

OAKLAND UNIFIED SCHOOL DISTRICT
Office of the Superintendent, Interim
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Legislative File

Enactment No.:\_\_ Enactment Date:

By:\_

File ID No.: <u>08-2597</u> Introduction Date: <u>1/14/2009</u>

TO:

Vincent Matthews, State Administrator

Board of Education

FROM:

Roberta Mayor, Ed.D., Interim Superintendent

David Montes de Oca, Coordinator; Office of Charter Schools

DATE:

January 14, 2009

RE:

Herbert Guice Charter Academy Charter Petition Request

### **ACTION REQUESTED:**

**Deny** the charter petition to establish the Herbert Guice Charter Academy. Pursuant to *Education Code* \$47602(b), the charter petition represents an illegal conversion of a private school to a charter school. Pursuant to *Education Code* \$47605, 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 16 elements required by the Charter Schools Act.

#### **SUMMARY**

Staff recommends that the State Administrator <u>deny</u> the charter petition for Herbert Guice Charter Academy under the California Charter Schools Act. Staff recommends denial based on factual findings, specific to this particular petition, detailed in this report. Either of the Education Code provisions cited above constitutes grounds for denial.

#### PROCEDURAL BACKGROUND

- 1) The lead petitioners submitted the Herbert Guice Charter Academy petition on October 29, 2008 at a regularly scheduled Board of Education meeting.
- 2) Staff held an introductory meeting with the lead petitioners, Neola Brown-Crosby et.al., on November 10, 2008 to explain the petition review process and obtain petitioning group contact information.
- 3) A public hearing was held on November 29, 2008. Representatives from the lead petitioning group presented.
- 4) Staff conducted a petitioner interview on December 4, 2008.

#### STATUTORY BACKGROUND

#### Pursuant to Education Code § 47602(b):

Charter Law specifically prohibits the conversion of a private school to a public charter school. Education Code § 47602(b) states:

"No charter shall be granted under this part that authorizes the conversion of any private school to a charter school."

#### 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 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 a petitioner interview on December 4, 2008, 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.

The following factual findings, specific to this particular petition, contribute to the recommendation of denial.

GOVERNING LAW: Education Code §47602(b) No charter shall be granted under this part that authorizes the conversion of any private school to a charter school.

#### **FINDINGS OF FACT**

Findings		Reference
1.0 Founding Group		Pg. 10
The Founding Group of the proposed char	ter school listed in the petition is comprised of	
	Board members of the current <b>Dr. Herbert</b>	1
Guice Christian Academy private schoo		
Transfer of the series of the	(Soo ripponduri).	
The proposed governing board of the chart members of the <b>Dr. Herbert Guice</b> <i>Christ</i>	ter school includes five of the governing board tian Academy private school.	
Herbert Guice <u>Charter</u> <sup>2</sup> Academy	Dr. Herbert Guice <u>Christian</u> Academy	
Founding Group	Governing Board	
Gail Johnson-Murphy	Gail Johnson-Murphy proposed charter board	
Barbara Elmore-Lane	Barbara Elmore-Lane proposed charter board	
Stella Daniels	Stella Daniels proposed charter board	
Neola Brown-Crosby	Neola Crosby proposed charter board	
Helen Getridge	Helen Getridge proposed charter board	
Brenda Gamble	Brenda Gamble	
Melvyn Gillette	Melvyn Gillette	
Jimmie Hawthorne	Jimmie Hawthorne	
Mary Hardy	Mary Hardy	
Mildred Williams	Mildred Williams	
Juanita Ambers	Juanita Ambers	
Tremaine Moore	Tremaine Moore	
	Paulette Newborn	
2.0 School Mission		Pg. 5
•	arter petition is identical to the mission of the private school, with the exception of the use of	
Petition states the mission of the Herbert	Guice Charter Academy to be:	
"The Herbert Guice Charter Academy see creative and intellectually stimulating envi and responsibility in each child." <sup>3</sup> (See Ap	ironment that fosters the growth of self-esteem	

Italics and/or bold added for emphasis in all instances of name reference
 Italics and/or bold added for emphasis in all instances of name reference
 Italics and/or bold added for emphasis in all instances in which charter petition is quoted

The mission of the Dr. Herbert Guice Christian Academy private school states:

"Dr. Herbert Guice Christian Academy seeks to educate and train students in a safe, creative, and intellectually stimulating Christian environment that fosters the growth of self esteem and responsibility in each child." (See Appendix II)

#### 3.0 School Philosophy

Pg. 5

The philosophy presented in the charter petition is identical to the mission of the **Dr.** Herbert Guice Christian Academy private school.

Petition states the school philosophy of the Herbert Guice Charter Academy to be:

"...Students are guided through the curriculum in the development of a quality education and a moral value system. The curriculum is carefully coordinated to instill a strong foundation in the basic skills, as well as develop high levels of analytical and critical thinking through age-appropriate activities. The development of the total child is addressed through moral, social, psychological and physical development. The unique qualities and talents of each child are encouraged and nurtured.

The education environment is a community where responsibility for learning is placed upon the learners, the teachers and staff as professional resource persons, and the parents as nurturers and supporters of their child." (See Appendix III)

The website of the Dr. Herbert Guice Christian Academy states:

"...Students are guided through the curriculum in the development of a quality education and a moral value system. The curriculum is carefully coordinated to instill a strong foundation in the basic skills, as well as develop high levels of analytical and critical thinking through age approporiate [sic] activities. The development of the total child is addressed through spiritual, moral, social, psychological and physical development. The unique qualities and talents of each child is encouraged and nurtured.

The educational environment is a community where responsibility for learning is placed upon the learners, the teachers as professional resource persons, and the parents as nurturers and supporters of their child." (See Appendix III)

### 4.0 School Name

Pg. 4

With the exception of the use of the term "Dr." and the exchange of the term "Christian" for "Charter", the name of the proposed charter school is identical to the name of the existing private school

The name of the proposed charter school is **Herbert Guice** Charter Academy.

The name of the operating private school is **Dr. Herbert Guice** *Christian* **Academy**.

#### 5.0 School Director

As stated by the petitioners during the orientation meeting of November 10, 2008, during the public hearing on November 29, 2008, and during the petitioner interview on December 4, 2008; and referenced in the petition on page 43, the proposed director of **Dr. Herbert Guice** *Charter* **Academy** is **Dr. Clifford Thompson**.

Pg. 43

As listed on the private school's website, the current director of **Dr. Herbert Guice** *Christian* Academy is **Dr. Clifford Thompson**.

6.0 School Facility and Location

#### Finding 6.1

Pg. 56

The proposed facility for the charter school is identical to the current facility of the **Dr. Dr. Herbert Guice Christian Academy** private school.

Petition states the proposed location for the Herbert Guice Charter Academy is to be 6925 International Boulevard, Oakland CA.

The currently operating **Dr. Herbert Guice** *Christian* **Academy** private school is located at **6925 International Boulevard, Oakland CA**.

#### Finding 6.2

District records indicate that during the petitioner interview on December 4, 2008, petitioners stated that all materials and furnishings within the existing **Dr. Herbert** Guice Christian Academy private school will be either on loan or donated from the Bethel Missionary Baptist Church, without any evidence of a Memorandum of Understanding or other agreement to establish the terms of this resource provision.

7.0 School Calendar

#### Finding 7.1

Pg. 71

The charter petition includes a 2009-2010 school calendar that is identical to the 2008-2009 school calendar located on the private school website.

### Finding 7.2

The school calendar provided in both the charter petition and located on the private school website includes items such as a "Christmas concert" and the use of "Terra Nova Testing" which, in the state of California, is the CAT/6 test with very limited use by public schools and typically used by private schools. (See Appendix IV)

This list of findings is NOT EXHAUSTIVE, but represents key findings in support of the staff recommendation.

Education Code §47605(b)(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

### **FINDINGS OF FACT**

Analysis of the petition with respect to the petitioner capacity presents the following evidence that the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition:

Findings	Reference
1.0 Required Signatures	
Governing Law: The petition does not contain the number of signatures required by subdivision (a). [California Education Code Section 47605(b)(3)]	
Finding 1.1	Pg. 142 (not numbered)
Petitioners submitted a petition wherein all signature dates were altered to represent a more recent date, other than the date on which the individuals actually signed the petition.	namberedy
<u>Evidence</u> : The handwriting of the dates is repeated and in many instances appears to be identical for different parties' signatures.	
<u>Evidence</u> : Contacts made by staff with individuals having signed the petition stated that they recalled signing the petition as much as six months prior to dates represented by the submitted petition.	
Finding 1.2	
Staff contacted over 35 families represented by the signatures and received approximately 10 return contacts. Of those with whom staff spoke, 4 were no longer meaningfully interested.	
These findings limit the ability to affirm the continued meaningful interest of families which initially signed the petition and demonstrates that petitioners are unlikely to successfully implement specific terms set forth in the petition.	
2.0 Academic Program	
Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. [California Education Code Section $47605(b)(5)(A)(i)$ ]	

#### Finding 2.1

Pg. 15

Petition states:

"The School plans to open serving approximately 152 students in grades K-6".

Staff raised questions during the petitioner interview on December 4, 2008 regarding the petitioner's decision to open serving all grades kindergarten through sixth grade in Year One. Staff inquired about the petitioner's plan to address the implications for developing a successful new school culture and the challenges of meeting diverse academic needs for students entering across such a wide span of grade levels. Staff inquired about the challenges of attracting and recruiting students across this wide span of grade levels. Finally, staff inquired about the implications of designing an elementary school spanning kindergarten through sixth grade when virtually all of Oakland's secondary schools, both District and charter, begin in the sixth grade.

District records indicate that during the petitioner interview on December 4, 2008 petitioners provided no sound plan to address the wide range of skills and behavior norms of students proposed to enter in Year One across all grades kindergarten through sixth. No evidence was provided that the petitioners had considered the unique and prevalent challenges inherent in the decision to open serving grades kindergarten through sixth grade in Year One. No sound recruitment plan was provided to support the rationale of a parent choosing to enroll their fifth grade student in Year One to a school that serves only the sixth grade, to subsequently seek a secondary school the following year, other than the assumption that families believe their child will not be ready for the middle grades.

#### Finding 2.2

District records indicate that during the petitioner interview on December 4, 2008, petitioners stated that they expect students will leave after fifth grade, as this is the typical transition point for middle school, but also stated that students are not always ready for middle school at sixth grade. It is expected by the petitioners that approximately 10-12 students are likely to remain in the sixth grade that are not ready for middle school.

Petitioners provided no indication in the submitted petition of the assumptions regarding the unique population of students expected to remain in the sixth grade, and included no associated program elements specific to the unique need of these students.

These findings associated with the lack of a reasonable comprehensive description of the rationale for a the proposed design of a school to open with grades kindergarten through sixth in Year One demonstrates that petitioners are unlikely to successfully implement specific terms set forth in the petition.

Pg. 20

#### Finding 2.3

Petition includes reference to a Character Education Program that will be a core focus of the academic program and "infused into the curriculum and the daily routine of the school," yet the petition provides no specific implementation plan or program design describing this program element. Additionally, no plan was provided for ensuring

consistency in implementation across classrooms and grade levels throughout the school.

District records indicate that during the petitioner interview on December 4, 2008, in response to staff questions regarding how the success of the Character Education Program would be measured, petitioners stated that these character traits outlined in the petition could not be measured. The absence of planning and assumed ability to measure the school's progress on key aspects of the proposed educational program demonstrates that petitioners are unlikely to successfully implement specific terms set forth in the petition.

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#### Finding 2.4

#### Petition states:

"As part of the School and Parent Compact, parents will be required to volunteer at least 15 hours with a **minimum of five hours** spent in the classroom, thereby establishing an increased adult/student ratio. This ratio will help facilitate the creating of small groupings with adult leadership."

#### Petition also states:

"Our goal is to reach and teach all learners, with special attention to students from single parent homes, students in foster care/group homes and students living below the poverty level."

District records indicate that during the petitioner interview on December 4, 2008, petitioners were unable to provide a plan to enforce the required hours stated. A Governing Board member stated "We will recruit many of the kinds of parents where the compact won't matter." Petitioners expressed the belief that "as a charter school" they would receive "motivated" families for whom the enforcement of the policy would not be necessary. Petitioners stated that the required classroom hours may not ultimately be required. Yet, the requirement is outlined both in the submitted charter petition, as well as the attached family handbook.

Staff noted an absence of any analysis by the petitioners of the alignment between the requirement of parent volunteer hours and the target population of "single parent homes, students in foster care/group homes and students living below the poverty level". The assumptions associated with this proposed program element and lack of implementation planning demonstrates that petitioners are unlikely to successfully implement specific terms set forth in the petition.

Pg. 15

#### Finding 2.5

#### Petition states:

"As part of the School and Parent Compact, parents will be required to volunteer at least 15 hours with a minimum of five hours spent in the classroom, thereby establishing an increased adult/student ratio. This ratio will help facilitate the creating of small groupings with adult leadership."

The above statement indicates that a significant program element relies on parent

volunteerism for support. While district records indicate that during the petitioner interview on December 4, 2008, the proposed director provided that teachers can effectively deliver small group instruction without parent volunteers, a reasonably comprehensive description of a plan for small group instruction or its role within the proposed educational program was not provided, demonstrating that petitioners are unlikely to successfully implement specific terms set forth in the petition.

#### 3.0 Measurable Pupil Outcomes

Governing Law: The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. [California Education Code Section 47605(b)(5)(B)]

Pg. 36

#### Finding 3.1

The petition states and petitioners responded during the petitioner interview on December 4, 2008, that they expect the school will meet the state and federal Adequate Yearly Progress targets in its first year, which includes demonstrating 56.8% proficiency in English Language Arts, 58% proficiency in math. When asked if the petitioners had developed an academic acceleration plan, given that students from schools in the surrounding neighborhoods perform significantly lower on average than these proficiency levels, petitioners provided no such plan.

The petition lacks a reasonably comprehensive description of an educational program designed to reach the proposed academic targets in Year One, or to accelerate achievement to reach the subsequent targets required under No Child Left Behind. This absence of planning and program description demonstrates that the petitioner is unlikely to successfully implement specific terms set forth in the petition.

#### 4.0 Admissions

Governing Law: A charter school shall admit all pupils who wish to attend the school. (B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. [California Education Code Section 47605 (d)(2)(A)(B)]

Pg. 49

#### Finding 4.1

District records indicate that during the petitioner interview on December 4, 2008, in response to questions regarding the specific process for student enrollment and use of a random public drawing and waiting list, a Governing Board member stated, "Those who apply first will get some priority." This response regarding the admissions process constitutes a 'first come, first serve' admissions practice. This is in contradiction to the specific public random drawing requirements outlined in statute and set forth in the charter petition. The lead petitioner's response and the lack of a thorough description within the petition of the school's plan to meet the requirements of Education Code

Section 47605(d)(2)(B) demonstrates that the petitioner is unlikely to successfully implement specific terms set forth in the petition.

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#### 5.0 Employee Qualifications

#### Finding 5.1

Governing Law: The qualifications to be met by individuals to be employed by the school. [California Education Code Section 47605 (b)(5)(E)]

#### Petition states:

"As a result of our small class sizes...we believe we will be able to attract exceptionally qualified teachers."

The proposed budget included in the petition provides for seven teachers at an average salary of \$37,000 per teacher. This figure is significantly lower than the District's average salary of approximately \$56,000. Petitioners were asked during the petitioner interview on December 4, 2008 to confirm that the proposed salary was the average and not the starting salary, which was confirmed by the petitioners. Petitioners when asked, provided no information as to additional incentives for attracting "exceptionally qualified teachers," demonstrating that petitioners are unlikely to successfully implement specific terms set forth in the petition.

#### Finding 5.2

District records indicate that during the petitioner interview on December 8, 2008, in response to questions regarding the low salary allocation for teachers, petitioners stated an expectation that second career teachers would be primarily employed; yet provided no recruitment plan for such teachers. Petitioners stated that this assumption includes that second career teachers would already have cash available from retirement accounts. These findings associated with the absence of a reasonably comprehensive description of the recruitment plan for teachers in the petition demonstrates that petitioners are unlikely to successfully implement specific terms set forth in the petition.

Pg. 112

#### 6.0 Suspension and Expulsion

Governing Law: The procedures by which pupils can be suspended or expelled. [California Education Code Section 47605(b)(5)(J)

#### Petition states:

"Expulsion will be recommended if it becomes apparent the school will not be able to meet the needs of a student, or that student's behavior is preventing classroom instruction. When expulsion is recommended, withdrawal procedures will be put into place to assist you in finding another placement."

This statement consequences the student with expulsion when the school fails to meet the student's needs. Further, the above statement provides a vague description that

"preventing classroom instruction" is cause for expulsion. The terms set forth in the petition regarding expulsion do not sufficiently demonstrate the intent of the school to effectively serve all students, nor a sufficiently adequate plan for discipline and intervention to support all learners to achieve in the proposed charter school.

The above statement regarding "withdrawal procedures will be put into place" subsequent to an "expulsion recommendation" indicates a failure on the part of the petitioners to consider due process and demonstrates that petitioners are unlikely to successfully implement specific terms set forth in the petition and/or required by law.

Pg. 116-122

#### 7.0 Financial

Governing Law: The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. [California Education Code Section 47605 (g)]

#### Finding 7.1

Petition budget does not project the required Special Education encroachment payment.

#### Finding 7.2

Petition includes a Five-Year budget projection as required by law. District records indicate that during the petitioner interview on December 4, 2008, petitioners stated that they used a Five-Year budget Excel template provided by the *California Charter Schools Association* which **automatically populates** the designated budget figures for subsequent years following the first year of operation. Petitioners acknowledged that they failed to make any adjustments to these figures for specific programmatic changes in subsequent years. Instead, petitioners acknowledged having relied on the budget template calculations for their Five-Year projections.

No critical analysis of the proposed Five-Year budget projection was evidenced by petitioners, who were unable to provide a rationale for projected expenditures in areas such as *Books and Supplies*, demonstrating that petitioners are unlikely to successfully implement specific terms set forth in the petition.

### Finding 7.3

Petition budget lists a line item in object code 5600 for revenue generated from a service contract with an organization to provide a before and aftercare program for students enrolled at the school. District records indicate that during the petitioner interview, petitioners stated that families will be required to pay a daily fee for this program option. Subsequently, the school will charge an additional fee to the service provider for use of the facility (approx. \$27,000 annually).

Petitioners provided no description of this program component in the submitted petition. No provisions for the security of students and proper oversight by the school of the proposed program was included in the submitted petition. Additionally, no analysis or consideration was provided by petitioners for the implications that neighboring schools such as Lockwood Elementary, a District school located across the street from the

proposed charter school and cited by petitioners in the petition, has a Free and Reduced Lunch student population of 79%.

Given that petitioners intend to serve a similar population, relying on revenue generated from a fee-for-service childcare program which charges families a daily service fee is unrealistic and demonstrates petitioners' lack of understanding of the target population

This list of findings is NOT EXHAUSTIVE, but represents key findings in support of the staff recommendation.

and the unlikelihood of successfully implementing specific terms set forth in the petition.

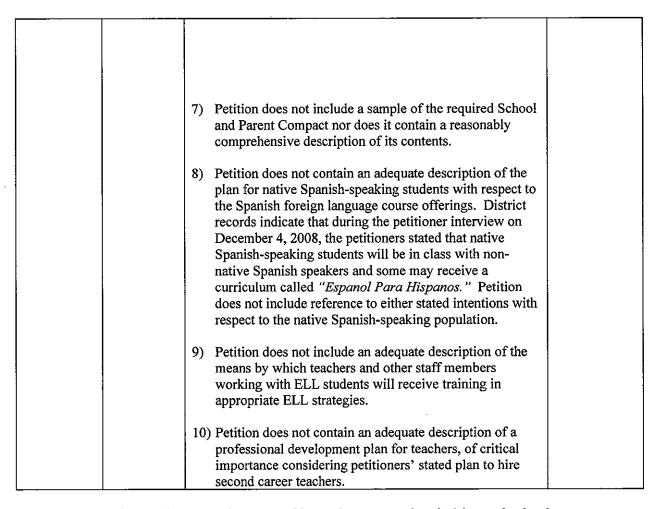
EC §47605 (1) The petition does not contain reasonably comprehensive descriptions of the 16 required charter elements.

### **FINDINGS OF FACT**

Analysis of the petition with respect to the sixteen elements presents the following lack of reasonably comprehensive descriptions of the 16 required charter elements.

Education Code  $\S47605(b)(5)(A)(i)$  A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to education, what it means to be an "educated person" in the  $21^{st}$  century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

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Element A	Average Rating: Inadequate	1)	Petition does not include a reasonably comprehensive description of the specific needs of the target population and therefore the petition requires the authorizer to assume a great deal regarding the alignment of the proposed educational program to the target population.	Pgs. 16-35
		2)	Petition lacks a description of the scope or sequence of the curricular alignment across classrooms and grade levels, or the accountability, monitoring, supervision, and feedback to be provided teachers to ensure successful implementation.	
		3)	Petition cites Character Education and Service Learning as "integral components in the curriculum", yet provides no sufficient description of the structure or content of these programs.	
		4)	Petition does not include an adequate description of the approach to writing or the curriculum to be used in the school to support writing, stating only "writing workshop" among a list of approaches to learning; and later states only "Writing will be taught and incorporated across the curriculum."	
		5)	Description within petition of "How Learning Best Occurs" is inadequate; there is no alignment with the subsequent educational program description and fails to describe actual teaching methodologies, citing several structural, programmatic elements that are not strategies the petitioners have specifically aligned with educating the target population.	
		6)	Description within petition of the "Plan for Academically Low-Achieving Students" is vague and limited in its description of the "comprehensive intervention system" cited in the petition. The petition	



Education Code  $\S47605(b)(5)(B)$ : The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes, "for purposes of this part, means the extent to which all pupils of the school demonstrates that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

Element B	Average Rating: Inadequate	1)	Petition includes outcomes that are not defined as measurable.	Pg. 32-35
	-	2)	Petition does not provide sufficient outcome targets on which to be held accountable for student achievement or other aspects of the program's stated goals.	

Education Code  $\S47605(b)(5)(C)$  The method by which pupil progress in meeting those pupil outcomes is to be measured.

Element C Average Rating: Inadequate	Petition provides an inadequate description regarding the specific means by which the school will share student performance information with students and their families.	Pg. 38
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2	Petition fails to sufficiently describe a plan to analyze student data and to use such analysis to inform instruction.	
3	Petition simply lists examples of "formal and informal assessments", without any strategic plan for implementation of such assessments.	

Education Code  $\S47605(b)(5)(D)$ : The governance structure of the school, including but not limited to, the process to be followed by the school to ensure parental involvement.

Element D	Average	1)	Petition does not adequately describe the Board	Pg. 40-41
	Rating:		delegation of its required duties, including only the	
	Inadequate		process for such delegation, but failing to describe which	
		L	duties will be delegated and to whom.	

Education Code  $\S47605(b)(5)(E)$ : The qualifications to be met by individuals employed at the school ....

Element E	Average Rating: Inadequate	1)	Petition does not provide qualifications to be met by the principal. Petition simply provides the career experience of the proposed director, Dr. Clifford Thompson.	Pg. 43
		2)	Petition provides an insufficient description of the qualifications to be met by teachers, stating only that they will meet Education Code and No Child Left Behind Act requirements.	
		3)	Petition states that "Director Qualifications/Duties", "Teacher Qualifications/Duties", and "Administrative Assistant Qualifications/Job Duties" but provides no description of the required duties of either party.	

Education Code  $\S47605(b)(5)(F)$ : The procedures that the school will follow to ensure the health and safety of pupils and staff...

Element F	Average	1) Petition fails to describe a plan for required health and	Pg. 48	
	Rating:	wellness assessments, including but not limited to,		
	Approaching	vision, hearing, and scoliosis screening.		

Education Code  $\S47605(b)(5)(H)$ : Admissions requirements, if applicable

Elen	nent H	Average	1) Petition lacks reference to an enrollment priority for	Pg. 49
		Rating:	students residing in the district, as required by law.	
		Approaching	[California Education Code Section 47605 (d)(2)(A)(B)]	

Education Code  $\S47605(b)(5)(J)$ : The procedures by which pupils can be suspended or expelled.

Element J		1 ->	Pg. 52
	Rating:	by which students are to be suspended or expelled.	
	Inadequate		

 2) Petition states:	Pg. 112
"Expulsion will be recommended if it becomes apparent the school will not be able to meet the needs of a student, or that student's behavior is preventing classroom instruction.  When expulsion is recommended, withdrawal procedures will be put into place to assist you in finding another placement."	
This statement consequences the student with expulsion when the school fails to meet the student's needs. Further, the above statement regarding "withdrawal procedures" lacks clarity regarding when expulsion procedures will be followed, and when students will be withdrawn from the school.	
The above statement regarding "withdrawal procedures will be put into place" subsequent to expulsion recommendation indicates a failure to consider due process and is not reasonably comprehensive	

This list of findings is NOT EXHAUSTIVE, but represents key findings in support of the staff recommendation.

#### RECOMMENDATION

Staff recommends that the Oakland Unified School District's State Administrator/Board of Education deny the charter petition to establish the Herbert Guice Charter Academy pursuant to the California Charter Schools Act.

The factual findings illustrated in this report demonstrate that:

Pursuant to California Education Code §47602(b), the charter petition represents an illegal conversion of a private school to a charter school.

Pursuant to California Education Code §47605, 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 16 elements required by the California Charter Schools Act.

### Appendix I: Founding Group

strategies. They will also meet monthly at the school to obtain on-going training and conduct planning (see schedule of meetings noted on School Calendar, Appendix E).

Additionally, the Grandparents will establish a rapport with the students and their parents and become the extended family unit at school, thereby addressing the adage, "It takes a village to raise a child". The Grandparents will also provide mentoring to parents/guardians, who may need those services, along with assisting with teaching effective parenting skills. We believe that adding additional support in each classroom will increase resources for teachers, students and parents, while simultaneously positively impacting the challenges relating to single parenting.

### Herbert Guice Charter Academy Banking Program

Financial literacy has been deemed a necessary component in addressing poverty and increasing wealth. At the Herbert Guice Charter Academy, we will institute a school savings program with a local bank such as Washington Mutual. This program will give students hands-on lessons about economics and how to handle money responsibly by opening their own savings account. By participating in the Academy Banking Program, students will have the opportunity to develop healthy financial habits that can last a lifetime. Participating students will learn responsibility, discipline, consistency, money managing and how to set goals. This program will also enable teachers to integrate Math with Social Science and Literature into the curriculum by using books such as "Alexander Who Used to Be Rich Last Sunday," by Judith Viost and the poem, "Santa Trom "Where the Sidewalk Ends" by Shel Silverstein.

### **Founding Group**

The Founding Group of the Herbert Guice Charter Academy is comprised of educators, administrators, and community business leaders who are dedicated to providing a quality education option. The Founding Group is dedicated to helping to ensure that the cycle of high school drop-outs in Oakland diminishes and we believe that it will take a myriad of stakeholders to make that happen. To that end, following is a brief description of the areas of expertise of the Founding Group:

Gail Johnson-Murphy – College Educator, Administrator and Instructor for 35 years and is currently serving as Counselor and College Instructor at Chabot College, Hayward. She is a life-time resident of the City of Oakland. She has served her community in many capacities including: education and tutoring of McClymonds High School students; volunteering with the Mathilda Cleveland Project, working with senior citizens; serving as a BUILD mentor; served as member of the Southern Alameda County Committee on Aging; and serves as Alumni for Jack and Jill Incorporated, a parent group committed to providing educational, social and cultural experience to our children.

She holds a Masters in Educational Psychology and Counseling from California State University Hayward; B.S. Degrees in Early Childhood Development, Psychology, and Sociology from California State University and has completed Post Graduate work toward a Doctoral Degree in Education at the University of San Francisco. She also holds a California Multiple Subjects Teaching Credential and California Community College Credentials in the following: Administration, Counseling and Instruction.

Barbara Elmore-Lane — Retired Personnel School Administrator with Oakland Unified School District for 34 years, with 20 years experience in Human Resources and 14 years of working at various school sites within the District. Mrs. Elmore-Lane has a wealth of experience in employee recruitment, training and evaluation, and employee discipline, especially in the area of Certificated Personnel.

Ms. Elmore-Lane began her career with Oakland Unified School District as a Noon Supervisor at Franklin Elementary School where her daughters attended — a parent who wanted to participate in her children's education. She then worked in various classified positions, prior to becoming a Coordinator in Human Resources. She received a B.S. Degree in Business Administration, Industrial Relations and Personnel Administration Option from the California State University, East Bay (formerly Hayward). She has also served as an Elementary School Principal and Teacher. Ms. Elmore-Lane has supervised, trained and evaluated a staff of up to eighteen members. She has coordinated the City of Oakland's Teacher Home Purchasing Program and served on the committee to establish guidelines for special education teacher reform. She has also worked to develop and implement teacher training programs with the many local colleges. Additionally, Mrs. Elmore-Lane has had budgeting and fiscal responsibilities for various programs for which she was responsible.

Stella Daniels - Office Manager and Tax Preparer with over 20 years of experience in accounting and finance with Ferguson & Company Certified Public Accountant, Oakland, CA. Over the past 20 years, Mrs. Daniels has worked with individuals and both public and private corporations in applying the principles of accounting and analyzing financial information. Additionally she has significant experience: preparing financial reports by compiling information; preparing profit and loss statements; utilizing appropriate accounting control procedures; preparing revenue, expense, payroll, invoices and other accounting documents; and analyzing and reviewing budgets and expenditure trends and recommending appropriate budget levels to ensure expenditure control. Additionally, she recommends, develops and maintains financial data bases, computer software systems and manual filing systems. She insures that all federal, state and local taxes have been prepared and filed timely. Mrs. Daniels holds certificates in Taxation - Federal & State, Audit Representation and Notary Public, State of California.

Neola Brown-Crosby – Management Analyst with Alameda County Probation Department, Juvenile Services. Mrs. Brown-Crosby has managed State and federal grants for over 10 years and has a strong financial background with experience in

contract management, budget and finance oversight. She has served as the Executive Director of the Associated Community Action Program, where she managed the federal Community Services Block Grant (CSBG) for Alameda County. She is also a former Administrator in Hayward and Berkeley Unified School Districts with over 13 years experience in the area of Certificated Human Resources and three years of experience working at the college level, California State University, Hayward serving in the Credentials Office where she was responsible for assisting students in enrolling in the Credentials program and upon completion obtaining credentials. She holds a B.S. Degree in Business Administration from California State University, East Bay (formerly Hayward).

Helen Getridge – Experienced Educator with over 40 years of varied experience in the Oakland Unified School District, where she has been effective in providing assistance to school sites and staff of low performing students in the area of Reading/Language. Her experience encompasses both school site and district assignments. She has served as a Language Arts Prep Teacher, where she provided Language Arts instruction to students in grades K-5; served as a Teacher on Special Assignment in the State and Federal District Office, where she assisted school sites in writing their Consolidated Application School Site Plan, training school site staff in categorical programs and planning professional development for Instructional Assistants; served as a Program Facilitator at Allendale School, where she maintained all files for the State and Federal Programs, worked with groups of low performing students, facilitated Staff Development activities, coordinated School Site Council and School Advisory Council meetings; and coordinated the annual Testing Program.

Mrs. Getridge holds a B.A. Degree in Elementary Education from Dillard University, New Orleans and a M.A. Degree in Multicultural Education from the University of San Francisco.

Brenda Gamble – City of Oakland employee with 22 years of employment working in various departments of the City, which include: Finance, Public Works Administration, Community and Economic Development Agency (CEDA), Housing, and Administration, Planning and Building. Ms. Gamble is currently working in the Housing Department where she assists people who are interested in becoming first-time home buyers in Oakland. As a result, she has extensive experience working with a myriad of banks, mortgage institutions, title companies and realtors.

Additionally, she provides services to residents in the community by coordinating workshops and housing fairs that educate and inform the community at large. Ms. Gamble holds a B.A. Degree in Social and Behavioral Science.

Melvyn Gillette – Accomplished Management Professional who has over 36 years experience with expertise in research, analysis, planning and training as an Agency Resource Center Supervisor with Metropolitan Life Insurance Company. She

continues to serve her community as a volunteer computer teacher and as the president of the African-American Genealogical Society of Northern California. This organization conducts research on family genealogy and history. Ms. Gillette holds a B.S. Degree in Mathematics from the University of Arkansas-Pine Bluff.

Jimmie Hawthorne – Retired from the Alameda Naval Air Station after 30 years of service in the following positions: Apprentice Machinist, Journeyman Machinist, Tool and Die Maker N/C Programmer and Planner/Estimator. After retirement, Mr. Hawthorne worked as a Systems Operator with Thomson Financial in San Francisco. He holds an Associate Arts Degree from Laney College and a Certificate in Computer Accounting from Mission Valley ROP.

Mary Hardy — Retired Division Director for the Center for Employment Training (CET), a federally funded training program, for over 21 years. She has also held positions for CET as: Industrial Development Specialist/Field Developer, Job Development Manager, Office Skills Division Manager, Job Development Specialist and Instructor Counselor. Prior to joining the above program, she was employed at Parks Job Core as the Testing and Evaluation Supervisor. Other positions held include: teacher, recreation leader, and many others. Mrs. Hardy participates in many community activities and has been a long-time resident of the City of Oakland.

Ms. Hardy holds a B.S. Degree in Behavioral Science/Psychology from the College of Notre Dame and a MBA from the University of Phoenix.

Mildred Williams - Retired Oakland Public Schools teacher after 30+ years of service. Mrs. Williams came to the District as an Instructional Assistant in a teacher training program (New Careers, COP), completing Holy Names College with a BA in English, her teaching credential and a Masters in Education. In addition to her extensive classroom experience, Mrs. Williams worked in the District's State and Federal Program as a Reading Specialist. 13 years in a variety of non-public schools, teaching both remedial Reading and Mathematics.

In addition to the degrees/credentials mentioned above, Mrs. Williams holds a M.Ed. with a concentration in Reading (Raskob Institute), a Masters in Biblical Studies from Bay Cities Bible Institute and an Administration Credential from California State University, Hayward.

Juanita Ambers – Entrepreneur and Business Owner of Arco AM/PM Mini Mart and Gas Station, located at 98<sup>th</sup> Avenue and International Blvd. in Oakland for the past 30 years. This business serves as a vital service to the community in an area where few businesses operate, especially since her business operates 24 hours per day. She has been responsible for providing livable-wage employment opportunities for over 200 individuals during the past 30 years she has been in business. Ms. Ambers is a savvy business person, who understands and meets the need of her community that has a large concentration of impoverished residents. Additionally, Ms Ambers has

been a long-time resident in the City of Oakland for 60 years and has assisted with many numerous community projects throughout the City.

Tremaine Moore – An Elementary Teacher with Oakland Unified School District for the past 14 years. He began his career with OUSD as an Instructional Assistant, librarian, tutor, and noon supervisor. Mr. Moore has taken on additional roles, as a committed, dedicated classroom teacher and serves as an Academic Liaison for after school programs, Student Council Advisor, Safety Patrol Advisor, after school drama teacher, after school dance teacher, and School Site Council Representative.

Mr. Moore holds an Associate Arts Degree in General Education from Laney College, B.A. Degree in Liberal Studies from Cal State Eastbay, and a Professional Clear Multiple Subject Teaching Credential, with CLAD emphasis.



## Dr. Herbert Guice Christian Acad

6925 International Blvd ( Oakland California 94521 510-729-0330 (Phone) 510-729-0333 (Fax)

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About Us

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Expected
Schoolwide Learning

Board of Directors & Administration

Enrollment Application

Location

## Board of Directors

\*Academic\*

The Late Dr. Herbert Guice, Founder
Gail Johnson-Murphy, Chairperson
Juanita Ambers
Barbara Elmore-Lane
Jimmie Hawthorne
Neola Crosby
Helen Getridge
Melvyn Gillette
Mary Hardy
Stella Daniels
Brenda Gamble
Tremaine Moore
Paulette Newborn

### Administration

Mildred Williams

Dr. Clifford Thompson , Director Della Wilson, Administrative Assistant

### Classified Staff

Joann Herbert Eleanor Rentie

### Custodial Staff

Phillip Duncan Willie Thomas

### **Teachers**

Ishara Beliso - Kindergarten & First Grade Yasmin Harris - Second Grade & Third Grade Allison White - Third Grade & Fourth Grade Danielle Perry - Fifth Grade & Sixth Grade Fabiola Zapeda - Spanish Tommy Asberry - Music

### Appendix II: School Mission

### Why Herbert Guice Charter Academy?

It is our belief that a strong school has a strong supportive culture, one that lets children know that their work is valued, that adults will not give up on them, and that they are responsible for their actions. The staff will work toward reating a professional tone that celebrates learning in all its forms. The Herbert Be Charter Academy will set this tone in a small school setting, with small school setting, with small school setting community members.

To that end, we have established the following:

### Herbert Guice Charter Academy Mission Statement

The Herbert Guice Charter Academy seeks to educate and train students in a safe, creative and intellectually stimulating environment that fosters the growth of self-esteem and responsibility in each child.

### Sechool-Philosophy

The Herbert Guice Charter Academy is a community composed of parents, guardians, members of the Grandparents Club, faculty, staff and students bound together in mutual respect for each other.

The School is dedicated to preparing young people to live in an evolving world of change.

Students are guided through the curriculum in the development of a quality education and a moral value system. The curriculum is carefully coordinated to instill a strong foundation in the basic skills, as well as develop high levels of analytical and critical thinking through age-appropriate activities. The development of the total child is addressed through moral, social, psychological and physical development. The unique qualities and talents of each child are encouraged and nurtured.

The education environment is a community where responsibility for learning is placed upon the learners, the teachers and staff as professional resource persons, and the parents as nurturers and supporters of their child.

#### Contentations

- ♦ Integrity
- **♦** Excellence
- ♦ Accountability

- **♦** Creativity
- ♦ Belief in people as a solution
- ♦ Diversity



## Dr. Herbert Guice Christian Academy

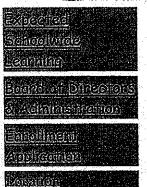
6925 International Blvd Oakland, California 94621 510-729-0330 (Phone) 510-729-0333 (Fax)

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Activities

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About Us 1



### History

Dr. Herbert Guice Christian Acade was founded in 1996 by Dr. Herbert Guice and members of the Bethel Missery Baptist Church. Establishment of the Academy is another step in the strong advocacy that Pastor Guice has shown toward providing a strong opportunities for students of all ages.

### Mission Statement

Dr. Herbert Guice Christian Academy seeks to educate and train students in a safe, creative, and intellectually stimulating Christian environment that fosters the growth of self esteem and responsibility in each child.

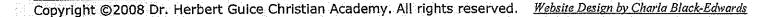
#### Motto

"Train up a child in the way he should go, and when he is old, he will not depart from it." Proverbs 22:6

#### Purpose

The Academy is dedicated to living the Gospel message. The role of the Academy is to prepare young people to live a Christian life in an evolving world of change.

The mission statement, purpose, and school motto was established by our founder, Dr. Herbert Guice, CEO and Board of Directors, and members of the Bethel Missionary Baptist Church in 1996. It reflects the core values of the Academy and its stakeholders, and is supported by the board, administration, teaching staff, parents and students.



### Appendix III: School Philosophy

### Why Herbert Guice Charter Academy?

It is our belief that a strong school has a strong supportive culture, one that lets children know that their work is valued, that adults will not give up on them, and that they are responsible for their actions. The staff will work toward creating a professional tone that celebrates learning in all its forms. The Herbert Guice Charter Academy will set this tone in a small school setting, with small class sizes, by promoting values, actively involving families and celebrating community members.

To that end, we have established the following:

### Herbert Guice Charter Academy Mission Statement

The Herbert Guice Charter Academy seeks to educate and train students in a safe, creative and intellectually stimulating environment that fosters the growth of self-esteem and responsibility in each child.

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The education environment is a community where responsibility for learning is placed upon the learners, the teachers and staff as professional resource persons, and the parents as nurturers and supporters of their child.



♦ Integrity

♦ Excellence

♦ Accountability

♦ Creativity

Belief in people as a solution

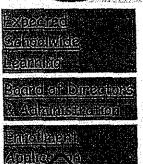
♦ Diversity



## Dr. Herbert Guice Christian Academy

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# Home About Uses (Academic ) (Calendar ) Activities

### MOTTO:

Train up a child in a way he should go: and when he is old he will not depart from it.

Proverbs 22:6



We are a non-profit Christian educational institution committed to the spiritual development and academic preparation of each student in a nurturing, Christian environment.

Students are guided through the curriculum in the development of a quality education and a moral value system. The curriculum is carefully coordinated to instill a strong foundation in the basic skills, as well as develop high levels of analytical and critical thinking through age approportiate activities. The development of the total child is addressed through spiritual, moral, social, psychological and physical development. The unique qualities and talents of each child is encouraged and nurtured.

The educational environment is a community where responsibility for learning is placed upon the learners, the teachers as professional resource persons, and the parents as nurturers and supporters of their child.

#### SCHOOL HOURS

Monday - Friday: 8:20 a.m. - 3:00 p.m. School Office Hours: 8:00 a.m. - 4:00 p.m.

### EXTENDED DAY CARE

The Extended Day Care Program operates from 7:00 a.m. to 8:20 a.m. and from 3:15 p.m. to 6:00 p.m. in the afternoons.

Appendix IV: School Calendar

### Herbert Guice Charter Academy 2009-2010 School Year Calendar

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		Aug	ust 2	009			<u>Events</u>	<u>Date</u>
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2	3	4	5	6	7	8	Teacher Planning/Professional Development Days	8/19-8/21
9	10	11	12		14	15	Mandatory Parent Orientation 6:00PM	8/20
16	17	18		20	2	22	First Day of School	8/31
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6	7	8	9	10	11	12	Back To School Night 6:00PM	9/17
13	14	15	16	77		19	Picture Day (Official Uniform)	TBA
20	21	22	23	24	25	26	Free Dress Day	9/25
27	28	29	30				Professional Development (Teachers)	9/24
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4	5	6	7	8	9	10	First Progress Report	10/2
11	12	13	14		16	17	Minimum Day - Teacher Development	TBA
18	19	20	21	22	23	24	Grandparents Club Meeting 6:00PM	10/15
25	26	27	28	29	(3)	31	Harvest Fest and Free Dress Day	10/30
	1						Professional Development (Teachers)	10/22
	1	love	mbei	200	9		<u>Events</u>	<u>Date</u>
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1	2	3	4	5		7	Second Progress Report	11/6
8	9	10	11	12	13	,	Veteran's Day Holiday (School & Office Closed)	11/11
15	16	17	18		337	21	Grandparents Club Meeting 6:00PM	11/19
22	23	24	25	26	27	28	Free Dress Friday	11/20
29	30		ः <u>।</u>				Thanksgiving Break (School & Office Closed)	11/25-11/27
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				200			<u>Events</u>	Date
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i in in						5	Scholastic Book Fair	12/1 - 12/7
6						12	First Trimester Report Card/Parent Conferences (Vol.Hrs)	12/8-12/11
		Ì a		a			Christmas Concert/Kwanzaa Celebration 6:00PM	12/17
13		15				19	Free Dress Friday	12/18
20	_			24		26	Winter Break (School Closed)	12/21-12/31
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### Herbert Guice Charter Academy 2009-2010 School Year Calendar

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<u>Events</u>	Date
Winter Break (School Closed)	1/1
School Reopens	1/4
Minimum Day - Teacher Development	TBA
Dr. King's Birthday Holiday (School and Office Closed)	1/18
Grandparents Club Meeting 6:00PM	1/21
Free dress day	1/29
Professional Development (Teachers)	1/28
<u>Events</u>	<u>Date</u>
Open House 2010-2011 Registration 6:00PM	2/4
Third Progress Report	2/5
President's Holiday - School & Office Closed	2/12-2/15
Black History Program 6:00PM	2/18
Annual Crab Fest 3:00-6:00PM	TBA
Free dress day	2/26
OUSD Oratorical Fest Elem /Secondary Regional Competition	TBA
Professional Development (Teachers)	2/25
<u>Events</u>	<u>Date</u>
Second trimester report card/Parent Conferences (Vol.Hr)	3/9-3/12
Grandparents Club Meeting 6:00PM	3/19
Free dress day	3/26
Terra Nova Testing	TBA
Spring Break (School Market)	3/29-3/31
Professional Developm ers)	3/25
	<u>Date</u>
Spring Break (School Closed)	4/1-4/2
Terra Nova Testing	TBD
Grandparents Club Meeting 6:00PM	4/15
Minimum Day - Teacher Development	TBA
Career Day	TBA
Free Dress Day/4th Progress Report	4/30
Professional Development (Teachers)	
<u>Events</u>	<u>Date</u>
Family Literacy Night	· 5/13 ·
Spring Music Concert	5/20
Scholastic Book Fair	5/17-5/21
Grandparents Club Meeting 6:00PM	5/20
Memorial Day Holiday - School and Office Closed	5/24
Free Dress Day	5/28
Professional Development (Teachers)	5/27
<u>Events</u>	Date
All School Picnic	6/4
Kindergarten Graduation	6/8
Sixth Grade Graduation	6/9
Last Day of School	6/9
Final Report Card	6/9
Teacher Close out Days	6/10-6/11
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### Dr Herbert Guice Christian Academy 2008-2009 School Year Calendar

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17	18	_	20	24	22	23	First Day of School	8/25
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7	8	9	10	11	12	13	PTO Meeting 6:00PM	9/4
14	15	16	17	10	19	20	Back To School Night 6:00PM	9/18
21	22	23	24		26	27	Picture Day (Official Uniform)	TBA
28	29	30					Free Dress Day	9/26
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19	20	21	22	23	_	25	Grandparents Club Meeting 6:00PM	10/16
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16	+	18		20			Free Dress Friday	11/21
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14	-	•		V. W. W.			Christmas Concert/Kwanzaa Celebration 6:00PM	12/18
21					26	27	Free Dress Friday	12/19
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### Dr Herbert Guice Christian Academy 2008-2009 School Year Calendar

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<u>Events</u>	<u>Date</u>
Winter Break (School Closed)	1/1-1/2
School Reopens	1/5
PTO Meeting 8:00PM	1/8
Minimum Day - Teacher Development	TBA
Dr. King's Birthday Holiday (School and Office Closed)	1/19
Grandparents Club Meeting 6:00PM	1/22
Free dress day	1/30
<u>Events</u>	<u>Date</u>
Open House 2009-2010 Registration 6:00PM	2/4
PTO Meeting 6:00PM	2/5
Third Progress Report	2/6
President's Holiday - School & Office Closed	2/16
Black History Program 6:00PM	2/19
Annual Crab Fest 3:00-6:00PM	TBA
Free dress day	2/27
OUSD Oratorical Fest Elem./Secondary Regional Competition	TBA
<u>Events</u>	<u>Date</u>
PTO Meeting 6:00PM	3/5
Second trimester report card/Parent Conferences (Vol.Hr)	3/10-3/13
Grandparents Club Meeting 6:00PM	3/19
Free dress day	3/27
Terra Nova Testing	3/31

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<u>Events</u>	<u>Date</u>
Terra Nova Testing	4/1-4/3
PTO Meeting 6:00PM	4/2
Spring Break - School Closed	4/6-4/10
Good Friday - School Office Closed	4/10
Grandparents Club Meeting 6:00PM	4/16
Minimum Day - Teacher Development	TBA
Career Day	TBA
Free Dress Day	4/24
<u>Events</u>	<u>Date</u>
Fourth Progress Report	5/1
PTO Meeting 6:00PM	5/7
Family Literacy Night	5/13
Scholastic Book Fair	5/18-5/22
Spring Music Concert	5/20
Grandparents Club Meeting 6:00PM	5/21
Memorial Day Holiday - School and Office Closed	5/25
Free Dress Day	5/29
<u>Events</u>	<u>Date</u>
PTO Meeting 6:00PM	6/4
All School Picnic	6/5
Kindergarten Graduation	6/8
Sixth Grade Graduation	6/9
Last Day of School	6/9
Final Report Card	6/9
Teacher Close out Days	6/10-6/11