



## REVISED Mt. Diablo Unified School District Charter Petition Evaluation

**School Name:** Contra Costa School of Performing Arts

**Lead Petitioner/s:** Neil Mc Chesney

**Submission Date:** March 26, 2015

**Public Hearing Date:** April 20, 2015

**Committee Presentation Date:** May 18, 2015

**Decision Date:** May 18, 2015

|   |   |
|---|---|
| <b>Proposed location of school</b>                |   |
| <b>Composition of petitioner group</b>            | <b>Teachers that charter school estimates will be employed at the school during the first year of operation</b> |
| <b>Grade levels to be served in year 1</b>        | <b>6, 9, 10</b>   |
| <b>Anticipated enrollment in year 1</b>           | <b>300</b>  |
| <b>Grade levels to be served at full-capacity</b> | <b>6-12</b>   |
| <b>Anticipated enrollment at full capacity</b>    | <b>700</b>  |
| <b>Target student population</b>                  |   |

**Brief description of the kind of school to be chartered.**

**Brief explanation of the mission of proposed charter school.**

**Planning to work with a charter management organization (CMO)**

Yes \_\_\_ No \_\_\_\_\_ If Yes, Name of CMO:

---

**Signature Verification:**

**EC 47605(a)(3)** *A petition shall include a **prominent statement that a signature on the petition means that the parent or guardian is meaningfully interested in having his or her child, or ward, attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school.** The proposed charter shall be attached to the petition.*

|   | Y | N | PG # |
|---|---|---|------|
| <input type="checkbox"/> Parents / Guardians <ul style="list-style-type: none"><li><input type="radio"/> # aligned with proposed opening enrollment</li><li><input type="radio"/> Prominent statement</li></ul> |   |   |      |
| <input type="checkbox"/> Teachers <ul style="list-style-type: none"><li><input type="radio"/> # aligned with proposed opening enrollment</li><li><input type="radio"/> Prominent statement</li></ul>            |   |   |      |

---

# Mt. Diablo Unified School District

## Charter Petition Evaluation

---

### Criteria Reference

- **Inadequate:** The response lacks meaningful detail; demonstrates lack of preparation; or otherwise raises substantial concerns about the petitioner's understanding of the issue in concept and/or ability to meet the requirement in practice.
- **Approaches:** The response addresses most of the selection criteria, but lacks some meaningful detail and requires important additional information in order to be reasonably comprehensive.
- **Meets:** **The response indicates solid preparation and grasp of key issues that would be considered reasonably comprehensive. It contains many of the characteristics of a response that excels even though it may require additional specificity, support or elaboration in places.**
- **Excels:** The response reflects a thorough understanding of key issues and indicates capacity to open and operate a quality charter school. It addresses the topic with specific and accurate information that shows thorough preparation and presents a clear, realistic picture of how the school expects to operate.

**STATEMENT OF ASSURANCES**

| <b>ASSURANCES</b>  | <b>Y</b>         | <b>N</b> | <b>PG #</b> |
|--|------------------|----------|-------------|
| 1. Will not charge tuition, fees, or other mandatory payments for attendance at the charter school or for participation in programs that are required for students.  | <b>Y</b>         |          | <b>4</b>    |
| 2. Will enroll any eligible student who submits a timely and complete application, unless the school receives a greater number of applications than there are spaces for students, in which case a lottery will take place in accordance with California charter laws and regulations.   | <b>Y</b>         |          | <b>4</b>    |
| 3. Will be non-secular in its curriculum, programs, admissions, policies, governance, employment practices, and all other operations.  | <b>Y</b>         |          | <b>4</b>    |
| 4. Will be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic achievement.                               | <b>Partially</b> |          | <b>4-5</b>  |
| 5. Will not base admission on the student’s or parent’s/guardian’s place of residence, except that a conversion school shall give admission preference to students who reside within the former attendance area of the public school.  | <b>Y</b>         |          | <b>4</b>    |
| 6. Will offer at least the minimum amount of instructional time at each grade level as required by law.  | <b>Y</b>         |          | <b>5</b>    |
| 7. Will provide to MDUSD information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be used by the school, including where the school intends to locate, the manner in which administrative services will be provided, and potential civil liability effects, if any, upon the school and authorizing board. | <b>y</b>         |          | <b>140</b>  |
| 8. Will adhere to all applicable provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act; Section 504 of the Rehabilitation Act of 1974; and Title II of the Americans with Disabilities Act of 1990.  | <b>y</b>         |          | <b>5</b>    |
| 9. Will adhere to all applicable provisions of federal law relating to students who are English language learners, including Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; MGL c. 76, § 5; and MGL c. 89, 71 § (f) and (l).   | <b>N</b>         |          | <b>65</b>   |

|  |          |            |
|--|----------|------------|
| <b>10.</b> Will comply with all other applicable federal and state laws and regulations.   | <b>N</b> | <b>4</b>   |
| <b>11.</b> Will submit an annual report and annual independent audits to MDUSD by all required deadlines.  | <b>Y</b> | <b>135</b> |
| <b>12.</b> Will submit required enrollment data each March to MDUSD by the required deadline.  | <b>N</b> |            |
| <b>13.</b> Will operate in compliance with generally accepted government accounting principles.  | <b>N</b> |            |
| <b>14.</b> Will maintain separate accountings of all funds received and disbursed by the school.   | <b>N</b> |            |
| <b>15.</b> Will participate in the California State Teachers' Retirement System as applicable.   | <b>Y</b> | <b>128</b> |
| <b>16.</b> Will obtain and keep current all necessary permits, licenses, and certifications related to fire, health and safety within the building(s) and on school property.  | <b>N</b> | <b>104</b> |
| <b>17.</b> Will at all times maintain all necessary and appropriate insurance coverage.  | <b>Y</b> | <b>5</b>   |
| <b>18.</b> Will submit to MDUSD the names, mailing addresses, and employment and educational histories of proposed new members of the Governing Board prior to their service.  | <b>Y</b> | <b>95</b>  |
| <b>19.</b> Will, in the event the Governing Board intends to procure substantially all educational services for the charter school through a contract with another person or entity, provide for approval of such contract by the Board of Education in advance of the beginning of the contract period.       | <b>N</b> |            |
| <b>20.</b> Will provide financial statements that include a proposed first-year operational budget with start-up costs and anticipated revenues and expenditures necessary to operate the school, including special education; and cash-flow and financial projections for the first three years of operation. | <b>Y</b> |            |
| <b>21.</b> Will provide to MDUSD a school code of conduct, Governing Board bylaws, an enrollment policy, and an approved certificate of building occupancy for each facility in use by the school, according to the schedule set by MDUSD but in any event prior to the opening of the school.                 | <b>N</b> |            |

**I. EDUCATIONAL PROGRAM**

Statutory References:

E.C. § 47605(b)(1)

E.C. § 47605(b)(5)(A)-(C)

The education program should tell you who the school expects to serve; what the students will achieve; how they will achieve it; and how the school will evaluate performance. It should give you a clear picture of what a student who attends the school will experience in terms of educational climate, structure, materials, schedule, assessment and outcomes.

Petition Section/s

**A. TARGET POPULATION**

A description of the Target Population excels if it has the following characteristics:

- Coherent description of the students the school expects to serve based on understanding of the district population and the location in which the school expects to operate;
- Demonstrated understanding of the educational needs of the target population; and
- Explanation of how the mission and vision align with the needs of the target population.

**TARGET POPULATION**

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: TARGET POPULATION**

| <b>FINDINGS</b>  | <b>Reference</b>  |
|--|-------------------|
| <p>Plan for outreach to incoming 6<sup>th</sup> graders is not evident</p>   | <b>Appendix X</b> |
| <p>Petition did not have specific strategies to recruit English learners, students with special needs, low achieving students</p>  | <b>P. 65</b>      |
| <p>The location of school on the far end of Concord could discourage or deter students from other parts of the MDUSD district without transportation provided</p>  | <b>P. 139</b>     |
| <p>The proposed location of the school would create a hardship for most of the diverse population of the MDUSD to travel to and from the school, especially those in the Bay Point area. The school is not within walking distance for nearly any students. No transportation will be provided by the charter.</p>           | <b>P. 139</b>     |
| <p>Other than online resources, there is little reference to how the charter would provide comprehensive academic and social/emotional counseling.</p>   | <b>P. 139</b>     |
| <p>The recruitment plan in Appendix “X” and its references to various performing arts studios will likely limit the students seeking to attend the charter school to those with prior performing arts experience. There is no plan in the petition for recruitment of student with any prior performing arts experience.</p> | <b>Appendix X</b> |

**B. PHILOSOPHY AND APPROACH TO INSTRUCTION**

Petition Section/s

A description of the Educational Philosophy and Approach to Instruction excels if it has the following characteristics:

**1. Rationale:** *Is the rationale compelling?*

- A compelling rationale with a clear foundation in research-based educational practices, teaching methods and/or high standards for student learning;

**2. Mission Alignment:** *Do the philosophy and approach align with the mission and vision?*

- Alignment with mission and vision; and

**3. Population Alignment:** *Does sound reasoning or evidence indicate that the target population is likely to benefit?*

- Persuasive explanation of why the philosophy and approach are appropriate for and likely to result in improved educational performance for the target population, including any available performance data from use of the same educational philosophy and approach to instruction with similar populations.

**1. Rationale:** *Is the rationale compelling?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Mission Alignment:** *Do the philosophy and approach align with the mission and vision?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Population Alignment:** *Does sound reasoning or evidence indicate that the target population is likely to benefit?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



**ANALYSIS: EDUCATIONAL PHILOSOPHY AND APPROACH TO INSTRUCTION**

| FINDINGS  | Reference  |
|---|--|
| <p><b>Rational</b></p> <p>The rationale of the school is a confusing patchwork of philosophies and practices with no unified overarching vision or approach. There is little evidence to suggest the proposed charter has the capacity to implement the proposed program. No credentialed art teachers signed the petition.</p> <p><b>Mission Alignment</b></p> <p>The petition included a host of educational theories (all the current “fads”) but clear explanation of how they would align with the rationale and mission.</p> <p><b>Population Alignment</b></p> <p>There are no specific strategies or explanations for how target population’s educational performance would be improved.</p> <p>There is no compelling case made that the proposed charter would provide a demonstrably superior art education than the petitioned district (MDUSD). To wit:</p> <p>MDUSD offers elective VAPA courses at the MS and HS levels. HS students are required to take 1 year of art to fulfill graduation requirements.</p> <p>All MDUSD VAPA courses are aligned with the California Visual and Performing Arts Standards and many are written with an arts-integrated approach, which means that as students are learning the specific content of the arts, they are also learning about other subject areas and having to apply skills and concepts learned in other coursework.</p> <ul style="list-style-type: none"> <li>• Example: 3D Modeling is a UC a-g approved arts course that is integrated with Career and Tech Ed. Students learn about visual arts, must understand and apply technology, and learn about visual arts within the context of history/social sciences.</li> <li>• Example: Media I, II, and III are UC a-g approved courses which integrate CCSS for ELA, along with CA VAPA Standards. Students learn about visual arts, must be able to express their ideas and written and visual form, and use technology to produce works of art.</li> </ul> | <p><b>P. 13-37</b></p> <p><b>P. 13-37</b></p> <p><b>P. 11-12</b></p> |

All recent UC a-g approved VAPA courses are written as integrated courses and incorporate CA VAPA standards along with CCSS for Technical subjects.

While many of the VAPA elective courses taught at the MS and HS focus on a specific discipline (ex: photography), many arts teachers instruct students in using Studio Habits of the Mind (SHOM), which closely mirrors the CCSS 8 Standards for Mathematical Practices.

VAPA teachers employed in public schools must hold the correct single-subject credential for the subject area they are teaching. This means that MDUSD VAPA teachers have deep content knowledge based on their teacher preparation program and credentialing to instruct students in Visual and Performing Arts. (This is not always the case for teachers employed in charter schools)

**C. CURRICULUM FRAMEWORK**  **Mark this box on behalf of the curriculum that has already been selected/developed:**

The description of the curriculum should provide the reviewer with a sense not only of *what* the school will teach but also of *how* and *why*. It must present research, applicant experience and/or reasoning sufficient to convince the reviewer that the applicants have already made sound educational decisions.

Petition Section/s

A description of the Curriculum Framework excels if it has the following characteristics:

- 1. Alignment:** *Is the selection well-reasoned and aligned with the mission, state standards and student needs?*
  - A clear description of the framework and research, experience and/or sound reasoning that demonstrates alignment with the school’s mission, state standards and anticipated student needs;
- 2. Implementation:** *Does the plan demonstrate the resources, scheduling and professional support needed for effective implementation?*
  - An implementation plan showing persuasively the resources, daily schedule, annual calendar and professional development that support effective implementation; and
  - A clear description of the manner in which the school will prioritize the implementation of those elements of the proposed educational program that will ensure likely achievement of the goals of the program;
- 3. Evaluation:** *Does the school have strategies to evaluate effectiveness and respond when student performance falls short of goals?*
  - Effective strategies for evaluating the effectiveness of implementation and responding when student performance falls short of goals.

**1. Alignment:** *Is the selection well-reasoned and aligned with the mission, state standards and student needs?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Implementation:** *Does the plan demonstrate the resources, scheduling and professional support needed for effective implementation?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Evaluation:** *Does the school have strategies to evaluate effectiveness and respond when student performance falls short of goals?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: CURRICULUM FRAMEWORK**

| FINDINGS  | Reference  |
|---|--|
| <p><b>Alignment</b><br/>                     It is unclear how STEM of the STEAM fits into the curriculum.</p> <p>There is little description aside from mentioning CCSS, 21<sup>st</sup> century learning framework.</p> <p>Compared to the arts, there is little explanation of science, technology, engineering, and math.</p> <p>The petition mentions a-g courses being offered, but does not offer any science courses beyond the tenth grade and only two high school science courses in total. The high school physical education curriculum is limited to dance and does not meet state standards.</p> <p>The petition discusses a STEAM approach, but lists very limited science and technology course offerings.</p> <p>The Petition also fails to contain a proposed instructional schedule that would demonstrate how every element of the proposed STEAM curriculum would be incorporated into the instructional day. Appendix S contains a proposed bell schedule, but contains no reference to subject matter instruction</p> | <p><b>entire petition</b></p> <p><b>entire petition</b></p> <p><b>P. 51</b></p> <p><b>entire petition</b></p> <p><b>Appendix X</b></p> |
| <p><b>Implementation</b><br/>                     Again, how does STEM fit into the program?</p> <p>How is the facility going to support a STEM program? How will classrooms be equipped?</p> <p>What is the timeline for ensuring facilities are built out to fit educational needs?</p>   | <p><b>P. 139</b></p>   |
| <p>The professional development plan is unrealistic and lacks clear timelines and focus.</p>  | <p><b>P. 49</b><br/> <b>Appendix R</b></p>   |
| <p><b>Evaluation</b><br/>                     Aside from identifying an assessment data system (Illuminate), not much details about how assessment and data will be used to support learning.</p>   | <p><b>P. 91-92</b></p>   |

|  |  |
|--|--|
| <p>How will the charter address students who are not learning?</p> <p>In Elements 2 and 3, there is no discussion of how students who do not meet standards will be supported to increase achievement. Other than a brief reference to an online system, assessments are generally summative in nature and do not go beyond required state instruments.</p> <p>The Petition also lacks a reasonably comprehensive description of a student assessment data system, as well as a description of how such assessment data would be used to support student learning. The “Education Support Programs” contained on pp. 40-48 identifies a number of online support programs, accompanied by screenshots and brief descriptions. However, the brief descriptions read more like promotional materials for each program, and the Petition fails to go into any detail as to how each program would support student learning with specific reference to each component of the proposed educational program, and how such programs would be used to improve pupil outcomes.</p> <p>It is not clear from the Petition whether the Charter School’s credentialing requirements would require the same depth of content-area knowledge, as this issue is not explicitly addressed. It is also not clear from the Petition how the various components of the Arts curriculum (Theatre Music, Dance, and Production and Design Conservatories) will integrate into the college preparatory core curriculum. While the Petition identifies integration as a program feature, it does not provide a reasonably comprehensive description of how such integration would take place, mostly because, as was noted above, the STEM component of the educational program is also severely underdeveloped.</p> <p>While the Petition contains a matrix identifying actions to achieve the Charter School’s annual goals, it fails to identify “annual goals ... for each subgroup of pupils” as is required under Education Code section Education Code section 47065(b)(5)(A)(ii). Rather, it expresses such goals for “[a]ll students, including all student subgroups,” without differentiation among subgroups, as is required by law.</p> | <p><b>P. 72-92</b></p> <p><b>P. 40-48</b></p> <p><b>P. 32</b></p> <p><b>P. 55, 58-59</b></p> |
|--|--|

**D. CURRICULUM FRAMEWORK**  *Mark this box on behalf of the curriculum that has yet to be developed:*

**1. Plan:** *Is there a sound curriculum development plan?*

- o A thorough, persuasive plan for development including the research base to be considered and foundation materials;

**2. Schedule:** *Is there a well-defined, realistic schedule?*

- o A realistic, time-specific development schedule and clear objectives to be met; and

**3. Responsibilities:** *Are the development responsibilities clear and manageable?*

- o Identification of individuals responsible for development and evidence that they are well-qualified for the task.

**1. Plan:** *Is there a sound curriculum development plan?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Schedule:** *Is there a well-defined, realistic schedule?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Responsibilities:** *Are the development responsibilities clear and manageable?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: CURRICULUM DEVELOPMENT PLAN**

| <b>FINDINGS</b>   | <b>Reference</b>  |
|---|---|
| <p><b>Plan</b><br/>While there is a lot of research presented in petition with the rationale, little evidence of a coherent curriculum plan.</p> <p>There is no clear plan or process for developing the proposed curriculum.</p> <p><b>Schedule</b><br/>It is questionable how all 5 areas of STEAM can fit into the proposed schedule.</p> <p>There is no schedule evident or objectives established to create a standards-based curriculum for the proposed courses.</p> <p><b>Responsibilities</b><br/>One teacher of the petitioning teachers is credentialed in math and one in physics. However, no one on the steering committee has the credentials, background, or experience in “S-T-E” aspects of STEAM. How will the curriculum plan be developed?</p> <p>It is unclear who will be engaged in the task of curriculum development.</p> | <p><b>P. 10-90</b></p> <p><b>P. 10-90<br/>Appendices</b></p> <p><b>Appendix B</b></p> |

**E. SPECIAL POPULATIONS: SPECIAL EDUCATION**

Federal law requires charter schools, like all public schools, to provide a free appropriate education in the least restrictive environment to students identified with disabilities who are enrolled at the school. A plan for serving students with disabilities excels if it has the following characteristics:

- Demonstrated understanding of state and federal special education requirements including the fundamental obligation to provide a free, appropriate education to students identified with disabilities and obligations held under Section 504 of the ADA;
- A clear statement regarding what petitioners expect will be the school’s anticipated LEA status for purposes of special education and the implications of that status determination ;
- A sound plan -- including lead contact, funding, service and intervention arrangements -- for identifying and meeting the needs of students identified with disabilities;
- Alignment of the special education plan with the core educational program; and
- Evidence of high expectations for students with special needs.

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



**ANALYSIS: SPECIAL EDUCATION**

| <b>If Meets or Excels;<br/>Strengths</b>   | <b>FINDINGS</b>  | <b>Reference</b>   |
|--|--|--|
| <p>The charter will comply with SELPA policies and will use SELPA forms with the SELPA which accepts the application (El Dorado, Sonoma or Contra Costa per the application)</p> | <p>Total number of rooms: 24<br/>                     Total number of students: 700<br/>                     The petition identifies an average of 29 students per room, providing all rooms are used for instruction. This does not equate to small class sizes and certainly is not enough to provide small group instruction required by SWD.</p> <p>There is an inadequate description of how SWD will meet goals on IEPs to meet grade level standards other in description of State Priority #8 Student Outcome 8.</p> <p>The petition makes no reference to how students will receive specialized academic instruction which is required in the majority of IEPs. This service enables a large number of SWD access to curriculum in academic settings and somehow the charter omits any reference to the need for it.</p> <p>The petition references the procurement of related services to be provided through credentialed or licensed providers. At an average cost of between \$70-\$155 per hour, these costs can quickly absorb the budget of a small LEA. The charter plans to become its own LEA for special education purposes.</p> <p>Because of the costs associated with special education, the concern would be the fiscal sustainability of school should a student enroll who required a specialized, mandated, IEP driven service.</p> <p>The charter proposal references requesting services from the charter SELPA including speech, occupational therapy, APE, nursing and transportation subject to approval and availability. This is in violation of IDEA which mandates the IEP team approves these services, regardless of availability.</p> <p>Due process hearings can be costly and school districts not only pay for their own legal fees but those of the parents should disputes rise to that level. A</p> | <p><b>P. 10</b></p> <p><b>P. 58-60</b></p> <p><b>P. 70-71</b></p> <p><b>P. 71</b></p> <p><b>P. 75</b></p> <p><b>P. 71-73</b></p> |

|  |   |  |
|--|---|--|
|  | <p>major concern here would be that one filing could create serious financial hardship for the school with implications for the rest of the students enrolled.</p> <p>Section 504 students must also be accommodated. Information provided is only Ed code language.</p> <p>There is little or no information specifying how the medical needs of Section 504 students will be met.</p> <p>Health-<br/>While much of the Health and Safety Procedures are per Ed. Code 47605 (b)(5)(F), there are no details to address students who require medical attention.</p> <p>How are students with medical conditions being served?</p> <p>Who is responsible for administering medication?</p> <p>How are students with mental health issues being served?</p> <p>This section of the Petition only provides a brief recitation of the rudimentary legal requirements that would apply to the Charter School as an LEA for special education purposes. It fails to identify any specific services that would be provided to students upon the entire spectrum of disabilities that would allow student to access the Charter School's curriculum in an academic setting, or meet grade level standards, and that the Charter School would be obligated to provide.</p> <p>The Petitioners grossly underestimate the potential special education encroachment. As a reference point, the per-pupil special education encroachment of the District into the general fund is approximately 10 times greater than that projected by Petitioners.</p> | <p><b>P. 70-73</b></p> <p><b>P. 70-76</b></p> <p><b>Appendix Z</b></p> |
|--|---|--|

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

**F. SPECIAL POPULATIONS: ENGLISH LANGUAGE LEARNERS**

Federal law requires charter schools, like all public schools, to meet the needs of English language learners by helping them gain English proficiency and also make progress in all academic subjects. A plan for serving English language learners excels if it has the following characteristics:

- Demonstrated understanding of the likely English language learner population;
- A sound approach to identifying and meeting the needs of English language learners tailored to the anticipated population;
- A sound approach to helping English language learners fulfill expectations of the core educational program, including a lead contact and intervention process; and
- Evidence of high expectations for English language learners.

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: ENGLISH LANGUAGE LEARNERS**

| <b>FINDINGS</b>  | <b>Reference</b>        |
|--|-------------------------|
| <p>Read 180 is the only potential Language support for English Learners</p>  | <p><b>P. 43</b></p>     |
| <p>Support for English Learners to be Fluent English Proficient “annually and perform at Grade Level is not a lofty goal, unless they are at the Advanced level</p>  | <p><b>P. 55</b></p>     |
| <p>1-1 Teacher instruction, small work groups, usage of SDAIE strategies and Support Class (1) is listed as the support to reach proficiency, but is not detailed in the Charter Petition.</p>   | <p><b>P. 56</b></p>     |
| <p>The Petition states that the Charter School “will make support for English Learners a primary focus of the school culture,” but only states that “ELD <i>may</i> be incorporated within the language arts curriculum and is taught daily for a minimum of 30 minutes in grades K-12.” Since the Charter School would only serve grades 6-12, this statement makes no sense. Moreover, the description of how ELD instruction would be used to allow students to access core subject matter instruction lacks detail, including specific program placement and services to be offered to students receiving ELD instruction. Moreover, the Petition references no separate class periods allocated to ELD, which is what the District allocates for beginning EL students. Without sufficient detail, is not possible to determine whether the Petition’s proposed ELD instructional program meets legal requirements or is sound.</p> | <p><b>P. 65-67</b></p>  |
| <p>The Petition also fails to mention any specific instructional materials that would be used to teach English Language Learners, and fails to address professional development for instructional personnel in the area of ELD.</p>  | <p><b>P. 43, 56</b></p> |

**G. PUPIL OUTCOMES**

Pupil outcomes are central to the school’s existence. They represent the school’s definition of success and should drive all aspects of the program and operation. A description of Pupil Outcomes excels if it has the following characteristics:

1. **Alignment:** *Do the objectives align with the mission and vision?*
  - Educational objectives aligned with the mission, vision and educational program;
2. **Measurement:** *Are the goals clear, specific and measurable?*
  - Multiple performance measures applied to student learning objectives.
  - Measures include performance goals based on absolute (e.g., proficiency levels), relative (e.g., comparison schools) and individual gains (e.g., year-to-year matched student cohort gains);
  - Goals that are specific, measurable and time bound;
3. **Performance Level:** *Have the petitioners demonstrated that the target performance levels are both ambitious and attainable?*
  - Performance levels that are both ambitious and realistic including rigorous promotion and graduation standards;
  - Performance levels are considered annually and graduated as needed to sufficiently accelerate learning based on the needs of the target population;
4. **Annual Goals:** *Does the Petition include “[a] description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals?” Does the Petition “identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals?”*

**1. Alignment:** *Do the objectives align with the mission and vision?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Measurement:** *Are the goals clear, specific and measurable?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Performance Level:** *Have the petitioners demonstrated that the target performance levels are both ambitious and attainable?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**4. Annual Goals:** *Have the petitioners adequately described their annual goals?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: PUPIL OUTCOMES**

| <b>FINDINGS</b>  | <b>Reference</b>   |
|--|--|
| <p><b>Alignment</b></p> <p>The vision and mission statements speak to a STEAM program for the school. The Arts are clearly identified and adequately addressed, but there is incomplete and adequate information on the science, math, and engineering aspects of STEAM.</p> <p>The mission statement is to serve various and diverse students; however, the location and lack of transportation do not support the mission of serving all students. Those who can afford to find means to travel to the school may do so; but those who cannot, will not have adequate access or ability to attend.</p> <p><b>Measurement</b></p> <p>The goals are somewhat measurable based on the alignment to the LCAP and state priorities; however, the time bound components and a student individual goal being measured is inadequate.</p> <p>On the identification of assessments, the Petition identifies the primary State-level assessments. However, the description of other school-specific assessments, including portfolios, and how Charter School staff would use such informal assessments to measure pupil progress, is not reasonably comprehensive. Due the transition from API to SBAC testing, the need for robust local and non-State assessment measures is crucial for a Charter School Program in the inception stages.</p> <p><b>Performance Level</b></p> <p>The performance levels listed, A-G, and graduation requirements meet the basic performance levels; however, the areas of Science, Math, and Engineering appear to be weak on the ability to have them rigorous and students perform at the same levels as traditional high school programs.</p> | <p><b>entire petition</b></p> <p><b>P. 11</b></p> <p><b>P. 77-90</b></p> <p><b>P. 91-92</b></p> <p><b>P. 51-61</b></p> |



**H. PUPIL PROGRESS**

Summative evaluations measure student performance for the purpose of evaluating academic program effectiveness and overall school operation. In other words, they are used to determine how much students have learned.

Formative evaluations measure student performance for the purpose of determining students’ learning needs and to inform instructional strategies. In other words, they are used to determine what students still need to learn.

A plan for evaluating Pupil Progress excels if it uses both formative and summative and includes the following characteristics:

- 1. Assessments:** *Does the school have valid and reliable measures of student progress?*
  - Identification of the expected range of formative and summative assessments including but not limited to state-mandated assessments;
  - Evidence that assessments will be valid and reliable measures of student progress toward achieving the identified Pupil Outcomes.
- 2. Instruction Improvement:** *Does the school have a sound plan for using assessments to inform instruction?*
  - A coherent strategy for using student assessment and performance data to evaluate and inform instruction on an ongoing basis.
- 3. Reporting:** *Is the school committed to reporting and disseminating performance information?*
  - A plan for sharing performance information, including standardized test results, with students, families and public agencies, as required.
  - A clear description of the manner in which stakeholders will act upon and make use of the performance information provided.
- 4. Pupil Outcomes:** Does the petition contain measurable pupil outcomes “that address increases in pupil academic achievement both school wide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of section 47607?” Do “[t]he pupil outcomes shall align with state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school?”

**1. Assessments:** *Does the school have valid and reliable measures of student progress?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Instruction Improvement:** *Does the school have a sound plan for using assessments to inform instruction?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Reporting:** *Is the school committed to reporting and disseminating performance information?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**4. Pupil Outcomes:** *Does the description of pupil outcomes meet the requirements of law?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: PUPIL PROGRESS**

| <b>FINDINGS</b>  | <b>Reference</b>  |
|--|---|
| <p><b>Assessments</b></p> <p>Although assessments are outlined, the references are mostly to state level assessments. The Charter states that various methods including portfolios will be used for students, but the description is weak with respect to informal assessment and the use and discussion amongst staff regarding assessments is lacking.</p> <p><b>Instructional Improvement</b></p> <p>The petitioners state they will develop a plan for staff discussion and use of data to drive instruction, but nothing is outlined. Data review requires not just a plan, but professional development on how to utilize data. Data review requires professional development for the data systems utilized to collect and store the data and there is not adequate outlining of how the charter would take this on.</p> <p><b>Reporting</b></p> <p>The reporting of data is outlined; however, the clarity of what input stakeholders will have after reviewing the data and what effects data review will have is lacking.</p> | <p><b>P. 91-93</b></p> <p><b>P. 77-93</b></p> <p><b>P. 92</b></p> |

---

## II. PETITIONER CAPACITY

Statutory References:

E.C. § 47605(b)(2)

E.C. § 47605(b)(5)(D)-(P)

E.C. § 47605(c)(2)

E.C. § 47605(g)

The Charter Schools Act requires the authorizer to determine whether the petitioners are “demonstrably unlikely to successfully implement the program.” Experience with new school development demonstrates that unless petitioners have sound plans and capacity for governance, management, employment and financial operation, they are unlikely to successfully implement the program. This section should provide a clear, convincing picture of the petitioners’ capacity to operate the school successfully.

### A. GOVERNANCE CAPACITY

Petition Section/s

A description of the plan for Governance excels if it has the following characteristics:

**1. Legal Structure:** *Does the school have adequate and appropriate legal structure?*

- Documentation of proper legal structure (Articles of Incorporation stamped by the Office of the Secretary of State and corporate Bylaws);
- Evidence of 501(c)3 Non-Profit Corporation status;
- Adequate bylaws, policies & procedures for governing body operation (director selection & removal, decision making, powers and duties, expansion and transition plans)

**2. Charter School Governance Experience/ Expertise:** *Does the board demonstrate the capacity needed to govern effectively?*

- Evidence of analysis that proposed founding members of the governing body possess and will contribute the wide range of knowledge and skills needed to oversee a successful charter school;
- Evidence of the existing or emerging capacity of the proposed founding members of the governing board to work as an effective unit in the interest of the proposed charter school;

**3. Operating Plan:** *Does the school have an operating plan that complies with legal obligations and incorporates sound governance practices?*

- Demonstrated understanding of the board’s responsibility for the educational and fiscal integrity of the school and for fulfilling the terms of the charter;
- Clear, reasonable selection and removal procedures, term limits, meeting schedules, and powers and duties for members of the governing body;
- Demonstrated understanding and assurance of compliance with open meetings requirements;
- Reasonable conflict of interest policy;
- Adequate plan for insurance;
- A plan for meaningful involvement or input of parents and community members in the governance of the school;
- Clear, sensible delineation of roles and responsibilities of parent councils, advisory committees or other supporting groups; and
- Clear, sensible definition of governing body roles and responsibilities in relation to management.

**1. Legal Structure:** *Does the school have adequate and appropriate legal structure?*

| Inadequate               | Approaches               | Meets                               | Excels                   |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**2. Governance Experience:** *Does the board demonstrate the capacity needed to govern effectively?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Operating Plan:** *Does the school have an operating plan that complies with legal obligations and incorporates sound governance practices?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: GOVERNANCE CAPACITY**

| <b>FINDINGS</b>   | <b>Reference</b>          |
|---|---------------------------|
| <p>Opportunities for significant parental involvement is sparse and there's no mention of anything akin to a school site council or an advisory board to ensure that parents have meaningful input into their student's education.</p>  | <b>P. 97</b>              |
| <p>Parents are encouraged to participate as volunteers etc., but are not guaranteed seats on the school's board of directors which lessens the possibility of impactful influence on policies, procedures, and school oversight.</p>  | <b>P. 97</b>              |
| <p>The petition does not demonstrate that the organizers possess a depth of knowledge and experience in science, technology, engineering, and mathematics in order to support the school's stated mission of offering an educational program with an emphasis on STEAM. It appears that the science, technology and engineering aspect of the education program is an add-on.</p>         | <b>Appendices A&amp;B</b> |
| <p>The fact that the board may be comprised of as few as three people, raises the concern whether three individuals can represent diversity of thought and experience. The fact that the board will be appointed rather than elected is also of concern in that parents and community members with opposing views from the leadership may be precluded from meaningful participation.</p> | <b>P. 95</b>              |
| <p>The insurance provisions of the Articles of Incorporation are vague on the amount of insurance the charter will carry.</p>   | <b>Appendix W</b>         |

## B. MANAGEMENT CAPACITY

A leadership plan excels if it has the following characteristics:

**1. Enrollment Procedures:** *Does the petition present reasonable enrollment procedures that comply with applicable law?*

- A description of the means by which the school will seek to attain a racial and ethnic balance among its pupils that is reflective of the district including specific plans and strategies for student recruitment;
- A clear and compelling student recruitment plan likely to attract projected enrollment, particularly in Year 1;
- A specific plan for conducting a public random drawing or an assurance that such a drawing will be conducted subject to district approval in the event that the number of pupils who wish to attend the school exceed the capacity;
- An assurance that the school will not impose admission requirements OR, if the school proposes to have requirements, a precise description of those requirements, a compelling statement regarding why they are essential to fulfillment of the school's mission, and a specific plan for the school will incorporate the requirements into any random drawings.
- A clear description of the enrollment process to include any unique intake or application evaluation process to be used by the school designed to meet the needs of the target population outlined in the petition.

**2. Operating Procedures:** *Does the petition present sound operating procedures that comply with applicable law?*

- The procedures that the school will follow to ensure the health and safety of pupils and staff;
- A clearly articulated discipline policy with suspension and expulsion procedures that are fully explained consistent with the school's mission, educational philosophy and applicable law;
- A statement regarding attendance alternatives for students residing in the district who choose not to attend the school;
- A statement that the school intends to use the district's approved procedure for resolving disputes relating to provisions of the charter OR, in the alternative, a clear description of the procedures that the school proposes to use;
- A description of the systems likely to be effective in addressing parent and community complaints; and
- An assurance that the school will comply with the district's approved procedures for school closure in the event that the charter is relinquished, revoked or not renewed.

**3. Management Structure:** *How effective is the management structure likely to be?*

- Clearly defined management roles and responsibilities for all positions within the administration of the school;

- A clear plan for recruitment, selection, development and evaluation of staff including the school leader;
- Verifiable internal procedures and controls to ensure conformance with the approved budget;
- An approved and public organizational chart delineating board and management roles and lines of authority;
- Clear, sensible delineation of roles and responsibilities for implementing the school program including clearly defined roles for parent councils, advisory committees and other supporting groups;
- Management job descriptions identifying key roles, responsibilities and accountability;
- An allocation of time, financial resources and personnel that is sufficient for planning and start-up prior to the school’s opening; and
- The manner in which administrative services are to be provided and any potential civil liability effects on the school or the district.

**1. Enrollment Procedures:** *Does the petition present reasonable enrollment procedures that comply with applicable law?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Operating Procedures:** *Does the petition present sound operating procedures that comply with applicable law?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Management Structure:** *How effective is the management structure likely to be?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



**ANALYSIS: MANAGEMENT CAPACITY**

| <b>FINDINGS</b>  | <b>Reference</b>   |
|--|--|
| <p><b>Enrollment Procedures</b></p> <p>Unlikely to obtain racial and ethnic balance.<br/>How can they provide a racial and ethnic balance among its students when the location is not conducive to most families?</p> <p>There is “No” public transportation near facility. The charter school is not offering transportation. Many families will be disproportionately affected due to their inability to attend this site.</p> <p>Enrollment Outreach is not stated as a significant effort to reach diverse populations in the “territorial” area. How are all subbing groups being reached?</p> <p>There are 8 pages of performing arts organizations and studios, but no mention of science, engineering groups to recruit students interested in the STEAM. How are students interested in science, engineering or other related areas being recruited? Who are they really targeting?</p> <p>It is very unlikely low social economic, disadvantage students and many students of color participate at these selected outreach places. There is a likelihood our diverse students would not receive the notifications.</p> <p>There is little or no information to address attendance of foster youth, homeless, home and hospital and non-attending students.</p> | <p><b>Element 7</b></p> <p><b>P. 105</b></p> <p><b>Appendix F</b></p> <p><b>Appendix F</b></p> |

**C. EMPLOYMENT CAPACITY**

An employment plan excels if it has the following characteristics:

- 1. Qualifications and Responsibilities:** *How clear and sensible are required staff capacities and intended allocation of responsibilities?*
  - Description of the qualifications for and responsibilities of key employees of the school, including the instructional leader and other key school administration positions.
- 2. Compensation Plan:** *How sound is the staff compensation plan?*
  - A compensation plan based on sound budget assumptions that reflects understanding of the prevailing market and supports the proposed educational program.
- 3. Policies and Assurances:** *Does the petition contain the required assurances and a reasonable plan for policy development?*
  - Adequate personnel policies or a sound plan articulated for timely development;
  - An assurance that staff will meet applicable state and federal requirements for credentialing and "highly qualified" status;
  - An adequate description of the manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security;
  - A statement regarding employee rights of return, if any;
  - A clear declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act; and
  - An assurance that staff will have criminal background and other required health and safety checks and manner in which these will be conducted.

**1. Qualifications and Responsibilities:** *How clear and sensible are required staff capacities and intended allocation of responsibilities?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Compensation Plan:** *How sound is the staff compensation plan?*

| Inadequate                          | Approaches               | Meets                    | Excels                   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Policies and Assurances:** *Does the petition contain the required assurances and a reasonable plan for policy development?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: EMPLOYMENT CAPACITY**

| FINDINGS   | Reference  |
|--|--|
| <p><b>Qualifications and Responsibilities</b></p> <p>There is no evidence that administrators and teachers are required to hold valid California credentials as appropriate. Also no evidence that CLAD certification is required. It is unclear as to how much classroom teaching experience is required.</p> <p><b>Compensation Plan</b></p> <p>It is unrealistic that the Charter’s stated salary will attract the caliber of teaching and counseling staff as stated. For instance, a teacher’s salary is \$55,000 and yet, the workday is longer, duties are extensive and the teachers slated to be hired have a significant amount of experience.</p> <p>It is unrealistic that the Charter’s stated salary will attract the caliber of teaching and counseling staff as stated. For instance, a teacher’s salary is \$55,000 and yet, the workday is longer, duties are extensive and the teachers slated to be hired have a significant amount of experience. The Petition identifies a 180-day work year, including a 20-day summer session. The Charter School’s instructional day also goes to 4:15 p.m. for grades 9-12. Therefore, on a per-diem basis, Charter School teachers would be earning lower salaries than their public school counterparts.</p> <p><b>Policies and Assurances</b></p> <p>Why are paraprofessionals only required to be highly qualified if the school receives Title 1 funding?</p> | <p><b>P. 98-101</b></p> <p><b>Appendix Z</b></p> <p><b>Appendix T</b><br/><b>Appendix X</b></p> <p><b>P. 100-101</b></p> |

## D. FINANCIAL CAPACITY

The petition should present an understanding of how the charter operators intend to manage the school's finances and maintain the organization's financial viability. It should make a persuasive case for financial viability including sound revenue projections; expenditure requirements; and budgetary support for and alignment with the educational program.

A plan for financial capacity excels if it has the following characteristics:

**1. Financial Operation:** *How would you rate the structures and practices related to financial operation?*

- A balanced three-year budget accurately reflecting all budget assumptions;
- A start-up year plan with reasonable assessment of and plan for costs;
- A clear indication that the school has a sound plan for sustainability including funding for the core program that does not have ongoing reliance on "soft" money (e.g., donations, grants, etc.);
- Clear evidence and track record of sustainability, in the event there is an enduring reliance on "soft" money (e.g., donations, grants, etc.);
- An adequate reserve and contingency plan targeted to the minimum enrollment needed for solvency (especially for year 1);
- A sound plan for financial management systems;
- An audit assurance and/or plan with adequate budget allocation; and
- A plan for dissolution of assets should the school close.

**2. Revenues:** *How would you rate the accuracy and attainability of the revenue projections?*

- A narrative explaining key revenue assumptions;
- Realistic revenue projections showing all anticipated revenue sources -- including state, local, federal and private funds, and any fee-based programs and services;
- Realistic cash flow projection; and
- A fundraising plan including assumptions and report on current status.

**3. Expenditures:** *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?*

- Spending priorities that align with the school's mission, educational program, management structure, professional development needs, and growth plan;
- A budget narrative explaining key expense assumptions;

- Realistic expense projections addressing major operating expenses including staffing and benefits, special education, facility, materials and equipment, and contracted services;
- Budgeting to meet minimum insurance requirements; and
- Evidence to support key assumptions including that compensation is sufficient to attract qualified staff and that facilities budget is adequate.

**1. Financial Operation:** *How would you rate the structures and practices related to financial operation?*

| Inadequate               | Approaches                 | Meets                    | Excels                   |
|--------------------------|----------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | X <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Revenues:** *How would you rate the accuracy and attainability of the revenue projections?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Expenditures:** *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**E. FINANCIAL CAPACITY**

Petition Section/s

The petition should present an understanding of how the charter operators intend to manage the school’s finances and maintain the organization’s financial viability. It should make a persuasive case for financial viability including sound revenue projections; expenditure requirements; and budgetary support for and alignment with the educational program.

A plan for financial capacity excels if it has the following characteristics:

**4. Financial Operation:** *How would you rate the structures and practices related to financial operation?*

- A balanced three-year budget accurately reflecting all budget assumptions;
- A start-up year plan with reasonable assessment of and plan for costs;
- A clear indication that the school has a sound plan for sustainability including funding for the core program that does not have ongoing reliance on “soft” money (e.g., donations, grants, etc.);

- Clear evidence and track record of sustainability, in the event there is an enduring reliance on “soft” money (e.g., donations, grants, etc.);
- An adequate reserve and contingency plan targeted to the minimum enrollment needed for solvency (especially for year 1);
- A sound plan for financial management systems;
- An audit assurance and/or plan with adequate budget allocation; and
- A plan for dissolution of assets should the school close.

**5. Revenues:** *How would you rate the accuracy and attainability of the revenue projections?*

- A narrative explaining key revenue assumptions;
- Realistic revenue projections showing all anticipated revenue sources -- including state, local, federal and private funds, and any fee-based programs and services;
- Realistic cash flow projection; and
- A fundraising plan including assumptions and report on current status.

**6. Expenditures:** *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?*

- Spending priorities that align with the school’s mission, educational program, management structure, professional development needs, and growth plan;
- A budget narrative explaining key expense assumptions;
- Realistic expense projections addressing major operating expenses including staffing and benefits, special education, facility, materials and equipment, and contracted services;
- Budgeting to meet minimum insurance requirements; and
- Evidence to support key assumptions including that compensation is sufficient to attract qualified staff and that facilities budget is adequate.

**1. Financial Operation:** *How would you rate the structures and practices related to financial operation?*

| Inadequate               | Approaches                 | Meets                    | Excels                   |
|--------------------------|----------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | X <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**2. Revenues:** *How would you rate the accuracy and attainability of the revenue projections?*

| Inadequate               | Approaches                          | Meets                    | Excels                   |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**3. Expenditures:** *How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?*

| <b>Inadequate</b>        | <b>Approaches</b>                   | <b>Meets</b>             | <b>Excels</b>            |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



**ANALYSIS: FINANCIAL CAPACITY**

| If Meets or Excels;<br><b>Strengths</b>   | Reference | If Approaches or Inadequate;<br><b>Concerns &amp; Additional Questions</b>   | Reference |
|---|-----------|--|-----------|
| <p>Financial Operation</p> <ul style="list-style-type: none"> <li>Administrative services will be provided by a third-party contractor, Charter School Management Corporation (CSMC)</li> </ul> <p>Revenues</p> <ul style="list-style-type: none"> <li>Petition includes a 5-year plan, requirement is 3-years</li> </ul> <p>Expenditures</p> |           | <p>Financial Operation</p> <p>Revenues</p> <ul style="list-style-type: none"> <li>Cash flow concerns with second and third years of operations. August of second year shows an ending balance of \$113. This includes the total amount of donations of \$51,000 to be received in July. If anticipated amount is not received there will be a negative cash balance. The third year of operations is dependent on \$70,000 of donations to be received in July that also would cause a cash flow issue if total anticipated donations do not materialize in the first month of the fiscal year.</li> <li>Fundraising plan or current status report not included.</li> </ul> <p>Expenditures</p> <ul style="list-style-type: none"> <li>Facility plan is not included so there is insufficient information to verify expenditure assumptions for Facility Leases projections.</li> <li>The state-wide water issues has caused the Contra Costa Water District to increase water rates to non-residential customers and the Central Contra Costa Sanitary District sewer rates will be increasing 7% in the 2015-16 fiscal year. The estimated expenditure budgets for water and sewer may be insufficient.</li> </ul> |           |

**F. FACILITIES PLAN**

The Facilities Plan should demonstrate that the petitioners understand the school’s facilities needs and its options for meeting those needs.

**Do the petitioners anticipate using a district facility or finding a facility independent of the district?**

- Non-district facility**                       **District facility (Prop 39)**

**Select One**

**Non-district facility anticipated**

A description of the plan for using a non-district facility excels if it has the following characteristics:

- Informed assessment of anticipated facilities needs;
- Estimated costs for anticipated facilities needs based on research and evidence;
- A description of potential sites including location, size and resources;
- Informed analysis of the viability of potential sites;
- Adequate budget for anticipated facilities costs including renovation, rent, maintenance and utilities;
- A schedule for securing a facility including the person responsible for implementation
- An assurance of legal compliance (health and safety, ADA, and applicable building codes); and
- Identified funding sources.

**District facility anticipated pursuant to Prop 39**

A description of the facilities plan where the applicants have not yet identified a specific site will include the following characteristics:

- Informed assessment and description of anticipated facilities needs;
- Adequate budget based on 3% of anticipated per pupil revenue;
- A thoughtful contingency plan in the event that a mutually agreeable district facility is unable to be procured,
- A site preference with a compelling rationale for the preference; and
- An assurance of legal compliance (health and safety, ADA, and applicable building codes).

**Facilities Plan:** *Does the facilities plan indicate a thorough understanding of the school's needs?*

|                            |                          |                          |                          |
|----------------------------|--------------------------|--------------------------|--------------------------|
| <b>Inadequate</b>          | <b>Approaches</b>        | <b>Meets</b>             | <b>Excels</b>            |
| x <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**ANALYSIS: FACILITIES PLAN**

| <b>FINDINGS</b>  | <b>Reference</b>                     |
|--|--------------------------------------|
| <p>Its suitability as a school site for minors, including the availability of classroom space, specialized classroom space, science laboratories, physical education facilities, gymnasium, lockers, office space and quad/yard space for students to congregate.</p> <p>The suitability of the Concord Pavilion as a school site for minors, given the preponderance of large public events that take place at that facility on a daily basis.</p> <p>Whether locating a charter school that could enroll 300-700 students would have a traffic impact on an already heavily-used public facility, as well as other environmental impacts that would trigger requirements under the California Environmental Quality Act.</p> <p>Whether the proposed site is properly zoned for public school use.</p> <p>Whether the proposed facility meets applicable building code requirements, as well as fire safety requirements.</p> <p>Whether the Petitioners have conducted an analysis of whether the proposed facility meets the California Department of Education's requirements for a suitable and appropriate school site.</p> | <p><b>P. 139<br/>Appendix AA</b></p> |

**SIXTEEN ELEMENTS TABLE**

Statutory Reference: E.C. §§ 47605(b)(5)(A) to (P).

The Charter Schools Act requires authorizers to evaluate whether the petitioners have presented a “reasonably comprehensive” description of 16 elements related to a school’s operation (the “16 Elements.” To complete the following table,

1. Read the Element (column 1)
2. Use column 2 to find your earlier assessment of the item
3. Translate your assessment into a rating of “Inadequate” or “Reasonably Comprehensive” and mark the corresponding box.

| Element  | Evaluation Reference              | 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. | <i>Section I., bullet 3</i>       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | E.C. § 47605(b)(5)(A) |
| Measurable pupil outcomes  | <i>Section II.D.</i>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(B) |
| Method by which pupil progress is to be measured   | <i>Section II.E.</i>              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(C) |
| Governance structure   | <i>Section III.A.</i>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(D) |
| Qualifications to be met by individuals employed at the school   | <i>Section III.C.1.</i>           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(E) |
| Procedures for ensuring health & safety of students  | <i>Section III.B.2., bullet 1</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(F) |
| Means for achieving racial and ethnic balance  | <i>Section III.B.1., bullet 1</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(G) |
| Admission requirements, if applicable  | <i>Section III.B.1., bullet 3</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(H) |
| Manner for conducting annual, independent audits   | <i>Section III.D.1., bullet 7</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(I) |
| Suspension and expulsion procedures  | <i>Section III.B.2., bullet 2</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(J) |
| Manner for covering STRS, PERS, or Social Security   | <i>Section III.C.3., bullet 3</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(K) |
| Attendance alternatives for pupils residing within the district  | <i>Section III.B.2., Bullet 3</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | E.C. § 47605(b)(5)(L) |
| Employee rights of return, if any  | <i>Section III.C.3., bullet 4</i> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | E.C. § 47605(b)(5)(M) |
| Dispute resolution procedure for school-authorizer issues  | <i>Section III.B.2., Bullet 4</i> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | E.C. § 47605(b)(5)(N) |
| Statement regarding exclusive employer status of the school  | <i>Section III.C.3., bullet 5</i> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | E.C. § 47605(b)(5)(O) |
| Procedures for school closure  | <i>Section III.B.2., Bullet 5</i> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | E.C. § 47605(b)(5)(P) |