

STATUTORY BACKGROUND

Pursuant to Education Code §47605:

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

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

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

DISCUSSION

Staff convened a petition review team comprised of leadership within the District, which subsequently conducted an evaluation of the petition pursuant to the Charter Schools Act and with the application of the Oakland Unified School District Petition Evaluation Rubric.

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

Aspire College Academy proposes to open in fall 2011 as a direct-funded charter school, operating in Region 3. The school proposes to serve 236 students in grades K-5 in its first year (2011-12), growing to a full capacity of 296 K-5 students in its third year of operation. Grades 4 and 5 will enroll smaller numbers of students in grades 4 and 5 in the first two years because of concerns about space in Aspire's secondary schools for incoming elementary students.

Aspire College Academy will replicate the Aspire Public Schools elementary school model currently being implemented at four (4) other charter schools authorized by Oakland Unified School District.

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

RECOMMENDATION

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

- (1) The charter school presents a sound educational program for the pupils to be enrolled in the charter school;*
- (2) The petitioners are demonstrably likely to successfully implement the program set forth in 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, 2011 through June 30, 2016, the maximum period allowed under the California Charter Schools Act (*Education Code §47607(a)(1)*). The District will not accept a charter renewal request more than 270 days prior to the expiration of the charter.

A charter may be revoked by the authority that granted the charter if the authority finds that the charter school committed a material violation of any of the conditions, standards, or procedures set forth in its charter (*Education Code §47607(c)(1)*). The 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, 2012, it will be considered a demonstration of petitioners' lack of capacity to implement the program set forth in the petition and the District will initiate charter revocation procedures.

Oakland Unified School District Charter Petition Evaluation

School Name: Aspire: College Academy	Submission Date: March 23, 2011*
	Public Hearing Date: April 13, 2011
Lead Petitioner: Tatiana Ephanchin-Troyan, Bay Area Superintendent for Aspire Public Schools	Petitioner Interview Date: March 4, 2011
Petitioner Team (including Founding Families): Mariela Garcia, Maria Estela, Maria Gonzales, Sandra Valladares, Ester Garcia, Anabel Toledo, and Francisco Valladares.	Petitioner Interview Date: March 11, 2011
Aspire’s Public School Management Team: James Willcox, Elise Darwish, Mike Barr, Mary Welch, and Roberta Benjamin.	Governing Board Interview Date: March 18, 2011 ¹
	Committee Presentation Date: May 16, 2011
	Decision Date: May 25, 2011

Recommendation:

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

¹ Submission history: Aspire submitted two petitions with minor administrative errors prior to the submission on April 13, 2011. The first was withdrawn because an original signature of the lead petitioner was not included on the petition’s affirmations and the second because some pages of the original petition’s parent signatures were not appended. Because the errors and subsequent corrections did not relate to the content of the petition itself and its description of the required elements, the petition review process was not suspended while the errors were corrected through withdrawal and resubmission of the petition.

Proposed location of school	St. Benedicts Catholic Church (current site of Aspire's Millsmont Secondary Academy): 8030 Atherton St. Oakland, CA (Pg. 46)
Composition of petitioner group	Represents members of Aspire Public Schools management and parents of students enrolled in Aspire schools and in the neighborhood of the proposed new school.
Grade levels to be served in year 1	K-5 (Pg. 6, as updated by statement at public hearing of April 13)
Anticipated enrollment in year 1	236 (Pg. 6, as updated by statement at public hearing of April 13)
Grade levels to be served at full-capacity	K-5 (Pg. 6)
Anticipated enrollment at full capacity	296 (Pg. 6)
Target student population	<p>"The School seeks to enroll a student body whose diversity represents the general population residing within the geographical boundaries of the District and community where the School is located.... Therefore, while the School's recruiting activities are focused on enrolling a student body whose diversity represents the general population of the district, the School's educational program has been especially designed to increase college-going rates for students who have historically been under-represented in college and who face barriers accessing a college education, specifically:</p> <ul style="list-style-type: none"> ○ Students from low-income families ○ Students whose primary home language is not English ○ Students living in communities with low-performing schools and low college-going rates ○ Students who would be the first in their families to attend college" (Pg. 10) <p>Parents meaningfully interested in enrolling their children in the school included those currently on waiting lists for other Aspire schools and others with no current Aspire affiliation from the neighborhood surrounding the school's proposed location. (Petition and Founding Parent Interview)</p>

Brief description of the kind of school to be chartered.

"The petitioners seek to open and operate Aspire College Academy as a public charter school ("The School" or "Charter School") to prepare students for college, work, and citizenship. Our focus is on a student population that is currently under-served and under-represented in college.

Aspire College Academy aims to be a safe, dynamic, and motivating place where students develop the skills, knowledge and talents to become strong, confident and college-educated leaders for their community."
(Pg.6)

Brief explanation of the mission of proposed charter school.

“The School’s mission is to provide all students with an exceptional education that will allow them to excel inside and outside the classroom. The School seeks to achieve this mission by providing students a rigorous core curriculum, a well-trained staff, high standards and expectations, extended instructional hours and support, personalized learning opportunities, and early access to college-preparatory experiences. By ensuring students become voracious, self-motivated, competent and lifelong learners, the School will prepare them not only for college but also for the 21st Century world.” (Pg. 6)

Planning to work with a charter management organization (CMO)

Yes No If Yes, Name of CMO: **Aspire Public Schools**

Aspire Public Schools currently operates six (6) charter schools authorized by OUSD, including four (4) serving elementary students. The following data provide some context for the current petition:

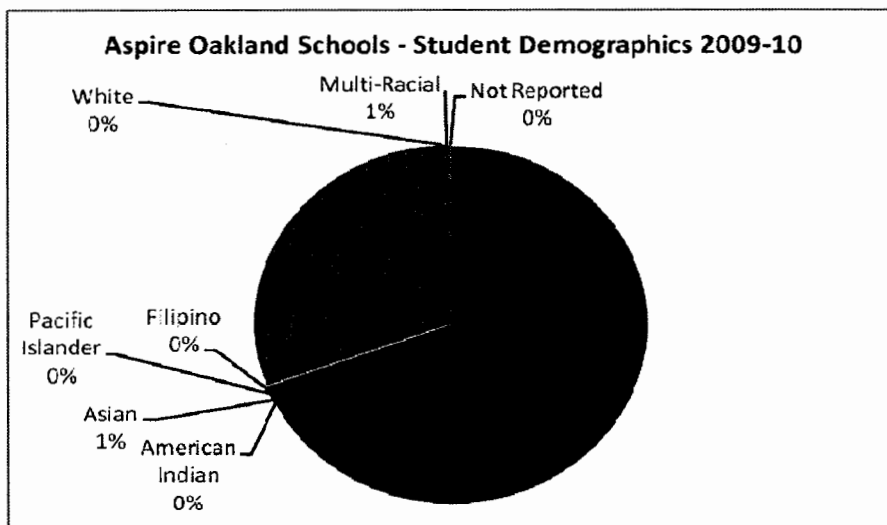
Aspire Elementary Schools API	2005-06	2006-07	2007-08	2008-09	2009-10
Berkley Maynard Academy (K-8)	643	730	769	817	825
ERES Academy (formerly Dolores Huerta*) (K-8)	680*	594*	641*	597*	695
Millsmont Academy (K-5)	646	687	692	783	757
Monarch Academy (K-5)	710	795	776	774	825

Aspire Elementary Schools ELA CST % Prof/Adv	2005-06	2006-07	2007-08	2008-09	2009-10
Berkley Maynard Academy (K-8)	23	41	45	57	59
ERES Academy (formerly Dolores Huerta*) (K-8)		15*	19*	19*	34
Millsmont Academy (K-5)	16	24	31	47	46
Monarch Academy (K-5)	29	46	37	47	56

Aspire Elementary Schools Math CST % Prof/Adv	2005-06	2006-07	2007-08	2008-09	2009-10
Berkley Maynard Academy (K-8)	28	50	60	68	61
ERES Academy (formerly Dolores Huerta*) (K-8)		23*	31*	15*	46
Millsmont Academy (K-5)	31	35	44	66	62
Monarch Academy (K-5)	51	73	75	67	77

Aspire Schools Total Enrollment (spring)	2005-06	2006-07	2007-08	2008-09	2009-10
Berkley Maynard Academy (K-8)	202	331	307	384	452
ERES Academy (formerly Dolores Huerta*) (K-8)					211
Millsmont Academy (K-5)	271	269	400	219	244
Monarch Academy (K-5)	353	352	355	350	352
Millsmont Academy Secondary (6-12)				211	269
Lionel Wilson College Preparatory Academy (9-12)	476	535	507	496	506
Total	1302	1487	1569	1660	2034

Aspire Schools Demographics (fall 2009)	Latino	American Indian	Asian	Pacific Islander	Filipino	African American	White	Multi-Racial	Not Reported	Total
Berkley Maynard Academy (K-8)	148	0	4	0	3	293	3	5	0	456
	32%	0%	1%	0%	1%	64%	1%	1%	0%	100%
ERES Academy (formerly Dolores Huerta*) (K-8)	214	0	0	0	0	3	1	0	0	218
	98%	0%	0%	0%	0%	1%	0%	0%	0%	100%
Millsmont Academy (K-5)	86	0	7	1	1	158	0	0	2	255
	34%	0%	3%	0%	0%	62%	0%	0%	1%	100%
Monarch Academy (K-5)	322	0	2	0	0	26	0	1	0	351
	92%	0%	1%	0%	0%	7%	0%	0%	0%	100%
Millsmont Academy Secondary (6-12)	164	0	0	5	1	98	1	4	0	273
	60%	0%	0%	2%	0%	36%	0%	1%	0%	100%
Lionel Wilson College Prep. Academy (9-12)	465	1	4	3	3	35	1	1	0	513
	91%	0%	1%	1%	1%	7%	0%	0%	0%	100%
Total	1399	1	17	9	8	613	6	11	2	2066
	68%	0%	1%	0%	0%	30%	0%	1%	0%	100%



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		Separate attachment
<input type="radio"/> # aligned with proposed opening enrollment	X		
<input type="radio"/> Prominent statement	X		
<input type="checkbox"/> Teachers			N/A
<input type="radio"/> # aligned with proposed opening enrollment			
<input type="radio"/> Prominent statement			

Oakland Unified School District

Charter Petition Evaluation

Criteria Reference

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

STATEMENT OF ASSURANCES

ASSURANCES	Y	N	PG #
1. Will not charge tuition, fees, or other mandatory payments for attendance at the charter school or for participation in programs that are required for students.	X		Pg. 28
2. Will enroll any eligible student who submits a timely and complete application, unless the school receives a greater number of applications than there are spaces for students, in which case a lottery will take place in accordance with California charter laws and regulations.	X		Pg. 41
3. Will be non-secular in its curriculum, programs, admissions, policies, governance, employment practices, and all other operations.	X		Pg. 28
4. Will be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic achievement.	X		Pg. 28
5. Will not base admission on the student's or parent's/guardian's place of residence, except that a conversion school shall give admission preference to students who reside within the former attendance area of the public school.	X		Pg. 41
6. Will offer at least the minimum amount of instructional time at each grade level as required by law.	X		Pg. 5
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		Pg. 46
8. Will adhere to all applicable provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act; section 504 of the Rehabilitation Act of 1974; and Title II of the Americans with Disabilities Act of 1990.	X		Pg. 19
9. Will adhere to all applicable provisions of federal law relating to students who are English language learners, including Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; MGL c. 76, § 5; and MGL c. 89, 71 § (f) and (l).	X		Pg. 17
10. Will comply with all other applicable federal and state laws and regulations.	X		Pg. 31
11. Will submit an annual report and annual independent audits to the OUSD Office of Charter Schools by all required deadlines.	X		Pg. 46 & 47
12. Will submit required enrollment data each March to the OUSD Office of Charter Schools by the required deadline.	X		Pg. 52 and Conditions
13. Will operate in compliance with generally accepted government accounting principles.	X		Pg. 47
14. Will maintain separate accountings of all funds received and disbursed by the school.	X		Pg. 45 & 47
15. Will participate in the California State Teachers' Retirement System as applicable.	X		Pg. 36

16. Will obtain and keep current all necessary permits, licenses, and certifications related to fire, health and safety within the building(s) and on school property.	X	Pg. 46
17. Will at all times maintain all necessary and appropriate insurance coverage.	X	Pg. 45
18. Will submit to the OUSD Office of Charter Schools the names, mailing addresses, and employment and educational histories of proposed new members of the Governing Board prior to their service.	X	Pg. 29, Tab 19
19. Will, in the event the Governing Board intends to procure substantially all educational services for the charter school through a contract with another person or entity, provide for approval of such contract by the Board of Education in advance of the beginning of the contract period.		N/A
20. Will provide financial statements that include a proposed first-year operational budget with start-up costs and anticipated revenues and expenditures necessary to operate the school, including special education; and cash-flow and financial projections for the first three years of operation.	X	Pg. Tab 30
21. Will provide to the Office of Charter Schools a school code of conduct, Governing Board bylaws, an enrollment policy, and an approved certificate of building occupancy for each facility in use by the school, according to the schedule set by the Office of Charter Schools but in any event prior to the opening of the school.	X	Included in Conditions

I. EDUCATIONAL PROGRAM

Statutory References:

E.C. § 47605(b)(1)

E.C. § 47605(b)(5)(A)-(C)

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

Petition Section/s
Pg. 9 - 10

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; Strengths	Referen ce	If Approaches or Inadequate; Concerns & Additional Questions	Referen ce
- Tab 2 to the petition provides data on schools in the vicinity of the location proposed for the new charter school. - Petitioner’s experience at neighboring Monarch and Millsmont elementary schools, using same K-5 instructional model, demonstrates understanding. Overall Aspire performance data provided in appendix.	Tab 2	- Text in the petition was limited and general. - Data in Tab 2 did not demonstrate, on its face, that the neighborhood schools are low-performing or that the school’s mission fits the neighborhood population. - Population of the identified surrounding schools is not reflective of the district as a whole. - Information on where interested parents are located could have been summarized in the petition to improve understanding of target population.	Pg. 9-10 and Tab 2

B. PHILOSOPHY AND APPROACH TO INSTRUCTION

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

Petition Section/s
Pg. 10 -15

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

ANALYSIS: EDUCATIONAL PHILOSOPHY AND APPROACH TO INSTRUCTION

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
<p>Rationale</p> <ul style="list-style-type: none"> - There is evidence of success with the Aspire K-5 model in similar areas/neighborhoods. <p>Mission Alignment</p> <ul style="list-style-type: none"> - Petition provides a strong description of the student the school seeks to produce and the culture of college-going it promotes. <p>Population Alignment</p> <ul style="list-style-type: none"> - General overview covers students with a variety of needs. - Description of "How Learning Best Occurs" provides specifics on program design with research references. 	<p>Tab 1</p> <p>Pg. 12, 15</p> <p>Pg. 11-16</p>	<p>Rationale</p> <ul style="list-style-type: none"> - Lacks description of the connection between the program design and the outcomes identified. <p>Mission Alignment</p> <ul style="list-style-type: none"> - Needs demographic data on population to be served to confirm connection between mission and population. - Much of the information regarding EL student needs (part of target population) is in an appendix, but not explained in more than general ways. <p>Population Alignment</p> <ul style="list-style-type: none"> - Lacked reasoning and research supporting the use of the school's approach for target population. - Data from other Aspire schools in the neighborhood would be useful to demonstrate effectiveness of this approach with this population. - Descriptions of interventions for under-performing students and students achieving above grade level are limited. - Description of services for students with disabilities covered legal obligations but did not include description of how services are delivered, based on experience at other Aspire sites. 	<p>pg. 10-15</p> <p>Pg. 17</p> <p>Pg. 15-22</p>

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

Petition Section/s
Pg. 13-22, Tab 4
through 7

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

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

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

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

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

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

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

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

ANALYSIS: ENGLISH LANGUAGE LEARNERS

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
<ul style="list-style-type: none"> - Text of petition supplemented by "Map of English Language Development Standards to Aspire Instructional Guidelines". - Identification, testing and reclassification procedures comply with legal requirements. - Information at interviews provided additional detail on professional development and data on performance of English Learners in Aspire K-5 programs. 	Pg. 16-18; Tab 11	<ul style="list-style-type: none"> - Text missing description of support for teachers implementing GLAD strategies and examples of student schedules for in-class and supplemental English Language Development support. 	Pg. 16-18; Tab 11

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 timebound;
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?*

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

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

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

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

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

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; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
<p>Assessments</p> <ul style="list-style-type: none"> - Includes formative and summative assessments with emphasis on Aspire-developed benchmarks, aligned with California standards. - Assessments identified as specific measures of student performance for MPOs. <p>Instructional Improvement</p> <ul style="list-style-type: none"> - Data is used in frequent Cycle of Inquiry process to determine program and teacher effectiveness. - Practice within Aspire network to use results to adjust program to meet needs of particular school site through consultation of principal and Area Superintendent. <p>Reporting</p> <ul style="list-style-type: none"> - Reporting of results to parents through student-led conferences, standards-based report cards, and personal learning plans. - Advisory school council receives reports on overall student performance. - Additional progress reporting described for parents of English learners. 	<p>Pg. 23-25</p> <p>Pg. 24</p> <p>Pg. 26; petitioner interview</p> <p>Pg. 26-27; Tab 15</p>	<p>Assessments</p> <p>Instructional Improvement</p> <p>Reporting</p>	

EDUCATIONAL PROGRAM SUMMARY

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

EDUCATIONAL PROGRAM SUMMARY

Strengths

Program has a record of effectiveness in other Oakland charter schools employing the same model. The petition as submitted provides evidence of a comprehensive, coherently described, and aligned educational program that is sound and likely to meaningfully benefit the target population. Assessment system is comprehensive and includes structured use of data for improving individual student performance and informing program improvement.

Concerns and Additional Questions

II. PETITIONER CAPACITY

Statutory References:

- E.C. § 47605(b)(2)
- E.C. § 47605(b)(5)(D)-(P)
- E.C. § 47605(c)(2)
- E.C. § 47605(g)

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

A. GOVERNANCE CAPACITY

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

Petition Section/s Pg. 28-31; Tab 16-20
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- 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; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
<p>Legal Structure</p> <ul style="list-style-type: none"> - School will be part of established CMO, Aspire Public Schools with an experienced Board and management team. <p>Charter School Governance Experience and Expertise</p> <ul style="list-style-type: none"> - Aspire lead petitioner and management teams have substantial experience, including start-up and operation of four (4) elementary schools in Oakland with the same program. - Home office team has experience working together in their current and prior positions with Aspire Public Schools. <p>Operating Plan</p> <ul style="list-style-type: none"> - Board has successfully led Aspire Public Schools through substantial expansion and management transitions. - By-laws reflect sound governance principles and include appropriate provisions for director transition, officers and committees. - Petition commits organization to Brown Act compliance. - Conflict of interest code is comprehensive and complies with Fair Political Practices Commission standards. - Parent involvement through established structure of Advisory School Council, which founding families described as effective opportunity for parents to address concerns. - Description of Board duties reflects sound governance practice. Experience of management team is consistent with petition's text. 	<p>Pg. 28-29</p> <p>Petitioner interview</p> <p>Petitioner interview; Tab 19 Tab 17</p> <p>Pg. 28 Tab 18</p> <p>Petitioner interviews</p> <p>Petitioner interviews</p>	<p>Legal Structure</p> <p>Charter School Governance Experience and Expertise</p> <p>Operating Plan</p> <ul style="list-style-type: none"> - Insurance requirements specified in text revisions. 	

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

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

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

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

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

ANALYSIS: MANAGEMENT CAPACITY

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
<p>Enrollment Procedures</p> <ul style="list-style-type: none"> - Plan for a variety of outreach included, but home office management team also recognized challenge of balancing neighborhood interest in the school with larger goal of reflecting overall District demographics. - Recruitment activities prior to submission of petition identified sufficient families meaningfully interested to fill available spaces. "Founding families" assisting with further recruitment. - Admission preference and lottery procedures well-developed based on experience of over-subscription at other Aspire schools. - No admissions requirements included. - Enrollment process consistent with other Aspire schools, which has been submitted to and reviewed by the OUSD Office of Charter Schools. <p>Operating Procedures</p> <ul style="list-style-type: none"> - Comprehensive safety plan included in appendix. Because school site has been used by Aspire for secondary students, safety procedures are well-developed. - Comprehensive positive behavior management plan and suspension and expulsion procedures are fully developed and thorough. Behavior plan reflects life skills element of school's mission and philosophy. Suspension/expulsion procedures are consistent with California Education Code. - Attendance alternatives statement is included. - Dispute resolution and parent/community complaint procedures are as required by the District's text. 	<p>Pg. 42; Petitioner interviews</p> <p>Petitioner interviews</p> <p>Pg. 41; petitioner interviews</p> <p>Pg. 41</p> <p>Tab 25</p> <p>Tab 28 and 29</p> <p>Pg. 43</p> <p>Pg. 39-40; Tab 20</p>	<p>Enrollment Procedures</p> <ul style="list-style-type: none"> - Enrollment preference for children of faculty or employees conforms to requirements for PCSGP grant holders. However, limit of employee preference to 10% of enrollment should apply even outside PCSGP grant period, as provided in text revisions. <p>Operating Procedures</p>	<p>Pg. 41</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"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

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

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

ANALYSIS: EMPLOYMENT CAPACITY

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
<p>Qualifications and Responsibilities</p> <ul style="list-style-type: none"> - Qualifications of key employees are described, as well as hiring process, professional development and evaluation. - Appendices include thorough process for selection of school principal and evaluation documents for principal, teachers and classified staff. <p>Compensation Plan</p> <ul style="list-style-type: none"> - Budget assumptions reflect statement of compensation in petition, as comparable to local districts. <p>Policies and Assurances</p> <ul style="list-style-type: none"> - Personnel policies well-developed within Aspire network. - Assurances as to staff credential requirements are included. - State Teachers' Retirement System and Public Employees' Retirement System participation is specified. - Employee return rights correctly described, per OUSD contracts. - Exclusive public school employer statement included. - Criminal background and other required health and safety checks are described. 	<p>Pg. 37-38</p> <p>Tab 20 through 24</p> <p>Pg. 36</p> <p>Petitioner interview Pg. 33-34</p> <p>Pg. 36</p> <p>Pg. 36</p> <p>Pg. 36</p> <p>Pg. 37</p>	<p>Qualifications and Responsibilities</p> <p>Compensation Plan</p> <ul style="list-style-type: none"> - Compensation standard only generally described, but without explanation for multiple measures used as basis for performance-related elements. <p>Policies and Assurances</p>	<p>Pg. 36</p>

D. FINANCIAL CAPACITY

Petition Section/s
Pg, 45-50, Tab 30

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"/>	X	<input type="checkbox"/>	<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 & Additional Questions</i>	Reference
<p>Financial Operation</p> <ul style="list-style-type: none"> - 3-year budget includes conservative assumptions, given current state funding uncertainty. - Start up expenses included in first year budget. - Operating budget includes no donation revenue or other "soft" sources of funds. - Reserve of 3% included, which is adequate. Revenue reflects reasonable assumptions of enrollment and attendance, based on parent signatures and prior Aspire experience. - Aspire audits of prior years for multiple schools evidence sound financial practices. - School closure plan includes provision for distribution of assets. <p>Revenues</p> <ul style="list-style-type: none"> - Budget narrative explains revenue assumptions. - Revenue assumptions of funding rates for state, federal and local sources are conservative. - Aspire network provides cash flow resources to support new school. <p>Expenditures</p> <ul style="list-style-type: none"> - Assumptions and budget consistent with class sizes, which are described in petition as an important aspect of educational philosophy. - Spending based on past Aspire experience (in Oakland specifically and throughout the state) with school start-up and operation. - Budget projections of expense cover all major operating expense categories and are based on historic Aspire experience. 	<p>Tab 30</p> <p>Petitioner interviews Pg. 48-50 Tab 30</p> <p>Tab 30</p> <p>Petitioner interview</p>	<p>Financial Operation</p> <ul style="list-style-type: none"> - Separate start-up year budget not included. - Fiscal policies and procedures not included in appendices. <p>Revenues</p> <p>Expenditures</p>	

<ul style="list-style-type: none">- Insurance costs are covered within 7% contribution to corporate administration.- Facilities budget is supported by experience at the proposed site as Aspire's Millsmont Secondary.- Teacher salary assumptions cover reasonable range sufficient to attract teachers with the qualifications identified in the petition.			
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E. FACILITIES PLAN

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

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

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

Select One

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

District facility anticipated pursuant to Prop 39

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

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

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

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

ANALYSIS: FACILITIES PLAN

PETITIONER CAPACITY SUMMARY

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

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

PETITIONER CAPACITY SUMMARY

Strengths

The petition and responses provided during the petitioner interviews, as well as the evidence of the District's past experience with the petitioner 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.

Criteria Not Sufficiently Addressed, Concerns & Additional Questions

None.

SIXTEEN ELEMENTS TABLE

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

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

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

Element	Evaluation Reference	Inadequate	Reasonably Comprehensive	Statutory Reference
Description of the educational program of the school, including what it means to be an “educated person” in the 21 st 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.

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

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

Oakland Unified School District Office of Charter Schools RECOMMENDED CHARTER TEXT

The approved charter is amended from the filed petition to incorporate the revisions below. The charter school must submit to the District’s Office of Charter Schools a revised charter to include all revisions outlined below in one hard copy and one electronic copy in *WORD* format on a CD or via email of no later than **5pm on July 15, 2011**.

Charter Text	Text Reference	Recommended Revision
<u>Governance Structure of the School</u>	Pages 31	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The School, 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. The School acknowledges that it is subject to audit by OUSD; if OUSD seeks an audit of The School, it shall assume all costs of such audit. <u>This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by Aspire College Academy by law or charter provisions.</u>”</i></p>
<u>Governance Structure</u>	Page 31	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“Members of The School’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 <u>so long as to the extent such policies and regulations are not in conflict with any then-existing applicable statutes or regulations applicable</u>. align with and do not exceed the requirements of law applicable to charter schools.”</i></p>
<u>Student Admissions Policies and Procedures</u>	Page 41	<p><u>Revise footnote text as follows:</u></p> <p style="padding-left: 40px;">1. Children of employees⁹</p> <p>⁹ During any period of Public Charter Schools</p>

		Grant Program funding, this preference will be limited to "children of faculty" and will not exceed 10 percent of total enrollment in accordance with the terms of the State Board of Education approved Request for Applications ("RFA"). <u>At no time shall this preference exceed 10 percent of total enrollment.</u>
<u>Miscellaneous Charter-Related Issues</u>	Page 53	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"The School must submit its renewal petition to the Office of Charter Schools no earlier than 270 365 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 54	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"The District may revoke the charter of The School in accordance with Education Code Section 47607, <u>any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.</u>"</i></p>
<u>Impact on Charter Authorizer</u>	Page 51	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter;</i></p> <ul style="list-style-type: none"> ○ September 1 – Final Unaudited Financial Report for Prior Year ○ December 1 – Final Audited Financial Report for Prior Year ○ December 1 – First Interim Financial Report for Current Year ○ <u>December 15 – Schedule of Expenditures of Federal Awards</u> ○ March 1 – Second Interim Financial Report for Current Year ○ June 15 – Preliminary Budget for Subsequent Year"
<u>Impact on Charter Authorizer</u>	Page 52	<i>"In addition, if an allegation of waste, fraud or abuse related to The School operations is received</i>

		<p><i>by the District, the School shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools, at District cost. <u>This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by Aspire College Academy by law or charter provisions</u></i></p>
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ATTACHMENT III - CONDITIONS ON OPENING:

The vast majority of these items are intended to be "one time" submissions for new schools. Only those items marked with an asterisk (*) are intended to be updated annually. **Please pay careful attention to the due date for all conditions on opening.** All items listed are to either be emailed on or before the due date to paige.hirsch@ousd.k12.ca.us and cc'd to guadalupe.navarro@ousd.k12.ca.us or hand-delivered to the OUSD Office of Charter Schools at 4551 Steele Street, Room 11, Oakland, CA 94619. *Hand-delivered items must receive a receipt from the Office of Charter Schools to ensure verification of timely submission.*

Charter Revision		
Friday, July 1, 2011	<input type="checkbox"/>	Submit to the District's Office of Charter Schools one hard copy and one electronic copy in <u>MS Word</u> format of a Track Changes version of the revised charter, as well as a Final Text version of the revised petition to include all revisions outlined in the charter approval.
Enrollment Policies and Application for Admission		
Friday, July 15, 2011	<input type="checkbox"/>	Submit list of enrolled students--including name, DOB, prior school, home language, Oakland residency or not, and CSIS number (list to be updated fall 2011 and annually) using Excel template provided by the Office of Charter Schools.*
Complaint Procedures		
Monday, August 1, 2011	<input type="checkbox"/>	Submit current Board-approved Uniform Complaint Process, posting location(s), and method of notifying parents of this annually.
Student Learning Time		
	<input type="checkbox"/>	Submit certification of instructional minutes to be provided in 2011-2012.* 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		
	<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.)
Insurance Policies		
	<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		
	<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		
	<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.
Special Education Program Plan		
Friday, July 1, 2011.	<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.
Budget and Cash Flow		
Monday, August 1, 2011	<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.
School Health Plan and Medications Administration Plan		
Monday, August 1, 2011	<input type="checkbox"/>	Submit updated School Health Plan (to comply with immunization audit, hearing and vision screening requirements) and Medications Administration Plan.
Instructional Staff		
Monday, August 1, 2011	<input type="checkbox"/>	Submit a list of teachers hired, including name, DOB, assignments, subject matter certification and credential evidence, qualification to teach ELL students, evidence of current clear tuberculosis test, date of fingerprinting, 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.
Programming Plans		
Monday, August 1, 2011	<input type="checkbox"/>	Submit English Learner Plan: adopted policies and procedures that pertain to use of a home language survey and mandatory CELDT testing.