



OAKLAND UNIFIED SCHOOL DISTRICT

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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: May 13, 2009

RE: Oakland Collegiate Charter Petition Request

Legislative File

File ID No.: 09-0688

Introduction Date: 2/25/2009

Enactment No.: 09-0864

Enactment Date: 5/13/09

By: \_\_\_\_\_

**ACTION REQUESTED:**

**Deny** the charter petition to establish Oakland Collegiate 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 **deny** the charter petition for Oakland Collegiate under the California Charter Schools Act. Staff recommends denial based on factual findings, specific to this particular petition, detailed in this report.

**PROCEDURAL BACKGROUND**

- 1) The lead petitioners submitted the Oakland Collegiate petition on February 25, 2009 at a regularly scheduled Board of Education meeting.
- 2) Staff held an introductory meeting with the lead petitioner, Jeremy Vidito, on March 10, 2009 to explain the petition review process and obtain petitioning group contact information.
- 3) A public hearing was held on March 25, 2009. Representatives from the lead petitioning group presented.
- 4) Staff conducted two Petitioner Interviews on April 14, 2009 and April 15, 2009.

## 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 on April 14, 2009 and April 15, 2009, 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.

Oakland Collegiate proposes to be a middle school serving students in grades 6 through 8, with a focus on under-served students living between 35<sup>th</sup> Avenue and 81<sup>st</sup> Avenue, and the 580 and 880 highways, in East Oakland. The school proposes to open in fall, 2010 serving 120 students in grade 6 only, subsequently adding 120 students each year until reaching a maximum capacity of 360 students in grades 6 through 8.

The petition as submitted, proposes a program that emphasizes; a) great teachers teaching rigorous curriculum; b) a safe and structured school culture; and c) a partnership between parents and the school. The educational program proposes to offer additional instructional time through a longer school day and extended school year; a focus on literacy and math; small class sizes; a school culture that supports instruction; and targeted support services.

## **Further Considerations**

Staff evaluation of the charter petition as submitted for the Oakland Collegiate charter school, as well as staff evaluation of the capacity of the petitioning group, including the proposed governing board members, has identified meaningful areas for future consideration.

### **Educational Program**

Specific program components that represent developmentally appropriate practices for early adolescent students offer potential for improving pupil learning. Specific components include an advisory system, positive incentives to reinforce positive behaviors, and opportunities for students to have clearly articulated expectations throughout the school.

Gender specific core programming and supplemental programming proposed in the charter petition offers an innovative approach to addressing the social and academic needs of early adolescents.

A focus on data-based decision-making and the use of interim assessments to evaluate teaching and the effectiveness of the over-all educational program provide critical opportunities for continuous improvement. An internal system of accountability is necessary for the successful implementation of any effective school program.

Petition proposes a Response to Intervention model that supports a growing effort to intervene early when students are underperforming.

### **Organizational Viability**

The proposed governing board members, whom staff interviewed as part of the Petitioner Interview process, demonstrated a strong commitment to the school's mission. The proposed governing board members represent a broad base of local and non-local community, business and education expertise that have the potential to support effective board governance of a charter school in Oakland.

Notwithstanding the aforementioned strengths and other aspects of the proposed charter school contained within the petition as submitted that warrant future consideration; pursuant to the petition review process and the standards and criteria set forth in statute and by the Oakland Unified School District, staff has identified key challenges and obstacles which significantly diminish the petitioning group's likelihood of successfully implementing the program as set forth in the petition. Additionally staff has identified critical shortcomings within the charter petition descriptions for both the educational program and the operations of the proposed school as submitted.

*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 and analysis of the petitioner responses during the Petitioner Interviews, presents the following findings that the petitioners are demonstrably unlikely to successfully implement the program as set forth in the petition:**

#### **Summary of Findings:**

##### 1.0 Educational Program Design, Implementation, and Curriculum Plan

- 1.1 Petition and petitioner responses lack analysis or evidence that the supporting conditions present in the model schools from which the proposed school design components originated have been sufficiently contemplated to demonstrate the likelihood of successful replication.
- 1.2 Significant discrepancies exist between the supporting conditions present in the model school programs and those found in the proposed new school program, which are likely to negatively impact the effective implementation of the proposed new school program as set forth in the petition.

##### 2.0 Teacher Roles, Responsibilities and Support

- 2.1 Petition sets forth roles and responsibilities for teachers with deficient evidence of the support structures necessary to demonstrate a likelihood of successful implementation.
- 2.2 Petition proposes a professional learning plan, which contain inconsistencies and does not demonstrate the likelihood of meeting the scope of teacher needs based on the proposed program design.

##### 3.0 School Administration, Governance

- 3.1 Petition sets forth roles and responsibilities for school administration with deficient evidence of the support structures necessary to demonstrate a likelihood of successful implementation
- 3.2 Petitioners lack a selected school leader/s and existing qualifications among petitioners do not sufficiently demonstrate the requisite skills or capacity to fulfill the scope of roles and responsibilities enumerated for the school leader/s in the petition, particularly when considering the requisite leadership qualifications present among the model school programs.

##### 4.0 Parent Partnership

- 4.1 Petition proposes a “partnership” with parents that will achieve the objective of giving parents a “*voice in matters critical to the school’s success*”; however the strategies and approach outlined in the petition presents one-way communication and volunteerism as the primary vehicles for achieving this objective, thus not demonstrating a likelihood of achieving the requisite “partnership” outlined in the petition.

##### 5.0 Budget

- 5.1 Petition financials and proposed budget contain numerous technical errors and inconsistencies and lack essential specificity of assumptions, which are likely to negatively impact the successful implementation of the proposed educational program.

Findings	Reference
<p data-bbox="186 296 1239 327"><b>1.0 Educational Program Design, Implementation, and Curriculum Plan</b></p> <p data-bbox="186 363 331 394"><b>Finding 1.1</b></p> <p data-bbox="186 430 1227 695">Pursuant to a comprehensive analysis of the petition as submitted in its entirety, and based on the responses during the Petitioner Interviews held on April 14, and April 15, 2009, staff has determined that the educational program represents a design built upon the replication or adaptation of many various model school programs. Staff has determined that the petition lacks a demonstration of the necessary analysis of the model school programs including the supporting conditions and the context present in the model school from which the proposed educational program design elements originated, to ensure a likelihood of success.</p> <p data-bbox="186 730 1214 898">Given that the likelihood of effectively replicating model school practices is predicated on a clear understanding and thorough analysis of the original context in which the practice was created, the complete absence of such requisite analysis provides evidence that the petitioners are demonstrably unlikely to successfully implement the program as set forth in the petition.</p> <p data-bbox="186 934 1105 966"><b>EVIDENCE - 1.1 Demonstrated intent to replicate model school practices</b></p> <p data-bbox="186 1001 586 1033">Petition states: <b>[emphasis added]</b></p> <p data-bbox="186 1035 1222 1234"><i>“Oakland Collegiate instruction model is <b>based on</b> site visits at top performing urban charter schools including KIPP-Heartwood, North Star Academy, and Roxbury Preparatory, as well as research by Samuel Carter in <i>No Excuses: Lessons from 21 High-Performing Poverty Schools</i>; William Saunders and June Rivers study <i>Cumulative and Residual Effects of Teachers</i>; E.D. Hirsh Jr. <i>The Schools We Need</i>; and Lorraine Monroe <i>Nothing’s Impossible</i>.”</i></p> <p data-bbox="186 1270 643 1302">Petition also states: <b>[emphasis added]</b></p> <p data-bbox="186 1304 1201 1398"><i>“The Oakland Collegiate design is <b>supported by</b> the results from numerous other high performing schools; Excel Academy, KIPP Heartwood, KIPP Lynn, North Star Academy, and Roxbury Preparatory are a few of the schools.”</i></p> <p data-bbox="186 1434 1195 1497">Petition quotes the book <u>No Excuses; Lesson from 21 High Performing, High Quality Schools</u><b>[emphasis added]</b></p> <p data-bbox="186 1499 1201 1635"><i>“...these case studies highlight and celebrate the effective practices of low-income schools that work. Only by encouraging, rewarding, and <b>imitating</b> this kind of success will our schools provide the kind of opportunity that all children in a free society deserve.”</i></p> <p data-bbox="186 1671 643 1703">Petition also states: <b>[emphasis added]</b></p> <p data-bbox="186 1705 1222 1768"><i>“Oakland Collegiate’s instructional design is <b>based upon</b> the design of high performing urban schools across the country.”</i></p> <p data-bbox="186 1803 1131 1866">Petition states in reference to a particular practice in the proposed school design: <b>[emphasis added]</b></p> <p data-bbox="186 1869 1000 1900"><i>“<b>Based on</b> strategies proven effective at high-performing schools...”</i></p>	<p data-bbox="1263 1001 1344 1033">(pg. 2)</p> <p data-bbox="1263 1270 1360 1302">(pg. 24)</p> <p data-bbox="1263 1434 1360 1465">(pg. 23)</p> <p data-bbox="1263 1671 1360 1703">(pg. 35)</p> <p data-bbox="1263 1803 1360 1835">(pg. 41)</p>

<p>Petition also states:  <i>During the design of the school, members of the founding team visited and learned from the following high-performing, high-poverty schools:</i></p> <ol style="list-style-type: none"> <li>1. <i>Academy of the Pacific Rim – Boston, MA</i></li> <li>2. <i>Achievement First – New York City, NY</i></li> <li>3. <i>Acorn Woodland – Oakland, CA</i></li> <li>4. <i>Boston Collegiate – Boston, MA</i></li> <li>5. <i>Boston Preparatory – Boston, MA</i></li> <li>6. <i>Delaware College Preparatory – Wilmington, DE</i></li> <li>7. <i>Elm City (Achievement First) – New Haven, CT</i></li> <li>8. <i>Excel Academy-Boston, MA</i></li> <li>9. <i>KIPP – Academy – Lynn, MA</i></li> <li>10. <i>KIPP – Bridge – Oakland, CA</i></li> <li>11. <i>KIPP – SF Bay Academy – San Francisco, CA</i></li> <li>12. <i>KIPP – Heartwood – San Jose, CA</i></li> <li>13. <i>KIPP – King – San Lorenzo, CA</i></li> <li>14. <i>KIPP – RISE – Newark, NJ</i></li> <li>15. <i>KIPP – San Jose Collegiate – San Jose, CA</i></li> <li>16. <i>KIPP – Summit – San Lorenzo, CA</i></li> <li>17. <i>Leadership Preparatory – New York City, NY</i></li> <li>18. <i>Leonard Wilson Preparatory – Oakland, CA</i></li> <li>19. <i>Life Learning Academy – San Francisco, CA</i></li> <li>20. <i>Lighthouse Community Charter School – Oakland, CA</i></li> <li>21. <i>North Star Academies – Newark, NJ</i></li> <li>22. <i>Oakland Charter Academy High School – Oakland, CA</i></li> <li>23. <i>Prestige Academy – Wilmington, DE</i></li> <li>24. <i>Roxbury Preparatory – Boston, MA</i></li> <li>25. <i>Robert Treat – Newark, NJ</i></li> <li>26. <i>Williamsburg Collegiate – New York City, NY</i></li> </ol>	<p>(pg. 23)</p>
<p>Petition states [<b>emphasis added</b>] that the proposed educational program “<i>replicates</i>” successful practices based on identified “<i>high performing, high poverty schools</i>”.</p>	<p>(pg. 24)</p>
<p>Proposed program design elements identified as a successful practices in existing schools deemed to be high performing:</p>	
<ul style="list-style-type: none"> <li>▪ <b>Excel Academy;</b> <i>Two leader instructional model</i></li> </ul>	<p>(pg. 25)</p>
<ul style="list-style-type: none"> <li>▪ <b>Excel Academy;</b> <i>Voice meter</i></li> </ul>	<p>(pg. 55)</p>
<ul style="list-style-type: none"> <li>▪ <b>Excel Academy;</b> <i>Curriculum, Instruction, and Assessment</i></li> </ul>	<p>(pg. APPEND 145)</p>
<ul style="list-style-type: none"> <li>▪ <b>Excel Academy;</b> <i>Classroom Management &amp; Discipline</i></li> </ul>	<p>(pg. APPEND 201)</p>
<ul style="list-style-type: none"> <li>▪ <b>Excel Academy;</b> <i>Staff Evaluation Form</i></li> </ul>	<p>(pg. APPEND 77)</p>
<ul style="list-style-type: none"> <li>▪ <b>KIPP Lynn;</b> <i>Longer school day,</i></li> </ul>	<p>(pg. 25)</p>
<ul style="list-style-type: none"> <li>▪ <b>KIPP Lynn;</b> <i>Supplemental instructional year</i></li> </ul>	<p>(pg. 25)</p>

<ul style="list-style-type: none"> <li>▪ <b>KIPP Lynn</b>; <i>Single gender classrooms</i></li> <li>▪ <b>KIPP Austin</b>; <i>Employee Evaluation</i></li> <li>▪ <b>KIPP Academy of Opportunity</b>; <i>Fire and Safety Plan</i></li> <li>▪ <b>North Star Academy</b>; <i>Community meeting, clear structures</i></li> <li>▪ <b>North Star Academy</b>; <i>Daily Lesson Plan Expectations</i></li> <li>▪ <b>Roxbury Preparatory</b>; <i>Three to four week summer professional development, double block of math, targeted intervention system</i></li> <li>▪ <b>Roxbury Preparatory</b>; <i>weekly syllabi</i></li> <li>▪ <b>Roxbury Preparatory</b>; <i>Math instructional model</i></li> <li>▪ <b>Boston Collegiate</b>; <i>Homework Club</i></li> <li>▪ <b>Achievement First Schools</b>; <i>Breakfast Brain</i></li> <li>▪ <b>MATCH High School</b>; <i>AmeriCorps member push-in, pull-out tutoring program</i></li> <li>▪ <b>Acorn Woodland</b> [&amp; Roxbury Preparatory, North Star Academy, KIPP-Heartwood]; <i>Focusing expenditures on teachers and improving teacher quality, creating a safe and structured school culture, and providing targeted student support services</i></li> <li>▪ <b>High Performing Urban Schools</b> (general); <i>One to two hours of homework nightly following extended day</i></li> <li>▪ <b>High Performing Urban Schools</b> (general); <i>Consistent enforcement of consequences for small infractions</i></li> </ul> <p><b>Throughout the petition reference is made to proposed practices taken from existing schools.</b></p> <p>Citations of Model Schools: Pg. 2, Pg. 23, Pg. 24, Pg. 25, Pg. 26, Pg. 35, Pg. 37, Pg. 42, Pg. 46, Pg. 48, Pg. 55, Pg. 59, Pg. 75, Pg. 156, Pg. 60 AP, Pg. 70 AP, Pg. 77 AP, Pg. 105 AP, Pg. 106 AP, Pg. 137 AP, Pg. 142 AP, Pg. 145 AP, Pg. 147 AP, Pg. 154 AP, Pg. 201 AP, Pg. 295 AP</p> <p><b><u>ANALYSIS</u></b></p> <p>Research Brief by the Center for Reinventing Public Education entitled <u>Identifying and Replicating the “DNA” of Successful Charter Schools</u> states;  <i>“There are only two choices in building a new organization: Leveraging knowledge or innovating. You can’t have both. Leveraging knowledge through replication should be done with humility and respect for the care that went into creating the original successful enterprise.”</i> [cites: Szulanski and Winter, 2002 “Getting It Right.”]</p> <p>Pursuant to a comprehensive analysis of the petition, including a thorough review of the</p>	<p>(pg. 48)</p> <p>(pg. APPEND 60)</p> <p>(pg. APPEND 295)</p> <p>(pg. 25)</p> <p>(pg. APPEND 154)</p> <p>(pg. 26)</p> <p>(pg. 54)</p> <p>(pg. 75)</p> <p>(pg. 46)</p> <p>(pg. 37)</p> <p>(pg. APPEND 105)</p> <p>(pg. APPEND 105)</p> <p>(pg. 42)</p> <p>(pg. 46)</p>
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attached appendices, staff has determined that the selected practices presented within the educational program derive from no less than seven different, distinct school settings. Responses provided during the Petitioner Interview with the proposed governing board held on April 15, 2009, outlined for staff the Oakland Collegiate design process, which was based on decision-making that focused on the incorporation of practices which, when vetted with other teachers for example, were deemed most likely to serve the target population and achieve the school mission.

No evidence or articulation was provided within the petition as submitted or provided by the petitioners during the Petitioner Interviews, that demonstrates analysis or efforts to research school “*replication*”. No evidence or articulation was provided with in the petition or provided by the petitioners during the Petitioner Interviews regarding how each chosen practice has been considered in the context of the originating school as well as the context of the newly proposed school, to demonstrate a likelihood of success. Repeated attempts were made by staff during the interview process with the proposed governing board to obtain such evidence.

**ADDITIONAL ANALYSIS:**

**These findings are supported by the following Research Brief excerpts. Staff also conducted an analysis of research and articles cited within the Research Brief quoted here, further strengthening the conclusions outlined in these findings:**

Research Brief by the Center for Reinventing Public Education entitled Identifying and Replicating the “DNA” of Successful Charter Schools states;

*“One of the most common difficulties these organizations encounter is making sure the original design or model school is replicated faithfully. In many cases, organizations fail to insist on faithful replication and struggle with how much to allow sites to adapt the model to fit local desires. As a result, “replicated” charter schools are often of uneven quality, reflecting poorly on the original school or on the umbrella management organization.”* [cites: Steven Wilson, *Learning on the Job: When Business Takes On Public Schools* (Cambridge, MA: Harvard University Press, 2006).]

*“Gabriel Szulanski and Sidney Winter explain that identifying and importing the essential “DNA” of a successful organization is extremely difficult to do. [...] In some cases, people try to replicate a program that succeeded more by luck than by a formula that can be copied. In other cases, overconfidence among the “locals” adopting the program causes the adopters to tinker too much with the model, thinking they can improve it or only need adopt one piece.”* [cites: Szulanski and Winter, 2002 “Getting It Right.”]

**The brief goes on to suggest considerations for charter school program replication, including:**

*“Copying complex organizations is possible, but one should copy the components and how they fit together. The replica will be coherent only if the template is. Because nobody, not even the founder, is likely able to anticipate which parts of the model matter most and how they interact in subtle ways, the best thing to do is to err on the side of copying everything.”*



**Finding 1.2**

Pursuant to a comprehensive analysis of the petition as submitted in its entirety, and based on the responses during the Petitioner Interviews held on April 14, and April 15, 2009, the petition represents program elements derived from schools wherein staff research indicates that there exists specific and significant discrepancies between the supporting conditions present in the model schools and the program design set forth in the charter petition.

Given that the fundamental and pervasive rationale justifying the chosen educational program elements as outlined in the petition is based on numerous citations of the performance outcomes of selected model schools; and given that this performance data is presented as evidence of the effectiveness of the chosen program elements; and given the extent of the discrepancies identified by staff that exist between the model school programs cited in the petition and the proposed program set forth in the petition; and given that the absence of analysis of the originating school context undermines the likelihood of effectively replicating model school program elements; staff has determined that the petitioners are demonstrably unlikely to successfully implement the program as set forth in the petition.

Citations of Model Schools:

Pg. 2, Pg. 23, Pg. 24, Pg. 25, Pg. 26, Pg. 35, Pg. 37, Pg. 42, Pg. 46, Pg. 48, Pg. 55, Pg. 59, Pg. 75, Pg. 156, Pg. 60 AP, Pg. 70 AP, Pg. 77 AP, Pg. 105 AP, Pg. 106 AP, Pg. 137 AP, Pg. 142 AP, Pg. 145 AP, Pg. 147 AP, Pg. 154 AP, Pg. 201 AP, Pg. 295 AP

An analysis of specific model schools outlined in the charter petition highlights the discrepancies.

**EVIDENCE - 1.21 Staffing Model**

**Excel Academy:**

The following information illustrates one aspect of the supporting conditions at Excel Academy, Boston, MA: [Excel Academy website [www.excelacademy.org](http://www.excelacademy.org)]

**Staffing Model**

**TABLE I: Excel Academy Staffing Model vs. Oakland Collegiate Staffing Model**

Excel Academy Administrative Staff Model	Oakland Collegiate Administrative Staff Model
1) Intern	1) Executive Director
2) School Counselor	2) Director of Curriculum & Instruction (DCI)
3) Office Manager	3) Office Manager
4) Fellow	4) Director of Operations
5) Principal	5) Dean of Student Affairs (0.25)
6) English Language Learner Program Manager	6) Dean of Student Affairs (0.25)
7) Dean of Administration	7) Student Supports Coordinator (0.5)
8) Director of High School Placement	

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9) Graduate Services Manager 10) Associate Dean of Students (0.25) 11) Operations Manager 12) Dean of Students 13) Director of Resource Development 14) Heath & Fitness Teacher 15) Executive Director 16) Mentoring Program Manager 17) School Nurse	
<b>Total 16.25</b>	<b>Total 5.0</b>
<b>Total Enrollment: 209 (grades 5-8)</b>	<b>Total Enrollment: 360 (grades 6-8)</b>

Oakland Collegiate implementation of staffing plan is as follows:

**TABLE II: Oakland Collegiate Administrative Growth Plan**

(pg. APPEND 106)

Year 1	Year 2	Year 3	Year 4
1.0 Exec. Director 1.0 Office Manager 0.5 Dir. Curric./Instr.	1.0 Exec. Director 1.0 Office Manager 1.0 Dir. Curric./Instr.	1.0 Exec. Director 1.0 Office Manager 1.0 Dir. Curric./Instr. 0.5 Stu. Support Cor. 0.5 Dir. Of Op's 0.25 Dean of Stud. 0.25 Dean of Stud.	1.0 Exec. Director 1.0 Office Manager 1.0 Dir. Curric./Instr. 0.5 Stu. Support Cor. 1.0 Dir. Of Op's 0.25 Dean of Stud. 0.25 Dean of Stud.
<b>Total 2.5</b>	<b>Total 3.0</b>	<b>Total 4.5</b>	<b>Total 5.0</b>
<b>Enrollment: 120</b>	<b>Enrollment: 240</b>	<b>Enrollment: 360</b>	<b>Enrollment: 360</b>

**Oakland Collegiate**

Pursuant to the petition, Oakland Collegiate will not attain its full staffing model until Year Four.

**EVIDENCE - 1.22 Support Structures and Grade Configuration**

**KIPP Schools:**

Petition states: [emphasis added]

*“The Oakland Collegiate design is supported by the results from numerous other high performing schools; Excel Academy, KIPP Heartwood, KIPP Lynn, North Star Academy, and Roxbury Preparatory are a few of the schools.”*

(pg. 24)

Petition states:

- Proposed governing board member: *Cheyenne Pronga; teacher KIPP Summit Academy, founding teacher KIPP King Collegiate High School*
- Proposed governing board member: *Antonio Tapia; founding teacher KIPP Summit Academy*

The following information illustrates one aspect of the supporting conditions for KIPP Schools: [KIPP Foundation website [www.kippfoundation.org](http://www.kippfoundation.org)]

*While the KIPP Foundation was initially created for the sole purpose of recruiting and training school leaders to open new KIPP schools, the Foundation's functions have grown to provide support and expertise for existing schools. By leveraging the power of the KIPP network, the KIPP Foundation helps to ensure that KIPP schools continue to deliver a high-quality education for their students.*

**Foundation Programs and Services**

*The KIPP Foundation continually aligns the support and services we provide to our schools in order to ensure that, together as a network, we are reaching our mission. The following is a summary of the programs and services offered:*

- *Network growth planning and new site selection*
- *Recruitment and selection of new school leaders (KIPP School Leadership Program)*
- *Leadership training and professional development (KIPP Leadership Pathways Program)*
- *Research and evaluation of school performance*
- *Technology, legal, and real estate services*
- *Financial and operational support*
- *Communications and marketing support*
- *Development and fundraising*
- *Local board development*

**KIPP Grade Configuration**

KIPP Lynn and KIPP Heartwood serve students in grades 5 through 8.

**Oakland Collegiate**

Oakland Collegiate is not proposed to be a KIPP school and thus, while attempting to replicate specific KIPP practices, will not have access to nor benefit from the support of the KIPP Foundation, as do other KIPP schools within the KIPP Network.

Oakland Collegiate's educational program design proposes to serve students in grades 6 through 8 only, vs. 5 through 8 as exemplified in the KIPP model.

**EVIDENCE - 1.23 Support Structures and Grade Configuration**

**North Star Academy:**

**Uncommon Schools Network**

North Star Academy is currently supported by the Uncommon Schools charter management organization. North Star Academy is supported by the following on-site administrative staff:

1. Co-founder, Principal
2. Managing Director
3. Director of Programs
4. Chief Operating Officer
5. Office Manager

6. Co-Director (2)

In addition, North Star Academy and Uncommon Schools employs the following positions working in service of approx. 600 students on three campuses.

1. Chief Financial Officer
2. Special Projects Intern
3. Technology Project Manager
4. Grants Manager
5. Director of Real Estate
6. Director of Facilities
7. Director of Operations
8. Assistant Director of Recruitment and Leadership Development
9. Senior Accountant
10. Associate Director of Recruitment (2)
11. Associate Director of Operations (2)
12. National Director of Recruitment
13. Chief Technology Officer
14. Director of Special Education
15. Director of Finance
16. Director of Development
17. Director of Marketing
18. Director of Outreach
19. Associate Director of Marketing and Development

**North Star Academy Grade Configuration**

North Star Academy Middle School serves students beginning in grades 5 and shares a campus with a secondary program through 12. The High School program has its own principal.

**Oakland Collegiate**

Oakland Collegiate’s educational program design proposes to serve students in grades 6 through 8, vs. beginning with grade 5 as exemplified in the North Star Academy Model.

Oakland Collegiate will not be similarly affiliated with a charter management organization.

Oakland Collegiate will employ 2.5 administrative staff in Year One and 5.0 administrative staff in Year Four to support the school’s implementation, vs. the 7 Administrative staff employed at both the school site and the 21 staff members within the North Star Academy and Uncommon Schools management organization to support the school’s successful implementation.

**EVIDENCE - 1.24 Summer Professional Development**

**Roxbury Preparatory:**

Petition states:

*“During Summer PD, Cathy Barkett (former director of Calabash Professional Development Services) will provide training on the Portals and Destination Intervention*

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curriculum”

**Oakland Collegiate**

Based on the intended replication of the Roxbury Preparatory model of three to four weeks of summer professional development, no analysis is presented within the petition to align the practice of using this summer professional development for a focus on the implementation of core or intervention curricular materials as set forth in the petition.

Petition States:

*“Roxbury Preparatory implements many of the same strategies as Oakland Collegiate. Their teaching staff begins the year with three to four weeks of professional development, during which time they create curriculum maps and comprehensive end of the year assessments.”*

Roxbury Preparatory summer professional development, based on site visits and research conducted by staff evidenced a focus on the school-wide development of curriculum maps, lessons plans, and course exams as a strategy for ensuring all teachers begin the year with a well-prepared and well-articulated course. It is unclear, based on the inclusion of multi-day professional development focused on training in the use of curriculum how this will align to the Roxbury Preparatory model’s summer professional development practice.

**EVIDENCE - 1.25 Tutoring and One on One Support Services**

**MATCH High School:**

Petition states:

*“The lead founder visited MATCH High School in Boston, a school which implements one on one tutoring for every student through their MATCH Americorps program. Oakland Collegiate would use Americorps members to implement a similar pull-out and push-in tutoring program, as well as expand our afterschool programming.”*

**Oakland Collegiate**

The MATCH Americorps program, which serves as a model for the Oakland Collegiate program, entails Americorps tutors being provided with residential housing at a minimal cost in the school’s building as well as health insurance at no cost and neighborhood meal discounts. No consideration is provided in the charter petition to acknowledge the requisite supporting conditions which exists in the originating model school.

**EVIDENCE - 1.26 Adoption of Model School Documents as Templates**

Petition appendix regarding Curriculum and Instruction describes the introduction of a “new initiative” at Oakland Collegiate pertaining to “Academic Support Centers”. This is the first and only mention of these Academic Support Centers within the petition. This section raises questions regarding the origins and subsequent use of the model school document.

(pg. 27)

(pg. APPEND 105)

(pg. APPEND 177)

**Finding 1.4**

**Funding**

Petition identifies Boston-based model schools such as Excel Academy, Roxbury Preparatory, and Boston Collegiate as model schools. An analysis of the 2009 per pupil state allocation for schools in and around Boston evidence that schools may receive approximately **\$12,050** on average per pupil. The projected state level allocation for 2010-2011 in California, irrespective of potential state budget cuts, may be approx. **\$5,700** on average per pupil.

**Finding 1.3**

Pursuant to the petition, an “*Enrollment Contingency Plan*” outlines the proposed staff and program cuts likely to occur as a result of attaining 81 students [petition states 72 students erroneously (pg. 96)]. These cuts include:

- *Eliminate Director of Operations and Student Supports Coordinator*
- *Director of Curriculum and Instruction begins as a 0.5 FTE position in Operations Year 2 [vs. 0.5 FTE in Year 1 and 1.0 FTE in Year 2]*

[SEE END OF SECTION - BACKGROUND I: ENROLLMENT]

Pursuant to the following intent as stated in the petition, “*Oakland Collegiate will begin student recruitment upon approval of charter petition*”, and given that the petition as submitted included meaningfully interested teachers only, staff ability to evaluate student/parent interest in the program is void.

(pg. APPEND 133)

Pursuant to trends in new school enrollment in Oakland outlined in BACKGROUND I: ENROLLMENT, the potential for under-enrollment as compared to the school’s projected enrollment must be considered seriously. Pursuant to the petition low enrollment contingency plan, the proposed cuts outlined in the petition further increases the disparities between the supporting conditions found on the model schools and the supporting conditions proposed in the new school.

**2.0 Teacher Roles, Responsibilities, and Support**

**Finding 2.1**

Based on a comprehensive analysis of the petition in its entirety, including appendices as submitted, as well as based on the responses provided during the Petitioner Interviews held on April 14, 2009 and April 15, 2009; the following is a list of the proposed roles and responsibilities for teachers in the Oakland Collegiate charter petition.

Pursuant to an evaluation of the enumerated roles and responsibilities of teachers and the support structures set forth in the petition, staff has determined that the program is deficient in the necessary conditions for successful implementation of the program as set forth in the petition.

**Enumerated Roles and Responsibilities of Oakland Collegiate Teachers:**

- *Teaching core subject to five (5) cohorts of students (up to 120 students)*
- *Teach daily small group reading instruction class*
- *Teach Enrichment course*
- *Teach PE*
- *Teach Advisory Class: to include tracking student progress, staying in touch with families as primary liaisons, “communicating constantly” with families*
- *Snack with students daily*
- *Breakfast duty at 7:30am (rotating basis)*
- *Lunch with students (rotating basis)*
- *Administer daily homework club (rotating basis)*
- *Teacher rotates between classrooms vs. students rotating (up to five [5] classroom locations utilized daily)*
- *Organize activities for students during recess, including sports, dances, board games*
- *Teach from 7:45am to 4:20pm, Monday through Thursday, with one 55 minute prep daily; and work 7:45am to 1:15pm on Friday*
- *Participate in Professional Development every Friday from 2:00-5:00pm*
- *Pull small groups of students during the school day for targeted instruction*
- *Teach summer school (optional, though no description of alternates provided for in petition)*
- *Teach Saturday Academies (optional, though no description of alternates provided for in petition)*
- *Directly support parent volunteers implementing afterschool clubs*
- *Deliver a literacy night, math night, science night annually*
- *Conduct parent-teacher conferences at least two times per year (no description provided within petition)*
- *Conduct student progress meeting every trimester by Advisory teacher (unclear if this meeting is intended to be the same as parent-teacher conference responsibility referenced above)*
- *Prepare weekly PREP reports every Thursday evening*
- *Manage PREP points tracking system for all students taught (up to 120)*
- *Manage merit/demerit tracking system for all students taught (up to 120)*
- *Submit weekly lesson plans*
- *Submit weekly course syllabi*
- *Plan and deliver tutoring in collaboration with afterschool staff*
- *Oversee Detention (rotating basis)*
- *Develop end of year final exam for course/s taught*
- *Develop trimester comprehensive exam*
- *Create a course description*
- *Analyze summer diagnostic assessment*
- *Analyze 6 week benchmark assessment*
- *Examine grade level standards during summer PD*
- *Examine super standards during summer PD*
- *Examine SST skills during summer PD*
- *Create year-long standards-based curriculum maps during summer PD*
- *Create daily objectives which align to each standard during summer PD*

- *Participate in Cycle of Inquiry (limited description provided)*
- *Monitor student progress weekly in core program and refer students not making adequate progress to Student Success Team*
- *Attend SST meetings*
- *Call all families in the first week of school*
- *Create and send home an introduction letter*
- *Coordinate the family survey*
- *Coordinate and conduct home visits (Petitioner Interview response indicated intent for staff to visit the homes of all students, in order to develop relationships)*
- *Create materials for fifteen (15) four hour Saturday Academies*
- *Provide materials for monthly Saturday Make-up School*
- *Create Breakfast Brain packets*
- *Monitor students' independent reading through a combination of reading logs and teacher conferences*
- *Create progress reports every 6 weeks*
- *Track homework and provide information to the office manager daily regarding homework detentions*
- *Create Academic progress reports every three weeks*
- *Create exit tickets daily*
- *Create Instructional Packets to include advanced level work for students achieving above grade level*
- *Collaborate with colleagues to create interdisciplinary units (eg. writing w/in history class)*
- *Integrate character education into the curriculum*
- *Attend parent orientations*
- *Prepare students for participation in a variety of school-based, local and/or national academic competitions,*
- *Develop rituals to maintain school-wide culture*
- *Maintain mastery chart for each student*
- *Conduct mini-conferences with each student every six weeks, for goal-setting and action plan development*
- *Create "strategic plans"*
- *Coordinate student final project presentations*

**Staff analyzed the support structures provided for within the petition to evaluate the likelihood of successful implementation of the aforementioned roles and responsibilities of teachers.**

**EVIDENCE - 2.11 Common Planning**

Petition states:

*"During the school year teachers will have time each day for common planning, discussing individual student needs, and sharing best practices."*

(pg. 54)

Petition provides a table entitled *Oakland Collegiate Teacher Schedule*.

**TABLE III: Oakland Collegiate Teacher Schedule**

(pg. 77)



Oakland Collegiate Teacher Schedule							
Period	Literature	Writing	Procedures	Problem Solving	History	Science	
	7:45-8:10 Teachers Report						
	8:10-8:30 Advisory						
1	SF State	Emory	Berkeley	Wash U	Howard	Prep	
2	Emory	SF State	Prep	Howard	Wash U	Berkeley	
	10:20-10:30 Snack & Break						
3	Howard	Prep	Wash U	Berkeley	Emory	SF State	
4	Prep	Berkeley	Howard	Emory	SF State	Wash U	
	12:20-1:00 Lunch						
	1:00-1:30 Reading Groups						
5	Berkeley	Wash U	Emory	SF State	Prep	Howard	
6	Wash U	Howard	SF State	Prep	Berkeley	Emory	
7	3:20-4:20 Enrichment - PE						
	4:20-4:30 Dismissal - Transition						

As illustrated here, no common planning time each day for teachers exists in Year One. In future years the petition does not evidence likelihood of common planning time within the school day for teachers within the same grade level.

Petition states:

*“In order to meet space needs for PE and reduce equipment costs, Enrichment courses will be staggered. Sixth grade students take Enrichment during the final period of the day. Seventh grade students will take Enrichment during the 6th period, and eighth grade students will take Enrichment classes during 5th period.”*

(pg. 75)

Under the circumstances outlined above, in future years it is likely that common planning time may not exist for teachers teaching the same content, given the implications of a “staggered” schedule.

### EVIDENCE - 2.12 Advisory

Petition states:

*“Advisory is a combination of study skills and character development. The course is designed to support the specific academic and developmental needs of students at each grade level. Content will vary widely by grade level as well as the time of year, but the intent will always be to further the school’s mission by developing and maintaining the character traits and intellectual habits that we believe are essential for future success.”*

(pg. 43)

Petition indicates that Advisory is scheduled for 17 minutes daily (8:10am – 8:27am). The limited amount of time allocated, which includes the daily collection of homework, is unlikely to be sufficient to achieve the proposed goals of the Advisory program.

### EVIDENCE - 2.13 ELL Program

Petition states:

*“Students identified at a beginner or Early Intermediate proficiency level will take an ESL course twice daily in place of the mainstream English course at their grade level. This course will be taught by the ELL Program Manager.”*

(pg. APPEND 175)

No mention of an ELL Program Manager is made elsewhere in the petition and no

budget has been allocated for this position. No mention of an *ESL* curriculum is made elsewhere in the petition and no budget has been allocated for this curriculum.

**EVIDENCE - 2.14 Math Intervention**

Petition states:

*“Oakland Collegiate students will take two Math courses, a Pre-Algebra Procedures course and Problem Solving course, or a math intervention course that spans two periods.”*

(pg. 67)

Based on the schedule above in TABLE III, if either the Math Procedures teacher or the Math Problem Solving Teacher is required to teach the Math Intervention Course (two periods) to at least one cohort of students, both teachers will subsequently have two core course preps vs. one. Based on the performance levels of the target population as outlined in the petition, the likelihood of needing to implement the Math Intervention is high. No additional planning time or decrease in enumerated responsibilities is proposed as a result of this additional course prep.

(pgs. 3-19)

**EVIDENCE - 2.15 Salary**

Petition states:

*“Oakland Collegiate will offer a comparable or higher salary than OUSD.”*

Petition states that the average teacher salary will be \$47,000.

(pg. 134)

(pg. APPEND 134)

Based on the additional instructional days outlined in the petition, the additional hours outlined in the school day, and the comprehensive roles and responsibilities outlined in the petition, the proposed average starting salary of Oakland Collegiate is meaningfully reduced when compared to the Oakland Unified School District starting district salary.

**EVIDENCE - 2.16 Enrollment Contingency Plan Implications**

Pursuant to the petition, an *“Enrollment Contingency Plan”* outlines the proposed staff and program cuts likely to occur as a result of attaining 81 students [petition states 72 students erroneously (pg. 96)]. These cuts include:

- *Reduced average teacher salary to \$44,000 [vs. \$47,000]*
- *Reduced teaching staff [per grade level] from 6 to 4 teachers. Teachers now teach two subjects/day.*
- *Push-in and pull-out tutoring, and afterschool tutoring eliminated*
- *Class size increased to 27 [vs. approx. 24]*

[SEE END OF SECTION - BACKGROUND I: ENROLLMENT]

Pursuant to this section, the proposed cuts would further increase teachers’ roles and responsibilities and potentially reduce teachers’ salaries.

**Finding 2.2**

**Petition description of the professional development plan, while ambitious, does not sufficiently consider the expectations, roles and responsibilities of teachers as outlined in the petition. Additionally, conflicting expectations are contained within the description of the professional development plans. The support structures necessary to demonstrate that the differentiated needs of teachers will be met is not evident in the petition.**

**EVIDENCE - 2.21 Prep Period**

Petition proposes conflicting expectations for the use of the daily 55 minute prep period.

Petition states:

*“Teachers will have preparation blocks throughout each school day to address their professional needs.”*

(pg. 54)

Petition states:

*“Every day teachers have a planning period during which they grade papers, make phone calls, or plan future lessons.”*

(pg. 77)

Petition states:

*“During the school year teachers will have time each day for common planning, discussing individual student needs, and sharing best practices.”*

(pg. 54)

Petition states:

*“...all homework will be collected during advisory period in the morning and will then be reviewed by teachers during their prep period, prior to lunch, so that by noon all teachers will know which students did not complete their homework or complete it satisfactorily and who will be in Homework Club that afternoon. Faculty members will administer Homework Club on a rotating basis.”*

(pg. 46)

**EVIDENCE - 2.22 Small Group Targeted Instruction**

Petition states:

*“Our master schedule sets aside time for teachers to pull small groups of students to provide targeted instruction.”*

(pg. 44)

Based on an analysis of the petition, and attached appendices, there is no evidence that teachers will be provided with time set aside to allow for teachers to effectively “pull small groups of students to provide targeted instruction”.

[SEE TABLE III above]

**EVIDENCE - 2.23 Teacher Collaboration**

Petition states:

*“Everyday students receive double instructional blocks of Literacy and Math. We divide the English Language Arts standards between Reading and Writing skills and have*

(pg. 22)

*students take a course on each one. In math we divide the standards between Pre-Algebra concepts and Math Problem Solving. Therefore students have a dedicated teacher for each class, and the two teachers **work in combination** to ensure students have more time to master critical standards.” [emphasis added]*

Based on an analysis of the petition, and attached appendices, there is no evidence that the opportunity for the Literacy (Reading and Writing) teachers or the math (Pre-Algebra and Math Problem Solving) teachers will be provided to effectively allow for teachers to “*work in combination*”.

Given that the teacher schedule on page 77 provides no common planning time; given that the Summer Professional Development time has been specifically allocated to curriculum mapping, daily objectives, first six-week unit plans, and trimester final exams pursuant to the Roxbury Preparatory model; given that the 10 days of additional professional development have specific areas of focus outlined in the petition – primarily set aside for the analysis of benchmark exam and other assessment results; given that the professional development time allotted to early release Fridays from 2-5pm as outlined in the petition, has been associated with enumerated topics for professional development as outlined below; the petition does not present sufficient support structures and appropriate allocations of time to ensure the likelihood that two similar grade level Literacy and math teachers be effectively be “*working in combination*” with one another.

Petition states: **10 Additional PD Days**

*“Oakland Collegiate provides 10 additional PD days throughout the school year. Many of these days follow benchmark assessments, and are designed to give staff time to analyze student data and develop plans for how to support students.”*

(pg. 84)

Petition states the purpose of ten days of staff development: [summarized]

- *September 7<sup>th</sup> School culture, policies, procedures, focus students*
- *October 8<sup>th</sup> Analyze Benchmark Exam*
- *November 29<sup>th</sup> Analyze Trimester Exam, school culture*
- *January 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> Instructional Practices and Classroom Management*
- *February 4<sup>th</sup> Analyze Benchmark Exam*
- *June 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup> Grade End of Year Exams, Paperwork, Submit Grades, Prep for Summer School*

(pg. 60)

Petition states: **Professional Development Topics**

*Professional Development topics will likely include:*

- *School culture*
- *Character development*
- *Implementing the adopted instructional materials*
- *Classroom management*
- *State content standards and assessments*
- *Long-term lesson planning*
- *Daily lesson design*
- *Informal and formal assessment*
- *Data analysis*
- *Effective feedback for students*
- *Teacher collaboration*
- *Differentiated instruction*

(pg. 60)

- *Student engagement techniques*
- *Communicating with and engaging parents and guardians*
- *English Language Learner strategies and compliance*
- *Special Education strategies and compliance*
- *Effective strategies for vocabulary development and Academic English*
- *Student work protocols*
- *Peer observation protocols*
- *Inquiry group protocols*
- *Integrating literacy in the content areas*
- *Integrating technology*
- *Tuning protocols (for solving problems)*
- *Health and safety*

**EVIDENCE - 2.24 Professional Development Goals / Friday PD Time**

Petition presents inadequate opportunities for the effective development of teachers pursuant to the roles and responsibilities outlined in the petition. Additionally, petition contains conflicting expectations for weekly Friday Professional Development time.

Petition states:

*“Once a week teachers will also have three hours of professional development in order to refine and improve their craft.”*

(pg. 54)

Petition states:

*“One day a week the entire staff will devote three hours to school-wide professional development programs geared to the particular requirements of our school culture, curriculum, and students’ needs.”*

(pg. 54)

Petition states:

*“Weekly staff development meetings will be held each Friday afternoon to provide on-going support for teachers throughout the year. The first hour will be a whole-staff meeting, led by the ED or DCI. The remaining time will be spent between grade level and content meetings. [...] During this time, teacher teams will work together to plan lessons, analyze student work, write assessments, create action plans to meet both individual student and whole-class needs, and continually improve their practice.”*

(pg. 60)

Petition states:

*“As specified in the late July and early August training, Oakland Collegiate teachers will work with the CST organization to set goals for each of these six week assessments that are in line with individual teacher’s Big Goals. [...] Friday faculty meetings will be dedicated to analyzing the results to determine over-all grade level performance on various standards...”*

(pg. APPEND 171)

Petition states:

*“Significant professional development time will be allotted to training all teachers to effectively teach reading within the guided reading framework.”*

(pg. 39)

Petition states:

*“Classroom teachers will be trained to differentiate lessons to meet the needs of advanced learners, and provide learning experiences that meet the special needs of these*

(pg. 81)

*students with regard to the pace of lessons, the depth of content presented, and variety of processes used and products created.”*

Petition states:

*“Oakland Collegiate staff will receive regular professional development on supporting low achieving students.”*

(pg. 83)

Petition states:

*“Teachers will be trained to differentiate effectively during on-going professional development...”*

(pg. 42)

Petition states:

*“Throughout the school year, Oakland Collegiate teachers will be trained on specific techniques to “shelter” content (i.e. teach content in a way that is more accessible to English Language learners).*

(pg. APPEND 175)

### **EVIDENCE - 2.13 Local KIPP Example**

Staff conducted an interview with a local KIPP school principal, given that KIPP also requires teachers to commit to working a longer work-day and includes a scheduled early release Friday as set forth in the petition. The KIPP principal explained that, given the substantial amount of time teachers must commit to the classroom, the school has subsequently found that in order to sustain teachers early release Friday are typically allocated to teachers with the flexibility for teachers to utilize the time as they see fit, including scheduling outside appointments and meeting other professional needs. This KIPP principal has led this KIPP school for six years.

## **3.0 School Administration, Governance**

### **Finding 3.1**

Petition sets forth roles and responsibilities for school administration with deficient support structures set forth in the petition to demonstrate a likelihood of successful implementation.

### **EVIDENCE - 3.11 Student Supports Coordinator Roles and Responsibilities**

Petition enumerates the roles and responsibilities of the Student Supports Coordinator; however this position will not be filled until Year 3. Petition enumerates roles and responsibilities for the Director of Curriculum and Instruction; however this position will be filled as a 0.5 half-time position in Year One and will not be filled as a full-time position until Year 2.

The proposed contingency plan budget for low enrollment lists the position of Student Supports Coordinator as subject to elimination. The proposed contingency plan budget for low enrollment lists the position of the Director of Curriculum and Instruction to be delayed until Year Two starting at 0.5 and not to become full-time until Year Three.

<p>Prior to hiring these positions, all associated roles and responsibilities are to be held by the Executive Director.</p>	(pg. APPEND 96)
<p>Petition states:  <i>“The Student Supports Coordinator in conjunction with the DCI, is responsible for coordinating all SST functions.”</i></p>	(pg. 80)
<p>Petition states:  <i>“Before the school year begins, the ED, DCI, and Student Supports Coordinator will meet with those families whose students are identified as low performing.”</i></p>	(pg. 84)
<p>Petition states:  <i>“A part time Student Supports Coordinator will be hired in Operations Year 3 to coordinate all student support activities including, in school and out of school tutoring, Saturday Academies, Summer School, Detention, and Homework Center. The SSC also supports teachers by working with the DCI to create support materials for targeted students.”</i></p>	(pg. 128)
<p>Petition states:  <i>“Once the Student Supports Coordinator is hired, he or she will be responsible for monitoring student progress. Until that position is filled, the Executive Director and Director of Curriculum &amp; Instruction will monitor student progress.”</i></p>	(pg. 90)
<p>Based on petition, as outlined above, the functions of the Student Supports Coordinator will fall upon the Executive Director and Director of Curriculum and Instruction (DCI). The DCI position is design to begin in Year One as only a half-time (0.5) position. The Student Support Coordinator positions in designed not to begin until Year Three and to begin as on a half-time (0.5) position.</p>	
<p>Petition states:  <i>“The Dean of Students, Director of Curriculum &amp; Instruction, Director of Operations, and Student Supports Coordinator are proposed positions that will be filled provided available revenue. Positions will be filled in the following order – Director of Curriculum &amp; Instruction, Dean of Student Affairs, Director of Operations, and <b>finally Student Supports Coordinator.</b>”</i> [emphasis added]</p>	(pg. 128)
<p>Pursuant to the petition, the Student Supports Coordinator will not be hired until after the Director of Operations and the assigning of the Dean of Student Affairs (proposed to be shared by two full-time teachers).</p>	
<p>Petition states:  <i>“The Executive Director and Director of Operations will coordinate the partnerships with outside community based organizations.”</i></p>	(pg. 50)
<p>Pursuant to the petition, an “Enrollment Contingency Plan” outlines the proposed staff and program cuts likely to occur as a result of attaining 81 students [petition states 72 students erroneously (pg. 96)].</p>	
<p>These cuts include:</p> <ul style="list-style-type: none"> <li>➤ <i>Eliminate Director of Operations and Student Supports Coordinator</i></li> </ul>	

**EVIDENCE - 3.12 Office Manager Roles and Responsibilities**

The roles and responsibilities of the Office Manager include expectations for which the petition does not demonstrate sufficient support structures to effectively implement. In addition, given the substantial roles and responsibilities of the Executive Director in the first two to three years of the school’s operation, the petition does not adequately provide for the likely support necessary to assist the Office Manager in supporting the Executive Director in executing those responsibilities.

Petition states:

*“The Office Manager’s primary duties include:*

- *Monitoring the school’s entryway, greeting parents and visitors to the school, and maintaining school safety*
- *Performing clerical duties, including data entry, mail correspondence, office supply inventory, and answering phones*
- *Contacting parents regarding absences, missing assignments, teacher concerns, or student illness*
- *Implementing systems to support the work of teachers and administrative staff*
- *Independently, or in accordance with administrative instructions, developing school communications in English and Spanish based on a thorough knowledge of school policies, regulations, and operational procedures*
- *Translating for parent meetings and school events*
- *Preparing and maintaining a variety of student, personnel, and school records*
- *Maintaining and operating a variety of office equipment, such as the copy machine, printers, fax machine, and scanners with speed and accuracy*
- *Overseeing parent volunteers and other school guests*
- *Assisting in the coordination of special events*
- *Assisting the Executive Director and members of the administrative team, as directed”*

**In addition to the responsibilities listed above, the following expectations outlined in the petition either clarify those listed in the Job description, or are required in addition to those enumerated in the job description.**

Petition States:

*“Teachers will submit their finalized weekly syllabi to the Office Manager on Monday morning. Then every afternoon by 5pm, the Office Manager will record a message for the Homework Hotline outlining the homework for each grade level.”*

Petition states:

*“By noon, parents will receive a phone call if their child has Homework Club that evening due to incomplete homework. This immediate communication keeps parents informed of their child’s progress.”*

(pg. 143)

(pg. 43)

(pg. 43)



<p>Petition states:  <i>“The Office Manager collects the homework from the Advisory classes and distributes it to the appropriate teacher. Teachers complete an initial scan of homework and submit the names of students who have incomplete or unsatisfactory work. The Office Manager then calls parents by 1:00 PM to inform them that their child will be attending Homework Center after school.”</i></p>	<p>(pg. 42)</p>
<p>Petition states:  <i>“Student attendance would be taken at 7:45AM during Breakfast Brain. The Office Manager will immediately call parents to inform them that their child is not in attendance.”</i></p> <p>Office Manager position as set forth in the petition, poses potentially unrealistic expectations that are likely to impair the effective execution of the enumerated roles and responsibilities.</p>	<p>(pg. APPEND 119)</p>
<p><b>EVIDENCE - 3.13 Director of Curric. &amp; Instruction Roles and Responsibilities</b></p> <p>Director of Curriculum and Instruction position as set forth in the petition, poses potentially unrealistic expectations that are likely to impair the effective execution of the enumerated roles and responsibilities for the first year of the school’s operation, based on the allocation of only a (0.5) half-time position. The position includes a total of 19 enumerated responsibilities that are not likely to be effectively fulfilled through allocation of a part-time position. Responsibilities include <i>“Provides daily coaching and feedback to instructional staff”</i>.</p>	<p>(pg. 137)</p>
<p><b>Finding 3.2</b></p> <p>Petitioners lack a selected school leader/s and existing qualifications among petitioners do not sufficiently demonstrate the requisite skills or capacity to fulfill the scope of roles and responsibilities enumerated for the school leader/s in the petition, particularly when considering the requisite leadership qualifications present among the model school programs.</p>	
<p><b>EVIDENCE - 3.21 Executive Director Selection Timeline</b></p> <p>The charter petition provides a timeline for selection and hiring of the Executive Director to occur subsequent to approval of the charter petition, thus denying the opportunity for District staff to fully consider the qualifications or requisite experience of that individual proposed to hold this critical position.</p>	<p>(pg. 119)</p>
<p><b>EVIDENCE - 3.22 Two Leader model</b></p> <p>The petition states its intent to implement a <i>“two leader instructional model”</i>. The second leader is titled the Director of Curriculum and Instruction. At the time of the Petitioner Interview this position had not yet been filled, nor was an individual proposed</p>	<p>(pg. 25)</p>

for this role. Additionally, the position is scheduled to be filled only as a 0.5 half-time position in Year One. Based on the contingency plan for low enrollment, the position is scheduled to not begin until Year Two as a 0.5 half-time position.

**EVIDENCE - 3.23 Implications of Unidentified Leader/s**

The absence of an identified school leader at the time of petitioning severely impairs the opportunity for staff to evaluate the petitioning group’s capacity to successfully implement the program as set forth in the petition. Given the substantial roles and responsibilities of the Executive Director, even when assessed under the proposal’s “ideal” conditions of the school’s start-up with full enrollment and funding, requires a set of skills, knowledge and expertise that necessitate the identification of an exceptional leader.

**EVIDENCE - 3.24 Model School Leadership Qualifications**

**Staff conducted an analysis of the schools upon whose achievement the petition bases the rationale for its educational program design, the leadership qualifications are as follows:**

**Excel Academy; Executive Director** (appointed August, 2008)

*A graduate of Harvard University and the Tuck School of Business at Dartmouth College, Ms. Roy recently completed a two-year assignment as a Broad Resident in the Boston Public School System. In that position, she served as a special assistant to the Chief Operating Officer and developed a comprehensive understanding of the strategic and operational challenges facing urban educational institutions. Previously, Ms. Roy worked as Program Director for the Illinois Network of Charter Schools, where she demonstrated her capacity to develop and manage support programs for public charter schools across the state. In addition to her work within the education sector, Ms. Roy has also worked as a strategy consultant at L.E.K Consulting and as an Urban Fellow in the Mayor’s Office of New Bostonians.*

**Excel Academy; Principal** (appointed August, 2008)

*Served as Excel’s Dean of Curriculum & Instruction, was also a founding team member and assistant principal of two successful KIPP charter schools in Houston and New Orleans.*

**Excel Academy; Former Executive Director** (founder)

*Yutaka Tamura’s three-year tenure at The Parthenon Group, a strategy consulting firm, was followed by a stint as vice president of business development of a for-profit company, KIDS 1, which operates schools for at-risk and special education students. After his work with the Internet start-up division of The Princeton Review, Yutaka joined the faculty of the Cambridge School of Weston, a Boston-area independent high school, as dean of students, history teacher, and technology specialist. He earned his degree, magna cum laude, from Amherst College and has lived 11 years in Japan.*

**North Star Academy; Principal (founder)**

*Mr. Verrilli has been a history teacher and principal to Newark students for two decades. Prior to founding North Star, he began his career as a member of the Jesuit Volunteer Corps and taught at Link Community School in Newark's Central Ward, later he served as the school's principal for three years. As a teacher, Mr. Verrilli has designed his own multi-media software to teach the Civil Rights movement and to this day comes to class in the guise of important historical characters. For the past ten years he has been leading North Star Academy Charter School of Newark.*

**Roxbury Preparatory; Co-Director (Co-Founder)**

*Prior to co-founding Roxbury Prep, he taught high school history at City on a Hill Charter School in Boston and Saint John's School in San Juan, Puerto Rico. Dr. King earned a B.A. in Government from Harvard University, an M.A. in the Teaching of Social Studies from Teachers College, Columbia University, a J.D. from Yale Law School, and an Ed.D. in Educational Administrative Practice from Teachers College, Columbia University.*

**Roxbury Preparatory; Co-Director (Co-Founder)**

*After graduating from Wesleyan in Middletown, Conn., in 1992, Mr. Rudall landed “a dream job” of teaching seventh-grade history and running Summerbridge, a nonprofit educational organization in Louisville, Ky. He then became a middle school vice principal and fell in love with the work. After three years, he left for Harvard to earn a master’s degree in educational administration. At the same time he worked at an excellent public middle school in Roxbury, Mass., again profoundly aware of the educational disparities among Boston’s rich and poor.*

**KIPP Lynn, Principal (Founder)**

*Five years teaching experience at KIPP school in the Bronx.*

**MATCH High School (Executive Director)**

*Mr. Safran has served as the Executive Director of the MATCH School since July, 2002. Prior to MATCH, he served 9 years at the MA Department of Education as Administrator for Public Affairs, Executive Assistant to the Commissioner, Chief of Staff, Deputy Commissioner for Administration and Policy, and Senior Associate Commissioner for Student Achievement. Prior to this, Mr. Safran worked as a lead staff member of the MA Republican State Committee; as an SAT tutor; as an Assistant District Attorney in the Queens, NY District Attorney's office; as a Washington DC lobbyist on tax, environmental and trade matters; and as Spokesman for two committees of the United States Senate-the Senate Arms Control Observer Group (1985) and the Senate Foreign Relations Committee (1981-1985). He worked for the International Rescue Committee on the Thai-Cambodian border (1980). He holds a law degree from George Washington University (1987) and a B.A. in Public and International Affairs from Princeton University (1980). Mr. Safran is certified as a Superintendent in MA, and is a member of the Bar in the States of New York and MA.*

**EVIDENCE - 3.25 Lead Petitioner Applicant**

Petition states that the Lead Petitioner is applying to be the Executive Director. During the Petitioner Interview held on April 14, 2009 the Lead Petitioner was referred to by a founding group member as the “principal” of the school. During the Petitioner Interview held on April 14, 2009 the Lead Petitioner indicated that at this time only an individual who is more qualified than himself could be considered for the position. During the Petitioner Interview held on April 15, 2009 with proposed governing board members, responses to their interest in participating in the proposed school indicated that the Lead Petitioner was someone whom they were confident in and believed in.

(pg. 119)

Pursuant to the petition and board bylaws submitted with the petition, the founding governing board of the school selects and hires the Executive Director. As stated in the petition the Lead Petitioner selected the founding board members.

(pg. 117)

While staff is unable to establish with certainty whether or not the Lead Petitioner would likely be selected to hold the position of Executive Director, staff has nonetheless evaluated the roles and responsibilities of the Executive Director with the qualifications of the Lead Petitioner based on information provided through the resume included in the charter submission.

**EVIDENCE - 3.26 Lead Petitioner Qualifications**

When analyzed against the previous experience held by the current or founding directors of many of the model schools cited within the petition as the basis for the educational program design, a disparity in requisite qualifications is evident between those founding directors and the Lead Petitioner.

An assessment of the previous experience and qualifications held by the Lead Petitioner based on the resume of the Lead Petitioner; information provided to staff by the Lead Petitioner; as well as efforts to conduct reference checks outlines the following;

- The resume of the Lead Petitioner contains no experience or training in managing a school. Petition lists a required qualification of the Executive Director as “*Training or relevant experience in school management*”
- The resume of the Lead Petitioner contains a reference to three years of teaching experience in unidentified schools in the “*Bay Area*”.
- Based on reference checks subsequent to information provided by the Lead Petitioner indicating previous employment at American Indian Public Charter School, the former school administrator supervising the Lead Petitioner during his employment, confirmed that the Lead Petitioner was employed as a 6<sup>th</sup> grade teacher and was subsequently released from his contract in May of his first year at the school, no details provided.
- Staff research indicates that on June 27, 2007, the State Administrator of the Oakland Unified School District accepted a recommendation of teacher separations. Contained in that list of teachers being released from the District was the Lead Petitioner identified as an Explore Academy Probationary Teacher,

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Non-Reelect.

- Information provided by the Lead Petitioner during a preliminary meeting held on January 8, 2009 prior to the submission of the Oakland Collegiate charter petition indicated that the Lead Petitioner was previously a Fellow with the Boston-based Building Excellent Schools organization in 2008.
- No mention is made in the resume submitted in the petition of the Lead Petitioner's participation as a Fellow with the organization **Building Excellent Schools**.

### **Building Excellent Schools**

Building Excellent Schools (BES) is an organization that sponsors fellowships where-in aspiring charter school founders receive support and training to design and implement new charter schools.

BES literature states; *“Building Excellent Schools provides support during the design, pre-operation and start-up phases of Fellows' schools. This often manifests itself in a network of school assistance providers that offer a variety of short or long term services – e.g., business, management, and information system support; human resource evaluation and development; human service referral and coordination; real estate acquisition for expansion through a public real estate trust; etc. An aspiring school founder's participation in the Fellowship is just the beginning of a relationship that will last well into the proposed school's operational years.”* [emphasis added]

- Information provided by the Lead Petitioner during a preliminary meeting held on January 8, 2009, as well as information provided by the Lead Petitioner during the Petitioner Interview held on April 14, 2009 indicated that, while the Lead Petitioner was previously a Fellow with the Boston-based Building Excellent Schools organization in 2008, the organization determined that conflicts associated with the Lead Petitioner and specific individuals within the Oakland charter school community were likely to negatively impact the successful opening his school.
- Building Excellent Schools subsequently decided to instead relocate their fellowship support to San Jose and transferred a second Fellow to San Jose who was previously slated to launch a charter school in Oakland. Building Excellent Schools therefore is no longer providing support as outlined above to the Lead Petitioner or the Oakland Collegiate petitioning group.

## **4.0 Parent Partnership**

### **Finding 4.1**

Petition proposes a “partnership” with parents that will achieve the objective of giving parents a *“voice in matters critical to the school's success”*; however the strategies and approach outlined in the petition presents one-way communication and volunteerism as the primary vehicles for achieving this objective, thus not demonstrating a likelihood of achieving the requisite “partnership” outlined in the petition.

<p><b>EVIDENCE - 4.11 Intended Goals of Partnership with Parents</b></p> <p>Petition states:  <i>“Education is a partnership between parents and the school, which must hold everyone accountable for student progress.”</i></p> <p>Petition states:  <i>“...we ensure accountability by building a partnership between parents and the community who hold us responsible for their child’s progress.”</i></p> <p>Petition states:  <i>“...it is critical that parents... have a voice in matters critical to the school’s success.”</i></p>	<p>(pg. 2)</p> <p>(pg. 3)</p> <p>(pg. 125)</p>
<p><b>EVIDENCE - 4.12 Parent Representation on Governing Board</b></p> <p>Petition states:  <i>“Inclusion of Parent Association President on the Board of Directors as a <b>non-voting member.</b>” [emphasis added]</i></p> <p>Petitioner responses during the Petitioner interview held on April 15, 2009 indicated that one rationale for not allowing the parent representative to be a voting member is that parents were not likely to be able to separate the urgency they would feel regarding their own child’s needs in order to effectively make decision that would serve all students. Responses included the concern that parents would be privy to confidential information; however non-voting membership nonetheless provides the parent with the same access to confidential information.</p> <p>While proposing non-voting rights for parents within the Oakland Collegiate petition, a proposed governing board member for Oakland Collegiate currently serves as a <b>parent representative with voting rights</b> on the governing board of another Oakland charter school.</p>	<p>(pg. 125)</p>
<p><b>EVIDENCE - 4.13 Parent Involvement and Brown Act</b></p> <p>Petition states: (as three out of eight listed strategies for ensuring parents are involved)</p> <ul style="list-style-type: none"> <li>▪ <i>“Invitations to attend monthly Board meetings and additional Board meetings as they are scheduled</i></li> <li>▪ <i>Posting of Board agendas in the school’s main office</i></li> <li>▪ <i>Posting of Board meeting minutes in the school’s main office”</i></li> </ul> <p>All aforementioned <i>Strategies</i> are <b>required</b> under the Brown Act Open Meeting laws for all charter school governing boards.</p>	<p>(pg. 125)</p>
<p><b>EVIDENCE - 4.14 Parent Satisfaction Surveys</b></p> <p>Petition states:</p>	<p>(pg. 125)</p>

Parents will be given a “*Midyear Parent Satisfaction Survey and End-of-Year Parent Satisfaction Survey*”.

Petition provides no description or indication of how the proposed parent surveys will be reviewed, analyzed, evaluated or otherwise utilized to support the objective of giving parents a “*voice in critical matters to the school’s success*”. No description of the role or use of the parent surveys is provided.

**EVIDENCE - 4.15 Family Engagement Strategies**

Petition states: [paraphrased] [**emphasis added**]  
“*Strategies to meaningfully engage families...*”

(pg. 51)

**Orientation:** “*Families will receive copy of... handbook*” “*Staff members will explain uniform policy...*”

**Parent Academies:** “*...provide parents and guardians with an overview...*” “*Parents and guardians will understand what the school expects...*”

**Communication:** “*...to keep parents informed...*”

- **Weekly Syllabi** sent home
- **PREP Reports** sent home – signed and returned
- **Monthly Newsletter** sent home

**Monthly parent nights:** “*Provide parents with a better understanding of their child’s education...*”

(pg. 52)

*The following is a sample calendar of monthly parent events:*

- *September Back to School Night*
- *October Supporting Homework Success*
- *November Family Literacy Night*
- *December Winter Holiday Celebration*
- *January Family Math Night*
- *February Understanding Educational Testing*
- *April Family Science Night*
- *May Student Final Project Presentations*
- *June End-of-Year Celebration*
- *August Test Score Release*

Listed strategies are proposed as one-way forms of communication and do not demonstrate how the school will meet the objective of giving parents a “*voice in critical matters to the school’s success*”.

**EVIDENCE - 4.16 Volunteer Opportunities**

Petition states:  
“Volunteer opportunities include...” (list includes eleven bulleted opportunities to volunteer)

(pg. 52)

Petitioner responses during the Petitioner Interview held on April 15, 2009 indicated that because one way communication is often typical in traditional schools, Oakland Collegiate would, as a response not only communicate with parents, but also ask them to give back to the school through volunteering opportunities.

Listed volunteer opportunities and petitioner responses do not adequately demonstrate how the school will meet the objective of giving parents a “*voice in critical matters to the school’s success*”.

**EVIDENCE - 4.17 Comprehensive Parent Involvement Policy**

Petition states:

“*The Parent Association will work with school administration and members of the Board of Directors to create a comprehensive written parent involvement policy.*”

(pg. 51)

Reference to creating a *comprehensive parent involvement policy* is made three times within the petition. Petition contains samples of the following documents:

- Personnel Handbook
- Non-Discrimination Policy
- Staff Hiring
- Teacher Evaluation
- Model Employee Evaluation
- Teacher Evaluation
- Teacher Evaluation Form
- Teaching Candidate Rubric
- Marketing Plan
- Information Survey
- Curriculum & Instruction Handbook
- Sample Lesson Plan
- Sample Weekly Syllabus
- Year Curriculum Map Template
- 6<sup>th</sup> Grade Math Pacing Guide
- Data Analysis WS
- School and Classroom Management
- Classroom Management and Discipline Handbook
- Administrator Instructional Check Form
- PREP Documents
- Oakland Collegiate PREP Rubric
- Weekly PREP Report
- Weekly Class PREP Tracker
- School and Classroom Procedures
- Student and Parent Documents
- Student and Family Handbook
- Parent Survey
- Commitment to Excellence
- Oakland Collegiate Intent to Enroll
- Student Registration Application
- Draft Fire and Safety Handbook

**However, no example, outline, overview or description of a *comprehensive parent involvement policy* is provided in the petition to indicate the intended content, goals or objectives.**

**EVIDENCE - 4.18 Complaint Procedures**

The *Grievance Procedures* outlined within the petition pertain exclusively to Federally mandated Uniform Complaint Process. Petition lacks a description of parent and community complaint procedures.

(pg. APPEND 275)

Oakland Unified School District Board Policies regarding charter schools states that *all charter petitions granted by the district must contain adequate parent resolution of complaints systems.*



**EVIDENCE - 4.19 Authority to Expel**

Petition sets forth that the Executive Director possesses the authority to expel students from the program. This delegation of responsibility typically held by charter school governing boards has the potential to severely limit the objectivity of the decision-making process with respect to expulsions. Given the responsibility of addressing student discipline held by the Executive Director within the school, the proposed structure for expulsion decision-making presents substantial opportunities for bias to influence expulsion decisions and potentially limit parents’ and students’ Due Process rights.

(pg. 165)

**5.0 Budget**

**Finding 5.1**

Petition and proposed budget contains various calculation errors and inconsistencies and lacks essential specificity of assumptions, which are likely to negatively impact the successful implementation of the proposed educational program.

**EVIDENCE - 5.11 Cash Flow and Calculations**

Cash flow projections provided within proposed budgets included within the petition include errors.

- GP, categorical and EIA are not disbursed using the proper percentages.
- Miscalculations from March through June for State Aid, categorical, and EIA
- CDE Public Charter School Grant disbursement inaccurate
- Books listed as a “*monthly expense*”
- Cash flow assumptions are incorrect based on “newly added grades” with respect to how the state allocates funds to schools that add additional grades each year.

EIA assumption is not aligned to the calculated assumption within the program budget. Figure also appears to assume all 120 students enrolled would qualify.

Apportionment in Year 4 is not aligned to the payment schedule.

District 1% oversight fee is assessed on the total State Aid, in lieu and categorical, which includes EIA; however proposed budget information within the petition omits EIA.

**EVIDENCE - 5.12 Curriculum Costs**

Based on responses during the Petitioner Interview held on April 14, 2009, the effective budgeting on behalf of the petitioners is hindered substantially as the petitioning group “*has not yet decided on what curriculum will be used at the school*”.

**EVIDENCE - 5.13 Contingency Plan**

Petition states:

*“Our enrollment contingency plan is based on an enrollment of 72 students.”*

An analysis of the budget provided, indicates that the enrollment figure used is 81 students, erroneously projecting costs associated with a lower enrollment figure.

Petition states the following is a list of proposed cuts or reductions based on low enrollment:

- *Reduced average teacher salary to \$44,000*
- *Reduced Executive Director salary to \$65,000*
- *Eliminate Director of Operations and Student Supports Coordinator*
- *Director of Curriculum & Instruction begins as a .5 FTE position in Operations Yr 2*
- *Reduce teaching staff from 6 to 4 teachers. Teachers now teach two subjects/day*
- *Push-in/Pull-out tutoring and after school tutoring eliminated*
- *Money for graduation eliminated*
- *Computer lab in Operations Year 4*
- *Supplemental instructional computer-based curriculum in Operations Year 4*
- *Class size increases to 27*
- *Expenditures on laptops reduced to \$1,100 per computer*

\* Petitioners submitted a revised contingency plan list subsequent to the submission of the charter, which prioritized the proposed cuts in a manner that differs from the original petition. Staff evaluation sought to determine the point at which the program goals are no longer attainable based on the proposed cuts or reductions. Regardless of the priority order, the list above represents a dramatic departure from the support structures necessary to ensure effective implementation of the program as set forth in the petition.

[SEE END OF SECTION - BACKGROUND I: ENROLLMENT]

**EVIDENCE - 5.14**

Pursuant to the petition, an *“Enrollment Contingency Plan”* outlines the proposed staff and program cuts likely to occur as a result of attaining 81 students [petition states 72 students erroneously (pg. 96)]. Plan states:

- *While a number of items were eliminated, expenditures on curriculum increased to \$225/student. In addition, there is \$15,000 in Operations Year 1 to buy Supplemental instructional materials.*

The current budget projection based on full enrollment of projected 120 students per grade is allocated at **\$180** per student [Textbooks and Core Materials, Supplemental Curriculum, Supplemental Books, Instructional Materials]

Pursuant to the proposed Curriculum Materials outlined in the petition for Grade 6, staff research indicates that an **approximated** per pupil cost for these proposed Curriculum Materials would require an allocation of **\$359** per pupil.

<b>Grade 6</b>
<b>Math</b>

(pg. APPEND 98)

(pg. APPEND 98)

(pg. 62)

Mathematics-Concepts and Skills, Course 1	\$60.00 Student Edition
Connected Mathematics 2	\$68.47 Student Edition
<b>Math Intervention</b>	
Destination Math	<i>Unknown</i>
<b>Science</b>	
Focus on Earth Science	\$42.00 Student Edition
<b>Social Studies</b>	
The Ancient World	\$56.00 Student Edition
<b>Reading</b>	
Literature & Language Arts Introductory	\$95.00 Student Edition
<b>Writing</b>	
Warriner's Handbook Introductory	\$28.00 Student Edition
<b>Reading Intervention</b>	
Portals	<i>Unknown</i>
<b>Total "Known" costs per pupil</b>	<b>\$359</b>

[A slightly lower figure may be calculated based on a donation of slightly used teacher and student editions to be donated by Catherine Barkett, mother of proposed governing board member Andrew Barkett and VP of Curriculum and Standards, Houghton Mifflin Harcourt.]

Pursuant to the petition in both the projected enrollment budget, as well as the contingency plan budget, the allocation of funds for Curriculum Materials is likely to be insufficient to adequately support the needs of the instructional program for all students.

**EVIDENCE - 5.15 Walton Grant Proposed Budget**

Petition includes a proposed budget for the Walton Family Implementation Grant. The proposed budget includes "*Purchase Educational Software, i.e. Accelerated Math & Accelerated Reading*"

Petition does not include any reference to these educational software programs within the educational program section of the petition, nor a description of how these software programs will be incorporated into the curriculum and aligned to the schools' goals.

(pg. APPEND 105)

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

## BACKGROUND I: ENROLLMENT

Pursuant to the plan as stated in the petition, staff ability to evaluate student/parent interest in the proposed program is void. “Oakland Collegiate will begin student recruitment upon approval of charter petition” (pg. APPEND 133)

In *Charter School Closures; An Opportunity for Accountability* (Center for Educational Reform, 2006) Insufficient Enrollment is identified as a consistent and pervasive cause for charter school closures. Pursuant to the Background of new school enrollment in Oakland the potential for under-enrollment must be considered seriously as an aspect of the review of every charter petition.

### **Background:**

The Oakland Unified School District approved the opening of an arts-based charter school in 2007 that proposed to open serving students across six grade levels (2<sup>nd</sup>-7<sup>th</sup>). The charter petition proposed a program design and budget to serve 180 students in Year One.

The school was approved in January, 2007 prior to a fall, 2007 opening. The school ultimately recruited a total of only 41 students as of opening day in Year One and increased that total enrollment to only 51 students by the end of Year One, resulting in the last-minute release of staff prior to opening; redesign of the program structure; and substantial ongoing financial difficulties.

The Oakland Unified School District approved the opening of a theme-based high school in 2006 proposed to open serving grade 9 and continuing to add a grade each subsequent year. The school proposed a program design and budget to serve 100 students in grade 9 in Year One and an additional 100 students in each added grade level.

In its third year of operation, 2008-09, the school has enrolled only 108 students vs. the 300 students originally proposed in its program design and budget. The result is a substantial loss of programming, revenue, staffing and the under-enrollment has additional serious implications.

As of 2008-09, the three Oakland charter middle schools that serve students beginning in grade 6, similar to the program design proposed herein, do not have waiting lists and have not needed to hold a lottery based on over-subscription in their prior three years of operation, despite high academic achievements.

In 2001 the Oakland Unified School District opened two new small middle schools with facilities uncertainties and in 2004 OUSD opened a third new small middle school with facilities uncertainties. Each school has, in its first five years undergone 2-3 facility relocations. One school, in Year Three had attained an enrollment of 173, though it opened under a design that was to reach 360 by Year Three. One school attained an enrollment of 170 in Year Three, though it opened under a design to reach 270 by Year Three. One school has attained an enrollment of 244 in Year Five, though it opened under a design that was to reach 360.

**TABLE I: New Middle Schools Opened with Facilities Uncertainties**

SCHOOL	OPEN	YR 1	YR 2	YR 3	YR 4	# LOCATIONS	ORIGINAL PROJ
Urban Promise	2001	120	157	173	180	3	360
Melrose Leadership	2001	62	105	170	194	2	300
Explore	2004	103	198	260	212	2	300

**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 §47605(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 educate, what it means to be an “educated person” in the 21<sup>st</sup> 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.*

<p><b>Element A</b> Educational Program</p> <p><b>Average Rating:</b> Approaching</p>	<p><b>1.0 Literacy program</b></p> <p><b>Finding 1.1</b></p> <p>Petition states:  <i>“Additional literacy instruction is gained by incorporating nonfiction literacy instruction within the history and science curricula.”</i></p> <p>Petition lacks a reasonably comprehensive description of the approach, support, or methodology to ensure the effective incorporation of non-fiction literacy instruction within the history and science curricula.</p> <p><b>2.0 Instructional Program Design</b></p> <p><b>Finding 2.1</b></p> <p>Petition states:  <i>“Oakland Collegiate will provide an additional two week summer program. [...] Summer School is four hours a day for two additional weeks at the end of the summer. This provides students an additional 2400 instructional minutes.”</i></p> <p>Petition also states:  <i>“We provide 180 instructional days per year, 5 supplemental instructional days, 5 student orientation days, and a 2 day retreat at the end of the school year. Our school year starts in the middle of August and goes until the end of June.”</i></p> <p>Petition includes a proposed <i>Academic Calendar</i> for the 2010-2011 school year.</p> <p>The academic calendar included in the petition does not provide for the two weeks of Summer School.</p> <p>The petition lacks a reasonably comprehensive description of the manner in which all proposed instructional days will occur and whether or not all</p>	<p>(pg. 37)</p> <p>(pg. 37)</p> <p>(pg. 73)</p> <p>(pg. 74)</p>
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	<p>students vs. only targeted students are required to participate in certain days represented in the Academic calendar.</p> <p>Petition includes a table of proposed <i>Instructional Minutes</i>.</p> <p>The instructional minutes included in the petition do not differentiate the source of the instructional minutes and thus do not reasonably describe the means by which the school will achieve delivery of these minutes. It is unclear as to whether or not the 2400 instructional minutes referenced on page 37 are included. As these minutes are intended for targeted students in a summer school program, they would be considered supplemental and thus not part of the core instructional program.</p> <p><b>Finding 2.2</b></p> <p>Petition states:  <i>“At Oakland Collegiate we believe our students need more time to learn. We support them by providing a longer school day and offering a supplemental instructional year. This results in 29% more instructional time than their peers.”</i></p> <p>Petition states:  <i>“In addition to the supports offered to all students, low-achieving students at Oakland Collegiate will offer a variety of instructional support services. These services are optional and require the consent of families. Once families consent, students will be required to consistently attend support classes. This will allow students full access to all core and non-core content while meeting the students’ needs.”</i></p> <p>Petition lists under the above section the following instructional support serve:  <i>“Supplemental School Year – Oakland Collegiate provides one week of supplemental instruction.”</i></p> <p>Based on the Academic Calendar provided in the petition, the “supplemental instruction” days identified here would occur between June 13 and June 17. The Academic Calendar provided in the petition states that the last day of school is June 24. This would suggest that only “low achieving students” may participate by virtue of family consent, and subsequently all students appear to be required to return the week of June 20 through June 24 for “Comprehensive Finals” and “End of Year Field Trip”.</p> <p>Petition lacks a reasonably comprehensive description of the manner in which the supplemental instructional days will occur within the academic calendar. Petition includes discrepant statements with respect to the intended use of the supplemental instructional days and their inclusion in the calculated “more instructional time” outline in the petition.</p>	<p>(pg. 75)</p> <p>(pg. 25)</p> <p>(pg. 84)</p> <p>(pg. 84)</p>
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	<p><b>Finding 2.3</b></p> <p>Petition refers to the intended use of “5 days of supplemental instruction” on the following pages: <i>Pg. 25, 36 (2x), 73, and 84.</i></p> <p>Petition lacks any description of the intended approach to effectively utilize the proposed “5 days of supplemental instruction”, the intended curriculum, the role of classroom teachers or administration in its implementation, or the support structures necessary to ensure its success.</p> <p>Petition states:  <i>“Those students in need of additional support will receive additional tutoring sessions during the school day, before school, after school, or on weekends in order to provide students with the assistance they need for academic success.”</i></p> <p>Before school tutoring is not described, nor provided for in the schedule.</p> <p>Petition states:  <i>“In order to plan this curriculum based on student ability, all students will take the CAT/6 in the summer before starting school. This will provide a diagnostic assessment of the student’s ability, and allow teachers to create a curriculum to meet their students’ needs.”</i></p> <p>The CAT/6 assessment is not designed to be used as a diagnostic, but is instead a norm-referenced exam. Petitioner responses during the Petitioner Interview on April 14, 2009 indicated intent to use the assessment as a baseline of performance for students, vs. a diagnostic as stated in the charter.</p> <p><b>Finding 2.4</b></p> <p>Petition lacks specific</p> <p><b>3.0 Instructional Materials</b></p> <p><b>Finding 3.1</b></p> <p>Petition states:  <i>“Under the guidance of the Director of Curriculum &amp; Instruction tutors will use scripted curriculum designed to accelerate student improvement.”</i></p> <p>Petitioner responses during the Petitioner Interview held on April 14, 2009 stated that the specific curriculum the school intends to use has not yet been selected. Petition lacks a reasonably comprehensive description of the intended “scripted curriculum” to be used during tutorial, nor a reasonably comprehensive description of the alignment of the chosen curriculum to the core program.</p> <p><b>Finding 3.2</b></p>	<p>(pg. 44)</p> <p>(pg. APPEND 115)</p> <p>(pg. 37)</p>
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	<p>Petition states:  <i>“Oakland Collegiate will provide 15 four hour Saturday academies throughout the school year. [...] Teachers will use a combination of state adopted curriculum and teacher created materials.”</i></p> <p>Petitioner responses during the Petitioner Interview held on April 14, 2009 stated that the specific curriculum the school intends to use has not yet been selected. Petition lacks a reasonably comprehensive description of the intended “state adopted curriculum” to be used during Saturday Academies, nor a reasonably comprehensive description of the alignment of the chosen curriculum to the core program. Additionally, no description or sample “teacher created materials” for the Saturday Academies was provided for in the petition.</p> <p><b>Finding 3.3</b></p> <p>Petition states:  <i>“Advisory is a combination of study skills and character development. The course is designed to support the specific academic and developmental needs of students at each grade level. Content will vary widely by grade level as well as the time of year, but the intent will always be to further the school’s mission by developing and maintaining the character traits and intellectual habits that we believe are essential for future success.”</i></p> <p>Petition states:  <i>“At Oakland Collegiate character development is an integral part of the curriculum. After collecting homework, the teacher gives students an opportunity to practice honesty and integrity. Students can admit to incomplete homework, and go to Homework Club after school. Students who do not tell the truth receive automatic detention.”</i></p> <p>Example does not provide a reasonably comprehensive description of the Advisory curriculum intended to develop students’ honesty and integrity.</p> <p><b>Finding 3.4</b></p> <p>Petition states:  <i>“Our master schedule sets aside time for teachers to pull small groups of students to provide targeted instruction. [...] While the curricula used for this targeted intervention will vary based on students’ needs, teachers will use an even more frequent assessment regimen to ensure that student progress is monitored accurately and teaching methods are frequently adjusted to produce maximum results.”</i></p>	<p>(pg. 37)</p> <p>(pg. 43)</p> <p>(pg. 27)</p> <p>(pg. 44)</p>
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*Education Code §47605(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.*

<b>Element D</b>	<b>Average</b>	Petition lacks a reasonably comprehensive description of the	(pg. 114)
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		infractions are intended to warrant suspension pursuant to the school's discipline policy.	
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*Education Code §47605(g): 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.*

<b>Budgets</b>	<b>Average Rating:</b>	Petition contains calculation and cash flow errors.	
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*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 Oakland Collegiate charter school pursuant to the California Charter Schools Act.

**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 California Charter Schools Act.