



Oakland Unified School District Charter Petition Evaluation Kit

**A Rigorous Evaluation Process
Designed to Ensure Quality Schools**

2011-2012 Edition

Office of Charter Schools

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The Oakland Unified School District is dedicated to ensuring that every Oakland family has access to at least two quality school options in their neighborhood and the ability to select from a diverse range of educational options throughout Oakland. Oakland charter schools play a large and significant role in providing educational options to families and in turn, to fulfilling the Oakland Unified School District's vision. As of September 2011, 31 charter schools are authorized by the Oakland Unified School District and operating in Oakland.

We anticipate that the creation of a Charter Petition Evaluation Kit will guide the District as an Authorizer in the review and evaluation of a comprehensive educational program that realizes the vision of the California Charter Schools Act to provide a high quality public education option for families and students.

Applying for a charter school requires a petitioner to provide a large amount of documentation of policies and procedures. We encourage petitioners to visit successful schools (charter and non-charter) and speak with school operators and charter school governing boards to inform their plans. The policies and procedures that applicants create are meant to be ones that could be used by a school's faculty, staff, administrators and school governing board members should a petition be approved and should reflect the school's fundamental mission and vision.

Additional information on the Charter Petition Evaluation Kit, the Oakland Unified School District or charter schools in general can be found at our website www.ousdcharters.net or by contacting us by email or phone.

The following provides information on applying for and operating as a charter school authorized by the Oakland Unified School District (OUSD). The information below is specific to schools authorized by and operating in OUSD and may not be applicable to charter schools outside of the district or authorized by another chartering entity. (Some information from www.cde.ca.gov/sp/cs/re)

DEFINITIONS

Q. What is a charter school?

A. Charter schools are public schools, and they may provide instruction in grades kindergarten through twelve. A charter school is typically organized by a group of teachers, parents, community leaders, or a community-based organization, and is authorized by an existing local public school board, county board of education, or the State Board of Education (SBE). Specific goals, operating procedures and a thorough description of the educational program for the charter school are detailed in a legally binding agreement or "charter" between the authorizing board and charter organizers.

APPLYING FOR A CHARTER SCHOOL

Q. Who may apply for a charter?

A. Teachers, parents, school administrators, community residents, or any combination thereof, can submit a petition to create a charter school. A petition to establish a charter school to be authorized by Oakland Unified School District, based on governing board policy, must be organized as a 501(c)3 Non-Profit Corporation. It is the expectation of the District that, at the time of submission, a substantial majority of the individuals whom the petitioning group expects will govern and operate the school are identified and available to participate in the petition review process.

The National Association of Charter School Authorizers states:

An authorizer's success in creating quality public schools hinges upon knowing who you are giving the charter to, making sure that they are prepared to govern effectively, and ultimately holding them accountable for the performance of the school. Therefore, successful authorizing must place a great deal of stock in vetting, probing, and orienting the founding [charter school] board.

<http://www.qualitycharters.org/files/public/IssueBriefNo15.pdf>

Q. What is the process for applying to the OUSD to create a public school charter?

A. OUSD implements a multi-stage petition process. This process begins with the submission of a Letter of Intent to the Office of Charter Schools, as well as a submission to the District's Governing Board of the complete charter petition at a regularly scheduled board meeting. Ideally, the Letter of Intent will be received up to one to two weeks prior to submission of the charter petition. At the time of submission, petitioners should submit 10 hard copies of the petition on 8½" x 11" paper and one CD-RW containing all components of the charter petition as submitted in electronic format using either Word and/or Excel (budgets) formatting. PDF formatting is permitted only in those cases where Word or Excel versions are not available.

It is recommended that petitions be submitted between the months of **August and March** to allow for a thorough review prior to decision-making. Please note that in the case that a petition is submitted after **November 15** of the year prior to the proposed opening year, the Board of Education reserves the right to delay opening for up to one year. It is the belief of the District that a successful new school opening is

predicated on sufficient time and planning subsequent to charter approval, prior to opening. ***This time and planning however should not take the place of the thoughtful and thorough planning necessary to develop a successful charter petition proposal.*** Please note that the OUSD Board of Education is in recess throughout the month of July. Therefore, a petition submitted between the months of April and June are not encouraged as this may result in need to scheduled a *Special Meeting* of the Board of Education for purposes of the Public Hearing and/or Decision-making. An Introductory Meeting will be held shortly after submission with lead petitioners to clarify questions regarding the submission as well as to establish key dates within the petition review process, and to answer questions held by the petitioning group.

The entire petition review process requires 60-90 days. Standard practice for the District is to request a mutually agreed upon extension as allowed by law, from 60 up to 90 days for the review and decision-making process, in order to ensure that a thorough review of the charter petition and petitioning group may be conducted; to ensure that all required due diligence may occur; and to ensure that all necessary internal reporting deadlines may be met. If a mutually agreed upon extension cannot be obtained, a review and decision will nevertheless be executed within the statutory timeframe allowed.

Q. May a petition that has been submitted be withdrawn?

A. Yes. A decision by a petitioner to withdraw a petition requires a written request on letterhead signed by the lead petitioner and submitted to the Secretary of the Board of Education prior to final action by the District governing board. If a petition is withdrawn at any time subsequent to its submission to the District governing board, that petition nonetheless remains a public record.

Q. What information must a charter school petition include?

A. *Education Code* § 47605 require the charter petition to meet 16 legal requirements. The charter petition must contain a reasonably comprehensive description of each required element demonstrating thoughtful and thorough planning. Pursuant to *Education Code* § 47605(g) the charter petition must also include information regarding the proposed operation of the school including the potential effects of the school, the specific location of the proposed facilities, the manner in which the administrative services are to be provided, and potential civil liability effects upon the school and upon the District.

The complete petition must also include a proposed first-year operational budget, including start-up costs, and cash-flow and financial projections for the first three years of operation. Additionally, pursuant to OUSD Board of Education Administrative Regulations, the required petitioner signatures must include sufficient contact information to allow for the signature verification process. This is understood to mean both a current address and a current phone number for each petitioner signature is provided. Please refer to the cited *Education Code* sections and/or the OUSD Petition Evaluation Rubric for guidance.

Q. How does OUSD determine whether to approve a petition?

A. The CA Charter Schools Act states that *“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.]*

The Office of Charter Schools will only recommend for approval those applicants who, based on its review, are legally compliant and have the highest likelihood of success in implementing the programs and achieving the academic goals outlined in the petition.

A petition must present a sound educational program and those identified to lead and operate the school must demonstrate a strong capacity to successfully implement the program as set forth in the petition. Reasonably comprehensive descriptions of each required element are thus evaluated based on the extent to which the soundness of the educational program and the capacity of the petitioner can be established.

Q. Who will review and evaluate charter school petitions and the capacity of petitioner groups?

A. OUSD Office of Charter Schools staff will provide an initial review based on the application of the OUSD Petition Evaluation Rubric. A review team will be convened if the staff deems additional review necessary. This team will be comprised of District leaders and managers, including school site principals with consideration given to the proposed grades and educational methodologies proposed in the petition. The questions raised as a result of the petition review process regarding petition content and petitioner capacity serve as the basis of the petitioner group interviews. All charter petitions recommended for approval will have been reviewed by the District legal counsel to ensure compliance with all applicable laws.

Q. How much weight will be given to oral or written comments from the Superintendent/Board of Education and testimony at public hearings?

A. All public comment will be considered in the review process. Public hearings are conducted within 30 days of submission of a charter petition to the District's governing board for approval. Written or oral opposition alone is not reasonable grounds for denial of a charter. Similarly, strong public support alone does not constitute reasonable grounds for granting a charter. Any substantial issues raised in public comment that demonstrate weaknesses in a specific petition as measured against the stated criteria will be taken into account and addressed during the petitioner group interviews.

Q. Will the Superintendent/Board of Education give preference to certain kinds of petitions and petitioner groups?

A. Preference will be given to those petitions and petitioner groups that demonstrate the greatest probability of creating public charter schools of the highest quality by meeting the comprehensive criteria of the District's rigorous petition process. Additionally, as set forth in statute, petitions that set forth a program likely to meet the needs of low achieving students will be given preference in the evaluation process.

Q. On what grounds may a charter petition not receive approval?

A. Petitions that do not meet the submission criteria outlined in CA statute will not be recommended for approval. Petitions and the capacity of applicant groups to establish a successful charter school are judged on the petition materials, the final interviews, comment at public hearings, and additional research and due diligence conducted by staff, which may include criminal background checks and employment references of proposed governing board members and school administrators. The Office of Charter Schools will not

recommend that the Board of Education award charters to applicant groups whose petitions do not demonstrate a sound educational program as defined in the petition, or that do not demonstrate the capacity to successfully implement the proposed educational program.

Q. Can the Superintendent's/Board of Education's denial of a charter petition be appealed?

A. Yes. A petitioner may submit the same charter petition to the County Board of Education for review and approval, and if that is not successful, then the denied petition may be further submitted to the State Board of Education for approval. District staff may choose to defend its denial recommendation at the county and state level in an effort to reiterate the material nature of the findings outlined in the staff report, as well as to encourage petitioners to address these findings and resubmit their charter petition for consideration by the District Board of Education.

OPERATING AS AN OUSD-AUTHORIZED CHARTER SCHOOL

Legal Requirements

Q. What happens after a school has received a charter from OUSD?

A. Upon approval of a petition, OUSD enters into a contract with the charter school. The charter sets forth the terms and conditions under which the charter school is approved to operate. At this time, a Memorandum of Understanding separate from the approved charter document is not utilized by the District. Thus, the approved charter is the final document outlining the terms and conditions of the approved charter. These will include Conditions on Opening which must be met prior to the start of operation of the charter. An approved charter may be delayed in opening for up to one year and may be subject to revocation if specified Conditions on Opening are not met.

Q. For what period of time may a charter be initially granted?

A. A charter may be granted for a period (term) not to exceed five years at the discretion of the charter authorizer. (EC § 47607) All charter petitions granted will become operational as of July 1 of the first approved year of the charter term and will expire at the end of the final term year on June 30.

Q. May a charter be renewed?

A. Yes. A charter may be renewed an unlimited number of times. However, each renewal must be for exactly five years. (EC § 47607) A request for reauthorization or renewal may be submitted to the Board of Education in the manner outlined in Charter Law no more than 270 prior to the expiration of the charter term, as set forth in District Board Policy.

Q. From what laws are California charter schools exempt?

A. Except where specifically required, charter schools are generally exempt from California State laws governing school districts, whether or not these laws are in the California *Education Code*. Some of the laws with which charter schools must comply are:

- State and federal constitutions
- The California Charter Schools Act (*Education Code* § 47600 et. seq.)
- All federal laws (e.g., Individuals with Disabilities Education Improvement Act, Americans with Disabilities Act, and the Rehabilitation Act)
- Laws that generally apply to governmental entities but not specifically to school districts (e.g., open meeting laws, employment laws, conflict of interest, contracting laws, and health and safety laws)

NOTE: A charter school's legal status (e.g., not-for-profit corporations) may not affect the extent to which these laws apply

- All laws that are specifically a condition of funding for a specific program for which the charter school chooses to participate (e.g., No Child Left Behind)
- Laws establishing minimum age for school attendance
- Laws governing non-classroom-based independent study programs (whether defined as independent study, home schooling, distance learning, or otherwise)
- Educational Employees Relations Act (Government Code §3540 et. seq.)
- State pupil testing programs (e.g., Standardized Testing and Reporting (STAR), California High School Exit Exam (CAHSEE), California English Language Development Test (CELDT))
- Specific provisions of law related to teachers retirement and employee relations

Q. What are the certification requirements for charter school teachers?

A. *Education Code §47605(l)* provides that, "Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold." In addition, however, charter schools may employ teachers for non-core, non-college prep courses in a "flexible" manner. This has often been interpreted to mean that qualified individuals for such courses may not necessarily need to hold a teaching credential but will be required to meet the expectations to be a "Highly Qualified" teacher as set for under the No Child Left Behind Act.

Charter School Oversight

Q. How are OUSD-authorized charter schools monitored?

A. The District has oversight responsibility for the charter schools it authorizes as outlined in CA statute and may visit, examine, and inspect any charter school under its oversight responsibilities pursuant to *Education Code §47604.32*. The OUSD Office of Charter Schools holds the primary responsibility for ensuring that proper oversight and monitoring occurs. Typically this may include the following on an annual basis:

- Site visitations to review compliance, operations, and educational program implementation
- Requests for the submission of information re: student population, staff, and programming outcomes
- Mandated attendance and financial accounting
- Annual performance report (currently the SARC services this purpose)
- Access to participate in collaborative learning opportunities such as operations meetings, and school leader inquiry projects
- Exchanges of best practices and lessons learned sponsored by the District

Student Enrollment

Q. Who can enroll in charter schools?

A. Any child eligible for admission to a traditional public school is eligible for admission to a public charter school. Admission to a charter school cannot be limited on the basis of disability, race, creed, gender, national origin, religion, ancestry, intellectual ability, measures of achievement or aptitude, or athletic ability. Charter schools must accept all students who wish to attend, so long as there is space.

Q. Can Special Education and English Language Learners enroll in a charter school?

A. Any child eligible for admission to a traditional public school is eligible for admission to a public charter school, including students with Individual Education Plans (Students in need of special education services) and English Language Learners or Students with Limited English Proficiency (LEP). Charter schools must serve the continuum of needs of all students. A student with an identified learning disability may however, through the IEP process, be offered a change of placement if an appropriate program option is not available at the charter school in which the student has enrolled.

Q. What if more students apply than a charter school can enroll?

A. If the number of applicants exceeds the number of available seats, a random public lottery, must be held.

Funding and Facilities

Q. How are charter schools in Oakland funded?

A. In California, charter schools receive state and local funding in a per student allotment. This allotment is based on statewide averages, dependent on the grade level of the students. Many charter schools also receive state and federal funding through categorical programs like Title I or class size reduction. Locally-funded charter school receives their funds through the District as a “pass through” and direct-funded charter schools receive their funds directly from the state through the County Office of Education. In Lieu Property Tax allocations are received through the District for all authorized charter schools. Federal funds for special education go directly to the SELPA under which the charter school is served, unless alternative agreements have been established.

In addition, many charter schools apply for and receive funds from the federal charter schools grant program administered by the California Department of Education. Several charter schools also receive contributions from individuals and private foundations to support their operations. As public schools, charter schools are not allowed to charge tuition.

Q. Are charter schools entitled to federal funds?

A. Yes. As public schools, charter schools are eligible for federal funds that go to public schools such as IDEA and Title funds (I, II, etc)

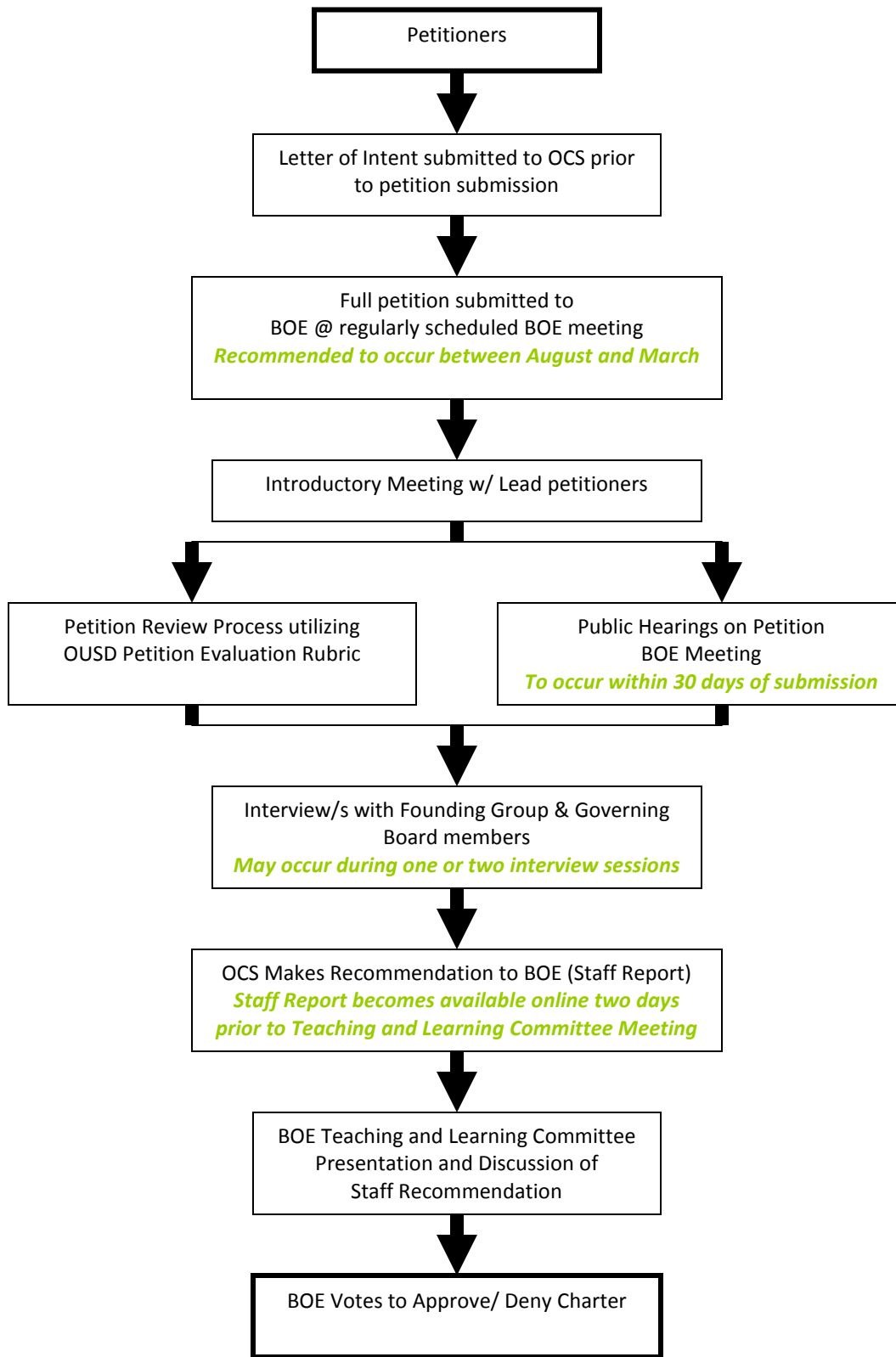
Q. Is the charter authorizer required to provide facilities to charter schools it approves?

A. *Education Code* §47614 requires the district in which the charter school is geographically located to provide facilities to the charter school under certain conditions. Under Proposition 39, a charter school seeking district facilities must request facilities from the district according to the timeline and process described in these regulations. The Title 5, §11969.1 through 11969.10 of the *California Code of Regulations* may be found on the CDE website at <http://www.cde.ca.gov/sp/cs/lr/csregsmar04.asp>

Q. By what point in the petition process should an applicant secure a facility?

A. During the petition process, petitioner groups must demonstrate the capacity to ensure acquisition and availability of appropriate facilities. This capacity is evaluated during the petitioning process, given the limited availability of adequate and appropriate facility space within the City of Oakland. Upon approval of a charter, petitioners must meet the condition of presenting the authorizer with an executed lease no fewer than 45 days prior to the start of the instructional calendar. Petitioners who enter into lease or purchase agreements in advance of receiving a charter from the Board of Education, however, do so at their own risk. Petitioners are eligible to apply for facilities to be provided by the District under the terms and conditions of Proposition 39.

NEW CHARTER SCHOOL PETITION PROCESS TIMELINE



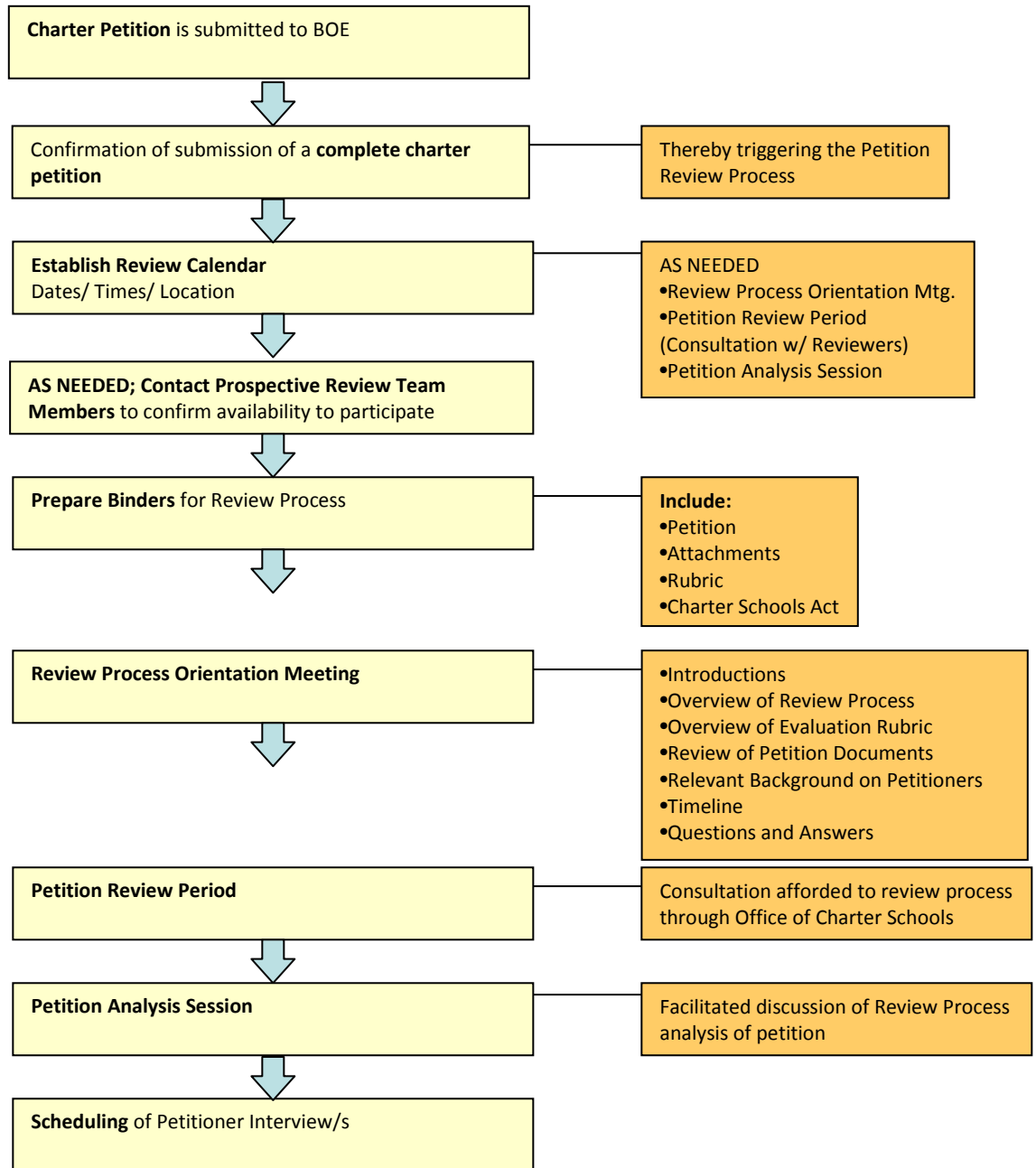
THE PETITION PROCESS AND REVIEW STAGES

Instructions	All submissions should be prepared double-sided on plain, 8 ½ x 11” sized paper that is suitable for reproduction. Brevity, specificity, and clarity are strongly encouraged.
Deadlines	Charter petitions may be submitted at ANY regularly scheduled board meeting. It is STRONGLY RECOMMENDED that petitions seeking to open in the subsequent academic school year be submitted prior to November 15 of the academic year prior in order to ensure sufficient time to prepare for opening following approval. Petition submissions are recommended to occur between August and April. NOTE: The OUSD Board of Education is in recess throughout the month of July.
Format	Please ensure all required areas are addressed, include attachments sparingly but as needed to ensure evidence of a reasonably comprehensive program description, avoid complex binding, and provide 10 copies of the petition submission in its entirety and one CD-RW containing soft-copies in Microsoft Word and Excel (budgets) format of all materials included in the original submission. Exceptions here may include documents for which only a PDF or scanned version exists. Petition signatures must include a phone contact for verification purposes.
Forms	Letter of Intent, certification statement, statement of assurances, charter school roster of key contacts, operating budget template, signatures with phone contacts.
Where to Mail or Fax Letters of Intent	Office of Charter Schools Tilden School, Room 11 4551 Steele Street Oakland, CA 94619 P: (510) 336-7500 F: (510) 482-6774
Where to submit Charter Petition	Regularly Scheduled Governing Board Meeting MUST BE SUBMITTED DURING PUBLIC COMMENT USING A SPEAKER CARD 1025 Second Avenue, Board Room Oakland, CA 94606
Letter of Intent (template attached)	All interested charter school petitioners are asked to notify the Office of Charter Schools of their intention to apply for a charter by completing the Letter of Intent.
Submission of Petition	Initial submission of the charter petition to the Oakland Unified School District Governing Board must occur during a regularly scheduled board meeting. This is done during the Public Comment section of the meeting. Petitioner should submit a “speaker card” and when called to the podium; simply state name, affiliation, and intent to submit charter petition for consideration. Submit petition and all required copies at that time to the Board Secretary for handling.
Acknowledgement of Receipt	Charter Petitions will be date stamped at the time of submission. A letter or email will be provided to the lead petitioner verifying receipt of a full petition with

	<p>information regarding important dates associated with the petition review process and timeline within five to ten days.</p>
<p>Public Hearing</p>	<p>As provided by the Charter Schools Act, a public hearing will be held by the Board of Education to allow the petitioners to speak on behalf of their charter petition, as well as allow for public comment on the proposed charter within 30 days of the submission of the charter petition.</p> <p>The purpose of the hearing will be for clarification by the BOE regarding the specifics of the proposed charter, as well as an opportunity for the BOE and Office of Charter Schools staff to better understand the public sentiment surrounding the proposed charter. Questions and comments generated here may likely serve as the basis for questions to be posted during the petitioner interview. Petitioners must submit all presentation documents including PowerPoint presentations intended for use at the Public Hearing, to the Board Secretary Edgar.Rakestraw@ousd.k12.ca.us no later than 12pm on the Friday prior to the Public Hearing date.</p>
<p>Formal Review of Petition Overview</p>	<p>The Formal Petition Review includes the two remaining parts of the review process. Each part is intended to allow for the application of guiding principles that we believe will assist in ensuring the recommended approval of only high quality charter petitions and subsequently high quality schools. The foundation of this process is the interest in establishing a sound educational program and petitioner capacity to successfully implement their proposed charter. (<i>Education Code §47605(b)(1)(2)</i>)</p>
<p>Part I: Evaluation Rubric</p>	<p>District staff will thoroughly read the charter petition and all supplemental materials. A review team will be convened, if necessary, with expertise focused on key areas of the petition. A rubric developed in collaboration with the <i>National Association of Charter School Authorizers (NACSA)</i>, local charter school leaders, and in accordance with the Charter Schools Act of 1992 and its applicable laws and regulations, will be applied to the charter petition. The combined analysis of this review process will contribute to the overall evaluation of the charter petition. During the review process, questions will be generated in an effort to better clarify the soundness of the educational program, as well as the capacity of the lead petitioners to successfully implement the proposed charter. These questions may be posed during the Petitioner Interview/s.</p>
<p>Part II: Petitioner Interview/s</p>	<p>Petitioner interview/s will be conducted by the Office of Charter Schools. This will be scheduled within a sufficient timeframe to allow for timely submission of a staff report to the BOE within the legal limits of the Charter Law. The interview/s will be facilitated by the Coordinator of the Office of Charter Schools and will be comprised primarily of Office of Charter Schools staff and may include additional members of a review team.</p> <p>The interview/s will require the participation of the lead petitioners, all identified school administrators, and the entire governing board, if possible. All participants will be subject to questions during the interview process.</p>

	<p>Questions during the interview/s will specifically seek to develop a clearer understanding of the will, skill, and capacity of the lead petitioners and their governing board to effectively and successfully implement their proposed charter school. Background into the design process, qualifications of the proposed school leadership and key staff, design elements, and existing, as well as developing, structures, systems and curriculum will be inquired upon to assist in informing the petition review process.</p>
<p>Office of Charter Schools Staff Recommendation</p>	<p>The staff of the Office of Charter Schools will make a formal recommendation based on the outcome of the charter review evaluation process and the petitioner interview/s. This staff report and recommendation will be made to the BOE of the District with respect to approval or denial of the charter petition. Staff Reports become available two days prior to the Teaching and Learning Committee meeting at which the petition will be considered.</p> <p>During the BOE Teaching and Learning Committee meeting and the full BOE meeting for which the charter petition approval/denial is on the agenda, the lead petitioner and any other supporters of the charter school have the right to speak on behalf of their petition request regardless of the nature of the staff recommendation.</p> <p>An appeal of the decision by the BOE is permitted pursuant to applicable laws, should a charter petition be denied.</p>
<p>Teaching and Learning Committee Meeting</p>	<p>All staff recommendations with respect to charter petitions must first be presented and discussed during the specific Teaching and Learning Committee meeting associated with the items intended for the agenda of a subsequent General BOE Meeting.</p> <p>This committee meeting is open to the public and it is possible that BOE committee members may have questions or wish to receive comment from the petitioning group at that time.</p> <p>The committee may recommend favorably or not recommend favorably the staff recommendation for full BOE decision-making.</p>
<p>Board of Education Decision</p>	<p>The Board of Education votes to approve or deny the charter petition.</p>

CHARTER PETITION REVIEW TEAM PROCESS



CHARTER SCHOOL PETITIONER INTERVIEW

Interview/s	<p>Interview with Lead Petitioners/Proposed Governing Board Office of Charter School staff will conduct interviews with the lead petitioners and proposed Governing Board members for each proposed school (charter petition). Comments and questions from the petition review process, public hearings, due diligence conducted by District staff, and any aspect of the original submission will serve as a basis for the interview. This interview/s will be one piece of data that the Board considers when approving or denying charter petitions, pursuant to Education Code 47605 (b)(1)(2)*.</p>	
Who	Petitioner	Office of Charter Schools
1st Interview	<ul style="list-style-type: none"> • Lead Petitioners/Founding Group* • Proposed school site administrator/s <p>*Participants should only be those individuals who will be directly responsible for the implementation of the proposed charter school.</p>	<ul style="list-style-type: none"> • Coordinator, Office of Charter Schools <p><i>May also include:</i></p> <ul style="list-style-type: none"> • Charter Schools Program Analyst • Charter Schools Compliance Specialist • Charter Schools Office Accountant • Petition Review Team Members
2nd Interview	<ul style="list-style-type: none"> • Governing Board members ONLY 	
<p>• At its discretion, District staff may deem only one combined interview necessary and will thus conduct the Founding Group and Governing Board interviews, while still separately, consecutively.</p>		
What	Presentation of questions generated through the petition review process, as well as those surfaced during the Public Hearing. Questions may cover governance and management, educational program, fiscal oversight, and general capacity to fulfill the elements described in the proposed charter school design and plan. General facilitation of discussion.	All participants are expected to engage with the interview panel. Demonstration of the will, skill and capacity to successfully implement elements described in the proposed charter and achieve the proposed measurable pupil outcomes outlined within the proposed charter.
When	To occur no later than 15 calendar days prior to the regularly scheduled Board of Education meeting at which Petition request must be reviewed and decided upon.	
Where	Office of Charter Schools Tilden School, Room 11 4551 Steele Street Oakland, CA 94619	
* EC 47605 (b)(1)(2)	(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.	

1. Interview to be facilitated by the Coordinator of the Office of Charter Schools
2. Office of Charter Schools' staff will contact Lead Petitioner using the contact information provided in the Petitioner Information Sheet to schedule the interview date.
3. **Lead Petitioner must return the Petitioner Interview Information Form no more than 10 days following the introductory meeting. This may be faxed to our office at 510-482-6774 or hand-delivered.**
4. **Interviews will last up to three hours.**
5. Resulting responses from Lead Petitioner/s and Governing Board members may be incorporated into the overall evaluation of the charter petition and the assessment of the capacity of the petitioners to successfully implement the proposed charter.

Letter of Intent to Apply for a Charter

**If you plan to submit a charter school petition to the Oakland Unified School District, please submit the following Letter of Intent to the Office of Charter Schools in advance. This will help the Office of Charter Schools to communicate better and more effectively with petitioner groups. Thank you!
[Please fax to (510) 482-6774 or mail.]**

Name of proposed school _____

Lead Petitioner _____

Full mailing address
(city, state, zip) _____

Daytime telephone number _____

Fax number _____

E-mail address _____

Anticipated submission date
(to OUSD Board of Education) _____

Proposed date of opening _____

Proposed location of school _____

Do you plan to request Prop 39 facilities? _____

Composition of petitioner group (e.g.
parents, teachers, non-profit organization) _____

Grade levels to be served in year 1 _____

Anticipated enrollment in year 1 _____

Grade levels to be served at full capacity _____

Anticipated enrollment at full capacity _____

Target student population
(e.g. at-risk youth)

Brief description of kind of school proposed (e.g. arts-, math-, or science-focused school or use a particular school/curriculum design).

Brief explanation of proposed charter school. In one or two sentences, provide a clear statement that defines the purpose(s) and nature of your school.

Are you planning to work with a charter management organization (CMO) or education management organization (EMO)?

Yes___ No___ If Yes, please circle: CMO/EMO

If Yes, please indicate name of CMO/EMO.

Signature of Lead Petitioner

Date

PETITION INSTRUCTIONS

At the end of this kit is the Charter School Petition Evaluation Rubric developed in collaboration with the *National Association of Charter School Authorizers (NACSA)*, local charter school leaders, and in accordance with the Charter Schools Act of 1992 and its applicable laws and regulations, and which will be applied to the charter petition. District staff will thoroughly read the charter petition and all supplemental materials. Expertise will be focused on key areas of the petition. In drafting a petition, the Office of Charter Schools encourages consideration of this rubric criteria.

CERTIFICATION STATEMENT

Proposed Charter School Name _____

Proposed School Location (City) _____

I hereby certify that the information submitted in this petition is true to the best of my knowledge and belief; that this petition has been or is being sent to the Superintendent of each of the districts from which we intend to draw students; and further I understand that, if awarded a charter, the proposed school shall be open to all students on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic achievement. This is a true statement, made under the penalties of perjury.

Signature of
Authorized Person _____ Date _____

(Please label the copy that has original signatures.)

Print/Type Name _____

Address _____

Daytime Phone _____ Fax: _____

CHARTER SCHOOL ROSTER OF KEY CONTACTS

Complete the following Roster for the Board of Directors and key administrative leaders and/or partners for the proposed school. Be sure to include titles and roles. *Separate sheets may be used to ensure all relevant contacts are provided.*

Name of School(s): _____
Name of Nonprofit Corporation: _____
Primary Contact Person: _____
Mailing Address: _____
Phone: _____
(day & eve.) _____
Fax: _____ **Email:** _____

NONPROFIT BOARD OF DIRECTORS

Position: _____
Name: _____
Mailing Address: _____
Phone: _____
(day & eve.) _____
Fax: _____ **Email:** _____

Position: _____
Name: _____
Mailing Address: _____
Phone: _____
(day & eve.) _____
Fax: _____ **Email:** _____

Position: _____
Name: _____
Mailing Address: _____
Phone: _____
(day & eve.) _____
Fax: _____ **Email:** _____

NONPROFIT BOARD OF DIRECTORS continued

Position: _____
Name: _____
Mailing Address: _____

Phone: (*day & eve.*) _____
Fax: _____ Email: _____

Position: _____
Name: _____
Mailing Address: _____

Phone: (*day & eve.*) _____
Fax: _____ Email: _____

Position: _____
Name: _____
Mailing Address: _____

Phone: (*day & eve.*) _____
Fax: _____ Email: _____

Position: _____
Name: _____
Mailing Address: _____

Phone: (*day & eve.*) _____
Fax: _____ Email: _____

Position: _____
Name: _____
Mailing Address: _____

Phone: (*day & eve.*) _____
Fax: _____ Email: _____

NONPROFIT BOARD OF DIRECTORS continued

Position: _____
Name: _____
Mailing Address: _____
Phone: _____
(day & eve.) _____
Fax: _____ Email: _____

Position: _____
Name: _____
Mailing Address: _____
Phone: _____
(day & eve.) _____
Fax: _____ Email: _____

SCHOOL PERSONNEL

Principal Name: _____
Phone (day/eve): _____
Fax: _____ Email: _____

Business *(may be undetermined at time of submission)*
Manager: _____
Phone (day/eve): _____
Fax: _____ Email: _____

OTHER AS APPLICABLE (school management entity, partner)

Contact Person: _____
Title/Position: _____
Organization: _____
Phone (day/eve): _____
Fax: _____ Email: _____

Contact Person: _____
Title/Position: _____
Organization: _____
Phone (day/eve): _____
Fax: _____ Email: _____

STATEMENT OF ASSURANCES

This form or other similar must be signed by a duly authorized representative of the petitioner group and submitted with the petition. A petition will be considered incomplete if it is not accompanied by the Statement of Assurances or does not otherwise contain these assurances. As the authorized representative of the applicant group, I hereby certify under the penalties of perjury that the information submitted in this petition for a charter for _____ (name of school) to be located at _____ is true to the best of my knowledge and belief; and further, I certify that, if awarded a charter, the school:

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.
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.
3. Will be non-secular in its curriculum, programs, admissions, policies, governance, employment practices, and all other operations.
4. Will be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic achievement.
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.
6. Will offer at least the minimum amount of instructional time at each grade level as required by law.
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.
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.
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).
10. Will comply with all other applicable federal and state laws and regulations.

11. Will submit an annual report and annual independent audits to the OUSD Office of Charter Schools by all required deadlines.
12. Will submit required enrollment data each March to the OUSD Office of Charter Schools by the required deadline.
13. Will operate in compliance with generally accepted government accounting principles.
14. Will maintain separate accountings of all funds received and disbursed by the school.
15. Will participate in the California State Teachers' Retirement System as applicable.
16. Will obtain, keep current, and make available for inspection all necessary permits, licenses, and certifications related to fire, health and safety within the building(s) and on school property.
17. Will obtain, keep current, and make available for inspection all necessary teacher certifications, permits or other documents as required under EC Section 47605(l).
18. Will at all times maintain all necessary and appropriate insurance coverage.
19. Will submit to the OUSD Office of Charter Schools the names, mailing addresses, and employment and educational histories of proposed new members of the Board of Trustees prior to their service.
20. Will, in the event the Board of Trustees intends to procure substantially all educational services for the charter school through a contract with another person or entity, provide for approval of such contract by the Board of Education in advance of the beginning of the contract period.
21. 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.
22. Will provide to the Office of Charter Schools a school code of conduct, Board of Trustee 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.

Signature

Date

Print Name

The California Charter Schools Act is contained in Part 26.8 of the *Education Code (EC)*, §47600 through 47664. To search for any California Code or to find specific language related to a topic below, go to:

California Law

Below is an index of the California Charter Schools Act and some other sections of the *Education Code (EC)* that apply to charter schools. Pursuant to *EC* Section 47610, charter schools must comply with the Charter Schools Act; otherwise, they are generally exempt from state laws governing school districts, except where specifically included.

The California Charter Schools Act

Part 26.8. Charter Schools

Chapter 1. General Provisions - *EC* sections 47600-47604.5

Chapter 2. Establishment of Charter Schools - *EC* sections 47605-47608

Chapter 3. Charter School Operation - *EC* sections 47610-47615

Chapter 4. Notice - *EC* sections 47616.5-47616.7

Chapter 5. University Charter Schools

Article 1. University of California at Los Angeles Elementary Charter School - *EC* sections 47620-47625

Article 2. Employer - *EC* Section 47626

Chapter 6. Funding

Article 1. General Provisions - *EC* sections 47630-47632.5

Article 2. Charter School Block Grant - *EC* sections 47633-47635

Article 3. Other Operational Funding Available to Charter Schools - *EC* sections 47636-47638

Article 4. Special Education Funding - *EC* sections 47640-47647

Article 5. Apportionment of Funds - *EC* sections 47650-47652

Article 6. Computations Affecting Sponsoring Local Educational Agencies - *EC* sections 47660-47664

Additional *Education Code* sections that may be of interest to charter schools:

Audits by County Superintendent - *EC* Section 1241.5

Location near airport - *EC* Section 17215

Waiver of statutes and regulations - *EC* Section 33054

Charter School Revolving Loan Program - *EC* sections 41365 through 41367

Teacher Credentialing Block Grant - *EC* Section 41520

Targeted Instructional Improvement Block Grant: Conversion Charters - *EC* Section 41540

General Independent Study - *EC* sections 51745 through 51749.3

California Assessment of Academic Achievement - *EC* sections 60600 through 60603 & 60604 through 60618, 60630, 60640 through 60649

High School Exit Examination - *EC* sections 60850 through 60859

Oakland Unified School District

Charter Petition Evaluation Rubric

School Name:

Reviewer Name:

Review Date:

If completing this evaluation electronically "Save as" a new document with the first word or two of the school's name added to the document name as an identifier.

This template is designed to guide review of charter school petitions. Throughout the evaluation, you are asked to rate the response as *Inadequate*, *Approaches*, *Meets* or *Excels*:

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

Criteria for each section define the qualities of an "Excels" response in relation to the specific topic. In addition, the following rating definitions should guide your assessment:

- **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.

At the end of each section, you will identify "Criteria Satisfied" and "Criteria Not Sufficiently Addressed, Concerns & Additional Questions." Those sections allow you to explain and elaborate on your ratings. Your comments are essential to the Office of Charter Schools' (OCS) understanding of your assessment. Your questions and comments are relevant to subsequent capacity interviews, public hearings and the OCS's internal deliberations.

EVALUATION INSTRUCTIONS

The evaluation has four Parts corresponding to key aspects of the petition:

I. Executive Summary

II. Educational Program

III. Petitioner Capacity

IV. Sixteen Elements

Each Part is divided into sections addressing key provisions of the Charter Schools Act and the quality of a charter petition.

IMPORTANT:

- Read the relevant section of the petition.
- Read the evaluation criteria and mark the box that best fits your assessment of the response (*Inadequate, Approaches, Meets or Excels*).
- In those instances where the criteria are *bulleted*, you are expected to evaluate the criteria as a whole. In those instances where the criteria are *numbered*, you are expected to evaluate each criterion individually.
- For Parts II-IV, use the “Criteria Satisfied” text box to identify key strengths. Reference specific sections and page numbers.
- For Parts II-IV, use the “Criteria Not Sufficiently Addressed, Concerns & Additional Questions” text box to identify key concerns and to identify questions that are important to getting a full understanding of the plan. Reference specific sections and page numbers.
- For Parts II-IV, use the “Summary” boxes at the end to highlight the key strengths and concerns that you have for that Part of the petition as a whole.

NOTE: *Many charter applications may not likely follow the format or sequence of this rubric. In many instances it will be necessary to review multiple sections of the petition before returning to the rubric to assess one of the following areas identified for evaluation.*

I. EXECUTIVE SUMMARY

NOTE: This is **NOT** a legally required element of a charter petition and therefore may not be specifically identified in the charter petition. OUSD Administrative Regulations call for a 1-2 page summary of the charter petition. This section may be applied if summary is included.

The Executive Summary provides a comprehensive overview of the proposed plan. The Executive Summary should present the school's mission, vision, values and school educational philosophy.

An Executive Summary that excels will articulate the following:

- A Mission Statement that is clear and compelling; focuses on improving educational outcomes; and establishes a set of priorities that are meaningful, manageable and measurable;
- A Vision Statement that describes that brings to life a student's daily experience at the school including rituals, expectations, and co-curricular activities;
- A defined **Educational Philosophy and Approach** – including what it means to be an “educated person” in the 21st Century and how learning best occurs– that is aligned with the mission statement, proven effective for the target population and applicable to varied teaching and learning styles (§ 47605(b)(5)(A) (Element 1); and
- An organizational team that is diverse, supportive and committed to advancing the mission of the proposed school.

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

II. 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.

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"/>	<input type="checkbox"/>

ANALYSIS: TARGET POPULATION

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference

B. PHILOSOPHY AND APPROACH TO INSTRUCTION

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

1. **Rationale:** *Is the rationale compelling?*
 - a. 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?*
 - a. Alignment with mission and vision; and
3. **Population Alignment:** *Does sound reasoning or evidence indicate that the target population is likely to benefit?*
 - a. 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"/>	<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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANALYSIS: EDUCATIONAL PHILOSOPHY AND APPROACH TO INSTRUCTION

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Rationale		Rationale	
Mission Alignment		Mission Alignment	
Population Alignment		Population Alignment	

C. CURRICULUM FRAMEWORK

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:

- Mark this box and complete this part, on behalf of the curriculum that has already been selected/developed:**
1. **Alignment:** *Is the selection well-reasoned and aligned with the mission, state standards and student needs?*
 - a. 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?*
 - a. An implementation plan showing persuasively the resources, daily schedule, annual calendar and professional development that support effective implementation; and
 - b. 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?*
 - a. 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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANALYSIS: CURRICULUM FRAMEWORK

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Alignment		Alignment	
Implementation		Implementation	
Evaluation		Evaluation	

--	--	--	--

Mark this box and complete this part, on behalf of the curriculum that has yet to be developed:

1. Plan: *Is there a sound curriculum development plan?*

a. A thorough, persuasive plan for development including the research base to be considered and foundation materials;

2. Schedule: *Is there a well-defined, realistic schedule?*

a. A realistic, time-specific development schedule and clear objectives to be met; and

3. Responsibilities: *Are the development responsibilities clear and manageable?*

a. Identification of individuals responsible for development and evidence that they are well-qualified for the task.

1. Plan: *Is there a sound curriculum development plan?*

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

2. Schedule: *Is there a well-defined, realistic schedule?*

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

3. Responsibilities: *Are the development responsibilities clear and manageable?*

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

ANALYSIS: CURRICULUM DEVELOPMENT PLAN

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Plan		Plan	
Schedule		Schedule	
Responsibilities		Responsibilities	

D. SPECIAL POPULATIONS: SPECIAL EDUCATION

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"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANALYSIS: SPECIAL EDUCATION

If Meets or Excels; <i>Strengths</i>	Reference	If Approaches or Inadequate; <i>Concerns & Additional Questions</i>	Reference

E. SPECIAL POPULATIONS: ENGLISH LANGUAGE LEARNERS

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"/>	<input type="checkbox"/>	<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

F. PUPIL OUTCOMES

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"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

ANALYSIS: PUPIL OUTCOMES

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Alignment		Alignment	
Measurement		Measurement	
Performance Level		Performance Level	

G. PUPIL PROGRESS

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?*
 - Identification of the expected range of formative and summative assessments including but not limited to state-mandated assessments;
 - 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?*
 - 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?*
 - A plan for sharing performance information, including standardized test results, with students, families and public agencies, as required.
 - 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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANALYSIS: PUPIL PROGRESS

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Assessments		Assessments	
Instructional Improvement		Instructional Improvement	
Reporting		Reporting	

EDUCATIONAL PROGRAM SUMMARY

Please summarize your evaluation of the school's proposed educational program by rating the program's soundness as a whole. Your rating should reflect your overall impression of the plan as presented. Following the rating, please use the comment boxes to discuss the most significant strengths and weaknesses of the educational program.

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

EDUCATIONAL PROGRAM SUMMARY

Strengths

200 words maximum

Concerns and Additional Questions

200 words maximum

III. 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

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. Governance Experience: *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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANALYSIS: GOVERNANCE CAPACITY

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Legal Structure		Legal Structure	
Governance Experience and Expertise		Governance Experience and Expertise	
Operating Plan		Operating Plan	

B. MANAGEMENT CAPACITY

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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANALYSIS: MANAGEMENT CAPACITY

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Enrollment Procedures		Enrollment Procedures	
Operating Procedures		Operating Procedures	
Management Structure		Management Structure	

C. EMPLOYMENT CAPACITY

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"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

ANALYSIS: EMPLOYMENT CAPACITY

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference
Qualifications and Responsibilities		Qualifications and Responsibilities	
Compensation Plan		Compensation Plan	

Policies and Assurances		Policies and Assurances	
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D. FINANCIAL CAPACITY

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"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

3. 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"/>	<input type="checkbox"/>	<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		Financial Operation	
Revenues		Revenues	
Expenditures		Expenditures	

E. FACILITIES PLAN

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 3% of anticipated per pupil revenue;
- 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"/>	<input type="checkbox"/>	<input type="checkbox"/>

ANALYSIS: FACILITIES PLAN

If Meets or Excels; Strengths	Reference	If Approaches or Inadequate; Concerns & Additional Questions	Reference

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"/>	<input type="checkbox"/>

PETITIONER CAPACITY SUMMARY

Strengths
200 words maximum

Criteria Not Sufficiently Addressed, Concerns & Additional Questions
200 words maximum

IV. 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.” To complete the following table,

1. Read the Element (column 1)
2. Use column 2 to find your earlier assessment of the item
3. Translate your assessment into a rating of “Inadequate” or “Reasonably Comprehensive” and mark the corresponding box.

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., bullet 3</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(A)
Measurable pupil outcomes	<i>Section II.D.</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(B)
Method by which pupil progress is to be measured	<i>Section II.E.</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(C)
Governance structure	<i>Section III.A.</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(D)
Qualifications to be met by individuals employed at the school	<i>Section III.C.1.</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(E)
Procedures for ensuring health & safety of students	<i>Section III.B.2., bullet 1</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(F)
Means for achieving racial and ethnic balance	<i>Section III.B.1., bullet 1</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(G)
Admission requirements, if applicable	<i>Section III.B.1., bullet 3</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(H)
Manner for conducting annual, independent audits and for resolving exceptions or deficiencies	<i>Section III.D.1., bullet 7</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(I)
Suspension and expulsion procedures	<i>Section III.B.2., bullet 2</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(J)
Manner for covering staff members through the State Teachers’ Retirement System, the Public Employees’ Retirement System or federal social security	<i>Section III.C.3., bullet 3</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(K)
Attendance alternatives for pupils residing within the district who choose not to attend the charter school	<i>Section III.B.2., Bullet 3</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(L)
Employee rights of return, if any	<i>Section III.C.3., bullet 4</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(M)

Dispute resolution procedure for school-authorizer issues related to the charter.	<i>Section III.B.2., Bullet 4</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(N)
Statement regarding exclusive employer status of the school	<i>Section III.C.3., bullet 5</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(O)
Procedures for school closure	<i>Section III.B.2., Bullet 5</i>	<input type="checkbox"/>	<input type="checkbox"/>	E.C. § 47605(b)(5)(P)

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

Criteria Not Sufficiently Addressed, Concerns & Additional Questions	Reference