



TO: Board of Education  
  
FROM: Anthony Smith, Ph.D., Superintendent  
Gail Greely, Coordinator; Office of Charter Schools  
  
DATE: February 22, 2012  
  
RE: Oakland Charter High School  
Charter Renewal Request

Legislative File  
File ID No.:11-3266  
Introduction Date: December 14, 2011  
Enactment No.: \_\_\_\_\_  
Enactment Date: \_\_\_\_\_  
By: \_\_\_\_\_

**ACTION REQUESTED:**

**Approve** Oakland Charter High School’s charter renewal because the charter school has met the standards and expectations set forth in the OUSD Charter Renewal Standards, which are based on the standards and criteria set forth in the Charter Schools Act, Education Code §47605(b)(5), which governs charter school renewals. The findings outlined in this report provide evidence that petitioners have met the standards and expectations for charter renewal, and that the petitioners are therefore demonstrably likely to successfully implement the program as set forth in the petition.

**BACKGROUND:**

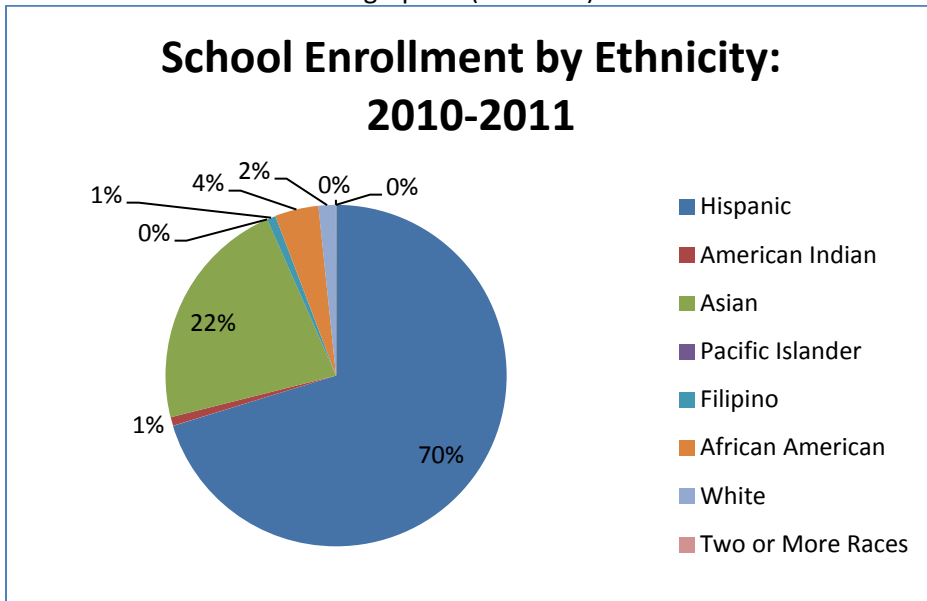
**I. School Description and Key Program Elements:**

<b>Opening Year</b>	7/1/2007	<b>Grades</b>	9-12
<b>Term Approval</b>	3/14/2007	<b>Attendance Area</b>	Oakland Tech
<b>Renewal Date</b>	06/30/2012	<b>Board District</b>	2
<b>Term</b>	First	<b>Funding</b>	Direct-Funded
<b>CMO School</b>	Yes (AMethod Schools)	<b>Program Improvement</b>	Not in PI

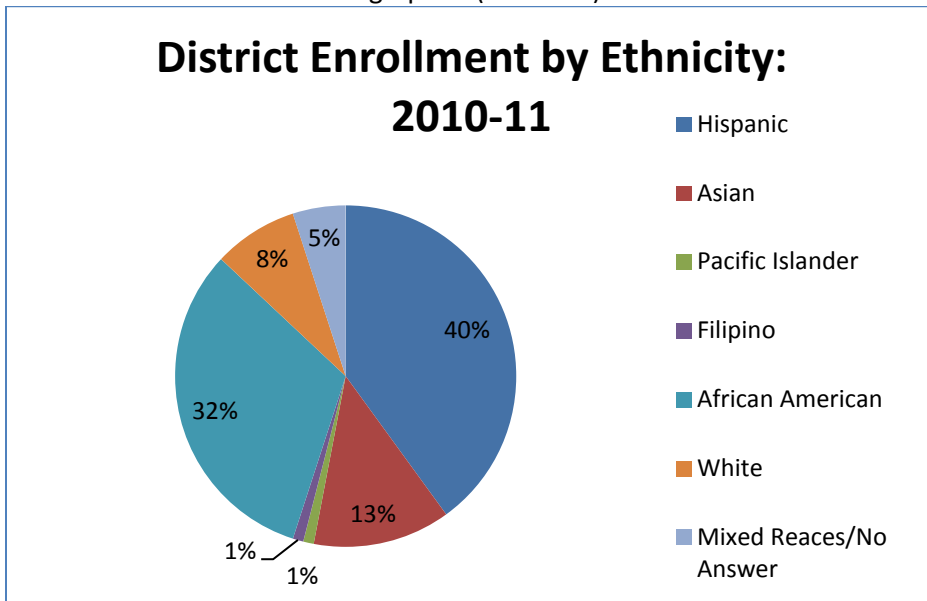
The following table describes the school’s enrollment growth and projection:

	2007-08	2008-09	2009-10	2010-11	2011-12
<b>GRADES</b>	9	9-10	9-11	9-12	<b>9-12</b>
<b>ENROLL</b>	30	62	92	121	<b>157</b>

The school's enrollment demographics (CDE data) are as follows:



The district's enrollment demographics (CDE data) are as follows:



	2007-08	2008-09	2009-10	2010-11	2011-12
Free & Reduced Lunch *	86%	93%	85%	83%	82%
Special Education	0%	0%	0%	0%	0%
English Language Learners	0%	6%	12%	17%	26%

\*NOTE: Schools have reported the free & reduced lunch percentages upon request, which are reported here. Charter schools are not required to report free and reduced lunch status, but are required to report poverty levels, which involves a slightly different matrix. Schools have also reported Special Education and English Language Learners as part of the Renewal Performance Report. The District's current special populations as a percent of enrollment are approximately (District and CDE data):

Oakland Unified School District	2011-12
Free & Reduced Lunch	70%
Special Education	13%
English Language Learners	29%

## **Program Summary:**

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

OCHS seeks to advance students' motivation and belief in academic achievement while in their pursuit of a thriving future. We are a free and public charter school that believes in the promise of hard working students from diverse perspectives, socio economic status, backgrounds, and talents. Oakland Charter High School will provide a rigorous academic program to all students who wish to attend, yet will specifically outreach to families that live in low income areas, survive below the federal poverty line, or whose parents have never attended college. The school will serve up to 180 students in the ninth through twelfth grades with the goal of achieving higher academic results than neighboring high school campuses by focusing on rigorous state aligned academic programs, accountability, and excellence by providing an educational program that reinforces structured and demanding A-G coursework. The school will meet its mission by working in collaboration with all stakeholders.

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

- **Classroom Focus:** Teachers will focus on classroom management, practices and responsibility training first and foremost in every classroom.
- **Instructional Practice Framework:** Teaching practices common among all Amethod Public Schools.
- **Professional Development Series:** The use of different professional development modules for teachers and leaders are ongoing throughout the year.
- **State Aligned Curriculum:** Adopted curriculum that is aligned to the California State Board of Education adopted frameworks and standards.
- **Support Programs:** Programs such as homework help, and/or tutoring that will support students in succeeding our demanding environment.
- **Structure and Responsibility:** Provide a school environment that produces an environment of consistency at all times.
- **Accountability:** Charter schools, by nature of term limits, must be prepared to be held accountable for program success. It is our philosophy that accountability at all levels is essential to school success.
- **Student Achievement First:** Results, responsibility, and accountability will be expected of all faculty, administrators, and employees to assure our students reach academic goals.

## GOVERNING LAW:

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

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

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

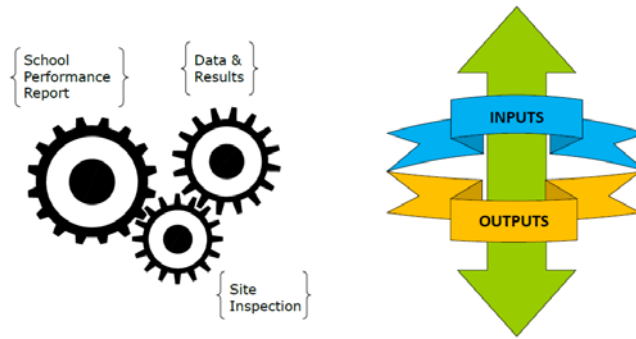
- (1) The charter school presents an **unsound educational program** for the pupils to be enrolled in the charter school.
- (2) The petitioners are **demonstrably unlikely to successfully implement the program** set forth in the petition.
- (3) The petition does not contain the number of signatures required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

## II. PREREQUISITE FOR CHARTER RENEWAL (AB 1137)

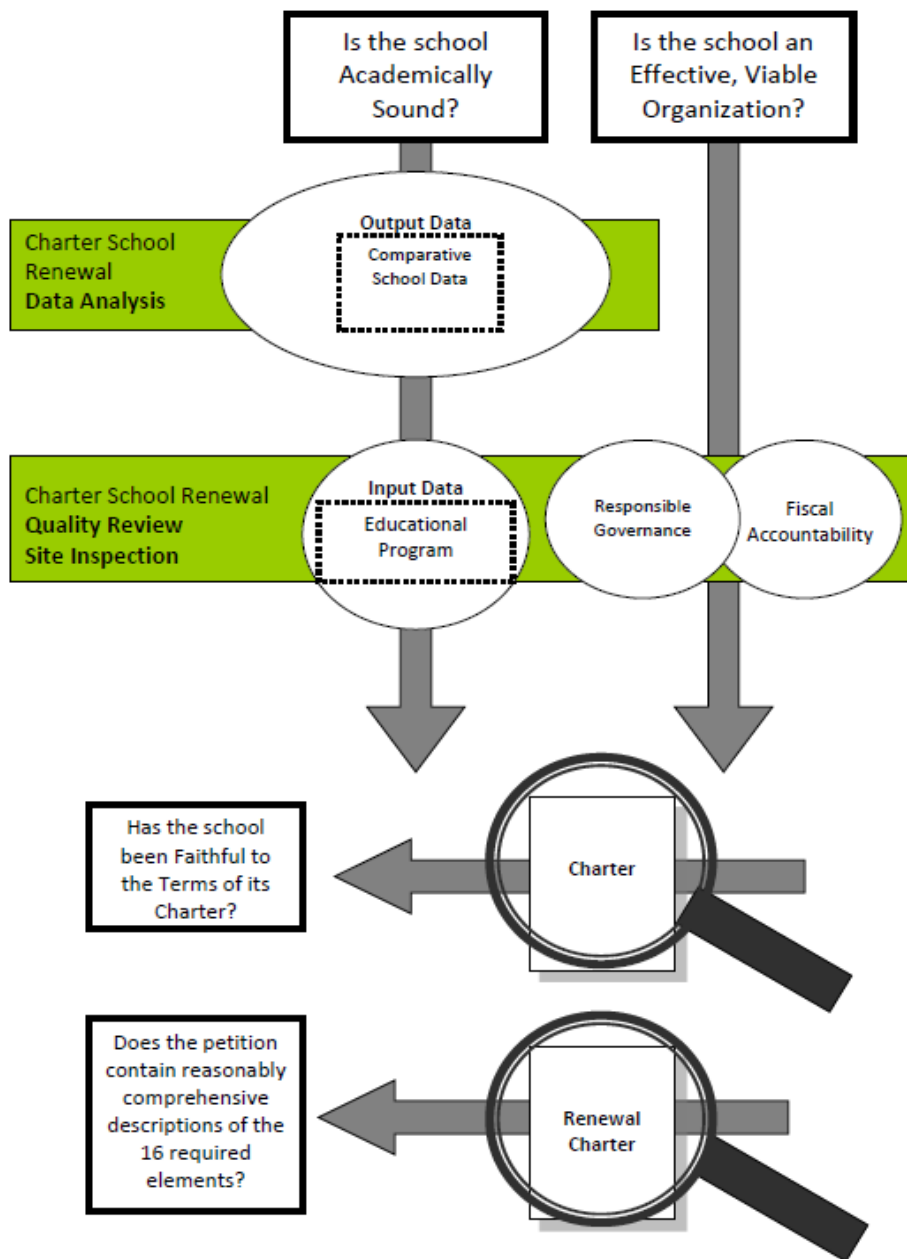
The Charter Schools Act establishes a prerequisite for charter renewal (AB1137) in which a charter school must meet **AT LEAST ONE CRITERIA** so that charter renewal **may be considered**.

AVIATION: SB 1137 CRITERIA FOR RENEWAL	Y/N
<b>1. API Growth Target:</b>	
Did school attain API Growth Target in prior year?	Y
Did school attain API Growth Target in two of last three years?	Y
Did school attain API Growth Target in the aggregate of the prior three years?	Y
<b>2. API Rank:</b>	
Is the school ranked 4 or higher on API in prior year?	Y
Is the school ranked 4 or higher on API in two of last three years?	Y
<b>3. API Similar Schools<sup>1</sup> Rank:</b>	
Is the school ranked 4 or higher on API Similar Schools in prior year?	Y
Is the school ranked 4 or higher on API Similar Schools in two of last three years?	Y
<b>4. Is the school at least equal to the academic performance of schools students would have attended, including District as a whole?</b>	Y
<b>5. Has the school qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052 (Alternative School Accountability System – ASAM)?</b>	N/A

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



**ANALYZING A CHARTER SCHOOL’S PERFORMANCE FOR THE PURPOSES OF RENEWAL:**



\*See Attachment II for an analysis of the school’s renewal petition.

**PLEASE NOTE:**

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

**Renewal Standard I: Is the school Academically Sound?**

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

**MET/SIGNICANT PROGRESS TOWARDS MEETING**

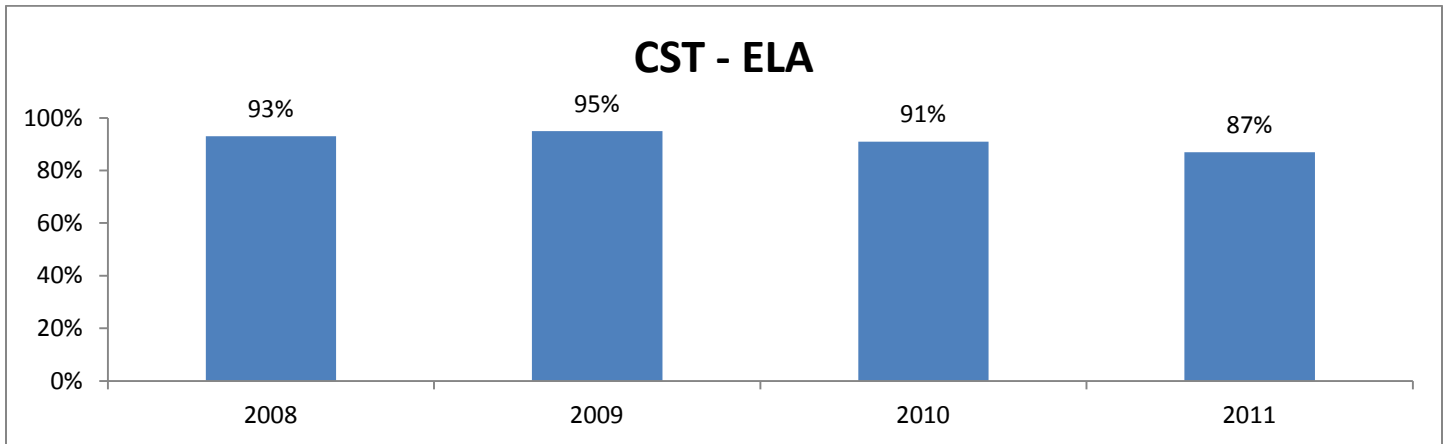
Measurable Pupil Outcome	Instrument	Target	2007-08 Results	2008-09 Results	2009-10 Results	2010-11 Results	2011-12 Results
<u>Goal #1</u> Meet with 50 percentile on the total reading, and total language batteries of the STAR Tests or any against the CA Content Standards.	STAR	At least 50%	94%	95%	91%	87%	N/A
<u>Goal #2</u> Meet or exceed the expectation of attaining scores in at least the 50th percentile on the total math of the STAR Tests or any test used to measure growth against the CA Content Standards.	STAR	At least 50%	87%	87%	91%	86%	N/A
<u>Goal #3</u> 80% of students will have passed the CAHSEE exam by the end of the 10 <sup>th</sup> grade	CAHSEE	80% passing rate	N/A	100%	97%	100%	N/A
Goal #4 OCHS attendance rate will exceed 98% during each of the next 5 years	Attendance	Exceed 98%	99.874%	98.11%	98.76%	98.93%	98.72% as of 1/6/12
Goal #5 OCHS will have a dropout rate lower than the neighboring schools	Dropout rates for OCHS and for neighboring	90% of all students will graduate	N/A	N/A	N/A	6%	N/A

	<b>schools</b>						
Goal #6 At least 75% of OCHS graduates will apply and go on to college	<b>Acceptance rate to college</b>	<b>At least 75% of OCHS graduate will apply and go on to colleges</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>94%</b>	<b>N/A</b>
Goal #7 API of 800 or higher after 2 <sup>nd</sup> year	<b>API</b>	<b>800 or higher</b>	<b>939</b>	<b>955</b>	<b>961</b>	<b>931</b>	<b>N/A</b>

## STAR Testing Performance, API Results, & AYP Results

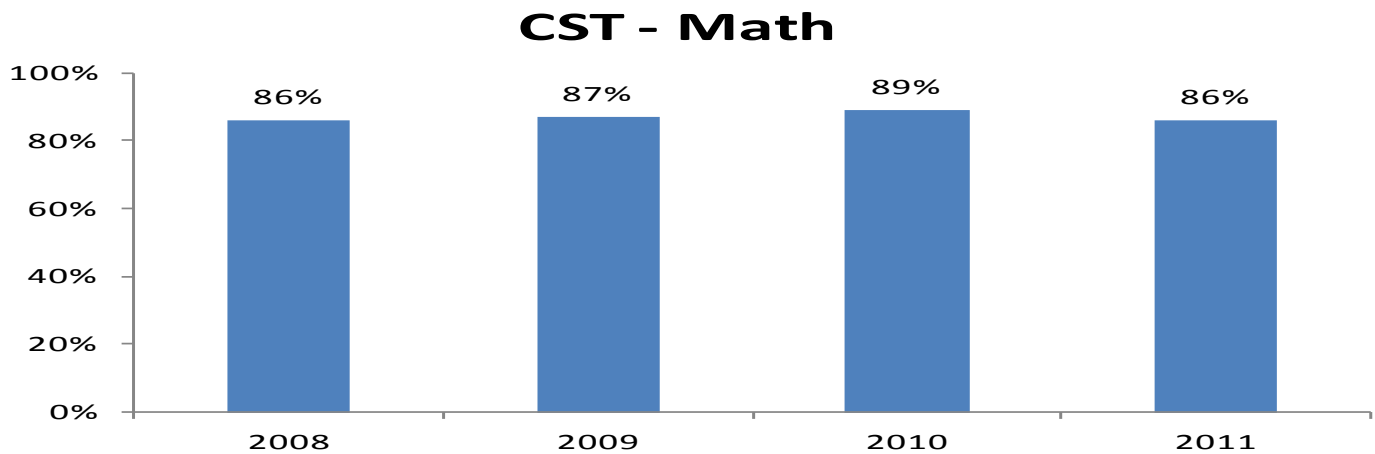
### CST English Language Arts (Performance Over Time)

YEAR	Prof./Adv.
2008	93%
2009	95%
2010	91%
2011	87%



### CST Mathematics (Performance Over Time)

YEAR	Prof./Adv.
2008	86%
2009	87%
2010	89%
2011	86%

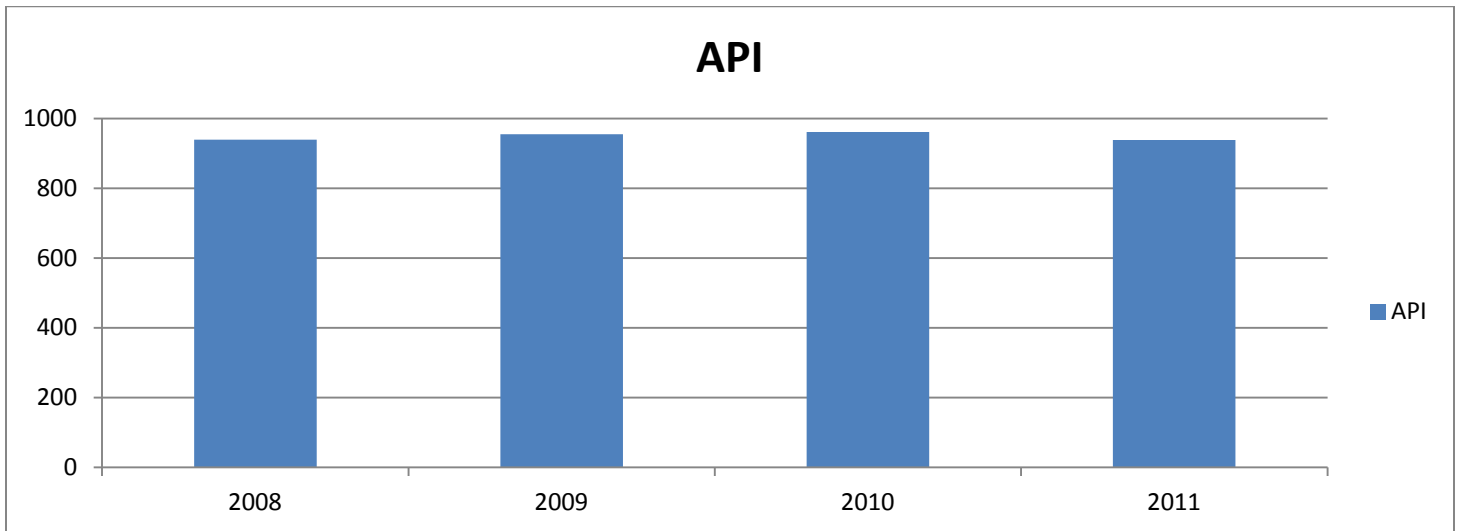




## API (Performance Over Time)

YEAR	API	RANK	SIMILAR
2008	939	10	10
2009	955	10	10
2010	961	10	10
2011	938	*	*
GROWTH	-1 points		

\* Pending; not yet released for 2011



### 2010-2011 API SUBGROUP DATA

	API Score
<b>Schoolwide</b>	938
Black or African American	-
Asian	961
Hispanic or Latino	929
Socioeconomically Disadvantaged	936
English Learners	868

**AYP (Performance Over Time)**

	2008	2009	2010	2011
AYP Met?	YES	YES	YES	YES
AMO's	100%	100%	100%	100%

**2010-2011 Percent Proficient-Annual Measurable Objectives (AMOs)**

GROUPS	English-Language Arts			Mathematics		
	Valid Scores	Number At or Above Proficient	Percent At or Above Proficient	Valid Scores	Number At or Above Proficient	Percent At or Above Proficient
<b>Schoolwide</b>	31	27	87.1	31	31	100.0
Black or African American	0	--	--	0	--	--
Asian	7	--	--	7	--	--
Hispanic or Latino	23	20	87.0	23	23	100.0
Socioeconomically Disadvantaged	28	25	89.0	28	29	100.0
English Learners	7	-	-	7	-	-

## Comparison Analysis

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Comparison Measure: **API**

➤ **Similar Grades Served: 9-12**

**API**

### OAKLAND CHARTER SCHOOLS

Order rank based on 2011 API Score

School	Grades	2008	2009	2010	2011
American Indian Public High School	9-12	958	946	976	964
Oakland Charter High School	9-12	939	955	961	938
Lighthouse Community Charter High School	9-12	681	726	758	794
Oakland Unity High School	9-12	624	677	698	735
LPS College Park	9-12	596	554	617	605
East Oakland Leadership Academy High School	9-12	-	657	633	593
ARISE High School	9-12	487	507	484	569

### OUSD DISTRICT SCHOOLS

Order rank based on 2011 API Score

School	Grades	2008	2009	2010	2011
Oakland Charter High School	9-12	939	955	961	938
Skyline High School	9-12	657	667	-	665
LIFE Academy	9-12	635	659	662	658
Oakland High School	9-12	629	633	648	652
East Oakland School of the Arts	9-12	481	554	535	614
College Preparatory and Architecture	9-12	606	582	606	613
Media College Preparatory	9-12	521	600	620	613
Leadership Preparatory High School	9-12	523	516	527	584
Business and Information Technology High	9-12	528	527	511	544
Mandela High School	9-12	529	557	537	539
McClymonds High School	9-12	552	544	530	519
YES, Youth Empowerment	9-12	537	535	523	446
Oakland International High School	9-12	301	354	376	389

Comparison Measure: **CST ELA**

➤ **Similar Grades Served: 9-12**

**CST-ELA**

**OAKLAND CHARTER SCHOOLS**

**Order rank based on 2011 CST % Proficient/Advanced**

School	Grades	ELA 08	ELA 09	ELA 10	ELA 11
American Indian Public High School	9-12	92%	96%	97%	94%
Oakland Charter High School	9-12	93%	95%	91%	87%
Lighthouse Community Charter High School	9-12	30%	35%	53%	52%
Oakland Unity High School	9-12	21%	25%	30%	31%
East Oakland Leadership Academy High School	9-12	-	44%	20%	22%
LPS College Park	9-12	13%	18%	22%	17%
ARISE High School	9-12	17%	13%	17%	16%

**OUSD DISTRICT SCHOOLS**

**Order rank based on 2011 CST % Proficient/Advanced**

School	Grades	ELA 08	ELA 09	ELA 10	ELA 11
Oakland Charter High School	9-12	93%	95%	91%	87%
Skyline High School	9-12	39%	38%	43%	43%
Oakland High School	9-12	29%	30%	34%	31%
LIFE Academy	9-12	18%	25%	27%	27%
Media College Preparatory	9-12	10%	20%	21%	26%
East Oakland School of the Arts	9-12	13%	13%	17%	25%
Leadership Preparatory High School	9-12	8%	8%	11%	18%
College Preparatory and Architecture	9-12	13%	18%	22%	17%
Business and Information Technology High	9-12	11%	10%	9%	17%
McClymonds High School	9-12	0%	0%	0%	14%
Mandela High School	9-12	11%	10%	13	13%
YES, Youth Empowerment	9-12	17%	14%	9%	6%
Oakland International High School	9-12	1%	0%	0%	1%

Comparison Measure: **CST MATH**

- **Similar Grades Served: 9-12**

**CST-MATH**

**OAKLAND CHARTER SCHOOLS**

**Order rank based on 2011 CST % Proficient/Advanced**

School	Grades	Math 08	Math 09	Math 10	Math 11
American Indian Public High School	9-12	75%	86%	96%	92%
Oakland Charter High School	9-12	86%	87%	89%	86%
Lighthouse Community Charter High School	9-12	3%	16%	19%	34%
Oakland Unity High School	9-12	2%	3%	6%	17%
LPS College Park	9-12	10%	8%	8%	10%
East Oakland Leadership Academy High School	9-12	-	13%	0%	9%
ARISE High School	9-12	4%	3%	4%	8%

**OUSD DISTRICT SCHOOLS**

**Order rank based on 2011 CST % Proficient/Advanced**

School	Grades	Math 08	Math 09	Math 10	Math 11
Oakland Charter High School	9-12	86%	87%	89%	86%
College Preparatory and Architecture	9-12	10%	8%	8%	19%
Oakland High School	9-12	16%	15%	21%	17%
LIFE Academy	9-12	13%	15%	13%	15%
Skyline High School	9-12	14%	13%	18%	13%
East Oakland School of the Arts	9-12	1%	4%	5%	7%
Media College Preparatory	9-12	2%	2%	1%	4%
Mandela High School	9-12	5%	6%	9%	4%
Oakland International High School	9-12	7%	2%	0%	4%
Leadership Preparatory High School	9-12	1%	3%	4%	3%
McClymonds High School	9-12	0%	0%	0%	1%
Business and Information Technology High	9-12	2%	4%	4%	1%
YES, Youth Empowerment	9-12	1%	3%	3%	1%

- The school has demonstrated **consistently high levels of student CST performance** in both English Language Arts and mathematics over the past four years;
- In **2008**, the school API performance score was **939**. As of **2011**, the school API performance score was **938**. From **2008 to 2011** the school has grown its API by **-1** points, **but remains at a very high level**.
- The school has **improved** its API score in **two of the three** prior growth periods.
- The school **has met** its AYP targets in **all** of the past four years.
- From **2008 to 2011** the school has experienced a slight drop in its high levels of advanced and proficient students in ELA and maintained high levels in math.

- The school **API score (938)** is **well above the median** performance of Oakland district schools in **2011** serving both similar grades and a demographically similar population based on student socio-economic status.

Comparison Analysis: 10th Grade CAHSEE-ELA

➤ **Similar Grades Served: 9-12**

**CAHSEE-ELA**

**OAKLAND CHARTER SCHOOLS**

**Order rank based on 2011 10<sup>th</sup> Grade CAHSEE % Passing**

School	Grades	ELA 08	ELA 09	ELA 10	ELA 11
American Indian Public High School	9-12	100%	100%	100%	100%
Oakland Charter High School	9-12	-	100%	100%	100%
Lighthouse Community Charter High School	9-12	73%	88%	80%	93%
Oakland Unity High School	9-12	68%	79%	80%	87%
East Oakland Leadership Academy High School	9-12	-	-	65%	73%
ARISE High School	9-12	50%	54%	36%	71%
LPS College Park	9-12	55%	33%	62%	69%

**OUSD DISTRICT SCHOOLS**

**Order rank based on 2011 10<sup>th</sup> Grade CAHSEE % Passing**

School	Grades	ELA 08	ELA 09	ELA 10	ELA 11
Oakland Charter High School	9-12	-	100%	100%	100%
Skyline High School	9-12	75%	79%	75%	77%
LIFE Academy	9-12	79%	63%	71%	72%
Oakland High School	9-12	65%	71%	65%	70%
East Oakland School of the Arts	9-12	33%	71%	51%	67%
Leadership Preparatory High School	9-12	53%	52%	49%	67%
Media College Preparatory	9-12	57%	53%	74%	59%
College Preparatory and Architecture	9-12	53%	63%	61%	52%
Mandela High School	9-12	44%	53%	52%	52%
YES, Youth Empowerment	9-12	61%	52%	45%	47%
Business and Information Technology High	9-12	40%	49%	48%	42%
Oakland International High School	9-12	6%	14%	5%	5%

Comparison Analysis: 10<sup>th</sup> Grade CAHSEE -MATH

- Similar Grades Served: 9-12 and 6-12

**CAHSEE-Math**

**OAKLAND CHARTER SCHOOLS**

Order rank based on 2011 10<sup>th</sup> Grade CAHSEE % Passing

School	Grades	Math 08	Math 09	Math 10	Math 11
American Indian Public High School	9-12	100%	100%	100%	100%
Oakland Charter High School	9-12	-	100%	100%	100%
Lighthouse Community Charter High School	9-12	78%	94%	88%	98%
Oakland Unity High School	9-12	83%	83%	80%	84%
ARISE High School	9-12	57%	42%	43%	76%
East Oakland Leadership Academy High School	9-12	-	-	65%	60%
LPS College Park	9-12	53%	56%	70%	56%

**OUSD DISTRICT SCHOOLS**

Order rank based on 2011 10<sup>th</sup> Grade CAHSEE % Passing

School	Grades	Math 08	Math 09	Math 10	Math 11
Oakland Charter High School	9-12	-	100%	100%	100%
LIFE Academy	9-12	71%	65%	73%	82%
Skyline High School	9-12	69%	75%	76%	74%
Oakland High School	9-12	74%	75%	65%	73%
College Preparatory and Architecture	9-12	74%	65%	68%	68%
East Oakland School of the Arts	9-12	33%	52%	45%	59%
Media College Preparatory	9-12	58%	59%	61%	54%
Leadership Preparatory High School	9-12	53%	34%	44%	49%
Mandela High School	9-12	49%	65%	49%	47%
YES, Youth Empowerment	9-12	42%	47%	32%	47%
Business and Information Technology High	9-12	57%	48%	43%	37%
Oakland International High School	9-12	29%	35%	38%	26%

- Cohort Outcome Data 2009-2010 (CDE data) **CDE DATA NOT AVAILABLE – SCHOOL GRADUATED ITS FIRST 12<sup>TH</sup> GRADE CLASS IN 2010-2011**



## EDUCATIONAL PROGRAM: CHARTER SCHOOL RENEWAL QUALITY REVIEW

The quality of the school's educational program and operations has been evaluated, in part, through a two-day Site Inspection conducted on **October 13 and 14, 2011** by **District staff**. See Attachment I for the school's comprehensive ratings on the Charter School Renewal Quality Standards Criteria.

### Strengths:

- Strong, consistent student behavior expectations are firmly embedded in the school's culture.
- "Honoring hard work" (the school's motto) works, with results seen in high test results and college-going rates.
- The school is focused on developing strong tools and systems for data-driven continuous improvement.
- High expectations for all are strongly evident everywhere.
- A system of supports for struggling students is solidly in place and aligned directly with classroom work.
- The school takes advantage of the benefits of a small school, including:
  - Continuity of staff means staff know students well
  - Students know and support each other
  - Enrollment of siblings/relatives among the student body reduces conflict and increases cooperation
- The addition of clubs and other student activities is a positive change appreciated by teachers, students and parents.

### Challenges:

- Some teachers could use additional coaching and support to help students master higher-order thinking skills and engage in the level of academic discourse needed for university work.
- Additional training is needed to develop ability of staff to identify and meet the needs of special populations, including students with IEPs, students with disabilities, homeless, gift and English Language Learners.
- Standards and practices for classroom management and in-classroom discipline are not always clear and consistent.

### Renewal Standard I:

Based on an analysis of Oakland Charter High School's performance outcomes and an evaluation of its educational program over the past four years, the school is deemed **academically sound** for the purposes of renewal.

The school has met or made substantial progress towards meeting its Measurable Pupil Outcomes identified in its charter.

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

The effectiveness and viability of the school has been evaluated, in part, through a two-day Site Inspection conducted on **October 13 and 14, 2011** by **District staff**. See Attachment I for the school's comprehensive ratings on the Charter School Renewal Quality Standards Criteria.

### Strengths:

- The school's governing board is excited about and dedicated to professionalizing both its own practice and school operations.
- The school has changed providers of business services, raising the quality and timeliness of reporting and giving school leaders access to more sophisticated analyses of its financial position.
- School staff is available for one-on-one communication with families.
- School makes a strong effort to retain students during the year, and from year-to-year, by providing supports for struggling students and communicating frequently and frankly with families.

### Challenges:

- Systems for ensuring compliance with federal reporting and programmatic requirements are still under development, following the school's transition from a locally-funded charter school (a school within the District for federal program purposes) to a direct-funded charter school (an independent LEA).
- The school has not yet fully harnessed the knowledge and relationships of parents to strengthen and grow the school.
- The school has not yet fully realized its potential to forge community partnerships to make more resources available in support of student achievement.

### IS THE SCHOOL AN EFFECTIVE, VIABLE ORGANIZATION

An evaluation by staff of Oakland Charter High School's Fiscal Accountability and Governance over their recent charter term included:

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

#### **Renewal Standard II:**

Based on this analysis, the school is deemed an **effective, viable organization** for the purposes of charter renewal.

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

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

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

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

#### Renewal Standard III:

Based on review of the school's records and performance, the school is deemed to have been **faithful to the terms of its charter.**

**Renewal Standard IV: Does the charter petition contain reasonably comprehensive descriptions of the required elements?**

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, plus specific supplementary information on operations and finance. The following table summarizes the results of the Staff’s review of the charter petition’s content.

Element	Inadequate	Reasonably Comprehensive	Statutory Reference	Comments
Required signatures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(a)(1)	Sufficient signatures were provided. However, new CDE charter renewal regulations effective November 23, 2011 eliminate the petition signature requirement for charter renewal.
Affirmations and assurances	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(d)	
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(A)	Clear description of philosophy and approach.
Measurable pupil outcomes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(B)	Measurable pupil outcomes will receive some refinement through Required Text Revisions.
Method by which pupil progress is to be measured	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(C)	
Governance structure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(D)	
Qualifications to be met by individuals employed at the school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(E)	
Procedures for ensuring health & safety of students	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(F)	
Means for achieving racial and ethnic balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(G)	School continues to work to enroll balanced population
Admission requirements, if applicable	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(H)	
Manner for conducting annual, independent audits and for resolving exceptions or deficiencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(I)	
Suspension and expulsion procedures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(J)	
Manner for covering staff members through the State Teachers’ Retirement System, the Public Employees’ Retirement System or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(K)	

federal social security				
Attendance alternatives for pupils residing within the district who choose not to attend the charter school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(L)	
Employee rights of return, if any	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(M)	
Dispute resolution procedure for school-authorizer issues related to the charter.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(N)	
Statement regarding exclusive employer status of the school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(O)	
Procedures for school closure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(P)	
Facilities to be utilized by school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	
Manner in which administrative services are to be provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	
Potential civil liability effects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	
Proposed first year operational budget	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	
Cash flow and financial projections for 3 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(g)	

**Renewal Standard IV:**

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

## **RECOMMENDATION:**

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

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

This report recommends that the Oakland Unified School District Board of Education approve the charter renewal petition for Oakland Charter High School for a term of five years, as required by law (Education Code 47605 d(1)). The charter renewal term would begin on July 1, 2012 and expire on June 30, 2017. The District will not accept a charter renewal request more than 270 days prior to the expiration of the charter.

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

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

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

**ATTACHMENT I: CHARTER SCHOOL RENEWAL QUALITY STANDARDS CRITERIA**  
**ATTACHMENT II: CHARTER TEXT REVISIONS**

## ATTACHMENT I: CHARTER SCHOOL RENEWAL QUALITY STANDARDS CRITERIA

### Making Consistent Judgments

In the complex context of school review, it is important that the terminology used is clearly understood by everyone concerned. It is also imperative that everyone recognizes that there are many ways in which a school's program for improving student outcomes can merit a particular evaluation and that awarding levels is a matter of informed professional judgment and not simply a technical process. The following rubric is included to assist reviewers in making consistent judgments.

- An evaluation of **(5)** applies to schools characterized, overall, by strengths. There are very few or no weaknesses, and any that exist do not diminish the students' experience. Although an evaluation of **(5)** represents a high standard of quality, it is a standard that is achievable by all schools. It implies that the school may appropriately continue its provision without significant adjustment, and that there is compelling evidence that this provision can be sustained at a high level. However, all schools are expected to continue to take advantage of all opportunities to improve. The Quality Indicator (QI) for this provision is *excellent*.
- An evaluation of **(4)** applies to schools where efforts to improve student achievement are characterized by a number of strengths. There are a few weaknesses, but neither singly nor collectively, do these have a significant adverse impact on the student experience. An evaluation of **(4)** may be appropriate in circumstances where the provision may make for a productive student experience; but it may not apply consistently to most or all students. There is strong evidence that this provision can be sustained at a level that positively impact student experiences. Typically, the school's academic-improvement practices will be characterized by strengths but one or more weaknesses will reduce the overall quality of the practices. The Quality Indicator (QI) for this provision is *proficient*.
- An evaluation of **(3)** applies to schools characterized by some strengths, but where some important weaknesses have an impact on the quality of students' experiences. In general, an evaluation of **(3)** will imply the need for structured and timed action on the part of the school. It may be arrived at in a number of circumstances. There may be some of strengths, but there will also be weaknesses which will be, either individually or collectively, sufficient to diminish the student experience in significant ways. There may be an overall lack of evidence that this provision can be sustained or implemented by the school at a level to positively impact student experiences. The QI for the provision provided is *underdeveloped*.
- An evaluation of **(2)** applies to schools where provisions are characterized by weaknesses that require immediate and significant corrective action by the school. Some, if not all, staff responsible for improving student achievement require support from senior managers in planning and carrying out necessary actions to enhance the effectiveness of the school's efforts to improve student outcomes. There are a few strengths but these are overshadowed by the impact of the weaknesses. There is little evidence that this provision can be sustained or implemented by the school at a level to positively impact student experiences. The Quality Indicator (QI) for this provision is *inadequate*.
- An evaluation of **(1)** applies when there are major weaknesses in provision, requiring immediate remedial action on the part of the school. The student experience is at risk in significant respects. In almost all cases, staff responsible for provision evaluated *unsatisfactory* will require significant support from senior managers in planning and carrying out the necessary actions to effect improvement. This may involve working alongside effective peers in or beyond the school. There is no evidence that this provision can be sustained or implemented by the school to positively impact student experiences. The Quality Indicator (QI) for this provision is *unsatisfactory*.

## **Criteria 1: Improving Student Achievement**

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

	<i>The criteria for making judgments on the quality of Improving Student Achievement</i>	<i>Score</i>	<i>Comments</i>
1.1	<b>Demonstrates high expectations for student achievement</b>	5	<ul style="list-style-type: none"> <li>• High expectations dominate the school's culture.</li> </ul>
1.2	<b>Provides a challenging and coherent curriculum for each individual student</b>	4	
1.3	<b>Implements and directs learning experiences (consistent with the school's purpose and charter) that actively engage students</b>	3	<ul style="list-style-type: none"> <li>• Limited evidence of differentiation of instruction.</li> </ul>
1.4	<b>Allocates appropriate resources in the way of instructional materials, staffing and facilities to promote high levels of student achievement</b>	4	
1.5	<b>Promotes academic risk taking by supporting students in a safe, healthy and nurturing environment characterized by trust, caring and professionalism</b>	4	<ul style="list-style-type: none"> <li>• Small size supports productive relationship between students and staff.</li> </ul>
1.6	<b>Productively engages parental and community involvement as a part of the school's student support system</b>	3	<ul style="list-style-type: none"> <li>• Parents not always viewed as assets by the school.</li> </ul>
1.7	<b>Shares its vision among the school community and demonstrates its mission in daily action and practice</b>	5	<ul style="list-style-type: none"> <li>• Work ethic and high expectations strongly communicated.</li> </ul>
1.8	<b>Involves staff, students, parents and other stakeholders in its accountability for student learning and in the school's program evaluation process</b>	4	



## **Criteria 2: Strong Leadership**

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

	<i>The criteria for judging the quality of Strong Leadership</i>	<i>Score</i>	<i>Comments</i>
2.1	Effectively communicates and engages stakeholders in the vision mission of the school	4	
2.2	Consistently puts into practice the educational program outlined in its charter.	4	
2.3	Generates and sustains a school culture conducive to staff professional growth	3	<ul style="list-style-type: none"> <li>• School growing in this area, particularly with use of data.</li> </ul>
2.4	Actively monitors and evaluates the success of the school’s program	4	
2.5	Provides regular, public reports on the school’s progress towards achieving its goals to the school community and to the school’s authorizer	4	
2.6	Treats all individuals with fairness, dignity and respect	3	<ul style="list-style-type: none"> <li>• School leaders has received complaints from parents regarding quality of communication.</li> </ul>
2.7	Has a cogent understanding of the laws that govern charter schools and monitors the trends, issues and potential changes in the environment in which charter schools operate	4	<ul style="list-style-type: none"> <li>• Responsibility shared between site leader and Executive Director.</li> </ul>
2.8	Makes management decisions and uses his/her influence and authority for the primary purpose of achieving student success	5	
2.9	Respects diversity and implements practices that are inclusive of all types of learners consistent with the school charter	3	<ul style="list-style-type: none"> <li>• Adapting to special needs students is an area for growth.</li> </ul>
2.10	Engages community involvement in the school	4	<ul style="list-style-type: none"> <li>• More formal structures needed.</li> </ul>

### **Criteria 3: A Focus on Continuous Improvement**

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

	<i>The criteria for judging the quality of the Continuous Focus on Improvement</i>	<i>Score</i>	<i>Comments</i>
3.1	Uses information sources, data collection and data analysis strategies for self-examination and improvement	4	<ul style="list-style-type: none"><li>• Developing use of data to drive instruction.</li></ul>
3.2	Establishes benchmarks and a variety of accountability tools for monitoring student progress and uses the results of these assessments to improve curriculum and instruction	4	
3.3	Establishes both long and short term goals and plans for accomplishing the school's mission as stated in its charter	4	<ul style="list-style-type: none"><li>• Planning efforts evolving as school matures.</li></ul>
3.4	Uses student assessment results to improve curriculum and instruction	4	
3.5	Uses the results of evaluation and assessment as the basis for the allocation of resources for programmatic improvement	4	

## **Criteria 4: Responsible Governance**

A charter school board and administration establish and implement policies that are transparent and focused on student achievement. Charter school board members and administrators have a cogent understanding of and comply with the laws that govern charter schools. Governing Board establishes structures that ensure the long-term viability, stability, and consistency of the program through student outcomes.

	<i>The criteria for judging Responsible Governance</i>	<i>Score</i>	<i>Comments</i>
4.1	Ensure that policies and practices are implemented in a fair and consistent manner	4	
4.2	Monitor the trends, issues and potential changes in the environment in which charter schools operate	4	
4.3	Seek input from impacted stakeholders	3	<ul style="list-style-type: none"> <li>• Formal structures for stakeholder input limited.</li> </ul>
4.4	Enact policies that respect diversity and implements practices that are inclusive of all types of learners consistent with the school charter	4	
4.5	Actively engage the school's authorizer in monitoring the school's educational program and its fiscal status	4	<ul style="list-style-type: none"> <li>• Change of business services provider has improved monitoring.</li> </ul>
4.6	Establishes and maintains a safe environment for students, staff, and community stakeholders	4	
4.7	Consistently engages in timely reporting or required information to the District, the County, and the State	4	
4.8	Establishes clear and well-understood systems for decision-making and communication that results in a common sense of purpose and understanding for all stakeholders	4	
4.9	Maintains effective and active control of the charter school	4	<ul style="list-style-type: none"> <li>• Governing board is committed to further development of its capacity, including monitoring of educational program and compliance.</li> </ul>
4.10	Abstains from any decision involving a potential or actual conflict of interest	4	
4.11	Ensures implementation of the student recruitment, retention, and enrollment process intended in the charter, in the school's recruitment and retention plan, and as defined by statute and regulation	4	
4.12	Employs best practices to hire effective school leader and annually and systematically assesses the performance of school leader against clearly defined goals, and makes effective and timely use of the evaluations	4	
4.13	Implements an accountability process for the school's academic results and operates with a clear set of goals for the school, and has developed a set of tools for understanding progress towards meeting those goals	4	
4.14	Involves parents/guardians as partners in the education of their children and maintains positive relationships with parents.	3	<ul style="list-style-type: none"> <li>• School shifting to recognition of the value of positive relationships with parents, and by extension, with the larger community.</li> </ul>

### **Criteria 5: Fiscal Accountability**

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

	<i>The criteria for making judgments on Fiscal Responsibility</i>	<i>Score</i>	<i>Comments</i>
5.1	Creates and monitors immediate and long-range financial plans to effectively implement the school's educational program and ensure financial stability and sustainability	4	
5.2	Conducts an annual financial audit which is made public	4	• Change of auditor will improve reliability of monitoring.
5.3	Establishes clear fiscal policies to ensure that public funds are used appropriately and wisely	4	
5.4	Ensures financial resources are directly related to the school's purpose: student achievement of learning goals	5	
5.5	Managing cash flow	4	
5.6	Enrollment is stable and/or growing at the rate anticipated by the charter school as projected in the approved charter and in the multi-year budget.	4	

ATTACHMENT II: CHARTER TEXT REVISIONS

Oakland Unified School District  
Office of Charter Schools

**CHARTER TEXT REVISIONS – Oakland Charter High School**

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 June 1, 2012.**

Charter Text	Text Reference	Revision
<u>Governance</u>	Page 62	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>“Oakland Charter High School 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 75	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><del><i>It is the policy of Oakland Charter High School to be</i></del> <b><i>will be</i></b> nonsectarian in its programs, <del><i>curriculum,</i></del> admission policies, <del><i>employment practices,</i></del> 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).</p> <p><i>As part of the Fall Information Update, Oakland Charter High School will notify the District in writing of the application deadline and proposed lottery date. Oakland Charter High School 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>Public Records</u>	Page 82	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>“Oakland Charter High School 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 Oakland Charter High School to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at Oakland Charter High School and of the District. Oakland Charter High School further acknowledges that it has the obligation to provide all of such information to the District</i></p>

		<i>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 Oakland Charter High School does not have that Oakland Charter High School needs in order to meet its obligations, the District shall provide the same to Oakland Charter High School in a reasonably timely manner upon request."</i>
<u>Reporting and Accountability</u>	Page 54	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>"If Oakland Charter High School does not test (i.e., STAR) with the District, Oakland Charter High School 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 60	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>"Oakland Charter High School 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 87	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>"Oakland Charter High School, <del>in</del> in accordance with Education Code Section 47604.3, <del>the school</del> 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. <del>The Oakland Charter High School</del> <b>Oakland Charter High School</b> acknowledges that it is subject to audit by OUSD. <del>If the district</del> <b>if OUSD</b> seeks an audit of <del>the Oakland Charter High School, the district</del> <b>it</b> 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 <del>the Oakland Charter High School or</del> by law or charter provisions."</i></p>
<u>Governance Structure</u>	Page 62	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>"Members of Oakland Charter High 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 so long as such policies and regulations are not in conflict with any then-existing applicable statutes or</i></p>

		<p><i>regulations applicable to charter schools.</i></p> <p><i>Oakland Charter High School 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 63</p>	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>Oakland Charter High School will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. Oakland Charter High School 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>Oakland Charter High School will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504) including any investigation of any complaint filed with Oakland Charter High School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Oakland Charter High School 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>Oakland Charter High School will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action, which would be prohibited by Title IX, or Section 504.</i></p> <p><i>Oakland Charter High School will implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to</i></p>

		<i>discriminate in such a manner.”</i>
<u>Health and Safety Procedures</u>	Page 72	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>“Oakland Charter High School shall occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.”</i></p>
<u>Dispute Resolutions Procedures</u>	Page 83	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>“The staff and Governing Board members of Oakland Charter High School agree to attempt to resolve all disputes between the District and Oakland Charter High School regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.</i></p> <p><i>Any controversy or claim arising out of or relating to the charter agreement between the District and Oakland Charter High School, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.</i></p> <p><i>(1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related to revocation of this charter, must be put in writing (“Written Notification”) by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:</i></p> <p><i>To Charter School, c/o School Director: Oakland Charter High School</i></p> <p><del><i>Oakland Unified School District Charter Schools Division Tilden Ave Oakland, CA 94804</i></del></p>



		<p><b>To Coordinator, Office of Charter Schools: Tilden Education Complex 4551 Steele Street, Room 11 Oakland, California 94619</b></p> <p><b>(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.</b></p> <p><b>(3) If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. If no agreement on a mediator is reached within 30 days after a request to mediate, the parties will use the processes and procedures of the American Arbitration Association (“AAA”) to have an arbitrator appointed...</b></p> <p><b>(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</b></p>
<p><u>Suspension and Expulsion</u></p>	<p>Pages 79</p>	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><b>“Oakland Charter High School shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves Oakland Charter High School without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil’s last known address. ASCEND shall, upon request, provide that school district with a copy of the cumulative record of the</b></p>

		<i>pupil, including a transcript of grades or report card and health information, pursuant to Education Code Section 47605(d)(3)."</i>
<u>Suspension and Expulsion: Due Process for Students with Disabilities</u>	Pages 81	<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, <del>OCHS</del> <b>Oakland Charter High School</b> 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 <del>school</del> <b>charter</b> administrator will convene a review committee to determine <b>1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled."</b></i></p>
<u>Independent Fiscal Audits</u>	Page 86	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>"To the extent that Oakland Charter High School is a recipient of federal funds, including federal Title I, Part A funds, Oakland Charter High School 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. Oakland Charter High School 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</i></li> </ul>

		<p><i>participating Title I students.</i></p> <ul style="list-style-type: none"> <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>Oakland Charter High School 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 72	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>“If Oakland Charter High School fails to submit a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, not less than 30 days before the school is scheduled to begin operation pursuant to the first year of this renewal term, it may not commence operations unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. If Oakland Charter High School moves or expands to another facility during the term of this charter, Oakland Charter High School shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, to the District for each facility at least 30 days before school is scheduled to begin operations in the facility or facilities. Oakland Charter High School shall not begin operation in any location for which it has failed to timely provide a certificate of occupancy to the District, unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. 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 86	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>“The District may charge for the actual costs of supervisory oversight of Oakland Charter High School 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 Oakland Charter High School 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 92	<p><b><u>Add the following text and remove any text to the contrary:</u></b></p> <p><i>“Oakland Charter High School must submit its renewal</i></p>

		<i>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>
<u>Miscellaneous Charter-Related Issues</u>	Page 92	<b><u>Add the following text and remove any text to the contrary:</u></b>  <i>“The District may revoke the charter of Oakland Charter High School 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>
<u>Impact on Charter Authorizer</u>	Page 91	<b><u>Add the following text and remove any text to the contrary:</u></b>  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;  <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>
<u>Impact on Charter Authorizer</u>	Page 91	<b><u>Add the following text and remove any text to the contrary:</u></b>  <i>“Oakland Charter High School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:</i> <ul style="list-style-type: none"> <li>• <i>Oakland Charter High School 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 Oakland Charter High School.</i></li> <li>• <i>The District is authorized to revoke this charter for, among other reasons, the failure of Oakland Charter High School 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 Oakland Charter High School books, records, data, processes and procedures through the Office of Charter Schools or other</i></p>

		<p><i>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 expulsion procedures, and parent involvement practices,</i></li> <li>• <i>Compliance with safety plans and procedures, and</i></li> <li>• <i>Compliance with applicable grant requirements.</i></li> </ul> <p><i>Oakland Charter High School 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 Oakland Charter High School. 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 Oakland Charter High School operations is received by the District, the Oakland Charter High School shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools, at District cost. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by Oakland Charter High School by law or charter provisions."</i></p>
<u>Measurable Pupil Outcomes</u>	Page 55	<b><u>Add the following text and remove any text to the contrary: BELOW</u></b>

SUBJECT	MEASURABLE OUTCOME	METHODS OF ASSESSMENT
<b>CAHSEE</b>	<ul style="list-style-type: none"> <li>- 90% of students who entered OCHS as 9<sup>th</sup> graders will have passed the CAHSEE exam by the 11<sup>th</sup> grade.</li> </ul>	CAHSEE results
<b>ENGLISH/ LANGUAGE ARTS</b>	<ul style="list-style-type: none"> <li>- OCHS's English Language Learner (ELL) Population who enter OCHS as 9<sup>th</sup> graders will perform higher in the ELA CST section (grades 9-11) in comparison to that of neighboring school's ELL cohort (Castlemont and Fremont High School).</li> <li>- OCH's low income subgroups will achieve a 70% proficient and advanced rate by the 11<sup>th</sup> grade.</li> </ul>	California State Tests (CST)  STAR Test Battery  Assess To Know Standards Based Interim Assessments  School Placements and Enrollment  Summative Assessments
<b>MATH</b>	<ul style="list-style-type: none"> <li>- OCHS's Mathematics (ELL) Population who enter OCHS as 9<sup>th</sup> graders will perform higher in the Math CST section (grades 9-11) in comparison to that of neighboring school's ELL cohort (Castlemont and Fremont High School).</li> <li>- OCH's low income subgroups will achieve a 70% proficient and advanced rate by the 11<sup>th</sup> grade.</li> </ul>	STAR,CST's,  Interim Assessments
<b>API</b>	<ul style="list-style-type: none"> <li>- OCHS will maintain an API higher than an 800 during the term of the charter.</li> </ul>	School Academic Performance Index ranking
<b>SUBGROUPS</b>	<ul style="list-style-type: none"> <li>- The ELL subgroup at Oakland Charter High School will perform higher than the overall district's high school English language Learner (ELL) subgroup API.</li> <li>- Low income student subgroup will achieve a higher API score in comparison to neighboring schools.</li> </ul>	STAR results (ELL Subgroup)  ASSES To Know Standards Based Interim Assessments
<b>SCHOOL WIDE</b>	<ul style="list-style-type: none"> <li>- OCHS will maintain at least a 90% attendance rate throughout the academic school year.</li> </ul>	Attendance Rate,  Statistical Attendance Report  PowerSchool
<b>SCHOOL WIDE</b>	<ul style="list-style-type: none"> <li>- 80% of OCHS seniors who enter in 9<sup>th</sup> grade will meet or exceed the CSU/UC A-G requirements.</li> </ul>	Concurrent Enrollment  Grades  Advisory
<b>SAT'S</b>	<ul style="list-style-type: none"> <li>- 80% of students will take SAT/ACT by the December of their 12<sup>th</sup> grade year.</li> </ul>	SAT registration tickets Advisory Meetings