

SAN LORENZO VALLEY UNIFIED SCHOOL DISTRICT

Mission Statement

Working Together to Ensure All Students Learn and are Fully Prepared for College and Career

Special Meeting of the Board of Trustees
January 4, 2019
District Office Board Room
325 Marion Avenue, Ben Lomond, CA
1:00 PM

LOCATION: D.O.
DATE POSTED: 12-31-18
TIME POSTED: 3:30 pm
POSTED BY: V. Bergquist

Individuals requiring a disability-related modification or accommodation may contact the Superintendent's Office. Board packet documents are available for public inspection at the District Office, 325 Marion Avenue, Ben Lomond, during normal business hours and at www.slvusd.org.

Notice to the Audience Regarding Public Comment

Members of the audience are welcome to address the Board on items not listed on this agenda. Such comments are welcome at "Community Participation".

Members of the audience will also have the opportunity to address the Board during the second "Community Participation" for items listed on the agenda.

You are requested to submit a card (located on the entry table) prior to the discussion of the item you wish to speak to; once an item has begun, cards will not be accepted for that item. For the record, please state your name at the beginning of your statement.

AGENDA

Board Meetings are Recorded

- I. OPEN SESSION: 1:00 p.m., District Office Board Room, 325 Marion Ave., Ben Lomond
A. WELCOME AND CALL TO ORDER
B. ROLL CALL
C. PLEDGE OF ALLEGIANCE
D. APPROVAL OF AGENDA
E. APPROVAL OF MINUTES (December 6, 2018-Special Meeting)
F. REPORTS
1. Executive Summary - Integrative Leadership Academy Charter Petition ..... Lisa Mori
G. ACTION ITEM
1. First Reading (\* indicates items that may be acted upon at First Reading)
\*a. Adoption of Resolution #2018-19-12 - Denying the Charter Petition for the Establishment of the Integrative Leadership Academy and Written Findings in Support Thereof (Due to Timeline)..... Bruton
It is recommended that the Board adopt Resolution #2018-19-12 denying the Integrative Leadership Academy Charter School Petition and the written findings in support thereof as the Petition contains numerous

## SAN LORENZO VALLEY UNIFIED SCHOOL DISTRICT

deficiencies and concerns and does not satisfy the requirements set forth in Education Code § 47605.

### II. ADJOURNMENT

#### FUTURE BOARD MEETING DATES

January 16, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA  
February 6, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA  
March 6, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA  
March 20, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA  
April 17, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA  
May 1, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA  
May 15, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA  
June 5, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA  
June 12, 2019, 6:00 p.m. Open Session, 5:30 p.m. Closed Session, 325 Marion Ave., Ben Lomond, CA



#### San Lorenzo Valley Unified School District's LCAP

*Working Together to Ensure All Students Learn and are  
Fully Prepared for College and Career*

- Goal #1 – Math and ELA Proficiency
- Goal #2 – College and Career Readiness
- Goal #3 – Social Emotional Learning

SLVUSD Web Site: <http://www.slvusd.org/local-control-and-accountability-plan-lcap/>

**I. E. APPROVAL OF MINUTES**

***December 6, 2018***

**SAN LORENZO VALLEY UNIFIED SCHOOL DISTRICT**



**Special Meeting of the Board of Trustees  
December 6, 2018  
District Office Board Room  
325 Marion Avenue, Ben Lomond, CA  
5:00 PM**

**MINUTES**

**I. OPEN SESSION: 5:00 p.m., District Office Board Room, 325 Marion Ave., Ben Lomond**

**A. WELCOME AND CALL TO ORDER**

Mr. Wylie, President, called the Open Session to order at 5:03 p.m.

**B. ROLL CALL**

Present:	George Wylie, President	Jacqui Rice, Clerk
	Gail Levine, Trustee	Laura Dolson, Trustee
Absent:	Mark Becker, Trustee	

**C. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Dr. Laurie Bruton, Superintendent.

**D. APPROVAL OF AGENDA**

**MSC Rice/Levine to Approve the December 6, 2018 Board Agenda as presented. The Motion carried with the following vote:**

**AYES – 4 (Wylie, Rice, Levine, Dolson)**

**NOES – 0**

**ABSENT – 1 (Becker)**

**ABSTENTION – 0**

**E. PRESENTATION**

1. Integrative Leadership Academy (Nicky Ramos-Beban)..... Bruton  
Dr. Nicky Ramos-Beban, Executive Director of Integrative Leadership Academy (ILA) stated that this petition represented a group of families who want a small alternative middle school for SLV and Santa Cruz County. She presented information regarding the type of program ILA Charter school would provide; project-based learning, high learning-low stress, advisor for each student, with a focus on transcendental meditation. She stated that this is a new application and that ILA representatives were here one last time to ask the Board to consider. She also stated that this petition responds to each question the District has asked and that there is now a minimum reliance on soft money, only 4% after year three. Ms. Ramos-Beban concluded that they want to work together with the District.

**F. PUBLIC HEARING**

1. Integrative Leadership Academy – Charter Petition Submitted 11/06/18 ..... Wylie  
Mr. Wylie, President, requested that since this is the third Public Hearing regarding the ILA Charter, that the speakers please tell the Board what is different and limited the hearing to twenty-five minutes.

## SAN LORENZO VALLEY UNIFIED SCHOOL DISTRICT

The Public Hearing was held in regards to the Charter Petition received from Integrative Leadership Academy for input either verbal or written.

Mr. Wylie, President, opened the Public Hearing at 5:12 p.m.

Ms. Estelle Fein, former SLV charter employee and resident of Boulder Creek, spoke in support of ILA, stating that there are almost no options for 6-8, and that the ones that are offered are difficult to get in to. She referenced the "Ugly Duckling" story to reflect the need for alternative learning for children that do not fit into the traditional learning environment.

Ms. Shelly Beban, resident of Boulder Creek, spoke in support of ILA by reading two letters (previously sent) from two parents that are in support of ILA Charter. The letters supported smaller class sizes and more options within the SLV District. Ms. Beban expressed her disappointment with the Board's previous decisions to deny and hoped the petition was approved.

Mr. David Ramos-Beban, parent and resident of Boulder Creek, read sections from two parent letters supporting the ILA Charter.

Ms. Carolyn Dornsife, resident of Boulder Creek, also read two parent letters that support ILA.

Ms. Mary Kashmar, resident of Aptos and Development Director for ILA, reported in regards to the funding for ILA Charter including what was currently in an escrow account, fundraising, and grants that have been received.

Ms. Angie Pennington, resident of Scotts Valley, has children attending SLV Coast Redwood Middle School, expressed the desire for more class time for students. She also indicated that parents often struggle with teaching their child in homeschool settings and want more options for children to attend school. She stated her frustration and uncomfortable feelings, reporting that this has become a "heated debate". She asked the Board several questions and asked them to work with ILA.

Mr. Jeff Rice, resident of Saratoga, also read letters from parents supporting ILA Charter, stating that they are dismayed this petition is not going through and asked the Board to approve it.

Mr. Wylie, President, closed the Public Hearing at 5:29 p.m.

## II. ADJOURNMENT

Mr. Wylie, President, adjourned Open Session at 5:30 p.m.

**RESPECTFULLY SUBMITTED:**

**WITNESSED BY:**

Dr. Laurie Bruton, Superintendent and Secretary  
Board of Trustees

Jacqui Rice, Clerk  
Board of Trustees



**San Lorenzo Valley Unified School District's LCAP**  
*Working Together to Ensure All Students Learn and are  
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Goal #1 – Math and ELA Proficiency  
Goal #2 – College and Career Readiness  
Goal #3 – Social Emotional Learning

SLVUSD Web Site: <http://www.slvusd.org/local-control-and-accountability-plan-lcap/>

**I. G. ACTION ITEM**

- 1. First Reading..... \*a.**

**SAN LORENZO VALLEY UNIFIED SCHOOL DISTRICT  
BOARD ACTION ITEM**

**DATE:** January 4, 2019

**TO:** San Lorenzo Valley Unified School Board of Trustees

**FROM:** Dr. Laurie Bruton, Superintendent

**RE:** Adoption of Resolution #2018-19-12 Denying the Charter Petition for the Establishment of the Integrative Leadership Academy and Written Findings in Support Thereof  
First Reading\* - (*Due to Timeline*)

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**BACKGROUND:**

Pursuant to Education Code § 47600 *et seq.*, a petition to establish the Integrative Leadership Academy charter school was submitted to the District on November 6, 2018 ("the Petition"). Education Code § 47605(b) mandates that no later than 30 days after receiving a charter school petition, the Governing Board shall hold a public hearing on the provisions of the charter and shall consider the level of support for the petition by teachers employed by the District, other employees of the District, and parents. The Board duly held such public hearing on the Petition on December 6, 2018. Education Code § 47605(b) further mandates that the Governing Board take action to either grant or deny the charter within 60 days of receipt of the Petition. Accordingly, the Governing Board must take action to either grant or deny the Petition by January 4, 2019.

Upon receipt of the Petition, District staff, in consultation with legal counsel, undertook a comprehensive review of the Petition, analyzing whether the Petitioners complied with the relevant provisions of Education Code § 47605 and whether the charter as presented is consistent with sound educational practice. Based on that review, as well as review and consideration of the information provided during the public hearing, staff has concluded that the Petition is legally deficient in numerous and significant respects.

**SUMMARY OF FINDINGS:**

The following represents our analysis of the Integrative Leadership Academy (ILA or Petitioners) charter petition (Petition) (re)submitted to the District on November 6, 2018 by lead petitioner, Nicky Ramos-Beban, Ph.D. ILA proposes to operate a charter school that "nurtures the holistic development of students utilizing a focus on Transcendental Meditation to create a low stress and joyful learning environment. ILA seeks approval for a five-year initial charter term, from July 1, 2019 through June 30, 2024, from the San Lorenzo Valley Unified School District (District).

As stated and explained in the resolution, based on the review completed by District staff and legal counsel of ILA's (revised and resubmitted) Petition, numerous deficiencies exist that support a recommendation that the Petition be denied by the Board of Education (Board).

## Findings:

The following set of findings is not an exhaustive list of the deficiencies that the panel has identified in the Petition. Rather, the summary below describes some of the most notable areas of concern that would support the basis for a denial of the Petition.

1. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. (Educ. Code § 47605(b)(1)).
  - a. The Petition is significantly lacking in meaningful detail regarding *how* Petitioners will coordinate the identified structures, curriculum, and instructional materials to deliver the promised standards-based program, and provide ongoing, sustainable and effective staff development, sufficient to ensure a viable overall program.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. (Educ. Code § 47605(b)(2)).
  - a. Despite its stated attempt to address the deficiencies identified by the Board in Petitioner's previous two versions of the Petition, the Petition still includes many contradictions, inaccuracies, and deficiencies in the proposed educational program, how it will assess student progress, and how it will address staff development needs, calling into question the Petitioners' ability to successfully deliver the proposed program.
3. The Petitioners are **demonstrably unlikely** to successfully implement the program because it does not contain a reasonably comprehensive descriptions of the elements required in Education Code Section 47605(b)(5).

ILA presents an **unsound educational program** for the students to be enrolled in the charter school. (Educ. Code § 47605(b)(1).)

- a) Element 1 – Educational Program
- b) Element 3 – Methods for Measuring Student Progress

## Summary and Conclusions:

As discussed above, the District must approve a charter petition unless it makes one or more of the factual findings outlined above. Such action must be taken within 60 calendar days of the date the Petition was received by the District, in this case, November 6, 2018. Based on the foregoing analysis, it is the panel's recommendation that the Board adopt the proposed resolution and findings as we believe that there are sufficient grounds to support the denial of the Petition.

RESOLUTION No. 2018-19-12, which contains specific findings of fact in support of the denial of the Integrative Leadership Academy charter school petition is presented to the Board as required by Education Code section 47605(b).

## **RECOMMENDED ACTION:**

It is recommended that the Governing Board adopt Resolution No. 2018-19-12 denying the Integrative Leadership Academy Charter School Petition and the written findings in



support thereof as the Petition contains numerous deficiencies and concerns and does not satisfy the requirements set forth in Education Code § 47605.

**SAN LORENZO VALLEY UNIFIED SCHOOL DISTRICT**  
**Ben Lomond, California**

On a Motion by Trustee: \_\_\_\_\_

Seconded by Trustee: \_\_\_\_\_

Approved on: \_\_\_\_\_

**Resolution #2018-19-12**

**RESOLUTION OF THE GOVERNING BOARD OF THE  
SAN LORENZO VALLEY UNIFIED SCHOOL DISTRICT  
DENYING THE CHARTER PETITION FOR THE ESTABLISHMENT OF THE  
INTEGRATIVE LEADERSHIP ACADEMY  
AND WRITTEN FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, the establishment of Charter Schools is governed by the Charter Schools Act of 1992, as subsequently amended, Education Code sections 47600 *et seq.* and implementing Title 5 of the California Code of Regulations;

**WHEREAS**, on November 6, 2018, the San Lorenzo Valley Unified School District ("District") received the charter petition ("Petition") proposing the establishment of the Integrative Leadership Academy ("Charter School");

**WHEREAS**, consistent with Education Code section 47605 subdivision (b), at a regular meeting on December 6, 2018, the District's Governing Board ("Board") held a public hearing on the Petition, at which time the Board considered the level of support for the Petition by teachers employed by the District, other employees of the District, and parents/guardians;

**WHEREAS**, the Board has convened on January 4, 2019, to consider whether to grant or deny the Petition;

**WHEREAS**, approval of charter petitions is governed by the standards and criteria set forth in Education Code section 47605 and implementing regulations set forth in Title 5 of the California Code of Regulations;

**WHEREAS**, Education Code section 47605 subdivision (b) prohibits the Board from denying a charter petition unless it makes written factual findings, specific to the particular charter school, setting forth facts to support one or more findings, which may include:

1. The petition does not contain the number of signatures required by Education Code section 47605 subdivision (a);
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
3. The charter school presents an unsound educational program for the students to be enrolled in the charter school;

4. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605 subdivision (d); or
5. The petition does not contain reasonably comprehensive descriptions of all 16 elements required in Education Code section 47605 subdivision (b)(5); and

**WHEREAS**, the District's administration, with the assistance of legal counsel, has reviewed and analyzed the Petition and supporting documents for legal sufficiency, including the information provided during the public hearing, and has identified numerous deficiencies in and concerns related to the Petition, and therefore recommends that the Board adopt the Findings of Fact, attached hereto as Exhibit "A" and incorporated herein by this reference, and deny the Petition.

**NOW, THEREFORE BE IT RESOLVED**, that the Board hereby adopts the Findings of Fact, attached hereto as Exhibit "A," as its own and denies the Petition to establish the Integrative Leadership Academy charter school.

**PASSED AND ADOPTED** at the regular meeting of the Governing Board of the San Lorenzo Valley Unified School District on January 4, 2019 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Mr. George Wylie  
President, Board of Education

I hereby certify that the foregoing is a true and correct copy of a Resolution of the Governing Board of the San Lorenzo Valley Unified School District of Santa Cruz County, California, adopted by said Governing Board at its meeting on January 4, 2019.

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Dr. Laurie Bruton (Superintendent)  
Secretary, Board of Education

## EXHIBIT "A"

### FINDINGS OF FACT

These Findings of Fact do not address in detail all areas of concern with regard to the proposed Charter School but rather identify and detail those areas where the Petition is most lacking.

#### **I. THE CHARTER SCHOOL PRESENTS AN UNSOUND EDUCATIONAL PROGRAM (EDUCATION CODE § 47605(b)(1)).**

- A. The Petition proposes to serve students in grades 6-8 in a standards-based educational program that utilizes STEAM, PBL, and meditation practices to improve academic outcomes for students. Petitioners appear well-versed in current educational trends and pedagogy, necessary instructional structures, and available online resources and information. However, the Petition is significantly lacking in meaningful detail regarding *how* Petitioners will coordinate the identified structures, curriculum, and instructional materials to deliver the promised standards-based program, and provide ongoing, sustainable and effective staff development, sufficient to ensure a viable overall program.

#### **II. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION (EDUCATION CODE § 47605(b)(2)).**

- A. The Petitioners are demonstrably unlikely to successfully implement the program because, despite its stated attempt to address the deficiencies identified by the Board in Petitioner's previous two versions of the Petition, the Petition still includes many contradictions, inaccuracies, and deficiencies in the proposed educational program, how it will assess student progress, and how it will address staff development needs, calling into question the Petitioners' ability to successfully deliver the proposed program.

1. The description of the proposed program is insufficient and not reasonably viable given the disconnect between the Petition's description of an expansive program, including proposed integration of STEAM concepts throughout its focused Project-Based Learning ("PBL") model, VAPA, ELD, core content, and the listed curriculum, and the identified inconsistent and sometimes inappropriate supplemental instructional materials, and inadequate funding plan. Again, while heavy on references to research and guiding principles as well as aspirational narrative, the details related to *how* Petitioners will actually implement the various program elements are not reasonably clear.
2. The Petition fails to mention any computer science curriculum, coding, etc. for students consistent with a STEAM-based program.
3. Limited teacher and support personnel staffing given enrollment numbers renders unrealistic the Petition's stated plan to successfully deliver "high

challenge, low stress and joyful" standards-based instruction in the four core academic subject areas, as well as provide Advisory, Life Skills, meditation, and dedicated Art and Music instruction within the discrete subject area blocks described, beginning with two middle school grade levels using single-subject and/or highly qualified certificated teachers, while meeting its lofty academic achievement goals. With only four (4) teachers to be employed in the first year of operation, it is unclear how the program can be successfully implemented using single-subject credentialed teachers providing instruction in the core content areas (math, science, English Language Arts, and Social Science). If Petitioner is intending to utilize only part-time teachers or Multiple Subjects teaching credential holders to implement the program, it is unclear how such individuals, who are expected to be paid at the below-market rate for teachers (see below), can ultimately be successful.

4. The importance of teacher collaboration stated in the Petition is not borne out by the daily schedules provided or described in the Petition narrative. It is unclear how all of the required and desired substantive collaboration, as well as unit design and PBL and STEAM-integrated lesson planning can be integrated within the school/work day/calendar as presented as well as given the limited number of teaching staff to be employed.
5. The proposed student weekly schedule includes dedicated blocks of weekly instruction in music and art in all grades, and at levels (instructional minutes) nearly equivalent to instructional minute offerings in each of the core academic subject areas (English Language Arts, Math, Social Science, and Science), all without sufficient detail regarding proposed standards-based music and arts curriculum.
6. The Petition continues to lack sufficient evidence-based research demonstrating that Transcendental Meditation® or "Quiet Time" improves student educational achievement at the middle school level. Perception surveys indicate personal feelings and are not conclusive objective findings with statistical application for educators. Anecdotal evidence cited in the Petition describes school environments and student populations (urban and generally high-poverty) that are strikingly different from the student population intended to be served by the Charter School (District resident students currently being homeschooled and/or enrolled in private and out-of-area schools).
7. The concept of "high challenge, low stress and joyful learning environments" is belied by the significant number of assessments mentioned for students, including Lexile through Renaissance STAR 350, ADEPT (Pet. at pg. 60) for EL students, benchmarks (Pet. at pg. 62), unit assessments (Pet. at pg. 63), portfolio assessments (all grades), math through Renaissance STAR 360, all available CAASPP assessments (SBAC, PFT, ELPAC), Bar-on (social emotional learning), and exhibitions (all grade levels).

- B. The Petitioners are demonstrably unlikely to successfully implement the program because their financial plan lacks appropriate detail and is fiscally unsound.
1. The Charter School continues to rely extremely heavily upon soft money (grants/fundraising) both during first year of operations and as an ongoing component of its annual budgets. State and federal funding is completely inadequate to sustain the program as presented and relatively minor fluctuations in expected revenue and/or expenses put the Charter School at risk of not meeting mandated reserve levels. Long-term financial instability and viability is of significant concern with such substantial reliance on soft money.
  2. The position of Executive Director is only budgeted in the start-up year and year 1 of operation when it will be performed by the same individual that will serve as principal. After that, there is no budget for the Executive Director despite the fact that the position is responsible for direct supervision of the school principal, the Charter School's finances, and other major components of the Petition. In addition, the Petition specifically states that a dedicated music teacher would be employed (Pet. at pg. 47); however, the budget does not include provision for such staffing.
  3. The budgeted teacher salary of \$55,000 per year is not reasonable for the area, particularly when the number of contracted days set forth in the Petition is 198 (including student and professional development days). The budget for employee benefits capped at \$7,000 per full-time employee are inconsistent with the cost of benefits in the area. These two combined factors will likely make it exceedingly difficult for the Charter School to attract qualified teachers to the positions necessary in order to successfully implement the lofty goals set forth in the Petition when also viewed in light of the high housing and rental costs in the area. With an average California teacher salary at approximately \$68,000, with a defined work year of approximately 186 days on average, the recruitment and retention necessary and assumed in the Petition for long-term viability is unlikely.
  4. Despite statements in the Petition that the proposed facility is suitable for Charter School operations, whether temporary or permanent, the site requires several significant improvements before the Charter School can assume occupancy and begin operations. Notably, these include ADA accessibility upgrades throughout the site, a zoning change, as well as safety upgrades. No timeline is presented for necessary repairs and the budget for same is patently inadequate. Lacking these repairs, the facility is not suitable.
  5. As its proposed facility location for the first year of operations, the Bear Creek Recreation and Community Center is open to the public on a year-round basis. The Petition lists the Club House and additional unidentified outbuildings as the area for the school program. As such, it is unclear, and the Petition does

not address where or whether the recreation events regularly held at the site will be held.

6. The Escrow Agreement provided with the Petition (Appendix B-1) is notably out of date and factually inaccurate. Under its explicit terms, the Escrow Agreement states that "ILA has petitioned the Santa Cruz County Board of Education, Santa Cruz County, California, for approval of the creation and operation of the ILA SCM, and if same is denied, shall appeal such decision to the State of California." The Escrow Agreement then goes on further to state that if denied at either level, "all the Escrowed Funds *shall be refunded* to Schwartz by Escrow Agent upon its receipt of documentation of such final denial of ILA's petition." (Emphasis added.) Petitioner's prior petition on which this agreement is clearly based, was denied by the Santa Cruz County Board of Education and such denial was not appealed to the State Board of Education. Accordingly, the Escrow Agreement is currently subject to unilateral termination by its funder with no guarantee that the funds will be available to Petitioner in the future. Any option on the part of the funder to unilaterally terminate the Escrow Agreement, particularly given the extreme reliance on such grant funds for basic operational needs, is unacceptable and calls into serious question the financial viability of the operation. In addition, and despite the termination provision noted above, if the Petition is not ultimately approved by some entity by April 1, 2019, the Escrow Agreement directs automatic refunding of all escrowed funds to the funder on that date. Due to the notice and timing requirements adopted by the Santa Cruz County Office of Education, it is unlikely that the Santa Cruz County Board of Education would not vote on the Petition until its March 21, 2019 meeting. Thus, if denied by the County Board, the earliest the State Board of Education could consider the Petition would be at its May 8-9, 2019 meeting, long after the Escrow Agreement would have self-terminated.
7. In years 2 through 5, the Petition indicates that the Charter School will request facilities from the District pursuant to Proposition 39. In order for the Charter School to be eligible for such District-provided facilities, it would have to have at least an in-District student ADA of 80. Based on the data provided in the Petition as well as District data, with District middle school enrollment declining year over year, the Charter School's projections regarding qualifying in-District ADA in future years would appear unreasonable. Further, it is unclear on what basis the Charter School identified a \$650 per ADA assumption for "Prop 39 Related Costs" in years 2 through 5 as, assuming the Charter School is able to meet the minimum required 80 in-District classroom ADA to be eligible for facilities. Notably, the District does not have an obligation to provide facilities for out-of-District ADA enrolled in the Charter School; however, the Charter School has assumed this charge for ALL of its ADA. By law, the District is authorized to charge either a pro rata share of its facilities costs for reasonably equivalent facilities for all *in-District ADA* (facilities provided in excess of such obligation would be charged at a higher allowable rate) or, if facilities are provided "substantially rent free," a

heightened 2% oversight fee. The lack of sufficient information regarding its budget assumptions is thus inadequate and calls into question the Charter School's cost projections.

8. The budgeted allocation for technology and equipment per student remains inadequate given the educational program described in the Petition. Similarly, projected per pupil spending for all of the curriculum and assessment, as well as supplies necessary to support a fully-integrated STEAM curriculum using PBL and arts and supplies, as described in the Petition is inadequate.

### **III. THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF THE ELEMENTS REQUIRED IN EDUCATION CODE SECTION 47605(b)(5).**

#### **A. The Petition does not contain a reasonably comprehensive description of the Educational Program (Element 1).**

1. There is not a specified target student population other than students whose families want a smaller school environment ("small and personalized alternative school").
2. The Petition lacks a sufficient description of curriculum materials for English Language Arts and English Language Development instruction.
3. The Petition states that for English Language Arts, teachers will implement a modified Writer's Workshop (Pet. at Section 1, page 40). Not only is Writer's Workshop not typical for middle school (it is more of an elementary program), the Petition does not provide any description of or reference to any specific related professional development or materials. Further, there is no explanation regarding how this elementary program will be adjusted to meet the content standard needs of 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade English Language Arts.
4. The Petition also provides a lack of specified professional development for the curriculum materials proposed for science, social studies and math. It is unclear whether the Charter School is assuming that teachers will be coming to the school already versed in the use and implementation of the specific materials listed. If not, then specific professional development and planning time to implement the curriculum will be necessary which is not currently set forth in the Petition.
5. The Petition does not describe in sufficient detail how the Charter School will meet the needs of English Learners. There is no curriculum identified and training for teachers in SDAIE is not mentioned other than to state that all teachers will be required to have credentialing appropriate to deliver instruction to English Learners (e.g. CLAD) and that one day in November will be provided for professional development. In addition, there is no mention of who will administer the ELPAC, which requires extensive training



for both administration and scoring, and the Petition does not adequately explain the Charter School's reclassification criteria.

6. There are contradictions throughout the Petition regarding the number of professional development and instructional days to be offered. At page 28, the Petition states that "ILA teachers will participate in 15 days of professional development in the summer before school opens with an additional 3 days of professional development built into the school year." The Petition goes on further to state that "the total instructional minutes for the school year is approximately 56,390 minutes." (Pet. at pg. 29.) (Notably, this is less than the total number of instructional minutes currently provided to students at San Lorenzo Valley Middle School.) However, at page 34 of the Petition, it states "ILA currently plans to have a 7 hour day for all grades and ILA students will receive 11,490 minutes more than the California requirement for middle school, which is equivalent to 191.5 additional hours of instruction or an additional 29.4 school days for ILA students." In the following paragraph, the Petition further states that "ILA will have approximately 185 instructional days, which is 10 days longer than the required 175 days."
7. The Petition does not provide a specific plan for how the Charter School will phase in grade levels and does not include adequate information on proposed grade level programs. Although the Charter School intends to offer both 6<sup>th</sup> and 7<sup>th</sup> grades in its first year of operation, there is no mention of the completely different 7<sup>th</sup> grade standards and curriculum to be used.
8. How the Petitioners will respond to students not achieving at or above expected grade levels is undefined beyond statements that it will happen through in school interventions, after school tutoring, and summer school. No specifics are provided to describe what the interventions will be, what materials will be used, etc. This is particularly confusing given the program's heavy reliance on Project-Based Learning and integration of instruction in all of the core content areas.
9. Although previously identified as a concern in connection with the prior version of the Petition, the social emotional learning (Lifeskills) curriculum proposed is for high school-aged students. No identified professional development for teachers who will be responsible for implementing this curriculum, which a significant portion of each student's weekly instructional minutes is dedicated, is provided, nor is how it will be adjusted to the unique needs of students in grade 6 through 8, explained.

**B. The Petition fails to address how the Charter School will implement the requirements of the Fair Education Act, to include contributions of underrepresented racial, ethnic, and cultural groups to economic, political, and social developments within the Social Science curriculum. Likewise, there is no mention of how the Charter School will satisfy the requirements**

**of the California Healthy Youth Act to provide comprehensive sexual health and HIV prevention education. The Petition does not contain a reasonably comprehensive description of the method for measuring student progress (Element 3).**

1. The Petition references an unfamiliar data warehousing system and fails to describe what staff will be trained in its use in order to enter data and run all of the reports necessary for teacher evaluation of the effectiveness of the instructional strategies being utilized.
2. The Petition does not include a sample report card and despite indicating that the Charter School will use a rubric system to evaluate progress, there are no criteria or rubrics included for the assessments identified in the Petition, including exhibitions, portfolios, or student-led conferences (e.g. there is no definition of what a "PDP" is).

#### **IV. OTHER PETITION CONCERNS**

- A. In addition to the foregoing findings, the data cited in the Petition, particularly District data, is significantly out of date. Given that all of the CAASPP data cited is from 2015-2016, and data from 2016-2017 and 2017-2018 was available at the time the Petition was submitted, this is an indication that the Petitioner has not meaningfully reflected upon and revised the Petition to address the significant concerns that have been previously identified.

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