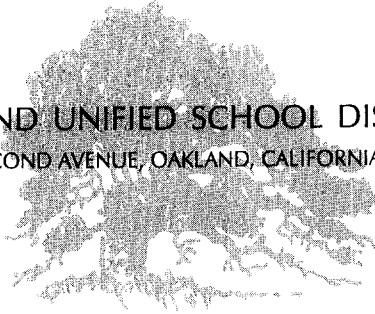


OAKLAND UNIFIED SCHOOL DISTRICT  
1025 SECOND AVENUE, OAKLAND, CALIFORNIA 94606



January 25, 2006

**LEGISLATIVE FILE**  
File ID No. \_\_\_\_\_  
Introduction Date 05-11-03  
Enactment No. 1125/06  
Enactment Date 06-0083  
By RQ

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

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

Subject: Oakland Aviation High School (OAHS)  
New Charter School Proposal (Grades 9-12)

**ACTION REQUESTED:**

**Approve** the petition and charter, as revised by the attached list, to establish Oakland Aviation High School (OAHS), a new high school in Oakland, if the conditions on opening, listed below, are met and the school opens on or before September 30, 2006.

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

A charter may be revoked by the authority that granted the charter if the authority finds that the charter school committed a material violation of any of the conditions, standards, or procedures set forth in the charter [Education Code 47607(c)(1)]. The State Administrator's approval of this report shall incorporate the conditions on opening and associated deadlines as a condition of the charter and this report as notice of intent to revoke the charter approval 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; and the time from charter approval until the deadlines constitutes the reasonable opportunity to implement the cures [Education Code 47607(d)].

**Conditions on Opening – Present written evidence of each of the following to the Charter Schools Office.**

	<b>Deadline</b>
Projected monthly cash flow statement for the first fiscal year, July 1, 2006 – June 30, 2007.	February 1, 2006
Student supports and best practices that will be used to help students performing below grade level.	March 1, 2006
“Brain compatible” instructional program based on California State Standards with a strong emphasis on character development.	March 1, 2006
Student recruitment packet, including written description of OAHS program, WASC accreditation status, transferability of credits to neighboring public schools, all policies and procedures pertaining to indications of interest, and lottery schedule and procedures, and enrollment schedule in all languages as distributed.	May 1, 2006
Outreach Plan (to be updated annually, per charter)	June 1, 2006
Budget, calendar, program description, and formative assessment for Summer Bridge Program for in-coming 9 <sup>th</sup> graders.	June 1, 2006
Description of Leadership Training to be provided to parents, principals, teachers and support staff by Oakland Community Organizations (OCO).	June 1, 2006
Copy of School Information provided to CDE annually by May 31 (plus any updates in future years).	June 1, 2006
OAHS Articles of Incorporation and draft OAHS Bylaws	Included w/ charter
Names and contact information for governing board members (list to be updated annually).	July 1, 2006
Calendar of governing board meeting dates, time, location (to be updated annually).	July 1, 2006
OAHS Emergency Preparedness Handbook	July 1, 2006
Blood Borne Pathogens Exposure Control Plan	July 1, 2006
Drug, Alcohol and Smoke Free Environment Policy and Procedures	July 1, 2006
Draft of site specific Health and Safety Plan for operating at Oakland Airport	August 1, 2006
Adopted board policies aligned with the principles of the Brown Act, the Political Reform Act, and adopted policies and procedures regarding self-dealing and conflict of interest.	August 1, 2006
Student Handbook and student registration packet, including all policies and procedures pertaining to health and safety, homework, attendance, discipline, suspensions and expulsions, in all languages as distributed.	August 1, 2006
Uniform Complaint Process	August 1, 2006
Teachers hired--including name, d-o-b, assignments, credential status, qualifications (if any) to teach ELL students, evidence of current clear tuberculosis test, date of fingerprinting, date and outcome of background review by OAHS (list to be updated annually).	August 1, 2006
List of Founding Families whose children may receive admission	August 1, 2006

preference.

List of enrolled students, including name, d-o-b, last school prior to OAHS, home language, Oakland residency or not, and CSIS number (list to be updated in September and then annually). Because of the unusual focus of the OAHS program, the initial list must include at least 80 students as an indication of demand for the program.	August 1, 2006
MOU for special education services, if nonstandard agreement desired.	August 1, 2006
An executed lease for facility at Oakland Airport, or suitable comparable, noting occupancy on or before September 1, 2006.	August 1, 2006
Revised cash flow statement and 3-year projections if facility expenses are greater than amounts filed on these charter documents.	August 1, 2006
Executed agreement with College of Alameda for provision of faculty, shop facilities and training for OAHS technical program.	August 1, 2006
Executed agreement with College of Alameda to make college courses available to 11 <sup>th</sup> and 12 <sup>th</sup> grade students & description of how any fees are to be paid.	August 1, 2006
Executed agreement with local flying club to conduct flight training available in the summers to 10 <sup>th</sup> and 11 <sup>th</sup> grade students & description of how any fees are to be paid.	August 1, 2006
Standardized interdisciplinary rubrics, rules of behavior and methods of evaluation across all the disciplines	August 1, 2006
OAHS English Learner Plan	August 1, 2006
OAHS 504 Policy	August 1, 2006
OAHS Curriculum Map for first year	August 1, 2006
Schedule and location of field trips to be offered in 2006-07.	August 1, 2006
A list of which courses are non-core, non-college preparatory courses approved by OUSD.	August 1, 2006
Course catalog, or its equivalent, notifying parents about transferability of courses to other public high schools and the eligibility of courses to meet college entrance exams.	August 1, 2006
Measurable goals for project-based learning to be offered in 2006-07.	August 1, 2006
School-wide rubrics for writing, research, critical thinking, and behavior.	August 1, 2006
Formative assessments to be given at matriculation and beginning of first term courses.	August 1, 2006
12-month school calendar (to be updated annually), distinguishing dates with standard or reduced instructional time, and noting vacation days (update annually).	August 1, 2006
Certification of instructional hours to be provided in 2006-07 (update annually).	August 1, 2006
Commercial general liability insurance (naming OUSD as an additional insured) for not less than \$1,000,000 per incident and workers' compensation insurance.	August 1, 2006

## **SUMMARY:**

This report recommends that the OUSD State Administrator and Board of Education approve the petition and charter to open OAHS in August 2006 (p. 62) at the Oakland Airport, or a comparable location, under California's Charter School Act if all conditions on opening are met and the school opens by September 30, 2006. Staff recommends approval based on factual findings, specific to this particular petition.

The OHHS petition was submitted to the OUSD State Administrator and Board of Education on November 2, 2005. Leah Casey is the Lead Petitioner. The State Administrator conducted a public hearing on the proposal on November 30, 2005. OAHS and the District have mutually agreed to extend the time for deliberation and decision-making, as allowed by Charter Law. The petition, signed by 12 teachers who are meaningfully interested in teaching at the new school, asks the State Administrator to authorize a charter that provides the following:

- a rigorous college preparatory program (p. 13);
- technical training to all students that helps students develop the technical and personal qualities necessary for a successful career in aviation and business (p. 13);
- General Aviation (GA) and Aviation Maintenance Technician (AMT) aviation lab courses beginning in 10<sup>th</sup> grade;
- Courses in private pilot license ground school training, customer service, office administration, introduction to business, and accounting (p.24);
- Students enrolled in the AMT strand can graduate high school with an FAA Aviation Maintenance Certificate - Airframe Rating and earn a Power Plant Rating with a 5<sup>th</sup> year of study at the College of Alameda;
- an extended day (7.5 hours);
- an extra period for English or math practicum to guide students to proficiency or to facilitate deeper research in an area of particular interest (p. 18);
- Spanish I and Fine Arts as an option, instead of double math or English, for students already performing at grade level (p. 26);
- periodic math Saturdays, after school tutoring, and outside tutoring (p. 19);
- at least 2 home visits each year to discuss progress in individual Personal Learning Plans (p. 19); and
- elective courses at the College of Alameda in the 11<sup>th</sup> and 12<sup>th</sup> grades, including advanced courses not available on the OAHS campus (p. 26).

The petitioners propose to open with **100 students in grade 9 in August 2006**, adding one grade per year in subsequent years, and growing to a total enrollment of 400 in grades **9-12 in 2009**.

### **Admission Preferences**

Returning OAHS students (Year 2 and beyond) are automatically admitted to the school. For all seats in Year 1 and all vacant seats in the years after, the following admission preferences would apply in order as sequenced below:

1. Siblings of current students;
2. Children of charter school employees;

3. Children whose parents served on the Charter School Design Team (Founding Families);
4. Students from E. C. Reoms Academy, up to 10% of the slots in the Charter School  
*[requested but deleted; OUSD consistently refuses to approve feeder school relationships among charter schools]*
5. Children of Airport employees and airport tenants
6. Students from Oakland Unified School District.
7. All other California residents.

### **Measurable Outcomes**

As part of OAHS's performance contract with OUSD, the school commits to achieving the following measurable outcomes (p. 30-31):

- Average daily attendance (ADA) at OAHS will meet or exceed 95% by end of the charter term;
- 90% of OAHS students will graduate;
- Each student will improve individual CST composite scores each year;
- At least 15 OAHS seniors per year will graduate with General Aviation and Airframe Maintenance Certification from the FAA;
- At least 95% of OAHS graduates will enter college, an entry-level position in the aviation industry, or begin a business career;
- 90% of OAHS students will pass CAHSEE by end of 12<sup>th</sup> grade;
- OAHS will meet API growth rates each year;
- OAHS will equal or exceed OUSD API growth rates;
- OAHS will achieve AYP growth rates each year;
- OAHS will equal or exceed OUSD AYP growth rates each year.

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

### **BACKGROUND:**

California's Charter Law is very clear regarding the approval or denial of charter school proposals. The following excerpt is taken from section 47605 of the California Charter Schools Act. This excerpt delineates charter approval and denial criteria.

*A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice.*

*The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:*

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.*
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.*
- (3) The petition does not contain the number of signatures required by subdivision (a).*
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).*
- (5) The petition does not contain reasonably comprehensive descriptions of all of the [required charter elements.]*

### **DISCUSSION:**

The petition as revised contains reasonably comprehensive descriptions of all required charter elements. A summary of revisions is attached to this report. Staff believes that the OAHS instructional model is likely to succeed in preparing high school students in Oakland for higher education or satisfactory employment. Parents and students are encouraged to be mindful of the emphasis of this program when considering enrolling at OAHS.

### **RECOMMENDATION:**

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

1 Attachment: Charter Revisions

Attachment 1

**Revisions to Oakland Aviation High School Charter**

- **Conditions on opening and associated deadlines** listed in this report are incorporated as conditions of the charter.
- **Term of charter** shall commence on January 25, 2006 and expire five years later on January 24, 2011 (p. 62).
- **Table of Contents of Legal Requirements** – Page numbers are inaccurately listed. Correct the listing and include reference to the charter element(s) A-P that the listings reflect.
- **Transfer of Courses/College Entrance Requirements** – OAHS will offer [not “seek to offer”] a high school program that meets the A-G requirements for admission to UC/CSU (p. 14).
- **School-wide Outcomes** – OAHS will reach [not “strive to reach”] a CAHSEE pass rate of 90% and a four-year graduation rate of at least 90% (p.30).
- **Performance Review** – Amend and add “The Charter School and Charter Schools Office [not the District Board of Education] will jointly develop the content, evaluation criteria ... The Charter School and Charter Schools Office [not the District Board of Education] will also jointly develop...compliance with the terms of the charter. In addition, the District may inspect or observe the school at any time without prior notice and retains the authority to assign or subcontract any oversight responsibilities if it chooses.” (p. 38).
- **Board of Directors** Amend passage regarding District appointee to OAHS Board as follows (p. 39):

“The District may appoint any person to serve on the OAHS Board of Directors and may choose for this person to be either a voting or nonvoting member.”
- **Disputes between the District and the School** – Amend passage to include “or designee” following “Superintendent” at each occurrence. Amend latter portion of second paragraph, regarding mediation, as follows:

“If this joint meeting fails to resolve the dispute, the District will consider joining the School in non-binding third-party mediation. If the Superintendent or designee and the Executive Director/Principal agree to this course of action, they will jointly discuss timelines. Each party will be responsible for its own costs.”
- **Internal Disputes** – Add the following text, “...or unless the District believes there may be an immanent threat to the health or safety of any student at the school, in which case the district may immediately intervene (p. 50)
- **Student Admission Policies and Procedures** – For consistency with charter text on page 3 and 4, add the following to the list of characteristics that will not be considered when admitting students: religious preference, sexual orientation, or perceived sexual orientation (p. 51).

- **Enrollment Preferences** – Omit “Students from E.C. Reems Academy, up to 10 percent of the slots in the Charter School.” (p. 51)
- **Founding Families** – The families qualifying for admission preference because they participated on the School Design Team will be permanently established at the opening of OAHS, will not expand, and will gradually expire as the children of Founding Families complete their high school education (p. 51-52)
- **Application to the State Board of Education for a Waiver** – The District does not support OAHS’s desire for a waiver that would permit allocations of student admissions based on residency (70% from Oakland, 15% from Alameda, and 15% from San Leandro). This would totally eliminate the opportunity for youth from other California communities to choose this charter school, which is in direct opposition to Charter Law’s intent to promote school choice (p. 52).
- **Financial Statements** – Cash flow statement required by charter law should demonstrate revenue sufficient to cover expenses each month during the first year.