

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Philosophy, Goals, Objectives and Comprehensive Plans

BP NTBD

Philosophy

Charter School Oversight and Accountability

The OUSD Board of Directors takes its oversight and accountability role as a charter school authorizer seriously, and recognizes the need to respond to the growth of charter schools and the ongoing financial impact this growth has on OUSD's finances. This policy details the approach of the OUSD Governing Board to enhancing oversight of OUSD-authorized charter schools and addressing the impact of rapid charter school growth.

Fiduciary Duty to OUSD Students

Within the confines of all applicable laws including Proposition 39 (2000), the OUSD Board of Directors shall prioritize the fiscal health of the school district in its relationship with charter schools. Real estate transactions involving charter schools shall be posted on the regular agenda of the Board of Education, and not the consent agenda, to facilitate community awareness and participation in such decisions.

Consistent with our fiduciary duty to OUSD students, as a general rule, all financial transactions including, but not limited to, rent, fees, and leaseholds with charter schools shall maximize the revenue available to the school district.

The Superintendent or her designee shall conduct an annual analysis, to be reported to the Board of Directors, that calculates the financial impact of charter schools on OUSD's budget. Additionally, new charter petitions shall be accompanied by information on the total possible projected revenue loss to OUSD due to loss of enrollment, in addition to the financial and programmatic impacts if the charter school elects to participate in a non-OUSD SELPA.

Use of OUSD Resources and Public Information about Charter Schools

OUSD resources including staff time OUSD buildings, enrollment fairs, parent guides, the OUSD enrollment system, website, press releases, social media, or any other materials, shall not be used to promote charter schools without the express written permission of the OUSD Governing Board in advance, to be noticed on the regular (not consent) agenda, to facilitate community awareness and participation.

Receipt and Review of Charter Petitions and Renewals

When providing information to the Board of Directors regarding new or renewal charter petitions, OCS staff shall report on and provide evidence of the strengths and weaknesses of the given school or petition. OCS staff shall not make a recommendation to the board regarding how to vote on a new or renewal charter petition. Staff shall provide the Board with two sample resolutions for each new charter petition or renewal: one to approve, and one to deny, both referencing the findings of the staff report.

Board Staff shall develop an automated email list, to which members of the public can subscribe, which will notify all subscribers of new charter petitions and renewal petitions within five days of receipt by the Board.

Innovation Audits

Because one purpose of California's charter law is to "encourage the use of different and innovative teaching methods," OCS shall conduct an "innovation audit" of original and renewal charter petitions to assess whether programs described therein contribute to the provision of innovative educational offerings in Oakland. In conducting this audit, OCS shall collaborate with other OUSD departments to identify the extent to which OUSD is already offering similar programs.

Appointment of OUSD Charter School Board Representatives

To increase its ability to hold charter schools accountable, OUSD will exercise its option under Education Code 47604(b), which states that "[t]he governing board of a school district that grants a charter for the establishment of a charter school formed and organized pursuant to this section shall be entitled to a single representative on the board of directors of the nonprofit public benefit corporation" and assign representatives to charter school boards.

Equitable Service to Students

It is illegal for charter schools to discriminate against students or families on the basis of race, class, language ability, or disability status. The Office of Charter Schools shall collaborate with the OUSD Department of Research, Assessment, and Data to apply a dissimilarity index to the demographics of students served by charter schools, with multiple years of data so that trends can be easily observed.

The Office of Charter Schools shall require authorized charter schools to report their CASEMIS data with student counts by each of the 13 categories of disability identified in the Individuals with Disabilities Education Act. These reports shall be made twice per year, after December and June CASEMIS counts. Such data shall be reported to the Board of Directors, and shall be

included in renewal considerations and considerations for new petitions when an existing Charter Management Organization is the applicant.

The Office of Charter Schools shall develop a method for identifying evidence of equitable service of students for each charter school, which shall include examination of recruitment and any push-out practices and shall report on the results of this equity audit when charter schools come up for renewal or initial authorization.

If the Board of Education should find evidence of discrimination, such findings will influence renewal and authorization decisions.

Re-Integration of Charter Schools

The OUSD Governing Board desires to reduce the number of different systems delivering education in Oakland, and therefore invites charter schools to rejoin OUSD, either in part through joining the OUSD SELPA, or entirely, by surrendering their charters and becoming an OUSD-operated school. The OUSD Governing Board hereby directs the Superintendent or her designee to devise and articulate a process in consultation with other divisions within OUSD by which charter schools may apply to rejoin OUSD. Such a plan needs to be approved by the Board prior to implementation.

Facilitating Ease of Grievances

The Office of Charter Schools shall endeavor to simplify the process of filing a charter school complaint, and such efforts shall include the creation of a simple form to be used by all charter schools. Each charter school shall make the form available to families of all enrolled and prospective students, employees, and members of the public. The Office of Charter Schools shall make the form available online and shall hold walk-in hours to assist parents and other stakeholders. Complaints shall also be accepted by phone rather than in writing.

OUSD shall publicize the role of OCS in the community as a place to report possible violations of charter law and/or the relevant charter.

Facilitating Access to Information Regarding Charter Schools

The Office of Charter Schools shall redesign its website to facilitate greater transparency and access to charter schools' petitions, family/student handbooks, financial reports, and other relevant documents.

Regular Review of Complaints & Notices of Concern

Though charter schools are authorized by OUSD, they are independent and operate as their own local education agency (LEA). Therefore, charter schools manage their students' grades,

discipline, enrollment, admissions, and employees. People wishing to submit a complaint regarding these and/or other issues must file their formal complaint directly with the charter school site leadership, who are responsible for addressing the complaint. If a charter school does not follow its complaint procedures or does not adequately address complaints, OCS shall investigate and impose appropriate remedies that may result in charter revocation.

Notices of Concern issued by OCS can result from complaints as well as identified violations of charter law; these Notices will describe the findings that resulted from OCS' investigation and specify the actions the charter school must take to resolve the Notice of Concern.

OCS staff will provide a quarterly summary report outlining the complaints received and the Notices of Concern and Notices of Violation issued to the OUSD Board during open session, while preserving student and staff privacy rights. Data on complaints, Notices of Concern and Notices of Violation shall be published on the OCS website regularly, in such a way that trends can be observed year over year.

Student Exit and Entry Data

A. OCS will share student exit data with the Board of Directors twice a year, and shall regularly publish such data on the OCS website. Additionally, OCS shall develop a template with standardized exit codes that each charter school shall use in identifying the reason for student exits, including the date of exit and additional data elements that shall assist in interpretation of the data. The data shall be made available in an electronic file format, such as Excel or comma delimited, and shall include CDS codes for each school, to allow for easy analysis of the data.

B. The OUSD Office of Enrollment shall report to the Board of Directors at the end of the fall and spring semesters on the previous school of all incoming students, in a format that allows for observation of trends over time. The data shall be made available in an electronic file format, such as Excel or comma delimited, and shall include CDS codes for each school (both the school the student most recently attended, and the OUSD school they are assigned to), to allow for easy analysis of the data.

It is understood that OUSD may elect to investigate and verify the data reported by charter schools.

Transparent Governance

All charter schools authorized by OUSD must commit to the highest level of transparency and ethical standards. Charter schools authorized by OUSD shall comply with all applicable transparency and conflict of interest requirements, including the Political Reform Act, Government Code 1090, the Brown Act and the California Public Records Act.

As a general guide, members of a charter school's executive board; any administrators, managers or employees; and any other committees of the school shall establish and abide by policies and procedures that comply with applicable federal and state laws and regulations, nonprofit integrity standards, and OUSD Charter School policies and regulations regarding conflicts of interest as part of a reasonably comprehensive description of school governance.

In accordance with the Political Reform Act, every member of a charter school board of directors and each public charter school officer shall file a state-mandated Form 700 Statement of Economic Interests with the local public school district (1) within 30 days of assuming office, (2) annually thereafter, and (3) within 30 days of leaving office. Each individual's Form 700 shall remain on file at the charter school's primary administrative office and at OCS. Form 700s must be made available upon request for inspection by any member of the public.

OUSD-authorized charter schools will ensure that filers understand not only the filing requirements but also the requirements regarding conflict of interest, self-dealing and incompatible activities, which should be reasonably set forth in the governance provisions of the charter.

The OUSD Governing Board will consider provision of transparency documents such as a Conflict of Interest Policy, Governing Board contact information, and board-approved budgets when making charter renewal decisions.

Board Study Sessions

OCS staff will present at least one Board study session per year on charter school oversight efforts, any trends the Board of Education should be aware of, and any planned changes to oversight efforts based on experience gained in the previous year.

Collaboration with the Charter Sector

OUSD is a public agency and as such, the Governing Board endeavors to conduct its work in full view of the public. Occasions may arise where collaboration with the charter sector on policy planning or other matters is appropriate. Any such collaboration shall require prior approval by the Governing Board in a publicly-noticed meeting. The work of ongoing collaborative bodies that include OUSD staff shall be conducted in full view of the public at properly-noticed meetings, with minutes taken and shared publicly afterward.

Oversight of Parcel Tax Revenues

Oakland taxpayers entrust the OUSD Governing Board with the responsibility for overseeing the use of tax revenues. Charter schools that wish to access OUSD's parcel taxes must give OUSD access to their financial statements in order to ensure compliance with the intended uses of taxpayer-approved taxes.

The Superintendent or her designee will draft administrative regulations for this policy for adoption by the Governing Board by December 2018.