

This document was provided to the California Department of Education (CDE) from **International Slavic Language School of West Sac**. This document is posted to the CDE Web site to meet the legal requirement of *Education Code* Section 33009.5.

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Washington Unified School District

Meeting: Regular Board of Education Meeting : O. ACTION ITEMS

Created : April 20, 2015 at
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3. International Slavic Language School - Board to Grant or Deny Charter Petition (v)

May 08, 2014
Status:

Motion Made By : Alicia Cruz.
Motion Seconded By : Adam Menke.

Action Required

In accordance with the Education Code, the Governing Board will take action to grant or deny the International Slavic Language School Charter Petition.

Discussion

On April 10, 2014 the Board held a public hearing in accordance with Education Code Section 47605(b). The Board will decide tonight to grant or deny the International Slavic Language School Charter Petition. Attached is the Superintendent's Recommendation.

Associated File Attachments

 [International Slavic Language Charter \(Files\)](#)

Submitted By

Dayton Gilleland, Ed.D., Superintendent

Votes

Motion Made By : Alicia Cruz.

Motion Seconded By : Adam Menke.

Alicia Cruz - **No**

Adam Menke - **No**

Sarah Kirby-Gonzalez - **No**



BOARD OF EDUCATION

Adam Menke, President
Alicia Cruz, Vice-President
Sarah Kirby-Gonzalez, Clerk
Mary Leland, Member
Katie Villegas, Member

SUPERINTENDENT

Dayton Gilleland, Ed.D.

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May 2, 2014

Members of the Board of Education,

District Staff and the District's Legal Counsel have completed an extensive review of the Charter School Petition for the International Slavic Language School of West Sacramento.

Education Code 47605 stipulates that "the governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings;

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required by subdivision (a).
4. The petition does not contain an affirmation of each of the conditions described in subdivision (d).
5. The petition does not contain reasonably comprehensive descriptions of the sixteen (16) required elements.

Upon the completion of our review, there is considerable and significant concern with the petition and we have concluded that the Board of Education may choose to deny the petition for the establishment of this charter school on the basis of at least three of the five aforementioned criteria. Additionally, the incoherent language throughout the document appears to be mostly "cut and pasted" and the disorganized delivery of the document (arriving in partial segments over several months) raises doubts of the petitioners' ability to effectively operate a public charter school.

Therefore, I recommend that the Board take action to deny the Charter Petition for the International Slavic Language School of West Sacramento based on three findings: (1) the charter school presents an unsound educational program for the pupils to be enrolled in the charter school, (2) the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition, and (3) the petition does not contain reasonably comprehensive descriptions of the sixteen (16) required elements.

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

The petition presents an unpersuasive instructional design in that it is difficult to determine instructional approaches and how they are integrated. Course offerings and sequences are referenced, but limited information is provided on the content of the courses or their alignment to California content standards, and outcomes are seriously lacking. The Dual Language Immersion narrative defines foundational research, but offers little in specifics on instructional approach, schedule for students, and regular outcomes.

2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

Based on the information detailed in the petition, it is unlikely that the educational plan associated with the International Slavic Language School of West Sacramento charter petition would be successful in its implementation. This opinion is the result of an analysis that found program incoherence, insufficient program definition and details, and an apparent lack of understanding of or currency with California educational initiatives.

Further, it is unlikely that the financial and capital improvement plan associated with the International Slavic Language School of West Sacramento charter petition would be successful in its implementation. This opinion is the result of an analysis that shows an over estimation of revenues, risk associated with the assumptions of State grants being awarded, risks associated with optimistic timing of State apportionment, an inadequate facility plan, and an apparent lack of understanding of CDE and DSA protocols.

Additional Financial Plan Concerns and Deficiencies:

- There is no supporting narrative or notes attached to the budget documents. A lack of such data requires a variety of assumptions to be made on the part of the reviewer.
- The budget associated with the petition is based on charter school block grant funding. This funding model was replaced after the 2012-2013 fiscal year by the Local Control Funding Formula.
- The budget notes that funding is being received from the "SELPA," implying that acceptance in a SELPA is guaranteed. As this is not the case, it is risky at best to not only assume SELPA revenue, but have it increase and the offset expense never be more than the revenue generated through the SELPA (i.e. no contribution from the charter school's other funds). The scenario is highly unlikely.
- Lottery funding is not accurately projected. Although the year one numbers are in line with estimates, the petition's budget expects per-student dollars to increase annually. However, the current dashboard for lottery projection purposes has lottery funding as being flat.
- Salaries, as an average, for both certificated and classified staff are budgeted to be flat for the first five years. Given the current economic conditions, it would seem unlikely that the charter could adequately compete for qualified staff if they are not keeping up with the market.
- Benefits are not shown to increase proportionally to the increase in staffing year-over-year. In year 2, salaries increase by \$182,500 (35%) as additional staff is hired to support increased enrollment. However, benefits only increase by \$25,000 (less than 25%) for the same period. This discrepancy is consistent for all five years covered by the budget plan.
- Computers are budgeted at \$25,000 through year #1. With an enrollment of 160, a one-on-one initiative would allow of \$156 per student. At a cost of \$500 per computer, the ratio would drop to 3:1. There is no mention of network services or equipment needed to support this environment.

With the transition to common core and the new testing methodologies, this funding appears significantly inadequate.

- Furniture is budgeted at \$60,000 through year #1. With an enrollment of 160, the budget would allow for \$375 per student. This is not adequate funding for student desk/ chairs. In addition, the above does not note furniture for staff which would only reduce the funding available for student furniture.
- Utilities are budgeted at \$15,000 with zero escalation over five years. The rate is equal to \$1,875 per room per year which is barely adequate in the current market and most likely inadequate in a future market.
- Staff development is budgeted at \$11,000, or \$1,375 per instructor. There is no indication that the school will need to run a BTSA program, but historical experience shows the staff development costs associated with a BTSA program alone would exceed \$1,375 per participant.
- The line item for oversight fees payable to the District is under budgeted. The budget is at a rate of 1% of revenue; which assumes the District is providing and charging for facilities. As no such agreement exists, the assumption should be for up to 3% of revenue. In addition, as revenues increase this expense does not increase proportionally in the charter school budget plan.

Additional Concerns regarding Facilities:

- There is no overall facility plan with the exception of a statement that the charter hopes to obtain facilities from the District under a Proposition 39 request. In the event that the District could not accommodate the request, the charter is working with local real estate agent(s) to obtain space.
- Although there is a certain amount of planning that cannot be done in advance, there are several gaps in the stated facility plan:
- The number of classrooms noted in the facilities need plan is eight (8) while the budget only has 7 teachers.
- The petition notes that prior to opening, it would obtain a certificate of occupancy and any other necessary permit under local ordinances for operating a school. This statement shows a lack of understanding regarding the relationship between the OPSC, DSA, CDE, and the school as there is more than local jurisdiction that would be required to legally operate the school.

3. The petition does contain the number of signatures required by subdivision (a).

There were a suitable number of teachers who signed petitions indicating “meaningful interest” in teaching at the charter school. However, the heading on the petition has a portion whited-out (over the word “California”). It is well known that this petition has been submitted to a considerable number of different school districts. When it was submitted to Washington Unified for the first time, the petition actually referred to a “Sacramento County Charter School”. In that only one of fifteen teacher signatures are local (Woodland), with the remainder of teachers residing in Pacific Grove, Modesto and Oakdale, the teachers’ meaningful interest” is suspect.

4. The petition does not contain an affirmation of each of the conditions described in subdivision (d).

Our legal counsels’ review indicates that the petition appears to contain the required affirmations as described in the Education Code. However, a statement provided by Larisa Samoilovich, who spoke at the Public Hearing for this charter petition in April, reveals a serious potential for concern. The statement presented indicates the following: “We will be a non-sectarian school, but potential students

will be recruited from the Christian Families. We also have a letter of support from the Church association of Sacramento. Our Christian community members knows about importance of high quality education and will help us to easy achieve our enrollment goals.” (Grammar and spelling remain as presented).

The non-sectarian assurance is a legislated mandate. The line drawn now appears blurred in relation to the statement the petitioners crafted for the public hearing.

5. The petition does not contain reasonably comprehensive descriptions of the sixteen (16) required elements.

The petition contains descriptions of the 16 elements but only half (8) of these descriptions appear to be “reasonably comprehensive.” Those elements that are insufficient included the following:

A. Education Program

The district staff finds that the petition’s description of the Charter School’s educational program is not reasonably comprehensive. The petition appears to have a cursory (1) framework for instructional design, (2) description of instructional approaches, and (3) special education plan. *See* 5 CCR 11967.5.1 (f)(1).

The petition also notes that the petitioners could not find any data on dual-language immersion International Baccalaureate programs, and provides scant details on how it will be implemented. The district staff finds that this element’s description is not substantive enough, and in too many respects is “just a listing of topics with little elaboration.”

There are a number of areas that appear to be minimally met within the language of petition, but the language is often inserted in strange places, or at odds with other parts of the narrative and creates an incoherent and disjointed narrative that makes it impossible to call it a “persuasive instructional design.”

B. Pupil Outcomes

The petition includes a brief discussion of pupil outcomes but it does not appear to offer “substantive” pupil outcomes. *See* 5 CCR 11967.5.1 (g)(1). For example, it states that students will create portfolios “documenting progress in core subject areas,” but offers no further details. It cites standardized test scores and attendance rates, but does not specify any skills, knowledge, or attitudes which are measured or demonstrated by such measures.

C. Measuring Pupil Outcomes

The petition lacks a clear rationale or connection of specified assessments to exit outcomes, curriculum, and mission alignment. The incoherent narrative makes it difficult to evaluate.

F. Health and Safety Precautions

The petition (nor the employee Handbook) fails to provide a reasonably comprehensive description of Health and Safety Provisions. For example there is no mention of the need to keep TB Clearance

documents on file, as per Education Code. Tdap Immunizations are not mentioned. There is no indication that Mandated Reporter responsibilities would be listed as well as the required duration and frequency of training for staff. There is no mention of the Bloodborne Pathogens training plan component. In addition, other risk plans are not mentioned in the petition: Injury & Illness Prevention Plan, Hazardous Communications Plan, and Heat Illness Prevention.

Additionally, there is no mention of an Emergency Operations or Crisis Communication Plan nor indication that the Director's, Officers and/or Trustees insurance would be obtained. Under indemnification, the District is not and would need to be noted with a hold-harmless clause. There is no mention of workers' compensation insurance (or workers' comp. process). It appears that only liability insurance is referenced in the documents.

G. Means of achieving Racial and Ethnic Balance

The petition describes recruitment efforts to achieve a racial and ethnic balance. The charter school's dual language immersion program may make it more difficult to actually attract a student body that is roughly reflective of the District's student body, but the petition appears to comply with the Education Code provisions for this element.

K. Retirement Coverage

The petition does not provide a reasonably comprehensive description of the employee retirement coverage. The petition states that the charter school "may establish other retirement plans" and will coordinate with Social Security as appropriate without giving any details or explaining who may be covered by these plans. It does not designate who will be responsible for ensuring appropriate arrangements are made for retirement coverage. *See* 5 CCR 11967.5.1 (f)(11).

M. Rights of District Employees

The petition appears to contain a reasonably comprehensive description of District employees' rights if the leave employment with the District to work at the charter school. However, the District does not agree with the language and the changes necessary would likely have bearing on the "meaningfully interested" teachers' decision to work at the school. As previously noted, the "meaningfully interested" teachers' signatures were reportedly suspect for another reason (location of school and home residence).

The areas of concern in the petition language, or absence of language, include the following: The indication that collective bargaining contracts of WUSD will be controlling; whether and how staff may resume employment with the District; the ability to carry over sick/vacation leave to and from the charter school, and; whether the staff will continue to earn service credit and tenure in WUSD if they were return from the charter school.

P. School Closure Procedures

While the petition appears to present a reasonably comprehensive description of the charter school closure procedures, there are concerns regarding apparent oversights or omissions. The petition notes that student records will be transferred to the school(s) that the charter's former students transfer to. There is no indication that the charter will engage with the District to ensure the student records are stored confidentially pending their disposition. Also, all records of the school will undergo "storage of

the records required to be retained by law in a matter that ensures their survival.” Again, the storage of records upon closure would be coordinated with the District.

Once again, Education Code 47605 stipulates that “the governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings;

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required by subdivision (a).
4. The petition does not contain an affirmation of each of the conditions described in subdivision (d).
5. The petition does not contain reasonably comprehensive descriptions of the sixteen (16) required elements.

This document of our review of the charter petition for the International Slavic Language School provides written factual findings of the required specific facts:

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
5. The petition does not contain reasonably comprehensive descriptions of the sixteen (16) required elements.

Recommendation

Based upon findings of written fact, I recommend that the Board take action to deny the Charter Petition for the International Slavic Language School of West Sacramento.

Sincerely,

Dayton Gilleland, Ed.D.
Superintendent

The mission of the Yolo County Office of Education is to meet current and future needs of Yolo County by serving as a regional resource to students, parents, school districts, agencies, and businesses through collaborative leadership, support and services.

AGENDA
YOLO COUNTY BOARD OF EDUCATION
Regular Meeting, November 18, 2014, 3:35pm [time approximate]

BOARD MEMBERS

Bill Owens, President
Shelton B. Yip, Vice President
Xavier Gamez
Nancy F. Lea

LOCATION

Yolo County Office of Education
1280 Santa Anita Court, Suite 100, Board Room
Woodland, CA 95776-6127

1.0 OPENING PROCEDURES

- 1.1 Call to Order and Roll Call
- 1.2 Pledge of Allegiance
- 1.3 Recognition of Visitors

Posted: November 13, 2014

This item is placed on the agenda for the purpose of providing visitors the opportunity to address the Board on any item(s) of business that does not appear on the formal agenda. You may request recognition by completing the form provided at the door.

Visitors may also request recognition from the chairperson, to address the Board concerning an item on the agenda by completing the form provided at the door.

The Board reserves the right to establish a time limit on these discussions, or to refer them to the next regular meeting for further deliberation.

2.0 CONSENT AGENDA

These items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion unless a Trustee or citizen requests that an item(s) be removed for discussion and separate consideration. In that case the designated item(s) will be considered following approval of the remaining items.

Items 2.1 through 2.5 are considered routine and may be enacted by a single motion.

- 2.1 Approval of Agenda
- 2.2 Excused Absences
- 2.3 Approval of Minutes: October 28, 2014 Regular Meeting
- 2.4 Final Budget Revision to 2013-14 Budget
- 2.5 Temporary County Certificates

3.0 ASSOCIATION REPORTS. This provides an opportunity for YEA/CSEA/AFSCME representatives to address the Board and public.

**AGENDA
YOLO COUNTY BOARD OF EDUCATION**

**November 18, 2014
REGULAR MEETING**

3:35 PM PUBLIC HEARING

*[time
approximate]*

A public hearing will be conducted to receive comment from parents, teachers, members of the community, and bargaining unit leaders regarding the Initial Proposal to the Yolo County Superintendent of Schools from the California School Employees Association (CSEA), Chapter #639, for 2014-15.

4.0 PRESENTATIONS: ADMINISTRATIVE SERVICES VIDEO

THE BOARD HAS THE OPTION TO
TAKE ACTION ON ANY ITEM(S)
LISTED ON THE AGENDA FOR INFORMATION.

5.0 INFORMATION/ACTION/DISCUSSION

- | | |
|-------------|---|
| Information | 5.1 <u>Head Start/Early Head Start Financial Status Report</u> |
| Information | 5.2 <u>Head Start/Early Head Start Enrollment Update and Director's Report</u> |
| Information | 5.3 <u>Head Start/Early Head Start Policy Council Board Liaison Report</u> |
| Action | 5.4 <u>Approval/Disapproval of International Slavic Language School of West Sacramento Charter School Petition Appeal</u> |
| Information | 5.5 <u>Superintendent's Response to the Initial Proposal from the California School Employees Association (CSEA), Chapter #639 for 2014-15</u> |
| Information | 5.6 <u>Annual Report on Yolo County Schools in Decile 1-3, 2013-14</u> |
| Information | 5.7 <u>Williams Quarterly Report on Yolo County Schools in Decile 1-3 Covering the Months of July, August, September</u> |
| Information | 5.8 <u>Quarterly Report on Williams Uniform Complaints for YCOE Operated Schools Covering the Months of July, August, September</u> |
| Information | 5.9 <u>Board Organizational Meeting for 2015</u> |
| Information | 5.10 <u>Correspondence</u> |
- Incoming:**
- 11-04-14 Letter from Cynthia Northington from Danya International, Inc., regarding a Fiscal Integrity/ERSEA review of YCOE during the week of December 8th, 2014.

**AGENDA
YOLO COUNTY BOARD OF EDUCATION**

**November 18, 2014
REGULAR MEETING**

Outgoing:

- None

Information 5.11 Suggested Future Agenda Item(s)

Information 5.12 Recognition of Visitors. This item is placed on the agenda for the purpose of providing visitors who could not be recognized at the beginning of the meeting the opportunity to address the Board on any item(s) of business that does not appear on the formal agenda. You may request recognition by completing the form provided at the door.

6.0 REPORTS

(1) Board Member(s) / Superintendent / Cabinet

- (a) Board Members
- (b) Superintendent
 - Calendar of Events
 - YCOE Activities
- (c) Cabinet

(2) Committee Reports

Action 7.0 MOTION FOR ADJOURNMENT

AGENDA PACKETS ARE AVAILABLE FOR REVIEW AT THE FOLLOWING LOCATIONS:

- Four calendar days prior to the meeting, a full Board packet is available for review at the office of the Yolo County Office of Education Reception Desk, 1280 Santa Anita Court, Suite #100, Woodland (8:00 a.m. – 5:00 p.m., Monday through Friday – excluding County Office of Education holidays).
- Four calendar days prior to the meeting, a full Board packet is available for review at the office of Greengate School, 285 West Beamer Street, Woodland (8:00 a.m. – 4:30 p.m., Monday through Friday – excluding County Office of Education holidays).
- Agenda documents distributed to the Board less than 72 hours before the meeting will be made available at the office of the Yolo County Office of Education Reception Desk, 1280 Santa Anita Court, Suite #100, Woodland (8:00 a.m. – 5:00 p.m., Monday through Friday – excluding County Office of Education holidays). [Government Code § 54957.5]
- Board agendas are posted outside the YCOE Administrative Office building at 1280 Santa Anita Court, Suite #100, in a weather-protected glass case, and at all program sites.
- The Board agenda is posted on the County Office website: www.ycoe.org

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Superintendent's Office of the Yolo County Office of Education at (530)668-3703. Notification at least 48 hours prior to the meeting will enable the office to make reasonable arrangements to ensure accessibility to the Board meeting. (Government Code § 54954.2)

YOLO COUNTY BOARD OF EDUCATION
Regular Meeting: November 18, 2014
MINUTES

1.0 OPENING PROCEDURES

- 1.1 Call to Order and Roll Call. The Yolo County Board of Education met on November 18, 2014, at 3:45pm in regular session in the Board Room located at 1280 Santa Anita Court, Suite #100, Woodland, CA. Board Members present were: Shelton Yip, Bill Owens and and Nancy Lea. Board President Owens presided. Xavier Gamez was absent. Dr. Jorge O. Ayala, Superintendent of Schools, was present.
- 1.2 Pledge of Allegiance. The pledge of allegiance was conducted.
- 1.3 Recognition of Visitors. Yolo County Board of Education Trustee-Elect, Matt Taylor, as well as Superintendent-Elect, Dr. Jesse Ortiz.

2.0 CONSENT AGENDA

- 2.1 The agenda was approved as submitted.
- 2.2 Excused Absences was pulled from the Consent Agenda as no action was necessary.
- 2.3 The minutes for the October 28, 2014 Regular Meeting were approved as submitted.
- 2.4 Final Budget Revision to 2013-14 Budget
- 2.5 Temporary County Certificates

MOTION: Lea. **SECOND:** Yip. **AYES:** Lea, Yip and Owens.
NOES: None. **ABSENT:** Gamez.

3.0 ASSOCIATION REPORTS. There were no reports at this time.

PUBLIC HEARING

At 3:46pm, Board President Owens opened the public hearing to receive comments from parents, teachers, members of the community, and bargaining unit leaders regarding the Initial Proposal to the Yolo County Superintendent of Schools from the California School Employees Association (CSEA), Chapter #639, for 2014-15. The Public Hearing was closed at 3:47pm.

4.0 PRESENTATION

Administrative Services video viewed by staff at the Annual Orientation in August was presented; however, the Board was unable to view it due to technical difficulties.

**MINUTES
YOLO COUNTY BOARD OF EDUCATION**

**November 18, 2014
REGULAR MEETING**

5.0 INFORMATION/ACTION/DISCUSSION

- 5.1 Head Start/Early Head Start Financial Status Report. Mechele Coombs reviewed the Executive Summary reflecting the October 2014 financial status. This is a standing report.
- 5.2 Head Start/Early Head Start Enrollment Update and Director's Report. Viola DeVita presented this item for information in absence of Gail Nadal.
- 5.3 Head Start/Early Head Start Policy Council Board Liaison Report. Trustee Lea attended the 10-31-14 Policy Council meeting and provided a written report (a copy can be found on file with the Board packet). Due to availability, there will be no Board representation at the November 21st meeting.
- 5.4 Approval/Disapproval of International Slavic Language School of West Sacramento Charter School Petition Appeal. Board President Owens introduced this item for Board action. The packet includes and a detailed report from the Superintendent's Office analyzing the petition and recommending that the appeal be denied. A Public Hearing was held at the October 28, 2014 Regular meeting of which the Petitioners were not in attendance nor offered comment. The Superintendent's Office received word that the Petitioners would also not be in attendance at today's meeting. Board President Owens offered time for comments from the public or representatives of the Petitioners for the appeal. No one came forward.

After some discussion, the Board took action to approve resolution from staff to deny the International Slavic Language School of West Sacramento Charter School Petition Appeal.

MOTION: Yip. **SECOND:** Lea. **AYES:** Yip, Lea, Owens.
NOES: None. **ABSENT:** Gamez.

- 5.5 Superintendent's Response to the Initial Proposal from the California School Employees Association (CSEA), Chapter #639 for 2014-15. Dr. Ayala presented this item for information. A Public Hearing regarding the Superintendent's response will be held at the December meeting.
- 5.6 Annual Report on Yolo County Schools in Decile 1-3, 2013-14. Viola DeVita presented this item for information and responded to questions of the Board. Questions arose in regards to the information provided for Freeman and Gibson Elementary schools where hazardous materials deficiencies were cited. The information neglected to indicate specifics as to how the rating went from poor to exemplary. The Board asked that, in the future, more detailed information be provided, specifically to address problem areas and how they were remedied. Dr. Ayala added that the Board's interest is good; however, it is important to note that district's own Maintenance & Operations departments report detailed information to their own Boards. There is a Memorandum of Understanding with the districts

**MINUTES
YOLO COUNTY BOARD OF EDUCATION**

**November 18, 2014
REGULAR MEETING**

regarding facilities that house Yolo County Office of Education (YCOE) students. The district information is important; however, the Board should be focused on the facilities that the YCOE provides.

- 5.7 Williams Quarterly Report on Yolo County Schools in Decile 1-3 Covering the Months of July, August, September. Viola DeVita presented this item for information and reviewed the material contained in the Board packet. The Board requested that, in the future, Larry Branum (YCOE Support Operations Services Director) provide a brief narrative specifying why a deficiency was upgraded or not upgraded on his reports.
- 5.8 Quarterly Report on Williams Uniform Complaints for YCOE Operated Schools Covering the Months of July, August, September. Viola DeVita presented this item for information and responded to questions of the Board.
- 5.9 Board Organizational Meeting for 2015. Dr. Ayala reviewed the material contained in the Board packet. This is an information item. Per Education Code § 1009, each year the county board of education shall organize at its first meeting on or after the last Friday in November. The Board will be requested to take action on 12-09-14 to elect new officers, adopt a 2015 meeting calendar, review its compensation policy, and appoint board committee representatives for the YCSBA Executive Board, Policy Committee, Superintendent's Compensation Committee, Facilities Committee, Board Budget Committee, and the Board Liaison to the Head Start/Early Head Start Policy Council.
- 5.10 Correspondence. Dr. Ayala made reference to the following items of correspondence:
- Incoming:
- 11-04-14 Letter from Cynthia Northington from Danya International, Inc., regarding a Fiscal Integrity/ERSEA review of YOCE during the week of December 8, 2014.
- Outgoing:
- None
- 5.11 Suggested Future Agenda Item(s).
- Board President Owens noted that the agenda for the 12-09-14 Regular meeting will include a section on Certificates of Election and Oath of Office. We will have four trustees sworn in at that time.
 - Trustee Lea noted that she had requested at an earlier meeting a report from Board President Owens on energy-related and green school related information from conferences that he has attended. Board President Owens responded that he has intending to report out on that topic among many others and hopes to get to at some point in the future.
- 5.12 Recognition of Visitors. There were no visitors to be recognized at this time.

**MINUTES
YOLO COUNTY BOARD OF EDUCATION**

**November 18, 2014
REGULAR MEETING**

6.0 REPORTS

(1) Board Member(s) / Superintendent / Cabinet

a. Board Members:

- Board Vice President Shelton Yip reported out on the Yolo County School Boards meeting that he had attended last night. Dr. Paul Fawcett, Principal of Winters High School, presented information on the Career Pathways program that Winters High School was selected to institute. They chose the area of Engineering. Dr. Michael White, President of Woodland Community College was unavailable to present information on dual enrollment.
- Board Vice President Yip also thanked Trustee Lea for her service to the Board.
- Outgoing trustee, Nancy Lea wished everyone well and stated that she looked forward to hearing positive things about the Yolo County Board of Education. Thanked for everything brought to the Board.
- Board President Bill Owens reported that his focus has been on the California School Boards Association Annual Conference being held this year in San Francisco, which begins Sunday, December 14-16. He also encouraged Trustee-Elect, Matt Taylor to attend the new Board Trustee portion of the conference, if possible.

b. Superintendent:

- Dr. Ayala reported that he is looking forward to his retirement dinner on December 4th at the Yolo Fliers Club and invited the Board to attend.
- He has also been meeting with Dr. Ortiz during the transition.

c. YCOE Activities:

- None at this time.

d. Cabinet:

- Diane Cirolini stated that they are gearing up for the review of first interim reports for districts and internal.

(2) Board Committee Reports. There were no reports at this time.

MINUTES
YOLO COUNTY BOARD OF EDUCATION

November 18, 2014
REGULAR MEETING

7.0 MOTION FOR ADJOURNMENT The meeting adjourned at 4:57pm.

MOTION: Lea. **SECOND:** Yip. **AYES:** Lea, Yip, Owens.
NOES: None. **ABSENT:** Gamez.

Jorge O. Ayala, Ed.D.
Yolo County Superintendent of Schools and
Secretary to the Yolo County Board of Education

/yc



Dr. Jorge O. Ayala, Superintendent

November 6, 2014

Yolo County Board of Education
1280 Santa Anita Court, Suite 100
Woodland, CA 95776-6127

Re: Charter School Appeal From Denial Of Petition: International Slavic Language School of West Sacramento

Dear Yolo County Board of Education:

The Yolo County Office of Education (“YCOE”) has reviewed the above Charter School Petition submitted to the Yolo County Board of Education (“YCBE”) on “appeal” from denial by the Washington Unified School District (“WUSD”). The proposed Charter seeks to establish the International Slavic Language School of West Sacramento charter school operating within WUSD. In the event the YCBE denies this appeal, the Petitioners may exercise their right to appeal that denial to the SBE.

Whether to grant or deny a charter is a policy decision for the YCBE. **However the Charter Petition may be denied on one or more of the following grounds: (1) the charter school presents an unsound educational program; (2) Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition; and (3) the Petition does not contain reasonably comprehensive descriptions of all elements prescribed by law, including facility, administrative services, and financial and operational budget information. (Educ. Code §§ 47605(b)(1) (2), (5) and (g).)**

The review process includes analysis of the charter Petition as a whole on its own merits to help determine the Petitioners’ likely success of operating a school. A primary concern for YCOE in the review process was executing due diligence in the consideration of quality education for all students within Yolo County.

BACKGROUND:

1. On or about May 8, 2014 the WUSD denied the Petition (“Petition”) for the establishment of the International Slavic Language School of West Sacramento charter school, based upon the following findings:

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- a. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school
 - b. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition
 - c. Required signatures not met
 - d. Required affirmations are not met in the Petition
 - e. The Petition failed to contain reasonably comprehensive descriptions of all (16) required elements
2. On or about October 1, 2014 the Petition was received by YCOE on appeal from the denial by the District. The document received by YCOE was *not* an exact copy of the Petition submitted to the district. YCOE chose to review the Petition as it was considered substantially the same in content. However, the minor differences included different formatting, some page numbering differences, some words and sentences missing, and corporate director title changes.
 3. In accordance with Education Code section 47605(b), YCOE held a public hearing on October 28, 2014 to consider the level of support for the Petition by teachers, other employees, and parents.

LEGAL BACKGROUND:

If a governing board of a school district denies a charter Petition, the Petitioner may elect to submit the Petition to the county board of education. Ed. Code § 47605(j)(1). The county board of education shall review the Petition pursuant to Education Code section 47605(b). *Id.* at § 47605(j)(2). In considering charter Petitions that have been previously denied, the county board of education is **not** limited to a review based solely on the reasons for denial stated by the school district. 5 C.C.R. § 11967(f).

In addition, the State Board of Education (“SBE”) has adopted regulations which set forth specific criteria for the review and approval of charter school Petitions by the SBE. Although the SBE regulations are not applicable to review and approval of charter school Petitions by county offices of education, such regulations are useful to provide a framework for county office analysis. See, 5 C.C.R. § 11967.5.1.

A charter school that receives approval of its Petition from a county board of education is subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from a school district. Furthermore, a charter Petition that is submitted to a county board of education shall meet all otherwise applicable Petition requirements, including the identification of the proposed site or sites where the charter school will operate. Ed. Code § 47605(j)(1).

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County boards of education are required to grant charter Petitions if the board is satisfied that granting the charter is consistent with sound educational practice. Ed. Code § 47605(b). Boards may not deny Petitions unless they make written factual findings, specific to the Petition in question, setting forth specific facts to support one or more findings that the Petition fails to meet one or more specific statutory requirements. Id.

The following summary and analysis are not intended to be exhaustive of all of the potential issues which the YCBE might consider in determining whether to approve the Charter. This document only addresses those issues which seemed most pertinent to an immediate assessment as to whether the Charter may be granted or denied.

SUMMARY OF CONCLUSIONS:

1. International Slavic Language School of West Sacramento did not obtain the necessary number of required signatures.
2. The charter Petition has not been updated to reflect YCOE as the charter authorizer.
3. The International Slavic Language School of West Sacramento Petition may be denied by YCOE in that the Petitioners are “Demonstrably Unlikely to Successfully Implement the Program.” Specifically,
 - a. Petitioners have presented an unrealistic financial and operational plan for the proposed charter school.
 - b. The Petition does not adequately identify the location of facilities and does not adequately describe facility information
4. Indemnification language would need to be reviewed against final Bylaws and Articles of Incorporation (see governance structure in 5b. below)
5. The International Slavic Language School of West Sacramento Charter Petition may be denied by YCOE in that it does not contain reasonably comprehensive descriptions of the following required elements:
 - a. Educational program including measurable student outcomes and methods by which student outcomes will be measured;
 - b. Governance structure of the school unclear pending final Articles of Incorporation for “Language Plus Academies of California” and authority to operate the International Slavic Language School of West Sacramento;
 - c. Qualifications to be met by school employees;
 - d. Health and Safety;

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- e. How annual, independent, financial audits will be conducted and how audit exceptions and deficiencies will be resolved to the satisfaction of the chartering authority;
 - f. Public employee retirement coverage for staff;
 - g. Employee rights;
 - h. Dispute resolution procedures;
 - i. Pupil Suspension and/or Expulsion procedures; and
 - j. Charter school closure procedures.
6. The International Slavic Language School of West Sacramento Charter Petition may be denied by YCOE in that it presents an unsound educational program, given the findings and facts.

ANALYSIS:

I. International Slavic Language School of West Sacramento Did Not Obtain the Necessary Number of Signatures.

Among the reasons a charter Petition may be denied by a county board of education is failure to obtain the required number of signatures. Id. at 47605(b)(3).

The signature pages included copies of sections previously “whited out” and contains the same names and dates of previous teachers in support of another charter school Petition from the same Petitioner. Additionally all signatures are from one elementary school in Modesto, and YCOE has received an email confirmation of at least one teacher who is no longer meaningfully interested. It is well known that this Petition and/or a similar version has been submitted to numerous schools, including the Monterey County Office of Education. These findings raise concerns regarding the validity of the signature component of the Petition.

II. The International Slavic Language School of West Sacramento Petition Contains Required Affirmations of Certain Conditions.

Charter Petitions are required to contain assurances (Ed. Code §§ 47605(b)(4), (d)). The Petition contains assurances that would need review against final Bylaws and Articles of Incorporation for “Language Plus Academies of California” with authority to operate the International Slavic Language School of West Sacramento.

III. The Term of Initial Charter May Be Less Than Five (5) Years.

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A charter may be granted for a period not to exceed five (5) years. Ed. Code § 47607(a)(1), emphasis added. A county board of education may then grant one or more subsequent renewals, and each renewal shall be for a period of five (5) years. Id.

International Slavic Language School of West Sacramento proposes a five year term with a start date of June 2014 (Petition, p.54). YCOE may consider granting the initial charter for less than five (5) years. Notwithstanding, any subsequent renewals of the charter would be for a period of five (5) years.

IV. The Charter Petition Has Not Been Updated to Reflect YCOE as the Charter Authorizer.

The International Slavic Language School of West Sacramento Petition refers to the Washington Unified School District as the authorizing entity. The Petition has not been updated to reflect YCOE as the charter authorizer. This would need to be changed if granting the Petition.

V. Petitioners Have Presented an Unrealistic Financial and Operational Plan.

Among the reasons a charter Petition may be denied by a county board of education is if the Petitioners are “demonstrably unlikely to successfully implement the program” set forth in the Petition. Educ. Code § 47605(b)(2). The following factors may be taken into consideration in determining whether charter Petitioners are “demonstrably unlikely to successfully implement the program”, among other factors:

- If Petitioners have presented an unrealistic financial and operational plan for the proposed charter school – such as failure to include reasonable estimates of all anticipated expenditures necessary to operate the school, including special education.

5 C.C.R. § 11967.5.1(c).

The financial plan submitted does not contain adequately supported assumptions or documentation, and includes incorrect revenue assumptions. Additionally the budget narrative does not align with the profit and loss statement, or to the budget assumptions. Accordingly, the financial plan does not support the overall school design and other plans presented within the Petition.

Sufficient assumptions or narratives were not provided to support calculations for expenditures, insurance cost determinations and average daily attendance. The revenue calculations and cash flow statement are based on an outdated funding model, reflecting a lack of understanding in regards to school finance. Additionally, conflicting information exists between the various financial documents submitted. Finally there appears to be a lack of understanding regarding special education funding, revenues and costs.

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No adequate support was provided to substantiate the assumptions for the projected student enrollment of 160, 240 and 320 for the first three years of operation. This is a growth projection in enrollment of 50% for the second year, and an additional 33% for year three. No detailed assumptions or additional supportive documentation was provided to substantiate and clearly describe the basis for these robust projections.

Finally, the Petition lacked substantial facility assumptions and plans, referring to general statements such as “within the district area” (Petition, p. 55), and general square footage needs, therefore it cannot be determined whether or not the facility costs in the budget are reasonable.

We believe the financial statements are a material, substantive requirement of a legally sufficient Petition (Educ. Code section 47605(g).) Accordingly, the Petition does not include reasonably comprehensive financial statements and International Slavic Language School of West Sacramento has presented an unrealistic financial and operational plan.

VI. The Petition Does Not Contain a Reasonably Comprehensive Description of the Manner in Which Administrative Services of the International Slavic Language School of West Sacramento are to be Provided. (Educ. Code section 47605(g).)

The Petition does not contain a reasonably comprehensive description of the manner in which administrative services of International Slavic Language School of West Sacramento are to be provided. The Petition appears to only address this area under employee qualifications while referring to a “Business Services Administrator (0,25PT)” (Petition, p.34). (YCOE made the assumption that this was for a .25 FTE). The Petition lacks substantial details regarding the plans and systems to manage its business affairs efficiently and effectively including systems of internal controls employed to achieve sound fiscal practices.

VII. The Petition Does Not Adequately Describe the Types, Cost, and Potential Location of Facilities Needed to Operate its Program.

Another factor that may be taken into consideration in determining whether charter Petitioners are “demonstrably unlikely to successfully implement the program” is whether the charter and supporting documents adequately describe the types, cost, and potential location of facilities needed to operate its program. 5 C.C.R. § 11967.5.1(c)(3)(D).

The Petition lacks substantive plans for facilities, stating “may seek support of District, securing a District-owned facility through the annual Proposition 39 request” and “searching for and securing an alternative location within the District area” (Petition, p. 55). Any request for use of WUSD facilities for the 2014/15 school year would have had to have been submitted prior to November 1, 2013. Therefore, a request for facilities from the district would not be a viable option for the Petitioners at this time. The lack of other identified facility options prevents analysis to assess whether the facility is suitable for educational purposes, compliant with applicable law, or otherwise appropriate for locating a charter school.

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VIII. The International Slavic Language School of West Sacramento Charter Petition Does Not Contain Reasonably Comprehensive Descriptions of All of the Required Elements of a Charter Petition.

Education Code Section 47605(b)(5) requires charter Petitions to contain “reasonably comprehensive descriptions” of 16 required elements. “Reasonably comprehensive descriptions” include information that:

- (a) Is substantive (e.g., not a listing of topics with little elaboration);
- (b) Addresses essentially all aspects of elements that have multiple aspects;
- (c) Is specific to the proposed charter Petition, not just charters in general; and
- (d) Describes, where applicable, how the charter school will improve pupil learning, provide parents, guardians, and pupils with expanded educational opportunities; hold itself accountable for measurable, performance-based pupil outcomes; and provide vigorous competition with other public school options.

5 C.C.R. §11967.5.1(g).

Among the reasons a charter Petition may be denied by a county board of education is if the Petition does not contain reasonably comprehensive descriptions of all of the 16 required elements of the Petition (Paragraphs A through P below). Educ. Code § 47605(b)(5).

A. The International Slavic Language School of West Sacramento Petition Does Not Contain a Reasonably Comprehensive Description of the Educational Program.

The instructional component of the Petition references a desire to operate a dual immersion International Bachelorette (IB) Program (Petition, p.6), however no documentation exists to show the Petitioner has begun the application process for authorization to the IB organization. Approval takes between two and three years.

Other concerns in the Petition regarding the education component include omission of estimated percentage of students eligible for free/reduced meals, unclear and/or inadequate attendance expectations and requirements.

While the Petition provided general statements of services to special education students, there was confusion between 504 and IDEA throughout the Petition, no indication of delivery of related services, and unclear, inaccurate and incomplete assumptions regarding funding, special education costs and SELPA LEA membership. Accordingly, the Petition lacked a reasonably comprehensive description for service delivery to special education students.

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B. The International Slavic Language School of West Sacramento Petition does not Contain a Reasonably Comprehensive Description of the Measurable Student Outcomes To Be Used.

Education Code Section 47605(b)(5)(B) requires that charter Petitions contain reasonably comprehensive descriptions of measurable pupil outcomes to be used.

Exit outcomes are not listed for each specific assessment. Affirmations regarding exiting outcomes aligning to mission, curriculum and assessments were not located in the Petition. Other apparent omissions or incomplete data was found in regards to the provision of college-bound students' access to college pathway courses, performance goals and modification of outcomes/goals.

C. The International Slavic Language School of West Sacramento Petition Does not Contain a Reasonably Comprehensive Description of the Methods By Which Student Outcomes Will Be Measured.

Education Code Section 47605(b)(5)(C) requires that charter Petitions contain reasonably comprehensive descriptions of the method by which progress in meeting pupil outcomes can be measured.

The Petition failed to address the new common core testing system in the proposed assessment tools, and no reference was made to specific state assessments with exit outcomes and benchmark expectations; pupil outcomes, school-wide student performance goals and assessments for students with disabilities were not adequately described in the Petition.

D. The International Slavic Language School of West Sacramento Petition Does Not Provide a Reasonably Comprehensive Description of the Qualifications to be Met by School Employees.

Education Code Section 47605(b)(5)(E) requires charter Petitions to include reasonably comprehensive descriptions of the qualifications to be met by school employees.

The Petition proposes to serve both English and Russian speaking students. Teachers delivering instruction in Russian will need to hold a Bilingual, Cross-cultural, Language and Academic Development Certificate (BCLAD) in Russian. Staff was unable to verify this authorization from any of the teacher signatures provided in the Petition. Additionally, a staff development plan was not addressed in the Petition.

E. The International Slavic Language School of West Sacramento Petition Does Not Provide a Reasonably Comprehensive Description of the Procedures To Be Followed to Ensure Health and Safety.

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Education Code Section 47605(b)(5)(F) requires charter Petitions to include a reasonably comprehensive description of the procedures the school will follow to ensure the health and safety of pupils and staff.

The Petition fails to adequately and completely address this section for instance in regards to immunizations, health screenings, use of tobacco, staff training on emergency and first aid response.

F. The International Slavic Language School of West Sacramento Petition Does Not Provide a Reasonably Comprehensive Description of How Audits Will Be Conducted.

Education Code Section 47605(b)(5)(I) requires charter Petitions to include a reasonably comprehensive description of how annual, independent, financial audits will be conducted and how audit exceptions and deficiencies will be resolved to the satisfaction of the chartering authority.

The Petition claims the audit will employ generally accepted accounting procedures. However, several comprehensive details are missing including, auditor timelines and qualifications, and resolving audit exceptions or deficiencies.

G. The International Slavic Language School of West Sacramento Petition Does Not Provide a Reasonably Comprehensive Description of Suspension/Expulsion Procedures.

Education Code Section 47605(b)(5)(J) requires charter Petitions provide a reasonably comprehensive description of the procedures by which pupils can be suspended or expelled.

The Petition fails to address how YCOE may be involved in disciplinary matters and does not provide information regarding students' right to due process.

H. The International Slavic Language School of West Sacramento Petition Does Not Provide a Reasonably Comprehensive Description of Retirement Coverage for Staff.

Education Code Section 47605(b)(5)(K) requires charter Petitions provide a reasonably comprehensive description of the manner in which charter school staff members will be covered by the State Teacher's Retirement System (STRS), the Public Employees' Retirement System (PERS), or federal social security.

The Petition does not clearly state that all teachers must participate in STRS, if STRS is offered. Page 46 of the Petition references "STERS for certificated Staff and PERS for Classified", however the budget narrative on page 20A states "non-certificated staff will be part of the social security system".

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I. The International Slavic Language School of West Sacramento Petition Does Not Provide a Reasonably Comprehensive Description of Employee Rights.

Education Code Section 47605(b)(5)(M) requires charter Petitions provide a reasonably comprehensive description of the rights of any employee of the county office upon leaving the county office to work in the charter school, and any rights of return to the county office after employment at the charter school.

While addressed, this section of the Petition is somewhat unclear and would likely need to be rewritten if approved, as it references “USD employees”, which may have return rights.

J. The International Slavic Language School of West Sacramento Petition Does Not Provide a Reasonably Comprehensive Description of Dispute Resolution Procedures.

Education Code Section 47605(b)(5)(N) requires charter Petitions provide a reasonably comprehensive description of the procedures to be followed by the charter school and the charter authorizer to resolve disputes relating to the provisions of the charter.

The Petition fails to provide an internal dispute resolution procedure which allows recognition of those matters that may exist within the Board’s oversight responsibilities, as well as those regarding the principal, employees, or parents.

K. The International Slavic Language School of West Sacramento Petition Does Not Provide a Reasonably Comprehensive Description of the Procedures to be Used if the Charter School Closes.

Education Code Section 47605(b)(5)(P) requires charter Petitions to provide reasonably comprehensive descriptions of the procedures to be used if the charter school closes which must include a final audit, plans for disposing of all assets and liabilities, plans for disposition of any net assets, and maintenance and transfer of pupil records.

The closure procedures do not include a specific timeline for official action and notification to the California Department of Education, including a description of the closure circumstances and the location of personnel records, specific timelines and auditor credentials.

CONCLUSION:

It is our opinion that the Petition may be denied based on the numerous grounds set forth above.

It is also worth noting that the review committee found the Petition difficult to review and comprehend. This was partly due to the following: Petition organized in various, seemingly separate sections; table of contents not always aligned with documents; many spelling and grammatical errors, as well as incomplete and/or incomprehensible sentences. Finally, the inconsistent formatting throughout the document including blank sections, white-out on

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originals, and copies of pages appearing to have been previously whited-out seem to suggest a literal “cut and paste” compilation of prior existing documents.

All of these issues in addition to the suspect signature component, raise grave concerns regarding the Petitioner’s ability to successfully open and manage a quality charter school.

The YCOE Administration recommends to the Board that the Petition be denied. Attached is a suitable Resolution of Denial specifying the findings and facts in support of denial for use and adoption by the Governing Board, if they so choose.

If you have any questions regarding the above deficiencies or other matters pertaining to the submitted Petition please do not hesitate to contact Diane Cirolini, Associate Superintendent, at (530) 668-3722 or diane.cirolini@ycoe.org.

Very truly yours,

Jorge O. Ayala, Ed.D.
Superintendent

Attachment

YOLO COUNTY BOARD OF EDUCATION



**RESOLUTION #14-15/08
To Deny the Petition of the
“International Slavic Language School of West Sacramento” Charter School**

WHEREAS, a petition for grant of a charter on appeal before the Yolo County Board of Education (“Board”) pursuant to Education Code section 47605(j) shall be governed by the standards and criteria set forth in Education Code section 47607; and

WHEREAS, on or about May 8, 2014, the Washington Unified School District Board of Trustees denied a petition to establish the “International Slavic Language School of West Sacramento” Charter School pursuant to Education Code section 47605; and

WHEREAS, on October 01, 2014, Dr. Vadim Nazarenko, Ph.D (“Petitioner”) submitted a petition and supporting documentation (collectively the “Petition”) to the Board on appeal pursuant to Education Code section 47605(j) for the grant of a charter to establish the “International Slavic Language School of West Sacramento” Charter School (“Charter School”); and

WHEREAS, on October 28, 2014, a public hearing was held to determine the level of support for the Petition by teachers, employees, and parents/guardians in accordance with Education Code section 47605(b); and

WHEREAS, the Yolo County Superintendent of Schools, and/or his designees, have reviewed the Petition and supporting documentation submitted by Petitioner.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board, having fully considered and evaluated the Petition for grant of a charter for establishment of the Charter School, hereby denies the Petition as not consistent with sound educational practice based upon the following findings:

1. The Petition does not comply with signature requirements, as prescribed by law. [Ed. Code § 47605(a)(1)(B)]
2. The Petition does not contain reasonably comprehensive descriptions of all of the elements prescribed by law. [Ed. Code § 47605(b)(5).]
3. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. [Ed. Code § 47605(b)(2).]
4. The Petition presents an unsound educational program for the pupils to be enrolled in the Charter School. [Ed. Code § 47605(b)(1).]

BE IT FURTHER RESOLVED AND ORDERED, that the Board hereby determines the foregoing findings are supported by the following specific facts:

THE PETITION DOES NOT COMPLY WITH SIGNATURE REQUIREMENTS AS PRESCRIBED BY LAW.

[Ed. Code § 47605(a)(1)(B)]

1. Teacher Signatures. The Petition signatures do not meet all parent/guardian or teacher signature requirements established by law. The Petition must be signed by a number of parents/guardians equivalent to at least one-half of the number of students that the Charter School estimates will enroll in its first year of operation OR at least one-half of the number of appropriately credentialed teachers expected to be employed during its first year of operation. All signatures provided are teachers from one elementary school district in Modesto and all reside in areas approximately 80 miles from West Sacramento, therefore “meaningful interest” is suspect.

THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF ALL OF THE ELEMENTS PRESCRIBED BY LAW.

[Ed. Code § 47605(b)(5) and (g)]

2. Educational Program. [Ed. Code §§ 47605(b)(5)(A), (B) & (C).] The description of the Charter School’s educational program is not reasonably comprehensive based on numerous reasons including, but not limited to, the following:

(A) Special Education. The Petition and supporting documents do not adequately address service delivery to special education students including specialized instruction, Response to Intervention, and reasonable funding components. Additionally the Petition makes no reference for the need to apply to the Yolo County SELPA. These omissions give no assurances that the proposed charter school will meet the requirements of individuals with special needs in accordance with state and federal laws pursuant to Education Code section 47605.7(b).

(B) Section 504. The Petition does not clearly provide information regarding the Charter School’s responsibility for handling all complaints filed under Section 504 of the Rehabilitation Act.

(C) Curriculum. The Petition proposes to offer a curriculum using the International Bachelorette (IB) approved curriculum and assessments, however application to or authorization from the IB organization was not provided.

(D) Pupil Outcomes. The Petition’s description of “pupil outcomes” does not include outcomes that address numerically significant pupil subgroups, socioeconomically disadvantaged pupils, English learners, and pupils with disabilities as required by SB 1290. Additionally exit outcomes are not listed for each specific assessment.

3. Charter School Facility Location. [Ed. Code § 47605(g).] The Petition does not identify the location of each facility that the Charter School proposes to operate and does not provide any information regarding the facility or facilities the Charter School intends to use, as required by law. Rather, the Petition states only that “We anticipate needing approximately 12,000 sq. feet the first year, growing to 30,000 sq. ft. in years 4 and 5. (Calculation is based on the State standards of 75 sq. ft. per student. School anticipates needing 8 classrooms in year 1 growing to 15 classrooms in years 4 and 5, office space and storage. Facilities needs will change each year in order to accommodate growth in ADA and staffing.” The Petition does not identify any specific site or provide any information of a proposed site for the Charter School. Neither a proposed floor plan nor information regarding anticipated renovations to meet legal requirements was provided to for review (e.g., fire life safety, handicap accessibility, building code requirements, etc.).

4. Governance Structure. [Ed. Code § 47605(b)(D).] The description of the Charter School’s governance structure is not reasonably comprehensive based on the following:

(A) Corporate Authority To Operate The Charter School Not Established or Unclear. The Petition includes unsigned, undated Articles of Incorporation for a corporation named “Language Plus Academies of California”, with the sentence “Proposed Articles to be submitted as soon possible” and no other documents were submitted indicating authorization to operate the International Slavic Language School of West Sacramento. As such, it is unclear if the Petitioner has formally established the Charter School’s corporate status and/or authority to operate the Charter School. Failure to clearly establish and/or finalize the corporate authority to operate the Charter School is a material omission and subjects the Yolo County Office of Education (“YCOE”) to potential liability for the Charter School’s debts and obligations pursuant to Education Code section 47604(a).

5. Health And Safety. [Ed. Code § 47605(b)(5)(F).] The description of the Charter School’s procedures to ensure the health and safety of pupils is not reasonably comprehensive. Among other topics, the Petition fails to address staff training on emergency and first aid response, seismic safety and natural disasters.

6. Annual, Independent Financial Audits. [Ed. Code § 47605(b)(5)(I).] The description of the manner in which audit exceptions and deficiencies will be resolved to the satisfaction of YCOE are not reasonably comprehensive. The Petition lacks defined timelines, independent auditor qualifications and audit scope.

7. Pupil Suspension And/Or Expulsion Procedures. [Ed. Code § 47605(b)(5)(J).] The Petition fails to address students’ right to due process.

8. Public Employee Retirement. [Ed. Code § 47605(b)(5)(K).] The description of the manner by which staff members will participate in retirement systems is not reasonably comprehensive. The Petition does not clearly state that all teachers must participate in STRS, if STRS is offered. The Petition also fails to reference the notice requirements of Education Code section 47611. Specifically, the Charter School must notify all applicants for positions with the charter school that “accepting employment in the charter school may exclude the applicant from further coverage in the applicant’s current retirement system....”

9. Dispute Resolution Procedure. [Ed. Code § 47605(b)(5)(N).] The description of the procedures to be followed by the Charter School and YCOE to resolve disputes are not reasonably comprehensive. The Petition does not clearly address internal disputes and lacks steps for remedies in regards to principal, parents, employees, charter authorizer, CDE and so forth.

10. Closure Protocol. [Ed. Code § 47605(b)(5)(P).] The description of the procedures to be used if the Charter School closes are not reasonably comprehensive. The Petition provides a description of the procedures to be used if the Charter School closes. However, the Charter School's corporate authority to operate this charter school, to date, is unclear. Also, the Petition lacks specific timelines for official action, notification to California Department of Education, and location of personnel records.

11. Administrative Services. [Ed. Code § 47605(g).] The descriptions of the manner in which administrative services are to be provided for the Charter School are not reasonably comprehensive. The Petition lacks specific details regarding plans and systems to efficiently and effectively manage its business affairs to achieve sound fiscal practices, and it was unclear if there was a budget component that adequately addressed this matter.

12. Operational Budget And Financial Statements. [Ed. Code § 47605(g).] The operational budget and financial statements for the Charter School are not reasonably comprehensive. The financial and cash flow reports submitted were based on an outdated funding model and did not include adequate assumptions. Special education costs were not reasonably projected, and the lack of a specific facility complicates the ability to estimate financial, legal and insurance matters. No documentation was provided to support the enrollment and attendance projections, including the growth projections for year two and three in the multi-year projections.

**THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY
IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION**

[Ed. Code § 47605(b)(2)]

13. The specific findings of fact set forth in paragraphs 1 through 12, above, are realleged and incorporated herein by reference. Said specific facts evidence that Petitioner is demonstrably unlikely to successfully implement the program set forth in the Petition.

THE PETITION PRESENTS AN UNSOUND EDUCATIONAL PROGRAM

[Ed. Code § 47605(b)(1)]

14. The specific findings of fact set forth in paragraphs 1 through 12, above, are realleged and incorporated herein by reference. Said specific facts evidence that Petitioner presents an unsound educational program.

The public hearing on October 28, 2014 did not demonstrate meaningful support for the Petition by teachers, other employees, and parents and/or guardians of any school districts in Yolo County.

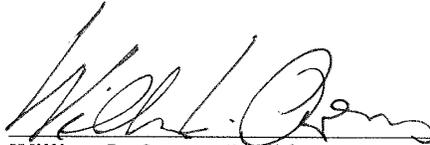
PASSED AND ADOPTED this 18th day of November 2014 by the following vote:

AYES: Owens, Yip, Lea.

NOES: None

ABSENT: Gamez

ABSTAIN: None



William L. Owens, President
Yolo County Board of Education

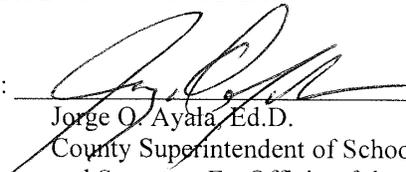
CERTIFICATION

State of California)
) ss.
County of Yolo)

I certify the above is a true copy of a Resolution adopted by the Yolo County Board of Education at a public meeting on Tuesday, November 18, 2014.

Dated: November 18, 2014

YOLO COUNTY BOARD OF EDUCATION,
COUNTY OF YOLO,
STATE OF CALIFORNIA

By: 

Jorge O. Ayala, Ed.D.
County Superintendent of Schools
and Secretary Ex-Officio of the
Yolo County Board of Education