



OAKLAND UNIFIED SCHOOL DISTRICT

Office of the Superintendent

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TO: Board of Education

FROM: Anthony Smith, Ph.D., Superintendent
Gail Greely, Coordinator, Office of Charter Schools

DATE: August 10, 2011

RE: Rocketship Oakland Charter School
Charter Petition Request

WALTS

Legislative File

File ID No.: 11-1364

Introduction Date: 5/25/11

Enactment No.: 11-1362

Enactment Date: 8-10-11

By: *SG*

ACTION REQUESTED

Approve the **denial** of the petition and charter to establish Rocketship Oakland Charter School. The petition presents an unsound educational program; the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition; and the petition does not contain reasonably comprehensive descriptions of all of the elements required by the Charter Schools Act.

SUMMARY

Staff recommends that the OUSD Board of Education approve the denial of the petition for Rocketship Oakland Charter School proposed to begin operation in fall 2013, serving students in grades K through 5. Staff recommends denial based on factual findings specific to this petition and set forth in the attached staff report and petition evaluation.

Rocketship Education, a charter management organization, currently operates three (3) charter schools in Santa Clara County, with additional schools authorized for future opening. Of the three, two have been open long enough to have state accountability program results. APIs for 2009-2010 for Rocketship Mateo Sheedy and Rocketship Si Se Puedo are 925 and 886, respectively. Demographic data on the existing Rocketship Education schools shows they serve a student population that is over 85% Latino and over 80% Spanish-speaking English Language Learners. The charter petition proposes to replicate the exististing Rocketship program in West Oakland.

PROCEDURAL BACKGROUND

- 1) Representatives of the lead petitioner submitted a petition for the Rocketship Oakland Charter School on May 25, 2011 at a regularly scheduled Board of Education meeting.
- 2) Staff held an introductory meeting with members of the petitioning group, Preston Smith and Evan Kohn, June 1, 2011 to explain the petition review process and obtain petitioning group contact information.
- 3) A public hearing was held on June 22, 2011. Representatives from the petitioning group presented.
- 4) On June 17, 2011, staff made a visit to one of Rocketship Education's operating schools in San Jose, Si Se Puede Elementary.
- 5) Staff conducted two separate interviews on June 23, 2011 with members of the petitioning group (staff of the Rocketship Education charter management organization) and of the Board of Directors.

STATUTORY BACKGROUND

Pursuant to Education Code §47605:

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

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

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

DISCUSSION

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

Following the petition review process, staff conducted two Petitioner Interviews in an attempt to clarify various aspects of the petition, as well as to evaluate the capacity of the petitioners to successfully implement the program as set forth in the petition. In addition, staff (including one participant from OUSD's Student Assignment Office) visited the Rocketship Education site, Si Se Puede Elementary, to observe the program in operation and gain a better understanding of the program Rocketship Education proposes to replicate in West Oakland.

Rocketship Oakland proposes to open in fall 2013 as a direct-funded charter school, operating in Region 1. The school plans to serve 416 students in grades K through 3 in its first year (2013-14), serving up to 555 K-5 students in its third year of operation.

The staff report and charter petition evaluation contained herein provide an overview of the extent to which the petition has or has not met the criteria set forth by the District, consistent with applicable law, as well as an articulation of the factual findings set forth here in support of the staff recommendation.

RECOMMENDATION

Staff recommends that the Oakland Unified School District's Board of Education **deny** the petition for Rocketship Oakland Charter School under the California Charter Schools Act. The factual findings illustrated in this report demonstrate that the petition satisfies the following conditions for denial of *Education Code § 47605*:

- (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 petition; and*
- (3) The petition does not contain reasonably comprehensive descriptions of the 16 required charter elements.*

**RESOLUTION OF THE GOVERNING BOARD
OF THE OAKLAND UNIFIED SCHOOL DISTRICT**

Resolution No. 1112-0013

**DENYING CHARTER PETITION OF ROCKETSHIP OAKLAND
AND WRITTEN FINDINGS OF SUPPORT THEREOF**

WHEREAS, by enacting the Charter Schools Act (Ed. Code §§ 47600, *et seq.*), the Legislature has declared its intent to provide opportunities to teachers, parents, pupils and community members to establish and maintain schools that operate independently from the existing school district structure for the purposes specified therein; and

WHEREAS, the Legislature has declared its intent that charter schools are and should become an integral part of the California educational system and the establishment of charter schools should be encouraged, and that charter schools are part of and under the jurisdiction of the Public School System and the exclusive control of the officers of the public schools; and

WHEREAS, although charter schools are exempt from many of the laws governing school districts, in return for that flexibility they are accountable for complying with the terms of their charters and applicable law; and

WHEREAS, Education Code Section 47605(b) charges school district governing boards with the responsibility of reviewing charter petitions to determine whether they meet the legal requirements for a successful charter petition; and

WHEREAS, a successful charter petition must contain reasonably comprehensive descriptions of the criteria set forth in education Code Section 47605(b)(5)(A)-(Q), as well as the affirmations and other requirements set forth in Education Code Section 47605; and

WHEREAS, Title 5, Section 11967.5 of the California Code of Regulations (“Regulations”) contains the State Board of Education’s adopted criteria for the required elements for a charter petition as set forth in Education Code Section 47605(b) and although these criteria for the State Board of Education’s use in reviewing charter petitions are not binding on school districts they may provide instructive guidelines for school districts’ review of charter petitions; and

WHEREAS, a governing board may deny a petition for a charter school if it makes written findings to support any of the following under Education Code Section 47605(b): (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 an affirmation of each of the conditions described in Education Code Section 47605, subdivision (d); and (4) the petition does not contain reasonably comprehensive descriptions of all of the criteria set forth in Education Code Section 47605(b)(5)(A)-(Q); and

WHEREAS, on or about May 25, 2011 the District received a petition for a charter for Rocketship Oakland Charter School (“Petition”), a public charter school serving grades K-6 with a proposed enrollment of 416 students in grades K-3 in its initial year of operation (2013-2014); and

WHEREAS, on or about June 22, 2011, the Board held a public hearing on the renewal petition as required by Education Code Section 47605(b); and

WHEREAS, the Board of Education, under Education Code Section 47605(b), is obligated to take action to grant or deny the renewal petition within 60 days of submission, unless Petitioner agrees to an extension of up to 30 days;

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED by the Governing Board of the Oakland Unified School District that the charter petition be DENIED because as provided in Education Code Section 47605(b)(1) and (2), Rocketship Oakland Charter School presents an unsound educational program for the pupils enrolled in the charter school, is demonstrably unlikely to successfully implement the program set forth in the petition, and does not contain reasonably comprehensive descriptions of all of the criteria set forth in Education Code Section 47605(b)(5)(A)-(Q). The specific findings supporting the decision are enumerated in the Charter Petition Evaluation prepared by the District staff, with some key findings summarized below:

1. The petition fails to demonstrate an understanding of the needs of the target population of elementary students in West Oakland, providing insufficient evidence that the program will serve the needs of that population.
2. The petition provides no description of how the program aligns with the needs of the primarily African-American community of West Oakland. No research related to African-American achievement is cited.
3. Petition fails to discuss issues of poverty, homelessness, crime and family dislocation that are likely to be factors in serving students in West Oakland.
4. The program design is described as particularly suitable for English learners, who are not the majority of the students identified as the target population.
5. The community partnerships necessary to support the myriad needs of West Oakland students are not in place.
6. The petition fails to include a sufficiently specific statement of targets for proposed measurable pupil outcomes.
7. The petition proposes a governance structure with a separate non-profit and governing board for the school, distinct from the Rocketship Education charter management organization (“CMO”) that submitted the petition. The structure is undeveloped and untested, and the relationship between the school’s governance and the CMO is undefined.
8. Board members for the Rocketship Oakland governing board have not been selected, so the experience of the members cannot be evaluated.

9. The petition lacks information regarding location of facilities and fails to acknowledge potential issues that will arise as petitioners seek to develop a specific site in the targeted community.
10. The petition lacks reasonably comprehensive descriptions in key areas, including the target population, measurable pupil outcomes, governance and facilities. These sections require further elaboration, clarity, specificity, and detail in order to be considered reasonably comprehensive and in order to support a proposal that is educationally sound and likely to be implemented successfully.

THE BOARD HEREBY FINDS that Rocketship Oakland Charter School has not met the requirements of Education Code Section 47605(b) in that:

1. The Petition presents an unsound educational program for the pupils to be enrolled in the Charter School; and
2. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition; and
3. The Petition does not contain reasonably comprehensive descriptions of all of the criteria set forth in Education Code Section 47605(b)(5)(A)-(Q).

The Board is therefore compelled to deny the Petition under the provisions of the Charter Schools Act. The Petition is hereby denied.

PASSED AND ADOPTED on August 10, 2011, by the Governing Board of the Oakland Unified School District by the following vote:

AYES: David Kakishiba, Christopher Dobbins, Noel Gallo,
Alice Spearman, Vice President Jody London, President Gary Yee

NOES: None

ABSTENTIONS: None

ABSENCES: Jumoke Hodge

I declare under penalty of perjury that the foregoing resolution was duly passed and adopted on the date and by the vote stated.

Legislative File

File ID Number: 11-1364
Introduction: 5-25-11
Enactment Number: 11-1362
Enactment Date: 8-10-11


 Edgar Rakestraw, Jr.
 Secretary of the Governing Board
 Oakland Unified School District



Legislative File File ID No.: <u>11-1364</u>

Oakland Unified School District Charter Petition Evaluation

School Name: Rocketship Oakland Charter School
Proposed Opening: Fall 2013
Lead Petitioner/s: Preston Smith
Proposed Governing Board: Fred J. Ferrer, Eric Resnick, Alex Terman, Sehba Ali, Steve Farr, Jonathan Chadwick, Shawn Carolan, Alex Hernandez, Kim Smith, Marcus Cole, Reed Hastings, Don Shalvey

Submission Date: May 25, 2011
Public Hearing Date: June 22, 2011
Governing Board Interview Date: June 23, 2011
Petitioner Interview Date: June 23, 2011
Committee Presentation Date: August 1, 2011
Decision Date: August 10, 2011

Recommendation:

Approve the **denial** of the petition and charter to establish Rocketship Oakland Charter School. The petition presents an unsound educational program; the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition; and the petition does not contain reasonably comprehensive descriptions of all of the elements required by the California Charter Schools Act.

Proposed location of school	West Oakland (no specific location/s identified)
Composition of petitioner group	Petitioning group consists of management of Rocketship Education, a charter management organization. Parents of existing Rocketship Education schools have also been involved in identification of parents interested in enrolling their children in Rocketship Oakland.
Grade levels to be served in year 1	K-3
Anticipated enrollment in year 1	416

Grade levels to be served at full-capacity	K-5 (petition seeks an option to expand to grade 6, but provides no description of a grade 6 program)
Anticipated enrollment at full capacity	555 for K-5; 635 for K-6
Target student population	<i>“Rocketship Oakland is designed to serve students who are or may be at risk of achieving below basic proficiency on state exams. Rocketship Oakland will attract children of parents who are seeking an alternative to their current educational system, who desire an innovative educational approach, and who share the vision of Rocketship Oakland. Rocketship Oakland anticipates that it will enroll primarily students from schools which are undergoing program improvement (“PI”) in conjunction with the Federal No Child Left Behind regulations.”</i>

Brief description of the kind of school to be chartered.

"The Rocketship Education model is fundamentally different from other elementary schools in five important ways:

- 1. An extended school day,*
- 2. High expectations,*
- 3. Teacher teaming,*
- 4. Deep community involvement, and*
- 5. Individualization for each student." (pg.10)*

Brief explanation of the mission and vision of proposed charter school.

"Rocketship Education will eliminate the achievement gap by graduating our students at or above grade level in Literacy and Math." (p. 19)

"Rocketship Oakland seeks to create a future in which thousands of children from West Oakland have graduate from four-year colleges and have come back to West Oakland to eradicate the last traces of the achievement gap." (p. 19)

Planning to work with a charter management organization (CMO)

Yes No If Yes, Name of CMO: Rocketship Education

Signature Verification:

EC 47605(a)(3) A petition shall include a **prominent statement that a signature on the petition means that the parent or guardian is meaningfully interested in having his or her child, or ward, attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.**

	Y	N	PG #
<input type="checkbox"/> Parents / Guardians <ul style="list-style-type: none"> <input type="radio"/> # aligned with proposed opening enrollment <input type="radio"/> Prominent statement 	X		Appendix AL
	X		Appendix AL
<input type="checkbox"/> Teachers <ul style="list-style-type: none"> <input type="radio"/> # aligned with proposed opening enrollment <input type="radio"/> Prominent statement 			N/A
			N/A

Oakland Unified School District

Charter Petition Evaluation

Criteria Reference

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

STATEMENT OF ASSURANCES

ASSURANCES	Y	N	PG #
1. Will not charge tuition, fees, or other mandatory payments for attendance at the charter school or for participation in programs that are required for students.	X		Pg. 7
2. Will enroll any eligible student who submits a timely and complete application, unless the school receives a greater number of applications than there are spaces for students, in which case a lottery will take place in accordance with California charter laws and regulations.	X		Pg. 7
3. Will be non-secular in its curriculum, programs, admissions, policies, governance, employment practices, and all other operations.	X		Pg. 7
4. Will be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic achievement.	X		Pg. 7
5. Will not base admission on the student's or parent's/guardian's place of residence, except that a conversion school shall give admission preference to students who reside within the former attendance area of the public school.	X		Pg. 7
6. Will offer at least the minimum amount of instructional time at each grade level as required by law.	X		Pg. 8
7. Will provide to the Office of Charter Schools information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be used by the school, including where the school intends to locate, the manner in which administrative services will be provided, and potential civil liability effects, if any, upon the school and authorizing board.	X		Pgs. 95-96
8. Will adhere to all applicable provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act; section 504 of the Rehabilitation Act of 1974; and Title II of the Americans with Disabilities Act of 1990.	X		Pg. 8
9. Will adhere to all applicable provisions of federal law relating to students who are English language learners, including Title VI	X		Pg.

of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; MGL c. 76, § 5; and MGL c. 89, 71 § (f) and (l).		49
11. Will submit an annual report and annual independent audits to the OUSD Office of Charter Schools by all required deadlines.	X	Pg. 97
12. Will submit required enrollment data each March to the OUSD Office of Charter Schools by the required deadline.	X	Pg. 95
13. Will operate in compliance with generally accepted government accounting principles.	X	Pg. 97
14. Will maintain separate accountings of all funds received and disbursed by the school.	X	Pg. 97
15. Will participate in the California State Teachers' Retirement System as applicable.	X	Pg. 87
16. Will obtain and keep current all necessary permits, licenses, and certifications related to fire, health and safety within the building(s) and on school property.	X	Pg. 89
17. Will at all times maintain all necessary and appropriate insurance coverage.	X	Pgs. 5, 95
18. Will submit to the OUSD Office of Charter Schools the names, mailing addresses, and employment and educational histories of proposed new members of the Governing Board prior to their service.	X	
19. Will, in the event the Governing Board intends to procure substantially all educational services for the charter school through a contract with another person or entity, provide for approval of such contract by the Board of Education in advance of the beginning of the contract period.	X	Pg. 77
20. Will provide financial statements that include a proposed first-year operational budget with start-up costs and anticipated revenues and expenditures necessary to operate the school, including special education; and cash-flow and financial projections for the first three years of operation.	X	Pg. 95
21. Will provide to the Office of Charter Schools a school code of conduct, Governing Board bylaws, an enrollment policy, and an approved certificate of building occupancy for each facility in use by the school, according to the schedule set by the Office of Charter Schools but in any event prior to the opening of the school.	X	

EVALUATION:

The Rocketship Oakland charter petition contains all legally mandated assurances.

I. EDUCATIONAL PROGRAM

Statutory References:

E.C. § 47605(b) (1)

E.C. § 47605(b) (5) (A)-(C)

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

Petition Pgs. 19-20

A. TARGET POPULATION

NOTE: Detail in this area is often lacking in charter petitions, but has been assessed by OUSD in its experience creating new schools to be a critical factor in the success of proposed educational programs.

A description of the Target Population excels if it has the following characteristics:

- Coherent description of the students the school expects to serve based on understanding of the district population and the location in which the school expects to operate;
- Demonstrated understanding of the educational needs of the target population; and
- Explanation of how the mission and vision align with the needs of the target population.

TARGET POPULATION

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

ANALYSIS: TARGET POPULATION

Strengths	Reference	Concerns & Additional Questions	Reference
		<ul style="list-style-type: none"> • Petition’s description of the target population it seeks to serve in West Oakland did not include information regarding social and economic conditions impacting student learning. • Petition lacked a clear, demonstrated understanding of the academic needs and challenges presented by the target population. No analysis of available student performance data was included, nor were the improvement plans and academic progress of identified underperforming schools discussed. • Enrollment projections for the proposed charter school are high (approximately 50%) relative to the total enrollment at the identified target schools. This undermines the petition’s assumption that Rocketship Oakland students will come from the target area and raises questions about the likely composition of the school’s student body. • The petition asks to “reserve the right” to add 6th grade, but provides no justification for serving a grade beyond the usual transition point in Oakland schools. In addition, no plan was provided for how the decision on 6th grade would be made and how the program addition 	<p>Pgs. 19-20</p> <p>Pg. 20</p> <p>Pg. 20</p> <p>Pg. 20, Interviews</p>

		<p>would be implemented.</p> <ul style="list-style-type: none"> • Current Rocketship schools in San Jose lose enrollment in 5th grade to neighboring KIPP 5-8 programs. Petitioners recognize that this may also be the case in West Oakland with KIPP Bridge, but this is not reflected in the enrollment projections. 	<p>Pg. 20, Site Visit, Interviews</p>
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B. PHILOSOPHY AND APPROACH TO INSTRUCTION

Petition Pgs. 21-26

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

1. **Rationale:** *Is the rationale compelling?*
 - o A compelling rationale with a clear foundation in research-based educational practices, teaching methods and/or high standards for student learning;
2. **Mission Alignment:** *Do the philosophy and approach align with the mission and vision?*
 - o Alignment with mission and vision; and
3. **Population Alignment:** *Does sound reasoning or evidence indicate that the target population is likely to benefit?*
 - o Persuasive explanation of why the philosophy and approach are appropriate for and likely to result in improved educational performance for the target population, including any available performance data from use of the same educational philosophy and approach to instruction with similar populations.

1. **Rationale:** *Is the rationale compelling?*

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

2. **Mission Alignment:** *Do the philosophy and approach align with the mission and vision?*

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

3. **Population Alignment:** *Does sound reasoning or evidence indicate that the target population is likely to benefit?*

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

ANALYSIS: EDUCATIONAL PHILOSOPHY AND APPROACH TO INSTRUCTION

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Rationale</p> <ul style="list-style-type: none"> Petition makes a strong argument for its program in describing how learning best occurs, citing best practices in supporting students and staff to close the achievement gap. <p>Mission Alignment</p> <ul style="list-style-type: none"> Vision and mission are aligned with the educational program design and rationale <p>Population Alignment</p> <ul style="list-style-type: none"> Petition emphasizes practices that are intended to close the achievement gap for students at PI schools. 	<p>Pgs. 22-25, Apps. D, L, M</p> <p>Pgs. 22-25</p> <p>Pgs. 22-25</p>	<p>Rationale</p> <ul style="list-style-type: none"> Some Rocketship practices lack a strong research base, including the program’s staffing structure (specialization by elementary teachers) and use of computer-based learning (Learning Lab). <p>Mission Alignment</p> <p>Population Alignment</p> <ul style="list-style-type: none"> Petition makes repeated references to the program’s appropriateness for English learners, who will not be the majority of students enrolled in the school per the petitioners’ analysis. The petition provides no description of how the program aligns with the needs of the primarily African-American community of West Oakland. No research related to African-American achievement is cited. Petition fails to discuss issues of poverty, homelessness, crime and family dislocation that are likely to be factors in serving students in West Oakland. Partnerships to provide community supports for students facing these challenges are 	<p>Pgs. 23, 24, App. Y</p> <p>Pgs. 20, 31, 33, 35, 38, App. C</p> <p>Interviews, App. AG</p>

	not identified in the petition and have not yet been developed.	
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C. CURRICULUM FRAMEWORK *X* Mark this box on behalf of the curriculum that has already been selected/developed:

The description of the curriculum should provide the reviewer with a sense not only of *what* the school will teach but also of *how* and *why*. It must present research, applicant experience and/or reasoning sufficient to convince the reviewer that the applicants have already made sound educational decisions.

Petition Pgs. 26-38

A description of the Curriculum Framework excels if it has the following characteristics:

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

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

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

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

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

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

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

ANALYSIS: CURRICULUM FRAMEWORK

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Alignment</p> <ul style="list-style-type: none"> The curriculum framework is aligned with state standards and with the school’s mission, vision and philosophy on how learning best occurs. It is supported by research and experience at other Rocketship schools. <p>Implementation</p> <ul style="list-style-type: none"> Petition includes extensive description of the use of individualized learning plans and Response to Intervention to support student achievement. Resources are identified, including support of on-site staff and CMO central office, professional development plans, and sufficient funding in the budget. Because the proposal is to replicate existing Rocketship schools, procedures and materials are already in place for adoption by Rocketship Oakland. In interviews, petitioners indicated that the time before opening in fall 2013 could be used to adapt the existing program to the target population. 	<p>Pgs. 32-39, App. M</p> <p>Pgs. 26-31, Apps. A-F, H, I, K, AF</p> <p>Pgs. 77, 84, 85, App. AJ</p> <p>Apps. A-F, H, I, K, Interviews</p>	<p>Alignment</p> <ul style="list-style-type: none"> Petition provides no information on alignment of the curriculum framework with the specific needs of the targeted student population of West Oakland. <p>Implementation</p>	

<p>Evaluation</p> <ul style="list-style-type: none"> • Petition contains a thorough description of its Response to Intervention program designed to respond when student performance falls short of goals. • Petition also describes an extensive, computerized system for data collection and analysis to use in supporting implementation of the program to meet identified outcomes. 	<p>Pgs. 26-31, Apps. D, E, H, I, AC, AK</p> <p>Pgs. 43-48, App. AK</p>	<p>Evaluation</p>	
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D. CURRICULUM FRAMEWORK X Mark this box on behalf of the curriculum that has yet to be developed (6th grade):

1. **Plan:** *Is there a sound curriculum development plan?*
 - o A thorough, persuasive plan for development including the research base to be considered and foundation materials;
2. **Schedule:** *Is there a well-defined, realistic schedule?*
 - o A realistic, time-specific development schedule and clear objectives to be met; and
3. **Responsibilities:** *Are the development responsibilities clear and manageable?*
 - o Identification of individuals responsible for development and evidence that they are well-qualified for the task.

1. **Plan:** *Is there a sound curriculum development plan?*

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

2. **Schedule:** *Is there a well-defined, realistic schedule?*

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

3. **Responsibilities:** *Are the development responsibilities clear and manageable?*

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

E. SPECIAL POPULATIONS: SPECIAL EDUCATION

Federal law requires charter schools, like all public schools, to provide a free appropriate education in the least restrictive environment to students identified with disabilities who are enrolled at the school. A plan for serving students with disabilities excels if it has the following characteristics:

- Demonstrated understanding of state and federal special education requirements including the fundamental obligation to provide a free, appropriate education to students identified with disabilities and obligations held under Section 504 of the ADA;
- A clear statement regarding what petitioners expect will be the school’s anticipated LEA status for purposes of special education and the implications of that status determination ;
- A sound plan -- including lead contact, funding, service and intervention arrangements -- for identifying and meeting the needs of students identified with disabilities;
- Alignment of the special education plan with the core educational program; and
- Evidence of high expectations for students with special needs.

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

ANALYSIS: SPECIAL EDUCATION

Strengths	Reference	Concerns & Additional Questions	Reference
<ul style="list-style-type: none"> • Petition states that school will implement an individualized learning plan for all students, which is likely to increase the school’s overall capacity to ensure the effective implementation of the IEP’s for students with identified learning disabilities. • Petition states intention to become an LEA within the El Dorado County Office of Education Charter SELPA and shows an understanding of the obligations of an LEA. • Petition demonstrates a clear understanding of the state and federal responsibilities held by public schools serving students with learning disabilities, including child-find, referral for assessment, IEP development and monitoring, and inclusion of students in the least restrictive learning environment. • Petition sets forth a description of the roles and responsibilities of the school with respect to Student Study Teams and IEP meetings. • Petition shows a clear understanding of the 504 process and the school’s roles and responsibilities as it pertains to the 	<p>Pg. 29</p> <p>Pg. 52, App. AH</p> <p>Pgs. 52-68</p> <p>Pgs. 56-61</p> <p>Pg. 60, App. O-P</p>	<ul style="list-style-type: none"> • Petition does not make a connection between the target population and the proposed special education program. No reference is made to likely percentage of special education students to be served or to the issue of disproportional identification of African-American students in special education. • Petition does not include a staffing plan for special education based on likely caseloads for the new school or based on its experience at other school sites. 	<p>Pgs. 52-68</p> <p>Pgs. 52-68</p>

development and oversight of 504 plans for students who may not otherwise qualify as learning disabled.			
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F. SPECIAL POPULATIONS: ENGLISH LANGUAGE LEARNERS

Federal law requires charter schools, like all public schools, to meet the needs of English language learners by helping them gain English proficiency and also make progress in all academic subjects. A plan for serving English language learners excels if it has the following characteristics:

- Demonstrated understanding of the likely English language learner population;
- A sound approach to identifying and meeting the needs of English language learners tailored to the anticipated population;
- A sound approach to helping English language learners fulfill expectations of the core educational program, including a lead contact and intervention process; and
- Evidence of high expectations for English language learners.

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

ANALYSIS: ENGLISH LANGUAGE LEARNERS

Strengths	Reference	Concerns & Additional Questions	Reference
<ul style="list-style-type: none"> • Petition describes requirements for CELDT testing and ELL re-designation. • Appropriate credentials, professional development, GLAD and use of ADEPT assessment are referenced. Professional development on strategies for English learners is included in the plan. • Educational program described in the petition is strongly focused on the needs of English learners, who make up the majority of students in existing Rocketship schools. Practices and supports are in place to serve Spanish-speaking ELLs in the Rocketship system. From the performance of Rocketship’s San Jose schools, there is strong evidence of the effectiveness of the program for these students. 	<p>Pgs. 49, 51</p> <p>Pg. 83, 31, 51, App. AB</p> <p>Pgs. 17-18, 32-39, App. C</p>	<ul style="list-style-type: none"> • Petition does not discuss expected percentage of ELL students or home languages in the target population. 	

G. PUPIL OUTCOMES

Pupil outcomes are central to the school's existence. They represent the school's definition of success and should drive all aspects of the program and operation. A description of Pupil Outcomes excels if it has the following characteristics:

1. **Alignment:** *Do the objectives align with the mission and vision?*
 - o Educational objectives aligned with the mission, vision and educational program;
2. **Measurement:** *Are the goals clear, specific and measurable?*
 - o Multiple performance measures applied to student learning objectives.
 - o Measures include performance goals based on absolute (e.g., proficiency levels), relative (e.g., comparison schools) and individual gains (e.g., year-to-year matched student cohort gains);
 - o Goals that are specific, measurable and time bound;
3. **Performance Level:** *Have the petitioners demonstrated that the target performance levels are both ambitious and attainable?*
 - o Performance levels that are both ambitious and realistic including rigorous promotion and graduation standards;
 - o Performance levels are considered annually and graduated as needed to sufficiently accelerate learning based on the needs of the target population;

1. Alignment: *Do the objectives align with the mission and vision?*

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

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

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

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

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

		1.5 year grade-level proficiency growth over what time period. In their current form, the petition's measurable pupil outcomes do not provide the required level of accountability.	
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H. PUPIL PROGRESS

Summative evaluations measure student performance for the purpose of evaluating academic program effectiveness and overall school operation. In other words, they are used to determine how much students have learned.

Formative evaluations measure student performance for the purpose of determining students' learning needs and to inform instructional strategies. In other words, they are used to determine what students still need to learn. A plan for evaluating Pupil Progress excels if it uses both formative and summative and includes the following characteristics:

1. **Assessments:** *Does the school have valid and reliable measures of student progress?*
 - Identification of the expected range of formative and summative assessments including but not limited to state-mandated assessments;
 - Evidence that assessments will be valid and reliable measures of student progress toward achieving the identified Pupil Outcomes.
2. **Instruction Improvement:** *Does the school have a sound plan for using assessments to inform instruction?*
 - A coherent strategy for using student assessment and performance data to evaluate and inform instruction on an ongoing basis.
3. **Reporting:** *Is the school committed to reporting and disseminating performance information?*
 - A plan for sharing performance information, including standardized test results, with students, families and public agencies, as required.
 - A clear description of the manner in which stakeholders will act upon and make use of the performance information provided.

1. Assessments: *Does the school have valid and reliable measures of student progress?*

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

2. Instruction Improvement: *Does the school have a sound plan for using assessments to inform instruction?*

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

3. Reporting: *Is the school committed to reporting and disseminating performance information?*

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

ANALYSIS: PUPIL PROGRESS

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Assessments</p> <ul style="list-style-type: none"> The petition identifies a wide range of formative and summative assessments, including data from Learning Lab programs, NWEA MAP, DRA, CELDT, CST and ADEPT. Identification of the expected range of formative and summative assessments including but not limited to state-mandated assessments; Petition includes assessments as part of Individual Learning Plan of each student. <p>Inform Instruction</p> <ul style="list-style-type: none"> The petition contains a coherent and well-developed approach for collecting and using student assessment and performance data to evaluate and inform instruction on an ongoing basis. Teachers have access to data tools to better understand the needs of their students and the effectiveness of their own performance. The process is well-integrated with on-going professional development and teacher performance expectations. <p>Reporting</p> <ul style="list-style-type: none"> Petition proposes regular reporting of data to families, Board of Directors, authorizer, and public at large. 	<p>Pgs. 43-48</p> <p>App. E</p> <p>Pgs. 39-47, Apps. AA-AD, AK</p> <p>Pg. 71</p>	<p>Assessments</p> <p>Inform Instruction</p> <p>Reporting</p> <ul style="list-style-type: none"> Parent-teacher conferences are, according to the petition, held at least once per year. No specific reference is made to reporting to the Parent 	<p>Pg. 71, 78</p>

<ul style="list-style-type: none">• Board members described a regular and rigorous review of student performance data to inform decisions about network expansion and staff.	Interview	Teacher Council proposed to be formed.	
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EDUCATIONAL PROGRAM SUMMARY

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

EDUCATIONAL PROGRAM SUMMARY

Strengths

The petitioning group is a dedicated, highly capable group of individuals operating within an organization that has solid experience in Santa Clara County and substantial resources, including expertise, partnerships and funding. The Rocketship program has innovative features, including the staffing structure and use of on-line educational programs. Systems for professional development, collection and analysis of assessment data, and interventions for students not performing up to expectations are well-developed. Results for the existing Rocketship schools on statewide accountability measures are very impressive.

Concerns and Additional Questions

Because the petition fails to contain a reasonably comprehensive description of the target population of elementary students in West Oakland, there is little evidence that the program will serve the needs of that population, which is very different from the Spanish speaking English learners for whom the program appears to have been designed. The community partnerships necessary to support the myriad needs of students are not in place. The petition also fails to include a sufficiently specific statement of targets for the proposed measurable pupil outcomes. Responses provided during the petitioner interviews did not adequately clarify specific concerns raised and it became clear that the petitioners' intent was to use the two years prior to the proposed fall 2013 opening to adapt the program to the target population. At this time, however, without that additional work, and based on the evidence of the petition and interviews, the educational program is unsound.

II. PETITIONER CAPACITY

Statutory References:

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

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

A. GOVERNANCE CAPACITY

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

Petition Pgs. 73-80

1. **Legal Structure:** *Does the school have adequate and appropriate legal structure?*

- Documentation of proper legal structure (Articles of Incorporation stamped by the Office of the Secretary of State and corporate Bylaws);
- Evidence of 501(c)3 Non-Profit Corporation status;
- Adequate bylaws, policies & procedures for governing body operation (director selection & removal, decision making, powers and duties, expansion and transition plans)

2. **Charter School Governance Experience/ Expertise:** *Does the board demonstrate the capacity needed to govern effectively?*

- Evidence of analysis that proposed founding members of the governing body possess and will contribute the wide range of knowledge and skills needed to oversee a successful charter school;
- Evidence of the existing or emerging capacity of the proposed founding members of the governing board to work as an effective unit in the interest of the proposed charter school;

3. Operating Plan: Does the school have an operating plan that complies with legal obligations and incorporates sound governance practices?

- Demonstrated understanding of the board’s responsibility for the educational and fiscal integrity of the school and for fulfilling the terms of the charter;
- Clear, reasonable selection and removal procedures, term limits, meeting schedules, and powers and duties for members of the governing body;
- Demonstrated understanding and assurance of compliance with open meetings requirements;
- Reasonable conflict of interest policy;
- Adequate plan for insurance;
- A plan for meaningful involvement or input of parents and community members in the governance of the school;
- Clear, sensible delineation of roles and responsibilities of parent councils, advisory committees or other supporting groups; and
- Clear, sensible definition of governing body roles and responsibilities in relation to management.

1. Legal Structure: Does the school have adequate and appropriate legal structure?

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

2. Governance Experience: Does the board demonstrate the capacity needed to govern effectively?

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

3. Operating Plan: Does the school have an operating plan that complies with legal obligations and incorporates sound governance practices?

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

ANALYSIS: GOVERNANCE CAPACITY

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Legal Structure</p> <ul style="list-style-type: none"> • CMO is an incorporated 501(c) (3) entity. • Policies and procedures for the CMO Board of Directors are in place and would provide a base for developing these for the Rocketship Oakland governance. 	<p>App. W</p> <p>App. R, S, T, V, W, AI</p>	<p>Legal Structure</p> <ul style="list-style-type: none"> • Petitioner proposes to create a separate corporation and governing board for Rocketship Oakland, and is the process of doing the same for its other schools. Articles of Incorporation and bylaws for Rocketship Oakland were not contained within the petition. Petitioners confirmed in interviews that the governing entity has not yet been established (for Rocketship Oakland or other individual Rocketship schools). • Petition includes a description of board qualifications and method for selecting board members, but identified qualifications are inconsistent with the role of the Oakland Rocketship governing board described by the petitioners in interviews. The relationship between the CMO board and the individual school governing board is unclear, creating potential for conflict, confusion and community frustration. 	<p>Pg. 73-74, Interviews</p> <p>Pg. 74-75, Interviews</p>
<p>Charter School Governance Experience & Expertise</p> <ul style="list-style-type: none"> • Current CMO board members have substantial experience in education and social services, as well as public school governance. 	<p>Pg. 13, Interviews</p>	<p>Charter School Governance Experience & Expertise</p> <ul style="list-style-type: none"> • Board members for the Rocketship Oakland governing board have not been selected, so the experience of the members cannot be evaluated. • The identification of qualifications in charter 	<p>Interviews</p> <p>Pgs. 74-</p>

<p>Operating Plan</p> <ul style="list-style-type: none"> • Petition and interviews include evidence of the CMO Board’s understanding of governance responsibilities for the educational program and fiscal integrity of the school. • Petition provides assurance of compliance with relevant laws (open meetings and public records) and CMO Board includes individuals with relevant expertise, which could assist formation and training of the Rocketship Oakland governing board. • Petition has an adequate plan for insurance and experience with operation of other schools in facilities constructed by its related entity, Launchpad. • Parent participation plan includes multiple opportunities for involvement with delineation of roles and responsibilities. • Petition describes the role of the CMO, Rocketship Education, which will have substantial responsibility for the school’s operations pursuant to a management services agreement. 	<p>Apps. N-X</p> <p>Pgs. 7, 13, Interviews</p> <p>Pgs. 95, 100</p> <p>Pgs. 78-79</p> <p>Pgs. 77-78, App. AE</p>	<p>school operation, real estate , law, finance, and fundraising are inconsistent with identified role of CMO central office and with goal of parental and community involvement.</p> <p>Operating Plan</p> <ul style="list-style-type: none"> • Capacity of the governing board members and the manner in which the body will operate cannot be evaluated because it has not yet been formed. The small size of the planned board (3-5 members) is inconsistent with the broad range of expertise desired. • Relationship between the CMO board, CMO management and the school’s governing board is unclear and, according to petitioners, not yet developed. 	<p>75, 77-78</p> <p>Pgs. 74-75</p> <p>Interviews</p>
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B. MANAGEMENT CAPACITY

Petition Pgs. 88-95,
Apps. Q, R, S, T, AE

A leadership plan excels if it has the following characteristics:

1. **Enrollment Procedures:** *Does the petition present reasonable enrollment procedures that comply with applicable law?*
 - A description of the means by which the school will seek to attain a racial and ethnic balance among its pupils that is reflective of the district including specific plans and strategies for student recruitment;
 - A clear and compelling student recruitment plan likely to attract projected enrollment, particularly in Year 1;
 - A specific plan for conducting a public random drawing or an assurance that such a drawing will be conducted subject to district approval in the event that the number of pupils who wish to attend the school exceed the capacity;
 - An assurance that the school will not impose admission requirements OR, if the school proposes to have requirements, a precise description of those requirements, a compelling statement regarding why they are essential to fulfillment of the school's mission, and a specific plan for the school will incorporate the requirements into any random drawings.
 - A clear description of the enrollment process to include any unique intake or application evaluation process to be used by the school designed to meet the needs of the target population outlined in the petition.
2. **Operating Procedures:** *Does the petition present sound operating procedures that comply with applicable law?*
 - The procedures that the school will follow to ensure the health and safety of pupils and staff;
 - A clearly articulated discipline policy with suspension and expulsion procedures that are fully explained consistent with the school's mission, educational philosophy and applicable law;
 - A statement regarding attendance alternatives for students residing in the district who choose not to attend the school;
 - A statement that the school intends to use the district's approved procedure for resolving disputes relating to provisions of the charter OR, in the alternative, a clear description of the procedures that the school proposes to use;
 - A description of the systems likely to be effective in addressing parent and community complaints; and
 - An assurance that the school will comply with the district's approved procedures for school closure in the event that the charter is relinquished, revoked or not renewed.
3. **Management Structure:** *How effective is the management structure likely to be?*
 - Clearly defined management roles and responsibilities for all positions within the administration of the school;

- A clear plan for recruitment, selection, development and evaluation of staff including the school leader;
- Verifiable internal procedures and controls to ensure conformance with the approved budget;
- An approved and public organizational chart delineating board and management roles and lines of authority;
- Clear, sensible delineation of roles and responsibilities for implementing the school program including clearly defined roles for parent councils, advisory committees and other supporting groups;
- Management job descriptions identifying key roles, responsibilities and accountability;
- An allocation of time, financial resources and personnel that is sufficient for planning and start-up prior to the school's opening; and
- The manner in which administrative services are to be provided and any potential civil liability effects on the school or the district.

1. Enrollment Procedures: *Does the petition present reasonable enrollment procedures that comply with applicable law?*

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

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

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

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

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

ANALYSIS: MANAGEMENT CAPACITY

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Enrollment Procedures</p> <ul style="list-style-type: none"> • Petition contains appropriate commitments to achieving racial balance. • Recruitment efforts to date were sufficient to obtain required parent signatures. • Plan for random drawing and admission requirements is sufficient and includes recognition of conditions associated with receipt of a Public Charter School Grant Program implementation grant. <p>Operating Procedures</p> <ul style="list-style-type: none"> • Health and safety plans in the petition are thorough and appropriate. • Discipline policy, consistent with California Education Code, is included in the petition. • Closure plan is generally consistent with OUSD standard. <p>Management Structure</p> <ul style="list-style-type: none"> • Petition contains descriptions of management positions and CMO responsibilities. • The evaluation and development of all staff is described thoroughly, and includes some innovative features, including extensive use of student achievement data. 	<p>Pgs. 92-94</p> <p>App. AL</p> <p>Pg. 93</p> <p>App. Q</p> <p>App. R</p> <p>Pgs. 98-99</p> <p>Pgs. 80-87</p> <p>Pgs. 39-48</p>	<p>Enrollment Procedures</p> <ul style="list-style-type: none"> • Unclear from the petition what the petitioners expect the racial/ethnic/linguistic make-up of the school enrollment will be, given the likelihood that students will be recruited outside West Oakland. <p>Operating Procedures</p> <ul style="list-style-type: none"> • Complaint procedure is not included with the petition and discussion of complaints is limited. Dispute resolution procedures are not consistent with OUSD standard. <p>Management Structure</p>	<p>Pgs. 20, 92-94</p> <p>Pgs. 89-90</p>

<ul style="list-style-type: none"> • Fiscal management is through the CMO, which has suitable experience. On site administrative staff is minimal. • An organizational chart is provided. 	<p>Pg. 77</p> <p>Pg. 74</p>		
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C. EMPLOYMENT CAPACITY

Petition Pgs. 80-92,
Apps. AA, AB, AC, AD

An employment plan excels if it has the following characteristics:

1. **Qualifications and Responsibilities:** *How clear and sensible are required staff capacities and intended allocation of responsibilities?*
 - Description of the qualifications for and responsibilities of key employees of the school, including the instructional leader and other key school administration positions.
2. **Compensation Plan:** *How sound is the staff compensation plan?*
 - A compensation plan based on sound budget assumptions that reflects understanding of the prevailing market and supports the proposed educational program.
3. **Policies and Assurances:** *Does the petition contain the required assurances and a reasonable plan for policy development?*
 - Adequate personnel policies or a sound plan articulated for timely development;
 - An assurance that staff will meet applicable state and federal requirements for credentialing and "highly qualified" status;
 - An adequate description of the manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security;
 - A statement regarding employee rights of return, if any;
 - A clear declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act; and
 - An assurance that staff will have criminal background and other required health and safety checks and manner in which these will be conducted.

1. Qualifications and Responsibilities: *How clear and sensible are required staff capacities and intended allocation of responsibilities?*

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

2. Compensation Plan: *How sound is the staff compensation plan?*

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

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

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

ANALYSIS: EMPLOYMENT CAPACITY

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Qualifications and Responsibilities</p> <ul style="list-style-type: none"> Petition contains the roles and qualifications of key staff including Principal, Academic Dean, Assistant Principal and Office Manager. <p>Compensation Plan</p> <p>Policies and Assurances</p> <ul style="list-style-type: none"> All required assurances regarding credentials, employee pensions, bargaining unit rights and health and safety checks are included. 	<p>Pgs. 80-87</p> <p>Pgs. 82-84, 87-89</p>	<p>Qualifications and Responsibilities</p> <ul style="list-style-type: none"> Qualifications of Rocketship Education (CMO) staff are not included, although the petition indicates that they will have substantial responsibility for key aspects of the program. <p>Compensation Plan</p> <ul style="list-style-type: none"> Petition states that teachers are compensated at a level 10% above neighboring schools and are eligible for performance-based bonuses, but that comparison does not seem to have taken into account the program's longer days (professional development time) and longer year, which includes weeks of planning and professional development. (All teachers are 12 month employees with approximately 1 month vacation during the summer.) <p>Policies and Assurances</p> <ul style="list-style-type: none"> Petitioners' leadership development program appears not to provide opportunities for teachers who wish to stay in the classroom for a longer period (beyond the 3-year leadership development pattern) and develop mastery. Petitioners' heavy reliance on Teach for America, which has a documented low rate of long-term 	<p>Pg. 77, Interview</p> <p>Interview</p> <p>App. AA, Interviews</p> <p>Interviews</p>

		teacher retention, could leave the school vulnerable to high staff turnover, contrary to current thinking on best practices in urban classrooms.	
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D. FINANCIAL CAPACITY

The petition should present an understanding of how the charter operators intend to manage the school's finances and maintain the organization's financial viability. It should make a persuasive case for financial viability including sound revenue projections; expenditure requirements; and budgetary support for and alignment with the educational program.

A plan for financial capacity excels if it has the following characteristics:

1. **Financial Operation:** *How would you rate the structures and practices related to financial operation?*
 - A balanced three-year budget accurately reflecting all budget assumptions;
 - A start-up year plan with reasonable assessment of and plan for costs;
 - A clear indication that the school has a sound plan for sustainability including funding for the core program that does not have ongoing reliance on "soft" money (e.g., donations, grants, etc.);
 - Clear evidence and track record of sustainability, in the event there is an enduring reliance on "soft" money (e.g., donations, grants, etc.);
 - An adequate reserve and contingency plan targeted to the minimum enrollment needed for solvency (especially for year 1);
 - A sound plan for financial management systems;
 - An audit assurance and/or plan with adequate budget allocation; and
 - A plan for dissolution of assets should the school close.

2. **Revenues:** *How would you rate the accuracy and attainability of the revenue projections?*
 - A narrative explaining key revenue assumptions;
 - Realistic revenue projections showing all anticipated revenue sources -- including state, local, federal and private funds, and any fee-based programs and services;
 - Realistic cash flow projection; and
 - A fundraising plan including assumptions and report on current status.

3. **Expenditures:** *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?*
 - Spending priorities that align with the school's mission, educational program, management structure, professional development needs, and growth plan;
 - A budget narrative explaining key expense assumptions;

- Realistic expense projections addressing major operating expenses including staffing and benefits, special education, facility, materials and equipment, and contracted services;
- Budgeting to meet minimum insurance requirements; and
- Evidence to support key assumptions including that compensation is sufficient to attract qualified staff and that facilities budget is adequate.

1. Financial Operation: *How would you rate the structures and practices related to financial operation?*

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

2. Revenues: *How would you rate the accuracy and attainability of the revenue projections?*

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

3. Expenditures: *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?*

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

ANALYSIS: FINANCIAL CAPACITY

Strengths	Reference	Concerns & Additional Questions	Reference
<p>Financial Operation</p> <ul style="list-style-type: none"> • Petitioners have substantial experience in school start-up and operation. • The petition contains a balanced three-year budget accurately reflecting all budget assumptions. • Petition contains an audit assurance and plan with adequate budget allocation. <p>Revenues</p> <ul style="list-style-type: none"> • Petition contains realistic revenue projections showing all anticipated revenue sources -- including state, local, federal and private funds, and any fee-based programs and services. <p>Expenditures</p> <ul style="list-style-type: none"> • Petition contains spending priorities that align with the school’s mission, educational program, management structure, professional development needs, and growth plan. • Petition contains a budget narrative explaining key expense assumptions. 	<p>Pgs. 10-18</p> <p>App. AJ</p> <p>Pg. 97</p> <p>App. AJ</p> <p>App. AJ</p> <p>App. AJ</p>	<p>Financial Operation</p> <p>Revenues</p> <ul style="list-style-type: none"> • Because the budget does not contain information on the revenues and expenditures of the CMO, the extent to which the program is supported by “soft” money sources cannot be determined. <p>Expenditures</p> <ul style="list-style-type: none"> • Facilities costs for the school are high relative to other charter schools, with no information on the potential site for the Oakland school to provide an explanation. In interviews, the petitioners described how the facility will be forced to fit the budget’s acceptable cost level, which could mean the facility will not include the features described. • Management fee and licensing costs shown in the 	<p>App. AJ</p> <p>Pg. 96, App. AJ</p> <p>Apps. AE, AJ</p>

		<p>budget also represent a relatively high percentage of the program revenues. Because the governing board's relationship with the CMO has not been defined, the school may have no flexibility to negotiate over the range of services or costs.</p> <ul style="list-style-type: none"> Percentage of budget expended on certificated staff is low relative to other charter schools because of the program's use of aides in the Learning Lab for a substantial period of the day. Should this program feature be altered, the program would be vulnerable to significant additional personnel costs. 	App. AJ
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E. FACILITIES PLAN

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

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

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

Select One

Non-district facility anticipated

A description of the plan for using a non-district facility excels if it has the following characteristics:

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

District facility anticipated pursuant to Prop 39

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

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

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

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

ANALYSIS: FACILITIES PLAN

Strengths	Reference	Concerns & Additional Questions	Reference
<ul style="list-style-type: none"> Petition contains a description of a proposed facility and CMO will work with a related entity, Launchpad, to develop the facility in the West Oakland area. CMO has experience with school construction and capacity to ensure legal compliance (health and safety, ADA, and applicable building codes). 	<p>Pg. 96, Interviews</p> <p>Site visit, Interviews</p>	<ul style="list-style-type: none"> The petition does not identify any specific sites in West Oakland and therefore the estimated costs have limited reliability. Petition and interviews did not indicate any familiarity with property development challenges that may arise when seeking to build a school in the designated area. No support is provided for the budget line item for anticipated facilities costs including renovation, rent, maintenance and utilities. Assurances that building would be ready for fall 2013 were general, without supporting evidence. 	<p>Pg. 96, Interviews</p> <p>Interviews</p> <p>App. AJ</p> <p>Pg. 96, Interviews</p>

PETITIONER CAPACITY SUMMARY

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

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

PETITIONER CAPACITY SUMMARY

Strengths
 The petitioning group has experience in starting and operating three (3) schools in San Jose and has developed effective systems for management, operation and facility development.

Criteria Not Sufficiently Addressed, Concerns & Additional Questions
 As with the educational program, the petition shows a lack of research and understanding of conditions in West Oakland. This is evident in the lack of information regarding facilities and failure to acknowledge potential issues that will arise as petitioners seek to develop a specific site. Petitioners' intent is to use the time before opening in fall 2013 to develop a site. This approach does not meet OUSD expectations for charter petitions and is unlikely to have a successful outcome. Petitioners also intend to use this time to create the governing non-profit and to select and train a governing board. The absence of a defined governing body, with an unclear relationship to the CMO, and no identified members is a condition likely to lead to an unsuccessful outcome.

SIXTEEN ELEMENTS TABLE

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

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

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

Element	Evaluation Reference	Inadequate	Reasonably Comprehensive	Statutory Reference
Description of the educational program of the school	<i>Section I., bullet 3</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(A)
Measurable pupil outcomes	<i>Section II.D.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(B)
Method by which pupil progress is to be measured	<i>Section II.E.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(C)
Governance structure	<i>Section III.A.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(E)
Procedures for ensuring health & safety of students	<i>Section III.B.2., bullet 1</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(F)
Means for achieving racial and ethnic balance	<i>Section III.B.1., bullet 1</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(G)
Admission requirements, if applicable	<i>Section III.B.1., bullet 3</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(H)
Manner for conducting annual, independent audits	<i>Section III.D.1., bullet 7</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(I)
Suspension and expulsion procedures	<i>Section III.B.2., bullet 2</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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"/>	<input checked="" type="checkbox"/>	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"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(L)
Employee rights of return, if any	<i>Section III.C.3., bullet 4</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(M)
Dispute resolution procedure for school-authorizer issues	<i>Section III.B.2., Bullet 4</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(O)
Procedures for school closure	<i>Section III.B.2., Bullet 5</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(P)

ANALYSIS: SIXTEEN ELEMENTS

Comment on strengths and concerns about specific elements only to the extent that you have not already provided the relevant analysis in an earlier section.

Strengths

Petition as submitted contains reasonably comprehensive descriptions of many of the required elements set forth in charter law. Description of the Educational Program and Methods of Assessment sections are particularly strong, and the many Appendices provide examples of practices and procedures in place at successful existing Rocketship Education schools.

Criteria Not Sufficiently Addressed, Concerns & Additional Questions

The petition lacks sufficient information in some key areas: Target Population (part of the Educational Program), Measurable Pupil Outcomes and Governance. These sections require further elaboration, clarity, specificity, and detail in order to be considered reasonably comprehensive and in order to demonstrate a proposal that is educationally sound and likely to be implemented successfully.