


OAKLAND UNIFIED SCHOOL DISTRICT
 1025 SECOND AVENUE, OAKLAND, CALIFORNIA 94606

January 25, 2006

Legislative File
 File ID No _____
 Introduction Date 05-1114
 Enactment No. 1/25/06
 Enactment Date 06-0084
 By EG

To: Dr. Randolph E. Ward, State Administrator
 & Members of the OUSD Board of Education

From: John Vacchiery, Executive Leader for Transitioning Services & Networks
 Liane Zimny, Charter Schools Coordinator *Liane Zimny*

Subject: American Indian Public High School (AIPHS)
 New Charter School Proposal (Grades 9-12)

ACTION REQUESTED:

Approve the petition and charter to establish American Indian Public High School (AIPHS), a new high school in Oakland, as revised, if the conditions on opening, listed below, are met and the school opens on or before September 30, 2006.

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 the charter [Education Code 47607(c)(1)]. The State Administrator's approval of this report shall incorporate the conditions on opening and associated deadlines as a condition of the charter and this report as notice of intent to revoke the charter approval if the conditions on opening are not met according to deadlines associated with each condition. The un-met conditions on opening constitute the violations; meeting the conditions are the cures; and the time from charter approval until the deadlines constitutes the reasonable opportunity to implement the cures [Education Code 47607(d)].

Conditions on Opening – Present written evidence of each of the following to the Charter Schools Office.	Deadline
Student recruitment packet, including all policies and procedures pertaining to indications of interest, and lottery schedule and procedures, and enrollment schedule in all languages as distributed.	May 1, 2006
Student-family handbook and student registration packet, including all policies and procedures pertaining to health and safety, homework, attendance, discipline, suspensions and expulsions, in all languages as distributed.	May 1, 2006

Uniform Complaint Process	June 1, 2006
Copy of School Information provided to CDE annually by May 31 (plus any updates in future years).	June 1, 2006
AIPHS Articles of Incorporation	Included w/ charter
AIPHS Bylaws	July 1, 2006
Names and contact information for governing board members (list to be updated annually)	July 1, 2006
Calendar of governing board meeting dates, time, location	July 1, 2006
Teachers hired--including name, d-o-b, assignments, credential status, qualifications (if any) to teach ELL students, evidence of current clear tuberculosis test, date of fingerprinting, date and outcome of background review by AIPHS (list to be updated annually).	August 1, 2006
List of enrolled students, including name, d-o-b, last school prior to AIPHS, and CSIS number (list to be updated in September and then annually)	August 1, 2006
MOU for special education services	August 1, 2006
An executed lease for facility at 3800 Mountain Blvd., or comparable, noting occupancy on or before September 1, 2006.	August 1, 2006
Revised cash flow statement and 3-year projections if facility expenses are greater than amounts filed on these charter documents.	August 1, 2006
Executed agreement with Merritt College to make college courses available to 11 th and 12 th grade students & description of how any fees are to be paid.	August 1, 2006
12-month school calendar (to be updated annually), distinguishing dates with standard or reduced instructional time, and noting vacation days (update annually).	August 1, 2006
Certification of instructional hours to be provided in 2006-07 (update annually).	August 1, 2006
Commercial general liability insurance (naming OUSD as "Other Insured") for not less than \$1,000,000 per incident and workers' compensation insurance.	August 1, 2006

The term of this charter will be from January 25, 2006 through January 24, 2011, the maximum period allowed under the Charter Schools Act. The District will not accept a charter renewal request more than 270 days prior to the expiration of the charter. The approved charter is amended from the filed document to include these provisions.

SUMMARY:

This report recommends that the OUSD State Administrator and Board of Education approve the petition and charter to open AIPHS in August 2006 at 3800 Mountain Blvd. in Oakland under California's Charter School Act if all conditions on opening are met. Staff recommends approval based on factual findings, specific to this particular petition.

The AIPHS petition was submitted to the OUSD State Administrator and Board of Education on November 2, 2005. Dr. Ben Chavis is the Lead Petitioner. The State Administrator conducted a public hearing on the proposal on November 30, 2005. AIPHS and the District have mutually agreed to extend the time for deliberation and decision-making, as allowed by Charter Law. The petition, signed by 4 teachers who are meaningfully interested in teaching at the new school, asks the State Administrator to authorize a charter that provides the following:

- a small, highly structured learning environment;
- a curriculum requiring 4 years of mathematics, science and English;
- students building productive relationships with motivated teachers;
- an extended learning year (196 days);
- mandatory extra tutorial time (4-hours per week after school, Saturdays) for academically low-achieving students;
- expectations to instill the values of hard work and self-discipline; and
- strong leadership enforcing a tough disciplinary system.

The petitioners propose to open with **60 students in grade 9** and **40 students in grade 10** in **August 2006**, adding one grade per year in subsequent years, and growing to a total enrollment of 220 in grades 9-12 in August 2008 (p.7), and may increase to **240 in August 2009**.

Admission Preferences

The charter requests no admission preferences (e.g., for siblings of enrolled students, children of faculty, or Oakland residents). Therefore, only returning AIPHS students (Year 2 and beyond) are automatically admitted to the school. All others, regardless of prior school attended, place of residence in California, or any other factor, have equal preference for admission.

Measurable Outcomes

As part of AIPHS's performance contract with OUSD, the school commits to achieving the following measurable outcomes (p. 15):

- Average daily attendance (ADA) will meet or exceed 97% each year;
- At least 90% of students will graduate;
- At least 75% of graduates will go to college;
- Dropout rate lower than neighboring high schools;
- 70% of students will pass CAHSEE by end of 10th grade;
- California Content Standards total reading, total math and total language scores at or above the 50th percentile;
- API of at least 800 by the 3rd year of operation.

The school developers comprise a strong team of individuals with a positive track record of academic success serving students in Oakland. As revised, the petition contains reasonably comprehensive descriptions of all required charter elements, including measurable performance standards that will enable the District to monitor and evaluate the program's success.

BACKGROUND:

California's Charter Law is very clear regarding the approval or denial of charter school proposals. The following excerpt is taken from section 47605 of the California Charter Schools Act. 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 by subdivision (a).*
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).*
- (5) The petition does not contain reasonably comprehensive descriptions of all of the [required charter elements.]*

DISCUSSION:

The petition as revised contains reasonably comprehensive descriptions of all required charter elements. American Indian Public Charter School has a track record of successfully instructing Oakland youth at its middle school operation in Oakland. Staff believes that the AIPHS instructional model is likely to succeed in preparing high school students in Oakland for higher education or satisfactory employment. Parents enrolling their children at AIPHS should carefully review and consider the extended days and hours of instruction and the disciplinary environment at the school when making their choices.

RECOMMENDATION:

This report recommends that the Oakland Unified School District State Administrator approve the petition to establish AIPHS, a new charter high school, in Oakland as revised if it fulfills all of the conditions on opening. The term of this charter would be from January 25, 2006 through January 24, 2011, the maximum period allowed under the Charter Schools Act. If AIPHS does not fulfill all of the conditions on opening by the dates designated above, then approval is revoked.