



OAKLAND UNIFIED SCHOOL DISTRICT

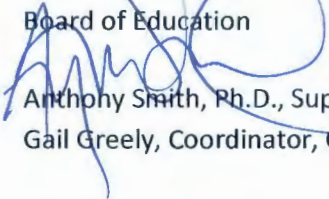
Office of the Superintendent

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TO: Board of Education
FROM:  Anthony Smith, Ph.D., Superintendent
Gail Greely, Coordinator, Office of Charter Schools
DATE: January 11, 2012
RE: 100 Black Men of the Bay Area Community School
Charter Petition Request

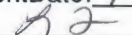
Legislative File

File ID No.: 11-2953

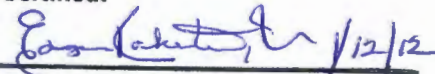
Introduction Date: 10/26/2011

EnactmentNo.: 12-0010

EnactmentDate: 1-11-12

By: 

Certified:



Edgar Rakestraw, Jr., Secretary
Board of Education

ACTION REQUESTED

Approve the petition and charter to establish 100 Black Men of the Bay Area Community School. The petition presents a sound educational program; the petitioners are not demonstrably unlikely to successfully implement the program set forth in the petition; the petition contains the required signatures and affirmations; and the petition contains reasonably comprehensive descriptions of all of the 16 elements and supporting information required by the California Charter Schools Act.

SUMMARY

Staff recommends that the OUSD Board of Education approve the petition for 100 Black Men of the Bay Area Community School to serve students in grades K-12, with conditions, to begin operation July 1, 2012 under the California Charter Schools Act. Staff recommends approval based on due diligence conducted to ensure that the establishment of the charter is consistent with sound educational practices.

PROCEDURAL BACKGROUND

- 1) Members of the petitioning group have been working with the District's Office of African-American Male Achievement on strategies to improve student success.
- 2) The lead petitioner submitted a petition for the 100 Black Men of the Bay Area Community School on October 26, 2011 at a regularly scheduled Board of Education meeting.
- 3) Staff held an introductory meeting with the lead petitioners on November 2, 2011 to explain the petition review process and obtain petitioning group contact information.

- 4) Staff conducted a petitioner interview on November 28, 2011 with the founding group/design team, who also represent proposed governing board members.
- 5) A public hearing was held on November 21, 2011. Representatives from the lead petitioning group presented.

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 leaders 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.

During **the petition review** process, staff conducted an interview 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**. This interview was held with the founding group/design team, who **also represent proposed governing board members**.

100 Black Men of the Bay Area Community School proposes to open in Fall 2012 as a direct-funded charter school. The school proposes to serve approximately 375 students in grades K, 4-7 in its first year (2012-13). (Petitioners said in the interview that the actual initial enrollment will be smaller if the facility capacity is lower.)

As described in the petition, the program intends to achieve the following through its focus on relevance, rigor and relationships:

We envision that 100 BMBACS will graduate the majority of its students to prestigious colleges and universities throughout the world. Succeeding that benchmark, the culture of excellence developed in our school will continue to produce graduates in each of the STEM disciplines. Our graduates will become the experts and leaders influencing the plan for a worldwide system that eliminates poverty, quarantines untreatable diseases, moderates the culture of sustainable growth, designs the platform by which the world lives in harmony, and develops the food plan for healthy living.

100 Black Men of the Bay Area Community School will enable students to become self-motivated, competent, lifelong learners and leaders in the 21st Century global community by ensuring that all students become proficient in each of the following three areas:

- 1. Academic Knowledge and Critical Thinking*
- 2. College and Career Readiness Skills*
- 3. Principles of Brotherhood/Sisterhood and Manhood/Womanhood*

The staff report and charter petition evaluation contained herein review the educational program, and proposed school operations, as well as articulate strengths and foreseeable challenges, pursuant to the petition review process.

RECOMMENDATION

Staff recommends that the Oakland Unified School District's Board of Education approve the petition for 100 Black Men of the Bay Area Community School, with conditions, under the California Charter Schools Act. The factual findings illustrated in this report demonstrate that the petition satisfies the five legally required categories of Education Code § 47605, summarized here:

- (1) The charter school presents a sound educational program for the pupils to be enrolled in the charter school;
- (2) The petitioners are demonstrably likely to successfully implement the program set forth in petition
- (3) The petition contains the number of signatures required;**
- (4) The petition contains an affirmation of each of the conditions described in Education Code §47605(d);**
- (5) The petition contains reasonably comprehensive descriptions of the 16 required charter elements.**

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

The term of this charter will be from July 1, 2012 through June 30, 2017, the maximum period allowed under the California Charter Schools Act (Education Code §47607(a)(1)). The District will not accept a charter renewal request more than 270 days prior to the expiration of the charter.

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

The District retains the authority to delay opening for a period of up to one year, if any of the conditions on opening are not satisfactorily met by the associated deadlines. Not meeting any one of the conditions **on opening and associated deadlines set forth in this approval may be grounds for revocation** as set forth in the California Charter schools Act (*Education Code §47607(c)(1)*).

Pursuant to OUSD Governing Board Policy, BP 0420.4, if the school does not **open on or before September 30, 2012, it will be considered a demonstration of petitioners' lack of capacity to implement the program set forth in the petition and the District will initiate charter revocation procedures.**

Oakland Unified School District Charter Petition Evaluation

School Name: 100 Black Men of the Bay Area Community School	Submission Date: October 26, 2011
Lead Petitioner: Dr. Mark Alexander	Orientation Date: November 2, 2011
School Leader: Tovi Scruggs	Public Hearing Date: November 21, 2011
Design Team/Petitioning Group (attending): Mark Alexander, Francine Shakir, Loren Taylor, El-Melech Stills-Bey, Mieko Scott, Patricia Nunley	Petitioner Interview Date: November 28
	Decision Date: January 11, 2012

Recommendation:

Approval of the 100 Black Men of the Bay Area **Charter school Charter school** charter petition to reflect the terms and conditions set forth in this report, **to begin operation July 1, 2012, and to expire June 30, 2017.** Staff recommends approval of a full five-year term of operation. **If conditions set forth here-in are not met as of August 1, 2012, and/or the petitioner and the Board of Education of the Oakland Unified School District mutually agree that success of the program would benefit from a delayed opening, the charter term will reflect the actual operation of the school to allow for a full five-year term of operation.**

Proposed location of school	East Oakland preferred location; seeking Proposition 39 facilities through OUSD
Composition of petitioner group	Founding team includes individuals with diverse experiences in education, health care, and business.
Grade levels to be served in year 1	K, 4-7
Anticipated enrollment in year 1	375 (dependent on facility capacity)
Grade levels to be served at full-capacity	K-12
Anticipated enrollment at full capacity	975
Target student population	“100 Black Men of the Bay Area Community School is one of many 100 Black Men public schools opening nationwide in response to the unmet needs of particular groups of students, especially African-American boys. 100 BMBACS and 100 Black Men of America believe that the failure rate of African-American boys in the public school system demands systems-level differentiation. The persistence of failure in our schools over many decades has led to a pervasive social and economic achievement and opportunity gaps in African-American communities.

	<p>Schools have played a powerful role in continuing and perpetuating a cycle of disadvantage and failure that must be addressed. While open to all students in the state and inclusive of students with a wide range of abilities and/or special needs. 100 BMBACS will have a special emphasis in addressing the needs of African-American boys.” (Pgs. 3-5)</p>
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Brief description of the kind of school to be chartered.

“100 Black Men of the Bay Area is committed to developing a truly excellent school that effectively nurtures and taps the human potential of every student. 100 BMBACS will serve as a replicable model and a demonstration school for providing a quality K-12 education, with a specific focus on supporting the larger education community in its efforts to close the achievement gap for African-American boys.”
(Pg. 1)

Brief explanation of the mission of proposed charter school.

“The mission of 100 Black Men of the Bay Area Community School is to prepare students with the skills, tools, and multiple intelligences needed to be entrepreneurial leaders in the fields of science, technology, engineering, and mathematics; and to instill confidence and a sense of responsibility for leading social change. The educational model of 100 BMBACS supports a life-long commitment to personal excellence, leadership, civic responsibility, and service to the community, environment and a global society.” (Pg. 1)

Planning to work with a charter management organization (CMO)

Yes ___ No _

Signature Verification:

EC 47605. (a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within any school district may be circulated by any one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after either of the following conditions are met: (A) The petition has been signed by a number of parents or guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation.

(B) The petition has been signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.

(2) In the case of a petition for the establishment of a charter school through the conversion of an existing public school, that would not be eligible for a loan pursuant to subdivision (b) of Section 41365, the petition may be circulated by any one or more persons seeking to establish the converted charter school. The petition may be submitted to the governing board of the school district for review after the petition has been signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

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

	Y	N	PG #
<input checked="" type="checkbox"/> Parents / Guardians <input type="checkbox"/> # aligned with proposed opening enrollment* <input type="checkbox"/> Prominent statement	x		App. G
<input type="checkbox"/> Teachers <input type="checkbox"/> # aligned with proposed opening enrollment <input type="checkbox"/> Prominent statement			N/A N/A

*Based in anticipated facility size

Oakland Unified School District

Charter Petition Evaluation

Criteria Reference

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

STATEMENT OF ASSURANCES

ASSURANCES	Y	N	PG #
1. Will not charge tuition, fees, or other mandatory payments for attendance at the charter school or for participation in programs that are required for students.	X		25
2. Will enroll any eligible student who submits a timely and complete application, unless the school receives a greater number of applications than there are spaces for students, in which case a lottery will take place in accordance with California charter laws and regulations.	X		25
3. Will be non-secular in its curriculum, programs, admissions, policies, governance, employment practices, and all other operations.	X		25
4. Will be open to all students, on a space available basis, and shall not discriminate on the basis of characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).	X		25
5. Will not base admission on the student's or parent's/guardian's place of residence, except that a conversion school shall give admission preference to students who reside within the former attendance area of the public school.	X		25
6. Will offer at least the minimum amount of instructional time at each grade level as required by law.	X		25
7. Will provide to the Office of Charter Schools information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be used by the school, including where the school intends to locate, the manner in which administrative services will be provided, and potential civil liability effects, if any, upon the school and authorizing board.	X		25
8. Will adhere to all applicable provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act; section 504 of the Rehabilitation Act of 1974; and Title II of the Americans with Disabilities Act of 1990.	X		25
9. Will adhere to all applicable provisions of federal law relating to students who are English language learners, including Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; MGL c. 76, § 5; and MGL c. 89, 71 § (f) and (l).	X		25
10. Will comply with all other applicable federal and state laws and regulations.	X		25
11. Will submit an annual report (SARC) and annual independent audits to the OUSD Office of Charter Schools by all required deadlines.	X		26
12. Will submit required enrollment data to the OUSD Office of Charter Schools by the	X		26

required deadlines.		
13. Will operate in compliance with generally accepted government accounting principles.	X	26
14. Will maintain separate accountings of all funds received and disbursed by the school.	X	26
15. Will participate in the California State Teachers' Retirement System as applicable.	X	26
16. Will obtain and keep current all necessary permits, licenses, and certifications related to fire, health and safety within the building(s) and on school property.	X	26
17. Will at all times maintain all necessary and appropriate insurance coverage.	X	26
18. Will provide financial statements that include a proposed first-year operational budget with start-up costs and anticipated revenues and expenditures necessary to operate the school, including special education; and cash-flow and financial projections for the first three years of operation.	X	26
19. Will provide to the Office of Charter Schools a school code of conduct, Governing Board bylaws, an enrollment policy, and an approved certificate of building occupancy for each facility in use by the school, according to the schedule set by the Office of Charter schools but in any event prior to the opening of the school.	X	26

EVALUATION:

The **100 Black Men of the Bay Area Community School** petition contains all legally mandated assurances.

I. EDUCATIONAL PROGRAM

Statutory References:

E.C. § 47605(b) (1)

E.C. § 47605(b) (5) (A)-(C)

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

Petition Section/s Pgs. 2-5

A. TARGET POPULATION

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

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

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

TARGET POPULATION

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

ANALYSIS: TARGET POPULATION

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
<ul style="list-style-type: none"> • Description of target student population is thorough; based on national and local context. 	Pgs. 2-5		

B. PHILOSOPHY AND APPROACH TO INSTRUCTION

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

**Petition Section/s
Pgs. 1-31**

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

1. Rationale: *Is the rationale compelling?*

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

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

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

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

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

ANALYSIS: EDUCATIONAL PHILOSOPHY AND APPROACH TO INSTRUCTION

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
<p>Rationale</p> <ul style="list-style-type: none"> • Petition references selection of research-based strategies and modeling of program design after existing school with similar target population; petitioners intend to partner with Eagle Academy for Young Men through an official MOU • Petition references culturally responsive teaching as a primary mechanism of engaging the target population. <p>Mission Alignment</p> <ul style="list-style-type: none"> • Petition contains an approach to assessment that provides a comprehensive view of student progress. • Petition contains a well-integrated set of approaches to instruction that are complementary and likely to build off of one another to form a coherent program. • Petition sets forth a concise and well-constructed Educational Philosophy articulated as Relevance, Rigor, and Relationships that lays a thoughtful foundation for the Instructional Program to build upon. • Petition sets forth a whole child approach to education likely to result in engaged learning by students and families. <p>Population Alignment</p> <ul style="list-style-type: none"> • Combination of rigor, relevance, and relationships aligned with petitioning group's understanding of the needs of the target population. 	<p>Pg. 3</p> <p>Pgs. 9-10</p> <p>Pgs. 43-52</p> <p>Pgs. 13-16</p> <p>Pgs. 1-30</p> <p>Pgs. 27-31</p> <p>Pgs. 1-30</p>		

C. CURRICULUM FRAMEWORK Mark this box on behalf of the curriculum that has already been selected/developed:

Petition Section/s Pgs. 15-25, Apps. E, F
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The description of the curriculum should provide the reviewer with a sense not only of *what* the school will teach but also of *how* and *why*. It must present research, applicant experience and/or reasoning sufficient to convince the reviewer that the applicants have already made sound educational decisions.

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

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

- o A clear description of the framework and research, experience and/or sound reasoning that demonstrates alignment with the school's mission, state standards and anticipated student needs;

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

- o An implementation plan showing persuasively the resources, daily schedule, annual calendar and professional development that support effective implementation; and
- o A clear description of the manner in which the school will prioritize the implementation of those elements of the proposed educational program that will ensure likely achievement of the goals of the program;

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

- o Effective strategies for evaluating the effectiveness of implementation and responding when student performance falls short of goals.

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

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

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

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

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

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

ANALYSIS: CURRICULUM FRAMEWORK

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
<p>Alignment</p> <ul style="list-style-type: none"> The program’s proposed RTI (Response to Intervention) is consistent with the over-all whole child approach to the curriculum; SST process and documents are well-developed <p>Implementation</p> <ul style="list-style-type: none"> Petitioner interview indicated that while a comprehensive implementation plan has not yet been developed, the petitioning group has the capacity to develop such a plan to ensure effective implementation of the proposed program. Qualified staff have been identified for key posts. Some partnerships are in place. <p>Evaluation</p>	<p>Pgs. 31-32, App. E</p> <p>Interview</p>	<p>Alignment</p> <ul style="list-style-type: none"> Petition and responses provided during petitioner interviews evidence potential underestimation of the professional development needed to effectively implement program as proposed. Petition does not contain a clear articulation of the approach to the development of the scope and sequence of each grade level curriculum to better understand how vertical alignment will be achieved, especially in light of the K-12 grade span. <p>Implementation</p> <ul style="list-style-type: none"> Key aspects of the proposed educational program will require substantial planning and preparation prior to opening. The Conditions on Opening will require the petitioners to meet specific benchmarks of program development and submit key documents to show that sufficient planning and preparation has been done to ensure successful implementation. 	<p>Pg. 64, Interview</p>

D. SPECIAL POPULATIONS: SPECIAL EDUCATION

Petition Section/s
Pgs. 32-40

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

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

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

ANALYSIS: SPECIAL EDUCATION

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
<ul style="list-style-type: none"> • 100 Black Men of the Bay Area Community School proposes to become an school of the District for the purposes of special education. 	Pg. 32	<ul style="list-style-type: none"> • Because the petition makes multiple reference to following SELPA policies with respect to special education, school staff will need to ensure sufficient steps are taken to identify what these policies look like in practice and to train staff to implement. 	Pgs. 34-36

E. SPECIAL POPULATIONS: ENGLISH LANGUAGE LEARNERS

Petition Section/s Pgs. 40-42

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

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

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

ANALYSIS: ENGLISH LANGUAGE LEARNERS

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
<ul style="list-style-type: none"> • Demonstrates understanding of compliance requirements. • Thorough description of the program, which includes explicit ELD instruction; academic English development; and a sheltered English program. 	<p>Pgs. 40-42</p>		

F. PUPIL OUTCOMES

Petition Section/s
Pgs. 43-54

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

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

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

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

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

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

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

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

ANALYSIS: PUPIL OUTCOMES

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
<p>Alignment</p> <ul style="list-style-type: none"> Petition sets forth a proposed curriculum approach that includes the use of 21st Century Skills likely to benefit target population. Petition sets forth Measurable Pupil Outcomes that address not only English Language Arts and mathematics, but science, social studies, STEM, English Language Acquisition, SPED, Visual and Performing Arts, etc. Petition sets forth Measurable Pupil Outcomes that are aligned to mission/vision. 	<p>Pgs. 5-8</p> <p>Pgs. 48-51</p> <p>Pgs. 48-51</p>		
<p>Measurement</p> <ul style="list-style-type: none"> Petition contains clearly defined performance targets. Petition provides for a range of assessments. Petition sets forth multiple assessment tools for each outcome; includes an outcome for students with special needs. Petition sets forth performance targets that are time-bound and commits the school to meeting specific targets on a basis that can allow for frequent monitoring of results. 	<p>Pgs. 48-51</p> <p>Pgs. 48-51</p> <p>Pgs. 48-51</p> <p>Pgs. 48-51</p>	<p>Measurement</p> <ul style="list-style-type: none"> Petition sets forth a wide range of assessments that are likely to occur with a frequency that will necessitate effective monitoring and management to effective use in informing instruction. Considerable planning will be required to put in place an assessment and data analysis systems of this complexity. 	<p>Pgs. 48-51</p>
<p>Performance Level</p> <ul style="list-style-type: none"> Petition sets realistic and ambitious targets for students. Performance targets include reasonable growth from baseline. 	<p>Pgs. 48-51</p> <p>Pgs. 48-51</p>		

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

Formative evaluations measure student **performance for the purpose of determining students' learning needs and to inform instructional strategies**. In other words, they are used to determine what students still need to learn.

A plan for evaluating Pupil Progress excels if it uses both formative and summative and includes the following characteristics:

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

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

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

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

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

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

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

ANALYSIS: PUPIL PROGRESS

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
<p>Assessments</p> <ul style="list-style-type: none"> • Extensive variety of assessments proposed in petition. <p>Instruction Improvement</p> <ul style="list-style-type: none"> • Petition describes general Cycle of Inquiry structure that will benefit from further development. • Petition contains clearly defined targets and frequency of assessments to be used to monitor progress towards obtaining targets. • Petition sets forth a “whole child-approach” to assessing learning. <p>Reporting</p> <ul style="list-style-type: none"> • Petition proposes a transparent process of reporting student performance results to all major stakeholder groups. 	<p>Pg. 53</p> <p>Pg. 53</p> <p>Pgs. 48-51</p> <p>Pgs. 48-51</p> <p>Pgs. 53-54</p>		

EDUCATIONAL PROGRAM SUMMARY

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

EDUCATIONAL PROGRAM SUMMARY

Strengths

The petition as submitted provides evidence of a comprehensive, coherently **described, and aligned educational program that is sound and likely to meaningfully benefit the target population.** Petitioners' are committed **to further developing the implementation plan that will ensure effective implementation of the many components of the proposed educational program, and have the capacity to do so.**

Concerns and Additional Questions

Several areas of the petition will benefit from increased detail and alignment, which can be accomplished through the refinement of the implementation plan.

II. PETITIONER CAPACITY

Statutory References:

E.C. § 47605(b) (2)

E.C. § 47605(b) (5) (D)-(P)

E.C. § 47605(c) (2)

E.C. § 47605(g)

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

A. GOVERNANCE CAPACITY

Petition Section/s Pgs. 54-60

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

1. **Legal Structure:** *Does the school have adequate and appropriate legal structure?*
 - Documentation of proper legal structure (Articles of Incorporation stamped by the Office of the Secretary of State and corporate Bylaws);
 - Evidence of 501(c)3 Non-Profit Corporation status;
 - Adequate bylaws, policies & procedures for governing body operation (director selection & removal, decision making, powers and duties, expansion and transition plans)
2. **Charter school Governance Experience/ Expertise:** *Does the board demonstrate the capacity needed to govern effectively?*
 - Evidence of analysis that proposed founding members of the governing body possess and will contribute the wide range of knowledge and skills needed to oversee a successful charter school;
 - Evidence of the existing or emerging capacity of the proposed founding members of the governing board to work as an effective unit in the interest of the proposed charter school;
3. **Operating Plan:** *Does the school have an operating plan that complies with legal obligations and incorporates sound governance practices?*
 - Demonstrated understanding of the board’s responsibility for the educational and fiscal integrity of the school and for fulfilling the terms of the charter;
 - Clear, reasonable selection and removal procedures, term limits, meeting schedules, and powers and duties for members of the governing body;
 - Demonstrated understanding and assurance of compliance with open meetings requirements;

- Reasonable conflict of interest policy;
- Adequate plan for insurance;
- A plan for meaningful involvement or input of parents and community members in the governance of the school;
- Clear, sensible delineation of roles and responsibilities of parent councils, advisory committees or other supporting groups; and
- Clear, **sensible definition of governing body roles and responsibilities in relation to management.**

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

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

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

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

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

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

ANALYSIS: GOVERNANCE CAPACITY

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
Legal Structure <ul style="list-style-type: none"> • School will have both a governing board and an advisory council, as well as a school community council. 	Pgs. 57-58	Experience and Expertise <ul style="list-style-type: none"> • Petitioning team's experience with and understanding of current charter school law and finance is not yet strong. Petitioners plan to supplement their capacity in these areas. 	Interview
Experience and Expertise <ul style="list-style-type: none"> • Petitioning group is comprised of individuals that include a background in school leadership, and sufficient business background to effectively operate a charter school. 	Interview, App. C		
Operating Plan <ul style="list-style-type: none"> • Petition commits organization to Brown Act compliance. • Petition commits to compliance with the Political Reform Act. 	Pg. 55 Pg. 55		

B. MANAGEMENT CAPACITY

Petition Section/s
Pgs. 60-75

A leadership plan excels if it has the following characteristics:

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

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

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

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

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

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

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

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

ANALYSIS: MANAGEMENT CAPACITY

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
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<p>Enrollment Procedures</p> <ul style="list-style-type: none"> Admission preference and lottery procedures conform to requirements for PCSGP grant holders. 	<p>Pg. 73-74</p>	<p>Enrollment Procedures</p> <ul style="list-style-type: none"> Text revision to clarify the categories of exemptions for admissions is needed. Acknowledging the difficulties recruiting highly qualified, experienced teachers that has been true for both district and charter schools in Oakland, petitioners' expectation to hire teachers with a preferred minimum of two years of experience who will be able to implement the broad range of responsibilities describe in the educational program may be challenging. 	<p>Pg. 74 (#3 contains typo) Interview</p>
<p>Operating Procedures</p> <ul style="list-style-type: none"> Appropriate health and safety components included. Discipline plan and suspension and expulsion procedures are fully developed. Attendance alternatives statement is included. Reasonable dispute resolution and parent/community complaint procedures are included. School closure procedures are compliant with charter law. 	<p>Pgs. 69-71 Pgs. 75-88 Pg. 75 Pgs, 59-60, App. C Pgs. 91-92</p>	<p>Operating Procedures</p>	
		<p>Management Structure</p> <ul style="list-style-type: none"> Job descriptions contain comprehensive listings of qualifications but do not describe job responsibilities. Petition contains references to several positions that petitioners explained will be filled by volunteers in year one, and only budgeted for in subsequent years, without analysis of the <u>potential impact on the</u> program. 	<p>Pgs. 60-66 Interview</p>

C. EMPLOYMENT CAPACITY

Petition Section/s
Pgs. 60-69, App. D1, E9

An employment plan excels if it has the following characteristics:

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

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

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

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

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

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

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

ANALYSIS: EMPLOYMENT CAPACITY

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
<p>Qualifications and Responsibilities</p> <p>Compensation Plan</p> <p>Policies and Assurances</p> <ul style="list-style-type: none"> • Employee handbook reflects reasonable and appropriate personnel policies. • Assurances as to staff credential requirements are included. • State Teachers' Retirement System and Public Employees' Retirement System participation is specified. • Employee return rights correctly described. • Exclusive public school employer statement included. • Criminal background and other required health and safety checks are described. 	<p>App. D</p> <p>Pg. 66</p> <p>Pg. 68</p> <p>Pg. 69</p> <p>Pg. 69</p> <p>Pgs. 69-70</p>	<p>Qualifications and Responsibilities</p> <ul style="list-style-type: none"> • Qualifications of key employees are described, responsibilities are not. <p>Compensation Plan</p> <ul style="list-style-type: none"> • Budgeted teachers salaries seem unrealistic, as is plan for reliance on volunteers for many positions. 	<p>Pgs. 60-66</p> <p>App. B</p>

D. FINANCIAL CAPACITY

Petition Section/s
Pgs. 89-90, App. B1

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

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

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

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

3. **Expenditures: *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?***
 - Spending priorities that align with the school’s mission, educational program, management structure, professional development needs, and growth plan;
 - A budget narrative explaining key expense assumptions;
 - Realistic expense projections addressing major operating expenses including staffing and benefits, special education, facility, materials and equipment, and contracted services;
 - Budgeting to meet minimum insurance requirements; and
 - Evidence to support key assumptions including that compensation is sufficient to attract qualified staff and that facilities budget is adequate.

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

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

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

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

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

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

ANALYSIS: FINANCIAL CAPACITY

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference
Financial Operation <ul style="list-style-type: none"> Petitioners have understanding of fiscal management needs and capacity for substantial fundraising. Reasonable start-up costs included in budget. 	App. B	Financial Operation	
Revenues		Revenues <ul style="list-style-type: none"> Per student revenues in budget not consistent with current funding rates; not specific to grade; COLA adjustments are unrealistically high; eligibility and revenue included for state categorical and federal programs not clear. 	App. B
Expenditures		Expenditures <ul style="list-style-type: none"> Several expenditures assumptions are low, especially teacher salary levels, but also professional development costs; cleaning and maintenance costs; and special education costs are lower than current District rate. There are several inconsistencies between the budget and text. Cash flow projection misstates current revenue flow from state and federal sources, in light of deferrals and changes in federal programs. 	App. B

E. FACILITIES PLAN

Petition Section/s
Pgs. 91

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

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

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

Select One

- Non-district facility anticipated**

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

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

District facility anticipated pursuant to Prop 39

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

- **Informed assessment and description of anticipated facilities needs;**
- Adequate budget based on **district Prop. 39 facilities fee;**
- **A thoughtful contingency plan in the event that a mutually agreeable district facility is unable to be procured,**
- **A site preference with a compelling rationale for the preference; and**
- **An assurance of legal compliance (health and safety, ADA, and applicable building codes).**

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

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

ANALYSIS: FACILITIES PLAN

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Petitioners are seeking a district facility under Proposition 39.	Pg. 91	No contingency plan is included, should a suitable district facility not be available.	Pg. 91

PETITIONER CAPACITY SUMMARY

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

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

PETITIONER CAPACITY SUMMARY

Strengths
The content of the petition and its appendices reflect the foundational development of the 100 Black Men of the Bay Area Community School. They also provide evidence of the capacity of the petitioning group to undertake the additional planning needed to successfully implement the program set forth in the petition.

Criteria Not Sufficiently Addressed, Concerns & Additional Questions
Priority for refinement of the petition's many operational elements is a more detailed budget and cash flow analysis, based on the most recent information on funding rates and revenue deferrals.

SIXTEEN ELEMENTS TABLE

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

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

Element	Evaluation Reference	Inadequate	Reasonably Comprehensive	Statutory Reference
Description of the educational program of the school, including what it means to be an “educated person” in the 21 st century and how learning best occurs.	<i>Section I, B</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(A)
Measurable pupil outcomes	<i>Section I, G</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(B)
Method by which pupil progress is to be measured	<i>Section I, H</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(C)
Governance structure	<i>Section II, A</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(D)
Qualifications to be met by individuals employed at the school	<i>Section II, C</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(E)
Procedures for ensuring health & safety of students	Section II, B	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(F)
Means for achieving racial and ethnic balance	Section II, B	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(G)
Admission requirements, if applicable	Section II, B	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(H)
Manner for conducting annual, independent audits	Section II, D	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(I)
Suspension and expulsion procedures	<i>Section II, B</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(J)
Manner for covering STRS, PERS, or Social Security	<i>Section II, C</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(K)
Attendance alternatives for pupils residing within the district	<i>Section II, B</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(L)
Employee rights of return, if any	<i>Section II, C</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(M)
Dispute resolution procedure for school-authorizer issues	<i>Section II, B</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(N)
Statement regarding exclusive employer status of the school	<i>Section II, C</i>	<input type="checkbox"/>	X	E.C. § 47605(b)(5)(O)
Procedures for school closure	<i>Section II, B</i>	<input type="checkbox"/>	X	E.C.

				§ 47605(b)(5)(P)
Facilities to be utilized by school	<i>Section II, E</i>	<input type="checkbox"/>	X	E.C. § 47605(g)
Manner in which administrative services are to be provided	<i>Section II, B</i>	<input type="checkbox"/>	X	E.C. § 47605(g)
Potential civil liability effects	<i>Section II, B</i>	<input type="checkbox"/>	X	E.C. § 47605(g)
Proposed first year operational budget	<i>Section II, D</i>	<input type="checkbox"/>	X	E.C. § 47605(g)
Cash flow and financial projections for 3 years	<i>Section II, D</i>	<input type="checkbox"/>	X	E.C. § 47605(g)

ANALYSIS: SIXTEEN ELEMENTS

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

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

Criteria Not Sufficiently Addressed, Concerns & Additional Questions	Reference
Further detail required to ensure effective opening and operation of the proposed school program are set forth in the Conditions on Opening, which are established as terms and conditions of the charter that are material in nature.	

ATTACHMENT 2 – CHARTER TEXT REVISIONS

Oakland Unified School District
Office of Charter schools

REQUIRED CHARTER TEXT REVISIONS: The approved charter is amended from the filed petition to incorporate the revisions below. The charter school must submit to the District’s Office of Charter schools a revised charter to include all revisions outlined below **in one hard copy and one electronic copy in WORD format on a CD or via email of no later than 5pm on June 1, 2012.**

Charter Text	Text Reference	Revision
<u>Governance</u>	Page 60	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The School 100 Black Men of the Bay Area Community School will comply with the District policy related to charter schools to the extent it aligns with and does not exceed the law applicable to charter schools, as it may be changed from time to time as long as the charter school has been given written notice of the policy change.”</i></p>
<u>Student Admissions Policies and Procedures</u>	Page 73	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>100 Black Men of the Bay Area Community School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).</i></p> <p><i>As part of the Fall Information Update, 100 Black Men of the Bay Area Community School will notify the District in writing of the application deadline and proposed lottery date. 100 Black Men of the Bay Area Community School will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.”</i></p>
<u>Public Records</u>	Page 91	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“100 Black Men of the Bay Area Community School acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections</i></p>

		<p>33126.1(b), 35256(c), and 35258 of the Education Code require schools, including 100 Black Men of the Bay Area Community School to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at 100 Black Men of the Bay Area Community School and of the District. 100 Black Men of the Bay Area Community School further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that 100 Black Men of the Bay Area Community School does not have that 100 Black Men of the Bay Area Community School needs in order to meet its obligations, the District shall provide the same to 100 Black Men of the Bay Area Community School in a reasonably timely manner upon request.”</p>
<p><u>Reporting and Accountability</u></p>	<p>Page 47</p>	<p>Add the following text and remove any text to the contrary:</p> <p><i>“If 100 Black Men of the Bay Area Community School does not test (i.e., STAR) with the District, 100 Black Men of the Bay Area Community School hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as the charter school.</i></p> <p><i>Test results for the prior year, if not provided directly to the District by the State, will be provided by the charter school to the District no later than September 1 of each year.”</i></p>
<p><u>External Reporting</u></p>	<p>Page 53</p>	<p>Add the following text and remove any text to the contrary:</p> <p><i>“The School 100 Black Men of the Bay Area Community School will maintain sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from District and other authorized reporting agencies.”</i></p>
<p><u>Governance Structure of the School</u></p>	<p>Pages ()</p>	<p>Add the following text and remove any text to the contrary:</p> <p><i>“Pursuant to 100 Black Men of the Bay Area Community School, in accordance with Education Code Section 47604.3, the school shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from the District, County Board of Education, and the State Superintendent of Public Instruction and shall consult with the District regarding any such inquiries. 100 Black Men of the Bay Area Community School acknowledges that it is subject to audit by OUSD if OUSD seeks an audit of 100 Black Men of the Bay Area Community School, it shall</i></p>

		<i>assume all costs of such audit. This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by 100 Black Men of the Bay Area Community School by law or charter provisions."</i>
<u>Governance Structure</u>	Page 60	<p>Add the following text and remove any text to the contrary:</p> <p><i>"Members of the Board 100 Black Men of the Bay Area Community School's Governing Board, any administrators, managers or employees, and any other committees of the School shall at all times comply with federal and state laws, nonprofit integrity standards and the Districts Schools-OSD's Charter School policies and regulations regarding ethics and conflicts of interest to the extent so long as such policies and regulations align with and do not exceed the requirements of law applicable to charter school are not in conflict with any then-existing applicable statutes or regulations applicable to charter schools.</i></p> <p><i>The School 100 Black Men of the Bay Area Community School and/or its non-profit corporation will be solely responsible for the debts and obligations of the charter school."</i></p>
<u>Addressing Parent Complaints</u>	Page 59	<p>Add the following text and remove any text to the contrary:</p> <p><i>The School 100 Black Men of the Bay Area Community School will establish complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. The School 100 Black Men of the Bay Area Community School will not, at any time, refer complaints to the District.</i></p> <p><i>The complaint procedures will include the clear information with respect to the response timeline of the school, whether the school's response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the school's student and family handbook or distributed widely.</i></p> <p><i>100 Black Men of the Bay Area Community School will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504) including any investigation of any complaint filed with 100 Black Men of the Bay Area Community</i></p>

		<p><i>School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. 100 Black Men of the Bay Area Community School will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.</i></p> <p><i>100 Black Men of the Bay Area Community School will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action, which would be prohibited by Title IX, or Section 504.</i></p> <p><i>100 Black Men of the Bay Area Community School will implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to discriminate in such a manner.”</i></p>
<p><u>Health and Safety Procedures</u></p>	<p>Page 71</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“100 Black Men of the Bay Area Community School shall occupy facilities that comply with the Asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.”</i></p>
<p><u>Dispute Resolutions Procedures</u></p>	<p>Page 71</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“The staff and Governing Board members of 100 Black Men of the Bay Area Community School agree to attempt to resolve all disputes between the District and 100 Black Men of the Bay Area Community School regarding this charter pursuant to the terms of this section. Both will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.</i></p> <p><i>Any controversy or claim arising out of or relating to the charter agreement between the District and 100 Black Men of the Bay Area Community School, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below.</i></p> <p><i>(1) Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that in any way related</i></p>

to revocation of this charter, must be put in writing ("Written Notification") by the party asserting the existence of such dispute. The Written Notification must identify the nature of the dispute and all supporting facts known to the party giving the Written Notification. The Written Notification may be tendered by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of **delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.** All written notices shall be addressed as follows:

To Charter School, c/o School Director:

100 Black Men of the Bay Area Community School

To Coordinator, Office of Charter Schools:

~~Office of Charter Schools~~

~~Oakland Unified School District~~

~~1025 Second Avenue, Room 206~~

~~94606~~

**Tilden Education Complex
4551 Steele Street, Room 11
Oakland, California 94619**

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

(3) If the controversy, claim, or dispute is not resolved by mutual agreement at the Issue Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall

		<p>commence within 60 days from the date of the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy or claim at dispute. If no agreement on a mediator is reached within 30 days after a request to mediate, the parties will use the processes and procedures of the American Arbitration Association ("AAA") to have an arbitrator appointed...</p> <p>(4) If the mediation is not successful, the parties agree that each party has exhausted its administrative remedies and shall have any such recourse available by law.</p>
<u>Suspension and Expulsion</u>	Pages 75	<p>Add the following text and remove any text to the contrary:</p> <p><i>"100 Black Men of the Bay Area Community School shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves 100 Black Men of the Bay Area Community School without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil's last known address. ASCEND shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information, pursuant to Education Code Section 47605(d)(3)."</i></p>
<u>Suspension and Expulsion: Due Process for Students with Disabilities</u>	Pages 75	<p>Add the following text and remove any text to the contrary:</p> <p><i>"In the case of a special education student, or a student who receives 504 accommodations, 100 Black Men of the Bay Area Community School will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled."</i></p>
<u>Independent Fiscal Audits</u>	Page 90	<p>Add the following text and remove any text to the contrary:</p> <p><i>"To the extent that 100 Black Men of the Bay Area Community School is a recipient of federal funds, including federal Title I, Part A funds, 100 Black Men of the Bay Area Community School has agreed to meet all of the programmatic, fiscal and other regulatory</i></p>

		<p><i>requirements of the No Child Left Behind Act and other applicable federal grant programs. 100 Black Men of the Bay Area Community School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not the limited to, the following:</i></p> <ul style="list-style-type: none"> • <i>Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.</i> • <i>Develop jointly with, and distribute to, parents of participating children, a school-parent compact.</i> • <i>Hold an annual Title I meeting for parents of participating Title I students.</i> • <i>Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.</i> <p><i>100 Black Men of the Bay Area Community School also understands that as part of its oversight of the school, the Office of Charter Schools may conduct program review of federal and state compliance issues.”</i></p>
Facilities	Page 91	<p>Add the following text and remove any text to the contrary:</p> <p><i>“If 100 Black Men of the Bay Area Community School fails to submit a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, not less than 30 days before the school is scheduled to begin operation pursuant to the first year of this renewal term, it may not commence operations unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. If 100 Black Men of the Bay Area Community School moves or expands to another facility during the term of this charter, 100 Black Men of the Bay Area Community School shall provide a certificate of occupancy or other valid documentation to the District verifying that the intended facility in which the school will operate complies with Education Code Section 47610, to the District for each</i></p>

		<p><i>facility at least 30 days before school is scheduled to begin operations in the facility or facilities. 100 Black Men of the Bay Area Community School shall not begin operation in any location for which it has failed to timely provide a certificate of occupancy to the District, unless an exception is made by the Office of Charter Schools and/or the local planning department or equivalent agency. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process."</i></p>
<u>District Fee for Oversight</u>	Page 93	<p>Add the following text and remove any text to the contrary:</p> <p><i>"The District may charge for the actual costs of supervisory oversight of 100 Black Men of the Bay Area Community School not to exceed 1% of the charter school's revenue, or the District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if 100 Black Men of the Bay Area Community School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time."</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page 94	<p>Add the following text and remove any text to the contrary:</p> <p><i>"100 Black Men of the Bay Area Community School must submit its renewal petition to the Office of Charter Schools no earlier than 270 days before the charter is due to expire unless otherwise agreed by the Office of Charter Schools..."</i></p>
<u>Miscellaneous Charter-Related Issues</u>	Page 94	<p>Add the following text and remove any text to the contrary:</p> <p><i>"The District may revoke the charter of 100 Black Men of the Bay Area Community School in accordance with Education Code Section 47607.any successor provisions to section 47607, or other statutory provisions, if enacted after the date of the charter, regarding the revocation of charters.</i></p>
<u>Impact on Charter Authorizer</u>	Page 94	<p>Add the following text and remove any text to the contrary:</p> <p>In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the District will apply each year of the term of this charter;</p> <ul style="list-style-type: none"> ○ September 1 – Final Unaudited Financial Report for Prior Year ○ December 1 – Final Audited Financial Report for Prior Year ○ December 1 – First Interim Financial Report for Current Year ○ March 1 – Second Interim Financial Report for Current Year

		<p>o June 15 – Preliminary Budget for Subsequent Year</p>
<p><u>Impact on Charter Authorizer</u></p>	<p>Page 94</p>	<p><u>Add the following text and remove any text to the contrary:</u></p> <p><i>“100 Black Men of the Bay Area Community School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:</i></p> <ul style="list-style-type: none"> • <i>100 Black Men of the Bay Area Community School is subject to District oversight.</i> • <i>The District’s statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitor the fiscal condition of 100 Black Men of the Bay Area Community School.</i> • <i>The District is authorized to revoke this charter for, among other reasons, the failure of 100 Black Men of the Bay Area Community School to meet generally accepted accounting principles or if it engages in fiscal mismanagement in accordance with Education Code Section 47607.</i> <p><i>Accordingly, the District hereby reserves the right, at District cost, pursuant to its oversight responsibility, to audit 100 Black Men of the Bay Area Community School books, records, data, processes and procedures through the Office of Charter Schools or other means. The audit may include, but is not limited to, the following areas:</i></p> <ul style="list-style-type: none"> • <i>Compliance with terms and conditions prescribed in the charter,</i> • <i>Internal controls, both financial and operational in nature,</i> • <i>The accuracy, recording and/or reporting of school financial information,</i> • <i>The school’s debt structure,</i> • <i>Governance policies, procedures and history,</i> • <i>The recording and reporting of attendance data,</i> • <i>The school’s enrollment process, suspension and expulsion procedures, and parent involvement practices,</i> • <i>Compliance with safety plans and procedures, and</i> • <i>Compliance with applicable grant requirements.</i> <p><i>100 Black Men of the Bay Area Community School shall cooperate fully with such audits and to make available any and all records necessary for the performance of the audit upon 30 day’s notice to 100 Black Men of the Bay Area Community School. When 30 days notice may defeat the purpose of the audit, the District may conduct</i></p>

the audit upon 24 hour's notice.

*In addition, if an allegation of waste, fraud or abuse related to 100 Black Men of the Bay Area Community School operations is received by the District, the 100 Black Men of the Bay Area Community School shall be expected to cooperate with any investigation undertaken by the Office of Charter Schools, at District cost. **This obligation for the District to pay for an audit only applies if the audit requested is specifically requested by the District and is not otherwise required to be completed by 100 Black Men of the Bay Area Community School by law or charter provisions.***

ATTACHMENT 3 – CONDITIONS ON OPENING

The majority of these items are intended to be “one time” submissions for new schools. Only those items marked with an asterisk (*) are intended to be updated annually. **Please pay careful attention to the due date for all conditions on opening.** All items listed are to either be emailed on or before the due date to guadalupe.navarro@ousd.k12.ca.us or hand-delivered to OUSD Office of Charter schools at Tilden School, 4551 Steele Street, Room 11. *Hand-delivered items must receive a receipt from the Office of Charter schools to ensure verification of timely submission.*

Charter Revision		
June 1, 2012	<input type="checkbox"/>	Submit to the District’s Office of Charter schools one hard copy and one electronic copy in <i>MS Word</i> format of a <i>Track Changes</i> version of the revised charter, as well as a <i>Final Text</i> version of the revised petition to include all revisions outlined in the charter approval.
Charter Implementation Plan		
March 1, 2012	<input type="checkbox"/>	Submit student recruitment plan, including outreach program and application/enrollment timeline.
March 1, 2012	<input type="checkbox"/>	Submit multi-year staffing plan, covering all positions at the school (including positions to be filled initially with volunteers), and including job descriptions, an organization chart, staff recruitment activities, and hiring timeline.
April 1, 2012	<input type="checkbox"/>	Submit 2 paper and 1 electronic copy (Excel) of a revised preliminary start-up budget, 3 year budget, and 3 year cash flow statement using best available information on state, federal and other revenue sources. Include a budget narrative describing key assumptions.
April 1, 2012	<input type="checkbox"/>	Submit completed implementation plan, building on what is included in petition, and with greater detail, especially as it pertains to year 1.
Enrollment Policies and Application for Admission		
July 31, 2012	<input type="checkbox"/>	Submit Board-approved Enrollment Policy and an Application for Admission, including enrollment preferences or weights.
July 31, 2012	<input type="checkbox"/>	Submit list of enrolled students—including name, DOB, prior school, home language, Oakland residency or not, and CSIS number (list to be updated September 15, 2011 and annually) using Excel template provided by the Office of Charter schools.*
Complaint Procedures		
July 31, 2012	<input type="checkbox"/>	method of notifying parents of this annually.
Student Learning Time		
July 31, 2012	<input type="checkbox"/>	Submit certification of instructional hours to be provided in 2012-2013.* Carefully read <i>Education Code §46201(a)(3)</i> . [instructional minutes requirement]
	<input type="checkbox"/>	Submit adopted 12-month school calendar distinguishing dates with standard or reduced instructional time, and noting vacation days.*
Code of Conduct, Student Handbook, and Recommended Policies		

July 31, 2012	<input type="checkbox"/>	Submit Student and Family Handbook.* (Prepare student/family handbook and registration materials--to include the enrollment schedule, school calendar, all policies and procedures pertaining to health and safety, homework, attendance, discipline, suspension and expulsions, parent complaint procedures--in all languages as distributed.)
	<input type="checkbox"/>	Submit Governing Board-approved Code of Conduct. (Prepare the school's Code of Conduct so that it is consistent with the program and school characteristics outlined in your charter petition, as well as with applicable California Education Code.)
	<input type="checkbox"/>	Submit implementation plan for the School Community Council, including plans for parent capacity building and timeline for formation of councils and election of parent representatives.
Insurance Policies		
July 31, 2012	<input type="checkbox"/>	Submit evidence of commercial general liability insurance for not less than \$1,000,000 per incident; to include the District as additionally insured.
	<input type="checkbox"/>	Submit evidence of fidelity bond coverage for not less than \$50,000 per occurrence and workers' compensation insurance.
Financial Organization		
July 31, 2012	<input type="checkbox"/>	Submit copy of the school's "Annual Information Survey" to the CDE (plus annual filings to be provided to CDE by June 1 and any updates in future years).*
School Facility and Building Safety		
June 26, 2012	<input type="checkbox"/>	Submit a copy of an executed lease or deed for a facility, or suitable comparable document, noting occupancy on or before June 26, 2012.
	<input type="checkbox"/>	Submit written assurance that the facility selected for the school is programmatically accessible to physically handicapped individuals.
	<input type="checkbox"/>	Make available for inspection a current Certificate of Occupancy.
	<input type="checkbox"/>	Make available for inspection a current Fire Inspection Certificate.
	<input type="checkbox"/>	Make available for inspection a current Building Safety Inspection Certificate.
	<input type="checkbox"/>	Make available for inspection a current Health Inspection.
July 31, 2012	<input type="checkbox"/>	Submit Blood Borne Pathogens Exposure Control Plan.
	<input type="checkbox"/>	Submit Facilities Safety and Evacuation Plan.
	<input type="checkbox"/>	Submit Board-approved Emergency Preparedness Handbook.
	<input type="checkbox"/>	Submit Board-approved Drug, Alcohol, and Smoke Free Environment Policies and Procedures.
Special Education Program Plan		
July 31, 2012	<input type="checkbox"/>	Submit executed documentation on provision of special education services (SELPA membership, MOU, service contracts, etc.).
	<input type="checkbox"/>	Submit adopted 504 plan, policy, and procedures.
	<input type="checkbox"/>	Submit Special Education Identification and Assessment Plan.
Budget and Cash Flow		
July 31, 2012	<input type="checkbox"/>	Submit 2 paper copies, in addition to an electronic version of an updated and revised cash flow statement and 3-year projections. Include revised staffing expenses.
School Health Plan and Medications Administration Plan		

July 31, 2012	<input type="checkbox"/>	Submit School Health Plan (to comply with immunization audit, hearing and vision screening requirements) and Medications Administration Plan.
Instructional Staff		
July 31, 2012	<input type="checkbox"/>	Submit a list of teachers hired--including name, DOB, assignments, subject matter certification and credential evidence, qualification to teach ELL students, evidence of current clear tuberculosis test, date of fingerprinting, date of background review.*
	<input type="checkbox"/>	Submit employee handbook, including policies and procedures that ensure the health and safety of students and staff.
July 31, 2012	<input type="checkbox"/>	Submit list of teachers requiring Beginning Teacher Support and Assessment and support plan.
	<input type="checkbox"/>	Submit Board-approved personnel policies.
Programming Plans		
July 31, 2012	<input type="checkbox"/>	Submit English Learner Plan-- adopted policies and procedures that pertain to use of a home language survey and mandatory CELDT testing.
	<input type="checkbox"/>	Submit a list of which courses the school considers non-core, non-college preparatory courses.
Evaluation of School Leader, School Administrators, and Teachers		
July 31, 2012	<input type="checkbox"/>	Submit performance evaluation criteria and evaluation plan templates for school site leader/administrator and teachers.
	<input type="checkbox"/>	Submit policy or other documentation describing the decision-making authority of the governing board, CMO management and school principal.