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October 21, 2025

Via Email
jenine.lindsey@ousd.org

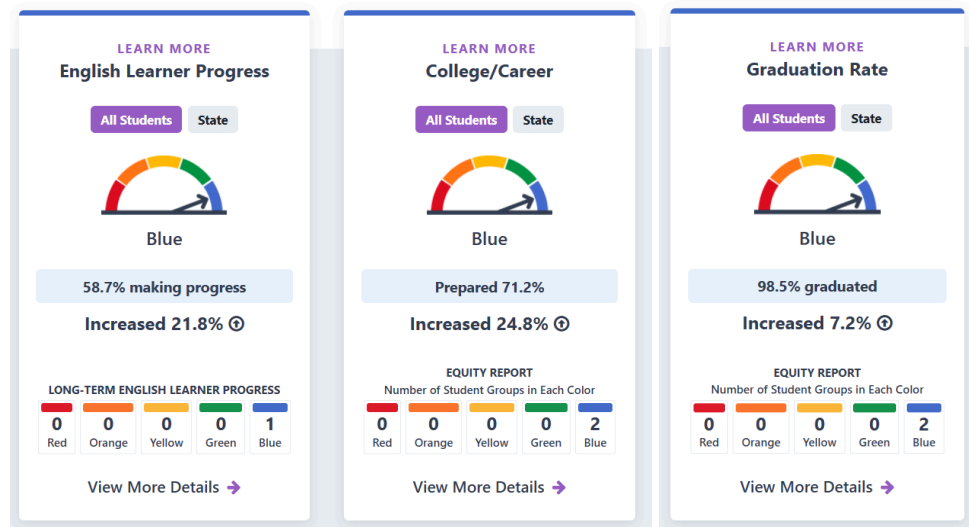
Jenine Lindsey, General Counsel
Oakland Unified School District
1011 Union Street
Oakland, CA 94607

RE: District Staff Report on Aspire Golden State College Preparatory Academy

Dear Ms. Lindsey,

Aspire Public Schools, which operates Aspire Golden State College Preparatory Academy (“GSP” or the “Charter School”), is in receipt of the Oakland Unified School District (“OUSD” or the “District”) Office of Charter Schools’s (“OCS”) Staff Report related to GSP’s charter renewal petition, published on October 6, 2025. We deeply appreciate OCS’s reasoned, detailed recommendation for approval of the GSP renewal charter.

GSP is so proud that its students merited three “blue” indicators on the 2024 California School Dashboard. Of the 9,626 public schools statewide that received a color on at least one indicator, only 991 schools (~10.3%) earned the same or higher rate of Blue indicators as GSP. Two of GSP’s indicators, English Language Progress and CCI, are academic indicators, which are entitled to more weight under California law.





We write, however, to (1) dispute the lawfulness of the “Option B” provision on page 37 of the Staff Report, which purports to allow the OUSD Board to vote to deny GSP’s renewal charter petition by using the data and conclusions in the Staff Report, and (2) to raise important concerns about the selective use of comparison data in the Staff Report.

LIMITED REASONS TO NONRENEW A MIDDLE-PERFORMING CHARTER SCHOOL

Assembly Bill 1505 (2019) substantially changed the standards and criteria for charter renewal. Among those changes are that the Legislature enacted explicit restrictions on the reasons that a charter petition could be denied renewal. First, Education Code Section¹ 47607(e) permits a denied renewal following notice and an opportunity to cure allegations from the chartering authority of substantial fiscal or governance factors, or of not serving all students who wish to attend. OUSD appropriately never provided such notice to Aspire about GSP, so this reason for denial is unavailable.

Second, Section 47607.2(b)(6), which the Staff Report attempts to put into play, permits denial of a renewal charter only after specific factual findings are made. It states:

The chartering authority may deny a charter renewal pursuant to this subdivision **only upon making written findings, setting forth specific facts to support the findings**, that the charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school, that closure of the charter school is in the best interest of pupils and, if applicable pursuant to paragraphs (2) and (3), that its decision provided greater weight to performance on measurements of academic performance. (Emphasis added.)

Section 47607.2(b)(6) stands as an extraordinary exception for chartering authorities to rely upon to deny a charter renewal petition for a middle-performing charter school, such as GSP, because it interrupts the otherwise presumptive path to 5-year renewal. Non-renewal of a middle-performing charter school results in the closure of a quality public school option, and causes significant and irreparable harm to students and families. It follows, then, that the Legislature would mandate extraordinary steps that a chartering authority must follow to implement this extraordinary option and disrupt the presumption of renewal.

Section 47607.2(b)(6) sets forth eight requirements that an authorizer must meet to make a decision not to renew a middle-performing charter school: (1) the chartering authority (here, the OUSD Board of Education); must (2) make; (3) written findings; that (4) set forth specific facts to support the findings; (5) specifically tailored to the points that; (6) the charter school has

¹ All statutory citations herein are to the Education Code.



failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school; **and** (7) that closure of the charter school is in the best interest of pupils; and (8) that its decision provided greater weight to performance on measurements of academic performance. Each of these eight elements must be satisfied to deny renewal of a middle-performing charter school. This is a meaningfully high bar for any chartering authority to climb over.

THE STAFF REPORT DOES NOT CONTAIN FACTS TO MAKE THE REQUIRED FINDINGS

The Staff Report does not contain any written findings, let alone written findings that set forth specific facts, that GSP has failed to meet or make sufficient progress toward meeting standards that provide a benefit to its students, much less specific factual findings that closure of the Charter School is in the best interest of GSP students.

To the contrary, the **Staff Report appropriately and explicitly recommends the GSP charter for renewal**, citing to, *inter alia*: a very high percentage of English Learner students making progress in most recent year, receiving a “blue” English Learner Progress Indicator (“ELPI”) on the 2024 Dashboard; post-pandemic increase in high school English Language Arts (“ELA”) proficiency; significant increases for Students with Disabilities in Math and ELA distance from standard (“DFS”) in most recent year; a high graduation rate with upward trajectory; and that GSP remains a sustainable size with a healthy fund balance. All of these findings demonstrate that the Charter School is meeting or making sufficient progress toward meeting standards that provide a benefit to its students.

Further, GSP outperforms most comparison “nearby schools” selected by OCS. This necessarily means that closure is not in the best interest of GSP students.

The Staff Report attempts a sleight of hand in its concluding recommendation, which is patently insufficient to meet the legal threshold for nonrenewal, stating:

Option B

If the Board, after considering both the schoolwide and subgroup performance on the state and local indicators of the Dashboard, providing greater weight to performance on measurements of academic performance, and considering any verified data submitted by the Charter School, denies the charter renewal petition, the Board must make written findings, setting forth specific facts to support the findings, that determine the following:

1. The charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school; **and**
2. Closure of the charter school is in the best interest of students; **and**
3. The Board’s decision provided greater weight to performance on measurements of academic performance.

The Board may use the data and conclusions in this Staff Report as its findings in support of either of the above options.



That OCS states that the OUSD Board “may use the data and conclusions in this Staff Report as its findings in support of” an option to deny GSP’s renewal charter, does not make it so. Which data would the Board be selecting from the Staff Report? Which conclusions? The law requires “written findings, setting forth **specific facts** to support the findings”. No such facts or findings exist in the Staff Report. The OUSD Board cannot lawfully deny the Charter School’s renewal petition by vaguely waving at the Staff Report and saying, “see herein.” The District Board must do the hard work of making findings, grounded in specific facts, to show that the Charter School has failed to meet or make sufficient progress toward meeting standards that provide a benefit to its students, that closure of the charter school is in the best interest of GSP students. The Staff Report has plainly not done that meticulous work. Not only is this work legally required, but it is also ethically and morally compelled by a decision to non-renew this quality public school option, which will cause immeasurable harm to Oakland students and families. As such, the “Option B” pathway presented in the Staff Report (pasted above) is legally foreclosed.

THE STAFF REPORT SELECTIVELY SURVEYS DATA IN A WAY THAT DIMINISHES GSP’S SUCCESS

Aspire also wishes to share its concern that the Staff Report presents data about the Charter School, in comparison with other public schools, in a non-intuitive way that prompts questions of fairness. For example, in Figure 50, the Staff Report compares disaggregated results from GSP’s high school grades with 16 other “nearby schools.” Figure 50 includes ELA and Math DFS, and graduation rate. It excludes ELPI and the College and Career Indicator (“CCI”). While GSP performed favorably against most schools on the list, documenting ELPI and CCI, the two remaining academic indicators, would demonstrate further that GSP outperforms comparison schools listed.

Further, Figure 49, which compares disaggregated results from GSP’s middle school grades with 8 other “nearby schools,” includes Francophone Charter School (French Dual immersion K-8 school) and East Bay Innovation Academy. These schools’ socioeconomically disadvantaged (“SED”) student population, at 35% and 38%, respectively, do not offer a meaningful comparison to GSP, whose students are 95% SED. These two schools outperform GSP in DFS on ELA and Math – but they simply do not serve a student population anything like the Charter School’s.

Finally, Figure 49, middle school grade levels, excludes three schools that are included in Figure 50, high school grade levels, and all three of those schools serve middle school grades. This includes Madison, Lodestar, and Lionel Wilson. No explanation is given for this selective inclusion. Including those schools in Figure 49 would result in even stronger performance for GSP.



We find this opaque methodology to be concerning and harmful to GSP's efforts to secure charter renewal.

* * *

Aspire respects its long history and tradition operating charter schools in Oakland, and the city's ethos is in our DNA. We urge the Board to follow the Staff Report's recommendation for approval, and avoid exposing itself to risk for an unlawful denial action.

Sincerely,

Daniel N. Soleimani,
General Counsel

CC: Jennifer Brouhard, Board President, Oakland Unified School District
Denise Saddler, Superintendent, Oakland Unified School District
Kelly Krag-Arnold, OCS Director, Oakland Unified School District

Board Office Use: Legislative File Info.	
File ID Number	25-2351
Introduction Date	9/24/2025
Enactment Number	25-1686
Enactment Date	10/8/2025 cjh

ADOPTED AS AMENDED

Board Cover Memorandum

To Board of Education

From Jennifer Brouhard, President
Valerie Bachelor, Vice President

Meeting Date September 24, 2025

Subject Resolution Directing the Preparation of Budget Scenarios to Address District’s Projected Fiscal Years 2026-27 and 2027-28 Structural Deficit

Board Action Approval by the Board of Education, upon recommendation by the Budget and Finance Committee, of Resolution No. 2526-0177 - Directing the Preparation of Budget Scenarios to Address District’s Projected Fiscal Years 2026-27 and 2027-28 Structural Deficit, authorizing District staff to submit at least three scenarios reflecting the areas of suggested budget adjustments to the General Fund as described in the Resolution

Background & Discussion The Interim Superintendent requested the Board to provide direction to her on where adjustments in the 2026–2027 budget should be made to address expected budget cuts of at least \$80 million. The Superintendent requested the Board to provide the direction not later than October 8, 2025.

This Resolution provides the necessary direction so the Superintendent or her designee can prepare at least three budget scenarios reflecting adjustments in the amount of \$80 million. The Resolution intends to focus budget adjustments on areas that will have the least impact on students and staff who directly serve them. While recognizing that all OUSD staff ultimately serve students, this Resolution emphasizes protecting site-based staff wherever possible.

The adjustments will need to be made from the General Fund. Another purpose of the Resolution is to begin exploring options for restructuring central office staff, services, and contracts in anticipation of at least two years of potential budget reductions.

Supplementary Record, as submitted by Aspire Golden State College Preparatory Academy Attachment 6 Page 7 of 11

In her letter dated September 15, 2025, Alameda County Superintendent of Schools Alysse Castro warned that OUSD will face significant budget reductions in the 2026–27 and 2027–28 fiscal years. This Resolution is a proactive step to ensure fiscal stability and maintain local control of the District’s finances.

Fiscal Impact

The fiscal impact will be determined when the three scenarios are presented to the Board in November.

Attachment(s)

Resolution No. 2526-0177 Directing the Preparation of Budget Scenarios to Address District’s Projected Fiscal Years 2026-27 and 2027-28 Structural Deficit

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**BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

Resolution No. 2526-0177

**Directing the Preparation of Budget Scenarios to Address OUSD's Structural
Deficit**

WHEREAS, it is the joint responsibility of the Board and District to center students with the most needs and the staff who work directly with them so that all OUSD students can graduate college, career, and community-ready, and so that families can confidently send their children to OUSD schools knowing they will be prepared for life after graduation; and

WHEREAS, the Board of Education recognizes that the Oakland Unified School District ("OUSD" or "District") faces a structural deficit, in which projected ongoing expenditures exceed projected ongoing revenues. In a letter dated September 15, 2025, the Alameda County Office of Education stated that ongoing minimum budget adjustments of \$78 million will need to be made in 2026-27, and \$73 million will need to be made in 2027-28; and

WHEREAS, the Board recognizes that OUSD's fiscal instability has led to cycles of reductions, layoffs, and school closures, has decreased focus on student achievement and well-being, and has contributed to declining enrollment and staff turnover; and

WHEREAS, the budget adjustments directly from the general funds are necessary; and

WHEREAS, the board wishes to clearly articulate its priorities in how we make budget reductions, including but not limited to a vision for the future of our school District, which:

1. Focuses on student academic and emotional growth and well-being; and
2. Prioritizes equitable decision making so that we maximize resources based on student need; and
3. Restructures central office to ensure core functions are enabled but to focus maximum resources in schools; and
4. Focuses programs that are working well in communities with the greatest need to maximize impact in those schools; and
5. Invests in school site staff who work directly with students instead of outsourcing positions to private entities; and
6. Allows the District to be nimble, making strategic expansion and contractions of staffing and programs based on student and community needs; and
7. Treats school closures as a strategic way to maximize programmatic impact that must be community-led, data-driven, and with an equity lens, not a foundational budget balancing tool.

WHEREAS, the Board must also prioritize staff retention and compensation to provide continuity in schools and ensure that students and families feel a sense of belonging; and

WHEREAS, it is the responsibility of the Board to approve a budget that keeps the District solvent and maintains local control of its finances; and

WHEREAS, the Board has a duty to monitor expenditures to ensure fiscal responsibility and maintain solvency; and

WHEREAS, to maintain a solvent District, the Board must direct staff to identify positions and financial practices that (1) have the least impact on students in schools, (2) are funded by one-time funds or grants with end dates, or (3) are no longer necessary or affordable; and

WHEREAS, students identified as focal groups in the OUSD Local Control and Accountability Plan (LCAP)—including Black students, Latinx students, newcomer students, foster students, unhoused or housing-insecure students, and disabled students must be prioritized in the District budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board directs the Superintendent to prepare at least two budget scenarios for community input and Board review that total \$100 million in budget adjustments (“Budget Scenarios”). The Budget Scenarios will include both the costs and the impact on students. The budget scenarios will not include school closures or mergers.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Budget Scenarios will be presented to the Board at the first Board study session in November 2025.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Board directs staff as follows:

1. Central Services and Network Restructuring

- a) Identify and cut positions and financial practices that (1) do not directly impact students in schools, (2) are funded by one-time funds or grants with end dates, or (3) are no longer necessary or affordable.
- b) Provide options for consolidating the elementary network to one or two networks, noting that larger districts with more schools and students operate with one or two elementary networks.
- c) Provide options for restructuring the middle school and high school networks to ensure cost savings and efficiency.
- d) Budget reductions must include substantial restructuring of the central office, including significantly reducing our administrative overhead and positions, reducing spending on outside services and contracts, and centralizing budget decisions for academic alignment and efficiency.

2. Improving Student Enrollment and Attendance

- a) The Superintendent will ensure we are continuing work to increase our District's enrollment. The Superintendent will provide a comprehensive plan for improving daily attendance at each site, including monitoring and support for schools struggling to improve attendance. An increase of 1% in attendance would yield approximately \$5.25 million.

3. Leveraging Other Agencies and Resources

- a) Provide options for potential cost savings from leveraging other agencies and resources.

4. Strengthen Fiscal Controls

- a) The Superintendent will notify the Board when new expenditures are added
- b) The Superintendent will notify the Board when a budget area approaches 80% of its budget allocation,
- c) Include a plan for sunseting those programs and/or positions funded by resources and/or grants that are expiring during the fiscal years included in any budget balancing solutions presented.

5. Programs & Services

- a) Inventory the District's programs and services, assess their usage and impact on student achievement, and identify programs and/or services that could be consolidated or eliminated for 2025-26 and 2026-27. Staff will present to the Teaching and Learning committee, and recommendations from that committee will be brought to the full board.
- b) Base allocation to school sites and prioritization of additional programs, positions, and services will be presented to Teaching and Learning for discussion and recommendation to the full board for inclusion in the final budget balancing proposal.

BE IT FURTHER RESOLVED, that to maintain the mandated 3% reserve in 2025-26, the Board directs the Superintendent to consider the impact of instituting a temporary hiring freeze, review vacancies, and propose additional unrestricted-balance savings, returning to the Board with a savings/impact report by November 8, 2025.

BE IT FURTHER RESOLVED, if vacancy savings are less than needed to maintain mandated 3% reserve in 2025-26, the Board directs the Superintendent to identify additional budget balancing options including but not limited to: contract freezes or cancellations, reducing conference and travel fees, or consolidating purchases and department reimbursables (for example, hot spots, cellular plans, software).

BE IT FURTHER RESOLVED, budget balancing scenarios may include the need to amend Board Policy, which should be clearly stated, as options may include ending or limiting open enrollment to strengthen neighborhood schools and ensure all schools have adequate enrollment to support base programming and centralize some decisions that are currently held at sites and departments; and

BE IT FURTHER RESOLVED, the Superintendent or delegate will present the Board with proposed adjustments to maintain a balanced budget.

Passed by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

AYES: Rachel Latta, VanCedric Williams, Vice President Valarie Bachelor, President Jennifer Brouhard

NOES: Mike Hutchinson, Patrice Berry, Clifford Thompson

ABSTAINED: None

RECUSE: None


ABSENT: Maximus Simmons – Student Director, Mariana Smith – Student Director

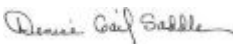
CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on October 8, 2025.

Legislative File	
File ID Number:	25-2351
Introduction Date:	09/24/2025
Enactment Number:	25-1686
Enactment Date:	10/8/2025
By:	CJH

OAKLAND UNIFIED SCHOOL DISTRICT


 _____ 10/9/2025
 Jennifer Brouhard
 President, Board of Education


 _____ 10/9/2025
 Denise Gail Saddler, Ed.D
 Interim Superintendent and Interim Secretary,
 Board of Education