

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

**Resolution No. 2425-0017**

**DENYING RENEWAL PETITION OF  
American Indian Public Charter School II – GRADES K-8  
AND WRITTEN FINDINGS OF SUPPORT THEREOF**

**WHEREAS**, the Charter Schools Act (Ed. Code §47600, et seq.) establishes the criteria by which charter school renewals are to be approved or denied; and

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

**WHEREAS**, on September 30, 2024, the District received a renewal petition (“Petition”) for American Indian Public Charter School II (“AIPCS II”), a public charter school currently serving 612 students in grades K-8 and authorized to serve grades K-8 with a maximum enrollment of up to 675 students at full enrollment; and

**WHEREAS**, the California Education Code outlines a three-tier system for most charter schools seeking renewal, including additional requirements for evaluating the soundness of the school’s educational program depending on the school’s renewal tier; and

**WHEREAS**, AIPCS II was placed in the High tier by the California Department of Education based on its State Dashboard data; and

**WHEREAS**, a charter school placed in the High tier shall not be renewed if the chartering authority makes a written factual finding, setting forth specific facts to support the finding:

- A. The school is unlikely to implement the program due to substantial fiscal or governance concerns; or
- B. The school is not serving all pupils who wish to attend, as documented by data provided by the CDE or by any substantiated complaints that the charter school has not complied with suspension, expulsion, or involuntary disenrollment procedures.

And the chartering authority has provided at least 30 days’ notice to the charter school of the alleged violation and provided the charter school with a reasonable opportunity to cure the violation, including a corrective action plan proposed by the charter school, AND the chartering authority makes a written factual finding, setting forth specific facts to support the finding:

- A. The corrective action proposed by the charter school has been unsuccessful; or

- B. The violations are sufficiently severe and pervasive as to render a corrective action plan unviable; and

**WHEREAS**, on September 27, 2023, the Governing Board issued a Notice to the Charter School pursuant to Education Code 47607(e) which set forth specific facts to support the following findings:

- A. The school is unlikely to implement the program due to substantial governance concerns; and
- B. The school is not serving all pupils who wish to attend, as documented by data provided by the CDE or by any substantiated complaints that the charter school has not complied with suspension, expulsion, or involuntary disenrollment procedures

**WHEREAS**, on November 15, 2023, the Charter School submitted a Corrective Action Plan (“CAP”) with subsequent updates on February 1, 2024, May 1, 2024, and August 1, 2024;

**WHEREAS**, on October 23, 2024, in light of continued concerns and new evidence to support those concerns from the CDE, the Governing Board issued a Second Notice to the Charter School pursuant to Education Code 47607(e) which set forth additional facts to support the same findings;

**WHEREAS**, on November 13, 2024, the Governing Board held an initial public hearing on the renewal petition as required by Education Code Section 47605(b); and

**WHEREAS**, on November 21, 2024, the Charter School submitted a supplementary CAP in response to the Second Notice;

**WHEREAS**, on December 9, 2024, the Governing Board held a decision public hearing on the renewal petition as required by Education Code Section 47605(b); and

**WHEREAS**, the Governing Board, under Education Code Section 47605(b), is obligated to take action to grant or deny the renewal petition within 90 days of submission, unless Petitioner agrees to an extension of up to 30 days;

**NOW, THEREFORE, BE IT RESOLVED THAT THE GOVERNING BOARD OF THE OAKLAND UNIFIED SCHOOL HEREBY** adopts all aspects of the Staff Report on AIPCS II’s Petition, except to the extent that any aspect of the Staff Report is inconsistent with this Resolution;

**BE IT FURTHER RESOLVED THAT THE GOVERNING BOARD OF THE OAKLAND UNIFIED SCHOOL HEREBY FINDS** that AIPCS II has **not** met the requirements of Education Code Section 47605(c) and 47607(e) and the District’s Charter Renewal Standards in that:

- 1) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition due to substantial governance concerns; and

2) The Charter School is not serving all students that wish to attend;

**BE IT FURTHER RESOLVED THAT THE GOVERNING BOARD OF THE OAKLAND UNIFIED SCHOOL HEREBY FINDS** that the Charter School was provided at least 30 days' notice of the alleged violations and was provided with a reasonable opportunity to cure the violation, including a corrective action plan proposed by the Charter School, and the Governing Board has made the following findings:

- A. The corrective action proposed by the charter school has been unsuccessful; and
- B. The violations are sufficiently severe and pervasive as to render a corrective action plan unviable; and

**BE IT FURTHER RESOLVED AND ORDERED** by the Governing Board that the Charter Petition of **American Indian Public Charter School II – GRADES K-8 is hereby denied.**

**PASSED AND ADOPTED** by the Governing Board of the Oakland Unified School District this 9<sup>th</sup> day of December, 2024, by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSED: None

AYES: Jennifer Brouhard, VanCedric Williams, Jorge Lerma, Valarie Bachelor, Vice President

Mike Hutchinson, President Benjamin Davis

NOES: Clifford Thompson

ABSTAINED: None

RECUSED: None

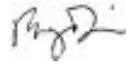
ABSENT: Maximus Simmons (Student Director); Michele Vasquez (Student Director)

**CERTIFICATION**

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Governing Board of the Oakland Unified School District, held on December 9, 2024.

Legislative File Info.	
File ID Number:	24-2595
Introduction Date:	10/11/2024
Enactment Number:	24-2140
Enactment Date:	12/9/2024 er

**OAKLAND UNIFIED SCHOOL DISTRICT**



Benjamin "Sam" Davis  
President, Governing Board



Kyla Johnson-Trammell  
Superintendent and Secretary, Governing Board