

ALAMEDA UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM

EXHIBIT

F-6

**Meeting Date:** January 25, 2011

**Item Title:** Staff Report on Resolution No. 11-0006: Bay Area School of Enterprise (BASE) Charter Renewal

**Item Type:** Information

**BACKGROUND:** On November 23, 2010, AUSD Board of Education received a charter renewal petition from the Bay Area School of Enterprise (BASE). The Board is required by law to grant or deny the petition within 60 days of the Public Hearing held on January 11, 2011 or within 90 days with the consent of the petitioners and the Superintendent.

Tonight the Board of Education will receive the staff recommendation to inform the Board of Education prior to approving or denying the BASE Charter Renewal on February 8, 2011.

**FISCAL IMPLICATIONS:** Since BASE is an existing charter school, the fiscal implications for AUSD are expected to be minimal.

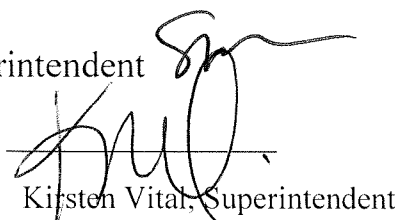
**RECOMMENDATION:** Receive staff report and recommendation to approve or deny the petition to renew the charter for the BASE on February 8, 2011.

**AUSD Guiding Principles:**

1. All students have the ability to achieve academic and personal success.
4. Parental involvement and community engagement are integral to student success

**Submitted by:** Sean McPhetridge, Assistant Superintendent

**Approved for Submission to Board of Education**

  
Kirsten Vital, Superintendent

ALAMEDA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 11-0006

**Petition to Renew Operation of the Alternatives in Action (AIA) Bay Area School of Enterprise (BASE) Charter School (Subject to Execution of Revisions, Conditions and Memoranda of Understanding)**

*WHEREAS*, the California Legislature has charged local school boards with reviewing and acting on petitions for establishment and operation of charter schools; and

*WHEREAS*, Alternatives in Action (AIA) as a California non-profit corporation has delivered a Charter School Petition (“Petition”) to the Alameda Unified School District (“District”) to renew operation of the Bay Area School of Enterprise (BASE) (“Charter School”); and

*WHEREAS*, a Petition for renewal of the charter of the Bay Area School of Enterprise was received by the District’s Board of Education (“Board”) on November 23, 2010, and a public hearing was conducted on January 11, 2011, pursuant to Education Code Section 47605, to consider the level of public support for the Charter School by teachers employed by the District, other employees of the District, and parents; and

*WHEREAS*, the Board considered the level of support expressed at that public hearing for the Petition by teachers employed by the District, other employees of the District, and parents; and

*WHEREAS*, the Board has obtained, reviewed, and analyzed the Petition and all information received with respect to the Petition, including all exhibits and supporting documentation; and

*WHEREAS*, in reviewing the Petition, the Board has been guided by the intent of the California Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.

*NOW, THEREFORE*, the Board does hereby grant the Petition, with the following revisions to the charter and conditions. Should Petitioners fail to make the required revisions and meet the following conditions; the Petition shall be deemed to be denied pursuant to this resolution. The Memoranda of Understanding, once executed, shall be affixed to the charter, shall be incorporated by reference thereto, and the terms and conditions of the Memoranda of Understanding shall be treated as having full force and effect as if contained within the charter.

Petitioners shall make the following required revisions and meet the following conditions according to the timelines set forth herein:

Charter Text	Text Reference	Required Revision(s)
3.6 Students with Special Needs	Page 36	Both IDEA and IDEIA are used in the document: revise and use one or the other. Capitalize (District) and (Special Education) consistently throughout the document.
	Page 36	Paragraph 4: revise first sentence to read: <i>Students are pulled out (add) upon occasion when it is determined by the IEP team that it is necessary for the student to receive educational benefit, to maintain FAPE (remove) upon-occasion-for targeted small group....</i>
Services for Students under the "IDEIA"	Page 38	Third paragraph: Revise second sentence to read: <i>BASE will comply with District protocol as to the delineation of duties between the District (add) Special Education Department (remove) central-office and the local school site....</i>
12 Student Suspension and Expulsions	Page 68	Add the following sub section and text: 12.6 Disciplinary Records <i>BASE shall maintain records of all student suspensions and expulsions at the Charter School. BASE shall notify the Superintendent of AUSD of an expelled student's name, provide last known address (if Alameda resident) and send a copy of student's cumulative record to the district.</i>
18 Charter-Related Issues	18.2 Page 73	Add the following text: <i>Material changes must comply with AUSD Board Policy and Administrative Regulations regarding charter schools.</i>
20 District Impact  Report Facilities	20.1 Page 77	Remove current language in this section. AIA and AUSD are negotiating a new lease agreement.  Add: <i>AIA is currently not utilizing a Proposition 39 request for facilities for BASE. Instead AIA will negotiate a long term lease to support the facility needs of the AIA programs including BASE. BASE reserves the right to apply for facilities under Prop 39 following all state regulations and timelines in the future.</i>
Administrative services	20.2 Page 77	Remove current language in paragraph 1. Add: <i>AIA chose to negotiate leased space to meet the needs of the programs currently based at the Woodstock Education Center site. The district may charge for the actual costs of supervisory oversight of BASE not to exceed 1% of the charter school's revenue. Should BASE decide to utilize Prop 39 to apply for facility space, the supervisory oversight of BASE shall not exceed 3%. The district may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time. Ed. Code Section 47613</i>

<b>Date Due</b>	<input type="checkbox"/>	<b>Condition</b>	<b>Monitor</b>
<b>Governance</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit the names and contact information for BASE and Alternatives in Action Boards of Directors, along with Board meeting dates, times, and locations *	Asst. Supt.
	<input type="checkbox"/>	Submit Organizational Chart	
	<input type="checkbox"/>	Submit resumes for any new member of the BASE and ALTERNATIVES IN ACTION Boards of Directors that was not included in the Approved Charter	
	<input type="checkbox"/>	Submit bylaws approved by the BASE and ALTERNATIVES IN ACTION Boards of Directors	
	<input type="checkbox"/>	Submit BASE and ALTERNATIVES IN ACTION Board Policies aligned with the principles of the Brown Act, the Political Reform Act, and policies and procedures regarding self-dealing and conflict of interest	
	<input type="checkbox"/>	Submit any changes to the BASE and ALTERNATIVES IN ACTION Boards of Directors, and/or governance documents*	
	<input type="checkbox"/>	Submit a description of the specific methods to be used for selecting members of the BASE and ALTERNATIVES IN ACTION governing boards along with those and for removing members, if necessary	
	<input type="checkbox"/>	Submit a description of the specific methods for resolving conflicts of interest for members of the governing boards	
<b>Nutrition Services Program</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit written assurance identifying the terms of a contract with an external food service provider, or whether or not the school wishes to contract food services through the District	Chief Financial Officer
<b>Complaint Procedure</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit Comprehensive Complaint and Investigation Process approved by the BASE Board of Directors to include the internal Dispute Resolution Policy	Asst. Supt.
	<input type="checkbox"/>	Submit Uniform Complaint Process approved by the BASE and ALTERNATIVES IN ACTION Boards of Directors, posting location(s) and method of notifying parents of this annually	
	<input type="checkbox"/>	Submit Comprehensive Anti-Harassment Policies and Procedures approved by the BASE and ALTERNATIVES IN ACTION Boards of Directors regarding sexual harassment or other harassment based on gender, race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability	
<b>Student Learning Time</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit certification of instructional hours to be provided in 2011-12*	Asst. Supt.
	<input type="checkbox"/>	Submit adopted 12 month school calendar distinguishing dates with standard or reduced instructional time and noting vacation days*	
<b>Student Assessments</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit name of the staff person responsible for administering all state mandated tests for the school	Asst. Supt.
	<input type="checkbox"/>	Submit plan describing the specific methods to be used for measuring student outcomes with clear, measureable goals and criteria for pupil outcomes, including baseline goals and benchmarks	
	<input type="checkbox"/>	Submit a timeline and calendar for administering all state mandated tests	

<b>Code of Conduct, Student Handbook, and Recommended Policies</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit Student Handbook, (Prepare student handbook and registration materials – to include the enrollment schedule, school calendar, all policies and procedures pertaining to health and safety, homework, attendance, discipline, suspension and expulsions – in all languages as distributed)	Asst. Supt.
	<input type="checkbox"/>	Submit Code of Conduct approved by the BASE and ALTERNATIVES IN ACTION Boards of Directors	
<b>Financial Organization</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Finalize Memorandum of Understanding with District regarding Fiscal Issues	Chief Financial Officer
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit copy of the school’s Annual Information Sheet & Funding Survey to the CDE (plus annual filings to be provided to CDE by June 1, 2009)	
	<input type="checkbox"/>	Submit the school’s Fiscal Policies and Procedures	
	<input type="checkbox"/>	Submit description of the manner in which audit exceptions and deficiencies will be resolved to the satisfaction of AUSD	
	<input type="checkbox"/>	Submit proof of contracts regarding the services for which it intends to contract	
<b>School Facility and Building Safety</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit Blood Borne Pathogens Exposure Control Plan	Chief Financial Officer
	<input type="checkbox"/>	Submit Facilities Safety and Evacuation Plan	
	<input type="checkbox"/>	Submit Emergency Preparedness Handbook approved by the BASE and ALTERNATIVES IN ACTION Boards of Directors	
	<input type="checkbox"/>	Submit Drug, Alcohol, and Smoke Free Environment approved by the BASE Board of Directors	
	<input type="checkbox"/>	Submit proof of a contract regarding custodial or maintenance services	
	<input type="checkbox"/>	Submit plan to comply with state and federal laws regarding environmental protection	
	<input type="checkbox"/>	Submit plan for staff training on emergency situations	
<b>June 1, 2011</b>	<input type="checkbox"/>	Finalize Memorandum of Understanding with District regarding Facilities Issues	
<b>BASE must also provide the following unless facilities are those provided by the District pursuant to Proposition 39 or AUSD lease agreement</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit a copy of an executed lease or deed for a facility, or suitable comparable facility use agreement, noting occupancy on or before July 1, 2011 or no later than 45 days prior to the start of instruction	
	<input type="checkbox"/>	Submit written assurance that the facility selected for the school is programmatically accessible to physically handicapped individuals	
	<input type="checkbox"/>	Make available for inspection a current Certificate of Occupancy	
	<input type="checkbox"/>	Make available for inspection a current Fire Inspection Certificate	
	<input type="checkbox"/>	Make available for inspection a current Building Safety Inspection Certificate	
	<input type="checkbox"/>	Make available for inspection a current Health Inspection	
	<input type="checkbox"/>	Make available for inspection a current Asbestos Inspection Report and Management Plan	
<b>Special Education Program Plan</b>			
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit adopted 504 Plan, Policy, and Procedures	
	<input type="checkbox"/>	Submit Special Education Identification, Assessment, Program and Services Plan	
	<input type="checkbox"/>	Submit plan for administering all state mandated tests for the school for special education students	

<b>Budget and Cash Flow</b>				
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit 2 paper copies (in addition to an electronic version) of an updated and revised cash flow statement and 3-year projections. Include revised facility expenses	Chief Financial Officer	
<b>School Health Plan and Medications Administration Plan</b>				
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit School Health Plan (to comply with immunization audit, hearing and vision screening requirements) and Medications Administration Plan	Asst. Supt.	
	<input type="checkbox"/>	Submit plan for staff regarding administration of prescription medication, including insulin shots		
	<input type="checkbox"/>	BASE will submit health, safety, and risk management policies		
<b>Insurance Policies</b>				
<b>June 1, 2010</b>	<input type="checkbox"/>	Submit evidence of commercial general liability insurance held by BASE for not less than \$1,000,000 per incident (including the District as additionally insured)	Chief Financial Officer	
	<input type="checkbox"/>	Submit evidence of fidelity bond coverage held by BASE for not less than \$50,000 per occurrence and workers' compensation insurance		
<b>Instructional Staff</b>				
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit employee handbook, including policies and procedures that ensure the health and safety of students and staff		
	<input type="checkbox"/>	Submit a description of the plan for the inspection and monitoring of credentials (i.e., a description of the process for handling credential checking and other personnel matters)		
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit a list of teachers hired – including name, DOB, assignments, subject matter certification and credential evidence, qualification to teach ELL students, evidence of current clear tuberculosis test, date of fingerprinting, date of background review*		
	<input type="checkbox"/>	Submit proof of a contract regarding required background checks		
	<input type="checkbox"/>	Submit list of teachers requiring Beginning Teacher Support and Assessment		
	<input type="checkbox"/>	Submit personnel policies approved by the BASE Board of Directors		
	<input type="checkbox"/>	Submit description of the process by which BASE will communicate to prospective employees any rights of return those employees may or may not have to AUSD		
<b>Programming Plans</b>				
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit English Learner Plan (adopted policies and procedures that pertain to use of a home language survey and mandatory CELDT testing)		Asst. Supt
	<input type="checkbox"/>	Submit a list of which courses the school considers non-core, non-college preparatory courses		
	<input type="checkbox"/>	Submit a course catalog, or equivalent, notifying parents about transferability of courses to other public schools and the ability of courses to meet college entrance requirements		
	<input type="checkbox"/>	Submit a year one curriculum map		
<b>All Other Staff/Volunteers</b>				
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit description of the specific credentials/qualifications of non-certificated charter school staff (counselors, librarians, administrators, nurses and others)	Chief Human Resources Officer	
<b>June 1, 2011</b>	<input type="checkbox"/>	Submit list of all other school employees, on-site contractors, and volunteers working directly with students – including name, position, and evidence of current clear tuberculosis test, date of fingerprinting, and date and outcome of background review in accordance with District policy*		

<b>Evaluation of School Leader, School Administrators, and Teachers</b>			
June 1, 2011	<input type="checkbox"/>	Submit performance evaluation criteria and evaluation plan templates for school site leader/administrator and teachers	Chief Human Resources Officer
<b>Professional Development for School Administrators and Teachers</b>			
June 1, 2011	<input type="checkbox"/>	Submit professional development plans for school site leader(s), administrator(s), and teachers	Asst. Supt.
<b>Attendance Reporting</b>			
June 1, 2010	<input type="checkbox"/>	Submit for review the attendance accounting system	Chief Financial Officer
<b>Additional Information</b>			
June 1, 2011	<input type="checkbox"/>	One District representative must be included on the BASE and on the ALTERNATIVES IN ACTION Boards of Directors	Asst. Supt.
June 1, 2011	<input type="checkbox"/>	Submit the names and contact information of the BASE and ALTERNATIVES IN ACTION Governing Board members along with Board meeting dates, times, and locations*	
June 30, 2011	<input type="checkbox"/>	Provide a copy of written internal complaint and dispute resolution policy	
<b>Risk Management Program</b>			
September 1 – * Annually	<input type="checkbox"/>	Submit a report of the risk management program operation with the following components – Designated Safety Officer, Injury Illness Prevention Plan, Hazard Communication Program, Emergency Plan, Annual Safety Inspections	Chief Financial Officer
October 1 – * Annually	<input type="checkbox"/>	Submit evidence of the following training: Bloodborne Pathogen Training, Employee Safety Training	
<b>Student Demographic Report</b>			
Not later than October 31, * Annually	<input type="checkbox"/>	Submit annually a report of enrollments showing each student's demographic information, including home address, grade level and school of attendance in the prior fiscal year.	Asst. Supt.
<b>Statement of Facts Roster</b>			
October 31 – * Annually	<input type="checkbox"/>	Submit the current State of Facts Roster of Public Agencies as required by Government Code Section 53051	Asst. Supt.
<b>Evaluation of the Educational Program/General Operations</b>			
January 1 – * Annually	<input type="checkbox"/>	Furnish to the District an annual written report and evaluation of its educational program and general operation in accordance with the Approved Charter and the Educational Code.	Asst. Supt.
<b>Fiscal Reporting - * Annually</b>			
On or before June 15	<input type="checkbox"/>	A preliminary Budget	Chief Financial Officer
On or before July 15	<input type="checkbox"/>	A final Budget	
On or before July 15	<input type="checkbox"/>	Annual Attendance Reports for Period 1 and Period 2	
On or before September 15	<input type="checkbox"/>	A final, unaudited report for the prior school year, derived from the Charter School's general ledger, reflecting actual revenues and total expenditures	
On or before December 15	<input type="checkbox"/>	An interim financial report. This report, derived from the Charter School's general ledger, shall reflect actual revenues and expenditures as well as budget activity and changes through October 31	

<b>On or before March 15</b>	<input type="checkbox"/>	A second interim financial report. This report, derived from the Charter School's general ledger, shall reflect actual revenues and expenditures as well as budget activity and changes through January 31.	
<b>On or before Dec. 15</b>	<input type="checkbox"/>	Annual Audit Report	
<b>Employment Audit - *Annually</b>			
<b>No later than the workday immediately prior to the first day of student instruction- * Annually</b>	<input type="checkbox"/>	Submit a list of all employees verifying TB clearance	Chief Human Resources Officer
	<input type="checkbox"/>	Submit a list of certificated employees verifying credentials held as well as the expiration date for each credential	
	<input type="checkbox"/>	Verification that all employees who have submitted fingerprints prior to employment were found eligible to work for a public school	
	<input type="checkbox"/>	Master Schedule listing all teaching assignments	

### Ongoing Concerns

While BASE is lauded for its aim to provide a UC “a-g” curriculum for all students, it is crucial school administrators and staff continues their ongoing efforts to focus on instructional rigor in the classroom to achieve a vision of adequately preparing students for post-secondary success. The Charter Renewal Site Visit Review Report indicates there still remains considerable work with regard to BASE’s Special Education students, particularly with regard to bringing BASE into legal compliance with students’ IEPs and 504 Plans. That document also names a need for training and support of teachers through professional development to provide research-based curriculum and instructional strategies to support students with serious skill deficits and learning disabilities in reading, writing and/or mathematics.

While adoption of a value-added assessment system (i.e., NWEA MAP) is of potential benefit to BASE’s instructional program, work is required to help school staff create formative assessments that will also regularly measure student progress in BASE classroom learning and help inform ongoing instructional improvement. Meanwhile, a Western Association of Schools and Colleges (WASC) Accreditation Report from March of 2010 indicated how BASE must now focus on instructional program coherence through collaborative curriculum development and continued efforts at better use of student performance data to drive instructional improvement, particularly in mathematics. Finally, it is the expectation of both WASC external and AUSD internal site visit teams that BASE must now focus on improving classroom instruction through offering increased professional development to BASE staff going forward.

### Conclusion

The Board finds that, as set forth above, the Petition satisfies the five legally required categories set forth in Education Code Section 47605 and at least one of the four criteria for academic achievement set forth in Education Code Section 47607.

For all of the forgoing reasons, the Board hereby approves the Petition for renewal of the charter of the Bay Area School of Enterprise (BASE).



*APPROVED, PASSED AND ADOPTED* by the Board of Education of the District on the 8<sup>th</sup> day of February, 2011, by the following vote:

Ayes:           Members:

Noes:           Members:

Absent:         Members:

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Ron Mooney  
President of the Board of Education  
Alameda Unified School District

# **Decision Regarding the Bay Area School of Enterprise (BASE) Charter Renewal Petition**

**Board of Education  
January 25, 2011**

ALAMEDA UNIFIED SCHOOL DISTRICT  
Excellence & Equity For All Students

## **Background**

- The BASE charter renewal petition was submitted to AUSD on November 23, 2010 at a regularly scheduled Board of Education meeting.
- The Board of Education held a public hearing on January 11, 2011.
- The Board of Education is required by law to grant or deny the petition within 60 days of January 11.
- The staff report is before you tonight for your review.
- A decision to approve or deny the BASE charter renewal petition will be February 8, 2011.

## Criteria for Denying Charter Petition

Education Code 47605

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
  - The BASE charter renewal petition presents a **sound** educational program:
    - Meeting UC "a-g" requirements is a graduation requirement for all BASE students. To this end, college readiness has continued to be a core area of focus.
    - The BASE Theory of Action (section 3.1), the youth outcomes (Section 3.2) and the school-wide action plan (4.1) serve as the framework for curriculum coherence.

## Criteria for Denying Charter Petition

- All coaches return to school a month before the school start date to review and customize curriculum. This time is also used to assess specific student needs and ensure that each student is making appropriate progress toward graduation goals.
- Individual students are supported to take a customized course of study to support either remediation needs, advanced work or career interests.

## Criteria for Denying Charter Petition

2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

- The petitioners and Board members are capable individuals with experience in public education and with charter schools.

3. The petition does not contain the number of signatures required by subdivision (a). A petition must be signed by one of the following:

- a. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the charter school for its next year of operation.
- b. A number of teachers equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its next year of operation.

BASE selected (b): The petition contains the **required** signatures.

## Criteria for Denying Charter Petition

4. The petition does not contain an affirmation of each of the conditions described in Education Code 47650 (d).

- The petition **does** contain an affirmation of each of the required conditions contained in Education Code Section 47605(d) (1).

5. The petition does not contain reasonable comprehensive descriptions of the charter provisions in Ed Code 47605 (b) listed in "Components of Charter Petition" above.

- The petition **does** contain reasonable comprehensive descriptions of the 16 required charter elements.

## **Additional Criteria for Denying Charter Renewal Petition**

In addition to the five criteria set forth in Education Code d 47605, Education Code 47607 (b) requires of a charter renewal that the charter school meet at least on of the following criteria:

- (1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
- (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
- (3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

## **Additional Criteria for Denying Charter Renewal Petition**

- (4) Academic performance of the charter school is at least equal to the academic performance of the public schools that the charter schools pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.
  - BASE attained its Academic Performance Index (API) growth target in the 2009-10 School year with 71 points growth.

## Ongoing Concerns

- While BASE is to be lauded for its aim to provide a UC “a-g” curriculum for all students, it is crucial school administrators and staff continue the school’s ongoing efforts to now focus on instructional rigor in the classroom to achieve its vision of adequately preparing students for post-secondary success.
- The Charter Renewal Site Visit Review Report indicates there still remains considerable work with regard to BASE’s Special Education students, particularly with bringing BASE into legal compliance with students’ IEPs and 504 Plans.
- That document also names a need for training and support of teachers through professional development to provide research-based curriculum and instructional strategies to support students with serious skill deficits and learning disabilities in reading, writing and/or mathematics.

## Ongoing Concerns

- While adoption of a value-added assessment system is of potential benefit to BASE’s instructional program, work is required to help school staff create formative assessments that will also regularly measure student progress in BASE classroom learning and inform instructional improvement.
- The Western Association of Schools and Colleges (WASC) Accreditation Report from March of 2010 indicated how BASE must now focus on instructional program coherence through collaborative curriculum development and continued efforts at better use of student performance data to drive instructional improvement, particularly in mathematics.
- Finally, it is the expectation of both the WASC external and AUSD internal site visit teams that BASE must now focus on improving classroom instruction through offering increased professional development to BASE staff going forward.

## **Recommendation to Board of Education**

- Staff recommends that the AUSD Board of Education approve Resolution No. 11-0006 granting the charter renewal petition for the Bay Area School of Enterprise (BASE).
- The charter renewal petition satisfies the five legally required categories of Education Code 47605 as well as the additional criteria of Education Code 47607(b).
- If approved, the term of this charter renewal will be from July 1, 2011 through June 30, 2016.
- A charter may be revoked by the authority that granted the charter if the authority finds that the charter school has committed a material violation of any of the conditions, standards, or procedures set forth in its charter.

ALAMEDA UNIFIED SCHOOL DISTRICT  
Excellence & Equity For All Students

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Sean McPhetridge  
Assistant Superintendent  
2200 Central Avenue  
Alameda, CA 94501  
Phone 510.337.7063  
Fax 510.749.9532

TO: Superintendent Vital and Board of Education

FROM: Sean McPhetridge  
Assistant Superintendent

DATE: January 25, 2011

RE: Bay Area School of Enterprise (BASE)  
Charter Petition Request

### **ACTION REQUESTED**

Staff recommends the Board of Education approve the Bay Area School of Enterprise (BASE) petition for charter renewal because the charter school has been deemed to have met the standards set forth in the California Charter Schools Act and Education Code Sections 47605 and 47607 which govern charter school renewals. The previously approved BASE charter is amended from the filed petition to incorporate the included revisions, conditions and deadlines now set forth in the accompanying Board Resolution 11-0006.

As required by Education Code Sections 47605 and 47607, the petition meets the following criteria: the school presents a sound educational program; the charter petitioners are likely to successfully implement the program set forth in the petition; the petition contains the required signatures and affirmations; and the petition contains reasonably comprehensive descriptions of all 16 elements required by the California Charter Schools Act.

### **SUMMARY**

Staff now recommends the Board of Education approve the petition to renew the charter of the Bay Area School of Enterprise (BASE) under the California Charter Schools Act.

### **PROCEDURAL BACKGROUND**

- 1) A Representative from BASE submitted the BASE charter renewal petition on November 23, 2010 at a regularly scheduled Board of Education meeting.
- 2) A public hearing was held on January 11, 2011. Numerous representatives from the lead petitioning group presented to the Board of Education at that time.
- 3) Pursuant to Ed Code section 47605(b), BASE and AUSD mutually agreed to February 8, 2011 for AUSD to act on the charter renewal petition.



# ALAMEDA UNIFIED SCHOOL DISTRICT

Excellence & Equity For All Students

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## **School Description and Key Program Elements**

Opening Year	2001	Grades	9-12
Term Approval	2001-06 and 2006-2010	Attendance Area	Encinal High School
Renewal Date	June 2011	Board District	Alameda Unified
Term	Third	Funding	Charter

The following table depicts BASE enrollment growth and projected growth in 2011-2012:

<b>YEAR</b>	05-06	06-07	07-08	08-09	09-10	10-11	11-12
<b>GRADES</b>	9-12	9-12	9-12	9-12	9-12	9-12	9-12
<b>ENROLL</b>	90	89	95	86	116	113	120

## **School Vision**

Bay Area School of Enterprise (BASE)

*We envision generations of young adults who are inspired and prepared to transform their lives and their communities.*

## **Program's Distinguishing Features**

Bay Area School of Enterprise's education program includes the following features:

- Student data reflects a commitment to youth who have been unsuccessful or unchallenged in traditional schools, as well as those from underserved communities.
- BASE maintains graduation requirements equal to UC "a-g" requirements as evidence of its stated belief in the potential of all youth to go to college. High rates of graduation, college acceptance and post-secondary planning are all evidence of the strength of BASE's commitment to providing post-secondary options for all students.
- BASE remains a small learning community with small class sizes and high ratios of adults to youth, reinforcing its focus on fostering meaningful relationships among all community members.
- Social enterprises have remained a constant feature of the instructional program, consistent with BASE's original pedagogical philosophy.
- Youth performances continue to be required for all BASE students, both in the school's implementations of social enterprise projects and through Presentations of Learning.
- Youth-adult collaboration, distributed leadership and democratic principles are clearly demonstrated in youth projects, school management and governance.

## STATUTORY BACKGROUND

### ***Pursuant to Education Code § 47605***

Charter law outlines specific criteria governing the approval or denial of petitions for renewal of charter school petitions.

The following excerpt is taken from the Charter Schools Act, Education Code § 47605. This excerpt delineates criteria for charter approval and denial:

*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.*
- 4) The petition does not contain an affirmation of each of the conditions described in Education Code § 47605(d).*
- 5) The petition does not contain reasonably comprehensive descriptions of the 16 required charter elements.*

The following excerpt is taken from the Charter Schools Act, Education Code § 47607(b). This excerpt delineates additional requirements for charter renewal:

*Commencing on January 1, 2005, or after a charter school has been in operation for four years, whichever date occurs later; a charter school shall meet at least one of the following criteria prior to receiving a charter renewal pursuant to paragraph (1) of subdivision (a):*

- 1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.*
- 2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.*
- 3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.*
- 4) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.*

## DISCUSSION

Staff convened a review team comprised of leadership within the District. These individuals subsequently conducted a three day site visit and an evaluation of the petition pursuant to the Charter Schools Act and applying the Alameda Unified School District Charter School Board Policy and Administrative Regulations.

### **(1) The petition presents a sound educational program.**

The BASE educational program is improving and continues to be an ongoing area of focus for both the staff and their governing board.

- Academic test results confirm the BASE educational program is demonstrating growth (e.g., 71 point growth in 2010 API).
- Meeting UC “a-g” requirements is a graduation requirement for all BASE students. To this end, college readiness continues as a core area of focus.
- The charter renewal petition describes the BASE Theory of Action (Section 3.1 pg. 32), youth outcomes (Section 3.2 pg.33) and school-wide action plan (Section 4.1 pg. 43) that serve as the framework for the charter school’s curriculum coherence.
- All coaches (teachers) return to school a month before the school’s start date to review and customize curriculum. This time is also used to assess specific student needs and ensure that each student is making appropriate progress towards graduation goals.
- Individual students are supported to take a customized course of study to support either remediation needs, advanced work or career interests.
- Given a small student population at BASE and the fact that a majority of students enter below grade level, there is a specific focus on the use of Value Added Assessment measures as a key driver of instructional program improvement.
- BASE implemented the Northwest Evaluation Association (NWEA) Measures of Academic Progress (MAP) assessment in the 2008-2009 school year. MAP is a computer-based adaptive test that helps determine students’ skill levels in Reading, Mathematics, and Language Usage. These are key skill areas also tested on the California High School Exit Exam (CAHSEE) and other state tests.
- Evaluation of assessment data allows for targeted academic intervention and identification of specific youth needs. BASE staff continues to focus resources and attention in this area. MAP assessments were conducted in fall and spring semesters for areas listed above in 2009-2010. Science was added to assessments in 2010-2011.

**Academic Performance Data**

Academic performance data confirms that the BASE charter school educational program is improving with the school's continuing focus on data-informed instructional improvement. Thus, changes implemented by BASE in recent years are seen to be demonstrating growth in student academic performance (evidenced by a 71 point growth in 2010 API growth reports).

**Academic Performance Index (API) Growth Reports**

2005	601
2006	665
2007	597
2008	586
2009	509
2010	580

**Adequate Yearly Progress**

BASE met 6 out of 6 criteria on Adequate Yearly Progress (AYP) measures in 3 out of 5 years.

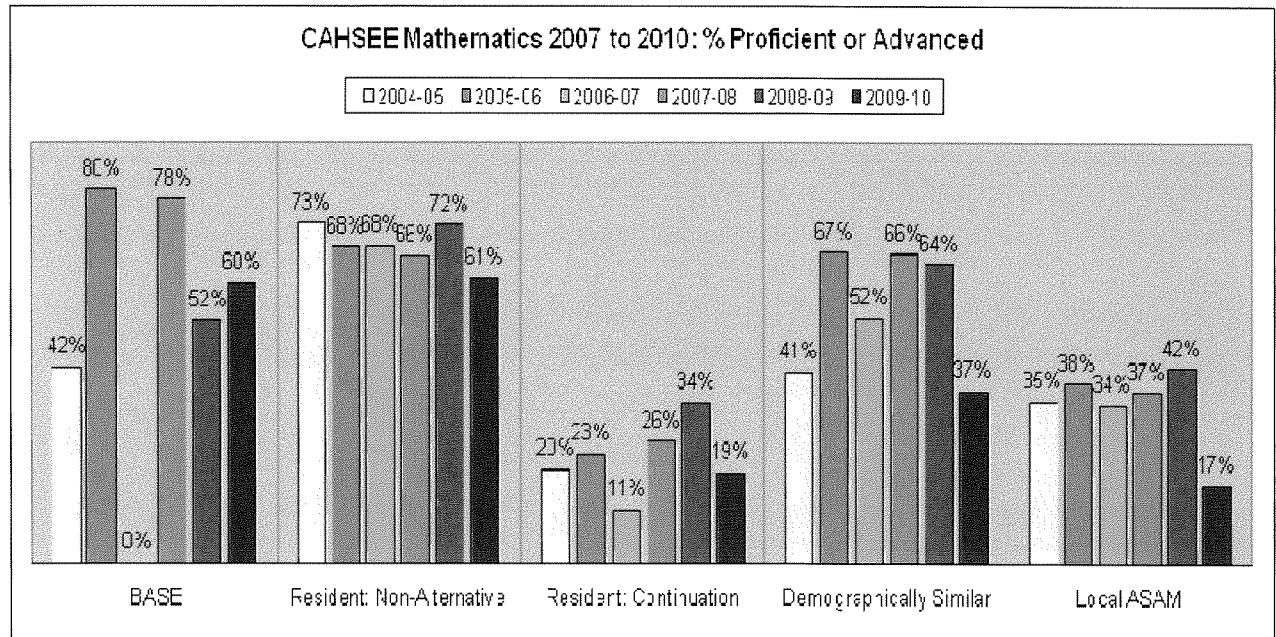
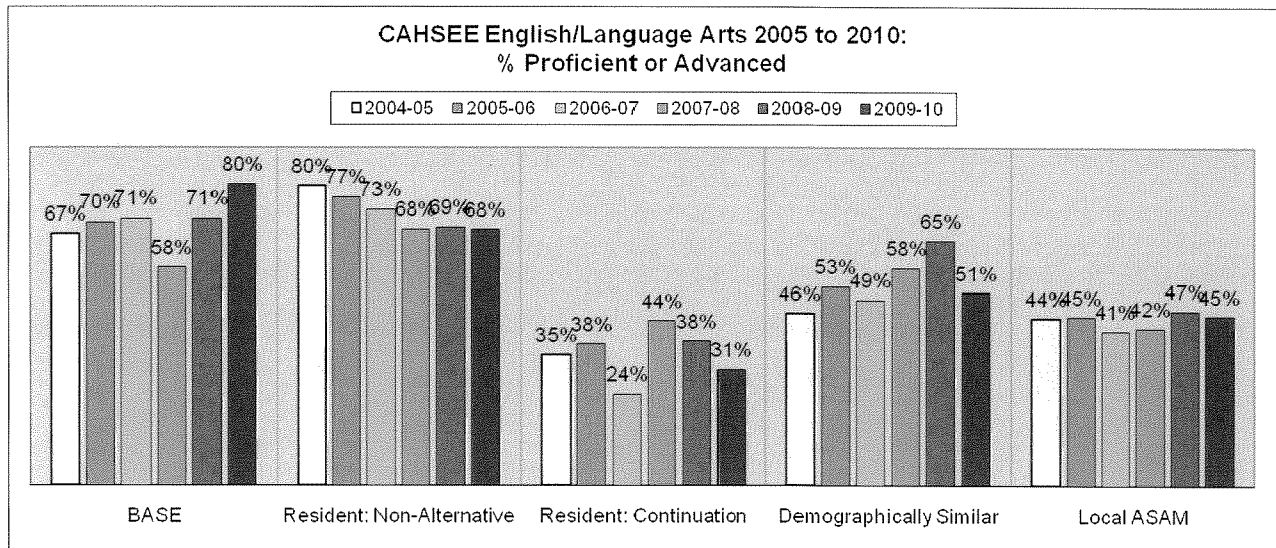
**Graduation Rates**

BASE graduation rates and college admission rates continue to increase over time.

Year	# of BASE Graduates	Percent accepted into four year colleges
2006-2007	11	36%
2007-2008	23	30%
2008-2009	10	20%
2009-2010	23	52%

**CAHSEE (California High School Exit Exam) Pass Rate**

BASE has demonstrated steady improvement in CAHSEE student performance over time. Data below show how BASE students compare in this regard to students at other schools.



**External Evaluator Feedback: Western Association of Schools and Colleges (WASC)**

BASE received a Three-Year Term Revisit WASC Accreditation Report in March of 2010. BASE received a Certificate of Accreditation for three years. The WASC assessment of BASE is of course not binding on AUSD's Board of Education. However, preliminary conclusions of this respected external third party evaluator (WASC) provide additional evidence supporting the conclusion that BASE is on the right path to improvement of its educational program.

The WASC visiting team prepared and shared a preliminary exit report for BASE commending the following aspects of the charter school's instructional program:

- "The school has undergone an evolutionary process that has changed attitudes about learning and teaching and developed an atmosphere that cherishes individuality and community responsibility and a strong regard for continued education."
- "The team witnessed students taking pride in their accomplishments and being active participants in their educational development."
- "New assessment tools have been introduced that provide detailed information on individual needs and strengths in realistic time."
- "BASE leadership and staff developed a new Schoolwide Action Plan (SWAP) and developed "action research" to drive the implementation plan and school improvement."
- "The action plan goal creates instructional program coherence through collaborative curriculum development with an emphasis on value added data."
- "There is progress in the literacy program as students have improved academic reading ability as well as having increased their leisure reading."
- "The team witnessed coaches/teachers guiding students through educational challenges that involved a variety of differentiated instructional strategies."
- "BASE offers additional supports that include an after school learning lab with tutors for project assistance, computer use and CyberHigh to allow students to make up additional credits at an individual pace."

**(2) The petitioners are demonstrably likely to successfully implement the program set forth in the petition.**

The petitioners are likely to successfully implement the program as set forth in the petition. The petitioners and Board members are very capable individuals with considerable experience. BASE's staff and Board members are committed to this unique population of students.

Successful implementation of any charter school depends on financial and budgetary stability. A review of the budget confirms that BASE's three year budget and reserves are adequate to support the program described, thus indicating that BASE is a financially sound charter school.

During the 2009-2010 school year, BASE served students eligible for Special Education Services. These students received specialized academic instruction through the school's Resource Specialist program. All annual and triennial IEPs were completed in a timely manner. BASE is using an outside consultant to help build in more academic support for students with special needs.

For purposes of Special Education, BASE is its own LEA pursuant to Education Code Section 47641 (a) and contracts with a non-profit agency, Pinnacle Education Services, to provide special education services for BASE, including a dedicated resource specialist to work with students and coordinate services (including IEP and SST meetings). BASE will be responsible for all costs, charges, claims, and demands related to their learners and programs, listing the following assurances to serve learners with disabilities. (pgs. 36-37):

- Free and Appropriate Public Education (FAPE)
- Full Educational Opportunity
- Child Find
- Individualized Educational Program (IEP)
- Least Restrictive Environment
- Procedural Safeguards
- Annual/Triennial Reassessment
- Confidentiality
- Transition, Part C
- Private Schools
- Compliance
- Governance
- Comprehensive System of Personnel Development
- Personnel Standards
- Performance Goals and Indicators
- Participation in Assessments
- Supplementation of State and Federal Funds
- Maintenance of Effort
- Public Participation
- Suspension/Expulsion Data

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**(3) Petition signatures are evidenced.**

Pursuant to CA Education Code Section 47605(a)(1)(B), the petition contains the signatures by a number of teachers representing an equivalent to at least one-half the number of teachers the charter school estimates will be employed at the school during its next year of operation.

**(4) Required affirmations are present.**

Pursuant to CA Education Code 47605(b)(4), the petition contains an affirmation of each of required conditions contained in CA Education Code Section 47605(d)(1).

**(5) The petition contains reasonably comprehensive descriptions of the 16 required charter elements.**

**Sixteen Elements Table**

Element	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 <sup>st</sup> century and how learning best occurs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(A)
Measures pupil outcomes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(B)
Method by which pupil progress is to be measured	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(C)
Governance structure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(D)
Qualifications to be met by individuals employed at the school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(E)
Procedures of ensuring health and safety of students	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(F)
Means for achieving racial and ethnic balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(G)
Admission requirements, if applicable	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(H)
Manner for conducting annual, independent audits and resolving exceptions or deficiencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(I)
Suspension and expulsion procedures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(J)



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Manner for covering staff members through the State Teachers Retirement System, Public Employees Retirement System or federal Social Security System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(K)
Attendance alternatives for pupils residing within district who choose not to attend the charter school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(L)
Employee rights of return, if any	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(M)
Dispute resolution procedure for school-authorizer issues related to charter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(N)
Statement regarding exclusive employer status of the school	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(O)
Procedures for school closure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(P)

**RECOMMENDATION**

Staff recommends that the Alameda Unified School District’s Board of Education approve the charter school renewal petition for the Bay Area School of Enterprise (BASE). The petition satisfies the five legally required categories of Education Code § 47605:

- (1) The charter school presents a sound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably likely to successfully implement the program set forth in the petition.
- (3) The petition contains the numbers of signatures required.
- (4) The petition contains an affirmation of each of the conditions described in Education Code § 47605(d).
- (5) The petition contains reasonably comprehensive descriptions of the 16 required charter elements.

The petition also satisfies at least one of following criteria set forth in Education Code § 47607:

- (1) Attained Academic Performance Index (API) growth target in two of the last three years.
- (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year and in two of the last three years.
- (3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year and in two of the last three years.
- (4) The academic performance of the charter school is at least equal to academic performance of public schools that charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

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This approval is for the charter program and operation in its entirety as proposed herein. Any subsequent material revision of the provision of this charter may be made only with 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 Education Code § 47605 (Education Code § 47607(a)(2)) and in all other applicable AUSD Board Policy and Administrative Regulations.

The term of this charter will be from July 1, 2011 through June 30, 2016, the term required for a renewal under the California Charter Schools Act (Education Code § 47607(a)(1)). The District will not accept a charter renewal request more than one year prior to the expiration of the current 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 forth in its charter (Education Code § 47607(c)(1)). The Board of Education's approval of this charter shall incorporate the text revisions, conditions on opening and associated deadlines provided as a condition of the charter.

The District retains the authority to delay renewal for a period of up to one year if any of the conditions are not satisfactorily met by the associated deadlines. Not meeting any one of the conditions and associated deadlines set forth in this approval may be grounds for revocation as set forth in the California Charter Schools Act (Education Code § 47607(c)(1)).