



# Alameda County Office of Education

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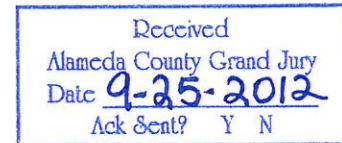
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September 21, 2012



Honorable C. Don Clay  
Presiding Judge  
Alameda County Superior Court  
1225 Fallon Street, Department One  
Oakland, CA 94612

Re: 2011-2012 Alameda County Grand Jury Final Report  
FAME Charter School

Dear Judge Clay:

The Alameda County Board of Education appreciates this opportunity to formally respond to the Grand Jury recommendations regarding FAME Public Charter School. We would like to begin with a clarification of a misrepresentation contained in the report regarding the school's history. FAME was a direct county-wide charter petition, not approved on an appeal from the Oakland Unified School District as stated in the Grand Jury report. The 501(c)(3) non-profit organization that currently operates FAME, Bay Area School of Independent Study (BASIS), was initially authorized by the Sunol Glen School District as an independent study charter school in 2002 for a three year term. In 2005, BASIS applied to the County Board of Education as a site-based/independent study county-wide charter school as FAME Public Charter School. FAME was in fact the first county-wide charter school approved in Alameda County, but it is not the first county-wide charter in California. Grizzly Youth Academy was approved by San Louis Obispo County in 2004.

The following information is provided in response to recommendations 12-22 to 12-25 of the 2011-2012 Alameda County Grand Jury Report:

Recommendation 12-22: Alameda County Office of Education must continue the process of revoking FAME's charter.

We disagree. While we share the view with the Grand Jury that FAME Public Charter School faces significant challenges, there is a lengthy systematic process that charter authorizers must engage in to revoke a

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charter school as required by California Education Code. Given the size of the school and the number of students that were directly impacted by a decision to revoke FAME's charter, our board of trustees has undertaken a measured, thoughtful process following the legal requirements outlined in California Ed Code section 47605. FAME is currently on a corrective action plan to cure the outstanding violations with regard to their Instructional Program.

ACOE was greatly concerned with FAME's lack of ability to effectively lead and manage its three school sites and independent study program. Notices of corrective action to FAME began in June of 2011. Since then, ACOE has worked very closely with FAME Charter School to remedy its charter violations. A copy of the specifics concerning FAME's formal notice of violation is available for review upon request.

While the charter did remedy violations with respect to their governance structure, we continue to closely monitor board meetings to ensure compliance with their petition and bylaws.

Recommendation 12-23: Alameda County Office of Education must take a more proactive role in its oversight of charter schools.

We agree. While ACOE has consistently worked to provide oversight support above and beyond what is required by law, as is the case with most any program, there is always room for improvement. In the coming year, we will work to expand our current audit process to fully implement a seven-point checklist covering the following areas: general requirements; fiscal and business operations; educational performance; facilities; governance; personnel; and student services. Details regarding the oversight process and timeline are available in our Charter School Oversight Authorizer's Toolkit. A new Director of Charter Schools position will be added to oversee this work.

The law is ambiguous regarding the oversight role of charter schools. In addition to fulfilling our legal requirements as outlined in Ed Code, the ACOE has an established Memorandum of Understanding with each of its charters that outlines additional reporting requirements. This is in line with the national principles and standards drafted by the National Association of Charter School Authorizers' (NACSA) three core principles of charter authorizing:

- o Maintains high educational and operational standards

- o Preserves school autonomy
- o Safeguards student and public interests

Far from being passive, ACOE has played an active role in the region and state in identifying and promoting best practices in charter school oversight. This work has resulted in a developed Oversight Framework and Oversight Toolkit shared with charter authorizers throughout the state. Charter authorizing practices are continually being reviewed and revised as the reality of limited resources impact this area like all other areas of education.

Recommendation 12-24: Alameda County Office of Education must mandate that charter school leaders attend FCMAT charter school training when a charter is approved or renewed by the Alameda County Office of Education.

We agree with this recommendation and agree to implement when permissible by law. California Education Code allows a county office to “impose any additional requirements beyond those required by this section that it considers necessary for the sound operation of a countywide charter school.” Our county-wide MOU has been revised to reflect this requirement, and plan to negotiate this requirement with charters that are approved on appeal.

Recommendation 12-25: Alameda County Office of Education must ensure that each charter school includes a conflict of interest policy in its charter and follows it.

We agree with this recommendation. All of ACOE’s charters include such a policy as part of our MOU agreement. Monitoring of this policy is built into our framework and is in our Oversight Toolkit.

Sincerely,



Yvonne Cerrato, President  
Alameda County Board of Education



Sheila Jordan, Superintendent  
Alameda County Schools

cc: Foreman Russell G. Miller, 2011-2012 Alameda County Grand Jury