

TO: Superintendent Vital and AUSD Board of Education

FROM: Debbie Wong, Assistant Superintendent  
Ruben Zepeda, Interim Assistant Superintendent  
Rob Siltanen, Director of Educational Options

DATE: March 19, 2010

RE: Alameda Community Learning Center  
Charter Petition Request

### **ACTION REQUESTED**

**Approve** the Alameda Community Learning Center (“ACLC”) petition for charter renewal as revised because the charter school has met the standards set forth in California Charter Schools Act, Education Code sections 47605 and 47607, which govern charter school renewals. The approved charter is amended from the filed petition to incorporate the included revisions, conditions and deadlines set forth in the accompanying Resolution.

As required by Education Code sections 47605 and 47607, the petition presents a sound educational program; the 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 of the 16 elements required by the California Charter Schools Act.

As required by Education Code section 47607(b), ACLC has met at least one of the following four 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 and (4) (A) achieved academic performance at least equal to the academic performance of the public schools that ACLC pupils would otherwise have been required to attend, as well as the academic performance of the schools in AUSD, taking into account the composition of the pupil population that is served at ACLC.

### **SUMMARY**

Staff recommends that the AUSD Board of Education approve the petition to renew the charter of the Alameda Community Learning Center, under the California Charter Schools Act.

### **PROCEDURAL BACKGROUND**

- 1) A Representative from ACLC submitted the ACLC charter renewal petition on January 12, 2010 at a regularly scheduled Board of Education meeting.

- 2) A public hearing was held on February 9, 2010. Representatives from the lead petitioning group presented.
- 3) Pursuant to Ed Code section 47605(b), on February 24, 2010 ACLC and AUSD agreed to a 30 day extension of the time for AUSD to act on the charter renewal petition.

## **STATUTORY BACKGROUND**

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

Charter law outlines the 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) *(A) 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 petition review team comprised of leadership within the District, which subsequently conducted an evaluation of the petition pursuant to the Charter Schools Act and with the application of the Alameda Unified School District Charter School Board Policy and Administrative Regulations.

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

The ACLC educational program is sound.

- Academic test results confirm that the educational program is sound (see academic performance data below).
- The renewal petition describes a standards-based curriculum that promotes the practice and mastery of California state standards through an empowerment model offering self directed, project-based learning opportunities that address multiple interdisciplinary standards (page 11).
- ACLC's educational model has been in place for 14 years promoting a technology-rich environment for individualized learning (page 12).
- ACLC learners demonstrate academic and social emotional growth, e.g., through Learner Led Conferences where learners provide evidence of growth based on ACLC's "Learning to Learn" rubrics (pages 15, 133-154)
- ACLC allows learners of mixed ages to work independently or in teams during their scheduled project time within the school day (page 12).
- ACLC high school graduation requirements are aligned with the admission requirements of the University of California (page 14).

### **Academic Performance Data**

Academic performance data confirms that the ACLC educational program is sound.

Looking broadly at the program over time, it is clear that ACLC is consistently performing well, is demonstrating growth, and is well above the state average. Although there was a drop in the API for 2009 and there have been some declines in CST scores in some subject areas in some grade levels. ACLC is attentive to adjusting and correcting the program in order to address any declines or gaps.

It is particularly important to highlight that ACLC had an API score exceeding 800 for each of the past five years.

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

Year	API Score	Overall Decile Rank	Similar School Decile Rank
2002	757	9	8
2003	813	10	10
2004	827	10	10
2005	807	10	4*
2006	852	10	8
2007	853	10	9
2008	865	10	9
2009	826		

CDS Code: 01-61119-0130609

\*drop due to change in the group of schools compared with ACLC

\*\* Rankings are provided by the State Department of Education in the spring of the year following the test

**Adequate Yearly Progress**

ACLC has met its Annual Yearly Progress goals for the past five years.

**Graduation Rates**

ACLC consistently maintains a high graduation rate.

Year	# of ACLC Graduates	ACLC Graduation Rate
2006-7	18	94.7
2007-8	25	97.4
2008-9	26	100

**California Standards Tests: Five Year Comparison, 2005-2009**

English/Language	# of Students Tested					% "Advanced" or "Proficient"					
	2005	2006	2007	2008	2009	2004	2005	2006	2007	2008	2009
<b>Arts</b>											
Grade 6	24	24	23	23	40	n/a	57	76	78.3	69.6	66
Grade 7	29	32	33	37	30	74	75	78	78.8	75.7	76
Grade 8	41	32	27	32	36	57	54	88	70.4	78.1	70
Grade 9	38	37	38	35	44	52	82	81	81.6	74.3	81
Grade 10	23	32	26	31	32	68	39	88	84.6	77.4	74
Grade 11	20	23	34	27	33	58	80	63	79.4	81.5	83
<b>Mathematics</b>											
Grade 6	23	24	23	23	4	n/a	39	66	47.8	60.9	72
Grade 7	29	32	33	23	16	63	59	66	45.5	60.9	38
Algebra 1	38	35	52	46	38	3	32	49	25	43.5	79
Geometry	19	24	32	37	41	15	69	46	53.1	37.8	57
Algebra 2	23	21	18	24	32	7	26	57	38.9	54.2	21
HS Summative Math *	20	29	24	24	25	25	*	30	51.7	41.7	45
<b>Sciences</b>											
<b>Grade 9</b>											
Social Science	41	23	27	32	?	64	36	30	51.9	65.6	?
World History	22	32	56	4	64	60	45	65	76.8	100.	66
U.S. History	20	22	34	26	64	86	80	33	61.8	76.9	64
Biology	17	23	29	17	36	60	59	65	82.8	82.4	62
Life Science			26	31					76.9	54.8	
Chemistry	28	33	42	42	36	7	14	54	45.2	21.4	30
Physics	28	17	15	30	23	28	47	77	75	83.3	70

\*number of students tested was too small to report by Dept. of Education

"n/a": ACLC did not have 6<sup>th</sup> grade learners in 2003 and 2004

Information source: <http://api.cde.ca.gov/AcctRpt2008/2007BaseSch.aspx?allcde=01611190130609.Measures>

**SAT (Scholastic Achievement Test)**

	2000	2001	2002	2003	2004	2005	2006	2007	2008
# of seniors enrolled	18	21	28	18	21	19	19	18	30
% taking test	44%	76%	82%	90%	95%	N/A	84%	75%	77%
<b>Verbal/Math</b>									
ACLCL Average	528/521	558/525	570/540	558/541	528/560	N/A	548/567	533/516	609/573

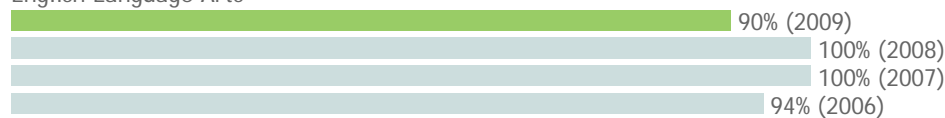
**CAHSEE (CA High School Exit Exam) Pass Rate**

Historically, ACLC has had 100% of their learners pass the CAHSEE by the end of their senior year. Below are the pass rates for ACLC 10<sup>th</sup> graders.

Scale: % passing

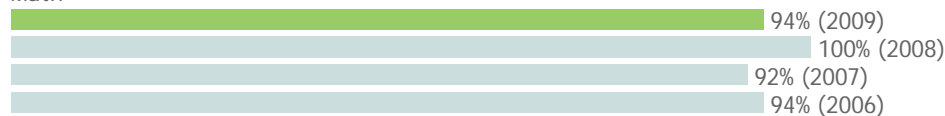
Grade 10

English Language Arts



The state average for English Language Arts was 79% in 2009.

Math



The state average for Math was 80% in 2009.



Source: CA Dept. of Education, 2008-2009

**External Evaluator Feedback: WASC**

AUSD has collaborated with ACLC during ACLC’s WASC process this school year. WASC’s assessment of ACLC is of course not binding on AUSD’s Board of Education. However, the (preliminary) conclusions of this respected external third party evaluator (WASC) provide additional evidence supporting the conclusion that ACLC has a sound educational program.

The WASC visiting team prepared and shared a preliminary exit report for ACLC commending:

- “The facilitators for their vision of emphasizing collaborative, project-based learning. Students are encouraged to work in cooperative groups, as well as to seek their own specialized areas of interest.”
- “The facilitators and learners for establishing a culture of high expectations for all learners. All learners are expected to succeed, to set their own goals, and to challenge their abilities.”

- “The entire ACLC learning community for developing a participatory democracy where learners take ownership of their learning, empowering them to seek knowledge for its own sake and become life-long learners. This approach promotes the philosophy that learning is experiential and incorporates not only the content, but also the process of learning.”
- “The facilitators for promoting an inclusive and nurturing learning environment that supports all learners. Learners from a variety of ethnic and socioeconomic backgrounds feel comfortable interacting with the ACLC staff.”
- “Learners, facilitators and parents for supporting a program that is unique, innovative, and learner-centered. Learners and parents are enthusiastic in their support of the school’s programs and are proud to be members of the ACLC community.”
- “The entire ACLC staff for providing individualized support to achieve academic success. Facilitators are available throughout the day to meet with learners individually and in groups.”
- “The facilitators for using innovative, research-based educational approaches to learning. Learners are encouraged to seek educational experiences outside of the classroom such as college classes, apprenticeships, on-line learning, and other educational opportunities that enhance their personal development.”

**(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 set forth in the petition. The petitioners and Board members are very capable individuals with considerable experience in running ACLC. ACLC’s history of successful achievement summarized above is the best evidence for concluding that the petitioners will successfully implement the program set forth.

Successful implementation of a program depends on financial and budgetary stability. A review of ACLC’s budget confirms that its three year budget and reserves are adequate to support the program described and that ACLC is financially sound.

During the 2009-2010 school year ACLC has served 20 students eligible for Special Education Services. These students received specialized academic instruction through the Resource Specialist program. ACLC supports the unique learning style of its students. All annual and triennial IEP’s were completed in a timely manner.

For purposes of Special Education, in 2010-2011 ACLC will become its own LEA pursuant to Education Code Section 47641 (a) and will utilize the El Dorado County Charter School SELPA similar to the other CLCS charter school, Nea Community Learning Center. As a participant in the El Dorado County Charter School SELPA, ACLC will be responsible for all costs, charges, claims, and demands related to their learners ad programs and lists the following assurances to serve learners with disabilities (page 18-22):



- 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

ACLIC has made progress in reaching its ethnicity goals to equal or exceed AUSD's ethnicity percentages and has raised its non-Caucasian population.

	ACLIC % 2003- 04	ACLIC % 2004- 05	ACLIC % 2005- 06	ACLIC % 2006- 07	ACLIC % 2007- 08	ACLIC % (2008- 09) 245	ACLIC% (2009- 10) 249	AUSD% (2009- 10)
ACLIC Ethnicity 2009-10								
American Indian/Native American						2.0	Not rptd	Not rptd
Asian	11	10	10	9	12	15.0	18.1	33.6
Pacific Islander						1.0	Not rptd	Not rptd
Hispanic	6	8	6	6	6	9.0	11.6	11.2
African American	15	12	12	14	12	11.0	11.2	12.1
Filipino	4	9	9	7	5	5.0	4.8	9.3
White	59	61	61	61	62	57.0	52.2	30.9
Other	5	3	3	3	3		2	2.9
Declines to State						0.0		1.0
Total						100.0	99.9	101.0

**(3) Petition Signatures**

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

**(4) Required Affirmations**

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**

<b>Element</b>	<b>Inadequate</b>	<b>Reasonably Comprehensive</b>	<b>Statutory Reference</b>
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 & 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 for 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)
Manner for covering staff members through the State Teachers’ Retirement System, Public Employees’ Retirement System or federal social security	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.C. § 47605(b)(5)(K)
Attendance alternatives for pupils residing within the 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 petition for the Alameda Community Learning Center. 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 satisfies at least one of the following criteria set forth in *Education Code § 47607*:

- (1) *Attained its 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) *(A) 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.*

This approval is for the charter program and operation in its entirety as proposed and revised herein. Any subsequent material revision of the provision of this charter may be made only with the approval of the District as charter authorizer (*Education Code § 47607(a)(1)*). Any material revision to any charter component must be proposed and considered according to the standards and criteria in *Education Code § 47605* (*Education Code § 47607(a)(2)*) and in applicable Board Policy and Administrative Regulations.

The term of this charter will be from July 1, 2010 through June 30, 2015, 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 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 listed below 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)*).