



OAKLAND UNIFIED SCHOOL DISTRICT

Office of the State Administrator
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TO: Dr. Kimberly A. Statham, State Administrator
& Members of the OUSD Board of Education

FROM: Kirsten Vital, Chief of Community Accountability
David Montes de Oca, Coordinator, Office of Charter Schools

DATE: August 8, 2007

RE: East Oakland Leadership Academy High (EOLAH)
New Charter School Proposal (Grades 9-12)

ACTION REQUESTED:

Approve the petition and charter allowing East Oakland Leadership Academy High (EOLAH), a new 9-12 school in Oakland, if the conditions on opening, listed below, are met by the listed deadlines and the school opens on or before September 30, 2008. The approved charter is amended from the filed document to include the newly submitted revised petition and charter, as well as the attached conditions and deadlines.

This approval is for the charter program and operations in its entirety as proposed and revised herein. Any subsequent material revision of the provisions of this charter may be made only with the approval of the District as charter authorizer (Education Code 47607(a)(1)). Any material revision to any charter component must be proposed and considered according to the standards and criteria in Section 47605 [Education Code 47607(a)(2)].

The term of the charter will be from **July 1, 2008** through **June 30, 2013**, a period of five years. The District will not accept a charter renewal request more than 270 dates prior to the expiration of the charter.

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 for 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 prior to the school's

opening 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; the time from charter approval until the deadlines constitutes the reasonable opportunity to implement the cures [Education Code 47607(e)]. Failure to meet the conditions by dates listed shall constitute substantial evidence of material violations of conditions, standards, or procedures set for in the charter [Education Code 47607(e)].

SUMMARY:

This report recommends that the State Administrator approve the petition from EOLAH Charter to open a 9-12 charter school under California Charter School's Act, incorporating the conditions on opening and the revisions cited in this report because, as revised,

- The petitioners demonstrate they are likely to successfully implement the program set forth in the petition.
- The petition and charter include sufficient information from which to determine that the charter school presents a sound educational program for the pupils to be enrolled in the charter school.
- The petition and charter contain sufficient information to determine if the number of signatures is sufficient to meet the requirement of California's charter law.
- The petition and charter contain all the affirmations of each of the conditions required in California's charter law.
- The petition and charter include all the financial data required by California's charter law.
- With the revisions cited in this report, the petition and charter contain reasonably comprehensive descriptions of all of the required charter elements.

Summary of Recommended Revisions and Conditions on Opening.

The charter submitted provides a reasonably comprehensive description of all required elements to establish a sound program; however further specificity and clarification that has been articulated orally in the petition review and interview process must also be articulated in writing at various points throughout the charter. These clarifications are outlined in Article I. Additionally, because the school will not begin operation sooner than July 1, 2008, the school will need to provide evidence of having met the conditions on opening as outlined in Article II.

STATUTORY 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 EOLAH Charter School petition and charter was submitted to the OUSD State Administrator and Board of Education on May 30, 2007. Dr. Laura Armstrong is the Lead Petitioner. The State Administrator and OUSD Board of Education conducted a public hearing on the proposal on June 29, 2007.

PETITION REVIEW

The East Oakland Leadership Academy High petition and charter underwent a newly revised petition review process. Upon receipt, the charter was reviewed to determine that required elements were sufficiently submitted. Office of Charter School staff made requests for clarifications, as well as a request for supplemental information and materials. These were provided to the lead petitioner in preparation for a final review of the EOLAH revised charter with supplemental materials.

An internal/external review team comprised on OUSD and non-OUSD professionals were convened and each reviewed specific areas of the petition consistent with their area of expertise. Using a draft rubric, designed using guidelines from the CA School Boards Association, as well as other relevant statutes and resources, the review team provided both scores and feedback to all aspects of the petition. Additionally, a visitation to classrooms at the existing charter school run by the lead petitioner was conducted by Office of Charter School staff. Following this petition review, a follow-up interview and discussion was held with the lead petitioner to further contribute to the over-all evaluation of the merits of the EOLAH charter petition. This report constitutes a summary of findings based on this review process.

SUMMARY OF EOLAH CHARTER

The petition asks the Board to authorize a five-year charter for a school that

- Offers a college prep for all curriculum with graduation requirements meet and exceed the A-G requirements for UC/CSU (p. 13);
- Focuses recruitment efforts on families residing in East Oakland with students that:
 - Are underachieving in core academic areas
 - Have needs which call for a small school environment with personalized attention

- Have needs that are not being met in traditional large school environments
- Would benefit from a structured learning environment (p. 11);
- Offers underperforming students access to a small, highly personalized, school founded on structured pillars of high expectations with supports that include:
 - Before/afterschool small group reading and math tutoring
 - Saturday Academy for students performing below the 25th percentile in reading and math
 - Extended school year through required summer program
 - Individualized learning plans for all students based on performance indicators and assessment data
 - Application of the role of teacher-advisor to develop adult-student relationships and to support a customized learning plan (p. 11-13).
- Receives and manages all funding directly pursuant to California Education Code §47630-35 and all other applicable sections of the Education Code (p. 34).

EOLAH’s proposed Measurable Outcomes to be evaluated upon renewal:

- 95% attendance rate
- No more than 5% HS drop-out rate
- API Similar school score of 7 by 3rd year
- Meet all AYP targets annually
- Minimum 70% 10th graders passing CAHSEE (p. 26)

EOLAH’s Curriculum:

School’s curriculum and textbooks are aligned with district and state standards. EOLAH’s Program will offer Honors courses that prepare students for AP courses to be offered through concurrent program enrollment at community college, online, and extension, as well as in Physics and Government to be offered on site, should sufficient students warrant it (p. 12, 24).

Graduation requirements meet or exceed the A-G requirements for UC/CSU (p. 13)

Subject	UC Requirement	EOLAH Graduation Requirements
English	Four years	Four years
History/ Social Studies	Two years	Two years (including US history)
Mathematics	Three years	Four years
Lab Science	Two years	Two years (three years recommended)
Non-English Language	Two years	Two years (three years recommended)
Visual/Performing Arts	One year	One year
College Prep Electives	Two years	Met by other courses mentioned above
Leadership	None	Two years
Community Service	None	20 hours
PE	None	Two years

EOLAH would **open in 2008 serving 50 students in grade 9**, adding grades and classes in subsequent years until reaching full capacity at **200 students in grades 9-12 in 2012-2013**.

The charter would intend to remain in the same leased facility until its second year when revenue reserves and enrollment growth would permit the occupation of two leased sites, one to house the

elementary program already in existence and the second to house the secondary programs, one of which already exists to serve students in grades 6-8. EOLAH proposes a student/teacher ratio of **25:1** throughout the life of the academic program (Attachment D, Three Year Budget with Assumptions).

EOLAH Predecessor: East Oakland Leadership Academy K-8

EOLAH is based on the successful work of its predecessor, East Oakland Leadership Academy K-8 charter school. Founded in 2003, EOLA was opened by Dr. Laura Armstrong who is the lead petitioner for EOLAH.

EOLA has been open for four year at a school site on Seminary Ave. in East Oakland. This school has served primarily middle grade students 5th through 8th grade and begins its primary program this year with K-2 students. The schools serves approx. 50% African American and 50% Latino students, with an 82% rate for students who qualify for the Federal Free and Reduced Lunch program.

EOLA achieved the following results in its first three years, as of July 30, 2007:

- 719 API score
- 5 on CA Similar school scale
- 31% proficiency in ELA
- 37% proficiency in Math
- “Blue” in the OUSD Tiering structure, placing the school in the top tier for district and charter schools¹

Recommendation

This report recommends that the Oakland Unified School District’s State Administrator approve the petition to open East Oakland Leadership Academy High under California’s Charter School Act if the Lead Petitioner agrees to submitted a revised charter petition with required attachments and complies with all of the conditions on opening included in this report.

Attachment I: East Oakland Leadership Academy High Charter Text Revision

Attachment II: East Oakland Leadership Academy High Charter Conditions on Opening

¹ OUSD’s Tiered Support & Intervention model categorizes all district schools from Blue (strongest performance) to Red (in need of significant intervention) based on three categorizes of academic performance: current performance, growth over 1 and 3 year time periods, and demonstration of closing the achievement gap. Schools which are in Years 1 or 2 are not included in the Tiered Support & Intervention

**Article I
East Oakland Leadership Academy High Charter Text Revision**

Revisions and Attachments Request was provided to the lead petitioner on July 12, 2007. A revised list was provided to the petitioner on July 20, 2007. These revisions and attachments have been submitted to the Office of Charter Schools (OCS) by the lead petitioner in a timely manner and have been reviewed and approved by the OCS as of July 30, 2007. A final hard copy of the revised charter and attachments, as well as an electronic copy on CD are therefore required as a condition for opening and must be submitted to the OCS no later than **August 15, 2007**.

David Montes de Oca
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Office of Charter Schools

July 12th, 2007

Dr. Laura Armstrong,

The following items are requested in order to determine a final recommendation from the Office of Charter Schools on your petition submitted May 30th, 2007. Please present written evidence of each of the following via email attachments to the Office of Charter Schools. (David.Montes@ousd.k12.ca.us AND Vilma.Bermudez@ousd.k12.ca.us)

Revision, clarification or requested submission	Due Date
<p><u>Supporting signatures</u> Submission will be a petition for a new school East Oakland Leadership Academy High (EOLAH) to begin July 1, 2008.</p>	July 27, 07
<p><u>Community Based school</u> What are the roles and responsibilities of the advisory board? What are the structures and procedures within which they will advise and what is the scope of their role?</p>	July 27, 07
<p><u>Mission statement</u> The statement as it is currently written includes a focus on instruction in language arts, literature, writing, science, social science, business, and humanities, however it does not mention mathematics. (Verified as an oversight.)</p>	July 27, 07
<p><u>Students to be served</u> <i>(Section is thoughtfully written to identify high needs students and establish clear intervention and support.)</i> <i>Individual Learning Plans</i> – please provide a sample of this tool? This is also referred to as a <i>Personalized Learning Plan</i> in the narrative section under the description of the school’s pillars. Is this the same? If so, use uniform text throughout the charter petition.</p>	July 27, 07
<p><u>Graduation requirements</u> Provide clarification on how the school will align the work students will include in their portfolios with key grade level standards; how it will measure the caliber of student</p>	July 27, 07

work based on these standards; and how it will provide feedback to students on how portfolios can improve student performance in an ongoing way.	
<u>Graduation requirements</u> Clarify how online and college-based coursework is monitored and aligned to state standards?	July 27, 07
<u>Mathematics Course Description</u> What type of assessment will be used as a diagnostic when students enter the school to be placed in their math classes as outlined in the charter?	July 27, 07
<u>Science Course Descriptions</u> All science course descriptions emphasize and outline laboratory skill development, particularly as it pertains to the development of critical thinking. Therefore it is assumed that this will play a major role in the delivery and success of these courses. Are the facilities adequately equipped to provide such instruction? If not, what provisions are being made to address shortcomings in the short and long term with respect to facilities as it pertains to laboratory science instruction?	July 27, 07
<u>History – Social Science</u> 9 th grade courses (<i>Physical Geography, World Regional Geography</i>) are defined by the CA State framework, however they are limited by the language in that framework. Are there specific instructional resources to which the school has possession or intends to obtain possession that will assist in the delivery of instruction in these two proposed courses? What is the curriculum that will be followed?	July 27, 07
<u>Foreign Language</u> The course offering here notes the need to appreciate the small size of the school and its limited resources when indicating the “likely” offering of Spanish as the identified language of study for students’ foreign language credit. The course matrix prior, listed a recommendation of 3 years and the course description outlines Spanish I, II, and III for students. However, if a student tests at a level that meets or exceeds the Spanish Level III criteria, what coursework alternatives may be provided to allow for such students to increase their “foreign language” skills and acquire the necessary credits for graduation? Because the petition indicates a focus on serving students in East Oakland, and particularly EOLA K-8 students, the school currently has a population of 49% Hispanic students indicating the likely need for alternative foreign language course offerings or advanced <i>Spanish for Spanish Speakers</i> courses. Please clarify this section to address these areas.	July 27, 07
<u>Plan for Students Who Are Academically High Achieving</u> The section that delineates the identification of courses as “honors” to facilitate extra assignments for students and the preparation for AP courses is unclear. Are students also at some point taking AP courses or are they taking advance placement tests prior to graduation at EOLA?	July 27, 07
<u>Plan for Special Education</u> The charter indicates a desire to establish an MOU with OUSD for the provision of Special Education services to students with an IEP. Please provide a copy of the MOU between EOLA and the OUSD SELPA. (Use of the Consortium that currently has an MOU w/ OUSD)	July 27, 07
<u>Governance</u> This section of the charter states that the EOLA board will also be the board of trustees	July 27, 07

for EOLAHS. Previously in the charter however, it was stated that the advisory board which represents the community base of the school, but will not be members of the school's board of trustees. Mr. Donald Stoneham is listed as an advisory committee member, but has also included a letter of recommendation stating he is a board member. Please clarify this inconsistency.	
<u>Administrative Services</u> The charter acknowledges submission dates for all interim reports and the final un-audited report to be submitted by September 15 th for the year prior. It does not however indicate the date by which the petitioner will submit the audited annual report. (required due date to OUSD/CO is December 7th signed, and December 15th to CA State signed.)	July 27, 07
<u>Impact on Charter Authorizer</u> The charter states that there will be no impact on OUSD enrollment as students at EOLAHS will be recruited from other charter schools. The enrollment practices however differ from this statement and the statement is in fact not possible. Account for the likely impact on OUSD based on the enrollment and available space, taking into consideration the recruitment efforts to the existing EOLA K-8 school. (Estimate the number of students who may attend EOLAH in 9th grade that did not matriculate from EOLA and multiply times estimated ADA.)	July 27, 07
<u>Attachment A – Flowchart</u> The roles and responsibilities of the Parent Action Committee and the EOLA Ombudsperson are not defined in the charter. Provide authority, duties, and responsibilities for these two parties.	July 27, 07
<u>Governance</u> A list of Board members, their backgrounds, education experience, and expertise is not currently included in the supplemental information packet.	July 27, 07
<u>Pupil Suspension and Expulsion</u> A description of the proposed suspension and expulsion procedures are not currently included in the supplemental information packet.	July 27, 07
<u>Student Leadership</u> Provide documentation that pertains to the student leadership curriculum as referenced on pg. 12?	July 27, 07
<u>Parent and Community Involvement</u> Provide examples of the meaningful community partnerships that support the mission of the school?	July 27, 07
<u>Teacher-Advisor</u> Provide clarification as to the roles and responsibilities of this position, as well as the structures to facilitate their implementation.	July 27, 07
<u>Plan for English Learners</u> This section is both explicit and vague. The description of the support for ELL students underscores the need to provide additional time and resources, but does not specifically address how students will be supported to meet the rigorous standards put for in the charter for graduation. What are the steps that the school intends to take to establish these practices prior to the start of school, particularly if ELL students comprise a significant percentage of the enrollment?	July 27, 07

<p>Please Provide: Copy of the contract that families are asked to read and sign acknowledging awareness of course requirements and accepting responsibility for completing the requirements (p.13) and a copy of the student-family handbook.</p>	<p>July 27, 07</p>
<p>Please Provide: Adopted Health and Safety and Risk Management policies including:</p> <ul style="list-style-type: none"> - Immunization plan - First aid, CPR Plan and Health Screening Plan - Blood Borne Pathogens Exposure Control Plan - Drug, Alcohol and Smoke Free Environment Policy and Procedures - Emergency Preparedness Handbook - Safe Facilities Plan 	<p>July 27, 07</p>
<p>Please Provide: Student-Family Handbook and student registration packet, school calendar, all policies and procedures pertaining to health and safety, homework, attendance, discipline, suspensions and expulsions, in all languages as distributed.</p>	<p>July 27, 07</p>
<p>Please Provide: Adopted Personnel Policies</p>	<p>July 27, 07</p>
<p>Please Provide: Professional development plan for teachers that includes training in ELL strategies, learning to recognize gifted and talented students, and to understand and apply differentiated instruction.</p>	<p>July 27, 07</p>
<p>Please Provide: An option, lease or deed indicating facility space allocated for the instruction of students at EOLAHS noting occupancy on or before July 1, 2007.</p>	<p>July 27, 07</p>
<p>Please Provide: Decision-making policy to be implemented by the Governing Board and the administration to ensure an atmosphere where staff, students, families, and community can work to achieve the mission of EOLAHS.</p>	<p>July 27, 07</p>
<p>Please Provide: Uniform Complaint Process, posting location(s), and method of notifying parents of this process annually.</p>	<p>July 27, 07</p>
<p>Please Provide: Adopted English Language Learner Plan that pertains to the use of the home language survey, mandatory CELDT testing, and a description of how supplementary instruction will be provided. (See comments in REVISIONS Section above re: ELL's)</p>	<p>July 27, 07</p>
<p>Please Provide: Adopted 504 plan, policy & procedures, in all major languages served by the school.</p>	<p>July 27, 07</p>
<p>Please Provide: A list of which courses at EOLAHS are considered non-core, non-college preparatory courses, for OUSD approval.</p>	<p>July 27, 07</p>
<p>Please Provide: Adopted 12 month calendar distinguishing dates with standard or reduced instructional time, noting vacation days (updated annually).</p>	<p>July 27, 07</p>
<p>Please Provide:</p>	<p>July 27, 07</p>

Certification of instructional hours to be provided in 2007-2008 on District form (updated annually)	
Please Provide: EOLAHS Governing Board Articles of Incorporation	July 27, 07
Please Provide: Names and contact information for EOLAHS governing board members (to be updated annually).	July 27, 07
Please Provide: Annually adopted governing board meeting dates, times and location (to be updated annually).	July 27, 07
Please Provide: Adopted board policies aligned to the Brown Act, the Political Reform Act, and adopted policies and procedures dealing with conflict of interest.	July 27, 07
Please Provide: Copy of the school's suspension and expulsion policies and procedures. <ul style="list-style-type: none"> - Include a comprehensive list of what might result in suspension or expulsion - Describe processes for notification, discussion, due process consideration, and final governing board action regarding expulsions. - Omit any suggestion that poor academic achievement might be a criterion for suspension or expulsion. 	July 27, 07
Please Provide: Adopted bylaws for the entity that will be the governing board of EOLAHS that include the board members' term of appointment.	July 27, 07
Revise 3 year projections: <ul style="list-style-type: none"> - listing the assumed enrollment and ADA, assume number of teachers and other employees, and other assumptions that lead to the line items in Year 2 and Year 3 so that the reasonableness of those values can be evaluated. - Omit Lottery fund from the Year 1 budget and correctly identify that EOLAHS will not receive these funds until Year 2. - Review and represent all employee positions in the budget even if their salaries are zero. 	July 27, 07

Article II
East Oakland Leadership Academy High Charter Conditions on Opening

Conditions on Opening

Condition on Opening	Deadline
<p>Charter Revision Prepare a final copy of the charter that incorporates the charter text revisions previously submitted on July 12, 2007 and included here as Article I.</p>	August 15, 2007
<p>Enrollment List of enrolled students including name, date of birth, last school, home language, Oakland residency or not, and CSIS number (list will be updated in September, 2008 and then annually) on District form.</p>	June 1, 2008
<p>Funding Survey Copy of the school's "Annual Information Sheet & Funding Survey" provided to CDE (plus annual filings to be provided to CDE by June 1 and any updates in future years).</p>	June 1, 2008
<p>Staffing Teachers hired including names, date of birth, assignments, subject matter certification and credential evidence, evidence of cleared TB test, date of fingerprinting, and date of background check by EOLAHS designee (list to be updated annually).</p>	June 1, 2008
<p>Pre-Opening Facility Walk-through Complete pre-opening facility walkthrough as outlined in the OUSD Standard Charter School MOU establishing for the necessary conditions for providing an environment conducive to learning and the wellbeing of students' health and safety, as well as meeting all local, state, and federal regulations.</p>	Within two weeks prior to the start of school.
<p>Certificate of Occupancy Provide a valid Certificate of Occupancy for all facilities used to house those programs which are contained in this charter.</p>	July 1, 2008
<p>Special Education Submission of signed Memorandum of Understanding (MOU) between EOLAHS and the OUSD SELPA specifically pertaining to the high school program serving grades 9-12 (grade 9 in Year One), that establishes the agreements set forth therein regarding the provision of Special Education services as required by law.</p>	July 1, 2008