li> </ul>	<p>p. 24</p>	<p>will lead to possibly increasing to 1FTE</p> <ul style="list-style-type: none"> <li>- RTI model was described involving Tier II and III interventions</li> <li>- Staff would receive PD in intervention support</li> </ul>	
--	--------------	---	--

## B. PHILOSOPHY AND APPROACH TO INSTRUCTION

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

**Petition  
p. 22-26**

**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"/>	X	<input type="checkbox"/>

**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**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<p>Rationale</p> <ul style="list-style-type: none"> <li>• "Through early and sustained immersion in the French language, students of FACSEB will excel academically, become highly proficient in two languages and develop an appreciation for and sensitivity to other cultures."</li> <li>• "Research shows that students in two-way immersion language programs like the one that will be implemented at FACSEB achieve greater academic success than their peers in monolingual programs, are more advanced readers, perform better on standardized tests, and are less likely to drop out of school."</li> </ul> <p>Mission Alignment</p> <ul style="list-style-type: none"> <li>• Global citizenship - "TWI programs promote bilingualism and bi-literacy, academic achievement and cross-cultural awareness and behaviors for all students."</li> </ul> <p>Population Alignment</p> <ul style="list-style-type: none"> <li>• Cites four students regarding outcomes for African American students</li> <li>• Cites one study regarding outcomes for EL population</li> </ul>	<p>p. 24</p> <p>p. 24</p> <p>p. 26</p> <p>p. 22-23</p>		

**C. CURRICULUM FRAMEWORK**    **X** *Mark this box on behalf of the curriculum that has already been selected/developed:*

**Petition  
p. 31-43  
Appendix A-9**

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.

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?*
  - 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?*
  - An implementation plan showing persuasively the resources, daily schedule, annual calendar and professional development that support effective implementation; and
  - 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?*
  - 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**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<p>Alignment</p> <ul style="list-style-type: none"> <li>● Curriculum and resources are sufficiently aligned to the mission and vision of the school.</li> <li>● French Language Arts</li> <li>● Arts &amp; Music</li> <li>● Additional world languages</li> <li>● Global Citizenship</li> <li>● Technology and Life Skills</li> </ul> <p>Implementation</p> <ul style="list-style-type: none"> <li>● Purchasing research based curriculum that is common core standards aligned and used at other French immersion schools (i.e. Teachers College Reading &amp; Writing Project for ELA, Singapore Math, and FOSS Science)</li> <li>● “Prior to the first day of school, the Principal will lead the development of curriculum maps for all grades and all subjects that will be taught in the first year of operation. Curriculum maps for grades and subjects that will be offered in subsequent years will be developed by the Curriculum and Education Program Evaluation Team at least annually and reviewed and approved by FACSEB leadership.”</li> </ul> <p>Evaluation</p> <ul style="list-style-type: none"> <li>● Assessments provided by the curriculum package will be used as benchmarks</li> <li>● Intervention strategies for struggling students may include:               <ul style="list-style-type: none"> <li>- Differentiated instruction and mini-lessons; one-on-one help from the classroom teacher, Teacher on Special Assignment (TOSA), teaching aide, community/parent volunteer, or student mentor; small group tutoring during or after school;</li> </ul> </li> <li>● “The SST will meet regularly to develop strategies and monitor to meet the student’s needs.”</li> </ul>	<p>p. 33</p> <p>p. 35</p> <p>p. 36</p> <p>p. 37</p> <p>p. 31-33</p> <p>p. 32</p> <p>Interview</p> <p>p. 43</p> <p>Appendix A-9</p>		

**D. 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.

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

**ANALYSIS: SPECIAL EDUCATION**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<ul style="list-style-type: none"> <li>• Assurances of compliance with legal obligations included.</li> <li>• SPED plan for identification and referral</li> <li>• SST Plan</li> <li>• EDCOE Charter SELPA membership with the former SELPA Director serving as a founding team member</li> <li>• "The Principal and/or Special Education Coordinator will be responsible for overseeing special education and will be the liaison with the SELPA"</li> </ul>	<p>p. 52</p> <p>p. 52 Appendix A-9</p> <p>p. 12</p> <p>p. 57</p>	<ul style="list-style-type: none"> <li>• PD Plan is not well developed at this time; a partnership with Aspire is being sought</li> </ul>	<p>p. 59</p>

**E. 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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

**ANALYSIS: ENGLISH LANGUAGE LEARNERS**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<ul style="list-style-type: none"> <li>• “FACSEB will hire teachers trained in SDAIE. If a highly qualified teacher candidate is lacking in this training, FACSEB will train teachers to use instructional strategies used in Project GLAD (Guided Language Acquisition Design). Project GLAD is a nationally-recognized program that trains staff in specific methods of instruction for successful immersion education in a multi-lingual classroom.”</li> <li>• Petition outlines instructional strategies for ELs as it relates to Common Core instruction in all content areas</li> <li>• The dual immersion model, if implemented properly, has the potential to bolster language acquisition in general (both English and French); particularly for those students who speak Spanish, which has similar patterns/elements to French.</li> </ul>	<p>p. 48</p> <p>p. 48-49</p> <p>p. 47</p>	<ul style="list-style-type: none"> <li>• Reclassification criteria is not specific in terms of performance levels needed to be achieved for consideration.</li> <li>• Type(s) of <i>ongoing</i> assessment (as opposed to <i>annual</i> CELDT) to be used to monitor student progress in mastery of ELD standards is not named/described</li> <li>• No explicit ELD or curriculum described</li> </ul>	<p>p.47</p>

**F. 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;
  - 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?*

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

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

<b>Inadequate</b>	<b>Approaches</b>	<b>Meets</b>	<b>Excels</b>
<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?*

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

**ANALYSIS: PUPIL OUTCOMES**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<p>Alignment</p> <p>Unique MPOs aligned to mission/vision:</p> <ul style="list-style-type: none"> <li>• Outcome #2 - Bilingual and bi-literate in French-English</li> <li>• Outcome #3 - Lifelong learner</li> <li>• Outcome #4 - Life skills</li> <li>• Outcome #5 - Global citizenship</li> </ul> <p>Measurement</p> <ul style="list-style-type: none"> <li>• Goals are measurable and vetted assessments are being used</li> <li>• LCFF State Priorities Aligned</li> </ul> <p>Performance Level</p> <ul style="list-style-type: none"> <li>• Overall proficiency goal for core subjects is 75% (SBAC)</li> </ul>	<p>p. 67</p> <p>p. 68</p> <p>p. 69</p> <p>p. 71-72</p>	<p>Performance Level</p> <ul style="list-style-type: none"> <li>• There was an expectations gap present in multiple MPOs whereby the petition text read that: <ul style="list-style-type: none"> <li>- 90% of students would receive a C grade or higher in their coursework if they scored Basic or above on SBAC, while only 75% of identified subgroups would receive a C or better for the same set of scores.</li> <li>- The petitioners emailed an updated/corrected version of this language in the MPOs, which if approved, will be changed in the final version of the petition to reflect that subgroups will also perform at 90%, as opposed to 75%.</li> </ul> </li> </ul>	<p>Interviews</p> <p>Email</p>

**G. 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 to inform 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 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"/>	<input type="checkbox"/>	X	<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**

If Meets or Excels; <b>Strengths</b>	Reference	If Approaches or Inadequate; <b>Concerns &amp; Additional Questions</b>	Reference
---	-----------	--	-----------

<p>Assessments</p> <ul style="list-style-type: none"> <li>• "The measurable pupil outcomes and corresponding assessments listed below are the summative assessments that will measure student's progress and content mastery for each of FACSEB's student outcomes."</li> <li>• FACSEB will also "...use benchmark and formative assessments throughout the year in order to continuously modify teaching activities based on students' needs."</li> </ul> <p>Instructional Improvement</p> <ul style="list-style-type: none"> <li>• "The Principal will review strengths and weaknesses identified through the data, including outcomes identified for action, with teaching staff and collaborate with them to develop recommendations for improvement so that a process of continual data-driven improvement is integrated into the Charter School."</li> <li>• "Teachers for all subjects and all grades will use formative, interim and benchmark assessments to determine student knowledge, understanding, and skills as they relate to the curriculum. Results of these assessments will guide changes in instruction to improve performance on summative assessments and to ensure success for all students."</li> <li>• Zoom student assessment system to be used</li> </ul> <p>Reporting</p> <ul style="list-style-type: none"> <li>• "Students are informed about their assessment results by the teacher and via report cards at the end of each marking period and progress reports halfway through each marking period."</li> <li>• "...quarterly standards-based and character report cards. Parents can request more frequent progress information."</li> </ul>	<p>p. 61</p> <p>p. 61</p> <p>p. 87</p> <p>p. 87</p> <p>p. 87</p> <p>p. 88</p> <p>p. 88</p>		
--	--	--	--

## EDUCATIONAL PROGRAM SUMMARY

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

### EDUCATIONAL PROGRAM SUMMARY

#### Strengths

The petition provides evidence of a comprehensive, coherently described, and aligned educational program that is likely to meaningfully benefit the target population; as well as providing a French dual immersion elementary school option to Oakland families that does not currently exist. The chosen curriculum and assessments, as well as the professional development plan, is sound and likely to support successful implementation of the proposed program.

#### Concerns and Additional Questions

##### Special Education

- The 0.8 FTE TOSA to address the needs of students with IEPs, ELs, and struggling students will not be sufficient if the school achieves the aim of having a student population representative of the district
- If a partnership with Aspire is not possible for SPED related PD, internal capacity in this regard would need to be developed or another service provider selected.

##### English Learners

- Though some of the language acquisition needs of ELs can be partially addressed by the focus of a dual immersion program, there are areas that need further development related to this student group.
- There is a need for use of ongoing assessments aligned to ELD standards to measure progress of ELs throughout the school year, as opposed to only using the CELDT
- Specific reclassification criteria, with performance thresholds, needs to be developed and communicated to staff/students/families.



## 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  
p. Appendix  
D1-2 p. 89-93**

**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;
- Adequate bylaws, policies & procedures for governing body operation (director selection & 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;
- 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**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<p>Legal Structure</p> <ul style="list-style-type: none"> <li>• Articles of Incorporation</li> <li>• Evidence of 501(c)3 non-profit status</li> <li>• Bylaws</li> </ul> <p>Charter School Governance Experience and Expertise</p> <ul style="list-style-type: none"> <li>• Finance - Amelie Dupont</li> <li>• Education - Sarah Sharp</li> <li>• Legal - Robert Freedman</li> <li>• Annette Dennett - director of a non-profit and Oakland mother</li> </ul> <p>Operating Plan</p> <ul style="list-style-type: none"> <li>• Conflict of interest policy</li> <li>• Parent Representative on Board</li> <li>• Brown Act Compliant</li> </ul>	<p>Appendix D-1 p. 121 Appendix D-2</p> <p>p. 89-90</p> <p>p. 92 p. 91 p. 93</p>		

## B. MANAGEMENT CAPACITY

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 exceed 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 will incorporate the requirements into any random drawings.
  - 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 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"/>	X	<input type="checkbox"/>	<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**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<p>Enrollment Procedures</p> <ul style="list-style-type: none"> <li>• "Over the past 18 months, the Founding Team conducted diversity surveys to collect data on the race of interested students and on family income and will continue to collect these data as a method of ensuring student diversity that is comparable to that of the diversity within the jurisdiction comprising the OUSD. Data collected will guide modifications to outreach strategies."</li> <li>• "Application forms and enrollment packets will be made available in English, French and Spanish."</li> <li>• Public random drawing</li> </ul> <p>Operating Procedures</p> <ul style="list-style-type: none"> <li>• Attendance alternatives outlined</li> <li>• Suspension and Expulsion Policy Procedures</li> <li>• School safety plan</li> <li>• Dispute resolution outlined starting on page</li> </ul> <p>Management Structure</p> <ul style="list-style-type: none"> <li>• Includes qualifications and duties for the Principal, Office Manager, and Teachers</li> <li>• Recruitment and hiring practices outlined</li> <li>• Evaluation system is multifaceted</li> </ul>	<p>p. 20</p> <p>p. 108</p> <p>p. 109</p> <p>p. 113-114 Appendix F-1</p> <p>Appendix F-1</p> <p>p. 114</p> <p>p. 98-100</p> <p>p. 101</p> <p>p. 103</p>	<p>Enrollment Procedures</p> <ul style="list-style-type: none"> <li>• The number of available seats to non francophones is the same for francophones, though francophone enrollment is favored in later years (i.e. any student that exits will be replaced by a francophone due to the demands of the program requiring grade level French fluency).</li> </ul>	<p>p. 109</p>

**C. EMPLOYMENT CAPACITY**

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"/>





**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"/>	<input type="checkbox"/>	X	<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**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<p>Financial Operation</p> <ul style="list-style-type: none"> <li>• 3-year budget includes conservative assumptions, given current state funding uncertainty.</li> <li>• Reserve of 3% is included, which is adequate</li> <li>• Contracted with EdTech which is a firm with charter school back office support experience</li> </ul> <p>Revenues</p> <ul style="list-style-type: none"> <li>• Budget narrative explains revenue assumptions</li> <li>• Revenue assumptions of funding rates for state, federal and local sources are conservative</li> </ul> <p>Expenditures</p> <ul style="list-style-type: none"> <li>• Budget projections of expense cover all major operating expense categories</li> </ul>	<p>Appendix Q</p> <p>p. 118-119</p> <p>Appendix Q</p> <p>Appendix Q</p>		

**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?*

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

**Select One**

**X 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 facility 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**

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

- Informed assessment and description of anticipated facility 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?*

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

**ANALYSIS: FACILITIES PLAN**

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns &amp; Additional Questions</i>	Reference
<ul style="list-style-type: none"> <li>• Indication of a desire to locate near Bart/public transportation</li> <li>• Facilities needs assessment provided</li> </ul>	<p>p. 119</p> <p>p. 120</p>	<ul style="list-style-type: none"> <li>• In the event Prop 39 facilities are not secured, alternative plans in the petition lack specificity</li> <li>• Petitioners indicated that they are working with a realtor and that there are three potential private facilities in the uptown and downtown areas</li> <li>• The level of student/parent interest from outside of the district could pose a space problem in the Prop 39 where only in-district student numbers are used to allocate space.</li> <li>• No site preference for Prop 39 was listed</li> </ul>	<p>p. 119</p> <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**

<b>Strengths</b>
The petition, responses provided during the petitioner interviews, and the due diligence conducted by staff, demonstrate capacity within the petitioning group that is likely to successfully implement the program as set forth in the petition.

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>
<p>Enrollment Preferences</p> <ul style="list-style-type: none"> <li>• Being that the design of the program warrants preference for Francophones entering grades 1<sup>st</sup>- 8<sup>th</sup> after Year 1, in the interest of equity, non-Francophones should receive a proportion of available seats greater than 50% in TK and Kindergarten each year.</li> <li>• For Example: of 26 seats available each year in TK and/or Kindergarten, Francophones should receive twelve (12) seats and non-Francophones fourteen (14) seats</li> <li>• Any change to the enrollment preferences via the text revisions process following approval of the petition, or later in the charter term, will require a material revision and/or Office of Charter School approval, which is contrary to the petitioner’s statement made in the text of the petition. A required text revision will need to be made in the final petition to reflect this.</li> </ul>

## 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 the 16 elements related to a school’s operation. Please see the results of this analysis contained in the following table:

<b>Element</b>	<b>Evaluation Reference</b>	<b>Inadequate</b>	<b>Reasonably Comprehensive</b>	<b>Statutory Reference</b>
Description of the educational program of the school, including what it means to be an “educated person” in the 21 <sup>st</sup> century and how learning best occurs.	<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.*

<b>Strengths</b>	<b>Reference</b>
Petition as submitted, with appendices, contains reasonably comprehensive descriptions of all required elements set forth in charter law.	

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>

**Oakland Unified School District  
Office of Charter Schools  
CHARTER TEXT REVISIONS –  
FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY**

**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 (red-line and final copy) to include all revisions outlined below in one hard copy and one electronic copy in *WORD* format on a CD or via email of no later than **5:00 PM on WEDNESDAY, APRIL 15, 2015**. Please see the Required Text Revisions one-page document for full instructions.

Charter Text	Text Reference	Revision
<u>Measurable Pupil Outcome</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“In accordance with Cal. Ed. Code §47605(b)(5)(A)(ii), FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall include a description of annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.</i></p> <p><i>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY’S pupil outcomes, disaggregated by major subgroups in compliance with Education Code section 47607(b)(5)(A)(ii), are as follows:”</i></p> <p><i>[FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY to insert pupil outcomes in compliance with Education Code section 47607(b)(5)(A)(ii)].</i></p>
<u>Measurable Pupil Outcome</u>	Page ( )	<p><i>“In accordance with SB 1290, FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY pupil outcomes will be set related to increases in pupil academic achievement both school wide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of section 47607. The pupil outcomes shall align with state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.</i></p> <p><i>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY’S pupil outcomes, related to increases in pupil academic achievement both school wide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of section 47607, shall be aligned with state priorities, as described in subdivision (d) of Section 52060, are as follows:”</i></p>



		<i>[Charter School to insert pupil outcomes in compliance with Education Code section 47607(b)(5)(B)].</i>
<u>Measurable Pupil Outcome</u>	Page ( )	<p><i>“By July 1, 2015, and annually thereafter:  <u>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall update the goals and actions identified in the charter to provide the following, as set forth in Education Code section 47605.5(a):</u></i></p> <ul style="list-style-type: none"> <li>• <i>A review of the progress towards the goals included in the charter, an assessment of the effectiveness of specific actions toward achieving those goals, and a description of the changes to the specific actions the charter school will make as a result of the review and assessment.</i></li> <li>• <i>Listing and description of the expenditures for the fiscal year in implementing the specific actions included in the charter as a result of the reviews and assessments, classified using the California School Accounting Manual.”</i></li> </ul>
<u>Measurable Pupil Outcome</u>	Page ( )	<i>By September 1, 2015, FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall also provide updated Measurable Pupil Outcomes that align with goals and actions established pursuant to the Local Control Accountability Plan requirements, based on the template provided by the State Board of Education.</i>
<u>Measurable Pupil Outcome</u>	Page ( )	<p><i>“<u>Under Education Code section 47607.3</u>, if the charter school fails to improve outcomes for 3 or more pupil subgroups (or, if less than 3, all pupil subgroups) in 3 or 4 consecutive school years, the following shall apply:</i></p> <ul style="list-style-type: none"> <li>• <i>The chartering authority shall provide technical assistance to the charter school using an evaluation rubric adopted by the State Board.</i></li> <li>• <i>The Superintendent may assign, at the request of the chartering authority and approval of the State Board, the California Collaborative for Educational Excellence to provide advice and assistance to the charter schools.</i></li> <li>• <i>The chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance, and has made findings that: 1) the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence; or 2) that the inadequate performance of the charter school, based upon the evaluation rubric, is so persistent or so acute so as to require revocation of the charter.”</i></li> </ul>
<u>Measurable Pupil Outcome</u>	Page ( )	<p><i><u>Add the following text and remove any text to the contrary:</u></i></p> <p><b><i>“At least 90% of students will be approaching, at or above grade level standards (e.g., a passing grade of C</i></b></p>

		<i>or above) in their (INSERT SUBJECT) class, including numerically significant student subgroups (e.g., ELs, students with disabilities, Latinos, African Americans, and Socioeconomically Disadvantaged, as applicable).”</i>
<u>Local Control Accountability Plan</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY will comply with all requirements pursuant to California Education Code §57605(b)(5)(A)(ii) including developing annual goals, for all pupils (i.e. schoolwide) and for each subgroup of pupils as identified in California Education Code §52052, for each of the applicable eight (8) state priorities identified in California Education Code §52060(d). Beginning in fiscal year 2014-15, FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY will comply with all elements of the Local Control Accountability Plan pursuant to regulations and templates adopted by the State Board of Education and reserves the right to establish additional, school-specific goals and corresponding assessments throughout the duration of the charter.”</i></p>
<u>Governance</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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>Student Admissions Policies and Procedures</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).</i></p> <p><i>As part of the Fall Information Update, FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY will notify the District in writing of the application deadline and proposed lottery date. FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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>		<p><u>Add the following text and remove any text to the contrary:</u>  <i>“Any and all modifications to the enrollment preferences and procedures described in the petition require formal approval by the authorizer as this will be considered a material revision of the charter petition.”</i></p>
<u>Public Records</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u>  <i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY and of the District. FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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 FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY does not have that FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY needs in order to meet its obligations, the District shall provide the same to FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY in a reasonably timely manner upon request.”</i></p>
<u>Reporting and Accountability</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u>  <i>“If FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY does not test (i.e., STAR) with the District, FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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.</i></p> <p><i>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.”</i></p>
<u>External Reporting</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u>  <i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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.”</i></p>
<u>Governance Structure of the School</u>	Pages ( )	<p><u>Add the following text and remove any text to the contrary:</u>  <i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST</i></p>

		<p><i>BAY, 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. FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY acknowledges that it is subject to audit by OUSD if OUSD seeks an audit of FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY, 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 FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY by law or charter provisions.”</i></p>
<p><u>Governance Structure</u></p>	<p>Page ( )</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“Members of FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY’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>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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>Page ( )</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY will not, at any time, refer complaints to the District.</i></p> <p><i>The complaint procedures will include the clear information with respect to the response timeline of the school, whether the school’s response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school’s student and family handbook or distributed widely.</i></p> <p><i>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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</i></p>

		<p><i>Section 504 of the Rehabilitation Act of 1973 (Section 504) including any investigation of any complaint filed with FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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>
<p><u>Health and Safety Procedures</u></p>	<p>Page( )</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.”</i></p>
<p><u>Dispute Resolutions Procedures</u></p>	<p>Page ( )</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The staff and Governing Board members of FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY agree to attempt to resolve all disputes between the District and FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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 FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an</i></p>

*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. If the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with [Education Code section 47607\(c\)](#), the matter will be addressed at the District’s discretion in accordance with that provision of law and any regulations pertaining thereto. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, 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:  
FRENCH AMERICAN CHARTER SCHOOL OF THE  
EAST BAY*

*To Director, Office of Charter Schools:  
Educational Center at Tilden  
4551 Steele Street, Room 10  
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*

		<p><i>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...</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>
<p><u>Suspension and Expulsion</u></p>	<p>Pages ( )</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil’s last known address. FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information, pursuant to Education Code Section 47605(d)(3).”</i></p> <p><i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall define any student dismissal under the Charter School’s disciplinary procedure, or termination of a student’s right to attend the Charter School under its disciplinary procedure, as an “expulsion” under the Education Code.”</i></p>
<p><u>Suspension and Expulsion: Due Process for Students with Disabilities</u></p>	<p>Pages ( )</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“In the case of a special education student, or a student who receives 504 accommodations, FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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</i></p>

		<i>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>Independent Fiscal Audits</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"To the extent that FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY is a recipient of federal funds, including federal Title I, Part A funds, FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not the limited to, the following:</i></p> <ul style="list-style-type: none"> <li><i>• Notify parents at the beginning of each school year of their "right to know" the professional qualifications of their child's classroom teacher including a timely notice to each individual parent that the parent's child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.</i></li> <li><i>• Develop jointly with, and distribute to, parents of participating children, a school-parent compact.</i></li> <li><i>• Hold an annual Title I meeting for parents of participating Title I students.</i></li> <li><i>• Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.</i></li> </ul> <p><i>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY also understands that as part of its oversight of the school, the Office of Charter Schools may conduct program review of federal and state compliance issues."</i></p>
<u>Facilities</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"If FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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</i></p>



		<p><i>Charter Schools and/or the local planning department or equivalent agency. If FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY moves or expands to another facility during the term of this charter, FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, to the District for each facility at least 30 days before school is scheduled to begin operations in the facility or facilities. FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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>District Fee for Oversight</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The District may charge for the actual costs of supervisory oversight of FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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 FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time.”</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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 ( )	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The District may revoke the charter of FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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>Impact on Charter Authorizer</u>	Page ( )	<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</p>

		<p>reporting deadline to the District will apply each year of the term of this charter;</p> <ul style="list-style-type: none"> <li>○ September 1 – Final Unaudited Financial Report for Prior Year</li> <li>○ December 1 – Final Audited Financial Report for Prior Year</li> <li>○ December 1 – First Interim Financial Report for Current Year</li> <li>○ March 1 – Second Interim Financial Report for Current Year</li> <li>○ June 15 – Preliminary Budget for Subsequent Year</li> </ul>
<p><u>Impact on Charter Authorizer</u></p>	<p>Page ( )</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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"> <li>● <i>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY is subject to District oversight.</i></li> <li>● <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 FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY.</i></li> <li>● <i>The District is authorized to revoke this charter for, among other reasons, the failure of FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section 47607.</i></li> </ul> <p><i>Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY books, records, data, processes and procedures through the Office of Charter Schools or other means. The audit may include, but is not limited to, the following areas:</i></p> <ul style="list-style-type: none"> <li>● <i>Compliance with terms and conditions prescribed in the charter,</i></li> <li>● <i>Internal controls, both financial and operational in nature,</i></li> <li>● <i>The accuracy, recording and/or reporting of school financial information,</i></li> <li>● <i>The school’s debt structure,</i></li> <li>● <i>Governance policies, procedures and history,</i></li> <li>● <i>The recording and reporting of attendance data,</i></li> <li>● <i>The school’s enrollment process, suspension and</i></li> </ul>

		<p><i>expulsion procedures, and parent involvement practices,</i></p> <ul style="list-style-type: none"> <li>• <i>Compliance with safety plans and procedures, and</i></li> <li>• <i>Compliance with applicable grant requirements.</i></li> </ul> <p><i>FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY shall cooperate fully with such audits and to make available any and all records necessary for the performance of the audit upon 30 day’s notice to FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hour’s notice.</i></p> <p><i>In addition, if an allegation of waste, fraud or abuse related to FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY operations is received by the District, the FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY 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 FRENCH AMERICAN CHARTER SCHOOL OF THE EAST BAY by law or charter provisions.”</i></p>
--	--	---

## APPENDIX II - 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 [silke.bradford@ousd.k12.ca.us](mailto:silke.bradford@ousd.k12.ca.us) and cc'd to [kamala.puligandla@ousd.k12.ca.us](mailto:kamala.puligandla@ousd.k12.ca.us) or hand-delivered to the OUSD Office of Charter Schools at 4551 Steele Street, Room 9, Oakland, CA 94619. *Hand-delivered items must receive a receipt from the Office of Charter Schools to ensure verification of timely submission.*

Charter Revision		
Wednesday April 15, 2015	<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 <b>Track Changes</b> version of the revised charter, as well as a <b>Final Text</b> version of the revised petition to include all revisions outlined in the charter approval. In addition, insert the page number references outlined in the “Required Text Revisions” one page document that the Office of Charter Schools will email to you after approval.
Enrollment Policies and Application for Admission		
Monday, July 13, 2015	<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 fall 2013 and annually) using Excel template provided by the Office of Charter Schools.*
Complaint Procedures		
Monday, August 3, 2015	<input type="checkbox"/>	Submit current Board-approved Uniform Complaint Process, posting location(s), and method of notifying parents of this annually.
Student Learning Time		
Monday, August 3, 2015	<input type="checkbox"/>	Submit certification of instructional minutes to be provided in 2012-2013.* Carefully read <i>Education Code §46201(a)(3)</i> . [instructional minutes requirement]
	<input type="checkbox"/>	Submit updated, adopted 12-month school calendar distinguishing dates with standard or reduced instructional time, and noting vacation days.*
Code of Conduct, Student Handbook, and Recommended Policies		
Monday, August 3, 2015	<input type="checkbox"/>	Submit 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.) In addition, the handbooks need to have the English Learner reclassification policy clearly outlined with specific thresholds of performance in the criteria (i.e. scoring a 4 or 5 on CELDT, receiving a particular letter grade in ELA etc.)
Insurance Policies		
Monday, July 13, 2015	<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		
Friday, May 29, 2015	<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		
Monday, August 3, 2015	<input type="checkbox"/>	Make available for inspection a current Fire Inspection Certificate.

	<input type="checkbox"/>	Submit Board-approved Drug, Alcohol, and Smoke Free Environment Policies and Procedures.
	<input type="checkbox"/>	Submit current Facilities Safety and Evacuation Plan.
<b>Special Education Program Plan</b>		
<b>Wednesday, July 1, 2015</b>	<input type="checkbox"/>	Submit proof of membership in El Dorado County SELPA.
	<input type="checkbox"/>	Submit adopted 504 plan, policy, and procedures.
	<input type="checkbox"/>	Submit Special Education Identification and Assessment Plan.
<b>Budget and Cash Flow</b>		
<b>Monday, August 3, 2015</b>	<input type="checkbox"/>	Submit 2 paper copies, in addition to an electronic version of an updated and revised cash flow statement and 3-year projections.
<b>School Health Plan and Medications Administration Plan</b>		
<b>Monday, August 3, 2015</b>	<input type="checkbox"/>	Submit updated School Health Plan (to comply with immunization audit, hearing and vision screening requirements) and Medications Administration Plan.
<b>Instructional Staff</b>		
<b>Monday, August 3, 2015</b>	<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, and date of background review.*
	<input type="checkbox"/>	Submit current employee handbook, including policies and procedures that ensure the health and safety of students and staff.
	<input type="checkbox"/>	Submit list of teachers requiring Beginning Teacher Support and Assessment.
<b>Programming Plans</b>		
<b>Monday, August 3, 2015</b>	<input type="checkbox"/>	Submit English Learner Plan: adopted policies and procedures that pertain to use of a home language survey and mandatory CELDT testing.