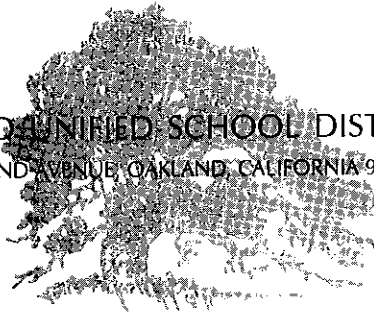


OAKLAND UNIFIED SCHOOL DISTRICT
1025 SECOND AVENUE, OAKLAND, CALIFORNIA 94606



March 22, 2006

LEGISLATIVE FILE
File ID Number: 06-0547
Introduction Date: 5-10-06
Enactment Number: 06-0696
Enactment Date: 5-10-06
By: EG

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

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

A handwritten signature in black ink, appearing to read "Liane Zimny".

Subject: American Indian Public Charter School – Renewal
(Including Revision of Grades from 6-9 to 5-8)

ACTION REQUESTED

Approve the petition from American Indian Public Charter School (AIPCS) to renew its charter to operate in Oakland **as revised**.

Approve the charter to continue offering AIPCS's self-contained, site-based school program (currently serving grades 6-9, revising to serve grades 5-8). The term of this charter will be from May 10, 2006 through May 9, 2011, the renewal period required under the Charter Schools Act. The District would not accept a charter renewal request more than 270 days prior to the expiration of this charter; however requests for charter amendments or new charters may be filed at any regular OUSD State Administrator/ Board of Education meeting.

AIPCS will notify the district of a student's residence each month when any student drops out or is expelled from the school.

AIPCS will provide the District Charter Schools Office a copy of its Uniform Complaint Process (in accordance with provisions of Title 34, Code of Federal Regulations, Section 76.780-783, as defined in Title 5-Education, California Code of Regulations, §4600-4671).¹

¹ CCR §4600-4671 governs a Local Education Agency's responsibility to create a process for the filing of a complaint regarding a public agency's alleged violation of federal or state law or regulation relating to the provision of a free appropriate public education.

The approved charter renewal is amended from the filed document to include the provisions above and other revisions noted in Attachment 1 to be amended or substituted in the charter as approved. These revisions supersede any contrary language in the charter as filed.

SUMMARY

With approval, from May 10, 2006 through May 9, 2011, AIPCS is authorized

- to continue its middle school program this school year serving students in grades 6-9; and
- to revise its grades served to 5-8 beginning with the 2006-07 school year.

Total enrollment at full growth would be 200 students.

Admission preferences in the charter are as follows:

1. Students currently attending this school automatically have the right to declare they will return for subsequent years until graduation.
2. Other students residing in the district are given admission preference over students residing elsewhere (p. 21);
3. Then all other students residing in California that apply for admission until the school is at capacity.
4. See charter text revisions listed in attachment.

Staff recommends this approval based on factual findings, specific to this particular charter school and renewal petition.

- The charter school presents a sound educational program for the pupils to be enrolled in the charter school.
- AIPCS's academic, fiscal and administrative record demonstrates it is likely to successfully implement the programs set forth in the petition that are recommended for approval.
- The petition contains the required number of signatures (in this case, from teachers meaningfully interested in teaching in the charter school programs).
- The petition contains an affirmation of each required condition.
- As revised, the petition contains reasonably comprehensive descriptions of all of the sixteen charter elements and other required information.

Because the approved charter is a legally binding performance contract, exact language is important. Therefore, this report recommends that the charter be amended as indicated in the attachment to this report. With these amendments, the charter contains reasonably comprehensive descriptions of all of the required charter elements.

STATUTORY BACKGROUND

California's Charter Law is very clear regarding the approval or denial of charter school proposals, including renewals. 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

On December 6, 1995, the Oakland Board of Education granted a charter to AIPCS for grades 6 through 12. That school opened in September 1996. The Board of Education did not renew the high school component of AIPCS when it granted AIPCS's renewal on May 30, 2001. AIPCS operated in 2001-02 as a middle school (grades 6-8). On February 13, 2002, the District approved AIPCS' petition to add a ninth grade class to AIPCS beginning in 2002-03. The school offered grades 6-9 in 2002-03 and 2003-04, only 6-8 in 2004-05, and returned to 6-9 in 2005-06.

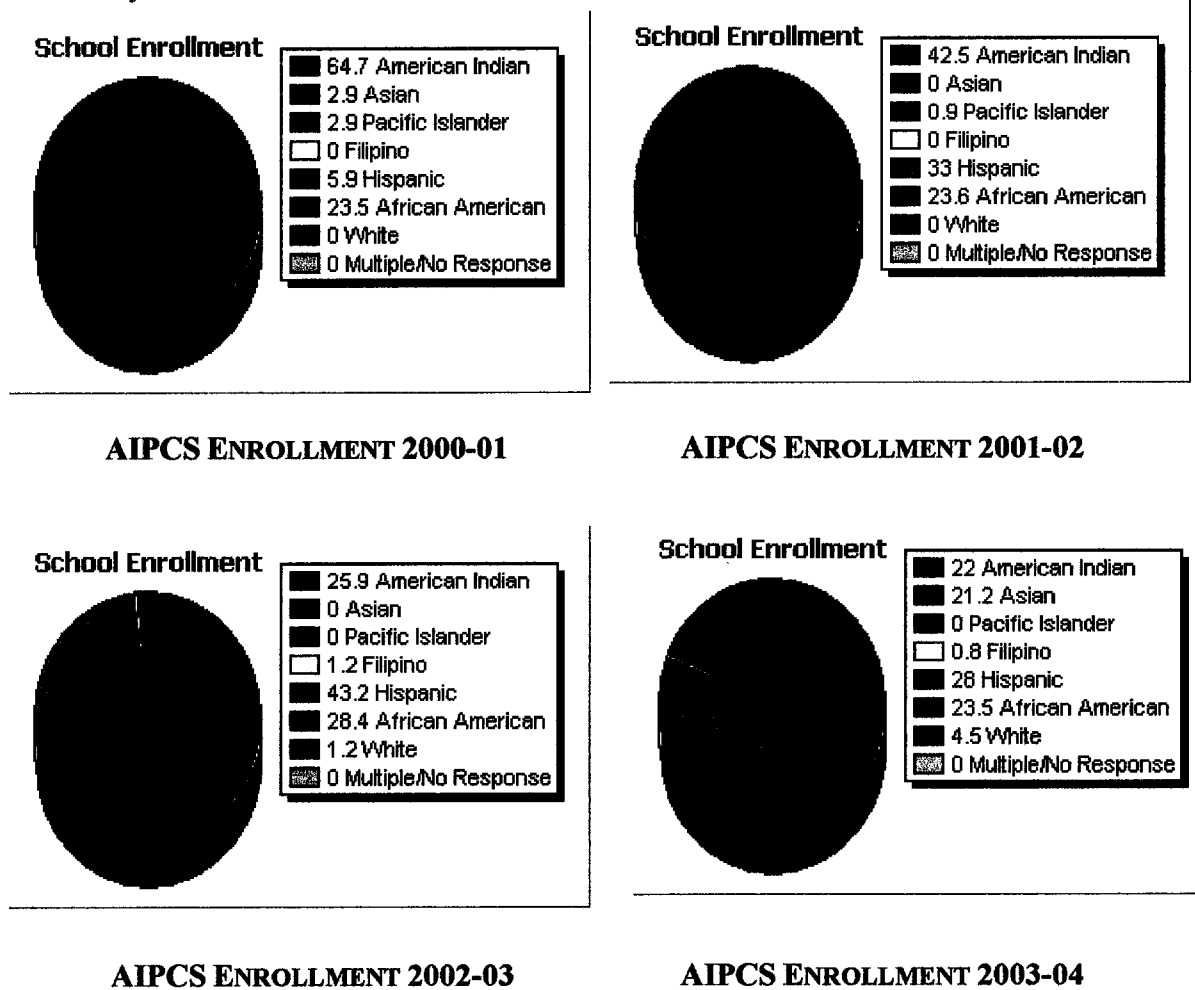
On March 8, 2006, five teachers who declared they were meaningfully interested in teaching at AIPCS petitioned for the charter to be renewed for five years and amended to serve grades 5-8. The OUSD State Administrator and Board of Education conducted a public hearing on this petition on March 22, 2006. Dr. Ben Chavis, Lead Petitioner, subsequently agreed to extend the period for the District to consider this request, as provided by Charter Law. This report recommends that the OUSD State Administrator and Board of Education approve the renewal petition, incorporating revisions attached to this report, for a 5-year term expiring May 9, 2011.

AIPCS provides a structured learning environment that relies on teacher-directed instruction and state-approved textbooks to provide a rigorous, standards-based curriculum. The instructional

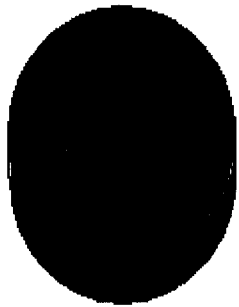
day focuses on language arts (90 minutes per day), mathematics (90 minutes per day), science, and social studies. Four years of physical education are required. One year of foreign language study (either Mandarin or Spanish) will be required in sixth grade. In eighth grade, all students will learn Algebra. Instruction in visual and performing arts is mentioned in the charter (p. 10) but not reflected on the class schedule (p. 29).

The program features small, self-contained classrooms, an extended-year calendar, and targeted intervention to assist low-performing students after school and on Saturdays. The Director provides cash incentives to students with perfect attendance. Families sign a contract acknowledging the tough disciplinary system that will reward hard work and productivity, and “consequences for being lazy.” (Pp. 7-8)

According to CDE data, the demographics of students enrolled at AIPCS has shifted dramatically in recent years.



School Enrollment



■	18 American Indian
■	31.3 Asian
■	0 Pacific Islander
□	0 Filipino
■	22.7 Hispanic
■	14.7 African American
■	13.3 White
■	0 Multiple/No Response

AIPCS ENROLLMENT 2004-05

During this same period, the school’s performance on State standardized tests also improved dramatically as indicated on the table at right.

The previous charter committed to lowering the suspension rate. Only three students have been suspended during this 5-year period: two students in 2002-03 and one student in 2005-06. No expulsions have occurred.

Test Year	API	Statewide Rank	Similar Schools
2000	Not avail.	Not avail.	Not avail.
2001	436	1	NA
2002	596	3	NA
2003	732	7	10
2004	813	9	10
2005	880	10	tbd

AIPCS has met other charter performance commitments as noted below:

- Established a 5-member Curriculum Committee, including two teachers, a reading specialist, and the director.
- Established benchmarks to measure students’ progress toward the next grade.
- Established a school-based decision-making process (Site Committee) composed of students, teachers and parents to discuss issues such as reading, math, discipline policies and the dress code.
- Established working relationships with **OUSD** (e.g., Special Education vendor for some services; students from some District schools may come to AIPCS for art and music; AIPCS students tutor 3-5 graders at Fruitvale Elementary); with higher education (e.g., Johns Hopkins summer scholarship program); and social service agencies (e.g., Native American Health provides dental exams and counseling). No relationships have been sought with local businesses or corporations.
- Parents and community members play leadership roles (e.g., members of the Governing Board; a parent is in charge of the Johns Hopkins program).
- Dropout rates are kept low by paying for perfect attendance, providing academic support and counseling, and providing programs like Johns Hopkins that help students recognize the value of their education.
- Established a daily clean-up project in the Laurel community (every morning before school around the block).

- Established “school ambassador” activities to encourage mutual respect and pride in the school (e.g., clean up on block and tutoring at Fruitvale).

RECOMMENDATION

This report recommends that the Oakland Unified School District State Administrator approve the petition from American Indian Public Charter School to renew its charter as revised, including the revision to serve grades 5-8, commencing with the 2006-07 school year. The term of this charter would be from May 10, 2006 through May 9, 2011, the five-year renewal period required under the Charter Schools Act.

Attachments

1. Text Revisions to American Indian Public Charter School
2. American Indian Public Charter School Performance Report (submitted by Dr. Chavis)

Attachment 1

Text Revisions to American Indian Public Charter School

- **Admission Preferences** – The charter must omit the provision that students residing outside of the district are only admitted with Governance Board approval (p. 21). This provision would violate California Charter Law.
- **Lottery Determination Date** – The charter states (p. 21), “In the event applicants exceed the school’s enrollment capacity, a public random lottery will be implemented.” The charter needs to define when it makes its annual evaluation of the need to conduct a public lottery. AIPCS will provide revised text to OUSD Charter Schools Office by May 31, 2006.
- **Board Policies & Bylaws** – AIPCS will file copies of the AIPCS Governing Board Policies & Bylaws (p. 16), including Personnel Policies (p. 18) at the OUSD Charter Schools Office by May 31, 2006.
- **Dispute Resolution** – Insert the following statement in this section (p.19), “AIPCS will provide the District Charter Schools Office a copy of its Uniform Complaint Process (in accordance with provisions of Title 34, Code of Federal Regulations, Section 76.780-783, as defined in Title 5-Education, California Code of Regulations, §4600-4671)”.
- **Admission Process** – AIPCS will file copies of the AIPCS Application Packet and the AIPCS Student Contract including the agreement to participate and abide by school guidelines) (p. 20) at the OUSD Charter Schools Office by May 31, 2006.
- **Student-Family Handbook** – AIPCS will file a copy of the AIPCS Student-Family Handbook (p. 21) at the OUSD Charter Schools Office by May 31, 2006.
- **Impact on Charter Authorizer** – Revise text of first paragraph in this section (p. 24) to read, “The students who attend AIPCS will have no impact on the OUSD enrollment because these students will be transferring from other charter schools, private schools and local elementary schools and might otherwise have attended an OUSD school.”
- **Term** – Revise text (p. 25) to indicate that the term of the renewed charter begins on the day of approval, i.e., May 10, 2006, and expires five years later, i.e., May 9, 2011.
- **Financial Statements** – Projections in Table 3 are for 3 years, not 5 years, so the document title should be amended (p. 35). Expected Cash Flow in Table 4 (p. 36) does not reflect the funding delay for receipt of funds when enrollment increases, however, reserves will adequately cover this issue.

AMERICAN INDIAN PUBLIC CHARTER SCHOOL



3637 Magee Avenue, Oakland CA 94619
Phone: (510) 482-6000 ◆ Fax: (510) 482-6002

CHARTER SCHOOLS
OFFICE

To: Ms. Liane Zimny, Coordinator of Charter Schools

From: Dr. Ben Chavis, Director 

MAR - 8 2006

O. U. S. D.

Date: March 15, 2006



I am enclosing a copy of our Performance Progress Report for you to review. If you have any questions, please contact me.

Attachment 2
American Indian Public Charter School
Performance Progress Report
Submitted by Dr. Ben Chavis
March 2006

Cover + 5 Pages

AMERICAN INDIAN PUBLIC CHARTER SCHOOL: PERFORMANCE and PROGRESS REPORT

3637 Magee Avenue
Oakland, CA 94619
(510) 482-6000

MISSION STATEMENT

The American Indian Public Charter School serves 200 inner-city students in sixth through eighth grade. The focus of American Indian Public Charter School is to meet the academic needs of American Indian students and others interested in attending our school. We will provide them with an education to enhance their academic skills in reading, writing, spelling, mathematics, science, social science, business, and humanities in order to compete and be productive members in a capitalistic society. This will be a collaborative effort between school family, and community.

AMERICAN INDIAN PUBLIC CHARTER SCHOOL PROFILE

In 1994, a group of American Indian parents and community members started the process to create the American Indian Public Charter School. This group created a committee and decided by consensus that the school should focus on serving the education needs of American Indian students enrolled in Oakland public schools. This was done because American Indian students had the highest drop out rate, lowest standardized test scores, and the lowest graduation rate. In short, they were not succeeding in the public school system. Today, American Indian Public Charter School has the largest percentage of American Indian students at the middle school level in Oakland, California. American Indian Public Charter school is considered a model for urban schools.

I. Comprehensive data and standards-based needs assessment of the entire school:

American Indian Public Charter School completed an in depth needs assessment of the students' progress this year. The comprehensive data collected from the research was analyzed to determine students' academic needs. According to the recent needs assessment survey of students there is a significant need in the area of reading, writing, and comprehension. The instruments used are the Stanford/9 test, teacher's report cards, and test ready material for each student. For 2004-2005, we used the California Standards Test (CST) to assess student progress. The following are American Indian Public Charter School C.S.T. Results:

**AMERICAN INDIAN PUBLIC CHARTER SCHOOL:
PERFORMANCE and PROGRESS REPORT**

3637 Magee Avenue
Oakland, CA 94619
(510) 482-6000

Table I

CST English Language Arts 2005			CST Mathematics 2005	
Grade 6	English/Language Arts	70%	General Math	78%
Grade 7	English/Language Arts	81%	General Math	79%
Grade 8	English/Language Arts	65%	Algebra	38%

The CST from 2005 confirm that American Indian Public Charter School students in 6th - 8th students are above the national average. All the 8th grade students at American Indian Public Charter School took the Algebra 1 test which reflects a lower score compared to other 8th graders in the state who took the general math exam.

Based on the Adequate Yearly Progress criteria American Indian Public Charter School met all our goals for the 2004-2005 school year. In fact, American Indian Public Charter School score overall increased from 813 to 880, which reflects a growth of 67 points. In addition, American Indian Public Charter School is the only middle school in Alameda County to continue to meet all the criteria of the No Child Left Act Behind each year and receive the Title 1 Academic Achievement Award for 2004-05 and 2005-06. The students at American Indian Public Charter School are making significant academic progress each year. For further information please see the attachments.

Schoolwide	125	91	72.8	Yes	125	88	70.4	Yes
African American or Black (not of Hispanic origin)	38	29	76.3	--	38	25	65.8	--
American Indian or Alaska Native	17	11	64.7	--	17	8	47.1	--
Asian	42	36	85.7	--	42	36	85.7	--
Filipino	0	--	--	--	0	--	--	--
Hispanic or Latino	25	13	52.0	--	25	17	68.0	--
Pacific Islander	0	--	--	--	0	--	--	--
White (not of Hispanic origin)	1	--	--	--	1	--	--	--
Socioeconomically Disadvantaged	111	79	71.2	Yes	111	80	72.1	Yes
English Learners	0	--	--	--	0	--	--	--
Students with Disabilities	1	--	--	--	1	--	--	--

Academic Performance Index - Additional Indicator for AYP

2004 API Base	2005 API Growth	2004-05 Growth	Met 2005 API Criteria	Alternative Method
813	880	67	Yes	

2005 API Criteria for meeting federal AYP: A minimum "2005 API Growth" score of 590 OR "2004-05 API Growth" of at least one point.

Graduation Rate

Rate for 2004, Class of 2002-03	Rate for 2005, Class of 2003-04	Change	Average 2-Year Change	Met 2005 Graduation Rate Criteria	Alternative Method
				N/A	

2005 Graduation Rate Criteria: A "Rate for 2005" of at least 82.9 OR "Change" (improvement in the rate from the previous year) of at least 0.1 OR "Average 2-Year Change" (improvement in the average two-year rate) of at least 0.2.



School Report
2004-05 Academic Performance Index (API) School Growth Report

California Department of Education
Policy and Evaluation Division
Revised January 18, 2006

School: American Indian Public Charter
LEA: Oakland Unified
County: Alameda
CDS Code: 01-61259-6113807



(An LEA is a school district or county office of education.)

School Type: Middle

Summary	API				AYP				PI		
Report	Chart	Report	Guide	Glossary	Overview	Chart	Report	Guide	Glossary	Report	Glossary

State Accountability: Academic Performance Index (API)

STAR 2005 Percent Tested	Number of Students Included in the 2005 API Growth	API				Met Growth Target		
		2005 Growth	2004 Base	2004-05 Growth Target	2004-05 Growth	School- wide	Comparable Improve- ment (CI)	Both Schoolwide and CI
100	125	880	813	A	67	Yes	Yes	Yes

In order to meet federal requirements of No Child Left Behind, a 2005 API Growth is posted even if a school or LEA had no 2004 API Base or if a school had significant population changes from 2004 to 2005. However, the presentation of growth targets and actual growth would not be appropriate and, therefore, are omitted.

- "N/A" means a number is not applicable or not available due to missing data.
- "**" means this API is calculated for a small school, defined as having between 11 and 99 valid STAR test scores. The API is asterisked if the school was small either in 2004 or 2005. APIs base on small numbers of students are less reliable and therefore should be interpreted with caution.
- "A" means the school scored at or above the statewide performance target of 800 in 2004.
- "B" means the school did not have a valid 2004 API Base and will not have any Growth or target information.
- "C" means the school had significant demographic changes and will not have any Growth or target information.
- "D" indicates this is either an LEA or an Alternative Schools Accountability Model (ASAM) school. Target information is not applicable to LEAs or to ASAM schools.
- "E" indicates this school was an Alternative Schools Accountability Model (ASAM) school in the API Base report and has no target information even though the school is no longer an ASAM school.

Targets Met - In the "Met Growth Target" columns, the growth target requirement is part of the state accountability system and does not match the Adequate Yearly Progress (AYP) requirements. The AYP requirement for the API is a 2005 API Growth score of 590, or a one-point increase from 2004 API Base to 2005 API Growth.

Similar Schools

Median API	
2005 Growth	2004 Base
639	619

Click on the median value heading to link to the list of 2004 API Base similar schools. This list contains schools which were selected specifically for the reported school for the 2004 API Base report.

Subgroups

	Number of Pupils Included in 2005 API	Numerically Significant in Both Years	Subgroup API				Met Subgroup Growth Target
			2005 Growth	2004 Base	2004-05 Growth Target	2004-05 Growth	
Ethnic/Racial							
African American (not of Hispanic origin)	38	No					
American Indian or Alaska Native	17	No					
Asian	42	No					
Filipino	0	No					
Hispanic or Latino	25	No					
Pacific Islander	0	No					
White (not of Hispanic origin)	1	No					
Socioeconomically Disadvantaged	111	Yes	880	817	A	63	Yes

"A" means the subgroup scored at or above the statewide performance target of 800 in 2004.



School Adequate Yearly Progress Report 2005 Accountability Progress Report

California Department of Education
Policy and Evaluation Division
Revised: January 31, 2006

School: **American Indian Public Charter**
 School Type: Middle
 LEA: Oakland Unified
 County: Alameda
 CDS Code: 01-61259-6113807
 Direct-Funded Charter School: No

Reports of other schools in this local educational agency (LEA):

6113807 American Indian Public Chart

LEA report
(An LEA is a school district or county office of education.)

Summary **API** **AYP** **PI**
 Report Chart Report Guide Glossary Overview Chart Report Guide Glossary Report Glossary

Federal Accountability: Adequate Yearly Progress (AYP)

Adequate Yearly Progress

Made AYP: **Yes**
 Met 9 of its 9 AYP Criteria

Participation Rate

GROUPS	English-Language Arts Target 95% Met all participation rate criteria? Yes					Mathematics Target 95% Met all participation rate criteria? Yes				
	<u>Enrollment</u>	Number	Met	Alternative	Method	<u>Enrollment</u>	Number	Met	Alternative	Method
	<u>First Day of Testing</u>	of Students Tested	2005 AYP			<u>First Day of Testing</u>	of Students Tested	2005 AYP		
Schoolwide		130	100	Yes		130	130	100	Yes	
African American or Black (not of Hispanic origin)		39	39	100	--	39	39	100	--	
American Indian or Alaska Native		17	17	100	--	17	17	100	--	
Asian		42	42	100	--	42	42	100	--	
Filipino		1	1	100	--	1	1	100	--	
Hispanic or Latino		27	27	100	--	27	27	100	--	
Pacific Islander		0	0	--	--	0	0	--	--	
White (not of Hispanic origin)		2	2	100	--	2	2	100	--	
Socioeconomically Disadvantaged		115	115	100	Yes	115	115	100	Yes	
English Learners		0	0	--	--	0	0	--	--	
Students with Disabilities		1	1	100	--	1	1	100	--	

Percent Proficient - Annual Measurable Objectives (AMOs)

GROUPS	English-Language Arts Target 24.4 Met all percent proficient rate criteria? Yes					Mathematics Target 26.5 Met all percent proficient rate criteria? Yes						
	<u>Valid</u>	Number	Percent	Met	Alternative	Method	<u>Valid</u>	Number	Percent	Met	Alternative	Method
	<u>Scores</u>	At or Above Proficient	At or Above Proficient	2005 AYP			<u>Scores</u>	At or Above Proficient	At or Above Proficient	2005 AYP		