

## Office of Charter Schools

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5/7/08

School Leader,

Please accept the following information as guidance to support you in formally submitting a Material Revision to the State Administrator/ Board of Education for consideration of your request.

Requests for a material revision to a charter that has been approved by the Oakland Unified School District must adhere to the following statutory and policy expectations. Following this section, an outline of expected components for submission is provided.

### Material Revisions

#### **Education Code Section 47607**

(a)(2) Renewals and **material revisions of charters shall be governed by the standards and criteria in Section 47605**, and shall include, but not be limited to a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

#### **Education Code Section 47605**

(a)(1) [...] The petition may be submitted to the governing board of the school district for review after either of the following conditions are met:

**(A)** The petition has been **signed by a number of parents or guardians of pupils that is equivalent to at least one-half of the number of pupils** that the charter school estimates will enroll in the school for its first year of operation.

**(B)** The petition has been **signed by a number of teachers that is equivalent to at least one-half of the number of teachers** that the charter school estimates will be employed at the school during its first year of operation.

[...]

**(3)** A petition shall include a prominent statement that a signature on the petition means that the parent or guardian is meaningfully interested in having his or her child, or ward, attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

[...]

6(b) [...] 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 [required charter elements].*

## **OAKLAND UNIFIED SCHOOL DISTRICT**

### **Board Policy BP 0420.4 Philosophy, Goals and Objectives: Charter Schools**

*(Sections relevant to Materials Revisions)*

Charters may not be unilaterally amended. Material revisions of the provisions of a charter require Board approval. The Superintendent or designee shall develop Administrative Regulations, consistent with Board Policy, for the review and approval of material revisions of the provisions of a charter.

All requests for new charters, major amendments, charter renewals, and conversions must be filed at a regular meeting of the Board, in forms and formats and by process defined in the Administrative Regulations, consistent with Board Policy. All filings must be complete as submitted to the public record. The Board will consider petition signatures that are more than six months old upon petition filing to be stale and will disregard them.

## **OAKLAND UNIFIED SCHOOL DISTRICT**

### **Administrative Regulation AR 0420.4 Charter Schools**

*(Sections relevant to Materials Revisions)*

All requests for new charters, major amendments, charter renewals, and conversions must be filed at a regular meeting of the Board. Each filing must include one original submission plus five printed copies and [...] one copy of the entire submission, exactly as filed, in PDF format, with bookmarks, identical to the table of contents, on a CD-RW. The electronic copies of the required documents may be submitted as separate files on the same CD.

Each filing should include a concise statement (250 words or fewer) of how the charter will fulfill the intent of the California Charter Schools Act, and a one-page summary listing the name of the entity requesting the charter, the proposed name of the charter school, the grades to be served upon opening, the proposed opening month and year, the grades to be served at full development, the proposed location of the school, and the Lead Petitioner's name, mailing address, telephone number and email address. All pages must be numbered.

The submission must include one set of original dated petition signatures with contact information enabling signature verification as required in the California Charter Schools Act and the District's administrative procedures.

District staff will advertise a Board public hearing within 30 days of a filing and initiate staff work to support a recommendation to the Board for action within 60 days of filing. Petitioners and the District may mutually agree to extend the decision-making process for up to 30 additional days. Concurrence will be recorded in writing and signed by both parties. (cf. Education Code 47605(b))

Petitioners will be allotted ten to fifteen minutes for a presentation at the public hearing. If petitioners wish to include an electronic presentation program (e.g., PowerPoint), they must provide an electronic copy on a CD-ROM or as an email attachment to the Executive Secretary of the Governing Board at least twenty-four hours prior to the public hearing and must bring a laptop computer and projector. The District will provide the viewing screen.

**A Material Revision Request should, at a minimum, address the following:**

- 1) Speak to the educational soundness of the proposed revision, particularly within the context of the terms and conditions outlined in the originally approved charter petition.
- 2) Speak to the capacity of the petitioners to successfully implement the proposed changes taking into consideration the over-all educational program, specifically referencing the capacity of:
  - a. The Charter Management Organization (CMO) *if applicable*
  - b. The school site leadership
  - c. The school as a whole (*e.g. facilities, staffing, resources, etc.*)
- 3) Include a complete copy of the **originally approved charter petition** with a ***track changes*** to indicate the proposed revision/s pursuant to the guidelines outlined in the Administrative Regulations above.
- 4) Include a ***single*** complete hard copy and an electronic copy of the **revised charter petition** pursuant to the guidelines outlined in the Administrative Regulations above.
- 5) Include the required signatures pursuant to Education Code Section 47605 and the Administrative Regulations outlined above.
- 6) Include an affirmation of all required statements signed by the lead petitioner as defined in Education Code Section 47605.

Your request for a Material Revision must be submitted at a regularly scheduled Governing Board meeting during the Public Comment section of the agenda. You will need to submit a Speaker Card for that portion of the agenda in order to submit your Material Revision Request.

If you have any questions, please do not hesitate to contact me.

Sincerely,



David Montes de Oca  
Coordinator, Office of Charter Schools