



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.6

**Meeting Date:** October 6, 2011

**Subject:** Action on New Charter School Petition – Oak Park Preparatory Academy

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Accountability Office

**Recommendation:** To conference and take action to approve or deny the Oak Park Preparatory School new charter petition. Staff recommendation will be presented at the October 6, 2011 board meeting.

**Background/Rationale:** The district received the Oak Park Preparatory School new charter school petition on July 6, 2011 and a public hearing was held on August 4, 2011. District staff and legal counsel conducted an extensive review of the petition. The recommendation is being presented for Board Action on October 6, 2011.

**Financial Considerations:** The financial considerations are outlined within the executive summary.

**Documents Attached:**

1. Charter Petition is located on the District web-site [www.scusd.edu](http://www.scusd.edu) (under Board of Ed./Board Meetings, October 6 Board Meeting – agenda item 10.6)
2. Executive Summary – Review of Oak Park Preparatory Academy

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**Estimated Time of Presentation:** 10 minutes

# Board of Education Executive Summary

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### Staff Report: Review of the Oak Park Preparatory Academy Charter Petition

The Sacramento City Unified School District ("District") received a charter petition ("Petition") on July 6, 2011 from St. HOPE Public Schools, proposing the creation of a charter school called Oak Park Preparatory Academy ("Oak Park Prep" or "Charter School"). The Petition proposes a Charter term of five (5) years, beginning with the 2012 2013 school year.

In April 2008, Petitioners had submitted to the District a prior charter petition proposing the creation of the Oak Park Preparatory Academy ("2008 Petition"). The 2008 Petition proposed a school serving grades five through eight. Petitioners withdrew the petition on May 12, 2008, three days before the board was scheduled to take action on it. At the time the 2008 Petition was withdrawn, the recommendation to the board was to deny the petition.

The current Petition proposes to establish a school serving grades seven and eight. In its first year of operation, Oak Park Prep would enroll 60 students in the seventh grade for the 2012 2013 school year. In each subsequent year, Oak Park Prep intends to enroll 60 new students in grade seven, as well as fill any vacant seats in grade eight. The Petition further proposes to increase enrollment to 90

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By mutual consent, Petitioners and the District postponed the final recommendation on the Charter Petition to allow staff and Petitioners time to answer questions and concerns raised during the public hearing. One particular concern was the demographic profile of the proposed school. The Petition has been amended to state “we anticipate that our prospective student population will be predominately African American and Latino, over 80% will qualify for free or reduced price lunch, and approximately 10-12% of incoming students will be identified as having special needs.” (Petition, p. 7) Oak Park Prep has committed to setting a recruitment target of English Language Learner students that mirrors the District in grades seven and eight by year 5.

## II. Driving Governance:

The Charter Schools Act of 1992 (“Act”) governs the creation of charter schools in the State of California. The Act states that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the 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.” (Ed. Code, § 47605(b).) With this legislative intent in mind, the governing board must grant a charter “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code, § 47605(b).) The governing board may not deny a petition unless it sets forth specific facts to support one, or more, of the following five findings:

- (1) The charter school presents an unsound educational program for the students 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 prescribed by the Education Code.
- (4) The Petition does not contain an affirmation of certain specific conditions set forth in Education Code section 47605, subdivision (d), including that the Charter School: (1) will be nonsectarian in its admission policies, employment practices, and all other operations; (2) will not charge tuition; and (3) will not discriminate against any student on the basis of the characteristics set forth in Education Code section 220.
- (5) The Petition does not contain reasonably comprehensive descriptions of sixteen certain elements in its program and operations. (Ed. Code, § 47605, subd.(b) (5)(A P).) There are sixteen separate elements that must be discussed in every charter petition:

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- (M) A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.
- (N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.
- (O) A declaration whether or not the charter school will be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act ("EERA" or "Rodda Act").
- (P) A description of the procedures to be used if the charter school closes. These procedures must ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance ~~school~~ ~~audit~~

Also, one percent of the Charter School's state revenues would be paid to the District for oversight.

### III. Next Steps:

- x If board action is to approve the petition, District staff will work with Petitioners to negotiate relevant Memorandum of Understanding for any District services or facilities use.
- x Staff anticipate that Petitioners will submit a Proposition 39 request and will work collaboratively with them to determine a school site suited to their use.