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# Board Cover Memorandum

**To** Board of Education

**From** Dr. Denise Saddler, Interim Superintendent  
Jenine Lindsey, General Counsel  
Kelly Krag-Arnold, Director, Office of Charter Schools

**Meeting Date** September 25, 2025

**Subject** Charter Renewal Decision Hearing – Latitude 37.8 High School

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**Ask of the Board** Vote

**Background** Latitude 37.8 High School ("Latitude") is a charter school under the Education for Change ("EFC") charter management organization which has been authorized by the State Board of Education ("SBE") since it was initially approved for a 5-year term beginning July 1, 2018. Due to the impacts of the COVID-19 pandemic, Education Code Section 47607.4 extended this term an additional three years, resulting in a charter term which currently expires on June 30, 2026.

Although OUSD is not currently the authorizer for Latitude, the enactment of AB 1505 in October 2019 modified the SBE's statutory authority, removing charter school authorization from its designated responsibilities. Per Education Code Section 47605.9(b), any charter school currently under the authority of the SBE must submit renewal petitions to the governing board of the school district within the boundaries of which the charter school is located. Therefore, on July 1, 2025, Latitude submitted its renewal petition to OUSD. As Latitude was placed in the Middle Tier by the California Department of Education, the charter school is eligible for a 5-year term. If approved, OUSD would become the authorizing entity for Latitude beginning July 1, 2026.

On August 27, 2025, the OUSD Board of Education held an Initial Public Hearing, where Latitude staff had the opportunity to present to the Board. In accordance with California Education Code, the OUSD Office of Charter Schools prepared a Staff Report which was posted publicly by September 10, 2025.

**Discussion** The Charter Schools Act of 1992 established the criteria by which charter renewal applications must be evaluated. A charter school must meet the requirements set forth in Education Code (Ed Code) Sections 47605, 47607, and 47607.2. Specifically, a charter school is evaluated on the following renewal criteria:

- I. Has the Charter School Presented a Sound Educational Program?
- II. Is the Charter School Demonstrably Likely to Successfully Implement the Proposed Educational Program?
- III. Is the Petition Reasonably Comprehensive?
- IV. Is the School Serving All Students Who Wish to Attend?

Based on the analysis in the attached Staff Report, the OUSD Office of Charter Schools (OCS) Staff recommends **approval** on the basis that the school has adequately met each of the four renewal criteria.

**Fiscal Impact**

No direct fiscal impact.

**Attachment(s)**

- Latitude – Renewal Staff Report
- Latitude – Renewal Staff Presentation
- Latitude – Charter School Presentation
- Latitude – Charter School Renewal Petition
- Latitude – Charter School Performance Report
- Latitude – Charter School Fiscal Packet

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

**Resolution No. 2526-0002**

**APPROVING CHARTER PETITION OF  
LATITUDE 37.8 HIGH SCHOOL – GRADES 9-12  
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 July 1, 2025, the District received a renewal petition for Latitude 37.8 High School (“Petition”), a public charter school currently serving 396 students in grades 9-12 and authorized to serve grades 9-12; and

**WHEREAS**, the law 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**, Latitude 37.8 High School was placed in the Middle tier by the California Department of Education based on its State Dashboard data; and

**WHEREAS**, a charter school placed in the Middle tier shall not be renewed if the chartering authority makes *all* of the following written factual findings, setting forth specific facts to support the findings:

1. The charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school; and
2. The closure is in the best interest of the pupils; and
3. The decision provided greater weight to performance on measurements of academic performance (if applicable); and

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

- A. 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**, the Governing Board did not issue a notice to the charter school which set forth specific facts to support the above findings; and

**WHEREAS**, on August 27, 2025, the Governing Board held an initial public hearing on the renewal petition as required by Education Code Section 47605(b); and

**WHEREAS**, on September 25, 2025, 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 FINDS** that Latitude 37.8 High School has met the requirements of Education Code Section 47605(c) and 47607(e) and the District's Charter Renewal Standards in that:

- 1) The Petition presents a sound educational program for the pupils to be enrolled in the Charter School; and
- 2) The Petitioners are demonstrably likely to successfully implement the program set forth in the Petition; and
- 3) The Petition has reasonably comprehensive descriptions of all required elements; and
- 4) The Charter School appears to be serving all students that wish to attend; and

**BE IT FURTHER RESOLVED AND ORDERED** by the Governing Board that the Charter Petition of **LATITUDE 37.8 HIGH SCHOOL – GRADES 9-12** be and is hereby approved (renewed) for a term of five (5) years commencing July 1, 2026, and concluding June 30, 2031.

**PASSED AND ADOPTED** by the Governing Board of the Oakland Unified School District this 25<sup>th</sup> day of September 2025, by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

ABSTAINED:

RECUSED:

ABSENT:

**CERTIFICATION**

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Special Meeting of the Governing Board of the Oakland Unified School District, held on September 25, 2025.

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**OAKLAND UNIFIED SCHOOL DISTRICT**

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Jennifer Brouhard  
President, Governing Board

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Denise Gail Saddler, Ed.D.  
Interim Superintendent and Secretary,  
Governing Board