



TO: Board of Education

FROM: Gary Yee, Ed.D., Superintendent
Silke Bradford, Ed.D., Director-Quality Diverse Providers

DATE: February 26, 2014

RE: Oakland Military Institute Charter Renewal Request

Legislative File
File ID No.: 13-2911
Introduction Date: 12/11/13
Enactment No.: _____
Enactment Date: _____
By: _____

ACTION REQUESTED:

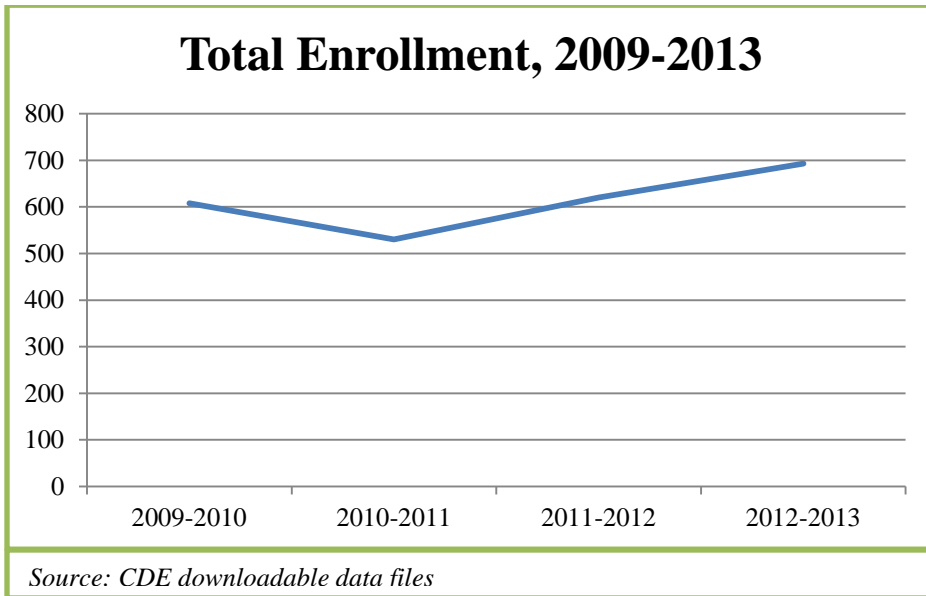
Approve Oakland Military Institute charter renewal because the charter school has met the standards and expectations set forth in the OUSD Charter Renewal Standards, which are based on the standards and criteria set forth in the Charter Schools Act, Education Code §47605(b)(5), which governs charter 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:

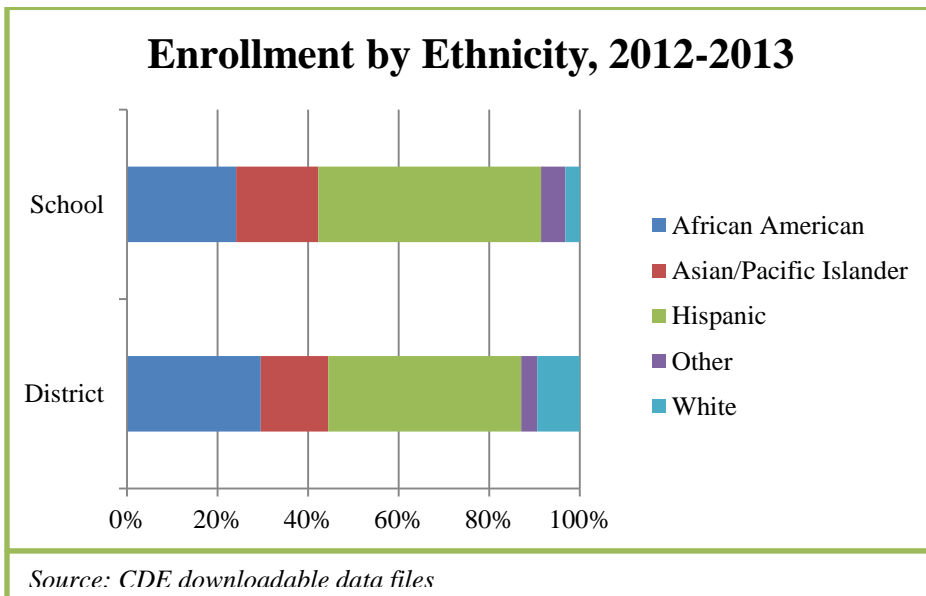
I. School Description and Key Program Elements:

Opening Year	2001	Grades	6 th -12 th
Current Term	2009-2014	Attendance Area	OAK TECH
Renewal Date	July 1, 2014	Board District	District 1
New Term	2014-2019	Program Improvement	Year 4

The following graph illustrates that OMI enrollment numbers have increased from 608 students to 693 during the term of the charter (Source: CDE Data).



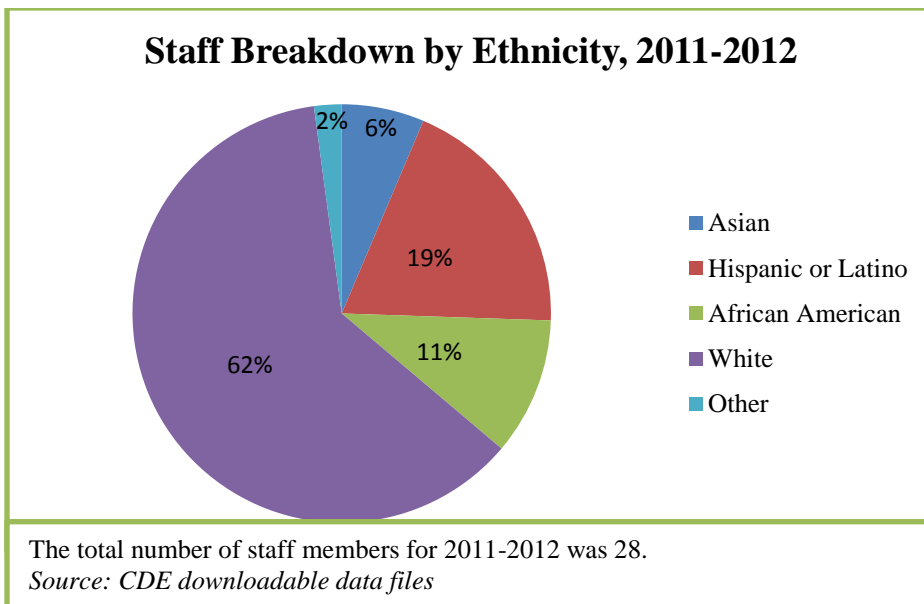
A comparison between OMI's and the District's enrollment demographics are as follows:



OMI’s detailed demographic data overtime is represented in the chart below.

	2009-2010	2010-2011	2011-2012	2012-2013
Total Enrollment	608	530	620	693
Ethnicity				
African American	173	136	162	167
	28.45%	25.66%	26.13%	24.10%
Asian/Pacific Islander	135	115	118	126
	22.20%	21.70%	19.03%	18.18%
Latino	279	254	295	341
	45.89%	47.92%	47.58%	49.21%
Other	6	10	20	37
	0.99%	1.89%	3.23%	5.34%
White	15	15	25	22
	2.47%	2.83%	4.03%	3.17%
Socioeconomically Disadvantaged				
	326	354	374	364
	53.62%	66.79%	60.32%	52.53%
English Fluency				
EL	269		261	280
	44.24%		42.10%	40.40%

The pie chart below represents the most recent demographic information available of the OMI Staff:



Program Summary:

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

“The mission of the Oakland Military Institute College Preparatory Academy (OMI) is to provide a structured and rigorous academic program where cadets develop as leaders, scholars, critical thinkers and citizens. Through a military framework, the school inspires honor and pride within its cadets, cultivating life-long respect, confidence and appreciation for others. Upon high school graduation, cadets will have completed the a-g requirements for admission to the Cal-State and University of California system.”

School Mission: (Excerpt from the NEW charter petition)

“The Oakland Military Institute College Preparatory Academy (OMI) develops leaders of character by providing a rigorous seven-year college preparatory program to promote excellence in the four pillars of academics, leadership, citizenship, and athletics.”

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

“OMI’s three pillars are to promote academic excellence, develop leaders of character, and inculcate habits of lifelong physical fitness. By participating in a military learning environment, cadets will develop personal discipline, physical fitness and leadership skills. The goal of OMI is to graduate cadets who are capable of meeting the admissions requirements for any school in the nation and who are prepared for their roles as future leaders.

The demanding academic program includes language arts, math, science and history, as well as world languages, leadership, and physical fitness training. OMI seeks and supports students who have ambition and are ready to take responsibility for their own learning. We understand that some of our cadets enter OMI performing below grade level standards, and we support these students by providing extra opportunities to accelerate learning, i.e. Saturday school, after school classes, or study hall. It is our expectation that each cadet will take advantage of these opportunities, and through hard work, determination, and a positive attitude do whatever it takes to meet OMI’s academic standards.

OMI offers a positive learning environment, enhanced by leadership, teamwork, and the safe and structured discipline of the military. All cadets participate as members of the California Cadet Corps, assuming increased responsibility through various positions of leadership. Cadets earn a sense of pride and community at OMI by learning military customs and courtesies and by achieving promotions and awards for their accomplishments. The disciplinary system, patterned after the military model, is fair and predictable. Cadets learn what is expected of them at the Summer Camp prior to their enrollment at OMI. Cadets who do not meet our expectations for conduct forfeit their opportunity to attend OMI. The overall goal of the military framework at OMI is to foster and support achievement of the academic, leadership, and physical fitness goals of cadets at the Institute.”

Program’s Distinguishing Features: (Excerpt from the NEW charter petition)

“OMI’s four pillars are ACADEMICS, LEADERSHIP, CITIZENSHIP, and ATHLETICS. Using a military framework, the goal of OMI is to graduate cadets who are capable of meeting the admissions requirements for any college in the nation and who are prepared for their roles as future leaders of character.

The demanding ACADEMIC program consists of language arts, math, science and history, as well as world languages, fine arts, leadership, and physical fitness training. OMI seeks and supports students who have ambition and are ready to take responsibility for their own learning. OMI also offers honors, advanced placement, and college level courses. We also understand that some of our cadets enter OMI performing below grade level, and we require these students to accelerate learning through before school, after school, Saturday and summer academic support programs. Through hard work, determination, and a positive attitude, all students are expected to do whatever it takes to meet OMI's rigorous academic standards and achieve proficiency on the Common Core State Standards. We partner with parents to communicate about student progress and help all students succeed to the best of their abilities. Parents have a set of duties to fulfill their role as the primary educators of their children.

The military framework of the school develops LEADERSHIP and promotes a sense of pride and community as it requires cadets to wear a proper complete uniform each school day and begin each day with a formation that includes patriotic exercises. All cadets participate as members of the California Cadet Corps, and are assigned to units within a military chain of command (squads, platoons, companies, and battalions within the Corps of OMI Cadets). Cadets assume increased responsibility through various positions of leadership during their tenure at OMI. Each academic classroom uses military protocols and cadet leadership structures to promote good order and discipline. Cadets also learn military customs and courtesies and achieve promotions and awards for their accomplishments. The military dimension of the school promotes patriotic spirit and respect for the democratic ideals of our society.

Cadets learn what is expected of them at the Summer Camp prior to their enrollment at OMI, a camp which thoroughly introduces new students to the CITIZENSHIP expectations of the school. The disciplinary system, patterned after the military model, is fair and predictable. It uses a merit and demerit system that provides both positive and negative consequences. All cadets share a common set of duties they are expected to fulfill as well as a code of honor requiring absolute integrity. Cadets who do not meet our expectations for conduct, integrity, and/or who do not fulfill their duties forfeit their opportunity to attend OMI.

ATHLETICS is an integral part of the total educational experience here at OMI. OMI cadets are provided frequent opportunities to participate in interscholastic and intramural individual and team athletic development activities and competition. In addition to fulfilling physical fitness goals, being involved in athletics provides cadets with opportunities to develop leadership skills and to learn the ideals of fair play and ethical behavior necessary for competition and cooperation in our society. It also provides our students with the unique opportunities for self-discipline and self-sacrifice, as well as loyalty to the community, the school, and the team.”

GOVERNING LAW:

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

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

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

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

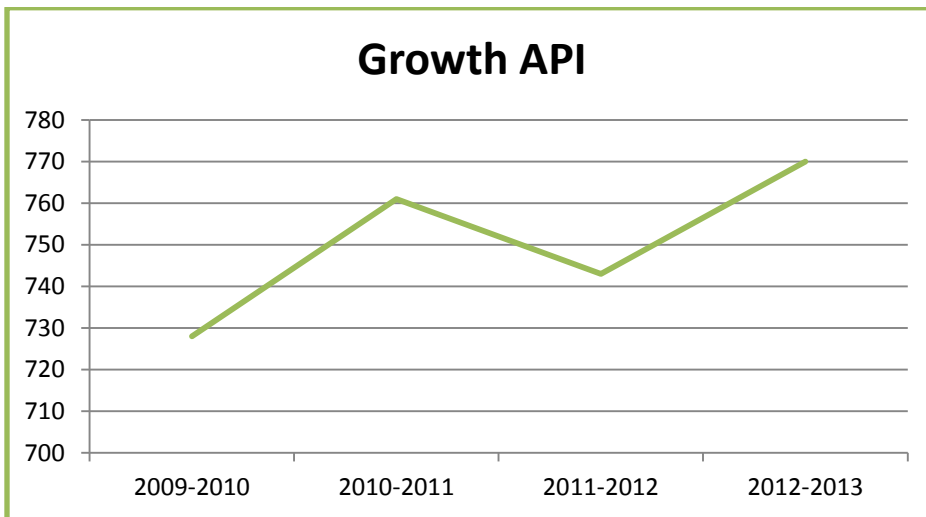
II. PREREQUISITE FOR CHARTER RENEWAL (AB 1137)

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**.

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

API Growth Target and AYP Criteria Performance

	2009-2010	2010-2011	2011-2012	2012-2013
API				
Growth API	728	761	743	770
Growth target met?	Yes	Yes	No	Yes
AYP				
AYP Met?	No	No	No	No
Number of AYP Criteria Met	24 out of 25	14 out of 17	15 out of 25	20 out of 26
PI Status	Not in PI	In PI	In PI	In PI



API Rankings

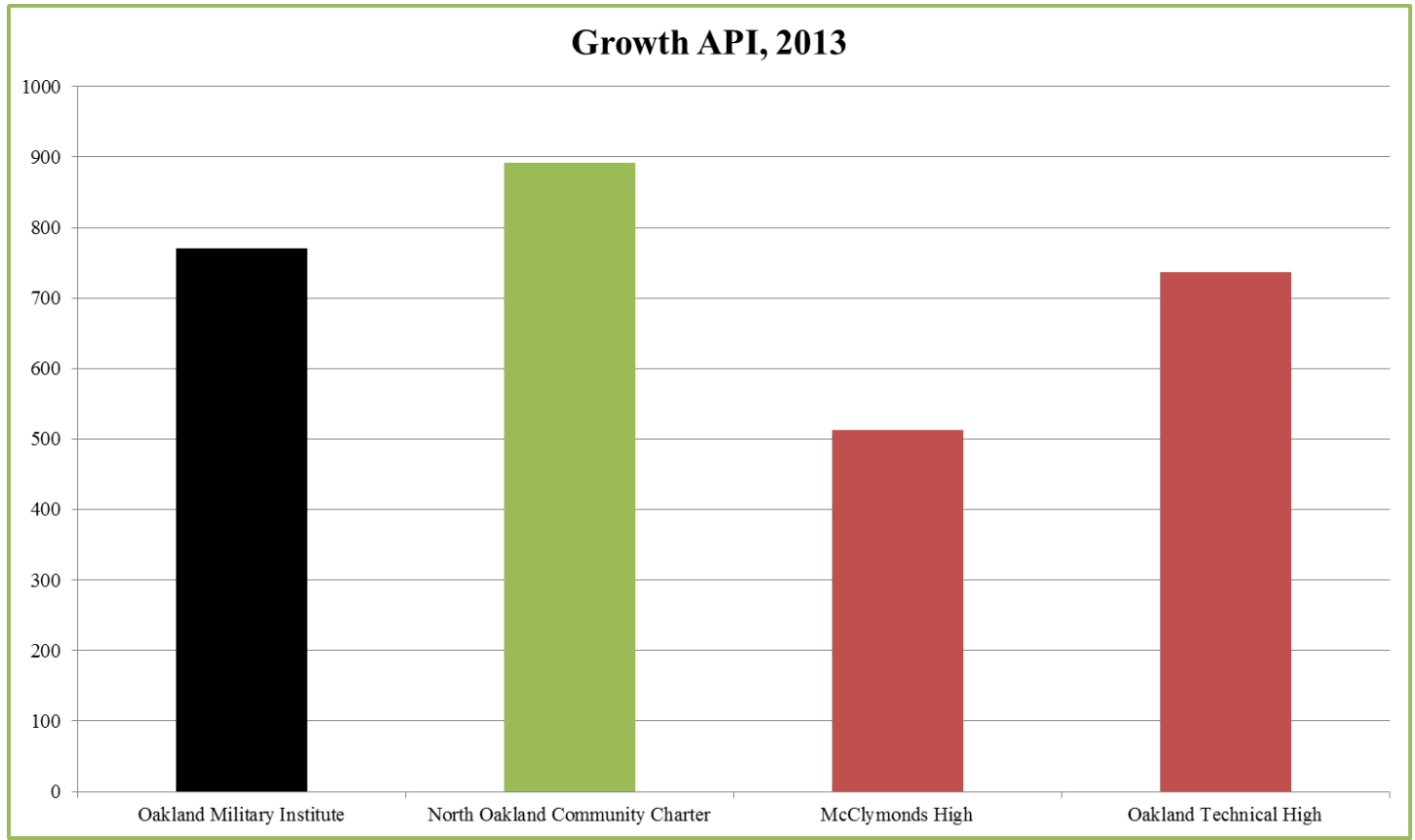
The table below shows the most recent CDE school rankings for OMI. The statewide ranking has not varied beyond the 5 or 6 in each year. The similar schools ranking peaked in 2011 (9), but then returned to a 5 ranking most recently.

	Statewide Rank	Similar Schools Rank
2010	5	6
2011	6	9
2012	5	5

Source: CDE downloadable data files

API Performance for District/Charter Schools Within Walking Distance

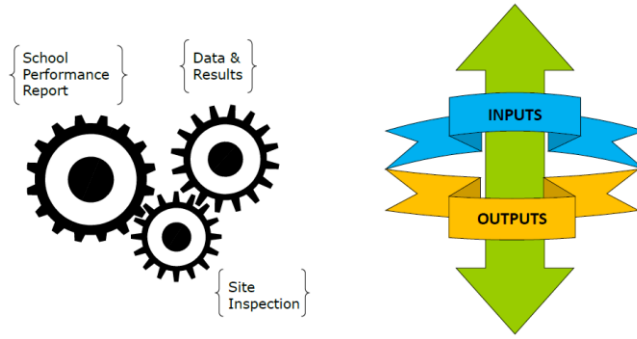
The graph below illustrates the API performance of OMI (black bar) and schools in the surrounding neighborhood. OMI outperforms all high schools (red bars) within walking distance (1 mile radius) of the site. The only school with a higher API does *not* serve 9th-12th (Green Bar= K-8th) so the comparison is *not* completely equitable or congruent as OMI serves 6th-12th.



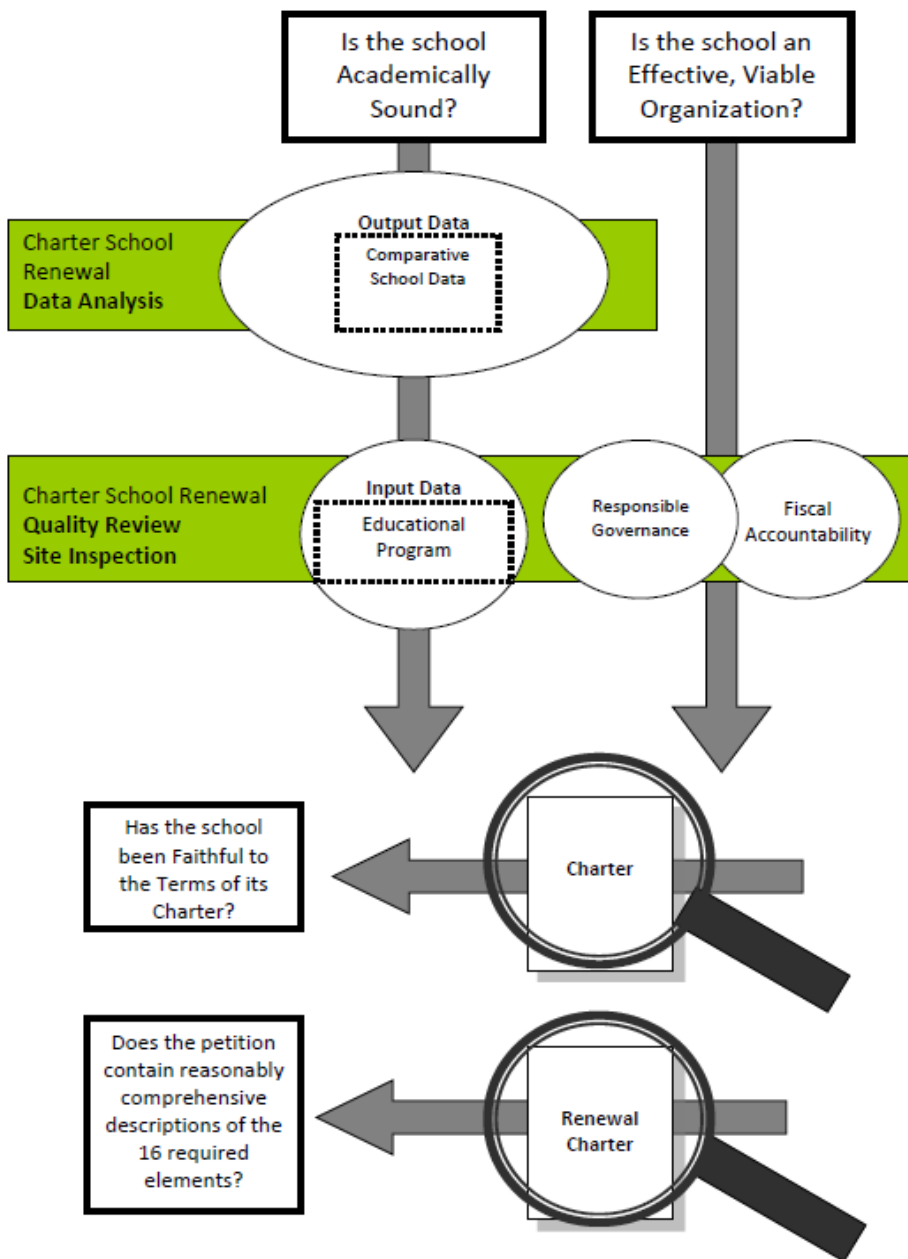
*The values along the bottom of the chart indicate if it is a charter ("C") or district ("D") school and measure the walking distance in minutes from Oakland Military Institute to each respective school. These values were found using Google Maps.

Source: CDE downloadable data files

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:



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 the charter petition.

1	Measurable Pupil Outcomes	Instrument	Target
	High student achievement on standardized tests	Comparison of data provided by CDE	Equal or exceed average standardized test scores at each grade level (CST, CAHSEE, CELDT) compared to OUSD comparison groups schools*.
Met			
2	Measurable Pupil Outcomes	Instrument	Target
	Meet or exceed Academic Performance Index (API) growth targets Schoolwide and in reportable subgroups	Comparison of data provided by CDE	750 or higher on the API. Meet annual growth targets for all reportable subgroups in at least two of the last three years of the charter term.
Met (Met API/Did Not Meet AYP)			
3	Measurable Pupil Outcomes	Instrument	Target
	High API State and Similar School Rank	Comparison of data provided by CDE	5 or higher
Met			
4	Measurable Pupil Outcomes	Instrument	Target
	High Four Year College Going Rate	Comparison of data provided by CDE and/or other sources	Equal or higher four year college going rates compared to the OUSD comparison group schools.*
Met			
5	Measurable Pupil Outcomes	Instrument	Target
	High UC/CSU and private University and college eligibility	Comparison of data provided by CDE and/or other sources	Equal or higher UC a – g course completion rates compared to the average of OUSD comparison group schools.* Equal or higher SAT/ACT scores than the average at OUSD comparison group schools.*
Met			
6	Measurable Pupil Outcomes	Instrument	Target
	High student satisfaction rates with the quality of education	Student Surveys	70% or more respondents will be “satisfied” or “highly satisfied” overall on Student and Alumni Satisfaction surveys.
Met			
7	Measurable Pupil Outcomes	Instrument	Target
	High family satisfaction rates with the quality of education	Parent Surveys	70% or more respondents will be “satisfied” or “highly satisfied” overall on parent/family surveys.
Met			
9	Measurable Pupil Outcomes	Instrument	Target
	Acquiring knowledge and skills necessary to pass the high school exit exam	CAHSEE	At least 95% of OMI High school seniors will pass the high school exit exam.

Met			
13	Measurable Pupil Outcomes	Instrument	Target
	Students meet Physical Education (PE) Standards	CDE designated Physical Fitness Test (currently FITNESSGRAM)	The percentage of seventh and ninth grade students who pass 5 or 6 of the six elements of the Fitnessgram will meet or exceed the percentage of students who score similarly in the OUSD comparison group schools*.
Met			
14	Measurable Pupil Outcomes	Instrument	Target
	Attendance rate	Comparison of data provided by CDE	Student attendance will meet or exceed the average of OUSD comparison group schools*.
Met			
15	Measurable Pupil Outcomes	Instrument	Target
	Dropout Rate	Comparison of data provided by CDE	Student dropout rates will be equal to or lower than the average of OUSD comparison group schools*.
Met			

8	Measurable Pupil Outcomes	Instrument	Target
	Acquiring knowledge and skills specified in the California State Standards	CST	50% of students who attend OMI for three or more years will score proficient or advanced on each CST test.
Substantial Progress			

10	Measurable Pupil Outcomes	Instrument	Target
	Eligible for admission to the University of California and other selective universities and colleges	Review of transcripts	75% of students or more who graduate from OMI will complete requirements for admission to the University of California, including coursework, GPA, and SAT/ACT scores.
Not Met			
11	Measurable Pupil Outcomes	Instrument	Target
	English Learners are acquiring English language proficiency	CELDT	80% of ELs will improve English proficiency by at least one level during previous year.
Not Met			
12	Measurable Pupil Outcomes	Instrument	Target
	Students with IEPs will steadily progress towards proficiency on their CMAs.(This MPO was re-written.)	Annual review of CST data	The mean scale score for each grade level on the CMA in English and math will rise by 2% annually.
Not Met			

Substantial Progress Thresholds

In determining whether a MPO has “not been met,” *yet* there has been “substantial progress” towards fulfillment of the goal, the following was taken into consideration:

- 1) Was the MPO ambitious/rigorous?
If Yes then,
- 2) Did half of the grade levels or more, meet, or come within 5-10% of meeting, the goal?

MPO Summary	Total
Met	11
Substantial Progress	1
Not Met	3
No Data	0

Middle School Comparison			
MPO #	Target	OMI	Comparison Schools
1	Equal or exceed average standardized test scores at each grade level (CST, CAHSEE, CELDT) compared to OUSD comparison groups schools*.	ELA - 46.5% Math - 52.1%	Comparison Schools: ELA - 38.3% Math - 21.94%
13	The percentage of seventh and ninth grade students who pass 5 or 6 of the six elements of the Fitnessgram will meet or exceed the percentage of students who score similarly in the OUSD comparison group schools*.	50%	District: 44.5%
14	Student attendance will meet or exceed the average of OUSD comparison group schools*.	96.68%	District: 95.2%

High School Comparison			
MPO #	Target	OMI	Comparison Schools
1	Equal or exceed average standardized test scores at each grade level (CST, CAHSEE, CELDT) compared to OUSD comparison groups schools*.	ELA - 46.5% Math - 52.1%	Comparison Schools: ELA - 35.9% Math - 34%
4	Equal or higher four year college going rates compared to the OUSD comparison group schools.*	53%	26.60%
5	Equal or higher UC a – g course completion rates compared to the average of OUSD comparison group schools.* Equal or higher SAT/ACT scores than the average at OUSD comparison group schools.*	A-G Graduates- 56%	A-G Graduates 42.3%

13	The percentage of seventh and ninth grade students who pass 5 or 6 of the six elements of the Fitnessgram will meet or exceed the percentage of students who score similarly in the OUSD comparison group schools*.	43%	District: 35.1%
14	Student attendance will meet or exceed the average of OUSD comparison group schools*.	96.68%	District: 95.2%
15	Student dropout rates will be equal to or lower than the average of OUSD comparison group schools*.	Graduation Rate: 89.1%	District Graduation Rate: 62.6%

Staff feedback related to OMI MPOs, is that the school needs to set performance goals independent of OUSD performance. This will appear as a text revision in this staff report and OMI’s new MPOs will need to be revised accordingly.

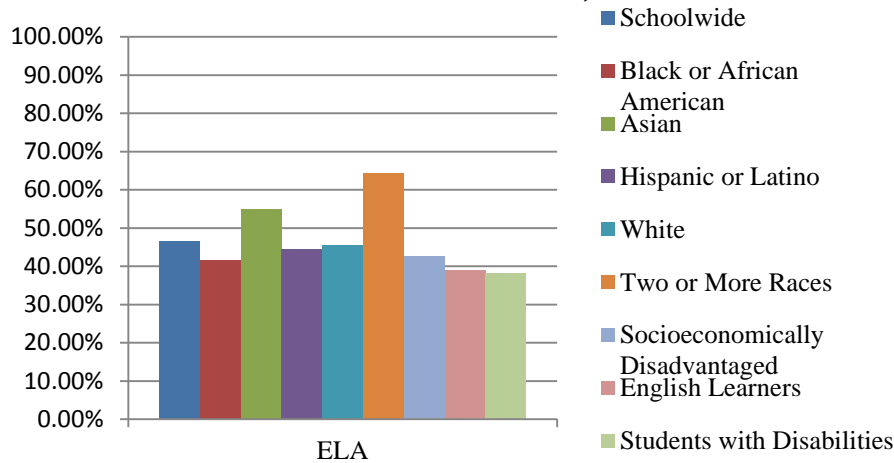
2103 STAR Testing Performance Disaggregated By Student Demographics

The table and graphs below provides an overview of ELA and Math API performance disaggregated by race, socioeconomic status, English Learner status, and students with disabilities. The only groups considered statistically significant (i.e. 50 or more students) are highlighted in red as having not met the Adequate Yearly Progress (AYP) goals as set by the state of California. There is a stark difference between African American, Hispanic, and White student proficiency rates, as compared to Asian student performance in Math (45.2% higher) and ELA (11% higher). The only group with a proficiency rate above Asian subgroup are multi-racial students at 64.3% proficient, as opposed to 54.8%, in ELA. Thought the multi-racial subgroup is not statistically significant in terms of its size (14 students).

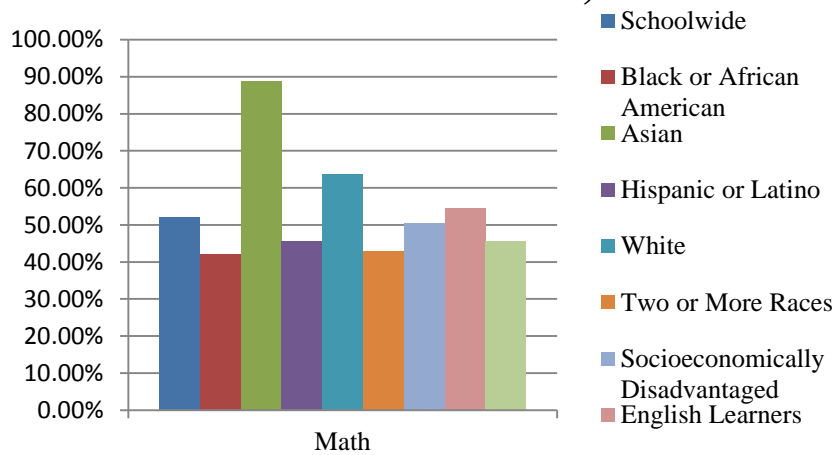
2013 Groups	ELA				Math			
	Valid Scores	Number At or Above Proficient	Percent At or Above Proficient	Met 2013 AYP Criteria	Valid Scores	Number At or Above Proficient	Percent At or Above Proficient	Met 2013 AYP Criteria
Schoolwide	389	181	46.50%	No	390	203	52.10%	Yes
Black or African American	99	41	41.40%	No	100	42	42.00%	Yes
Asian	62	34	54.80%	No	62	55	88.70%	Yes
Hispanic or Latino	191	85	44.50%	Yes	191	87	45.50%	Yes
White	11	5	45.50%	--	11	7	63.60%	--
Two or More Races	14	9	64.30%	--	14	6	42.90%	--
Socioeconomically Disadvantaged	321	137	42.70%	No	322	162	50.30%	Yes
English Learners	195	76	39.00%	No	195	106	54.40%	No
Students with Disabilities	21	8	38.10%	--	22	10	45.50%	--

Source: CDE downloadable data files

CST Performance, 2013



CST Performance, 2013

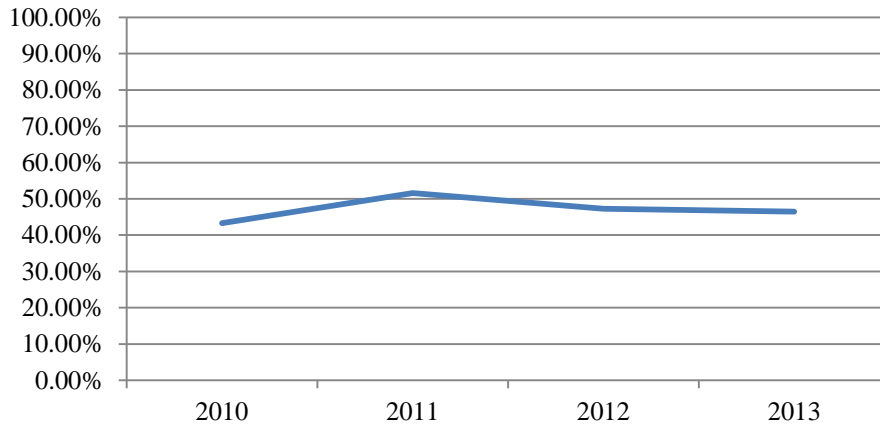


CST English Language Arts (Performance Over Time)

The table and graph below show that OMI had a slight increase during the renewal term in the number of students scoring at or above grade level (proficient or advanced) on the ELA CST from 43.3% to 46.5% (3.2% increase in four years).

OMI - ELA	
Year	Proficient/Advanced
2010	43.30%
2011	51.60%
2012	47.30%
2013	46.50%

CST ELA - % Proficient and Above

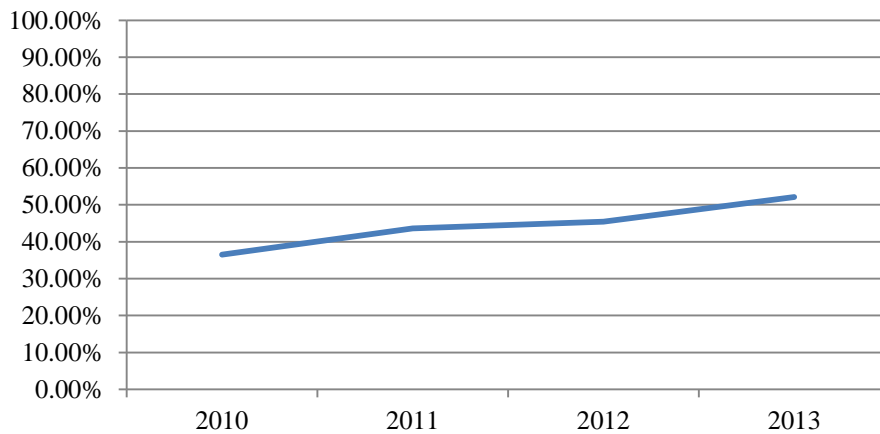


CST Mathematics (Performance Over Time)

The table and graph below show that OMI had an increase in the number of students scoring at or above grade level (proficient or advanced) on the Math CST from 36.5% to 52.1% (15.6% increase in four years).

OMI - Math	
Year	Proficient/Advanced
2010	36.50%
2011	43.60%
2012	45.40%
2013	52.10%

CST Math - % Proficient and Above



API Comparison Schools Data (Performance Over Time)

The chart below provides an overview of the API scores of OMI and district/charter schools over time, with the last column representing the average API score from 2010-2013. OMI's average API score is higher than that of all but one district school and two charter schools. It is important to note that these three schools are elementary (K-8 or K-5) or exclusively serve middle school students (6-8), as a 6th-12th direct comparison to OMI does not exist. OMI had an increase of 42 points (API) from the beginning to the end of the charter term.

School	Grades	2010	2011	2012	2013	Average
Skyline High	9-12	0	665	650	638	524
Frick Middle	6-8	637	656	645	621	631.2
Melrose Leadership Academy	K-8	680	719	707	667	686.2
Westlake Middle	6-8	694	711	694	647	686.5
Claremont Middle	6-8	704	720	679	714	704
Oakland Military Institute, College Prep	6-12	728	761	743	770	742
Lighthouse Community Charter	K-8	772	798	805	796	786.8
Edna Brewer Middle	6-8	824	812	811	773	808.4
KIPP Bridge Charter	5-8	864	911	901	905	874

The tables below further break down CST performance over time by subject (ELA and Math) in relation to comparison schools' rates of achieving at or above grade level (proficient or advanced).

CST ELA Percent Proficient or Advanced

School	Grades	2010	2011	2012	2013	Average
Frick Middle	6-8	21.7	26.9	28.4	24.4	25.35
Melrose Leadership Academy	K-8	28	33.1	35.6	30.2	31.725
Westlake Middle	6-8	34.2	38.3	44.1	32.8	37.35
Claremont Middle	6-8	40.4	45.7	43	46.1	43.8
Skyline High	9-12	40.8	43.8	44.8	51	45.1
Oakland Military Institute, College Prep	6-12	43.3	51.6	47.3	46.5	47.175
Lighthouse Community Charter	K-8	49.5	53.2	54.9	49.9	51.875
Edna Brewer Middle	6-8	62.3	60.3	60.9	57.7	60.3
KIPP Bridge Charter	5-8	68.4	75	73.2	70.7	71.825

CST Math Percent Proficient or Advanced

School	Grades	2010	2011	2012	2013	Average
Frick Middle	6-8	21.1	26.8	18.6	13.2	19.925
Westlake Middle	6-8	32.9	36.1	28.5	16.2	28.425
Claremont Middle	6-8	35.1	31.8	25.8	27.6	30.075
Melrose Leadership Academy	K-8	28	34.9	33.3	26.3	30.625
Skyline High	9-12	37.1	38.4	42.4	47.4	41.325
Oakland Military Institute, College Prep	6-12	36.5	43.6	45.4	52.1	44.4
Edna Brewer Middle	6-8	66	54.4	57.8	36.4	53.65
Lighthouse Community Charter	K-8	53.8	64.7	66	61.1	61.4
KIPP Bridge Charter	5-8	66.8	81.5	86.6	85.2	80.025

CAHSEE Comparison Schools Data (Performance Over Time)

OMI 10th grade CAHSEE ELA average passage rates (2010-2013) is higher than that of all comparison schools at 89.5%. The CAHSEE Math average passage rates (2010-2013) outperform all district schools.

CAHSEE ELA Grade 10 Passing Rate

School	Grades	2010	2011	2012	2013	Average
Skyline High	9-12	0.75	0.77	0.76	0.72	0.75
Oakland Technical High	9-12	0.74	0.79	0.81	0.82	0.79
Oakland Unity High	9-12	0.83	0.8	0.79	0.82	0.81
Oakland Military Institute	6-12	0.89	0.91	0.88	0.9	0.895

CAHSEE Math Grade 10 Passing Rate

School	Grades	2010	2011	2012	2013	Average
Skyline High	9-12	0.76	0.74	0.69	0.7	0.7225
Oakland Technical High	9-12	0.74	0.79	0.83	0.83	0.7975
Oakland Military Institute	9-12	0.84	0.84	0.81	0.88	0.8425
Oakland Unity High	9-12	0.92	0.89	0.8	0.89	0.875

Renewal Approval Summary

The quality of the school's educational program and operations has been evaluated, in part, through a two-day Site Inspection conducted on 10/29/13 and 10/30/13 by the Office of Charter Schools Staff. See Attachment I for the school's comprehensive ratings on the Charter School Renewal Quality Standards Criteria.

Strengths:

- Outperforms (API) all district schools within walking distance
- High level of parent satisfaction (Parent Survey: 98% satisfied with quality of education)
- Large amount of unique resources for students related to the military, athletics, and leadership components of the program
- Highly structured and safe school environment

Challenges:

- Creation of an "honors" track in 6th grade (self-contained classrooms) resulted in all SPED students and African American boys disproportionately concentrated in the "non-honors" class
- Demerit system feedback from students/families varied from, it not being strict enough and a desire for students to be removed from the school, to students/families that said it was often unclear as to what precipitated the issuance of a demerit
- Demerits can be issued for something such as not wearing a uniform and can result in suspension or expulsion; considering the minor infraction of not wearing a uniform that can easily be remedied through a loaner system, this is deemed unreasonable grounds for expulsion and should be revised to fulfill the tenet of charter schools educating all children
- Inconsistent implementation of "entrance into the classroom" protocols during core classes taught by non-military staff

Renewal Standard I:

Based on an analysis of Oakland Military Institute's performance outcomes, an evaluation of its educational program over the past four years, and improvement plans contained in the "Performance Report" (Appendix I of petition) 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 Oakland Military Institute has been evaluated, in part, through a two-day Site Inspection conducted on 10/29/13 and 10/30/13 by the Office of Charter Schools Staff. See Attachment I for the school's comprehensive ratings on the Charter School Renewal Quality Standards Criteria.

Strengths:

- Structures and chain of command are in place that create a clear line of support(s) for the school as it relates to:
 - Governance
 - Fiscal Management/Budgeting
 - Human Resources/Staffing
 - Annual Survey of Parents

Challenges:

- None

IS THE SCHOOL AN EFFECTIVE, VIABLE ORGANIZATION

An evaluation by staff of Oakland Military Institute Fiscal Accountability and Governance over its 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
- In good standing with parents and within the community

Renewal Standard II:

Based on this analysis, Oakland Military Institute 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 **Oakland Military Institute** 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, **Oakland Military Institute** 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?

SIXTEEN ELEMENTS TABLE

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

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

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</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(M)

	<i>4</i>			
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)

Renewal Standard IV:

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

Please note required text revision related to MPOs needing to set goals for OMI performance relative to past performance, as opposed to in relation to OUSD performance.

Renewal Charter Term

Below is a summary of the plans presented in the new petition and performance report for Oakland Military Institute .

New Program Elements

“The demanding ACADEMIC program consists of language arts, math, science and history, as well as world languages, fine arts, leadership, and physical fitness training. OMI seeks and supports students who have ambition and are ready to take responsibility for their own learning. OMI also offers honors, advanced placement, and college level courses. We also understand that some of our cadets enter OMI performing below grade level, and we require these students to accelerate learning through before school, after school, Saturday and summer academic support programs. Through hard work, determination, and a positive attitude, all students are expected to do whatever it takes to meet OMI’s rigorous academic standards and achieve proficiency on the Common Core State Standards. We partner with parents to communicate about student progress and help all students succeed to the best of their abilities. Parents have a set of duties to fulfill their role as the primary educators of their children.”

Plans for Improvement

The school identified the following areas of growth and plans for improvement in the performance report:

- 1) Professional Development Improvement Plans
 - “Classroom management, use of the planner, lesson planning, effective use of the web sites for individual teachers, and using technology in a meaningful way. Most importantly, we need to identify more ways to bridge the achievement gaps and support all learners to achieve the new CCSS that are upon us.”
- 2) Significant Aids/Barriers Improvement Plans
 - “OMI needs to look at ways to increase effective intervention for low performing students.
 - Incorporating technology, especially with the advent of Common Core and the Smarter Balanced Assessment Consortium is an ongoing challenge.
 - Integrating the military framework into the entire school community
 - Helping students with goal setting and executive function skills
 - The bigger enrollment has helped with the financial bottom line, but created other challenges in terms of class size
 - The fact that OMI is non-residential means students are not fully immersed in the OMI Experience 24/7 which means they come back each morning and don’t necessarily have the OMI culture reinforced at home and in the community
 - Enhanced parental involvement in all four pillars remains a goal
 - Identifying ways to better motivate reticent learners
 - We need to better meet the needs of Special Ed, English Learners, African American students, and honors students
 - Retention of quality students remains a goal”

Revised Measurable Pupil Outcomes (MPOs)

The revised MPOs are in alignment with state priorities (LCFF) and the introduction of the new statewide standardized testing measurements (SBAC). Some MPOs need to be revised to set performance standards in relation to OMI performance year to year, as opposed to comparison to other schools.

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 Military Institute**, **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 Military Institute** for a term of five years, as required by law (Education Code 47605 d(1)). The charter renewal term would begin on July 1, 2014 and expire on June 30, 2019. The District will not accept a charter renewal request more than 270 days prior to the expiration of the charter.

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

This report recommends that the Board of Education approve the **Oakland Military Institute** 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	Demonstrates high expectations for student achievement	3	See comments below
1.2	Provides a challenging and coherent curriculum for each individual student	3	<ul style="list-style-type: none"> • Need to focus on equitably serving SPED and African American students; review implications of “honors” tracking • Minimal evidence of transition to Common Core in classroom observations; basic mention of Common Core in petition, but no comprehensive plans for transition described • Summer PD regarding Common Core for whole staff
1.3	Implements and directs learning experiences (consistent with the school’s purpose and charter) that actively engage students	4	<ul style="list-style-type: none"> • Provides leadership and other performance opportunities to the entire student body; students engaged in the activities (academic and military) observed
1.4	Allocates appropriate resources in the way of instructional materials, staffing and facilities to promote high levels of student achievement	4	<ul style="list-style-type: none"> • High adult to student ratio with the inclusion of military staff/support
1.5	Promotes academic risk taking by supporting students in a safe, healthy and nurturing environment characterized by trust, caring and professionalism	3	<ul style="list-style-type: none"> • Academic rigor varied from class to class
1.6	Productively engages parental and community involvement as a part of the school’s student support system	3	<ul style="list-style-type: none"> • Parents state there is 20-25 required “service hours” to the school which can

	<i>The criteria for making judgments on the quality of Improving Student Achievement</i>	<i>Score</i>	<i>Comments</i>
			<p>include spending ten dollars for one hour of service</p> <ul style="list-style-type: none"> • Parents expressed opportunities for involvement in SAC/WASC convenings, but they also expressed that: <ol style="list-style-type: none"> 1) “I do not feel we have a voice in making a difference- things are done traditionally- it is hard to deviate from that.” and 2) “There is no feedback and you never know what has been implemented.”
1.7	Shares its vision among the school community and demonstrates its mission in daily action and practice	4	<ul style="list-style-type: none"> • Value of military order/structure and attainment of leadership roles/positions is evident; students are highly engaged and feel accomplished in the pursuit of performance benchmarks present in the military/leadership programming
1.8	Involves staff, students, parents and other stakeholders in its accountability for student learning and in the school’s program evaluation process	3	<ul style="list-style-type: none"> • Student planner serves as a point of communication between school and home • Parents are satisfied with academic rigor • Parents did not express they had input in impacting school programming and could not provide examples of where their feedback did so

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	4	<ul style="list-style-type: none"> • Teachers can have national board certification paid for by school • Outsourced whole staff PD/takes place four times per year • Individual PD opportunities through conference attendance • Weekly meetings are predominantly business meetings as opposed to the more robust once per quarter whole staff PD
2.4	Actively monitors and evaluates the success of the school’s program	3	<ul style="list-style-type: none"> • Quarterly benchmarks are administered and teachers submit reports to school leaders • Teachers create their own assessments using oars- there are no common assessment across grade levels/subjects, which is not as conducive to collaboration • Some teachers do collaborate with their grade level team around best practices related to using data • Pacing guide exists in Math, but not in ELA
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	

	<i>The criteria for judging the quality of Strong Leadership</i>	<i>Score</i>	<i>Comments</i>
2.6	Treats all individuals with fairness, dignity and respect	3	<ul style="list-style-type: none"> • Expulsion for demerits which could have been earned via not having a uniform is extreme punishment for a minor infraction • Students expressed not having the resources to sew on uniform patches which then meant they were given a demerit or did not come to school that day • School needs to create supports through a uniform loaner system and a patch sewing resource so that students do not miss out on instructional time due to a uniform being out of compliance
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	5	
2.8	Makes management decisions and uses his/her influence and authority for the primary purpose of achieving student success	4	
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"> • Focus on impact of “tracking” and serving ELs effectively
2.10	Engages community involvement in the school	3	<ul style="list-style-type: none"> • Increase opportunities to authentic parent input/impact

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	

	<i>The criteria for judging the quality of the Continuous Focus on Improvement</i>	<i>Score</i>	<i>Comments</i>
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	3	<ul style="list-style-type: none"> • No internal assessments tracking EL performance related to ELD standards • No common assessments and need for ELA pacing guide
3.3	Establishes both long and short term goals and plans for accomplishing the school's mission as stated in its charter	3	<ul style="list-style-type: none"> • Transition in leadership will result in a need for recommitment or revision of goals
3.4	Uses student assessment results to improve curriculum and instruction	3	<ul style="list-style-type: none"> • Individual cycles of inquiries (data reports) are required of teachers, but no evidence of common assessments by which to support collaborative cycles of inquiry
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	5	
4.2	Monitor the trends, issues and potential changes in the environment in which charter schools operate	5	<ul style="list-style-type: none"> • Effective Board and management team
4.3	Seek input from impacted stakeholders	4	<ul style="list-style-type: none"> • Advisory School Council and parent surveys; need for more parent influence in decision making
4.4	Enact policies that respect diversity and implements practices that are inclusive of all types of learners consistent with the school charter	3	<ul style="list-style-type: none"> • Needs to increase focus on needs of African American and EL student populations
4.5	Actively engage the school’s authorizer in monitoring the school’s educational program and its fiscal status	5	
4.6	Establishes and maintains a safe environment for students, staff, and community stakeholders	5	<ul style="list-style-type: none"> • Safe and secure school campus
4.7	Consistently engages in timely reporting or required information to the District, the County, and the State	5	
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	3	<ul style="list-style-type: none"> • Feedback loop as to how parent input impacts decisions/changes to programming is needed
4.9	Maintains effective and active control of the charter school	5	<ul style="list-style-type: none"> • Board is attuned to finance and performance of school
4.10	Abstains from any decision involving a potential or actual conflicts of interest	5	<ul style="list-style-type: none"> • Clear policy; no evidence of conflicts
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	

	<i>The criteria for judging Responsible Governance</i>	<i>Score</i>	<i>Comments</i>
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	3	<ul style="list-style-type: none"> • Lack of staff wide cycles of inquiry; done individually
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"> • Parent service hour requirement should be flexible as to not exclude students/families who may not have the leisure time to dedicate to school service

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	5	
5.2	Conducts an annual financial audit which is made public	5	
5.3	Establishes clear fiscal policies to ensure that public funds are used appropriately and wisely	5	
5.4	Ensures financial resources are directly related to the school’s purpose: student achievement of learning goals	5	
5.5	Managing cash flow	5	

	<i>The criteria for making judgments on Fiscal Responsibility</i>	<i>Score</i>	<i>Comments</i>
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.	5	

Oakland Unified School District
Office of Charter Schools
CHARTER TEXT REVISIONS –
OAKLAND MILITARY INSTITUTE

APPENDIX I - REQUIRED CHARTER TEXT REVISIONS: The approved charter is amended from the filed petition to incorporate the revisions below. The charter school must submit to the District’s Office of Charter Schools a revised charter to include all revisions outlined below in one hard copy and one electronic copy in *WORD* format on a CD or via email of no later than **5:00 PM ON MARCH 31, 2014. Please see the Required Text Revisions one-page document for full instructions.**

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

		<p>aligned with state priorities, as described in subdivision (d) of Section 52060, are as follows:”</p> <p>[Charter School to insert pupil outcomes in compliance with Education Code section 47607(b)(5)(B)].</p>
<u>Measurable Pupil Outcome</u>	Page ()	<p>“By July 1, 2015, and annually thereafter: <u>“OAKLAND MILITARY INSTITUTE shall update the goals and actions identified in the charter to provide the following, as set forth in Education Code section 47605.5(a):</u></p> <ul style="list-style-type: none"> • A review of the progress towards the goals included in the charter, an assessment of the effectiveness of specific actions toward achieving those goals, and a description of the changes to the specific actions the charter school will make as a result of the review and assessment. • Listing and description of the expenditures for the fiscal year in implementing the specific actions included in the charter as a result of the reviews and assessments, classified using the California School Accounting Manual.”
<u>Measurable Pupil Outcome</u>	Page ()	<p>By September 1, 2015, OAKLAND MILITARY INSTITUTE shall also provide updated Measurable Pupil Outcomes that align with goals and actions established pursuant to the Local Control Accountability Plan requirements, based on the template provided by the State Board of Education.</p>

<u>Measurable Pupil Outcome</u>	Page ()	<p><i>“Under Education Code section 47607.3, if the charter school fails to improve outcomes for 3 or more pupil subgroups (or, if less than 3, all pupil subgroups) in 3 or 4 consecutive school years, the following shall apply:</i></p> <ul style="list-style-type: none"> • <i>The chartering authority shall provide technical assistance to the charter school using an evaluation rubric adopted by the State Board.</i> • <i>The Superintendent may assign, at the request of the chartering authority and approval of the State Board, the California Collaborative for Educational Excellence to provide advice and assistance to the charter schools.</i> • <i>The chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance, and has made findings that: 1) the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence; or 2) that the inadequate performance of the charter school, based upon the evaluation rubric, is so persistent or so acute so as to require revocation of the charter.”</i>
<u>Measurable Pupil Outcome</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>All MPO goals need to set performance goals/thresholds that reference OMI performance year to year only; not the performance of other schools.”</i></p>
<u>Local Control Accountability Plan</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“OAKLAND MILITARY INSTITUTE will comply with all requirements pursuant to California Education Code §57605(b)(5)(A)(ii) including developing annual goals, for all pupils (i.e. schoolwide) and for each subgroup of pupils as identified in California Education Code §52052, for each of the applicable eight (8) state priorities identified in California Education Code §52060(d). Beginning in fiscal year 2014-15, OAKLAND MILITARY INSTITUTE will comply with all elements of the Local Control Accountability Plan pursuant to regulations and templates adopted by the State Board of Education and reserves the right to establish additional, school-specific goals and corresponding assessments throughout the duration of the charter.”</i></p>
<u>Governance</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“OAKLAND MILITARY INSTITUTE 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</i></p>

		<i>charter school has been given written notice of the policy change.”</i>
<u>Student Admissions Policies and Procedures</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“OAKLAND MILITARY INSTITUTE will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).</i></p> <p><i>As part of the Fall Information Update, OAKLAND MILITARY INSTITUTE will notify the District in writing of the application deadline and proposed lottery date. OAKLAND MILITARY INSTITUTE 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 ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at OAKLAND MILITARY INSTITUTE and of the District. OAKLAND MILITARY INSTITUTE further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that OAKLAND MILITARY INSTITUTE does not have that OAKLAND MILITARY INSTITUTE needs in order to meet its obligations, the District shall provide the same to OAKLAND MILITARY INSTITUTE in a reasonably timely manner upon request.”</i></p>
<u>Reporting and Accountability</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“If OAKLAND MILITARY INSTITUTE does not test (i.e.,</i></p>

		<p><i>STAR) with the District, OAKLAND MILITARY INSTITUTE hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as the charter school.</i></p> <p><i>Test results for the prior year, if not provided directly to the District by the State, will be provided by the charter school to the District no later than September 1 of each year.”</i></p>
<u>External Reporting</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“OAKLAND MILITARY INSTITUTE will maintain sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from District and other authorized reporting agencies.”</i></p>
<u>Governance Structure of the School</u>	Pages ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“OAKLAND MILITARY INSTITUTE , 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. OAKLAND MILITARY INSTITUTE acknowledges that it is subject to audit by OUSD if OUSD seeks an audit of OAKLAND MILITARY INSTITUTE , it shall assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by OAKLAND MILITARY INSTITUTE by law or charter provisions.”</i></p>
<u>Governance Structure</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“Members of OAKLAND MILITARY INSTITUTE ’s Governing Board, any administrators, managers or employees, and any other committees of the School shall at all times comply with federal and state laws, nonprofit integrity standards and OUSD’s Charter School policies and regulations regarding ethics and conflicts of interest so long as such policies and regulations are not in conflict with any then-existing applicable statutes or regulations applicable to charter schools.</i></p> <p><i>OAKLAND MILITARY INSTITUTE and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school.”</i></p>
<u>Addressing Parent Complaints</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p>

		<p><i>OAKLAND MILITARY INSTITUTE will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE 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 MILITARY INSTITUTE alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE 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 MILITARY INSTITUTE will implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to discriminate in such a manner."</i></p>
<u>Health and Safety Procedures</u>	Page()	<u>Add the following text and remove any text to the contrary:</u>

		<p><i>“OAKLAND MILITARY INSTITUTE shall occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.”</i></p>
<p><u>Dispute Resolutions Procedures</u></p>	<p>Page ()</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The staff and Governing Board members of OAKLAND MILITARY INSTITUTE agree to attempt to resolve all disputes between the District and OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE , 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. If the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47607(c), the matter will be addressed at the District's discretion in accordance with that provision of law and any regulations pertaining thereto. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. All written notices shall be addressed as follows:</i></p> <p><i>To Charter School, c/o School Director: OAKLAND MILITARY INSTITUTE</i></p> <p><i>To Coordinator, Office of Charter Schools: Educational Center at Tilden</i></p>

4551 Steele Street, Room 10
Oakland, California 94619

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

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

(4) If the mediation is not successful, the parties agree that each party has exhausted its administrative remedies and shall have any such recourse available by law

Suspension and Expulsion

Pages ()

Add the following text and remove any text to the contrary:

“OAKLAND MILITARY INSTITUTE shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves OAKLAND MILITARY INSTITUTE without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil’s last known address. OAKLAND MILITARY INSTITUTE shall, upon request, provide that school district

		<p><i>with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information, pursuant to Education Code Section 47605(d)(3).”</i></p> <p><i>“OAKLAND MILITARY INSTITUTE shall define any student dismissal under the Charter School’s disciplinary procedure, or termination of a student’s right to attend the Charter School under its disciplinary procedure, as an “expulsion” under the Education Code.”</i></p>
<p><u>Suspension and Expulsion: Due Process for Students with Disabilities</u></p>	<p>Pages ()</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“In the case of a special education student, or a student who receives 504 accommodations, OAKLAND MILITARY INSTITUTE will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child’s disability; or 2) if the conduct in question was the direct result of the LEA’s failure to implement the 504 plan or IEP. If it is determined that the student’s misconduct was not caused by or had direct and substantial relationship to the child’s disability or the conduct in question was not a direct result of the LEA’s failure to implement the 504 plan or IEP, the student may be expelled.”</i></p>
<p><u>Independent Fiscal Audits</u></p>	<p>Page ()</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“To the extent that OAKLAND MILITARY INSTITUTE is a recipient of federal funds, including federal Title I, Part A funds, OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE 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"> • <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> • <i>Develop jointly with, and distribute to, parents of participating children, a school-parent compact.</i> • <i>Hold an annual Title I meeting for parents of participating Title I students.</i> • <i>Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.</i> <p><i>OAKLAND MILITARY INSTITUTE also understands that as part of its oversight of the school, the Office of Charter Schools may conduct program review of federal and state compliance issues.”</i></p>
<u>Facilities</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“If OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE moves or expands to another facility during the term of this charter, OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE 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 ()	<p><u>Add the following text and remove any text to the contrary:</u></p>

		<p><i>“The District may charge for the actual costs of supervisory oversight of OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time.”</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“OAKLAND MILITARY INSTITUTE must submit its renewal petition to the Office of Charter Schools no earlier than 270 days before the charter is due to expire unless otherwise agreed by the Office of Charter Schools...”</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The District may revoke the charter of OAKLAND MILITARY INSTITUTE in accordance with Education Code Section 47607.any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.</i></p>
<u>Impact on Charter Authorizer</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p>In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter;</p> <ul style="list-style-type: none"> ○ September 1 – Final Unaudited Financial Report for Prior Year ○ December 1 – Final Audited Financial Report for Prior Year ○ December 1 – First Interim Financial Report for Current Year ○ March 1 – Second Interim Financial Report for Current Year ○ June 15 – Preliminary Budget for Subsequent Year
<u>Impact on Charter Authorizer</u>	Page ()	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“OAKLAND MILITARY INSTITUTE agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:</i></p>

		<ul style="list-style-type: none"> • <i>OAKLAND MILITARY INSTITUTE is subject to District oversight.</i> • <i>The District's statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of OAKLAND MILITARY INSTITUTE .</i> • <i>The District is authorized to revoke this charter for, among other reasons, the failure of OAKLAND MILITARY INSTITUTE to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section 47607.</i> <p><i>Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit OAKLAND MILITARY INSTITUTE books, records, data, processes and procedures through the Office of Charter Schools or other means. The audit may include, but is not limited to, the following areas:</i></p> <ul style="list-style-type: none"> • <i>Compliance with terms and conditions prescribed in the charter,</i> • <i>Internal controls, both financial and operational in nature,</i> • <i>The accuracy, recording and/or reporting of school financial information,</i> • <i>The school's debt structure,</i> • <i>Governance policies, procedures and history,</i> • <i>The recording and reporting of attendance data,</i> • <i>The school's enrollment process, suspension and expulsion procedures, and parent involvement practices,</i> • <i>Compliance with safety plans and procedures, and</i> • <i>Compliance with applicable grant requirements.</i> <p><i>OAKLAND MILITARY INSTITUTE 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 MILITARY INSTITUTE . 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 MILITARY INSTITUTE operations is received by the District, the OAKLAND MILITARY INSTITUTE shall</i></p>
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		<p><i>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 MILITARY INSTITUTE by law or charter provisions.”</i></p>
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