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Ross Valley School District Minutes

REGULAR BOARD MEETING

**August 18, 2015
Tuesday, 07:00 PM**

Ross Valley School District Board Room
110 Shaw Drive, San Anselmo, CA 94960
Tel: 415.454.2162

Attendees

Annelise Bauer	Trustee
Anne Capron	Trustee
Hadley Dettmer	Trustee
Wesley Pratt	Trustee
Amy Stock	Trustee

Meeting Minutes

The following were present at the meeting:

Board & District Staff

- Trustee Anne Capron, Board President
- Trustee Amy Stock, Board Clerk
- Trustee Annelise Bauer
- Trustee Hadley Dettmer
- Trustee Wesley Stock
- Rick E. Bagley, Ed.D., Superintendent
- Marci Trahan, Assistant Superintendent
- Teri Louer, Director of Student Services
- Midge Hoffman, Chief Business Official
- Julie Crumrine, RVTA Co-President

Guest Presenters

- Sue Ann Salmon Evans, Legal Counsel (Fagen Friedman Fulfroost LLP)
- Terri Ryland, Consultant (Ryland School Business Consulting)

Candidates for the Board of Trustee Election (November 2015)

- Amy Blanchard, Businesswoman/Parent
- Susie Bergen, Parent/Marketer/Bookkeeper
- Mark Reagan, Attorney/Parent

A. CALL TO ORDER (Approx. 5 mins.)

Minutes

Board President Capron called the meeting to order at 7:00pm.

1. Public Comment on Closed Session (D)

- ***There is no Closed Session at this meeting; as a result this item will be pulled at the meeting.***

Minutes

Due to the fact there was no Closed Session at this meeting; the item was pulled from the Agenda.

2. Pledge of Allegiance

Minutes

Anne Capron, Board President, led trustees, staff and the public in the Pledge of Allegiance.

3. Approval of Agenda and Time Allocations (D) (V)

Minutes

- Motion: To approve the Agenda as amended and to approve the time allocations as presented.
- Amendment: Remove Item 1 (Under Section A), Public Comment on Closed Session.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Hadley Dettmer

Seconded by: Annelise Bauer

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

B. ANNOUNCEMENTS & COMMUNICATION (Approx. 20 mins.)

1. Public Comment Regarding Items Not On the Agenda (Approx. 15 mins.)

(D)

Minutes

- Public Comment: None

2. Board Member Announcements (Approx. 5 mins.) (D)

Minutes

- Announcements Only / No Formal Action Taken
- Board President Capron announced the meeting was being recorded by audio tape only.
- Trustee Bauer announced an upcoming special event to be held at White Hill Middle School on September 14 at approximately 1:35 p.m. In gratitude for the Free the Children event held recently, guest speaker Spencer West will address staff, students and parents. Mr. West is a top-ranked keynote speaker, author of a best-selling book, *Standing Tall: my Journey*, and a star of the documentary *Redefine Possible: The Story of Spencer West*. Free the Children is a non-profit partner with Me to We a for-profit social enterprise that provides socially responsible products and services.
- Public Comment: None

C. PRESENTATION/ACTION ITEMS (Approx. 1 hr. and 35 mins.)

1. Staff Recommendation to Deny the Ross Valley Charter (RVC) Petition Pursuant to Education Code Section 47605 (Approx. 90 min) (D) (V)

The Board of Trustees will determine the time duration for public comments made in connection with this item and asks all speakers to complete and submit a speaker card. Names of speakers will be called in the order their cards are received so each speaker can line-up to await his/her turn at the podium. The Board thanks all speakers in advance for their strict adherence to the time limit, so we preserve a fair, respectful and orderly process for everyone.

Minutes

- Presentation / Discussion / Formal Action
- Motion: To approve the recommendation by staff to deny the Ross Valley Charter (RVC) Petition.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: The Board heard public comment on this topic from 14 members of the audience.
- Re-Cap

1. Power Point Presentation: RVC Petition: Findings and Recommendations
2. Trustee Questions
3. Public Comments
4. Trustees Comments
5. Motion to Deny the RVC Petition

Motion made by: Wesley Pratt
Seconded by: Hadley Dettmer

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

**2. Adoption of Resolution #01-15-16 Regarding the Budget Reserve Cap
(Approx. 5 min) (D) (V)**

Minutes

- Motion: To approve Resolution #01-15-16 Regarding the Budget Reserve Cap as presented with no changes.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Anne Capron
Seconded by: Wesley Pratt

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

D. CONSENT CALENDAR: (Approx. 5 mins. for All Consent Items)

Minutes

- All Consent Items were approved with one vote.

- None were pulled for further discussion and/or clarification.

1. Approval of Personnel Actions (Human Resources) (V) (C)

Minutes

- Motion: To approve personnel actions as presented with no changes.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Annelise Bauer

Seconded by: Wesley Pratt

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

2. Ratification of Proposed Scope and Fees by Demsey Filliger & Associates to Provide GASB45 Actuarial Services to the Ross Valley SD (Business) (V) (C)

Minutes

- Motion: To ratify the proposed scope and fees by Dempsey Filliger and Associates to provide GASB45 Actuarial Services to the Ross Valley SD as presented with no changes.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Annelise Bauer

Seconded by: Wesley Pratt

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

3. Ratification of 2015-16 Mandate Block Grant Application (Business) (V) (C)

Minutes

- Motion: To ratify the 2015-16 Mandate Block Grant application as presented with no changes.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Annelise Bauer

Seconded by: Wesley Pratt

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

4. Ratify Contract Between Larkspur-Corte Madera School District and the Ross Valley School District for Certificated Librarian Support Services During the 2015-16 School Year (Business) (V) (C)

Minutes

- Motion: To ratify the contract between Larkspur-Corte Madera SD and the Ross Valley SD for certificated librarian support during the 2015-16 school year as presented with no changes.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Annelise Bauer

Seconded by: Wesley Pratt

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

5. Approval of Quarterly Investment Report for the Months of April, May and June 2015 (Business) (V) (C)

Minutes

- Motion: To approve the Quarterly Investment Reports for the months of April, May and June 2015 as presented with no changes.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Annelise Bauer

Seconded by: Wesley Pratt

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

6. Declaration of Surplus Textbooks (Business) (V) (C)

Minutes

- Motion: To approve the Declaration of Surplus Textbooks from Wade Thomas as presented with no changes.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Annelise Bauer

Seconded by: Wesley Pratt

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

E. BOARD BUSINESS (Approx. 25 mins.)

1. Trustees' School Liaison Assignments for 2015-16 (Approx. 5 min.) (D) (V)

Minutes

- Discussion Only / No Formal Action Taken
- Follow-Up: Superintendent Bagley will follow-up with site principals and bring their suggestions back to the Board for further discussion.
- Public Comment: The Board heard public comment on this topic from one member of the audience.

2. Approval of Minutes for August 4, 2015 (Approx. 5 mins.) (D) (V)

Minutes

- Motion: To approve the Minutes for the August 4, 2015 meeting as amended.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Anne Capron

Seconded by: Hadley Dettmer

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

3. Sub-Committee Updates/Reports from Trustees (Approx. 10 mins.) (D)

Minutes

- Trustee Updates: None
- Formal Action: None
- Public Comment: None

4. Trustee Representation on District & County Committees for 2015-16 (Approx. 5 min.) (D) (V)

Minutes

- Motion: To approve staff's recommendation that Trustee representation on District and County committees remain unchanged through December 2015, and re-addressed in early 2016.
- Roll-Call Vote: All trustees (Annelise Bauer, Anne Capron, Hadley Dettmer, Wesley Pratt and Amy Stock) voted YES to approve the motion.
- Public Comment: None

Motion made by: Annelise Bauer
Seconded by: Anne Capron

Votes

Annelise Bauer	Yes
Anne Capron	Yes
Hadley Dettmer	Yes
Wesley Pratt	Yes
Amy Stock	Yes

F. SUPERINTENDENT/CABINET REPORT (Approx. 15 mins.)

1. Updates

- a. Updates on the start of the 2015-16 school year (Cabinet)
- b. Possible return of one or more Special Education programs from MCOE in 2016-17 (Teri Louer)
- c. Ross Valley Flood Protection and Watershed Program (Midge Hoffman and Rick Bagley)

Minutes

- Updates Only / No Formal Action Taken
- Public Comment: The Board heard public comment from two members of the audience.
- Follow-Up: An invitation to attend the Ribbon-Cutting Ceremony at Wade Thomas will be set to the WT neighborhood.

G. MEETING REVIEW (Approx. 10 mins.)

1. Future Board Topics and Board Direction (D) (V)

Minutes

- Discussion Only / No Formal Action Taken
- Public Comment: None

Board Direction: Section E-Board Business, Item 1-Trustees' School Liaison Assignments for 2015-16

- Superintendent Bagley will work with site principals to identify how they view the role of Board Liaisons and report back to the Board.

Board Direction: Section F-Superintendent/Cabinet Report, Item 1-Updates

- Notify and invite WT neighbors to the Ribbon Cutting Ceremony.

2. Meeting Debrief (D)

H. ADJOURNMENT

Minutes

Board President Capron adjourned the meeting at 10:01pm.

1. Continue Meeting Past 10:30pm (If Applicable) (D) (V)

Minutes

- Not Applicable
- Meeting ended at 10:01pm

ROSS VALLEY SCHOOL DISTRICT

ROSS VALLEY CHARTER ("RVC") CHARTER PETITION STAFF REPORT

August 18, 2015

I. BACKGROUND

On or about September 12, 2014, the Ross Valley School District ("District") received a charter petition to convert the District's Multi-Age Program ("MAP") into a self-governing K-5 charter school named Ross Valley Charter School. The District created MAP in 1996, which was then known as the Innovative Learning Community, as a K-5 program of choice. Based upon its philosophy that children acquire knowledge and skills at different rates and with different learning styles, MAP assigns two grade levels for each classroom, and students typically remain with the same teacher for two years. Teachers are viewed as facilitators, and curriculum is flexible and open-ended to address the wide range of interests, developmental abilities, and learning styles of students. In addition to academic development, the program focuses upon the emotional, social, and physical growth of each student. Since inception, MAP has expanded and operated with increasing and significant autonomy, and currently serves approximately 130 K-5 students in six (6) classes at Manor Elementary School.

The petition was submitted on behalf of Ross Valley Charter School, a California nonprofit public benefit corporation. Lead Petitioners were Chris Lyons, a 4th/5th grade MAP teacher, and Jason Morrison, a program director at a non-profit policy research center ("Petitioners"). Petitioners sought to convert MAP into a charter school because of their desire to grow the program and to formalize their self-governance in the form of a charter school. After conducting a public hearing on the charter proposal and performing a thorough review of the petition, on or about November 4, 2014, the District's Board of Trustees ("Board") voted to deny the petition to establish Ross Valley Charter School and issued written factual findings supporting its decision.

Approximately eight months later, on or about July 15, 2015, Petitioners submitted another charter petition ("Petition") to the District for **Ross Valley Charter ("RVC" or "Charter School")**, which, in effect, again seeks to convert the District's MAP program into a charter school and essentially proposes the same program as the one offered in the 2014 petition. Although the Board recently voted to update the designation of MAP from an "Alternative Program of Choice" to a "District-Wide Program," as further detailed below, updating MAP's designation has no impact upon MAP's instructional program. The District has neither terminated nor planned to terminate the program, and MAP remains an alternate instructional option for parents and students throughout the District.

Within 30 days of receiving a petition, the District Board **must "hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the district, other employees of the district, and parents."** (Ed. Code, § 47605(b).) A public hearing was held on August 4, 2015. **The Board must "either grant or deny the charter within 60 days of**

receipt of the petition." (Ed. Code, § 47605, subd. (b).) Accordingly, the Board will act on the Petition during its **August 18, 2015** meeting.

The Charter Schools Act of 1992 ("Act") permits school districts to grant charter petitions, authorizing the operation of charter schools within their geographic boundaries. (Ed. Code, § 47600, et seq.) In enacting the Act, the California Legislature intended for teachers, parents, and community members to establish charter schools in order to, among other things, increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving, encourage the use of different and innovative teaching methods and programs, and provide new professional opportunities for teachers as well as expanded choice in the types of educational opportunities for parents and students. (Ed. Code, § 47601.)

Charter schools are established through submission of a petition by proponents of the charter school to the governing board of a public educational agency, usually a school district, and approval of the petition by the school district. The governing board must grant a charter "if it is satisfied that granting the charter is consistent with sound educational practice." (Ed. Code, § 47605, subd. (b).) Nevertheless, a governing board may deny a petition for the establishment of a charter school if it finds that the particular petition fails to meet enumerated statutory criteria and it adopts written findings in support of its decision to deny the charter. (*Ibid.*) Once authorized, charter schools "are part of the public school system," but "operate independently from the existing school district structure." (Ed. Code, §§ 47615(a)(1) and 47601.)

If the Board grants the Petition, RVC will become a separate legal entity. Under Education Code section 47605, subdivision (j)(1), if the Board denies the Petition, then Petitioners may appeal that denial to the Marin County Board of Education ("MCBOE"). If MCBOE grants the charter, it becomes the supervisory agency over the charter school. If the county denies the petition, then Petitioners may appeal to the State Board of Education ("SBE"). (Ed. Code, §47605(j)(1).)

II. REVIEW OF THE PETITION

A team of District staff conducted a comprehensive review of the Petition. The team was comprised of the following individuals, and was assisted by the **District's legal counsel**:

- Rick E. Bagley, Ed.D., Superintendent
- Marci Trahan, Assistant Superintendent
- Teri Louer, M.Ed., Director of Student Services
- Midge Hoffman, Chief Business Official
- Terri Ryland, Financial Consultant, Ryland School Business Consulting

Education Code section 47605, subdivision (b), sets forth the following guidelines for governing boards to consider in reviewing charter petitions:

- The chartering authority shall be guided by the intent of the Legislature that charter schools are, and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.
- A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice.

- 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 statute.*
 - (4) *The petition does not contain an affirmation of each of the conditions required by statute.*
 - (5) *The petition does not contain reasonably comprehensive descriptions of the required elements of a charter petition.*

In addition to the above, staff's review and analysis of the Petition was guided by the legislative intent set forth in Education Code section 47601 and by the regulations promulgated for SBE's evaluation of its own charter petition submissions (Cal. Code Regs., tit. 5, section 11967.5.1) ("Regulations"). Although these Regulations are not binding on a school district's review of charter petitions, they are helpful guidance. Where relevant, the content of the Education Code and Regulations is stated or paraphrased with respect to each area in which staff has identified deficiencies.

III. STAFF RECOMMENDATION

Based upon its comprehensive review and analysis of the Petition, staff recommends that the Petition be **denied**. This Staff Report contains staff's analysis of the Petition, and the written findings supporting staff's recommendation. Accordingly, staff also recommends that the Board adopt this Staff Report as its written findings in support of its denial.

The following reasons justify denial of the Petition prior to the commencement of the school's operations:

- **The Petition does not contain the number of signatures required by Education Code section 47605, subdivision (a);**
- **The Petitioners are demonstrably unlikely to successfully implement the program presented in the Petition; and**
- **The Petition fails to provide a reasonably comprehensive description of all required elements of a charter petition.**

More specific findings with regard to each basis for denial are described under Section IV in the enumerated paragraphs below.

IV. FINDINGS IN SUPPORT OF DENIAL OF PETITION

Staff's evaluation and analysis of the Petition have resulted in the following factual findings:

A. The Petition Does Not Contain The Requisite Number Of Signatures Pursuant To Education Code Section 47605(b)(3)

Education Code section 47605, subdivision (a)(2) states: "The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted."

Staff finds that Petitioners have not satisfied the petition signature requirement. Education Code section 47605(a)(2) requires a charter petition that seeks to convert a school, either partially or entirely, into a charter school must be signed "by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted." The Petition includes signatures from 6 Manor Elementary School teachers, who also teach in the MAP program. (App. A.) Manor Elementary School currently has 20 permanent status teachers employed, which includes the 6 teachers who have signed the Petition. Fifty percent of the "permanent status teachers currently employed at the public school to be converted" is 10. Because the Petition only contains signatures from 6 permanent teachers from Manor Elementary School, the Petition is not supported by the number of signatures required by law.

Petitioners state in the Petition that they are ostensibly proposing to establish a "new" or "start-up" charter school. (p. 4; App. A.) Although Petitioners do not expressly specify which signature requirement that the Charter School proposes to satisfy, the "Teacher Approval Sign-off" document (App. A.) reflects that Petitioners seek to satisfy the signature requirement set forth under Education Code section 47605(a)(1)(B), which requires the Petition to be signed by "a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation."

However, review of the Petition reflects that it actually seeks to *convert* the District's MAP program into a charter school. The Petition acknowledges, "*in practical effect*, [the Charter School] is patterning itself on the existing Ross Valley School District (RVSD) MAP program at Manor School." (App. D, p. 53; emphasis added.) Evidence that Petitioners seek to convert the MAP program into a charter school is found throughout the Petition, and is also demonstrated by Petitioners' history and background with the District. For example, Petitioners of the instant Petition are the same individuals who submitted a petition to the District in September 2014 to convert MAP into a K-5 charter school named Ross Valley Charter School. (p. 11.) The Petition proposes to staff the Charter School with the same teachers who teach at the District's MAP program. (p. 8.) The Charter School proposes to continue relationships with entities having preexisting partnerships with MAP, such as the YES Foundation. (p. 8.) And the Petition makes repeated references to MAP's history and background (e.g., "[RVC] has been developed by parents, teachers, and supporters of Ross Valley School District's Multi-Age Program" (p. 4); "RVC philosophy and curriculum will grow from the 19-year history and experience of MAP" (p. 4); "RVC will be based on the Multi-Age Program's practices and philosophy" (p. 19.) Moreover, many of the same individuals currently serving on MAP's Leadership Council are RVC founders or RVC board members. (p. 14.) In discussing RVC's plans for assessments, as well as its enrollment projections, the Petition cites to and relies upon the academic performance figures and history of MAP

students. (p. 42.) The Petition makes clear that Petitioners intend to continue the MAP program, but in the form of a charter school.

Obtaining signatures from only MAP teachers is not adequate. Although Education Code section 47605(d) refers to partial conversions, section 47605(a) makes no distinction to the signature requirement for partial conversions. The statute requires the signatures of 50% of the permanent teachers employed at the school site regardless of whether a partial or complete conversion is proposed. This requirement serves an important purpose. The conversion of a public school, whether partial or complete, impacts the entire school site, **including all of the teachers employed at the site, as well as the school's students, staffing, budgeting, and operations.** Therefore, the statute ensures that all the teachers who may be impacted by a potential conversion are part of the conversion decision-making process by including all teachers at the school in determining the required number of signatures. Therefore, the statute intends, as it states, to require Petitioners to obtain the signatures of at least 50% of the permanent status teachers currently employed at Manor Elementary School. Petitioners did not meet this requirement.

Accordingly, as a proposed conversion charter school, Petitioners must meet the petition signature requirement set forth under Education Code section 47605(a)(2), not section 47605(a)(1). As explained above, the Petition only contains signatures from 6 permanent teachers from Manor Elementary School and therefore the Petition is not supported by the number of signatures required by law.

The Petition also includes signatures from parents whom Petitioners contend are meaningfully interested in enrolling their student(s) at the Charter School (App. B), ostensibly in an effort to meet the parent signature requirement set forth under Education Code section 47605(a)(1)(A). However, as explained above, by virtue of its status as a proposed conversion charter school, the Charter School must meet the petition signature requirement set forth under Education Code section 47605(a)(2), not section 47605(a)(1). Accordingly, the parent signatures are not relevant in determining whether Petitioners have met the signature requirements.

We note that the District received a complaint from a parent regarding Petitioners' efforts to solicit petition signatures and their representations regarding the purpose of the signatures. During the Petition review process, a Manor Elementary School parent submitted a written complaint to the District, stating that she was approached by one of the Petitioners and a MAP parent who then solicited her signature to move MAP from the Manor Elementary School campus. When asked specific details regarding the proposal, the Petitioner and the MAP parent assured her that the MAP program was only seeking to rent space at another location, but they did not mention that her signature would be used to create RVC. After signing the Petition, the parent found out later that her signature would be used to support the RVC Petition. Although she requested that her signature be removed from the Petition, her signature was not removed. It appears that Petitioners collected signatures without **compliance with Education Code section 47605(a)(3), which requires that "[t]he proposed charter shall be attached to the petition."** This parent complaint reflects that the charter document did not accompany the Petition when the Petitioners collected signatures. Additionally, Petitioners collected signatures, in part, by using an online form, which can be accessed at <https://fs22.formsite.com/RVCS/form2/index.html>. (App. B, p. 3.) However, the online form does not have the proposed charter attached or posted. Accordingly, many of the parent signatures obtained by Petitioners were not obtained in conformity with the statute.

B. Petitioners Are Demonstrably Unlikely To Successfully Implement The Program Pursuant To Education Code Section 47605(b)(2)

The Education Code requires Petitioners to show they are demonstrably likely to successfully implement the program set forth in the Petition. (Ed. Code, § 47605, subd. (b)(2).) The Regulations also require consideration of whether a petition has presented a realistic financial and operational plan, including the areas of administrative services, financial administration, insurance and facilities. (Regulations, § 11967.5.1, subds. (c)(1) and (c)(3).) In the area of administrative services, the charter or supporting documents must adequately describe: the structure for providing administrative services, accounting and payroll that reflects an understanding of school business practices and expertise to carry out the necessary administrative services, or a reasonable plan and time line to develop and assemble such practices and expertise. (Regulations, § 11967.5.1, subds. (c)(3)(A)(1).) For any contract services, the Regulations require a description of the criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors. (Regulations, § 11967.5.1, subds. (c)(3)(A)(2).)

Under section 11967.5.1(c)(3)(B), an unrealistic financial and operational plan for the proposed charter exists when the charter or supporting documents do not adequately include: a) At a minimum, the first year operational budget, start-up costs, and cash flow, and financial projections for the first three years; b) include in the operational budget reasonable estimates of all anticipated revenues and expenditures necessary to operate the school including, but not limited to, special education, based, when possible, on historical data from schools or school districts of similar type, size, and location; c) include budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels; and d) present a budget that in its totality appears viable and over a period of no less than two years of operations provides for the amassing of a reserve equivalent to that required by law for a school district of similar size to the proposed charter school. **Education Code section 47605, subdivision (g), and Regulations, section 11967.5.1(c)(3)(B) also require Petitioners "to provide financial statements that include a proposed first year operational budget, including start-up costs, and cash flow, and financial projections for the first three years of operation."**

Under section 11967.5.1, subdivision (c)(3)(C), the Regulations require, in the area of insurance, for the charter and supporting documents to adequately provide for the acquisition of and budgeting for general liability, workers compensation, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.

Finally, under section 11967.5.1, subdivision (c)(3)(D), the Regulations require, in the area of facilities, for the charter and supporting documents to adequately: describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter; in the event a specific facility has not been secured, provide evidence of the type and projected cost of the facilities that may be available in the location of the proposed charter school; and reflect reasonable costs for the acquisition or leasing of facilities to house the charter school, taking into account the facilities the charter school may be allocated under the provisions of Education Code section 47614.

Based on the following enumerated findings, staff concludes Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition:

1. Enrollment Projections

Staff finds that the Petition overstates its enrollment estimates and that Petitioners are unlikely to successfully implement the program based upon their assumptions regarding the **Charter School's** projected enrollment. The Petition proposes that RVC will begin the 2016-17 school year with 222 students, with the following blended grade level breakdowns: 3 TK/K/1st grade classes of 24 students; 3 2nd/3rd grade classes of 24 students; 2 4th/5th grade classes of 26 students, and a 9th class of 24 students in either 2nd/3rd, 3rd/4th, or 4th/5th grade classes, depending upon the first year applicant pool. (p. 22.)

As a preliminary matter, the Petition contains inaccurate assumptions regarding the MAP program that Petitioners rely upon for their enrollment projections. The Petition states that "[i]n April 2015, the RVSD school board voted to discontinue MAP's status as an Alternative Education program. Creating a charter school appears to be the best way to ensure that free, multi-age, progressive education remains available to...Ross Valley families." (p. 7.) The use of this language incorrectly suggests that MAP will no longer be available for parents, and Petitioners use this language to justify the creation of the Charter School and to support its enrollment assumptions because of the "discontinuance" of MAP.

Petitioners mischaracterize the status of the MAP program. On or about April 7, 2015, the **District's** Board voted to update the designation of MAP from an "Alternative Program of Choice" to a "District-Wide Program." **Designation as an "Alternative Program of Choice"** under a statute enacted in 1976 permits certain elements of a program to operate outside the scope of the Education Code. However, as a consequence of this designation, school districts must obtain waivers from the State and meet specific annual reporting requirements. With the assistance of the California Department of Education ("**CDE**"), staff has identified no current components of MAP requiring any waivers. Given that changes in law have occurred since 1976 and that MAP has operated and continues to function without the need for a waiver, the annual reporting requirements have become an unnecessary **compliance burden**. **Updating MAP's designation to a "District-Wide Program,"** therefore, more accurately identifies the program while simultaneously unburdening MAP, Manor Elementary School, and the District from additional administrative compliance requirements.

Notably, updating MAP's designation has no impact on the MAP instructional program, its structure, pedagogy, enrollment, or philosophy. An updated designation does not constitute a discontinuance of the program. Similarly, an update in designation does not change the fact that MAP remains an alternate instructional option for parents and students throughout the District.

The Petition overstates the demand for the MAP program that Petitioners state justifies their enrollment projection of 222 students. **For example, Petitioners state that MAP "has a waiting list of about 100 students."** (p. 22.) However, for the 2015-16 MAP lottery, the waiting list currently holds only 85 students. Of those 85 students, 36 students declined enrollment after being offered a placement, and 14 were Kindergarten students. 11 5th grade students were offered a placement, but only 1 student accepted. Out of the 12 4th grade students offered a placement, only 3 students accepted. Therefore, the District has doubts whether RVC can meet its enrollment projections, or even enroll a new 4th/5th grade strand for 2016-17.

Given that MAP will continue to serve District families, and that RVC seeks to continue the educational program already provided for in MAP, staff finds that RVC will be unlikely to enroll and sustain the enrollment figures projected in the Petition. Nonetheless, the Petition makes numerous references to application and enrollment statistics of the MAP program as

evidence that the Charter School too will be able to attract sufficient students to operate the **program as proposed and even exceed MAP's historical enrollment (e.g., pp. 23-24)**. Petitioners state that "[o]ver the last five years, MAP has had an average of 45 Kindergarten applications, 9 more than the 36 needed to sustain RVC's ongoing enrollment numbers." (p. 23.) However, during the 2014-15 school year, MAP only had 24 Kindergarten applications, which would fill only 1 out of the 3 proposed K/1st grade classes and would not sustain **RVC's ongoing enrollment figures**. In the Petition, Petitioners state that their low enrollment in the 2014-15 school year **occurred because** "no outreach was done to area preschools and no mention of the Program was made at District kindergarten orientations, which resulted in **lower than normal applications.**" (p. 22, fn. 7.) However, staff finds that this explanation demonstrates **Petitioners' reliance upon the District's operation of the program** and access to District students and enrollment procedures for the success and continued enrollment of MAP, and that RVC, as a charter school operating independently from the District, will be unlikely to meet its enrollment projections.

The Petition states that "[m]ore than 220 parents have signed forms indicating they are interested in enrolling their children in RVC." (p. 12; App. B.) However, as further detailed above under Section IV.A, the District's **receipt of the parent complaint regarding Petitioners' efforts to solicit petition signatures** casts doubt as to the validity of the signatures obtained by Petitioners, and therefore the validity of whether all those who signed the Petition are meaningfully interested in enrolling their children at RVC. Moreover, close review of the signatures reflect that projected enrollment at RVC is overstated. For example, 11 signatures are for pre-kindergarten students, and therefore they may not be eligible for TK, which RVC does not commit to providing (p. 22); and 8 signatures are for students who are 6th grade and above. (App. B.) The Petition also includes a signature from a family whose child currently attends a school district in Manhattan Beach, California (App. B, p. 9), which casts doubt as to whether the student is meaningfully interested in attending RVC. Even if the signatures are valid, the Petition reflects signatures of parents who may be interested in enrolling their children at RVC, which is not an accurate measure of actual enrollment, and Petitioners do not provide any intent-to-enroll or application forms.

The Petition does not acknowledge or take into consideration the foundational assumption **behind the Charter School's projections that MAP's enrollment was based upon its operation as a District program**. Thus, the Petition makes unsupported assumptions regarding the demand for RVC that do not appear supported. For example, the Petition does not acknowledge the fact that the MAP waiting list is for enrollment in a District program with the support of District resources. As demonstrated by repeated references and reliance upon MAP, the Petition reflects the assumption that RVC will make a seamless transition as a Charter School, and even grow its program, despite the fact that RVC, as a charter school operating independently from the District, **will be without the District's resources and that MAP will continue as an alternative program option**.

As a conversion charter program, the school is tied to the Manor Elementary School site. **Therefore, the Charter School's projected enrollment increases**, and its basis for growth, during the out years are not based upon an appropriate assessment of location and are speculative. It is noted that under Proposition 39, the current allocation of space for MAP at Manor would be considered reasonably equivalent facilities **for the charter school's first year** based upon current enrollment. (5 C.C.R., section 11969.3(c)(2).) Accordingly, it is indefinite whether Petitioners may attract sufficient students to adequately support their program during their proposed charter term, as the loss of only a few Average Daily Attendance ("ADA") **will significantly impact the Charter School's budget and operations due to the school's size**. According to the District's analysis, if the unsubstantiated enrollment is removed from the budget, along with the related revenue and operating costs, the resulting

budget reflects an operation that is fiscally unviable. Accordingly, the Charter School's unsupported growth projections render the program unlikely to be successfully implemented during the proposed charter term.

2. Fiscal Operations

The charter proposal contains significant issues that materially impact the budget and renders the financial position of the Charter School fiscally insolvent. Unsubstantiated revenue sources and assumptions, and also understated expenses, have required District staff, with the assistance of a charter school financial consultant, to make numerous modifications and adjustments to the RVC budget to reflect realistic revenues and expenditures. In sum, analysis of the budget and the proposed projections reflect significant deficit spending and negative fund balances in each year of the **Charter School's** multi-year projections. Accordingly, **the District's due diligence indicates that the Charter School** will be unlikely to be successfully implemented due to deficiencies in its fiscal operations.

a. Unsupported Revenue and Assumptions

The proposed budget contains significant unsupported sources of revenue. In its 2015-16 start-up budget, the Charter School relies upon a sizeable \$200,000 in donations from "local foundations" along with an unsecured loan for \$85,000. (App. D, pp. 56, 64.) However, the Petition does not provide any evidence that Petitioners have already secured \$200,000 in donations or that a legal commitment for such funding has already been made. Such unsubstantiated funding cannot be used as a revenue source or a valid assumption in the budget.

The \$85,000 unsecured loan is also uncertain and cannot be shown as a source of revenue until a commitment can be verified. The Petition provides no evidence that Petitioners have been approved for a loan in this amount. Unlike donations or grants, a loan is a fiscal liability of the Charter School, and, by virtue of its status as a non-profit entity and independent charter school, RVC cannot reflect a cash loan as income. RVC has committed to over \$200,000 of expenses in the current year. However, the budget does not set forth adequate and verified funding sources to cover its expenses.

The Petition also does not provide for a contingency plan for funding, including for music and art programs, if RVC cannot establish a relationship with the YES Foundation. The Petition states that, "[t]he budget assumes that the Charter will raise an average of \$125 **per student per year through community fundraising efforts,**" including efforts with the YES Foundation. However, the Petition does not include documentation to demonstrate the YES Foundation Board has authorized or recognized such support. Additionally, the YES Foundation is expressly tied to the District, not to an independent charter school. Petitioners state that their donation projections are based upon historical figures raised by Manor Elementary School and the other elementary schools of the District. (App. D, p. 56.) However, as with the enrollment projections, **Petitioners'** reliance upon the historical figures are not valid because, unlike the proposed Charter School, MAP is a program of the District, which has a pre-existing relationship with the YES Foundation that is designed to support District programs. Petitioners do not provide adequate documentation to substantiate **Petitioners' successful fundraising efforts or any documentation to substantiate donation commitments.**

The Petition also states that "RVC will apply for the California School Finance Authority Charter School **Revolving Loan Fund.**" (App. D, p. 59.) Relying upon the receipt of funds from the revolving loan, RVC has forecasted the receipt of \$250,000 in principal in July

2016, assumed a four-year payback period, and budgeted interest expense for the loan. However, conversion charter schools are not eligible for funding from the revolving loan fund. (Ed. Code § 47605, subd. (a)(2); § 41365, subd. (c) ["Loans may be made from moneys in the Charter School Revolving Loan Fund to a chartering authority for charter schools that are not a conversion of an existing school, or directly to a charter school that qualifies to receive funding pursuant to Chapter 6 (commencing with Section 47630) of Part 26.8 of Division 4 that is not a conversion of an existing school."].) Because RVC seeks to convert a District program, RVC cannot rely upon the revolving loan fund as a source for revenue or as a means of servicing its cash flow needs. Additionally, the Petition does not provide documentation to support this budget assumption.

The Petition states that "[t]he budgeted revenue assumes full enrollment" which RVC contends is a reasonable assumption because of the "traditionally oversubscribed nature of applications and the continuing existence of a waiting list." (App. D, p. 54.) However, as further detailed under Section IV.B, the Charter School's enrollment projections are unsupported, which reflects the likelihood that RVC will not be able to operate a fiscally viable program.

b. Understated Expenses and Assumptions

The Petition also does not reflect adequate assumptions for its expenses. For example, the Budget Narrative states that "[w]e have budgeted for up to twelve 900 sq. ft. rooms plus 30% of other space at a rate of \$1.10 a square foot per month for a total of \$185,328 per year." (App. D, p. 58.) Although Petitioners made it clear at the public hearing that they do not intend to locate RVC at Manor Elementary School, Petitioners have not identified any location for its program in the Petition itself, nor has it documented any agreement that reflects this rate, which is below market rate. Petitioners underestimate the expenses associated with lease costs by a significant factor in their proposal. Staff research regarding facilities lease costs reflects that, rather than the proposed \$1.10 square foot per month assumption proposed by RVC, the market rate for average commercial rent in San Anselmo is approximately \$1.83 per square foot per month, which would add approximately \$123,000 to RVC's overall expenditures.

Petitioners have also informed the District of its intent to possibly locate at the District's Red Hill site and that RVC would allocate significant expenses in improvement costs over the next 5 years. However, none of these expenses are reflected in the budget; the Petition neither identifies nor describes how RVC will obtain the funding for these expenses; and, as described in this report, RVC will be facing deficit spending and negative fund balances every year in its multi-year projections and therefore does not have the resources to operate its program, much less allocate money towards facility improvements.

The budget also does not adequately reflect special education costs, which are significantly understated, and numerous adjustments were required to be made by District staff to reflect an accurate representation of such expenses. For example, the budget does not reflect that RVC has incorporated its equitable share of its charter school block grant funding to the District for special education. The Petition does not make clear whether RVC will be a "school of the District" for special education purposes, or its own Local Education Agency ("LEA") with a Special Education Local Plan Area ("SELPA"). (p. 87.) Absent information supporting the Charter School's membership in a SELPA, RVC must be treated as a "school of the District." It is noted that the budget does not recognize special education funding as going to the District, which is responsible for providing special education under Education Code section 47646. Additionally, as a school of the District, the Charter School must budget a proportionate share of special education costs that are paid from the

District's general fund. Education Code section 47646(c) requires charter schools to contribute "an equitable share of its charter school block grant funding to support districtwide special education instruction and services, including, but not limited to, special education instruction and services for pupils with disabilities enrolled in the charter school." Thus, an increase in the balance of special education costs above the cost of a teacher to the \$909/ADA cost of local general fund contribution incurred by the District in 2014-15 was required to be made, which results in an additional \$236,000 to \$239,000 per year of special education expenses.

Additionally, the Petition states that, "RVC will create a Special Ed allocated Reserve Account and will put \$30,000 per year into this Reserve until it reaches \$150,000. This reserve will be set aside for any non-public school placements or other extraordinary Special Ed expenses that might occur." (App. D, p. 56.) However, it is unclear what constitutes "extraordinary special education expenses" and the plan for the "special education allocated reserve" is not reflected in the budget.

Other expenses appear significantly understated. For example, the Petition promises that RVC staff will undergo a significant amount of training, which is not realistically encompassed in its budget. Such training includes EL ("English Learner") training (p. 80); special education training (p. 96); CCSS-aligned best practices training (p. 105); cultural competency training (p. 118); parent volunteer training (p. 119); Brown Act training (p. 139); training for various matters regarding charter school law and governance including conflicts of interest, RVC legal compliance, special education, budget, and finance (p.140); mandated reporting and child abuse and neglect reporting requirements training (p. 152); emergency response or first responder training (p. 152); and anti-discrimination and bullying training (p. 154). Additionally, RVC will "[r]equire all staff (teachers and administrators) to receive training in CCSS-aligned best practices in curriculum and instruction highlighting needs of all subgroups; Train teachers in best practices to improve academic achievement among ELs, using Problem Based Learning (PBL) and GLAD strategies; Provide professional development for teachers and administrators on how to scaffold the CCSS for access for ELs; Provide a broad range of high-quality, standards-aligned instructional resources that facilitate ELs' access to core curriculum and expand their knowledge of the world. Provide curriculum and unit development aligned to both CCSS and ELD standards; Hire an ELD teacher to work directly with students and support classroom teachers in the implementation of CCSS content material." (pp. 105-106.) However, despite the significant amount of training required to be offered by RVC, the proposal only budgets \$8,000 per year for such training. (App. D, p. 67.)

The Petition also budgets utilities for only ten months of the year. Therefore, RVC will have no power during the summer, which will be problematic for numerous employees, such as the individual in charge of finances closing the Charter School's books, custodial staff performing summer deep cleaning, site principal planning for the following year, and other staff. Additionally, custodial and gardening services are budgeted at less than \$18,000 per year, which amounts to \$0.107 per square foot/month. At \$12.50 per hour minimum wage plus 20% benefits (and no PERS), the budget to cover all cleaning and landscaping needs amounts to 1,200 hours per year, or only a 0.57 Full-Time Equivalent ("FTE").

c. Curriculum Expenses

RVC underestimates the cost of the purchase and development of Common Core State Standards ("CCSS") curriculum. According to the Budget Narrative, "[t]he RVC curriculum will be taught to the Common Core State Standards but the teachers will develop their own reading and other curricular and reference materials. The budget reflects \$78 per student

for ongoing purchasing of curriculum and reference materials, books, and other instructional **equipment, materials and supplies.**" (App. D, p. 57.)

As a preliminary matter, the Petition's promise that teachers "will develop" their own curriculum reflects that the curriculum has not yet been developed or finalized, and the absence of the final curriculum is evident in the Petition. Absent this information, the Petition does not reflect CCSS-aligned curriculum. The Petition also does not provide any information, metric, or plan for the District or RVC to be able to determine whether the curriculum to be developed will be CCSS-compliant curriculum. Because the School Director is not credentialed there is no means for the school management to supervise and ensure that curriculum developed by teachers is CCSS compliant and effective. Based upon this structure, the training that is set forth in the Petition is necessary but the funding required is understated.

Moreover, District staff finds the \$78 per student rate for the purchase of CCSS-aligned curriculum and books is inadequate. District staff estimates that the costs of materials needed to meet just its ELA needs for the purposes of complying with the CCSS will be greater than traditional and consumable textbooks, and that the costs to establish a complete program of balanced literacy, which would include reading and writing and the cost of purchasing leveled readers, are significant, and will not be adequately covered by the \$78 per student rate. **Additionally, the Petition states that it has "budgeted three sets of 27 laptops," which may be insufficient to support the technological needs of RVC.**

For example, for the 2015-16 school year (excluding vocabulary, fluency, and any intervention materials) the District spent \$25,000 for 9 classrooms for the leveled libraries and the book room and \$1,600 per K-3 classroom for foundational reading materials. **The District also spent \$4,000 per Leveled Literacy Intervention ("LLI") kit for EL students. If RVC intends on using Readers'/Writers' Workshop, RVC must incur additional costs** associated with that program since it is provided by Columbia Teachers' College, and such costs are not accounted for in the proposed budget. These expenses encompass ELA only, and do not even include the expenses associated with mathematics, which require manipulatives and consumable materials and which the District estimates would cost at **least \$18,000. Materials for science using Full Option Science System ("FOSS") kits would** cost approximately \$9,000 to \$12,000, and intervention materials would cost approximately \$60,000 for EL and special education students. Moreover, these expenses exclude the costs for printing and paper that would be required, which are significant expenses associated with instruction, especially since RVC proposes to use curriculum developed by its teachers and online resources. The Toolbox program is approximately \$800 to \$1,100 for materials and supplies. Accordingly, District staff finds the \$78 per student projection provided for by the Charter School to be insufficient to cover the expenses for the purchase and development of Common Core State Standards curriculum.

Accordingly, the District's analysis of RVC's proposed budget and financial information reflects significant and immediate cash flow deficiencies. The removal of the unsupported start-up revenues; increase in special education expenses to reflect contribution expenses; and increase in the facilities lease expenses to reflect the average San Anselmo rental rate will result in immediate and significant deficit spending and negative fund balance in every year of the **RVC's multi-year projections.**

Consequently, while the budget allocates funding for teacher and staff salaries and benefits commensurate with those provided by the District, the adjustments needed to be made to the budget to reflect a realistic projection of revenues and expenditures shows that RVC cannot meet these teacher and staff salary and benefits commitment. Based upon these

unsubstantiated estimates of revenue, unrealistic assumptions, and overstated expenses, Petitioners are demonstrably unlikely to successfully implement their proposed program.

3. Employee Qualifications

The Charter School does not require the School Director to possess any credential (p. 149; App. I, pp. 135-37), resulting in a classified director supervising and evaluating certificated personnel. Among the responsibilities required to be performed by the School Director and which can only be properly administered by a credentialed individual include overseeing the special education program and attending Individualized Educational Program ("IEP") meetings, overseeing all necessary RVC, District, County, State and Federal applications and reporting, ensuring 504 compliance, supervising and evaluating certificated personnel, providing meaningful feedback to teachers, making hiring recommendations, evaluating student data analysis, leading professional development for teachers, and coordinating the administration of California Assessment of Student Performance and Progress ("CAASPP") testing, among other things. (App I, pp. 135-37.) Therefore, Petitioners will be unlikely to successfully implement their educational program without a properly credentialed school director/leader.

Although RVC intends on hiring MAP teachers to initially implement the Charter School's program, the three additional teachers to be hired will not have the benefit of the institutional knowledge of the original MAP teachers and will require supervision and evaluation from a credentialed individual. The lack of a credentialing requirement will also have a negative impact upon overall instruction and, ultimately, students.

The Petition makes repeated references to the fact that MAP teachers will teach at the Charter School, and suggests that RVC will rely upon their expertise to continue and grow the MAP program in the form of a Charter School. For example, the Petition states that "[f]ive out of six founding teachers have been trained at the Lucy Calkins Reading and/or Writing Institutes, Teachers' College, at Columbia University in New York." (p. 46.) The Petition reflects that the success of RVC will depend upon the continued participation and involvement of the former MAP teachers. However, the Petition does not account for the possibility that the former MAP teachers may leave or retire from RVC, and describe how such departures will affect the sustainability of the educational program.

4. Academically Low/High Achieving Students

The Petition does not reflect a plan that offers meaningful differentiated instruction between low- and high-achieving students. According to the Petition, "low achieving students will be fully integrated into the RVC student body." (p. 76.) One of the practices identified in the Petition to assist low achieving students is the use of parent volunteers in the classroom. Specifically, "[v]olunteers also may support students as directed by teachers at the lower grade levels during math, writing, and other subjects. Parents may provide assistance to teachers by being present at learning centers to answer questions as they come up, under the direction of the classroom teacher." (p. 77.) The plan does not appear adequate to support low-achieving students, who may be in most need of assistance by qualified and certificated personnel.

Just like the low-achieving students, "[a]cademically high-achieving students will be fully integrated into the RVC student body." (p. 79.) The Petition's plan for high-achieving students is general and vague, and lacks specificity. For example, high-achievers will be provided with "extra opportunities for enrichment," "opportunities to go at a faster pace," "encouragement to independently pursue an area of interest," "extra opportunities for

leadership," "individual and small group projects," "alternative ways to show their learning," "develop critical thinking skills," and "take ownership of their learning," but the Petition does not specifically define or identify what specific opportunities, projects, or skills are entailed. (p. 79-80.) Many of these broadly-stated methods could arguably be applied to low-achieving students as well. **Significantly, the Petition states that "[t]he personalized curriculum at RVC is designed to meet students where they are academically and to allow them to be challenged appropriately," which is vague and also reflects Petitioners' belief that the general RVC curriculum itself should be sufficient to meet the needs of high achievers.** The Petition does not reflect how high-achievers will be treated differently than the general population, including the low-achieving population, or to what degree the curriculum will be adjusted to meet the needs of these distinct student groups.

5. English Learners

Despite the fact that **English Learner ("EL")** students will be a target student population for RVC, the Petition does not reflect an adequate plan for serving EL students that is operational. The Charter School anticipates enrolling approximately 14 EL students. (p. 24.) However, Petitioners plan on hiring only 1 part-time English Language Development ("**ELD**") instructor. (p. 84.) The expectations for the sole part-time ELD teacher are significant, especially in light of the significant responsibilities that the Petitioners expect to be performed for EL students identified in the Petition. The EL program appears to be understaffed and does not demonstrate that the Charter School has an actual and operational plan to serve EL students that is likely to be successfully implemented.

The Petition also reflects that the Charter School does not have a defined plan to serve the **needs of EL students. The Petition states that "[a]ll EL students will be fully integrated into the regular classroom setting." (p. 82.)** Moreover, the Petition vaguely states that "[t]hrough the use of printed materials, audiovisual resources, spoken language, parents and/or other volunteer participants, teachers will strive to incorporate the home language(s) and culture of the students in the classroom as much as possible." (p. 82.) The use of the terms "**strive**" and "**as much as possible**" reflects a lack of solid commitment by the Charter School in applying these strategies. Additionally, the Petition does not discuss GLAD strategies to be used to promote academic language and scaffold the curriculum. With **respect to using "parents and/or other volunteer participants," the Petition indicates that the Charter School will rely upon parents to assist in the education of EL students, which reflects that EL students may be receiving instruction from unqualified and uncertificated volunteers while the classroom teacher focuses his/her attention to the other students in the class.** The Petition again reflects noncommittal language by stating the Charter School "**will prioritize** the hiring of teachers who have already obtained a [CLAD] certificate or a [BCLAD] certificate." (p. 86.) However, the minimum qualifications of a classroom teacher contains no CLAD/BCLAD certification requirements. (App. I, p. 128.)

The Petition also states that "[t]he ELD teacher and classroom teachers may decide that some EL students may attend Spanish-language classes, based on their CELDT level and **classroom performance," which reflects Petitioners' assumption that RVC's EL students will be Spanish-speakers.** (p. 85.) Accordingly, the Petition does not adequately reflect or account for the fact that not all EL students are Spanish-speakers and that RVC must educate and provide services for students with a wide range of backgrounds/languages. Moreover, this provision is vague and does not specify the criteria or standard, with respect to CELDT level and classroom performance, that an EL student must achieve in order to attend Spanish-language classes. **Additionally, the reference to RVC's plan for EL students to attend Spanish-language classes assumes that Spanish will be offered as a separate class from the general instruction, or that EL instruction and Spanish-language classes must**

occur at the same time. However, the Petition does not make clear how both services will be offered **from a logistical standpoint, especially in light of the Petition's plan for EL students** to be fully integrated into general student population. The Petition does not reflect an adequate operational plan to serve EL students.

6. Anti-Discrimination Processes

As discussed above, MAP has operated as a District program with significant autonomy. On or about August 27, 2014, the District received a formal complaint alleging discrimination against students on the basis of their special education status, English Language Learner status, and gender with respect to admissions practices and procedures at the MAP program since 2006. As a result of this complaint, the District engaged an independent, third party investigator to investigate the complaint. The independent investigator concluded that although there was no intentional discrimination against any individual student or students, certain practices, procedures and policies of the MAP program resulted in disproportionately fewer students of certain protected classes participating in the program. The investigator **concluded, among other things, "[a]pproximately fifty percent of the slots for students are unavailable during the lottery process due to the priority list established by MAP. The change in the priority list in 2011 to give the children of MAP teachers the number one priority into the program (with no consideration to other Manor School teachers) created a negative impression that MAP was manipulating their enrollment policies to satisfy the needs of a very [few] people in the program."** The investigator also found that "statistical information confirms low numbers of IEP families in MAP and low number of ELL students in **relationship to the overall population within the District."** As a result, the District took back control over the enrollment procedures and gave directives to MAP regarding such procedures.

While the Petition contains language to address some of the investigator's findings, the Petition does not adequately set forth a program that is likely to be successfully implemented with respect to these student populations. As further described under Sections IV.B.5 and IV.C.1 with respect to EL and special education students, the Petition does not present an adequately described and defined program that is likely to be operational with **respect to these student populations. Accordingly, and in light of MAP's history, the District** has concerns regarding ongoing underrepresentation and/or discrimination at RVC.

C. The Petition Fails To Provide A Reasonably Comprehensive Description Of All Required Elements Of A Charter Petition

Education Code section 47605, subdivision (b)(5)(A-P), requires a charter petition to include reasonably comprehensive descriptions of numerous elements of the proposed charter school. **The Regulations require the "reasonably comprehensive" descriptions required by** Education Code section 47605(b)(5) to include, but not be limited to, information that:

- 1) Is substantive and is not, for example, a listing of topics with little elaboration.
- 2) For elements that have multiple aspects, addresses essentially all aspects of the elements, not just selected aspects.
- 3) Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.
- 4) Describes, as applicable among the different elements, how the charter school will:
 - a. Improve pupil learning.
 - b. Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.

- c. Provide parents, guardians, and pupils with expanded educational opportunities.
- d. Hold itself accountable for measurable, performance-based pupil outcomes.
- e. Provide vigorous competition with other public school options available to parents, guardians, and students.

(Regulations, § 11967.5.1, subd. (g).) Staff finds that the Petition does not provide reasonably comprehensive descriptions of many of the required elements as described below.

Element 1 – Educational Program

The Education Code and Regulations provide various factors for considering whether a charter petition provides a reasonably comprehensive description of the educational program of the school, including, but not limited to, a description of the following: the **charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges; the charter school's mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an educated person in the 21st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners; the instructional approach of the charter school; the basic learning environment or environments; the curriculum and teaching methods that will enable the school's students to meet state standards; how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels; how the charter school will meet the needs of student with disabilities, English learners, students achieving substantially above or below grade level expectations; and, the charter school's special education plan, to include the means by which the charter school will comply with the provisions of Education Code section 47641, the process to be used to identify students who may qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.** (Ed. Code, § 47605, subd. (b)(5)(A); Regulations, § 11967.5.1, subd. (f)(1).)

Staff finds that the Petition requires further comprehensive description of the Charter School's educational program for the following reasons:

1. Transitional Kindergarten: The Petition does not adequately describe its Transitional Kindergarten ("TK") program, nor does it recognize that Charter Schools are required to offer TK if the District provides Kindergarten classes. Rather, the Petition states that TK will be offered contingent upon receipt of apportionment funding. Specifically, "[i]f RVC receives apportionment for students in a Transitional Kindergarten ("TK") program, it will accept applications for TK children who will have their fifth birthday between September 2 and December 2." (p. 22.) The Petition does not provide any further description regarding its TK program, nor does the charter proposal reflect the requirement that TK must be offered by the Charter School.
2. Commitment to Curriculum: The Petition contains language that reflects a lack of commitment by the Charter School to implementing specific curriculum. According to the Budget Narrative, "the teachers will develop their own reading and other curricular and reference materials." (App. D, p. 57.) The Petition's promise that teachers "will develop" their own curriculum reflects that the curriculum has not yet

been developed or finalized, and therefore a lack of commitment to a specific course of curriculum is reflected. Without this information, the District is unable to evaluate the educational program.

The Petition also **states that "RVC will use likely [sic] the Toolbox social-emotional learning curriculum (published by Dovetail Learning, Inc.) to teach children twelve basic 'tools' they can use to develop their innate abilities to cope with uncomfortable emotions, strengthen their social skills and resilience, and enhance their interactions with others."** (p. 29.) **The use of such language as "will use likely" reflects uncertainty and a lack of commitment to a particular course of curriculum and makes it impossible for the District to exercise its oversight responsibilities to ensure that RVC is complying with its charter.**

As another example, to foster cultural competency, the Petition states, "[w]e will select, develop, and implement curriculum that reflects diverse perspectives and languages and provides inclusive, accurate portrayal of historical events and cultural groups." (p. 39.) Here, in addition to the fact that the proposed curriculum is vague, the Petition reflects that the curriculum to be used has not yet been identified or selected, which reflects a lack of commitment by the Charter School to implementing a course of curriculum.

The Petition also states, "[w]e will consult, combine, and select from range of resources such as Everyday Math, Mathland, Touch Math Program, Tile Math, Marilyn Burns (About Teaching Mathematics, 1992), Mary Baratta-Lorton (Mathematics Their Way, 1995), as well as online resources." (p. 52.) Again, the Petition merely describes options for mathematics curriculum, without commitment; reflects that a mathematics curriculum has not been selected or developed; and vaguely states that **teachers will use "online resources" without further description of what** specific materials will be used. Moreover, the Petition does not adequately describe how these materials are connected to the CCSS.

3. Parent Participation: **The Petition states that "[s]ome parents may help out regularly in the classroom (e.g., weekly, every other week, monthly), working with students and/or supporting the teacher...Parents may also enrich classroom experienced by sharing their own skills, interests, and professional knowledge in areas such as engineering, natural sciences, design, yoga, meditation, arts, crafts, cooking, sewing, gardening, woodworking, and more."** (p. 32.) However, the Petition does not adequately describe the scope of parent/volunteer responsibilities, and suggests that Parents may even teach academic content, despite the fact that they are volunteers and not credentialed staff. Aside from orientation meetings, the Petition does not account for the requisite training for parents to act in this role or describe any credentialing or certification requirements to ensure that parent volunteers are indeed qualified to teach.

Even though the Petition recognizes that some parents will not be able, or will **choose not, to volunteer, and that "volunteering will not be a requirement or expectation"** (p. 32), **such acknowledgment is inconsistent with the Charter School's measurable outcome for parent participation. Specifically, the Charter School requires that "[a]t least 40% of parents choose to volunteer during the school year, including in class, on the Board of Directors or Leadership Council, on committees, driving on field trips, working on project preparation for teachers at home, helping with performances, or in other ways."** (p. 109.) The Petition does not adequately describe how it will achieve its goal of promoting parent participation if it does not

achieve a 40% participation rate, and the Petition places RVC in the untenable position of incentivizing the Charter School to require parent participation in order to achieve the 40% participation rate.

4. Vague Description: The Petition contains numerous descriptions of its educational program that are vague and nebulous, and that could be used to describe any general **educational program**. For example, the Petition states, “[t]eachers will use a variety of assessment data to identify students that need additional support in order to reach the standards, and work with them individually and in small groups frequently and with targeted instruction.” (p. 37.) Academic performance is a critical component to evaluating the educational program and a clear and defined plan with identified assessments is expected.
5. Spanish Language: The Petition states that “[s]tudents who are native Spanish speakers **may not participate** in Spanish language class. They may be opted out of Spanish language instruction in favor of English language instruction with the ELD teacher, or **they may participate** in Spanish classes and be given the opportunity to **shine as model Spanish speakers**.” (p. 51; emphasis added.) This provision is unclear and potentially conflicting, as it appears to initially state that native Spanish speakers are prohibited from participating in Spanish class, but later permits them to participate. Additionally, the Petition does not adequately describe what it means for a **native Spanish speaker to be “given the opportunity to shine as model Spanish speakers” and does not describe what educational benefit native Spanish speakers** in this role will gain. Moreover, the prohibition against native Spanish speakers from participating in Spanish class may constitute impermissible discrimination on the basis of race and/or national origin.
6. Privacy: The Petition states that, “[i]n the upper grades, students will do a majority of their writing on computers. They will use Google docs so their writing can be **shared with their teacher or writing partner for comments and editing**.” (p. 49.) The Petition also contemplates significant volunteer participation in the educational program. These provisions implicate privacy concerns. However, the Petition does not provide any description of how student privacy rights and access to pupil records will be protected.
7. Philosophy: Although the Charter School intends on using the Reggio Emilia approach and references an academic article describing this educational philosophy (App. J), the article focuses upon early childhood education only, and the Petition does not further describe how the philosophy and approach is used for grades K through 5. For example, the Petition does not include information regarding the constructivist philosophy for elementary-age students, which would be appropriate here.
8. Special Education: The Petition does not **adequately describe the Charter School’s** plan to serve students with disabilities. Although the Petition provides pages of text with regard to its special education program, upon closer review, the District finds that the descriptions comprise of general restatements of the law that apply to charter schools generally, without any meaningful consideration or description of how the special education plan is specific to the charter school being proposed. The Petition utilizes boilerplate language reciting the special education obligations of a **charter school claiming to be a “school of the district” for special education purposes** and also a LEA with a SELPA, even though RVC cannot be both.

The Petition reflects that the boilerplate provisions have been included to cover both situations (i.e., school of the district and LEA of a SELPA) but does not bind the Charter School to either through the use of broad and noncommittal language, and the Petition does not even reflect a commitment to one specific SELPA. The Petition **states, "RVC may initially be, by default, a public school of the authorizer for purposes of special education, pursuant to Education Code Section 47641(b). However, RVC reserves the right to make written verifiable assurances that it shall become an independent local educational agency (LEA) and join a special education local plan area." (p. 87.) Although a charter school is a "school of the District" by default, and must therefore contribute to an equitable share of its charter school block grant funding to support districtwide special education instruction and services under Education Code section 47646(c), the budget does not reflect that RVC has accounted for its equitable share of special education costs. The Petition also does not account for any transition requirements for RVC to become an LEA.**

The Petition also incorrectly states that "[a] change in LEA status or SELPA membership shall not require a material revision of this charter." (p. 87.) This provision reflects Petitioners' lack of understanding of the significant differences in a charter school's obligations to provide services to students with disabilities when a charter school is its own LEA of a SELPA or a "school of the district" for special education purposes. Such differences are significant and would require a material revision of the charter. A change of special education status is a material revision to the terms of the charter subject to authorizer approval. In accordance with CDE directives, a charter school is to provide at least one year of notice together with the legally required assurances to the authorizer to ensure proper transition and provision of services to special needs students.

The Petition does not adequately describe how students who do not currently have an IEP but may be in need of a pre-referral intervention plan will be served or provided services. (p. 88.) The Petition sets forth general and vague strategies such as **"appropriate individual tutoring schedule, classroom modifications, strategies and techniques to enhance that student's ability to be successful."** The lack of operational specifics reflects that the Charter School does not have an adequate plan for providing pre-referral interventions.

The Petition also states that it will collect and **maintain information regarding "the basis of exit of students with disabilities (i.e., attainment of diploma and type, exits from special ed, moved, etc.)."** (p. 94.) However, the Petition does not define what **the term "exits from special ed" means, as such** term does not have a special meaning in the context of special education.

This section does not adequately describe the procedural safeguards against the removal of students with disabilities, which occurs if the removal is for more than 10 consecutive days, or if the child has been subjected to a series of removals that constitute a pattern because, for example, the series of removals total more than 10 school days in a school year. Although the section describing the suspension and expulsion procedures describes the process for manifestation determinations, such processes are not described here.

9. Program Offering: Although the Charter Schools Act intended for charter schools to **"encourage the use of different and innovative teaching methods"** and "provide parents and pupils with expanded choices in the types of educational opportunities that are available within the **public school system,"** the RVC program does not

significantly differ from the program already offered by the District in MAP and instead **Petitioners seek to convert the District's already-existing** MAP program into a charter school. As stated above, numerous references to MAP and the adoption and **replication of MAP's policies, philosophy, and operations are evident throughout the** Petition. At the public hearing on the Petition, when asked to identify the differences between MAP and RVC, Petitioners indicated that the only significant difference was that RVC will offer Spanish once a week. The addition of a foreign language class once a week does not constitute a different and innovative teaching method or an expansion of choice sufficiently significant to justify the creation of a Charter School.

Element 2/3 – Measurable Student Outcomes and Methods of Measurement

The Education Code and Regulations provide for a charter petition to identify the specific **skills, knowledge and attitudes that reflect the school's educational objectives and that can be assessed frequently and sufficiently by objective means to determine satisfactory progress and provide for the frequency of the objective means for measuring outcomes to vary by factors such as grade level, subject matter, and previous outcomes.** (Ed. Code, § 47605, subd. (b)(5)(B); Regulations, § 11967.5.1, subd. (f)(2).) Pupil outcomes must include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school. (Ed. Code, § 47605, subd. (b)(5)(B).) To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of, and to modify, instruction for individual students and for groups of students during the school year. (Regulations, § 11967.5.1, subd. (f)(2)(A).)

The Education Code and Regulations also require a charter petition to identify the methods by which pupil progress in meeting pupil outcomes is to be measured. To be sufficiently described, a petition must include a variety of assessment tools appropriate to the skills, knowledge, or attitudes being assessed, include the annual assessment results from the **Statewide Testing and Reporting ("STAR") program, and outline a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to parents and guardians, and for utilizing the data continuously to monitor and improve the charter school.** (Ed. Code, § 47605, subd. (b)(5)(C); Regulations, § 11967.5.1, subd. (f)(3).)

Staff finds that the Petition requires further comprehensive description of the Charter School's **measurable student outcomes and methods of measurement for the following** reasons:

1. **Vague Measures:** The Petition does not provide meaningful means of measuring pupil outcomes, and many of the pupil outcomes are not objectively measurable or vague. For example, in measuring student outcomes, the Petition promises **that, "80% or more of all students show mastery of math concepts on unit assessments," "80% or more of all students show mastery of science and social studies concepts on unit assessments," and "80% of students show mastery of each of the specified skills on year-end progress reports."** (pp. 111, 125.) The Petition does not define or describe **what constitutes "mastery" or exactly how students can achieve "mastery" in these subjects, or what specific "unit assessments" will be used.** Accordingly, even though **the Petition purportedly provides a quantifiable outcome in "80% or more", the outcome is rendered meaningless as a result of the lack of specificity.**

The Petition states that "100% of RVC teachers are fully credentialed, as reported in the annual SARC." (p. 101.) However, the Petition does not describe what it means to be "fully credentialed." The Petition also states, "100% of RVC students have

access to up-to-date, standards-aligned instructional materials in their classrooms, **as reported in the annual SARC.**" However, the Petition does not identify what instructional materials are to be used to fulfill this outcome.

2. Independent Measures: The Petition does not identify outcomes independent from those of the District. For example, with respect to EL Reclassification Rates, the **Petition states that "RVC meets or exceeds the RVSD 3 year rolling average percentage of EL students reclassified each year as a percentage of the previous year's EL total." (p. 113.)** Moreover, the Petition does not identify the methodology for reclassification. **As another example, the Petition states that "RVC students, including all subgroups, perform at comparable rates of proficiency in CAASPP testing as Ross Valley School District elementary students District-wide." (p. 104.)** Here, not only is the phrase "comparable rates" vague and impossible to be measured, but the Petition does not establish an independent measurable outcome towards which the Charter School's students can achieve.

Moreover, despite the fact that the Charter School is targeting the enrollment of EL students, **the Petition only requires that "RVC EL Students perform at comparable rates of proficiency on annual CAASPP tests as Ross Valley School District EL elementary students District-wide." (p. 105.)** By pegging the Charter School's EL outcomes to those of the District, the Petition does not identify goals or standards for the academic performance of EL students different than what has been achieved by the District, despite the Charter School's emphasis on targeting the EL population.

3. Inapplicable Outcomes: The Petition identifies outcomes that are inapplicable to the stated goal. **For example, to address health outcomes, the Petition states that "100% of teachers include lessons for 100% of the 12 tools of the Toolbox Project over the course of two years." (p. 124.)** However, the Toolbox program focuses on building self-regulation skills and does not address student health issues. Moreover, this provision does not take into consideration the fact that Toolbox may not be appropriate certain student populations, such as students with disabilities.
4. Parent Reporting: **The Petition does not adequately describe the Charter School's** reports of academic progress to parents. According to the Petition, the Charter School will report student progress only three times per year, and the third report will be a summative report. (p. 134.) In contrast, the District reports student progress six times per year, and the Petition does not otherwise describe how its proposed reporting schedule/structure will meet the reporting needs of parents.
5. Lack of Rigor: The Petition does not propose rigorous academic outcomes for its students. For example, **the Petition states that "80% of students show mastery of each of the specified skills on year-end progress reports." (p. 125.)** Notwithstanding the fact that this outcome is vague, the outcome also appears to lack rigor and does not ensure that all students will achieve sufficient academic progress to prepare them for future grade levels. In fact, many of the measurable outcomes identified in **this section require that only "80% of more of all students" achieve a certain** outcome. (e.g., p. 111.) Staff finds the 80% measurable outcome level to be inadequate and to allow one-fifth of the RVC class to be left behind in their academic progress. Moreover, the Petition also does not fully commit to achieving academic proficiency for RVC students. For example, for reading, the Petition states that **"[o]ur goal is for each student to read at or above grade level." (p. 46.)** The Petition suggests that RVC will strive for its students to read at or above grade level, but does not commit to an outcome that ensures it. As a result, it is impossible for the

District to ensure that the Charter School is complying with the academic standards set forth in the charter.

Some of the stated outcomes do not necessarily result in the stated goal. For example, the Petition states as a goal that "[a]ll students, including all subgroups, will become competent readers, writers, and speakers of the English Language." (p. 121.) To achieve that goal, the Petition states that "80% or more of all students, including all subgroups, demonstrate at least one year of growth on the English Language Arts portions of the CAASPP assessments." (p. 121.) However, because a student has demonstrated one year of growth does not mean that the student is actually competent in English skills and content.

6. Subgroups: Pupil outcomes must include outcomes that address increases in pupil academic achievement for all groups of pupils served by the Charter School. However, the Petition does not adequately identify outcomes for pupil subgroups. Instead, the Petition either establishes a school-wide measurable outcome without reference to subgroups, or summarily states that a certain percentage or more of all students, "including all subgroups," will meet a certain outcome. (e.g., "80% of more of all students show mastery of math concepts on unit assessments" (p. 111); "80% or more of all students, including all subgroups, demonstrate at least one year of growth on the Mathematics portions of the Smarter Balanced assessment." (p. 131.) The lack of differentiation in measurable outcomes between the general student population and pupil subgroups reflects a proposal to establish a one-size-fits-all program and lacks the differentiation promised by Petitioners.
7. Measurable Outcomes: The Petition does not adequately describe how certain skills that the Charter School intends to teach will be measurable. For example, the Petition states that "[s]tudents' ongoing classwork and projects will be assessed to show academic growth and progress toward Common Core State Standards, which reflect the importance of 21st Century skills such as problem solving, collaboration, and communication." (p. 17.) The Petition also states that RVC strives for its graduates to be independent and confident; collaborative problems solvers; effective communicators; creative and adaptive thinkers; people who persevere; caring community members; and solid in foundational academic skills. (pp. 19-20.) The Petition also states that students need to: "Have the creative thinking, adaptability, and resourcefulness as well as the collaboration skills necessary to become socially and emotionally competent" and "[b]e persistent and engaged in learning to continue on to middle school, high school, college, and beyond as lifelong learners who own their own learning." (p. 99.) However, the Petition does not adequately describe measurable outcomes or methods of measurements for each of these skills or goals.
8. Parent Participation: The Petition sets forth as a measurable outcome that "[a]t least 40% of parents choose to volunteer during the school year, including in class, on the Board of Directors or Leadership Council, on committees, driving on field trips, working on project preparation for teachers at home, helping with performances, or in other ways." (p. 109.) This outcome raises concerns whether the educational program can successfully be implemented if 40% of parents do not participate.
9. Suspension/Expulsion: With respect to pupil suspension and expulsion rates, the Petition indicates that RVC will minimize these rates by "implementing various methods to help students who are struggling." (p. 117.) This description is vague and does not specifically identify which methods are to be used or what evaluation is done to determine a student is "struggling." Moreover, the actions to achieve this

goal do not discuss any other alternatives other than general "counseling referrals" and "work[ing] with parents of students who are struggling to consider other methods of support." (p. 117.)

Element 4 – Governance

The Education Code and Regulations provide for a charter petition to identify the governance structure including, at a minimum, evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable, the organizational and technical designs to reflect a seriousness of purposes to ensure that the school will become and remain a viable enterprise; there will be active and effective representation of interested parties; and, the educational program will be successful. (Ed. Code, § 47605, subd. (b)(5)(D); Regulations, § 11967.5.1, subd. (f)(4).) The Education Code and Regulations also provide for evidence that parental involvement is encouraged in various ways. (*Ibid.*)

Staff finds that the Petition requires further comprehensive description of the Charter School's proposed governance for the following reasons:

1. **Conflict of Interest:** According to the Petition, "RVC intends to allow a currently-employed teacher to be a Member of the Board" and the initial Board of Directors proposed by Petitioners includes a teacher/board member (p. 137-38) Conflicts of interests are prohibited by various laws and regulated to ensure that board members act in the best interests of the organizations over which the board governs. For example, the Political Reform Act of 1974 ("PRA") prohibits public officials at any level of state or local government from participating in or in any way seeking to influence a governmental decision in which he/she has a financial interest and Government Code section 1090 invalidates contracts made where a member of the board has a financial interest in the contract. Common law strictly requires public officers to avoid placing themselves in a position in which personal interest may come into conflict with their duty to the public. Thus, governing board members should perform their duties in an impartial manner, free from bias caused by their own interests.

The Petition suggests that Government Code section 1090 does not apply to charter schools because "[t]he Legislature has passed a number of bills applying Government Code Section 1090 to charter schools, all of which have been vetoed (by Governors from both political parties." (p. 138.) However, the Governor's veto does not give rise to an inference that charter schools are free of these requirements. (*Lockheed Information Management Services Co. v. City of Inglewood* (1998) 17 Cal.4th 170, 171 [holding that a governor's veto message "cannot supply post hoc evidence of the Legislature's intent when that provision was originally adopted"].) Moreover, section 1090 is contained in the Government Code, and the waiver of the Education Code requirements for charter schools extends solely to laws that apply uniquely to school districts. Accordingly, Government Code section 1090, and also the PRA, apply to charter schools just as they apply to all other public agencies.

The Petition does not adequately address the conflict of interest problem inherent in the RVC governance structure or describe how to address or cure potential conflicts. As structured, the teacher who also serves as a governing board member would have a financial interest in the Charter School since, for example, he/she would receive their salary and benefits from employment with the school. Members of the governing board owe a fiduciary duty to act in the best interest of the Charter School

and are **also responsible for the Charter School's operational and fiscal affairs**, including making personnel actions; approving hiring of all employees; approving and monitoring the implementation of general policies, including compensation of employees; monitoring overall staff performance; and approving and monitoring the annual budget. (p. 140.) Because the proposed teacher/board member has a financial interest in the Charter School, a conflict of interest would inevitably arise when the governing board renders decisions on such issues as, for example, **modifying teacher compensation and benefits, as the teacher's financial interest in their salary may not coincide with what is best for the Charter School.** Significant operational decisions, such as employee compensation, would have a material **financial effect upon the teacher's salary, and should be free from biases from governing board members.**

The Petition does include a Conflict of Interest Code (App. E, p. 77), which contains provisions regarding disclosure and disqualification. However, the Petition limits its application to the Political Reform Act and does not account for Government Code section 1090 or the common law requirement to refrain from participating in decisions where an appearance of impropriety may exist. Neither the Petition nor the Conflict of Interest Code contemplates or addresses the avoidance of the mere appearance of impropriety. The Petition does not adequately address the fact that abstention from voting or participation in discussions or negotiations does not resolve a conflict of interest violation under Government Code section 1090. Rather, mere membership on the board establishes the presumption that the member participated in the forbidden transaction or influenced other members of the board. Similarly, the full disclosure of an interest by an officer is also immaterial as disclosure does not guarantee an absence of influence. To the contrary, knowledge of a fellow **board member's** interest may lead other members to favor an outcome which would benefit him/her.

Additionally, the Conflict of Interest Code applies only to the Board of Directors and the School Director and does not apply to the members of the Leadership Council, made up of all RVC teachers, despite its extensive authority **"regarding matters of policy, budget, or other matters within the Board's authority" and apparent autonomy from the Board of Directors.** (pp. 141-44.) In light of the fact that all of the teachers are to serve on the Leadership Council, there are extensive opportunities for conflicts other than those of a strictly financial nature to arise. For example, a conflict may arise with regard to student discipline issues and parent and/or student complaints regarding performance. The Petition does not address these and additional types of conflicts, and therefore the Petition is inadequately described with respect to governance.

Moreover, even though the Petition states that the Charter School is willing to revise its governance structure and Conflict of Interest Code, Petitioners do not describe or propose any alternative governance structure than the one presented in the instant Petition. The District is to consider the Petition as presented and therefore the Petition is inadequately described with respect to its governance structure.

2. Officers: The description of the governance structure in the bylaws is vague and incomplete, which reflects conflicts of interest in violation of Government Code section 1090 and the Political Reform Act, and are therefore inadequately described. **For example, under Article VIII, Section 3, under the section "Election of Officers," the bylaws summarily state, "[t]he officers of the Corporation shall serve at the pleasure of the Board, subject to the rights of any officer under any employment**

contract." (App. E, p. 88.) This section provides no further description explaining how officers will be "elected," and suggests that the board has the ultimate authority to choose and remove its officers without input or participation by parents of students enrolled.

This structure reflects that officers will be compensated through employment contracts which creates conflicts of interest under both Government Code section 1090 and the PRA, with the board members receiving compensation and holding responsibility for overseeing themselves as employees of the charter school. These statutes prohibit public officials and employees from having a financial interest in any contract or decision made by them in their official capacity, or by any body or board of which they are members. The statutes are aimed at eliminating temptation, **avoiding the appearance of impropriety, and assuring the government of the officer's** undivided and uncompromised allegiance. Here, the bylaws provide for an impermissible structure in which the board members/officers are also paid employees of the school. For example, under Article VIII, Section 1, the Chairman of the board is an "officer" and he/she "shall preside at the Board of Directors' meetings" (App. E, p. 89.) while at the same time also receives compensation through an employment contract. It also appears from the bylaws that the School Director is a board member, as the bylaws states that the "President, who shall be known as the 'School Director.'" (App. E, p. 89.) As the School Director will receive compensation, the bylaws again propose an impermissible structure that reflects conflict of interest problems. The Petition provides that "[t]he Board CFO has extensive business accounting and school accounting experience and will oversee accounting practices in conjunction with the School Director." (App. D, p. 57.) This, again, presents a conflict of interest.

3. Leadership Council: The Petition states that "[t]he day-to-day guidance of RVC will be jointly overseen by the School Director and the Leadership Council." However, the Petition does not adequately describe how this will be accomplished. The Petition describes the Leadership Council to comprise of eight voting members, with all RVC teachers holding membership on the Leadership Council. The Petition then describes a complicated voting structure whereby the teachers have three votes for council purposes and the four voting parent members having one vote each. (p. 142.) The rigid structure of the Leadership Council does not appear to allow for the flexibility that is required for day-to-day operation purposes, especially when the Leadership Council is charged with participating in personnel selection processes and monitoring **RVC's progress and performance. While the Petition states the Leadership Council** meetings will be open to the public, they do not commit to compliance with the Brown Act to ensure transparency and participation. The Petition states that the Leadership Council will enact its own bylaws and decide the different positions and roles of the elected parents and other non-voting members of the Council as it deems appropriate. (p. 143.) However, because the Leadership Council plays a key role in governance and manages day-to-day operations, these bylaws, positions, and roles are to be set forth in the Petition.

The role of the governing board and Leadership Council overlap and are confusing as to which body has responsibility over specific duties. According to the Petition, both bodies have responsibilities in making personnel actions, monitoring the educational program, and allocating resources. (pp. 140-144.) Also, according to the organizational chart, the RVC Leadership Council appears to operate independently of the governing board, and potentially the Charter School, as the chart does not

make clear what relationship the RVC Leadership Council has with the Charter School governing board. (p. 146.)

The Petition also states that “[t]he even number of voting members between staff and parents has proven to be a critical structure in the MAP for reaching consensus.” (p. 143.) However, the Petition does not describe what the procedures will be in the event staff and parents disagree with each other and an issue results in a tie vote. The Petition also contains vague language with respect to the Leadership Council. **For example, the Petition states that “[a]ny decision of the Council can be appealed to the Board by anyone.”** (p. 144.) However, the Petition does not describe any appeal procedures and does not further define what it means by the term **“anyone.”**

4. Board of Directors: The Petition presents conflicting information regarding the RVC Board of Directors. According to the bylaws, the initial board of directors will be comprised of 5 individuals. (App. E, p. 83.) However, according to the Petition, the **“Petitioner Team” reflects 8 individuals serving as RVC board members.** The Petition does not otherwise explain this discrepancy, and contributes to the lack of clarity regarding whether officers are intended to serve as board members, despite the fact that they will receive compensation through employment contracts.

Element 5 – Employee Qualifications

The Education Code and Regulations provide for a charter petition to identify general qualifications for various categories of employees the school anticipates, identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions, and specify that all employment requirements set forth in applicable provisions of law will be met, including but not limited to credentials as necessary. (Ed. Code, § 47605, subd. (b)(5)(E); Regulations, § 11967.5.1, subd. (f)(5).)

Staff finds that the Petition requires further comprehensive description of the Charter School's employee qualifications for the following reasons:

1. Minimum Qualifications: The Petition does not establish adequate minimum qualifications for some of the most important positions for the Charter School. For example, the Petition does not require the School Director to possess any credential (p. 149), whether administrative or teaching, despite the fact that the School Director is responsible for **“all personnel and human resource functions and duties..., including supervision and evaluation [of] all RVC employees” and “facilitat[ing] staff professional development and improvement.”** (App. I, pp. 135-37.) Therefore, the employee qualifications do not adequately describe how the School Director will be qualified to address issues regarding curriculum, employee evaluations, special education, student discipline, and the myriad of issues inherent in operating a public school in light of the fact that the School Director is not required to possess any credential.

The job description for the position of Classroom Teacher does not require, as a minimum qualification, the possession of a Crosscultural Language and Academic Development (“CLAD”) or Bilingual Crosscultural Language and Academic Development (“BCLAD”) certification. (App. I, p. 128.) Additionally, according to the job descriptions, the position of Special Education Teacher does not require a multiple subject teaching credential and the Special Education Teacher is not required to obtain highly-qualified (“HQ”) status, both of which are standard for

District special education teachers. (App. I, pp. 129-30.) The job description for the Physical Education teacher provides no description of the minimum qualifications for the position. (App. I, p. 133.) The Petition also does not address the qualifications and/or duties of all non-certificated/classified employees.

Element 6 – Health and Safety

The Education Code and Regulations provide for a charter petition to include the procedures that the school will follow to ensure the health and safety of pupils and staff, including but not limited to requiring that each employee of the school furnish the school with a criminal record summary, including the examination of faculty and staff for tuberculosis, requiring immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school, and providing for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school. (Ed. Code, § 47605, subd. (b)(5)(F); Regulations, § 11967.5.1, subd. (f)(6).)

1. Health and Safety Procedures: The Petition does not provide a copy of its health and safety procedures, which is concerning in light of the fact that the Charter School seeks to convert the already-existing MAP program. Instead, the Petition states that “[a] full draft will be provided to the authorizer for review at least 30 days prior to operation.” (p. 152.) The Petition also reflects that an Emergency Preparedness Handbook has neither been developed nor submitted with the Petition. (p. 153.) Education Code section 47605(b)(5)(F) expressly requires the Charter School to provide a description of its health and safety procedures. Moreover, health and safety procedures are fundamental to the successful and safe operation of a school site. Accordingly, the Petition is inadequately described on account of the absence of such procedures from the Petition.
2. Incomplete/Vague Procedures: The Petition does not adequately describe its health and safety procedures and does not demonstrate an understanding of the Charter School's obligations in this regard. The Petition, in numerous places, summarily states that RVC will comply with state and/or federal law, without identifying what obligations it has under those laws. For example, with respect to bloodborne pathogens, the Petition states that, “[t]he Charter School shall meet *state and federal standards* for dealing with bloodborne pathogens and other potentially infectious materials in the work place. The Board *shall establish* a written infectious substances control plan designed to protect employees and students from possible infection due to contact with blood borne viruses...Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the *latest medical protocol* for disinfecting procedures.” (p. 152; emphasis added.) Here, the Petition **does not specifically identify standards or what the “latest” protocols are**, and the Petition reflects that a control plan has not been developed yet.
3. Volunteer Background Checks: As stated above, the Petition requires as a measurable outcome that “[a]t least 40% of parents choose to volunteer during the school year, including in class, on the Board of Directors or Leadership Council, on committees, driving on field trips, working on project preparation for teachers at home, helping with performances, or in other ways.” (p. 109.) The Petition only requires “[v]olunteers who will volunteer outside of the direct supervision of a credentialed employee” to obtain background checks prior to volunteering which is not consistent with fingerprinting requirements for charter schools. (p. 152.)

Element 7 – Racial and Ethnic Balance

The Education Code provides for the charter petition to identify the means by which the charter school will achieve a racial and ethnic balance among its students that is reflective of the authorizing district's general population. (Ed. Code, § 47605, subd. (b)(5)(G).)

Staff finds that the Petition requires further comprehensive description of the Charter School's plan to achieve an appropriate racial and ethnic balance for the following reasons:

1. Non-Committal Provisions: The Petition's language with respect to the Charter School's obligation to employ means to achieve a racial and ethnic balance reflective of the District's general population is vague and non-committal. For example, the Petition states "Ross Valley Charter will *strive* to enroll a student body that fully reflects the full range of diversity found in the broader school aged community." (p. 155; emphasis added.) Similar non-committal language is found throughout the Petition: "RVC will *strive* to enroll a student population that is somewhat more ethnically and socio-economically diverse than the population in the Ross Valley School District"; "RVC will *attempt* to attract students in these subgroups greater than the District average"; and "RVC will *attempt* to attract students with a similar racial and ethnic diversity." (pp. 23-24.) Such permissive and noncommittal language does not commit RVC to pursuing these strategies, raises concerns about the Charter School's ability to meet its racial and ethnic balance, and does not reflect a measurable goal. Moreover, the use of such language makes it difficult if not impossible for the District to exercise its oversight responsibilities to ensure that RVC is complying with its charter.
2. Conflicting Provisions: The Petition further lacks adequate description in that Petitioners make representation and promises that contradict one another. For example, RVC promises to attract students with a similar racial and ethnic diversity as the District (p. 24), but also promises to enroll a student population that is "more ethnically and socio-economically diverse than the population in the Ross Valley School District." (p. 23.) Nonetheless, according to the Petition, RVC intends to draw enrollment from the same neighborhoods and communities as the District does. Accordingly, without further description, staff finds it unlikely that RVC would enroll a student population that is "more ethnically and socio-economically diverse" than the District.

Element 8 – Admission Requirements

The Education Code and Regulations require the charter petition to identify admission requirements that are in compliance with applicable law. (Ed. Code, § 47605, subd. (b)(5)(H); Regulations, § 11967.5.1, subd. (f)(8).)

Staff finds that the Petition requires further comprehensive description of the Charter School's admission requirements for the following reasons:

1. Public Random Drawing: Residents of the District are 5 out of 6 on the lottery admission priority list. Preferential treatment for the lottery is as follows: (1) existing students of the Charter School; (2) children of current employees and founders; (3) siblings of current students; (4) EL students and students eligible to receive Free and Reduced Price Lunch; (5) residents of the District; and (6) all others. (p. 160.) Accordingly, residents of the District should nonetheless be higher

on the priority list. Statutory lottery preferences dictate over other preferences not specified in law.

2. Language Survey: The Petition states that, to determine whether an applicant/student is an English Learner, RVC will require the family to complete a Home Language Survey, which must indicate that a language other than English is primarily spoken at home. (App. H, p. 122.) However, merely because a family **completes a Home Language Survey indicating that the student's home language is not English** does not necessarily mean the student is an English Learner. In light of **the fact that "[n]o test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School" (p. 159), the Petition lacks** adequate description on how RVC will identify and enroll EL students, which will **hinder RVC's** ability to achieve the EL enrollment projections promised in the Petition. (p. 155.)

Element 10 – Suspension and Expulsion Procedures

The Education Code and Regulations require a charter petition to specify procedures by which students can be suspended or expelled that provides due process for all pupils. These shall include, at a minimum, identification of a preliminary list of offenses for which students must and may be disciplined, the procedures for suspending and expelling pupils who have committed such offenses, and how parents, guardians and students will be informed of the grounds and their due process rights. (Regulations, tit. 5, § 11967.5.1, subd. (f)(10).) A petition must also provide evidence that in preparing the list of offenses and the procedures, the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, as well as evidence that petitioners have reviewed their list and believe it provides for adequate safety for students, staff and visitors. (Ibid.) The charter petition must also include a description of due process for and understanding of the rights of students with disabilities with regard to suspensions and expulsion and how discipline policies and procedures will be periodically reviewed and modified. Finally, the petition must outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion. (Ed. Code, § 47605, subd. (b)(5)(J); Regulations, § 11967.5.1, subd. (f)(10).)

Staff finds that the Petition requires further comprehensive description of the Charter School's suspension and expulsion procedures for the following reasons:

1. Material Revision: The Petition states that the suspension and expulsion procedures **"shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time, without the need to amend the charter, so long as the amendment comport with legal requirements."** (p. 164.) However, changes to procedures that could result in student expulsion, and therefore disenrollment, are significant and material, and implicate due process concerns. Therefore, changes in these procedures must be processed through the material revision process set forth under the Charter Schools Act.
2. Alternative Means of Correction: The Petition lacks adequate description of alternative methods of discipline, which may obviate the need for suspension and/or expulsion and which may be a more appropriate form of discipline for K-5 students. Although the Petition states that the Charter School has reviewed Education Code section 48900 et seq., the Petition does not adequately describe other means of

correction identified in section 48900 et seq. including, but not limited to, a conference between school personnel, the pupil's parent, and the pupil; referrals to the school counselor, psychologist, social worker, or other school support service personnel; study teams, guidance teams, or other intervention-related teams that assess the behavior and implement individualized plans; referral for a comprehensive psychosocial or psychoeducational assessment; enrollment in a program for teaching prosocial behavior or anger management; participation in a restorative justice program; a positive behavior support approach with tiered interventions that occur during the schoolday on campus; or after-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors.

3. Exceptions to Suspension/Expulsion: The Petition lacks adequate description for enumerated offenses and does not distinguish significant exceptions to grounds for suspension and/or expulsion. For example, the Petition states that students may be **suspended or expelled if they "[u]nlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind."** (pp. 165, 169.) This ground for suspension is overbroad and lacks specificity, and does not account for the fact that expulsion cannot be imposed, for example, for the first offense for the possession of less than one avoirdupois ounce **of marijuana. Moreover, the prohibition against the possession of an "intoxicant of any kind" is overbroad and** does not address the situation where a student possesses over-the-counter or prescription medication for medical purposes. Accordingly, the suspension and expulsion procedures are not adequately described.
4. Appeal Rights: The suspension and expulsion procedures do not provide for appealing an expulsion or suspension to ensure full due process. (p. 178.)
5. Manifestation Determination: **The Petition provides that "[i]f the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable [conduct caused by or direct result of child's disability] for the child, the conduct shall be determined to be a manifestation of the child's disability."** (p. 179.) This procedural safeguard description is inadequately described as the language suggests that the Charter School, parent, and members of the IEP/504 **team must agree that conduct was caused by a child's disability. However,** manifestation determinations are not made by agreement but rather by evaluation of whether the facts establish the conduct is a manifestation of the disability. Manifestation determinations are not optional and the Petition requires more specificity to reflect this requirement.
6. Interim Alternative Setting: The Petition states that students with disabilities who have been suspended may be provided services in an interim alternative educational **setting, and that "[t]he student's interim alternative educational setting shall be determined by the student's IEP/504 Team."** (p. 179-80.) However, the Petition does not provide any description of what an interim alternative educational setting entails or who pays for the services provided in the interim alternative educational setting, which is significant in light of the fact that the Petition proposes that the School Director may remove a student into an interim alternative education setting for up to forty-five (45) days without regard to whether his/her behavior was a manifestation **of the student's disability in certain cases.**

Element 14 – Dispute Resolution

The Education Code and Regulations require a charter petition to specify the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. Such procedures should include how the costs of the dispute resolution process, if needed, would be funded, and recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter, the matter will be addressed **at the District's** discretion. (Ed. Code, § 47605, subd. (b)(5)(N); Regulations, § 11967.5.1, subd. (f)(14).)

Staff finds that the Petition requires further comprehensive description of the Charter **School's dispute resolution procedures for the following** reasons:

1. **Mediation Procedures:** The Petition is inadequately described with respect to mediation procedures. Although the Petition states that the Charter School and the District will engage in a mediation session as part of the dispute resolution process, **the dispute resolution provision summarily states that "[t]he format of the mediation session shall be developed jointly by the Superintendent and School Director."** (p. 185.) The Petition does not otherwise identify or describe the procedures to be used, and the mediation process is left to be decided at a future time when a dispute has already occurred. Accordingly, the dispute resolution procedures are vague and lack adequate description.

Additional/Miscellaneous Provisions

Staff finds that the Petition requires further comprehensive description of the following additional and miscellaneous provisions for the following reasons:

1. **Location:** The Petition does not identify a location for the Charter School. Education Code section 47605(g) states, **"[t]he governing board of a school district shall** require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the **facilities to be used by the school...The description of the facilities to be used by the charter school shall specify where the school intends to locate."** Here, although Petitioners made clear that they do not intend on locating RVC at Manor Elementary School, and informed the District of their preference to locate at the Red Hill site, the Petition itself neither identifies a location nor the facilities that will be used by the Charter School. **Instead, the Petition summarily states that "[t]he Charter School plans to rent facilities within the District's boundaries" and "will explore both private facilities and public school facilities to accommodate its educational program."** (p. 196.)

The location of the charter school is to be set forth in the Petition and the lack of identification of a location and/or facilities makes it difficult, if not impossible, for the District to properly evaluate the Petition in determining whether the Charter School **can meet its educational objectives. For example, the Petition states that RVC "has budgeted for three sets of 27 laptops, such as Chromebooks, in charging carts shared between our 4th/5th grade classrooms, plus 3 laptops/Chromebooks permanently in each classroom above K/1st, with reliable internet capacity to support all 100 devices in use at once."** (p. 60.) Access to the internet and technology is critical, especially in light of the reliance upon computers for standardized testing. However, the Petition assumes that its facility-to-be-named will be capable of supporting 100 laptops will full internet connectivity without disruption.

Additionally, the budget does not reflect potential additional costs for facility technology upgrades should the charter location require such. Without a location identified, it is not possible for the Charter School, or the District for that matter, to evaluate whether it can support the proposed technology and, consequently, its ability to deliver instruction and conduct standardized testing.

Nonetheless, as a conversion charter school, the Charter School is tied to the Manor Elementary School site and is not eligible to be housed at any other District school site. **The Charter School's use of District facilities is governed by Education Code section 47614 and the supporting regulations, not as expressed in the Petition.**

V. CONCLUSION

For the reasons stated above, staff finds that the Petition does not contain the requisite number of signatures required by law; the Petition fails to provide a reasonably comprehensive description of all required elements of a charter petition; and the Petitioners are demonstrably unlikely to successfully implement the program as presented in the Petition and its supporting documents. Accordingly, staff recommends that the Petition be denied and that the Board adopt this Staff Report as its written findings in support of its denial.

**Ross Valley Charter
Response to District Findings
August 2015**

The intent of the Charter Schools Act of 1992 is that charter schools are, and should become, an integral part of the California educational system and that establishment of charter schools should be encouraged. Ross Valley Charter's petition describes, over the course of 350 pages, a sound educational program and solid 5-year budget. Ross Valley School District's findings to support a denial do not include any substantive issues with the petition or operation of RVC, but instead, the District is demanding a level of detail that is neither warranted nor required in a charter petition.

A. RVC Petition contains the requisite number of signatures

Under California law, petitioners determine whether they will petition as a conversion or a start-up (new) charter school; chartering authorizers do not make that determination. RVC clearly stated within the petition and on the signature page that it was petitioning as a new charter school, and included more than enough teacher signatures as required by law. Parent signatures were included not in an effort to meet the legal requirement (because RVC already met the requirement), but to show support for the Charter School from parents in the community.

RVC has no desire to convert the Multi-Age Program, and the District is free to continue to provide the MAP program after RVC starts up as a new charter school. RVC is basing its program on the MAP model, just as MAP based its program on the Ohlone School model, at its own inception. Many pages of the denial recommendation rely on the assertion that RVC is a conversion school, and are therefore irrelevant to RVC's charter petition.

B. Petitioners are demonstrably likely to successfully implement the program set forth in the petition

1. Enrollment Projections - After a modest word-of-mouth effort in May and June 2015, the parents of more than 220 students who will be in elementary school in 2016-17 have signed a form indicating that they are interested in enrolling their children at RVC (as summarized in a chart on page 4 of the Appendix). After RVC's charter is authorized, it will begin marketing the new school both within and outside District boundaries. RVC is confident that its enrollment projections are reasonable, and a lottery will likely need to be held for some grade levels.

2. Fiscal Operations – The RVC budget was prepared by EdTec, a financial management vendor that does business office management for more than 300 charter schools in California. Revenue and expense assumptions and projections in the RVC petition are based on their 15 years of experience preparing and managing charter school budgets.

a. Revenue and Assumptions– The District staff recommendation accepts 95% of RVC's six-year revenue forecast, challenging only 5% of projected revenue.

Last fall, RVC was awarded a \$375,000 startup grant, for which it will apply again this fall. This year's grants are projected to be approximately the same amount as last year, and RVC expects to again receive the grant based on its extremely high score last year (52 points out of 56, with 28 being the minimum passing score). RVC is also applying to several educational foundations for startup grants ranging from \$100,000 to \$400,000.

RVC is petitioning as a new school (not a conversion school) and therefore is eligible for the budgeted \$250,000 California School Finance Authority Charter School Revolving Loan.

RVC forecasts an average of \$26,625 per year of parent fundraising, equal to \$125 per student. Each District elementary school raises considerably more than this amount. In the last 16 months, RVC has raised \$45,000 from parents interested in establishing the charter, above and beyond what those parents also contributed to the YES Foundation and their current elementary school. We remain confident in our projections, especially given the measurable support to date.

RVC has currently received \$60,000 of its projected \$85,000 in four-year loans. These loans will provide RVC with a 5% general fund reserve in its first year, and the loans will be repaid after the third year of operation.

b. Expenses and Assumptions- RVC prefers to be its own Local Education Agency (LEA) for special education and has constructed its budget accordingly. Federal and state special education revenue will go directly to RVC, and expenses for a dedicated special education teacher and other contracted services are included at levels deemed reasonable by EdTec.

Rental market assumptions in the petition are for school space, not retail/office/commercial space as claimed by the staff recommendation. There have been four school space rental transactions in the last year within RVSD boundaries: one with RVSD for Deer Park, one with the San Francisco Archdiocese for St. Rita's School, and two with the Girl Scouts for Bothin and Arequipa. All of these facilities have been rented for considerably less than \$1.10 per square foot per month (which is what RVC conservatively estimated in its budget). RVSD's recent lease extension for Deer Park, which has roughly the same amount of square feet that RVC would like to lease from RVSD at Red Hill, was rented for \$92,700 annually, or about \$0.55 per square foot per month.

RVC would like to locate at Red Hill School. RVC would make improvements to that site as its funds allow, as have other tenants of District properties, such as San Anselmo Montessori School, Marilyn Izdebski Productions, and the Fairfax San Anselmo Children's Center.

c. Curriculum Expenses -Charter schools are given considerable flexibility in designing curriculum. The six founding teachers will use their years of teaching experience to develop curriculum around the Common Core State Standards by mining the Internet and creating their own ideas, at considerably less expense – and considerably more ability to target learning directly to individual students – than the textbooks and curriculum programs the District purchases. RVC's budget provides a sufficient amount for books and other curriculum materials, as proposed by the teachers.

3. Employee Qualifications - Charter School administrators are not required by law to hold a particular credential. The six teachers who signed the charter petition, and who intend to work at RVC, each have between 14-37 years of teaching experience and will make up 2/3 of the initial classroom teachers of the school. RVC will be well and efficiently run.

4. Academically Low/High Achieving Students - Students who are low achieving will receive support from both their classroom teacher and the Intervention Teacher. Students who are high achieving will be given ample opportunity to extend and accelerate their learning. Meaningful differentiated instruction for both types of students is described on pages 75-80 in the petition.

5. English Learners - A credentialed ELD teacher will work with groups of three to five English learners, four days per week for half an hour. With 14 projected EL students, there will be three

or four groups, roughly six to eight hours per week of instructional time. RVC has projected a 10-hour per week ELD position, which will allow for planning time and consultation with classroom teachers.

RVC will determine which EL students will attend Spanish classes by assessing the needs of each student individually, including those who speak a language other than Spanish.

6. Anti-Discrimination Processes - RVC highly values a diverse population and has taken proactive steps to develop a relationship with the Fairfax San Anselmo Children's Center (FSACC) in order to connect with this primary supporter of the EL community. Seventeen percent of students from our interested families (higher than the district average) came from this outreach effort at FSACC. See pages 155-156 of the petition for more details.

C. RVC Petition contains reasonably comprehensive description of all required elements

The RVC petition is 200 pages, plus a 150-page appendix. It will always be possible for RVSD to want more detail, and RVC would be happy to provide it. But the appropriate place for more detail is through a process of sitting down and discussing and then possibly asking for documentation of additional understandings. This unfortunately did not happen, as RVSD staff never spoke with the Petitioners, despite repeated offers. What follows are very brief responses to the "fails to provide a reasonably comprehensive description of all elements" finding.

Element 1 – Educational Program

1. RVC will provide Transitional Kindergarten to children whose fifth birthdays fall between September 2 and December 2.
2. Charter schools are given flexibility to choose and design curriculum, and it is an ongoing process. RVC is committed to teaching the Common Core State Standards, and has noted in its petition that math and science curriculum aligned with CCSS is still being developed by publishers. RVC teachers will develop their continually evolving lesson plans, as they did as MAP teachers, from a wide variety of (mostly free) resources.
3. Parent volunteers will be welcomed at RVC, in accordance with California State Priority #3: Parental Involvement, including Subpriority A (Achieving/Maintaining Parental Involvement) and Subpriority B (Promoting Parent Participation). Parents will not be required to volunteer at RVC, and we believe our goal of 40% of parents choosing to volunteer at some level during the school year is reasonable.
4. The specific student assessments RVC will use in each subject area are described in the petition on pages 130-132.
5. As mentioned above, each EL student will be evaluated individually to determine if he or she will participate in Spanish classes, considering individual needs.
6. Parents who volunteer in the classroom will not have access to confidential pupil records.
7. RVC will use a progressive education approach. Reggio Emilia is one of many specific progressive education approaches, and was an inspiration to the original founders of RVSD's Innovative Learning Community (ILC), which later was renamed MAP.

8. RVC's Special Education section was intentionally written with flexibility, so the school could either be considered a school of the authorizer or its own LEA for Special Education purposes. The RVC budget is written to reflect RVC as its own LEA, which is our preference.

A Student Study Team will discuss the needs of any student who is identified as needing academic intervention. Those students will work with the Intervention Teacher and will get extra support in the classroom. If the Student Study Team determines that those extra supports are not sufficient, they will recommend a formal Special Education assessment.

9. RVC will provide free, public progressive education for 220 students each year in Ross Valley.

Element 2&3- Measurable Student Outcomes and Methods of Measurement

Assessments for each subject are described on pages 130-132. Student outcome goals are based on these assessments, including state-required standardized tests.

RVC's measurable outcomes for EL students include: 90% progressing at least one English level on CELDT tests, 90% improving at least three levels in reading, and 95% showing growth in writing using checklists (page 106).

The Toolbox Project lessons are for Social-Emotional learning. Emotional health is, indeed, a component of good health.

RVC will schedule three parent/teacher conference periods and will have three progress reports each year. In addition, teachers will meet with parents any time during the school year regarding student progress if there are changes or concerns.

RVC states on page 105 that "RVC students, including all subgroups, perform at comparable rates of proficiency in CAASPP testing as Ross Valley School District elementary students District-Wide" which shows our commitment to realize the same high achievement rates as RVSD.

RVC has set high expectations for our students during a time when many new assessments are being implemented statewide. The samples of the new state test results state, "[b]ecause this is the first year that all California students in grades 3-8 and 11 are taking these new tests, overall scores may be used as a basis from which to compare performance in future years." RVC and many school districts will be using these baseline scores to help inform instruction in these first years of testing.

Scale scores are likely to become a much more effective means of measuring student progress. In addition, throughout a student's educational years, there will be some times when a student may be at any one of these levels – novice, developing, proficient, advanced – depending on whether a topic has just been introduced; the student is beginning to develop knowledge; or has become proficient or advanced. It is unrealistic to believe that all students will have reached mastery or proficiency at the same time. Stating that 80% or more will reach mastery does not mean that the other 20% are being left behind, but rather recognizes that individual students are on their own continuum and may currently be at the developing stage and on their way to mastery in a subject.

It is clear that RVC does not have a 'one-size fits all' program. Throughout the petition, there is mention of differentiation and gearing our instruction to the individual child. Portfolios will be

one of many tools used to measure student success. They are an excellent way to show student growth over time in many of the areas where we want our students to develop.

Parent participation is an important goal of RVC's program, but the quality of our teaching staff is the primary indicator as to how successful our school will be.

RVC's petition is very clear about indicators of a struggling student on page 76, and we also indicate our plan of action for students who are academically low achieving. In addition, the many other assessments we have listed will also be indicators.

Element 4- Governance

California law does not prohibit teachers from serving on a charter school governing board; several states actually require a teacher to be on the charter governing board, and others highly encourage it. Charter schools were developed to encourage collaboration between parents and educators. RVC's charter petition provides for flexibility with respect to this collaborative model (page 139) if the authorizing agency requires it.

School Site Councils (SSC), a traditional public school function which includes a team equally represented by staff and parents, make many decisions about schools, including funding, and are required by the state. As charter schools are not required to seat a SSC, RVC has chosen what it believes is an authentic model with its Leadership Council, discussed on pages 141-144 of the charter.

Article VII, Section 22 of the RVC Bylaws states that "Directors may not receive compensation for their services as Board Members or officers." RVC's Board will have five to nine members. Page 136-137 of the charter explains the recent addition of three board members.

Element 5- Employee Qualifications

Charter school administrators are not required to hold credentials, as previously mentioned. Core teachers in California charter schools must hold appropriate credentials. RVC will prioritize hiring teachers with CLAD or BCLAD certification. RVC's Special Education Teacher will be required to have Special Education certification and at least three years of experience as a Special Education teacher.

Element 6- Health and Safety

Charter law only requires that the petition provides for procedures to ensure the health and safety of pupils and staff, which are on pages 152-154. It does not require detailed policies and handbooks at the time of submission, although the petition does commit to providing these to the authorizing agency 30 days prior to operation.

Education Code Section 49024 states that school volunteers under the immediate and direct supervision of a credentialed employee of the charter are not required to be fingerprinted. RVSD does not require its parent volunteers to be fingerprinted.

Element 7- Racial and Ethnic Balance

RVC has a detailed plan (pages 155-158) for achieving its racial and ethnic balance goal: to enroll EL and low-income students in numbers greater than the District's averages. Using 2014-15 statistics, RVSD enrolled English Learners at a rate of 3.9%, and RVC has a target of 6% ELs. 9.9% of RVSD students are eligible to receive Free/Reduced Price Lunch and RVC has a target of 12% FRPL.

Element 8– Admission Requirements

All of the first five categories of the admission preference list (existing students, employees' and founders' children, siblings, EL and FRPL students) will likely include District students. It is only the final category that provides exclusively for students outside of the district.

The California Department of Education defines an English Learner as “a student who speaks a language other than English in their home.” The CDE assists schools to meet the goal “to ensure that English Language learners achieve parity with native English speakers.” Until RVC can assess and support a student for his or her proficiency at meeting “the same rigorous grade-level academic standards of all students,” the primary indicator must be the language spoken in the home.

Element 10– Suspension and Expulsion Procedures

Our petition reflects the procedures under which a student *may* or must be suspended or expelled. It is our goal to support our students educationally while ensuring a safe environment for our entire community. We are aware of the opinion of the Office of the Attorney General #97-903 from December 5, 1997 but consider it to be of a higher level of detail than would be included in a charter petition. Page 174 of the petition discusses the expulsion hearing, which includes step #5 the process for appealing an expulsion.

Element 14– Dispute Resolution

RVC has, in good faith, detailed a dispute process that attempts to resolve any dispute with minimal costs to either the authorizer or RVC, mindful of its legal requirement to provide a reasonably comprehensive description. RVC will meet with the authorizer to agree upon a process if the stated plan is not acceptable or detailed in a way that the authorizer agrees to, and will split mediation costs. RVC has budgeted for legal expenses.

Additional/Miscellaneous Provisions – Location

Charter petitions are not required to identify an exact facility in which they hope to locate. RVC has made it clear that renting Red Hill is its first choice for location. RVC's startup budget includes funds for technology infrastructure, including full Internet connectivity for testing purposes.

Conclusion

RVC petitioners carefully considered the District's findings for its first petition in November 2014. RVC has addressed the District's concerns from that time by making many changes and improvements, resulting in the current petition. The intent of charter petitions is not to cover every aspect of school operations in a final detailed manner, but to communicate the intentions of RVC to serve its students in a way that both meets the educational requirements and also meets the needs of the students and families in choosing RVC as an alternative to the current public school offerings. We have a firm belief in the educational offering that we will provide to the students of RVC, and look forward to spending the next 6-8 months further detailing our plans, writing our policies, collaborating with our teacher/parent teams, and planning for our students.

Ross Valley Charter Response to Findings in District Denial Recommendation Dated September 3, 2015

Introduction

The purpose of this document is to respond to the Ross Valley School District's ("District") Staff Recommendation for Denial of the Ross Valley Charter Petition ("Recommendation").

The Recommendation was presented at a meeting of the Ross Valley School Board on August 18, 2015. The meeting was recorded and both the petitioners and the District have a copy. At the end of the meeting, each of the five District trustees spoke for about two minutes, explaining why he or she was voting no. Each one praised the educational program the six Ross Valley Charter ("RVC") teacher petitioners have created for the District. Three praised the petition itself.

All five said the reason they were denying was doubt about the financial viability of RVC, but none of them cited even one significant fact that indicated RVC was "demonstrably unlikely to successfully implement the program."¹ Three mentioned their conservative fiduciary responsibilities to all the District students and their concerns that RVC would impact all the District students. The last trustee who spoke said that the District has been successful because it has been financially very conservative and then asked, "is this a chance we are willing to take for a lot of kids, not just the 200 kids, but a lot of kids? So I will be voting no."

Two days later, in article about the vote, The Marin Independent Journal quoted the RVSD Superintendent: "[The petitioners] are projecting that 220 students would be in this charter program," said district Superintendent Rick Bagley in an interview after the meeting. "If all those students were to come from our district, we would lose \$1.7 million. The cost of those teachers (departing with the students) offsets the costs; we would end up with about a \$900,000 loss. That's a lot of money." . . . It should be noted that it is impermissible for a District to deny a charter petition on the basis of a perceived or actual financial impact to the District, such as loss of revenues corresponding to students who may choose to attend the charter school instead of district schools. This sort of financial impact is NOT included in the statutorily-specified grounds for denial of a charter petition, and would be contrary to the statutory intent of supporting the establishment of charter schools throughout the state. The statement by Superintendent Bagley, as well as several of the trustees who stated they voted for denial due to a fiduciary obligation to all students in the district, reveal that the District was motivated to deny the RVC petition to avoid the potential loss of revenues to the District – an impermissible ground for denial.

Starting a charter school entails risk both within the charter school and to the school district, which may be losing revenue because of the loss of LCFF ADA revenue. The California Legislature understood this and therefore did not include either loss of revenue to the district or doubts about sustainability over time to be allowable reasons for denial of a charter petition. Instead, the standard required by Education Code Section 47605(b) for denying a petition is:

¹ Education Code Section 47605(b)

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 16 described Elements] (Emphasis Added)

None of the five lawful reasons for denial include financial impact on the authorizer. Further, the law clearly requires a denial to be based on facts, and not speculation or “doubts.”

The Legislature further encouraged authorizing entities to take risks in approving charter petitions by giving authorizers blanket immunity from financial liability from the acts, errors, or omissions of a charter school in Education Code Section 47604(c) if the authorizing entity performs a list of clearly enumerated and easy to carry out activities spelled out in Education Code Sections 47604.32 and 47605(m). In short, the Legislature recognized that school districts and county boards of education are instinctually conservative and it asked them to actually take the risks inherent in authorizing new charters unless there were facts, as in the case of reason #2 for denial cited above, that clearly showed that the charter school was demonstrably unlikely to succeed.

Summary

The District Recommendation articulated findings for a denial in three separate areas from the above required list from Section 47605(b), namely subdivisions 3, 2, and 5, which the Recommendation document lists as A, B, and C respectively.

This response document will, in great detail, demonstrate that the District failed to put forth “specific facts to support” any of these findings and therefore the findings are not a legal basis for denial in each of these three areas. The Response will follow the order laid out in the Recommendation, namely A, B, and C.

A. District Finding: The Petition Does Not Contain The Requisite Number Of Signatures Pursuant To Education Code Section 47605(b)(3)

The Ross Valley School District here attempts to substitute its own judgment for the Petitioners', without legal support. Education Code Section 47605(a)(2) states: “[a] petition that proposes to convert an existing public school to a charter school ... may be circulated by one or more persons seeking to establish the charter school.” (Emphasis added.) First, the statute allows *petitioners* to choose whether they wish to convert a traditional public school into a charter school. By using the word “may,” combined with the language that the charter petition has to actually propose being a conversion, the law does not extend any authority to the authorizing entity to unilaterally determine whether a petition is for a conversion charter or not. Second, the law makes it clear that the petition itself must “propose

to convert” and that the petitioners must “seek” to establish a conversion charter school. As the District does not write the charter petition, and cannot impose an intention upon the petitioners, District’s finding lacks both legal and factual merit.

The District also asserts that the charter petition is “essentially” a conversion school because it may draw from teachers and students currently attending an existing district school. This does not render a charter school a “conversion” school. One of the key features of a conversion school is that the students of the current school or program would be automatically enrolled in the initial year of the charter school and in the same facility. This is how RVC’s initial petition was framed. The current petition, however, is deliberately *not* offering a guaranteed enrollment to the current enrollees in the MAP program, and is thus *not* a conversion but rather an entirely new school. While it is true that six of the current MAP teachers are proposed to become teachers of RVC, RVC will also be adding three additional teachers and a Spanish teacher, will have a random lottery (with specified priority groupings as indicated in the petition) for all incoming students even in the first year of the charter school, and will be located at a site other than Manor School. Thus, RVC is not a conversion school and the petition cannot be construed as such.

The RVC charter states myriad times that it is a new/startup charter school. It says that it does not want to locate at Manor School, so it cannot be a conversion, according to the District’s logic. The petitioners explicitly are not converting the Multi Age Program (“MAP”). The petitioners are six teachers seeking to create a new charter school modeled on their experience in the District. This point is further underscored by the fact that the first RVC charter submission *did* propose to convert the MAP program. The decision to convert lies exclusively with the petitioners, and RVC is not a conversion charter school. Accordingly, because RVC gathered 6 signatures for 10 teaching positions, it met the petition signature requirement in Education Code Section 47605(a)(1)(B), and this finding is an impermissible basis for denial of the charter petition.

B. District Finding: Petitioners Are Demonstrably Unlikely To Successfully Implement The Program Pursuant To Education Code Section 47605(b)(2)

As correctly stated in the heading to this section, the District acknowledges that the legal requirement it must meet in this area is not just to raise doubts, but, rather, to set “forth specific facts to support” a finding that petitioners are “demonstrably unlikely” succeed.

FINANCIAL SUSTAINABILITY

From page 7 through page 12 of the District’s Recommendation, the District lists what it claims are “specific facts to support” its claim that there will be “significant deficit spending and negative fund balances” every year, and therefore, “that the Charter School will be unlikely to be successfully implemented due to deficiencies in its fiscal operations.”

The RVC budget was prepared by EdTec, a charter school financial management back office service provider that provides business office management for over 300 charter schools in California. All of the revenue and expense assumptions and projections in the RVC petition and Budget Narrative are based on EdTec’s 15 years of experience preparing and managing budgets for hundreds of charter schools.

The District accepts the great preponderance of these budget assumptions and the associated revenue and expense and discusses a very few alleged “specific facts” that it claims make the budget

“demonstrably” inaccurate. This response will address these alleged “specific facts” one by one to show how they are not factual and do not merit a conclusion of “demonstrably unlikely to” succeed. Accordingly, given that the District has relied on alleged facts that are not actually true, the District’s conclusion that the school is unlikely to succeed for financial reasons is not legally justified. The District cannot lawfully rely on inaccurate facts to deny the RVC charter.

1. Enrollment Projections

The first set of alleged District facts is that the RVC program overestimates its ongoing operating revenue projections because RVC enrollment projections are too high. It is important to note that the enrollment projections are the **only** operating (i.e., not startup) revenue projection (other than modest ongoing fundraising projections discussed below under “fiscal operations”) that is in any way questioned by the District, which means that the District accepts all the other operating revenue information in the years 2016-17 through 2021-2022, including all the LCFF per ADA calculations.

Petitioners are conservatively basing enrollment projections on the fact that with only two months of effort, with no marketing other than word of mouth to parents RVC knew were interested, RVC was able to have the parents of 222 students who will be TK-5th grade in 2016-17 to attest that they are meaningfully interested in enrolling.

The District spent over three pages discussing these 222 signatures, as will be discussed below, but did not challenge even one of these 222 names in Appendix B.

The demand for charter schools in Marin is high. There is only space for 1.5% of Marin’s total student population to attend charter schools authorized in Marin County, whereas the average for the other seven Bay Area urban/suburban counties (excluding San Francisco) is 7.7%. By contrast, 17.8% of Marin County’s students attend private school, compared to 10.9% for these same seven counties. The total **combined** percentage of Marin students attending both charter and private schools is 19.3%, quite

similar to the other seven suburban counties which are at 18.6%.²

These numbers indicate Marin County has a charter school *supply* shortage rather than a *demand* shortage. From this data, it is very reasonable to conclude that the reason there are so few charter schools in Marin County is not the tremendous satisfaction with public schools, but rather the financial ability of many Marin County parents who seek another choice to decide to purchase the education they desire, rather than to undertake the immense amount of work required to start a charter school. The impact on Marin County is that those middle and low income parents, who cannot or do not spend resources on private education, and who seek something different from their local public school, have practically no educational choice. This creates tremendous opportunity for charter schools to meet enrollment targets.

Because of this data, and the ease of obtaining signatures of parents of 222 students, RVC is very confident that with a marketing campaign in the County, it will have more than enough applicants to meet its enrollment projections on a sustainable basis. RVC knows many parents whose children are in private school only because they could not get into to a very oversubscribed MAP program or other elementary charter schools in the County.

District Claims regarding Enrollment Projection

The first District claim related to enrollment projections is that the MAP wait list numbers are outdated and higher than current wait list numbers. This happened because the District has refused to share any wait list information with the teachers or parents of MAP or RVC since September of last year, despite multiple requests. The District does not say what the current wait list numbers are, but reading the

² Public Charter School, Public, Non-Charter School, and Private School Enrollment in the Greater Bay Area Counties

County	Charter School Students	Total Public School Students	Total Private School Students	Total Private + Public Students	Charter as a % of Total Students	Private as a % of Total Students	Charter + Private as % of Total Students
Alameda	19,840	222,681	25,498	248,179	8.0%	10.3%	18.3%
Contra Costa	4,833	173,020	17,261	190,281	2.5%	9.1%	11.6%
Marin	585	32,793	7,104	39,897	1.5%	17.8%	19.3%
Napa	1,885	20,868	2,913	23,781	7.9%	12.2%	20.2%
San Mateo	5,617	94,667	15,927	110,594	5.1%	14.4%	19.5%
Santa Clara	26,979	276,175	41,577	317,752	8.5%	13.1%	21.6%
Solano	2,963	63,825	4,051	67,876	4.4%	6.0%	10.3%
Sonoma	17,169	70,932	5,504	76,436	22.5%	7.2%	29.7%
7 BA tot w/o Marin	79,286	922,168	112,731	1,034,899	7.7%	10.9%	18.6%

Recommendation closely, one could deduce that the current wait list, after spots were filled for 2015-16, is either 85 or 50 students. Even if it is 50 students on the wait list, that is still a substantial piece of evidence that the demand for a progressive education alternative is significant. In addition, these numbers include only students who live within District boundaries. The only claim the District makes from this wait list evidence is that "the District has doubts whether RVC can meet its enrollment projections, or even enroll a new 4th/5th grade strand for 2016-17." "Having doubts" does not meet the legally required test of putting forth "significant facts" which "demonstrably show" that RVC is *unlikely to successfully implement* its program. RVC agrees that there is a potential that filling a new, third 4th/5th class might be challenging in the initial year of the school, which is why the budget is based on one new class being a 3rd/4th grade class. Thus, the concern raised by the District is already directly addressed in the petition.

The second District finding to support the claim that RVC is over-projecting enrollment is that in one year of the last five, Kindergarten demand for MAP was 24 students. From this fact, the District concludes that RVC cannot sustainably enroll 36 kindergarten students year after year. As is written in petition on page 22, the average number of applications for MAP kindergarten over the last 5 years has been 45, including the one year aberration singled out by the District and openly discussed in the petition. This average is well in excess of the 36 needed to sustain full enrollment. As an independent entity, RVC would be free to and would actively market its school both in Ross Valley and throughout Marin County; thus demand for RVC will very likely considerably exceed the previous demand for MAP. The District has not marketed the MAP program, so MAP enrollment has been solely a function of word of mouth in past years.

The third collection of District "facts," which allegedly demonstrably prove RVC financial unsustainability, do in fact relate to the parent signatures in the petition included in Appendix B indicating that they are "meaningfully interested in enrolling their student(s) at the Ross Valley Charter School." The District challenges these 260 signatures representing 222 2016-17 TK-5 students on a few different grounds, but never challenges even one of the signatures themselves. We conclude that the District therefore found the signatures themselves to be legally compliant.

The first challenge area is that one parent complained to the District that his or her signature was not valid. This one parent allegedly complained to the District that he or she was told "that the MAP program was only seeking to rent space at another location." It is likely that this parent was confusing the RVC expression of interest form with another simultaneous on-line, actual petition circulated by non-MAP Manor parents, and signed by 400 people, for "Two Public Schools in Fairfax" that was aimed at getting the District Board to consider moving MAP to the closed St. Rita school so that Manor could be one school on one campus. No parent complained to RVC. The RVC expression of interest form clearly talks about the Charter School. The complaining parent was not identified, so it is impossible to verify what petition the parent was complaining about. The District does not indicate that the complaining parent was among the parents signing Appendix B, which surely it would have if that were the case.

The signatures in Appendix B are also not Proposition 39 "intent to enroll" signatures. They are expressions of a meaningful interest in enrolling their children as a show of support, not as a request for space under Proposition 39.

Appendix B contains the telephone numbers of all parents who signed the "meaningfully interested in enrolling" statement. If the District called any of them to verify their interest, it did not report finding

any who felt misled, not even the one complaining parent it discusses at great length. Nor did the District call the Manhattan Beach parent, the only other parent signature it challenged. If it had, it would have learned that this parent is moving to Marin this year and is interested in enrolling her child in RVC.

The District also challenges the number of 222 signatures because the lists submitted included students older than 5th grade or younger than kindergarten. This assertion by the District is erroneous. As is outlined on page 3-4 of the Appendix, the 222 student count was arrived at after eliminating duplicates and non-eligible students from the 260 student forms that were collected.

Finally, the District challenges these signatures on the grounds that they don't comply with Education Code Section 47605(a)(3). This Education Code Section relates to parents being the petitioners, which does not apply to RVC. This charter was submitted with teacher petitioners, not parent petitioners. The parent signatures are simply statements of interest in enrolling, submitted as evidence of RVC's ability to attain full enrollment. As such, the signatures do not require that the parents had read the petition before signing.

In summary, although the District claims it has doubts about enrollment projections, the District offers no significant facts to support its finding that RVC enrollment projections are demonstrably incorrect.

2. Fiscal Operations

a. Unsupported Revenue and Assumptions

The petition projects total revenue over 6 years of \$9,781,360 and \$9,218,243 of expense, resulting in reserves at the end of six years of \$563,117, or 30% of Year 6 expenses.

Aside from its challenge regarding enrollment projections, the District accepts as reasonable all of this forecasted revenue except three components: \$200,000 in grant startup revenue; \$159,750 of parent fund raising revenue over six years; and \$85,000 in four-year startup loans. These three components together represent 5% of total RVC revenue. Consequently, discounting its challenge to enrollment projections, the District accepts 95% of the RVC six year revenue forecast.

Startup Revenue

The California Department of Education Public Charter Schools Grant Program ("PCSGP") advisors are now projecting that application information for 2015-2016 PCSGP grants will be released in September, with applications in October, and awards made in November of approximately the same amounts as last year's grants. Last year, RVC was awarded a \$375,000 PCSGP grant, contingent on charter authorization, with an extremely high score of 52 out of 56 (with 28 being the minimum score for awards). RVC will apply again in October and expects to be awarded the PCSGP again. RVC is also applying to several educational foundations for startup grants ranging from \$25,000 to \$400,000 and expects to be awarded some of these grants.

The District's claim that RVC cannot receive the budgeted \$250,000 California School Finance Authority Charter School Revolving Loan is based upon falsely identifying RVC as a conversion school. As was discussed in the response to finding "A" above, RVC is a new school – not a conversion – and thus is clearly eligible for the Revolving Loan program.

Parent Fundraising

The charter forecasts an average of \$26,625 per year of parent fundraising regardless of whether the Ross Valley YES-For-Kids Foundation allows RVC to join or not. The District discredits this potential revenue based on an alleged lack of evidence. The evidence was available if the District had asked, which it did not. In the last 16 months, RVC has raised \$45,000 from parents interested in establishing the charter school, above and beyond what these parents also contributed to YES and to their current school. The modest \$26,625 per year projected average is equal to \$125 per student, which the Ross Valley Schools YES Round Table Agreement allows parents at a school to raise before "overages" go to YES. All elementary schools' parents annually raise many thousands of dollars more than this \$125 per student for each school, so it is reasonable that RVC school parents will also be able to raise at least this much for their school, and potential RVC parents have already demonstrated this over the last 16 months.

\$85,000 in 4 Year Loans

The District calls this cash "uncertain." These loans are not meant to serve as income, and are shown in the budget as income simply to demonstrate a start-up reserve that is 5% of 2016-17 expenses. RVC has banked \$60,000 of these loans, a year away from opening, and would be happy to provide any documentation requested. The District did not request any documentation of these loans. Although these loans do show in the budget as income, their repayment in year 3 shows as an expense. Year 3 reserves, after repayment of all loans, are \$469,117, or 25% of expenses.

b. Understated Expenses

The two large "underestimated" expense items that the District claims will result in "deficit spending and negative fund balances" are rent and special education. Both claims are false as is demonstrated in the next two paragraphs.

Rent -- Rental market assumptions in the petition are for school space, not retail/office/commercial space as claimed by the District. There have been four school space rental transactions in the last year within District boundaries: one with the District for Deer Park, one with the San Francisco Archdiocese for St. Rita's School, and two with the Girl Scouts for the Bothin and Arequipa sites. All of them have been for considerably less than \$1.10 per square foot per month, the amount conservatively budgeted by RVC. The District's lease for Deer Park, which has roughly the same amount of square feet that RVC would like to lease from District at Red Hill, was rented for \$92,700 annually, or about \$0.55 per square foot per month. RVC has budgeted \$185,328 for rent during the 2016-17 school year. The claim that rent is underestimated in the petition is patently false by the District's own leasing actions. And the District has available, currently unrented, space that RVC would like to rent.

Special Education --The District incorrectly claims that the petition should budget for the \$909 per RVC ADA for the special education prorated share cost the District could charge RVC for being a school of the District for special education purposes. Since RVC has 211 ADA in the first year, this number times \$909 calculates to \$191,799. But the Recommendation erroneously projects this to be \$236,000. This claim is false because the petition was written to allow RVC to be either a school of the authorizer for special education or to be its own LEA for special education purposes and join either the Sonoma Charter SELPA or the El Dorado Charter SELPA. It is clear now that RVC will not be a public school of the District. It is

the strong preference of RVC to be its own LEA for special education, and that is the way the budget was constructed by EdTec. This is clearly articulated in the budget narrative. In the RVC budget, federal and state special education revenue goes directly to RVC and special education expenses for a dedicated special education teacher and other contracted services are included at levels EdTec believes reasonable for special education, based on its experience with hundreds of charter schools, all of which is explained in the budget narrative in Appendix D. Special Education reserve levels are committed to in the narrative but do not show up as dedicated line items in the overall reserves, simply because the EdTec presentation software doesn't break them out. The District ignores the presence of these special education revenues and expenses in the RVC budget and erroneously claims RVC will have to operate as a school of the District for special education purposes. The District fails to present a significant and accurate fact to support its assertions.

The District also raises concerns about RVC's ability to inhabit Red Hill without "significant expenses of improvement costs." The District, over the last 30 years of renting Red Hill and Deer Park, has not made any significant deferred maintenance investments at either property; and yet Montessori School, Marilyn Izdebski Productions, Robin's Nest, and the Fairfax San Anselmo Children's Center ("FSACC") have all rented these facilities "as is," and made them work at their own expense. RVC is prepared to do the same with the 10 classrooms at Red Hill and to make improvements as RVC funds allow, just as all the other District tenants have. RVC has engaged the Town of San Anselmo to discuss the issues involved in RVC occupying this school. RVC recognizes that renting the Red Hill facilities means that RVC will have to forego having certain facilities and amenities that other District students enjoy, but that is very common with charter start up schools and RVC accepts this – along with all the other work required to start a charter school – as a reasonable cost to obtain the benefits that a charter school will provide for the educational experience of its students.

c. Curriculum Expenses

The District lists two pages of mostly training and curriculum expenses that it believes RVC is underestimating. The heart of charter school operation is innovation by necessity and building from the ground up, and the six petitioning teachers have considerable experience in doing that in their instructional development. They have been using many concepts from the Common Core State Standards for several years and have been developing lessons and materials around these standards, not by relying on District professional development or buying textbook curriculum, which is the District approach, but by mining the internet, where there are thousands of free Common Core lessons available, and by creating materials. These six teachers have not used District textbooks or textbook-based consumables for many years.

Summary of Financial Considerations

In summary, the District makes many claims trying to cast general doubt but offers no substantial facts that demonstrate why the RVC budget after 6 years would not have a total reserve of \$563,117 which represents 30% of year 6 total expenses, a reserve percentage almost triple what the District is projecting for itself.

The remaining items under this section "Fiscal Operations" do not have anything to do with finances. Nevertheless, responses follow.

3. Employee Qualifications

The Legislature does not require charter school administrators to be credentialed. A non-credentialed administrator can (as is the case of many charter schools) supervise credentialed teachers. As RVC is a very collaborative model, RVC anticipates that the entire teaching team will take an active role in leading the professional development plan; make hiring recommendations; evaluate student data; work in concert with the Special Education team to make recommendations; and implement testing. The School Director has many important roles in supporting the teaching team and the families, as outlined extensively in the petition. The six teachers who signed the charter petition, and who intend to work at RVC, each have between 14 and 37 years of teaching experience and will make up 2/3 of the initial classroom teachers of the school. They have been instrumental in developing the MAP program in past years, without specific support from any District administrator, and this experience will be invaluable in helping to create curriculum and structures for RVC. In addition, they can draw on the many strengths, curricular development, and skills they have developed and implemented in their years as MAP teachers. As MAP teachers, they were instrumental in determining the types of staff development they needed in order to successfully manage multi-age classrooms, differentiating instruction, developing unit lessons, and adopting programs like Lucy Calkins Reading and Writing Workshop, many years ahead of the District's recent adoption. RVC's petitioning teachers are strong leaders in supporting a variety of ways student work best, and in using multiple measures to assess their progress and needs. They have strong portfolio, rubric and performance-based assessment programs. RVC will be well and efficiently run with no need for a credentialed administrator.

4. Academically Low/High Achieving Students

Students who are low achieving will receive support from both their classroom teacher and the Intervention Teacher. Students who are high achieving will be given ample opportunity to extend and accelerate their learning. Meaningful differentiated instruction for both types of students is described on pages 75-80 in the petition. The petitioning teachers have a long history of providing strong differentiated instruction in the MAP program. In a successful multi-age program such as MAP, strong differentiation techniques are not only important but required. Classrooms must be set up to support a wide range of abilities, interests, and needs. These teachers have demonstrated their strengths in meeting students where they are, and encouraging their potential at every step along the way. It is their ability to do this so successfully that has made MAP such a desirable program for so many families in Ross Valley. Students are engaged, learning, and demonstrating their learning throughout their educational journey. It is obvious to anyone visiting these classrooms that the teachers are successfully differentiating instruction in a way that motivates the students, from the low achieving to the high achieving. The teachers look forward to sharing these lessons and skills with a new group of teachers in RVC. This will happen through staff development opportunities as well as classroom observation visits and shared curriculum models. In a small school of 9 classroom teachers, it is much easier to do lesson planning and coordination during the scheduled 2.5 hour weekly staff development meetings outlined in the petition. In the past, when there was changeover in staffing, the continuing MAP teachers successfully integrated new teachers, working with them to immediately begin incorporating the core tenants of the program into their classrooms. In recent years, two of the six MAP teachers have gone on maternity leave and the other teachers supported their long-term substitutes so they could continue to provide an engaging, differentiated curriculum. The petitioners will be able to continue and improve upon this inclusive model as an independent charter school especially with much less of their time taken up by district meetings and trainings that don't pertain to their teaching practices.

5. English Learners

Primary instruction for English learners (“EL”) will take place in the classroom. In addition, a credentialed English Language Development (“ELD”) teacher will work with groups of three to five English learners, four days per week for half an hour on skills that need additional reinforcement. With 14 projected EL students, there will be three or four groups, roughly six to eight hours per week of instructional time. RVC has projected a 10-hour per week ELD position, which will allow for small group instruction as well as planning time and consultation with classroom teachers.

RVC will determine which EL students will attend Spanish classes by assessing the needs of each student individually, including those who speak a language other than Spanish. If another small group instructional opportunity makes more sense than Spanish classes, the appropriate decision can be made to support the student’s educational goals in a different way. RVC places a high priority in serving all of its students, including those with English acquisition needs. RVC has committed to hiring a classroom teacher with Spanish fluency, will hire a Spanish teacher, and has committed to hiring a Family Outreach coordinator who would help to reach out to non-native English speaking families. Based upon the primary EL group in Ross Valley, RVC has focused on Spanish speaking families, but intends to be just as inclusive of families and students who speak other languages. There are many excellent online resources available to assist RVC in providing appropriate communications to families of other primary languages.

6. Anti-Discrimination Processes

RVC highly values a diverse population and has taken proactive steps to develop a relationship with the Fairfax-San Anselmo Children’s Center (FSACC) in order to connect with this primary supporter of the EL community. FSACC is a local non-profit Title 5 childcare, diverse preschool, and aftercare center. Seventeen percent of students whose parents signed the “meaningfully interested in enrolling” sheets contained in Appendix B came from the FSACC, which is entirely low income. In addition to these families, there are other non-FSACC students whose families are also eligible for Free and Reduced Price Lunch who have signed their meaningful interest in enrolling their children in 2016-17. See pages 155-156 of the petition for more details. The complaint referred to by the District does not apply to RVC and is regarding the District’s MAP program whose enrollment processes the District has always managed. In that alleged discrimination case final report, the MAP program was cleared of any discriminatory activity and the recommendations were primarily focused on District procedures.

It is often the case that low income populations will be underrepresented in programs of choice unless there is considerable outreach to low income, incoming kindergarten families, where the vast majority of new students come from, to enroll in an established program (especially in MAP, which has 97.5% year-over-year retention rate). Despite repeated requests by MAP for the District to do such outreach, the District has failed to do so and has attempted to discourage or prevent MAP teachers and parents from doing so. Freed of this constraint, RVC has already demonstrated its outreach capabilities and the preliminary results.

Once authorized, RVC will continue to do outreach to disadvantaged and underrepresented communities. As a charter school, RVC must and will accept all students who apply unless applications exceed available space, in which case a lottery must be held. And in its enrollment policies outlined in Appendix H, there is a lottery preference for English Learners and Free and Reduced Price Lunch-eligible in-District students.

C. District Finding: RVC Petition does not contain a reasonably comprehensive description of all required elements

The RVC petition is 200 pages, plus a 150-page appendix. It will always be possible for the District to want more detail, and RVC would have been happy to provide it as appropriate at this level of the process. But the appropriate place for more detail is through a process of sitting down and discussing and then possibly asking for documentation of additional understandings. This, unfortunately, did not happen, as neither District staff nor board members were ever willing to speak with the Petitioners (during either of its two charter submissions), despite repeated offers by petitioners to meet. What follows are responses to the “fails to provide a reasonably comprehensive description of all elements” findings.

Element 1—Educational Program

1. Transitional Kindergarten: The District’s finding blatantly misstates the facts. RVC will offer transitional kindergarten (“TK”). The charter petition includes the following statements: “[t]he Charter School's TK will be...” and “3 blended TK/K/1st classes of 24 students.” (Emphasis added.) The bell schedule in the charter includes TK. The budget includes TK. Despite the fact that charter schools are not legally required to offer TK, as described below, RVC is going to offer TK.

The District’s finding here also blatantly misstates the law. The notion that “Charter Schools are required to offer TK if the District provides Kindergarten classes” is entirely without basis in law. (Emphasis added.) The District’s assertion would have the absurd result of requiring a charter school serving grades 9-12 in a unified K-12 district to offer TK. Certainly the law does not require this.

Indeed, no law requires any charter school to offer TK. The District takes issue with the Charter School’s citation of the TK law in its charter petition, but it is unclear how or why the District could object to a legal citation. Education Code Section 48000(c), which RVC restates in its charter, states: “[a]s a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, and Chapter 3 (commencing with Section 47610) of Part 26.8, as applicable, a school district or charter school shall” (Emphasis added.) As the emphasized language makes plain, a charter school need only offer TK if it receives apportionment for TK. If RVC does not receive apportionment for TK students, then it does not have to offer TK.

This permissive posture is underscored by a recent letter from State Superintendent of Public Instruction Torlakson, dated July 17, 2015. This letter, explaining to county offices of education, school districts, and charter schools a change in the law in the area of TK, includes the following language: “the LEA or charter school that operates a TK program.” LEA’s that have elementary grades are required to operate a TK program but since charters are not, adding the reference “that operates a TK program” was necessary to make clear that this letter does not apply to charters that do not offer a TK program.

In any case, again, the petition clearly states that RVC will offer a TK program.

Accordingly, this finding is both factually and legally inaccurate, and therefore an impermissible basis for denial of the charter petition.

2. Commitment to Curriculum: Charter schools are given flexibility to choose and design curriculum, and it is an ongoing, evolving process. RVC is committed to teaching the Common Core State Standards ("CCSS"), and has noted in its petition that math and science curriculums aligned with CCSS are still being developed by publishers. By design, CCSS Curriculum is best developed by teachers from the ground up. RVC teachers will develop their continually evolving lesson plans, as they have as MAP teachers, from a wide variety of (mostly free) resources. Many schools and districts are re-examining their instructional resources as they implement CCSS. The petitioning teachers have a strong history of developing curriculum, and anticipate using this expertise as they plan the curriculum for RVC. They started using Lucy Calkins' Reading and Writing Workshop approach, which was adopted last year by the District as its only CCSS change, over ten years ago. They will use many of the units that they have previously developed, as well as modifying any that may need it, and developing new lessons as the program evolves and assessments indicate needs. In addition, they will share their curriculum and lesson plans with the newly hired teachers, much as they have while teaching in the MAP program.

3. Parent Participation: Parent volunteers will be welcomed at RVC, in accordance with California State Priority #3: Parental Involvement, including Subpriority A (Achieving/Maintaining Parental Involvement) and Subpriority B (Promoting Parent Participation). As the petition clearly states, parents will not be required to volunteer at RVC, and the goal of 40% of parents choosing to volunteer at some level during the school year is reasonable. Schools and classrooms, which welcome parents as vital partners in their student's education, are often more successful in garnering their support. When parents feel included, volunteering is much more satisfying. This support can come in many forms, and is not only during the school day. RVC will offer many opportunities for parents, who wish to contribute, to participate in any way that meets their needs. RVC teachers will place a high priority on parent inclusion and involvement, and this philosophy often leads to much higher participation rates. Parents who volunteer under the direct supervision of a credentialed teacher do not need to be credentialed or certified to teach. Parents can serve in many meaningful and student-beneficial ways under the direction of the classroom teacher. Based upon prior participation levels in the petitioning teacher's classrooms, the 40% goal is reasonable and achievable.

4. Vague Description: RVC's educational program is neither vague nor nebulous. It is based upon the expertise and experience of six highly effective teachers who have implemented educational strategies and classroom curriculum for many years in the Ross Valley School District and elsewhere. RVC has articulated a reasonably comprehensive program in the petition as is required by state law, and the teachers know how to carry out the educational program outlined. Charter law does not require the petition to have an exhaustive curriculum plan, but instead simply asks for a reasonably comprehensive description. The petitioning teachers have a demonstrated history of effectively teaching in the way outlined in the petition, and they will bring a depth of teaching skills to RVC that will allow them to also implement the additional programs planned by the new charter school. The wide range of student assessments RVC will use in each subject area are described in the petition on pages 130-132. RVC values multiple assessment measures, as well as offering students opportunities to demonstrate their knowledge in a variety of ways. RVC will participate in all state-required assessments.

5. Spanish Language: As mentioned above, each EL student will be evaluated individually to determine if he or she will participate in Spanish classes or another relevant program option, considering individual needs. This section of the Recommendation misreads the permissive "may not" language in the petition as if it said "can not" and were a prohibition. The language in the petition presents flexible options for students who may already be proficient Spanish speakers. Schools need to be able respond to students' abilities and offer options to students when they are already demonstrating proficiency. Because RVC is

a multiage program, there is a beneficial opportunity for students to be teachers of their peers as well as learners from their peers, depending on their particular skills in one area or another. In preparing RVC students to be 21st century citizens, RVC recognizes that sharing strengths with others is a contribution that is highly valued in the workplace. RVC encourages students to 'shine' and be leaders whenever appropriate. RVC will not prohibit students from participating in Spanish class but may offer options to them in lieu of taking Spanish. In addition, when students need additional support services and have pull-outs for these services, it is not discrimination.

6. Privacy: Parents who volunteer in the classroom will not have access to confidential pupil records. The petition does not suggest that parents would have access to confidential student records, but is outlining how parents can be valuable contributors in the classroom. The District seems to infer that peer review of Google Doc writing is somehow accessing private student records, a claim that is neither accurate nor substantiated.

7. Philosophy: RVC will use a progressive education approach. Reggio Emilia is one of many specific progressive education approaches, and as is mentioned, was an inspiration to the original founders of the District's Innovative Learning Community ("ILC"), which later was renamed MAP. The article in the Appendix is reflective of the view of learning that infuses the program. In addition, ILC/MAP was inspired by Ohlone School. RVC's petition mentions a progressive education throughout the document, giving examples of what this means and how the philosophy and approaches will be used in the classroom with dozens and dozens of examples. It is also included in the Mission Statement.

8. Special Education: RVC's Special Education section was intentionally written with flexibility, so the school could either be considered a school of the authorizer or its own LEA for Special Education purposes. Either option is allowable under Education Code Section 47641. The RVC budget is written to reflect RVC operating as its own LEA, which is the petitioners' preference. RVC plans to apply to become its own LEA as a member of a charter SELPA, and will apply this fall along the scheduling guidelines given by the charter SELPA(s) RVC applies to, which will either be the Sonoma Charter SELPA or El Dorado Charter SELPA.

There is nothing 'boilerplate' about Special Education services. A school or district must respond to the individual needs of the student and their IEP. The pre-referral intervention plan is outlined on Page 78 under the heading *Monitoring Progress*. Teacher observation, meetings with consulting team members, intervention strategies, monitoring progress, etc. are all well supported pre-referral intervention strategies. 'Exiting from Special Education' is in fact a very common term used extensively by the U.S. Department of Education to describe students who were served in special education at the beginning of a reporting period, and who had returned to regular/general education and had no IEP by the end of the reporting period. There are additional methods of 'exiting special education' (some of which are referred to in the petition) but for the purposes of refuting this District claim, only one example is needed. If one were to do a simple search of 'exiting special education' on the Internet, the first document to pull up might be *IDEA Exiting Special Education*, a technical guide by the U.S. Department of Education.

Pages 164-165 of the petition describes RVC's acknowledgement that students who are disabled or suspected to be disabled are subject to all federal and state laws when under consideration for suspension or expulsion. The District claim suggests a requirement for more detail than is required by law. It is more appropriate to list these details within school policies. A petition cannot possibly list all of the variations, such as the fact that a student who brings a weapon may be subject to alternative

placement for 45 days, with an IEP meeting by day 10, etc. This is a level of detail that would be expected in school policies but not in a charter petition. The petition acknowledges the understanding that there are different requirements for these students but does not need to include the full wording of the law in the petition.

9. Program Offering: RVC will provide free, public progressive education for 222 students each year in Ross Valley (after some start up enrollment anomalies outlined in the petition). It differs significantly from MAP in several ways. Spanish is just one of the differences. Authentic parent and teacher inclusion in decision-making is a critical difference in the proposed petition. MAP is now just another District program, with no choice legally required by either teachers or students to participate and the petitioning teachers want more autonomy than allowed by that model. Under the current MAP program, the District is legally free to assign any teacher or student into MAP, a change the District made in April of this year. RVC, as a new charter school, would have a much greater authority to make decisions that would benefit the program goals without having to get approval, or—in the case of recent actions—a flat refusal, to implement changes as needed or to benefit the program. The RVC Board will have a greater autonomy in choosing appropriate staff development, making budgetary decisions to support the school goals, adopting completely different materials from The District, etc.

Elements 2 & 3—Measurable Student Outcomes and Methods of Measurement

RVC assessments for each subject area are described on petition pages 130-132. Student outcome goals are based on these assessments, including state-required standardized tests.

RVC's measurable outcomes for EL students include: 90% progressing at least one English level on CELDT tests, 90% improving at least three levels in reading, and 95% showing growth in writing using checklists (page 106). The District may have missed this information when it was reviewing the petition.

The Toolbox Project lessons are for Social-Emotional learning. Emotional health is, indeed, a component of good health. One of the purposes of evaluating students with disabilities is to determine when accommodations need to be made for what is otherwise considered to be the 'standard program.' As is the case with all curriculum, if the Toolbox program were not the appropriate curriculum for a student with a disability, appropriate alternate plans would be made. In addition, on page 124, the petition states that health education will be provided to all students as a part of the PE curriculum.

RVC will schedule three parent/teacher conference periods and will have three progress reports each year. In addition, teachers will meet with parents any time during the school year regarding student progress if there are changes or concerns, or if the planned parent reporting is not sufficient to meet that family's needs. RVC values the opportunity to meet with and report to parents in person several times during the year, and believes that these three in-depth progress discussions with parents are more valuable than the District's 6 times a year much less comprehensive report cards.

RVC states on page 105 that "RVC students, including all subgroups, perform at comparable rates of proficiency in CAASPP testing as Ross Valley School District elementary students District-Wide" which shows the RVC commitment to perform at least at the same high achievement rates as the District.

RVC has set high expectations for RVC students during a time when many new assessments are being implemented statewide. The samples of the new state test results state, "because this is the first year that all California students in grades 3-8 and 11 are taking these new tests, overall scores may be used

as a basis from which to compare performance in future years.” RVC and many school districts will be using these baseline scores to help inform instructional achievement in these first years of testing.

Scale scores are likely to become a much more effective means of measuring an individual student’s progress. In addition, throughout a student’s educational years, there will be some times when a student may be at any one of these levels – novice, developing, proficient, advanced – depending on whether a topic has just been introduced; the student is beginning to develop knowledge; or has become proficient or advanced. It is unrealistic to believe that all students will have reached mastery or proficiency at the same time. Stating that 80% or more will reach mastery does not mean that the other 20% are being left behind, but rather recognizes that individual students are on their own continuum and may currently be at the developing stage and on their way to mastery in a subject.

It is clear that RVC does not have a ‘one-size fits all’ program. Throughout the petition, there is mention of differentiation and gearing RVC instruction to the individual child. Portfolios will be one of many tools used to measure student success. They are an excellent way to show student growth over time in many of the areas where RVC wants its students to develop.

Parent participation is an important goal of RVC’s program, but the quality of RVC teaching staff is the primary indicator as to how successful RVC will be. Education Code Section 47601 is clear that the intention of the law is to “[c]reate new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.”

RVC’s petition is very clear about indicators of a struggling student on page 76, and also indicates the plan of action for students who are academically low achieving. In addition, the many other assessments listed in Elements 2 and 3 will also be indicators.

The District questions the term “fully credentialed” in the petition and claims the petition doesn’t define this term. The petition ties this term directly to the language of the School Accountability Report Card (“SARC”). “Fully credentialed” is described quite clearly on these reports as it is one measure that is required to be reported annually by all school districts.

Element 4—Governance

California law does not prohibit teachers from serving on a charter school governing board; several states actually require a teacher to be on the charter governing board, and others highly encourage it. Charter schools were developed to encourage collaboration between parents and educators. RVC’s charter petition explicitly states its willingness for flexibility with respect to this collaborative model (page 139) if the authorizing agency prohibits a teacher from being a Board member.

School Site Councils (“SSC”), a traditional public school function which includes a team equally represented by staff and parents, make many decisions about schools, including funding, and are required by the state. As charter schools are not required to seat a SSC, RVC has chosen what it believes is an authentic model for stakeholder involvement, with its Leadership Council, discussed on pages 141-144 of the charter.

The Leadership Council is an advisory body to the governing board. As a result, its decisions are advisory and have no legal authority, so do not require adherence to a Conflict of Interest Code. The representation of teachers and their ‘conflict of interest’ exposure is no different from teachers who

serve on a SSC. While all teachers are considered members, they collectively only have 3 votes of the 8 total votes.

The petition clearly outlines the role of the Leadership Council, director and the governing board responsibilities. The type of governance outlined is directly related to the RVC goal to have authentic decision-making that includes the various members of the RVC community, and it serves to fulfill the LCAP Parent Involvement goal. RVC is not confused by the roles given to each of these governance structures, and the final authority lies with the governance board as outlined on pages 139-140. The petition states on page 141 that “the School Director has overall authority to ensure that the directives of the Board are carried out in the day-to-day operation of the charter school.”

Article VII, Section 22 of the RVC Bylaws states that “Directors may not receive compensation for their services as Board Members or officers.” RVC’s Board will have five to nine members. Page 136-137 of the charter explains the recent addition of three board members.

Element 5—Employee Qualifications

Charter school administrators are not required to hold credentials, as previously mentioned. It is the District’s *opinion* that the administrator qualifications are not adequate. Core teachers in California charter schools must hold appropriate credentials. RVC will prioritize hiring teachers with CLAD or BCLAD certification. RVC’s Special Education Teacher will be required to have Special Education certification and at least three years of experience as a Special Education teacher. The qualifications for the key positions—school director and teachers—are included in the charter. The petition sets out basic qualifications for all employees and then states that detailed qualifications for all additional positions will be developed by the School Director, Leadership Council, and governing board. Job descriptions are included in Appendix I, p 127.

Element 6—Health and Safety

Education Code Section 47605(b)(5)(F) only requires that the petition provides for procedures to ensure the health and safety of pupils and staff, which are on pages 152-154. It does not require detailed policies and handbooks at the time of submission, although the petition does commit to providing these to the authorizing agency 30 days prior to operation. Again, this is not a conversion charter as the District claims, but a new start-up charter.

Marin County schools commonly consult with and carry out the latest recommendations for health protocols as advised by the Marin County’s public health officer, Dr. Matt Willis. This does not mean that they are ill-prepared or that they don’t already have protocols; it just means that they are responding to the “latest” suggested protocols. If this is good enough for all of the other Marin County schools, it should also be acceptable for RVC.

Education Code Section 49024 states that school volunteers under the immediate and direct supervision of a credentialed employee of the charter are not required to be fingerprinted. The District does not require its parent volunteers to be fingerprinted for regular classroom volunteering or for field trip driving.

Element 7—Racial and Ethnic Balance

RVC has a detailed plan (pages 155-158) for achieving its racial and ethnic balance goal: to enroll EL and low-income students in numbers greater than the District’s averages. Using 2014-15 statistics, the District enrolled English Learners at a rate of 3.9%, and RVC has a target of 6% ELs. 9.9% of District

students are eligible to receive Free or Reduced Price Lunch and RVC has a target of 12% FRPL. Education Code Section 47605(b)(5)(G) does not require guaranteed enrollment of students of subgroups but asks that the petition outline the outreach plan, which the RVC petition does. It is impossible to guarantee enrollment, as a charter school must accept all students, and if enrollment exceeds space, then a lottery MUST be held. It is for this reason that RVC must use the words strive and attempt, not because RVC is not committed to doing the needed outreach to achieve this goal. In addition, RVC expects to attract diverse students from the Ross Valley area as well as from the neighboring community of San Rafael or elsewhere in Marin County.

Element 8– Admission Requirements

All of the first five categories of the admission preference list (existing students, employees' and founders' children, siblings, EL and FRPL students) will likely include many District students. It is only the final category that provides exclusively for students outside of the District.

The California Department of Education defines an English Learner as "a student who speaks a language other than English in their home." The CDE assists schools to meet the goal "to ensure that English Language learners achieve parity with native English speakers." Until RVC can assess and support a student for his or her proficiency at meeting "the same rigorous grade-level academic standards of all students," the primary indicator must be the language spoken in the home.

Element 10–Suspension and Expulsion Procedures

Our petition reflects the procedures under which a student may or must be suspended or expelled on pages 165-181. It is the RVC goal to support RVC students educationally while ensuring a safe environment for the entire RVC community. RVC is aware of the opinion of the Office of the Attorney General #97-903 from December 5, 1997 but considers it to be of a higher level of detail than would be included in a charter petition. Page 174 of the petition discusses the expulsion hearing, which includes step #5, the process for appealing an expulsion. In addition to the 17 pages regarding Suspension and Expulsion procedures in the petition, RVC policies and parent handbook will contain additional detailed information.

Element 14–Dispute Resolution

RVC has, in good faith, detailed a dispute process that attempts to resolve any dispute with minimal costs to either the authorizer or RVC, mindful of its legal requirement to provide a reasonably comprehensive description. RVC will meet with the authorizer to agree upon a process if the stated plan is not acceptable or detailed in a way that the authorizer agrees to, and will split mediation costs. RVC has budgeted for legal expenses.

Additional/Miscellaneous Provisions–Location

Contrary to the District's assertion, RVC did identify a location for the Charter School. The RVC charter petition clearly states that RVC will locate within the District's boundaries, and further suggests that it wishes to locate at the closed Red Hill School in San Anselmo, a request the District is in a position to grant. RVC met the legal requirement of Education Code Section 47605(g) by specifying that it intends to locate within the boundaries of the District, and suggesting the Red Hill site.

No law requires a charter school to identify a specific address in its charter petition. Indeed, the vast majority of startup charter schools cannot enter into a lease for a facility until they have secured an approved charter petition. The State Board of Education and the Advisory Commission on Charter

Schools have consistently approved, or recommended for approval, establishment charter petitions that do not include a specific address.

Accordingly, this finding is both factually and legally inaccurate, and therefore an impermissible basis for denial of the charter petition.

Conclusion

RVC petitioners carefully considered the District's November 2014 findings regarding RVC's first petition that was submitted in September 2014. In this new petition submitted in July 2015, RVC addressed all the District's findings by making many changes and improvements, resulting in the current petition. The District Superintendent acknowledged as much in his conversation with the Marin Independent Journal quoted at the beginning of this response. Several board members also acknowledged as much in the hearing and decision meeting. Unfortunately, the District (staff and board members) would not meet with petitioners to discuss any concerns the District might have had regarding the new petition, either before the new petition was submitted or after. We have provided the County with the two email strings which contain these RVC requests and the District responses. And the 32-page Recommendation was available to petitioners only when it was publically posted on line at 6 p.m. Friday August 14, two business days before the board meeting scheduled to make the decision. Nor were any of the concerns raised in the Recommendation raised with petitioners beforehand.

RVC strongly believes that the current petition on appeal to the County meets all statutory criteria for approval, and hereby requests that the County authorize the RVC charter petition. RVC will be an asset to public education offered in Marin County – a charter school in which the County would be able to take great pride. Unlike some charter petitions with little basis for confidence in their ultimate success, RVC is modelled after a thriving existing program with strong teachers in high demand, and a robust budget. It is difficult to imagine a charter school proposal with a *more* certain future of successful implementation. We hope the County will honor the statutory requirement of Education Code Section 47605(b) that "[t]he chartering authority shall be guided by the intent of the Legislature that charter schools are, and should become an integral part of the California educational system and that establishment of charter schools should be encouraged."

District Hearing Public Comment

At the August 4, 2015 District Public Hearing on the Charter 10 members from the public spoke in favor of the petition and one person spoke who was neutral. No one spoke against the petition.

District Decision Meeting Public Comment

At the August 18, 2015 District Board Meeting to vote on the petition, 14 members of the audience spoke in favor of the petition, no one spoke in opposition.

From: [Rick Bagley, Ed.D.](#)
To: [Jason Morrison](#)
Cc: [Chris Lyons](#); [Amy Stock](#); [Anne Capron](#); [Wesley Pratt](#); [Hadley Dettmer](#); [Annelise Bauer](#)
Subject: RE: Launch of New Charter Petition for RVCS: Two Great Schools in Fairfax
Date: Thursday, June 4, 2015 2:32:43 PM

Hello Jason and sorry I have not responded sooner. Thank you for the offer to review a preview draft of your new petition. Our preference however, would be to see the final version of the document whenever it is submitted to us, at which point we will let you know if we have any clarifying questions. Thanks again Jason.

Rick

From: Jason Morrison [mailto:jmorrison@pacinst.org]
Sent: Monday, June 01, 2015 6:41 AM
To: 'Rick Bagley, Ed.D.'
Cc: 'Chris Lyons'; 'Amy Stock'; 'Anne Capron'; 'Wesley Pratt'; 'Hadley Dettmer'; 'Annelise Bauer'
Subject: RE: Launch of New Charter Petition for RVCS: Two Great Schools in Fairfax

Dear Rick and Trustees:

As I mentioned on April 9th (see email chain below), the Ross Valley Charter School is planning to resubmit a new charter petition to RVSD by the middle of July.

As we offered in August, we would be happy to show you a draft in a couple of weeks and sit down with you to see what your concerns are and if we can address them before we officially submit the petition.

Please let me know.

Thank you,

Jason



MARIN COUNTY OFFICE OF EDUCATION

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SAN RAFAEL, CA 94913-4925
marincoe@marinschools.org

MARY JANE BURKE
MARIN COUNTY
SUPERINTENDENT OF SCHOOLS

(415) 472-4110
FAX (415) 491-6625

October 14, 2015

Karen Stapf Walters, Executive Director
California State Board of Education
1430 N Street, Suite 5111
Sacramento, CA 95814

Dear Ms. Walters:

On August 21, 2015 the Marin County Board of Education received an appeal of the charter school petition from Ross Valley Charter. On September 8, 2015 the Board conducted a public hearing as required by law. The Board's Charter School Ad Hoc Advisory Committee met on August 5, 2015, September 22, 29 and 30, 2015, October 1 and 5, 2015 to consider the petition and make recommendations to the Board.

The Board, its Charter School Ad Hoc Advisory Committee, the county superintendent of schools and her staff, devoted considerable time and effort in reviewing the petition. The cumulative work is embodied in the enclosed materials.

On October 13, 2015, the Marin County Board of Education took action to deny the appeal filed by the Ross Valley Charter School petitioners.

The factual findings in support of this decision are set forth in the enclosed Marin County Board of Education Resolution No.891 and supporting documents.

After you have had an opportunity to review this matter, please let me know if you need any further information.

Sincerely,

A handwritten signature in black ink that reads 'Mary Jane Burke'.

MARY JANE BURKE
Marin County Superintendent of Schools

Enclosures

cc: Tom Torlakson, California State Superintendent
of Public Instruction
Dr. Michael Kirst, State Board President
Cindy Chan, Director, Charter School Division,
California Department of Education
Dr. Rick Bagley, Superintendent, Ross Valley School District
Chris Lyons and Jason Morrison, Ross Valley Charter School

MARIN COUNTY BOARD OF EDUCATION
RESOLUTION NO. 891

ROSS VALLEY CHARTER SCHOOL APPEAL - OCTOBER 13, 2015

WHEREAS, Education Code section 47605(j)(1) provides that if a school district denies a charter school petition the petitioners may "submit the petition for the establishment of a charter school to the county board of education"; and

WHEREAS, on August 18, 2015 the Ross Valley School District denied the petition submitted by the Ross Valley Charter School (RVCS) Petitioners; and

WHEREAS, the RVCS Petitioners filed a timely appeal with the Marin County Board of Education (CBE); and

WHEREAS, at its regular meeting on April 21, 2015, and in anticipation of a possible appeal from the Petitioners, the CBE appointed a Charter School Ad Hoc Advisory Committee composed solely of members of the CBE constituting less than a quorum of the CBE; and

WHEREAS, on September 8, 2015 the CBE held a timely public hearing on the RVCS petition; and

WHEREAS, the Charter School Ad Hoc Advisory Committee met individually with the Petitioners, representatives of the Ross Valley School District, and staff of the Marin County Superintendent of Schools; and

WHEREAS, the Charter School Ad Hoc Advisory Committee, consistent with pertinent provisions of the Charter Schools Act of 1992, CBE policy, and the established Charter School Petition Review Matrix evaluated the petition submitted by the RVCS Petitioners; and

WHEREAS, on October 9, 2015 the Charter School Ad Hoc Advisory Committee submitted to the CBE, the Petitioners and the Ross Valley School District, a completed Matrix and supporting documents, along with a recommendation that the petition be denied based on the findings and for the reasons set forth in the recommendation, appendices and exhibits referenced therein; and

WHEREAS, at its regular meeting on October 13, 2015 the CBE considered the matter, heard from representatives of the Petitioners, the School District, and others; and

WHEREAS, the CBE has completed its review of this matter;

NOW, THEREFORE, BE IT RESOLVED that based on the specific facts set forth in the recommendation, appendices and exhibits referenced therein copies of which are attached to this Resolution and made a part hereof by this reference, the CBE finds as follows:

- (1) The Petitioners are demonstrably unlikely to successfully implement the program set forth on the petition;
- (2) The Petition does contain the number of signatures required by the Charter Schools Act of 1992;
- (3) The Petition does contain an affirmation of each of the conditions described in the Charter Schools Act of 1992;

(4) As set forth in the Matrix, the recommendation, appendices, and exhibits referenced therein, the Petition does not contain reasonably comprehensive demonstrations of the following:

A 2. Attendance Procedures

F. Health and Safety Procedures

Ability to successfully implement the program set forth in the petition, as required by Education Code section in the following areas:

Other Considerations:

- Financial and Organizational Accountability

Required Supplemental Information (Education Code Section 47605(g))

- Financial Plan

Qualifications to be met by individuals to be employed by the school (Education Code Section 47605 (b) (5) (E))

PASSED AND ADOPTED by the Marin County Board of Education at the regular meeting held on October 13, 2015 by the following vote:

AYES: Garbarino, Goldman, Hellman, Nemzer, Robinson, and Wilson

NOES: None

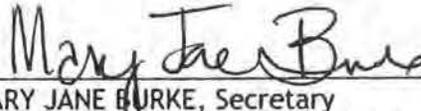
ABSENT: Warren

Date: October 13, 2015



CURTIS F. ROBINSON, M.D., President
Marin County Board of Education

Date: October 13, 2015



MARY JANE BURKE, Secretary
Marin County Board of Education and
Marin County Superintendent of Schools

Marin County Board of Education
Charter School Ad Hoc Committee
Recommendation

Marin County Board of Education

Charter Ad Hoc Committee Recommendation – Ross Valley Charter School Petition on Appeal

October 8, 2015

Ross Valley Charter Appeal

The Marin County Board of Education Charter Ad Hoc Committee (Committee) has completed its review of the Ross Valley Charter School Petition (Petition) on appeal. First and foremost, the Committee expresses thanks to the Marin County Office of Education (MCOE) staff, the Ross Valley Charter School Petitioners (Petitioners), and the Ross Valley School District (District). Since August, the Committee has met on six separate occasions, and a dozen MCOE staff have spent hundreds of hours reviewing and assessing the Petition. The Committee has met with all parties, and all parties have been forthcoming and responsive with requested information. All documents and information gathered in making the Committee's decision are provided with this report.

The Committee recognizes and appreciates the Petitioner's passion and commitment to the children of the Multi Age Program (MAP) at Manor School. Moreover, the Committee recognizes and appreciates the Petitioner's responsiveness and collaborative approach in working with the Marin County Office of Education staff and Committee. Key areas identified during the Committee's review, however, could not be addressed to the satisfaction of the Committee.

Committee Recommendation

The Committee recommends a denial of the Ross Valley Charter School Petition on appeal. The Petition did not demonstrate an appropriate level of staffing necessary to ensure the successful day-to-day financial operations of a charter school. The success of any school and classroom is dependent upon the behind-the-scenes infrastructure in place to support it. Moreover, the Petition did not satisfactorily demonstrate the manner in which administrative services of the school are to be provided, nor did the Petition fully demonstrate plausible and sustainable financial projections for the first three years of operation.

Marin County Office of Education as a Fiscal Oversight Agency

The Marin County Office of Education (MCOE) has a long history of high standards of fiscal stewardship for its nineteen school districts. Under its AB1200 roles and responsibilities, the MCOE conducts financial reviews of school district budgets four times each year. Moreover, three members of the business office staff have a combined 50 plus years of school district and charter school fiscal oversight and chief business official experience in California schools. It is from this experience, and the fiscal oversight standards of the MCOE, that the MCOE staff provided its analysis of the fiscal health of the Ross Valley Charter School Petition.

The Committee Process

The Committee directed the MCOE staff to conduct their review of the Petition by using the Marin County Board of Education Charter Review Matrix (Matrix). The completed Matrix can be found on (Appendix A). Once the staff completed their review, a series of questions were forwarded to the Petitioners.

Using the experience gleaned from the MCOE staff's school district finance, charter school finance, and fiscal oversight experience, staff then provided a series of financial modeling using alternative expenditure and revenue assumptions in order to assess the Petitioner's ability to successfully operate a charter school. These models can be found in Scenario A (Appendix B), Scenario B (Appendix C), and Scenario C (Appendix D).

Committee Meets with Petitioners

The Committee then met separately with the Petitioners and the RVSD. The Petitioners provided the Committee with requested information, first through responses to three series of questions (Appendix E); and second, following the September 29th meeting with the Committee (Appendix F). The Committee and the Petitioners also discussed the possibility and conditions of a conditional, operational approval (Appendix G).

Committee Meets with Ross Valley School District (RVSD)

Following the Committee's meeting with the RVSD on September 30th, and upon request from the Committee, the RVSD provided information on instructional materials per student; number of support staff provided districtwide and by school; and, the enrollment wait list for the Multi-Age Program at Manor School (Appendix H).

Committee Findings

The Committee then requested additional financial scenarios from staff that included adjustments identified as under budget. Scenario D includes these adjustments. Under Scenario D, (Appendix I and Exhibits), the Petitioner's charter school budget is not solvent and would not be able to successfully support and implement the educational program described in the Petition. The conclusion of the Committee therefore, is that even if granted a conditional, operational approval under the items described in Appendix G, the Ross Valley Charter School Petition does not demonstrate the ability to successfully implement the program as described in the Petition.

The Committee appreciates and recognizes the desire of both the Petitioners and the District in working towards the betterment of education for students. In moving forward, it is the desire of the Committee that all parties find a way of achieving this through cooperation and consideration.

Appendix A

MARIN COUNTY SCHOOL DISTRICT CHARTER SCHOOL PETITION/MOU REVIEW MATRIX

Ross Valley Charter School Petition Appeal

PART ONE: Initial Charter Petition to MCOE...E.C. 47605.5

Charter Petition Review on Appeal...E.C. 47605 (j)(1)

Annual Performance Audit

Charter Renewal

REQUIRED PETITION SIGNATURES IF CONVERSION OF EXISTING PUBLIC SCHOOL (Education Code 47605(a))			
• 50% of permanent status teachers of school to be converted, in the form required by law			N/A
REQUIRED PETITION SIGNATURES IF NOT CONVERSION OF EXISTING PUBLIC SCHOOL (Education Code 47605(a))			
• 50% of parents/guardians of the number of age appropriate students expected to enroll for 1st year of operation, in the form required by law	Yes		
Appendix B: Parent Support Signatures page 3-44 - Indicates that there at least 50% of parents/guardians of the number of age appropriate students expected to enroll for 1st year of operation, in the form required by law.	X		
OR			
• 50% of the number of appropriately credentialed teachers expected to be employed during 1st year of operation, in the form required by law.	Yes		
Appendix A: Teacher Approval Sign-Off page 2 - All current district MAP Program credentialed classroom teachers indicate that they are meaningfully interested in teaching at RVC.			
REQUIRED AFFIRMATIONS (Education Code 47605(d)(1))			
Statement that school will be non-sectarian in its programs, admission policies, employment practices, and all other operations, will not charge tuition, and will not discriminate against any pupil on the basis of ethnicity, national origin, gender or disability	Yes		
On page 9-10 of the petition under Assurances and Affirmations, it states that school will be non-sectarian in its programs, admission policies, employment practices, and all other operations, will not charge tuition, and will not discriminate against any pupil on the basis of ethnicity, national origin, gender or disability.	X		
REQUIRED ELEMENTS (Education Code 47605(A)-(P))/ADDITIONAL REQUIRED INFORMATION			
A. Educational Program	Yes	No	N/A
1. Targeted School Populations			

<p>Age, grade levels and number of students</p> <p>Targeted populations were identified with grade spans and number of students</p> <p>p. 21-22 – identified grade span, not “age”</p>	<p>X</p>		
<p>Describe students whom the charter will attempt to educate; describe how the charter will improve learning for the targeted population</p> <p>RVC petition noted in various sections the types of students they will be attempting to educate and descriptions of how RVC will improve learning for the targeted population.</p> <p>Appendix D – p. 53-54 p. 16, 19 & 25</p>	<p>X</p>		
<p>Clear and concise Mission Statement that defines the purposes and nature of the charter school</p> <p>The RVC petition provided a clear and concise Mission Statement that defined the purpose and nature and was further supported by their Educational Philosophy.</p> <p>p. 16 -18</p>	<p>X</p>		
<p>2. Attendance</p>	<p>Yes</p>		<p>N/A</p>
<p>Includes school year/day, academic calendar, number of school days and instructional minutes</p> <ul style="list-style-type: none"> Attendance portions of the application noted dates of attendance and a projected 2016-17 school calendar. It was noted that the Charter school intends to follow the existing Ross Valley School District master calendar as closely as possible. Instructional minutes were noted with the weekly bell schedule and showed TK minutes to be less than Kindergarten. The Education Code requires Transitional Kindergarten minutes to be equal to Kindergarten instructional minutes. (page 68-70, 71 Appendix G) <p>p. 68-70, 71 Appendix G</p> <ul style="list-style-type: none"> Petitioner Response: Satisfied; Charter Schools are not subject to this requirement 	<p>X</p>		

<p>Includes attendance expectations and requirements</p> <p>A general description of attendance was provided, but there was not detailed information about expectation and requirements with regular attendance, tardies, and independent study.</p> <p>p. 68, p. 115</p> <ul style="list-style-type: none">• Petitioner Response: Not Satisfied; response did not provide an adequate level of detail needed to satisfy an awareness of the importance of attendance procedures and accounting. This issue is connected to the amount and expertise of staffing included in the RVC's budget, even after considering the additional .80 FTE the RVC added in their October 1st email, as noted below: <p><i>From Jason Morrison:</i></p> <p>Office Manager</p> <p><i>After Tuesday's meeting, Chris, Conn, and I talked about your concern that our Office Manager's responsibilities are too great for one person. We talked with Bryce and Kate, and Bryce suggested that we add a lower-level classified position to perform the receptionist-type duties of interfacing with parents, answering the phone, helping children needing special attention, tracking truancy and absenteeism, and other administrative tasks.</i></p> <p><i>One way we could manage it is this: we currently have in our budget two \$15/hour classified positions working two hours each during lunch. We could likely extend one of these positions to add four hours in the morning (7:30 a.m.-1:30 p.m.), and extend the other position to add two hours in the afternoon (noon-4:00), so they total ten hours a day for 180 days. Together this equates to a .8 FTE in additional office support over the course of the school year for a total additional cost of around \$17,500.</i></p> <p><i>This is an amount our budget can absorb and will make the Office Manager position a more manageable job for one person.</i></p>		X	
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3. What it Means to be an Educated Person in the 21st Century	Yes	No	N/A
<p>Objective of enabling pupils to become self-motivated, competent, lifelong learners</p> <p>The application supported the framework for instructional design aligned with needs of target population focused on enabling pupils to become self-motivated, competent and lifelong learners.</p> <p>The petition described the approaches used to enable students to achieve objectives specified in the charter. Connections were made from these approaches to addressing the Common Core State Standards.</p> <p>p. 6, p. 19, & p. 21</p>	X		
<p>Clear list of general academic skills and qualities important for an educated person</p> <p>Petition outlines the RVC graduate profile which clearly delineates the academic skills and qualities important for an educated person.</p> <p>p. 19-20, p. 111</p>	X		
<p>Clear list of general non-academic skills and qualities important for an educated person</p> <p>Petition outlines the RVC graduate profile which clearly delineates the non-academic skills and qualities important for an educated person. The petition also outlined the components of the learning environment to support success of all students.</p> <p>p. 19-20, 25-41</p>	X		
4. Description of How Learning Best Occurs	Yes	No	N/A
<p>Framework for instructional design aligned with needs of target population and based upon successful practice and research</p> <p>This description for how learning best occurs identified a clear framework for instructional design aligned with the needs of the population. The RVC included ample description of their total program across many pages of the application.</p> <p>p. 16-19 and supported by 25-41 & 45-63</p>	X		

<p>Description of instructional approaches and strategies including curriculum, teaching methods, materials and technology</p> <p>Descriptions of instructional approaches were noted as well as the use of teaching methods, curriculum, materials and technology.</p> <p>p. 25-41, 64-68</p>	<p>X</p>		
<p>Description of basic learning environment (e.g., site-based, independent study, etc.)</p> <p>The description of the basic learning environment was noted as being cursory and limited but present.</p> <p>p. 25-27</p>	<p>X</p>		
<p>Discussion of how chosen instructional approach will enable students to achieve objectives specified in the charter and master academic content standards in core curriculum areas</p> <p>Throughout the application descriptions were provided as to how the chosen instructional approach will enable students to achieve objectives specified in the charter.</p> <p>p. 17-18, 25-41</p>	<p>X</p>		
<p>Proposed program strongly aligned to school's mission.</p> <p>The proposed program outlined throughout the petition is aligned to the identified mission of the program proposed by RVC.</p> <p>p.16-21, 25-41</p>	<p>X</p>		
<p>Proposal includes, at a minimum, full curriculum for one course or grade level; Proposal also provides that a full curriculum will be submitted prior to the opening of school</p> <p>Full curriculum was noted for all grade levels in the area of Science with the intent to provide a full curriculum submitted before the opening of school.</p> <p>p. 55-58 Science</p>	<p>X</p>		

<p>Describes how charter school will identify and respond to needs of students not achieving at or above expected levels</p> <p>The RVC petition noted how they will identify and respond to the needs of students not achieving at or above expected levels, although the levels that this would include were not completely articulated.</p> <p>p. 36-37, 74-78</p> <ul style="list-style-type: none"> Satisfied; written response, dated September 28th, provided a comprehensive list of student achievement levels 	X		
<p>Describes how the charter school will identify and respond to needs of students who are academically high achieving</p> <p>There was language devoted to the identification of academically high achieving students as well as descriptions of additional supports that could be provided to augment the classroom learning.</p> <p>74-75, 78-80</p>	X		
<p>Describes how charter school will identify and respond to needs of English Learners</p> <p>Ample evidence existed for the method RVC will use to identify and respond to the needs of EL Learners. This was also noted in the RVC Admission Requirements and Racial and Ethnic balance sections as they pertain to assurance regarding non-discriminatory procedures.</p> <p>p. 24, p. 80-87</p>	X		
<p>Describes how charter school will identify and respond to needs of students with disabilities</p> <p>The charter petition dedicated an entire section to address the needs of students with disabilities through identification and responding to needs of Special Educations students.</p> <p>(See Special Education section starting on page 13 of this matrix) p. 87-98</p>	X		
5. Additional Requirements for Charter Schools Serving High School Students	Yes	No	N/A
<p>How Charter School will inform parents about the transferability of courses to other public high schools</p>			X
<p>How Charter School will inform parents about the eligibility of courses to meet college entrance requirements</p>			X

Comments:

B. Measurable Student Outcomes and Other Uses of Data	Yes	No	N/A
<p>Describes clearly measurable outcomes to be used by charter school, e.g., attainment of skills, knowledge and attitudes listed in goals in school educational program</p> <p>Clear measurable outcomes to be used by the RVC were listed in the application. RVC included both a portion that includes how their work will align with the 8 State Priorities and how that work will be supported by measureable data to address student needs and outcomes.</p> <p>p. 111-114, 120-124</p>	X		
<p>How pupil outcomes will address state content and performance standards in core academics</p> <p>Exit outcomes were noted in the RVC Graduate Profile as well as in their additional goals section. It was noted that these descriptions are broadly stated and do not clearly articulate actual grade equivalent or standard score data in content and performance standards.</p> <p>p. 111-114, 120-125</p> <ul style="list-style-type: none"> Satisfied; written response, dated September 28th, provided a comprehensive list of grade level performance standards. 	X		
<p>Clearly stated exit outcomes including acquisition of academic and non-academic skills</p> <p>Exit outcomes can be found in the RVC Graduate Profile as well as in their additional goals section. This profile provides a broadly stated description of acquisition of academic and non-academic skills.</p> <p>p. 19-20, 125</p>	X		

<p>Affirmation that "benchmark" skills and specific classroom-level skills will be developed</p> <p>The petition had a lack of specific benchmark skills and specific classroom level skills that will be developed.</p> <p>p. 125, 128-129 (not specific enough)</p> <ul style="list-style-type: none"> Satisfied; written response, dated September 28th, provided additional classroom level skills 	X		
<p>Affirmation/description: exit outcomes will align to mission, curriculum and assessments</p> <p>Description of exit outcomes that align with the mission were reiterated throughout the application. Descriptions of types of assessments and broad curriculum accompanied the exit outcomes.</p> <p>p. 19-20, 99-100, 125</p>	X		
<p>Affirmation that college-bound students wishing to attend California colleges or universities will have the opportunity to take courses that meet the "A-G" requirements</p>			X
<p>Lists school-wide student performance goals students will achieve over a given period of time: Projected attendance levels, dropout percentage, graduation rate goals, etc.</p> <p>RVC application included reference to student performance goals on a year to year basis, as well as projected attendance and absenteeism levels. No reference to dropout and/or graduation rates were noted and may not be germane to this elementary application. The goals for these are written for annual review.</p> <p>p.115-116</p>	X		
<p>Acknowledges that exit outcomes and performance goals may need to be modified over time</p> <p>The petition suggests that there will be adjustments to exit outcomes and performance goals as needed.</p> <p>p. 100</p>	X		
<p>If high school, graduation requirements defined and WASC accreditation addressed</p>			X

Comments:			
C. The Method by Which Pupil Progress in Meeting the Pupil Outcomes Will be Measured	Yes	No	N/A
<p>At least one assessment method or tool listed for each of the exit outcomes</p> <p>Pupil progress was noted as having evidence for at least one assessment method for exit outcomes. p. 111-114, 130-132</p>	X		
<p>Assessments include multiple, valid and reliable measures using traditional/alternative tools</p> <p>These assessments included multiple, valid and reliable measures using standardized, state mandated assessments as well as those tied to curriculum which are described as formative in nature. p. 130-132</p>	X		
<p>Assessment tools include all required state and federal assessments (Including STAR, API, AYP, CAHSEE, CELDT and physical performance test)</p> <p>Assessment tools identified included all required state and federal assessments. p. 111-114</p>	X		
<p>Chosen assessments are appropriate for standards and skills they seek to measure</p> <p>The assessment tools RVC identified are “appropriate” for the standards and skills they intend to measure. Skills and standards identified to measure align with RVC exit outcomes and curriculum. p. 111-114, 130-132</p>	X		
<p>Description of how assessments align to mission, exit outcomes, and curriculum</p> <p>The assessments lacked specificity and direct alignment with stated mission, although the reader could imply the connections using the descriptions across the curriculum portion of the application. p. 128-132 – concern with specificity and lack of direct alignment stated with mission</p> <ul style="list-style-type: none"> Satisfied; written response, dated September 28th, provided additional information that aligned with stated mission. 	X		

<p>Describes minimal required performance level necessary to attain each standard</p> <p>There was no identified required performance level necessary to attain each standard noted in the application.</p>	X		
<p>Outlines plan for collecting, analyzing/utilizing and reporting student/school performance data to school staff, parents/guardians and MCOE</p> <p>The RVC petition outlines the manner in which they will use and report data gathered to monitor student performance. The data gathered will be reported to school staff, parents/guardians and appropriate authorities as required by state reporting determinations.</p> <p>p. 132-135</p>	X		
<p>Comments</p>			

D. Governance Structure of School Including, But Not Limited to, Parental Involvement	Yes	No	N/A
Describes what role parents have in the governance and operation of the school	X		
Describes key features of governing structure (usually a board of directors) such as:	X		
• Compliance with Brown Act, Public Records Act and Conflict of Interest Policy	X		
• Size/composition of board, board committees and/or advisory councils	X		
• Board's scope of authority/responsibility along with role of school administration	X		
• Method for selecting initial board members along with Board election/appointment and replacement procedure	X		
• Describes how Board will be developed in terms of supplementing necessary skills and providing training in effective board practices	X		
Includes proposed bylaws, basic policies for Board functions, as well as those necessary for opening and operating a school, and/or similar documents	X		
Initial governing board members identified by name or the process to be used to select them	X		
Clear description of the legal organization of the charter school including evidence of non profit public benefit status, if applicable	X		
Outlines other important legal or operational relationships between school and granting agency in accordance with the general contents of an MOU or Operating Agreement	X		

Describes structure for providing business/administrative services including personnel, accounting, payroll, etc.	X		
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Comments:

Element 4 of the proposed petition shows strong compliance with the Charter Schools Act, CBE policy, and good practices, except as noted below:

*The CBE policy provides that the petition should "specify that the charter school will be subject to the Brown Act, the Public Records Act, as well as the Conflict of Interest provisions which also apply to members of a Board of Education."(see Part One of Policy 2301(A)(3))

* Although the petition (see Appendix E) does demonstrate a commitment to comply with the Brown Act it does not contain any commitment to comply with the Public Records Act. The failure to contain such a commitment supports a finding that the petition should be denied based on reasons 2 and 4 of the 5 bases for denying a petition as set forth in Part One of BP 2301(C).

- Satisfied; the Petitioners directed the reviewers to the Assurances on page 11 of the Petition, which included an assurance the Charter School will comply with the Public Records Act.

*With respect to conflict of interests the petition shows a good understanding of and compliance with the "Political Reform Act of 1974" but it does not contain a commitment to comply with Government Code sections 1090 et seq, which do constitute conflict of interest provisions applicable to a Board of Education. The petition does contain a commitment that if the "chartering authority" strongly believes that Government Code section 1090 ought to apply---the Charter School is willing to revise its governance structure-----."

Based on this commitment it appears that the proposed By-Laws could be revised or provisions could be included in the MOU to show compliance with this provision of CBE policy. In this regard it may well be that a commitment to comply with all of the provisions of GC 1090 et seq, with the exception of allowing an employee to serve on the governing board of the charter school, may substantially comply with CBE policy.

* In addition to the issues noted above Element 4 of the proposed petition also contains a few areas of some concern, which probably could be addressed by further discussions with the petitioners.

1. By way of example, the second paragraph on page 136 of the petition provides, in part, that "The RVC will operate autonomously from its authorizer, with the exception of the supervisory oversight required by statute----." This is too restrictive. The chartering authority has discretionary as well as mandated levels of oversight and this discretion needs to be recognized.

2. In addition, and although it would not constitute a basis for denial of the petition, page 144 of the petition provides that "Any decision of the Council can be appealed to the Board by anyone." For practical reasons this should be narrowed to require that a challenge has to be made by a party with an interest in the decision. Otherwise, the reference to "anyone" might actually be invoked by "anyone."

- Satisfied; the Petitioners demonstrated a willingness to address issues such as these through an MOU.

E. Qualifications to be Met by Individuals to be Employed by The School	Yes	No	N/A
Describes qualifications to be met by those to be employed by school, including standards to be used in hiring teachers, administrators and other school staff	X		
Includes general qualifications for various categories of employees and desired professional backgrounds, depth of experience and other qualities to be sought in their selection	X		
Specifies key positions in each category, along with additional qualifications expected of individuals to be selected for these positions	X		
Defines core academic teachers & affirms they will hold appropriate Commission on Teacher Credentialing certificate, permit or other equivalent document; provides specific credentials to be required along with discussion of how this will satisfy requirements for “highly qualified teachers” under the No Child Left Behind Act	X		
Identifies teaching positions which are not considered core academic, along with required qualifications	X		

DRAFT

Comments:

The charter petition defines the general qualifications of potential employees, including characteristics and pre-employment requirements, and identifies a screening process.

The petition outlines the qualifications and experience required or preferred of various positions, identifies core academic subjects (English language arts, mathematics, science and social studies), affirms the credentialing requirements for core, intervention and ELD teachers, and mandates that teachers be highly qualified (HQT).

Specific job descriptions are identified in Appendix I (p127).

Other Observations:

- The charter does not mention proof of immunization from Measles as staff requirement. Recommend review of a measles policy.
- The charter references completion of a Department of Justice (DOJ) fingerprinting background check. Recommend that the statement be restated so as not to exclude FBI checks. Wording could read: "All prospective employees are required to successfully complete a fingerprinting background check through the DOJ and FBI as appropriate."
- There is no discussion of classified personnel in the classroom (i.e. classroom aide). If used, they should similarly identify the need to highly qualified status.
- In review of the job descriptions, we note the following:
 - Classroom Teacher (appendix page 128)- under minimum qualifications, the job description currently reads: "Possession of a valid California Elementary School Teaching Credential (or out-of-state equivalent)". An out of state credential would not meet the credentialing standards set forth on page 150. Recommend that the job description be updated to remove reference to the out-of-state equivalent or identify an out-of-state credential in the process of being converted by California Commission on Teacher Credentialing (CTC).

<ul style="list-style-type: none"> ▪ the development of sensory- and perceptual motor skills, language, cognition, and memory.” To clarify the role of a special education teacher, we recommend that it read “...sensory- and perceptual- motor skills as they relate to common core standards (as they relate to a suspected area of need they should be assessed by an Occupational Therapists), ...” ▪ The Special Education Teacher minimum qualifications: <ul style="list-style-type: none"> • Lists “Special Education certification”, which is inconsistent with verbiage specific to California. We recommend it read “Special Education credential, including any necessary added authorizations, authorizing instruction for the disabilities served”. • Lists “at least 3 years of experience as a Special Education Teacher”; recommend listing this as “preferred” to avoid limiting options. ○ English Language Development Teacher (appendix page 130-131): <ul style="list-style-type: none"> ▪ The English Language Development Teacher minimum qualifications: <ul style="list-style-type: none"> • Lists “ELD certification”, which is inconsistent with verbiage specific to California. We recommend it read “Credential authorizing instruction to English Language Learners”. • Lists “at least 3 years of experience”; recommend listing this as “preferred” to avoid limiting options. ○ Spanish Teacher (appendix page 132-133): <ul style="list-style-type: none"> ▪ The Spanish Teacher minimum qualifications: <ul style="list-style-type: none"> • Lists “Must have preliminary credential in Spanish”, painting the requirements into a very narrow window of preliminary credential status. Should consider stating “must have at least a preliminary credential in Spanish” or “a credential authorizing instruction in Spanish” (e.g. a multiple subject credential with BCLAD authorization or single subject Spanish). ○ Physical Education Teacher (appendix page 133): <ul style="list-style-type: none"> ▪ Consider listing “credential authorizing instruction of Physical Education is highly preferred”. ○ Counselor (appendix page 134): <ul style="list-style-type: none"> ▪ Under minimum qualifications, consider listing “Pupil Personnel Services credential preferred”. ○ School Director (section E/Element 5, page 149; appendix pages 135-137) <ul style="list-style-type: none"> ▪ Consider listing “Administrative credential preferred”. 			
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F. Health and Safety Procedures	Yes	No	N/A
Affirms that each employee will furnish the school with a criminal record summary, as well as proof of freedom from tuberculosis	X		
Outlines specific health and safety practices addressing such key areas as:			
• Seismic safety (structural integrity and earthquake preparedness)		X	
• Natural disasters and emergencies	X		
• Immunizations, health screenings, administration of medications	X		
• Zero tolerance for use of drugs and tobacco	X		
• Staff training on emergency and first aid response	X		
References accompanied by a detailed set of health and safety related policies/procedures or the date by which they will be adopted and submitted to the MCOE	X		

DRAFT

Comments:

Petitioners recognize twelve pertinent sections of California Education Code addressing compliance with Governing Law regarding procedures that the school will follow to ensure the health and safety of pupils and staff. It is noted that a full draft of health and safety procedures will be provided at least 30 days prior to operation.

The petition provides a reasonably comprehensive description addressing requirements that each school employee will furnish the school with criminal record summaries and submission of fingerprints to the California Department of Justice, with a description of how the process and compliance will be monitored at the school, and includes fingerprint screening requirements for volunteers outside of the direct supervision of credentialed employees.

Tuberculosis testing is addressed with reference to appropriate Education Code, without any description outlining specific practices (such as providing for background checks).

The petition does not contain reasonably comprehensive descriptions outlining specific health and safety practices and procedures (California Education Code 47605(b)(5)(F)) in key areas noted above - earthquake preparedness; natural disasters and emergencies; immunizations / screenings / administration of medications; zero tolerance for use of drugs, alcohol and tobacco; and staff training on emergency and first aid response.

- Satisfied; written response, dated September 28th, included assurances that the Petitioners were aware of the need to develop policies once approved.

The petition does not address Seismic safety (structural integrity) as the petition does not specify where the school intends to locate.

- Not satisfied; until the RVC secures a facility this remains an outstanding issue

Element 6 – Health and Safety, Pages 152-154

G. Means to Achieve a Racial and Ethnic Balance	Yes	No	N/A
Lists specific practices/policies designed to attract a diverse applicant pool/enrollment:	X		
Practices and policies appear likely to achieve targeted racial and ethnic balance	X		

<p>Comments: p. 9 – Assurances and Affirmations (evidence): lists all federal, state and local laws that apply to Charter; (bullet 3) – admission policies; no tuition policies; admission based (bullet 5); Non-discrimination (bullet 6); adherence to federal law for students with disabilities (bullet 7). p. 23-24 – Broad Statement; Chart of demographics; intent to attract students from subgroups; Hiring ELD teacher and outreach coordinator; (support) p. 39 – Selection of curriculum that reflects diverse perspectives p. 80-82 – Adherence to federal laws for EL learners; professional development for teachers in the area of cultural proficiency and ELD practices. p. 85 – Outreach coordinator (support) p. 155 – Element 7: Racial and Ethnic Balance – striving to enroll. Major motivation to have control over outreach to have more diverse school community (support) p. 156 – Translate materials; online media (support)</p>			
H. Admissions Requirements	Yes	No	N/A
<p>Mandatory assurances regarding non-discriminatory admission procedures</p> <p>The RVC provided documentation in Element 8 – Admissions Requirement that reflected a clear outline of requirements for non-discriminatory admissions.</p> <p>p. 9 Assurances & Affirmations, p. 159, and Appendix H p. 2 of 8</p>	X		
<p>Admission preferences which are required for conversion charter schools, if applicable</p> <p>This is not a conversion Charter.</p> <p>p. 9 not a conversion Charter</p>	Not a conversion		X
<p>Clearly describes admissions requirements, including any admission preferences</p> <p>The admissions requirements clearly describe the admission process and per education code 47605(d)(2)(B) outlined admission preferences in the case of a lottery.</p> <p>p. 159-161, Appendix H p.1</p>	X		
<p>Proposed admissions and enrollment process and timeline, as well as procedures for public random drawings, if necessary</p> <p>The RVC petition also included language outlining a process for Public Random Drawing in accordance with Ed Code 47605(d)(2)(B)</p> <p>p. 159-161 and Appendix H p. 3-7</p>	X		

<p>Comments: p. 9 – Assurances and Affirmations – indicates that this is not a “conversion of a private school to the status of a public charter” p. 21-23 – Students to Serve and Target Population (support) p. 155 – Element 7: Racial and Ethnic Balance – striving to enroll. Major motivation to have control over outreach to have more diverse school community (support) p. 159 – Element 8: Admissions Requirement – (evidence). Clear outline of requirements that does not include assessment; establishes minimum and maximum age for public school; shall not be determined by the place of residence; includes list of 1-6 steps. Timeline included on p. 161; described as broad but will be more detailed as dates become clearer. p. 160 – Public Random Drawing: Includes process in accordance with Ed Code 47605(d)(2)(B).</p>			
	Yes	No	N/A
<p>I. Financial Audit</p>			
<p>Describes manner in which annual, independent financial audit will be completed by December 15 following the close of each fiscal year</p> <p>Element 9 – Independent Financial Audit (page 163, paragraph 4 of the petition) describes manner in which annual, independent financial audit will be completed by December 15 following the close of each fiscal year.</p>	X		
<p>Describe who will be responsible for contracting and overseeing the independent audit</p> <p>Element 9 – Independent Financial Audit (page 163, paragraph 3 of the petition) states:</p> <ul style="list-style-type: none"> • “The charter school will select an independent auditor through a request proposal process. • “The governing board will contract for the audit” • “The School Director and designees will provide support to the Auditor.” 	X		
<p>Specifies that the auditor will have experience in education finance</p> <p>Element 9 – Independent Financial Audit (page 163, paragraph 3 of the petition) states:</p> <ul style="list-style-type: none"> • “The auditor will have, at a minimum, a CPA and educational experience and will be approved by the State Controller.” 	X		

<p>Describes the scope of the audit including a review of average daily attendance</p> <p>Element 9 – Independent Financial Audit (page 163 of the petition) describes the scope of the audit but not a daily review of average daily attendance</p> <ul style="list-style-type: none">• The petition states compliance with California Code Regulations governing audits of charter schools.• Satisfied; while the Petitioners cited the audit guide and satisfies 47605(b)(5)(l), the response did not include an awareness for the monitoring (audit) procedures necessary for accurate attendance accounting. On a separate note, the level and expertise of office staffing does not demonstrate adequate staffing to monitor attendance. While the Petitioners submitted a response that demonstrated a recognition for additional staff, the hourly rate appears to be too low for the level of skill and expertise necessary to perform or monitor these duties.• This issue is connected to the amount and expertise of staffing included in the RVC's budget, even after considering the additional .80 FTE the RVC added in their October 1st email, as noted below: <p><i>From Jason Morrison:</i></p> <p>Office Manager</p> <p><i>After Tuesday's meeting, Chris, Conn, and I talked about your concern that our Office Manager's responsibilities are too great for one person. We talked with Bryce and Kate, and Bryce suggested that we add a lower-level classified position to perform the receptionist-type duties of interfacing with parents, answering the phone, helping children needing special attention, tracking truancy and absenteeism, and other administrative tasks.</i></p> <p><i>One way we could manage it is this: we currently have in our budget two \$15/hour classified positions working two hours each during lunch. We could likely extend one of these positions to add four hours in the morning (7:30 a.m.-1:30 p.m.), and extend the other position to add two hours in the afternoon (noon-4:00), so they total ten hours a day for 180 days. Together this equates to a .8 FTE in additional office support over the course of the school year for a total additional cost of around \$17,500.</i></p> <p><i>This is an amount our budget can absorb and will make the Office Manager position a more</i></p>	<p>X</p>		
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<p>Provides scope and timing of audit, as well as required distribution of completed audit to the Marin County Office of Education, State Controller's Office and California Department of Education</p> <p>Element 9 – Independent Financial Audit (page 163, paragraph 3 and 4 of the petition) states:</p> <ul style="list-style-type: none"> • “The governing board will receive the audit report” • “The audit will be forwarded to the District, the County Superintendent of Schools, the State Controller, and to the California Department of Education.” 	X		
<p>Process and timeline for resolving audit exceptions and deficiencies to the satisfaction of the Marin County Office of Education</p> <p>Element 9 – Independent Financial Audit (page 163, paragraph 4 of the petition) states:</p> <ul style="list-style-type: none"> • “The School Director, along with the audit committee, if any, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the authorizer describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the authorizer along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (EAAP) in accordance with applicable law.” 	X		
Comments:			
J. Pupil Suspension and Expulsion	Yes	No	N/A
<p>Detailed, step-by-step process by which student may be suspended or expelled</p> <p>A detailed step-by-step process was outlined by which a student may be suspended or expelled.</p>	X		
<p>Reference to a comprehensive set of student disciplinary policies</p> <p>The RVC petition outlined a comprehensive set of student disciplinary policies aligned with education code 470605 (b) (5) (J). See pages 164, and p. 165-173</p>	X		
<p>Outlines or describes strong understanding of relevant laws protecting constitutional rights of students, generally, and of disabled and other protected classes of students, in particular.</p> <p>The RVC petition outlined on pages 164-165 their understanding of relevant laws protecting the rights of all students including disabled and other protected classes of students.</p>	X		

<p>Policies balance students' rights to due process with responsibility to maintain a safe learning environment</p> <p>The policy developed by RVC provided an outline of due process rights for all students to ensure a safe learning environment. The petition offers opportunities for a conference, notice to parents/guardians and outlines the authority of expulsion for students with disabilities. See pages 173-178, and p. 180.</p>	<p>X</p>		
<p>Explains how policies and procedures regarding suspension and expulsion will be periodically reviewed and modified</p> <p>On page 163 of the charter petition the RVC committed to administering an annual review of policy and procedures to the suspension and expulsions policies adopted by the petitioners.</p>	<p>X</p>		
<p>Explains how the MCOE may be involved in disciplinary matters</p> <p>The RVC petition stated that no pupil had the right to appeal and determined that the Charter School Board's decision of disciplinary section is final.</p> <p>There is no reference to MCOE being involved in disciplinary matters.</p> <p>For charter schools there is no right to appeal to the CBE or otherwise unless the charter so specifies. Conclusion: this is OK as to legal form as written.</p> <p>Page 178</p>	<p>X</p>		
<p>Comments:</p>			
<p>K. Staff Retirement System</p>	<p>Yes</p>	<p>No</p>	<p>N/A</p>
<p>Describes manner by which staff members will be covered by STRS, PERS and/or federal social security; or how the charter school will create a system to address employees' retirement funding</p>	<p>X</p>		
<p>Specifies specific positions to be covered by each system and staff designated to ensure that arrangements for coverage are made</p>	<p>X</p>		

Comments:

- The Charter Petition describes the manner in which staff members will be covered by a retirement system. Certificated staff members will be covered by STRS; non-certificated staff will be covered by federal social security. The petition designates the School Director to ensure that arrangements for retirement coverage have been made.

Other Observations:

- The petition indicated that the Charter School will forward all contributions to the STRS fund, however, the Marin County Office of Education is responsible for submitting all CalSTRS contributions on behalf of all school districts and participating charter schools in Marin County. The Charter will need to coordinate STRS reporting and contributions with MCOE.
- Satisfied; written response dated September 28th, stated an intention to coordinate with the COE.
- CalPERS has recently issued a circular letter and school questionnaire for Charters wishing to participate in PERS that clarifies recent uncertainty regarding charter school participation in governmental retirement plans including PERS.

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L. Attendance Alternatives	Yes	No	N/A
<p>States that students may attend other schools or pursue an inter-district transfer in accordance with existing district or county enrollment and transfer policies and/or description of other attendance alternatives</p> <p>Petition states students may attend other schools and/or pursue inter-district transfers in accordance with the district or county enrollment policy.</p>	X		
<p>Provides that parents/guardians will be informed that students have no right to admission in a particular school in any district as a consequence of enrollment in the charter school</p> <p>Petition provides description that students have no right to admissions in a particular school in any district as a result of enrollment in the Charter School.</p>	X		

<p>Comments: Element 12, Public School Attendance alternatives, page 183 fulfills the requirements as outlined in the Education Code section 47605 (b)(5)(L)</p>			
<p>M. Description of Employee Rights</p>	Yes	No	N/A
<p>States that collective bargaining contracts of MCOE will be controlling as to whether and how charter school staff may carry over Sick/vacation leave if allowed to resume former employment within MCOE, if applicable</p>			X
<p>States that collective bargaining contracts of MCOE will be controlling as to whether and how charter school staff may continue to earn service credit (tenure) with MCOE while at charter school, if applicable</p>			X
<p>Comments: The charter petition identifies the charter school as the employer, but does not identify collectively bargaining agreements as controlling employment factors. The charter petition limits the transfer of sick leave to 6 weeks for the six (6) current RVSD employees.</p>			
<p>N. Dispute Resolution Process</p>	Yes	No	N/A
<p>Outlines a simple process for the charter school and the Marin County Office of Education to settle disputes relating to the provisions of the charter</p>	X		
<p>Outlines process by charter school will resolve internal complaints and disputes</p>	X		
<p>Comments: The charter petition outlines the process for resolution of a dispute with the “authorizer”, starting with identification of the issue in a dispute statement, meet and confer within five business days, hold a meeting with two Board Members from respective boards and the Superintendent and School Director within 15 days, mutually select a mediator, hold mediation within 60 days with costs shared equally (pages 185-186). The charter does not outline a process by which the charter school will resolve internal complaints and disputes, but does reference that the Board will develop policies on internal dispute resolution (page 186). Ed Code section 47605 (b)(5)(N) requires a charter school to describe "procedures to be followed by a charter school and the entity granting the charter to resolve disputes" relating to the charter. On this basis the charter is not required to have an internal dispute resolution process.</p>			
<p>O. Labor Relations</p>	Yes	No	N/A
<p>States whether charter or MCOE will be employer for EERA purposes</p>	X		
<p>If Marin County Office of Education is to be the employer, includes provisions clarifying charter's role in collective bargaining process</p>			X

<p>Comments: The charter petition identifies that Ross Valley Charter shall be the exclusive public school employer (page 9).</p>			
P. Closure of Charter School	Yes	No	N/A
Outlines a detailed description of the process to be used if the charter school closes	X		
Process includes a final audit of the charter school, specific plans for disposition of all net assets and liabilities, as well as for the maintenance and transfer of pupil records	X		
<p>Comments: Element 16 – Closure Procedures Public, Pages 188-190 describes in detail the requirements as outlined in Education Code 47605(b)(5)(L).</p>			
OTHER CONSIDERATIONS			
Likelihood that the Petitioners Will be Able to Successfully Implement the Program of the Proposed Charter	Yes	No	N/A
<p>The Petition includes a thorough description of the education, work experience, credentials, degrees and certifications of the individuals comprising, or proposed to comprise, the directors, administrators and managers of the proposed charter school.</p> <p>The petition identifies the credentials and work experience of teachers but does not include a thorough description of administrators and managers.</p> <ul style="list-style-type: none"> Not satisfied; this is primarily because the CFO is a volunteer position. The CFO or Business Manager position is critical to the day-to-day operations of the charter school. 		X	

<p>The Petition includes a list of consultants whom the charter school has engaged, or proposes to engage, for the purpose of developing, operating and evaluating the charter school, together with a thorough description of the qualifications of such consultants.</p> <p>The petition lists consultants and their experience and credentials who contributed to the development of the charter but the petition does not indicate whether they will be performing services for the charter once it is operational. The petition includes budgeted expenditures for consultants but does not identify who these consultants are. If we credit these expenditures for special education consultants, there is not enough budgeted to cover business services consultants. The petition identifies, and the Petitioners confirmed, EdTech software will be utilized but they did not identify additional business services consultant(s). The CFO is a volunteer position with no business services support other than through vendor-provided financial software. Due to the level of identified office and management staffing, business services consultants is insufficient.</p>		X	
<p>Does the information provided in the proposal confirm that the school will have the services of individuals who have the necessary background in curriculum, instruction, assessment, finance, facilities, business management, organization, governance and administration?</p> <p>The petition describes individuals with curriculum, instruction and assessment but does not provide a list of individuals with finance, facilities or business management.</p>		X	
<p>Comments: The above questions await responses from questions.</p>			
<p>Geographic and Site Limitations</p>	Yes	No	N/A
<p>Does the Petition propose to operate a single charter school within the county, or in the case of a charter proposal initially denied by a local governing board, within the geographic jurisdiction of the school district to which the charter was originally submitted?</p>	X		
<p>If not, does the Petition demonstrate any basis for an exception permitted by law? In this case, does the Petition provide for the notification steps required by law?</p>			X
<p>Does the Petition identify the precise location where the school will operate?</p> <ul style="list-style-type: none"> • No secured facilities 		X	
<p>Does the Petition include a description of the facilities in which the charter school will operate?</p>	X		
<p>Does the facility comply with applicable building standards?</p>			X
<p>Comments: California Education Code 47605(g) requires that the description of the facilities to be used by the charter school "shall specify where the school intends to locate". While petitioners</p>			

describe an intent to rent facilities within the District's boundaries, and provide a description of the size and type of space they are seeking, with examples of school district and private rental facilities that may be available with budgeted annual costs, they do not specify where the school intends to locate. Petitioners state that they will explore both private and public school facilities (page 196).			
Grade Level Limitations (For Petitions Being Reviewed on Appeal)	Yes	No	N/A
In the event an Initial Charter Petition proposes to serve one or more grade levels not served by the district which initially denied the Petition, does it propose to serve all of the grade levels which are served by the district?	X		
EFFECTIVE DATE	Yes	No	N/A
Does the Petition demonstrate that the charter school will commence operation by September 30 of its first year of operation? The petition includes an effective date of July 1, 2016 – June 30, 2021 contingent upon approval by the authorizing agency for the term of the Charter on page 13 of the petition. Additionally, a proposed sample school calendar is included in Appendix G page 110 of the petition indicating a start date of August 25, 2016.	X		
FINANCIAL & ORGANIZATIONAL ACCOUNTABILITY	Yes	No	N/A
A detailed review of the annual budget development, implementation and review process including the process by which the charter school leadership and governance team will monitor and report regarding the continuing financial solvency of the school. Comments: <ul style="list-style-type: none"> The petition describes the requirement and timelines for completion and distribution of all necessary fiscal reports such as the annual budget (page 191). The petition does not describe <i>a detailed review</i> of the annual budget development, implementation and review process including the process by which the charter school leadership and governance team will monitor and report regarding the continuing financial solvency of the school. Not satisfied; the response did not include a detailed review of the annual budget development. The petitioners repeatedly state that EdTec financial software will perform the financial reporting. The response does not provide information about how data will be inputted, monitored and verified within the financial software. 		X	
Detailed description of the manner, format and content by which the charter school will regularly report its current and projected financial viability	X		

<p>Comments:</p> <ul style="list-style-type: none"> The petition does not describe <i>in detail</i> the manner, format and content by which the charter school will regularly report its current and projected financial viability. Satisfied; The petitioners satisfied the process of how leadership and the governance team will monitor and report on the continuing financial solvency of the school 			
<p>Detailed description of the organization, scope and preparation of the following financial documents and reports:</p> <ol style="list-style-type: none"> A preliminary budget on or before July 1 each year. An interim financial report, reflecting changes through October 31, on or before December 15 each year. A second interim financial report, reflecting changes through January 31, on or before March 15 each year. A final unaudited, financial report for the full prior year on or before September 15 each year. <p>Comments:</p> <ul style="list-style-type: none"> The petition notes compliance of all required fiscal reports and submission of those reports to the authorizing agency and other applicable agencies (Ed Code 47604.33). The petitions does not provide <u>a detailed description</u> of the organization, scope and preparation of the financial documents and reports. Not satisfied; as stated above, the petitioners repeatedly state that EdTec financial software will perform the financial reporting. The response does not provide information about how data will be inputted, monitored and verified within the financial software. <p>In the section “Element 4 – Governance” the petition speaks to who will participate in budget development and oversight (pages 136-148):</p> <ul style="list-style-type: none"> RVC Board fiscal responsibilities page 140: 1. Act as a fiscal agent; 2. Contract with external auditor; 3. Approve and monitor annual budget and fiscal and performance audits; 4. Participate in training events pertinent to budget and finance. Leadership Council fiscal responsibilities page 143: 1. Along with School Director, allocate financial resources within budget categories that are delegated by the Board. 2. Make budget recommendations to the Board. 		X	

<ul style="list-style-type: none"> School Director fiscal responsibilities page 145: Manage charter school revenues and expenses to stay within approved budget. 			
<p>Description of the process by which the school will comply with all reports required for charter schools by law; includes copy of each required report to MCOE</p> <p>Comment:</p> <ul style="list-style-type: none"> The petition describes the timelines and types of fiscal reports required for submission to the authorizer, County Superintendent, and State, but not always describe the process <i>in detail</i> (page 191). Not satisfied; as stated above, the petitioners repeatedly state that EdTec financial software will perform the financial reporting. The response does not provide information about how data will be inputted, monitored and verified within the financial software. 		X	
<p>Comments:</p>			
REQUIRED SUPPLEMENTAL INFORMATION (Education Code 47605(g))			
Financial Plan	Yes	No	N/A
<p>First year operational budget</p>			
<p>• Start-up costs</p> <p>Comment:</p> <ul style="list-style-type: none"> A description of the start-up costs is in Appendix D, page 58 and budgeted in the petition's Multi Year Budget. 	X		

<p>• Cash flow for first three years</p> <p>Comments:</p> <p>Start Up in 2015-2016</p> <ul style="list-style-type: none"> In the 2015-2016 startup budget, positive cash flow is reliant on RVC to successfully fundraise \$220,000 and obtain an unsecured loan of \$85,000. Subsequent documents submitted to MCOE indicate a total of \$60,000 in unsecured loans have been received as of August 31, 2015. RVC intends to apply for the PCSGP Planning and Implementation Grant. This is a one-time grant to plan and implement new charter schools. It serves California's public charter schools by providing startup and initial operating capital. The anticipated receipt of these funds has not been included in the budget or cash flow projections. The cash flow reflects \$30,500 to be received each month September 2015 through June 2016 for the anticipated local donations. Expenses are projected to commence December 2015 in the amount of \$30,969 and each month thereafter in equal amounts through June 2016. The petition does not provide any backup documentation to show that donations from parents and local foundations have been solidified. <p>Cash Flow 2016-2017 through 2020-2021</p> <ul style="list-style-type: none"> In the subsequent years of the cash flow protection provided in the petition, the monthly projection of revenue receipts are in line with State and Federal funding disbursements. The petition assumes receipt of a Charter School Finance Authority School Revolving Loan Fund at the beginning of the 2016-2017 in the amount of \$250,000. There is conflicting information regarding the repayment of this loan. In Appendix D page 59, the petition assumes the CSFA Revolving Loan in July 2016 with a four year payback schedule of \$62,500 each year (total payback of \$250,000). The cash flow spreadsheet on pages 69-72 of Appendix D reflects repayment of this loan of \$49,998 each year for four years (total payback of \$199,992). It appears that the cash flow projection may assume a five year payback schedule. Satisfied; Petitioners stated they recognize a fifth year of repayment is needed. In Appendix D page 59, the petition states: "in the unlikely case that the Charter School does not receive the Revolving Loan, the Charter School could sell receivables to finance operations". Borrowing against receivables is a relatively common practice within the charter community. However, interest rates for these loans are very high and can be as much as 20%. The petition also states not anticipating the need to borrow funds from the County Superintendent of Schools of the County Board of Education per Ed Code Section 47603. <p>Appendix D pages 59 and 68-72</p>	<p>X</p>		
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	Yes	No	N/A
<ul style="list-style-type: none"> • Financial projections for first three years 	X		
<p>Planning Assumptions</p> <ul style="list-style-type: none"> • Number/types of students <p>Comments:</p> <ul style="list-style-type: none"> • The petition states that the current district MAP program has 133 students enrolled. • The petition states that on average there are 100 students on the waiting list for the district MAP Program. But in the RVC presentation to the Marin County Board of Trustees on September 9, 2015, it was stated in the power point presentation that there on average there are 50-85 students on the waiting list for the district MAP program, although the presenter stated 100. • The petitioners obtained 222 signatures of parents who are meaningfully interested in enrolling their children in RVC. This is not an indication of actual enrollment. • The petition assumes that enrollment each year remains constant with 36 students enrolling in Kindergarten each year. • Enrollment may be overstated for budget and planning purposes. • A difference of enrollment affecting the Average Daily Attendance (ADA) affects local, State, and Federal funding that RVC would receive. Most notably LCFF funding, which would be the largest source of funding for RVC (approximately \$7,400 per ADA). • Satisfied; Petitioners have demonstrated the likelihood of projected enrollment 	X		
<ul style="list-style-type: none"> • Number of staff <p>Comments:</p> <ul style="list-style-type: none"> • The RVC petition assumes the following staff: <ul style="list-style-type: none"> ▪ 9.0 FTE Classroom Teachers ▪ 1.0 FTE Special Education Teacher ▪ Part-time ELD Teacher, RTI Specialist, and Spanish Language Teacher ▪ 1.0 FTE School Director ▪ 1.05 FTE Office Manager ▪ Part-time PE Instructor, counselor, Family Support Coordinator, Lunch Supervisors ▪ No expense for Music or Art instruction budgeted • Total staffing for school office and business functions is understated. • Starting salary of \$51,808 for the Office Manager position not competitive. 		X	

<p>• Facilities needs</p> <p>Comments:</p> <ul style="list-style-type: none">In the petition, facility needs stated appear adequate although much will be determined once the facility is secured. <p>Pages 196 in the petition, Appendix D pages 58 and in the Multi Year Budget page 67</p> <ul style="list-style-type: none">Not satisfied; many unknowns associated with where the Charter School will reside. Conversations with the district indicate an inability to lease Red Hill or other non-field act supported facilities. The district has taken the position that they will only provide field act facilities.		X	
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DRAFT

<p>• Costs of all major items are identified and within reasonable market ranges</p> <p>Comments: Costs of all major items are identified but there are questions as to the reasonability of the market ranges:</p> <ul style="list-style-type: none"> • Office staffing FTE may be understated due to the extensive work load required for front office services, human resources, business services, student records management, parent, student, and public interaction, etc. • Not satisfied; this issue is connected to the amount and expertise of staffing included in the RVC's budget, even after considering the additional .80 FTE the RVC added in their October 1st email, as noted below: <p><i>From Jason Morrison:</i></p> <p>Office Manager</p> <p><i>After Tuesday's meeting, Chris, Conn, and I talked about your concern that our Office Manager's responsibilities are too great for one person. We talked with Bryce and Kate, and Bryce suggested that we add a lower-level classified position to perform the receptionist-type duties of interfacing with parents, answering the phone, helping children needing special attention, tracking truancy and absenteeism, and other administrative tasks.</i></p> <p><i>One way we could manage it is this: we currently have in our budget two \$15/hour classified positions working two hours each during lunch. We could likely extend one of these positions to add four hours in the morning (7:30 a.m.-1:30 p.m.), and extend the other position to add two hours in the afternoon (noon-4:00), so they total ten hours a day for 180 days. Together this equates to a .8 FTE in additional office support over the course of the school year for a total additional cost of around \$17,500.</i></p> <p><i>This is an amount our budget can absorb and will make the Office Manager position a more manageable job for one person.</i></p> <ul style="list-style-type: none"> • The Office Manger starting salary not competitive. • Is \$100 per pupil budgeted for textbooks and instructional materials not adequate 		X	
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<ul style="list-style-type: none"> • Revenue assumptions in line with state and federal funding guidelines <p>Comments: State and Federal revenue assumptions are based on reasonable growth assumptions.</p>	X		
<ul style="list-style-type: none"> • Revenue from “soft” sources less than 10% of ongoing operational costs <p>Comments:</p> <ul style="list-style-type: none"> • Revenues in the startup year 2015-2016 are mostly “soft” sources - • Revenue from “soft” sources are approximately 4.5% of ongoing operational costs 2016-2017 through 2020-2021. • “Soft sources” referring to local donations assumed in the petition. • Satisfied; while startup dollars are budgeted (and credited) in year one, ongoing “soft” sources are less than 10% 	X		
<ul style="list-style-type: none"> • Timeline allows window for referenced grant applications to be submitted and funded 			
Start-Up Costs	Yes	No	N/A
<ul style="list-style-type: none"> • Clearly identifies all major start-up costs <p>Comment: The RVC petition clearly identifies all major start-up costs. Many assumptions for supplies, equipment, and services are calculated by using a per pupil allocation.</p>	X		
<p>Staffing</p> <p>Comment: In May and June of the startup year 2015-2016, RVC budgets expenses for the School Director and Office Manager (or contract services at the same cost may be utilized).</p>	X		
<p>Facilities</p> <p>Comment:</p> <ul style="list-style-type: none"> • The petition assumes that temporary office space will be needed in the startup year 2015-2016 and has budgeted \$5,000 for this expense. • \$9,000 has been budgeted for site preparation/ tenant improvement and \$25,000 has been budgeted for network wiring. 	X		

<p style="text-align: center;">Equipment and Supplies</p> <p>Comment:</p> <p>Supplies:</p> <ul style="list-style-type: none"> • The startup budget in 2015-2016 assumes \$100/student for the initial textbook and core curricula materials needs in 2016-2017. Absent the rationale for the \$100/student for these expenses appears to be low. • Not satisfied; based upon historical data from district for this program, instructional materials budget is too low. District data shows approximately 2.5 times higher. <p>Equipment:</p> <ul style="list-style-type: none"> • \$30,700 (\$3,070 per regular classroom including Special Education) has been budgeted for furniture, printers, video display projection equipment, file cabinets, wall boards, and shelves. Absent additional rationale for this expenses appears to be low. • \$32,500 has been budgeted for ten teacher laptops and 100 Chromebooks. Absent additional rationale for this expenses appears to be low. • Satisfied; based upon the nature of this program, this amount may be reasonable. 		X	
<p style="text-align: center;">Professional Services</p> <p>Comment:</p> <p>Operating Expenses for Start-Up Costs:</p> <ul style="list-style-type: none"> • \$59,738 has been budgeted in year 2015-2016 (which includes the \$5,000 budgeted for temporary office space noted above) in the following areas: Trainings for business services and student information system, technology, legal services for setting up governance, human resources, risk management, IT policies and procedures, student information system, software and licensing, and communications expenses. Budgeted amount appears to be sufficient. 	X		
<ul style="list-style-type: none"> • Assumptions in line with overall school design plan 	X		

<p>• Identifies potential funding source</p> <p>Comment:</p> <ul style="list-style-type: none"> • In 2015-2016, the startup budget assumes total local revenue of \$305,000 <ul style="list-style-type: none"> ▪ Parent donations in the amount of \$20,000 has been budgeted in the startup year 2015-2016. The petition assumes it will raise an average of \$125 per each year based on historical district fundraising efforts, but no verification has been provided that shows secured commitments for these donations. ▪ The petition assumes it will also raise an additional \$200,000 in the startup year 2015-2016 “from some combination of foundation fundraising and state start-up grant” (Appendix D, page 56). The petition references the fundraising efforts of the District’s Education Foundation YES, but does not provide any backup document that YES has made a commitment to assist in fundraising efforts for RVC. <p>The petition states also states in reference to the donations noted above: “The budget assumes that RVC can raise \$200,000 from local foundations” but gives no backup information as to which foundations and verified commitments from these entities to jointly raise startup funds for RVC.</p> <p>In addition, the petition indicates that RVC intends to apply for the Public Charter School Grant Program through the California Department of Education, but does not budget dollars specific to the grant. The petition does reference this grant when justifying the anticipated receipt of \$200,000 in local donation noted above.</p> <ul style="list-style-type: none"> ▪ Unsecured loans have been budgeted at \$85,000 in the startup year 2015-2016. Subsequent documents submitted to MCOE indicate a total of \$60,000 in unsecured loans have been received as of August 31, 2015. <p>Appendix D pages 56, Multi Year Budget 61-64</p> <ul style="list-style-type: none"> • Satisfied; while fundraising of \$200,000 not reasonable or verified, the RVC appears to be positioned well to receive the grant money through the Charter School Program, funded by the USDE. 	<p>X</p>		
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<ul style="list-style-type: none"> • Timeline allows for grant and fundraising <p>Comment: The petition assumes cash received from the budgeted local donations and unsecured loans will begin to flow into RVC beginning in September 2015. It anticipates receipt of \$30,500 each month beginning in September 2015 through June 2016. No additional information is provided that explains the rationale for this assumption. Not satisfied; assumes receipt of \$200,000 in fundraising.</p>		X	
Annual Operating Budget	Yes	No	N/A
<ul style="list-style-type: none"> • Annual revenues and expenditures clearly identified by source <p>Comment:</p> <ul style="list-style-type: none"> • The annual revenues and expenditures are clearly identified by source. 	X		
<ul style="list-style-type: none"> • Revenue assumptions closely related to applicable state and federal funding formulas <p>Comments:</p> <ul style="list-style-type: none"> • State and Federal revenue assumptions are based on reasonable growth assumptions. 	X		
<ul style="list-style-type: none"> • Expenditure assumptions reflect school design plan 	X		

<ul style="list-style-type: none"> • Expenditure assumptions reflect market costs <p>Comments: Costs of all major items are identified but there are questions as to the reasonability of the market ranges:</p> <ul style="list-style-type: none"> • Office staffing FTE may be understated due to the extensive work load required for front office services, human resources, business services, student records management, parent, student, and public communication, etc. • The Office Manger starting salary not competitive. • Is \$100 per pupil budgeted for textbooks and instructional materials adequate? • Not satisfied; based upon historical data from district for this program, instructional materials budget is too low. District data shows approximately 2.5 times higher for startup year, and 3 times higher for ongoing costs. • Startup costs for technology are projected for teacher and students in the startup year 2015-2016 and then beginning in 2017-2018, approximately \$2,300 per year is budgeted for technology purchases. Ongoing technology costs may be understated. • With the information provided in the petition, it was unclear if Special Education was adequately budgeted. <p>May not be satisfied; conditional on acceptance into a Charter SELPA</p> <ul style="list-style-type: none"> • With the information provided in the petition, it was unclear if Food Service was adequately budgeted. • Satisfied; Petitioners provided data that may support an adequate budget. 		X	
<ul style="list-style-type: none"> • “Soft” revenues not critical to solvency <p>Comments:</p> <ul style="list-style-type: none"> • In startup year 2015-2016, “soft” revenues are critical to solvency. The assumed expenditures are mostly reliant to local donations that the petition assumes to be received. • Satisfied; while fundraising is not verified, the RVC appears to be positioned to receive Charter School Program Startup funding from the USDE, and administered by the CDE. • In years 2016-2017 through 2020-2021, “soft” revenues not critical to solvency. 	X		

<ul style="list-style-type: none"> • Strong reserve or projected ending balance (the larger of 3% of expenditures or \$25,000) <p>Comment:</p> <ul style="list-style-type: none"> • Projected reserves are driven and dependent upon Petition's expenditure assumptions. MCOE has prepared an alternative scenarios and reserves are not adequate with these assumptions. 		X	
<ul style="list-style-type: none"> • If first year is not in balance, identifies solvency in future years and sources of capital sufficient to cover deficits until the school year when the budget is projected to balance <p>Comments:</p> <ul style="list-style-type: none"> • First year is not in balance with adjusted assumptions. Startup grant money is available but not to be used for ongoing operational costs. 		X	
<ul style="list-style-type: none"> • Expenditure for general liability, workers compensation & other types of insurance with evidence that petitioners have researched cost and availability: policies to name the MCOE as also insured and provide hold harmless agreement <p>Comment:</p> <ul style="list-style-type: none"> • Budget includes the above costs although no documentation was verified. 	X		
<ul style="list-style-type: none"> • Expenditure sufficient for reasonably expected legal services <p>Comments:</p> <ul style="list-style-type: none"> • Budgeted expenses for legal services 2016-2017 through 2020-2021 understated. • It is unclear if legal services for Special Education are included in the budget. 		X	
<ul style="list-style-type: none"> • Expenditure for Special Education excess costs consistent with current experience in the school district/county <p>Comments:</p> <ul style="list-style-type: none"> • A specific expenditure for Special Education excess costs consistent with current experience in the school district/county has not been clarified in the petition. • It may be that this item would be clarified through the MOU development process for Special Education. • May be satisfied; contingent upon acceptance in Charter SELPA 	X		
Cash Flow Analysis	Yes	No	N/A

<p>Comments:</p> <p>Cash Flow 2016-2017 through 2020-2021</p> <ul style="list-style-type: none"> In the subsequent years of the cash flow protection provided in the petition, the monthly projection of revenue receipts are in line with State and Federal funding disbursements. The petition assumes receipt of a Charter School Finance Authority School Revolving Loan Fund at the beginning of the 2016-2017 in the amount of \$250,000. There is conflicting information regarding the repayment of this loan. In Appendix D page 59, the petition assumes the CSFA Revolving Loan in July 2016 with a four year payback schedule totaling \$62,500 each year (total payback of \$250,000). The cash flow spreadsheet on pages 69-72 of Appendix D reflects repayment of this loan of only \$49,998 each year for four years (total payback of \$199,992). It appears that the cash flow projection may assume a five year payback schedule. Satisfied In Appendix D page 59, the petition states: "in the unlikely case that the Charter School does not receive the Revolving Loan, the Charter School could sell receivables to finance operations". Borrowing against receivables is a relatively common practice within the charter community. However, interest rates for these loans are very high and can be as much as 20%. The petition also states not anticipating the need to borrow funds from the County Superintendent of Schools of the County Board of Education per Ed Code Section 47603. Monthly projection of revenue receipts are in line with State and Federal funding 	X		
<p>• Expenditures projected by month and correspond with typical/reasonable schedules</p>	X		
<p>• Show positive fund balance each month and/or identify sources of working capital</p> <p>Comments:</p> <ul style="list-style-type: none"> The cash flow as presented in the RVC petition in Appendix D pages 68-72 shows positive fund balances each month. The fund balance using alternative scenarios developed by MCOE do not show positive fund balances. 		X	
<p>Long-term Plan</p>	Yes	No	N/A
<p>• Projects revenues and expenditures for at least two additional years</p> <p>Comment: A six year multiyear projection has been included in the petition.</p>	X		

<p>• Revenue assumptions based on reasonable potential growth in local, state and federal Revenues</p> <p>Comment:</p> <p>Local revenue assumptions in the startup year 2015-2016 are reliant on significant fundraising efforts by RVC.</p> <ul style="list-style-type: none"> • The petition assumes \$20,000 will be raised in parent donations. • The petition assumes an additional \$200,000 will be raised in other donations in the startup year 2015-2016 “from some combination of foundation fundraising and state start-up grant” (Appendix D, page 56). The petition refers to the fundraising efforts of the District’s Education Foundation YES, but does not provide verification that YES has made a commitment to assist in fundraising efforts for RVC. <p>In reference to the other donations stated above, the petition states “The budget assumes that RVC can raise \$200,000 from local foundations” but gives no backup information as to which foundations and verified commitments from these entities to jointly raise startup funds for RVC.</p> <p>Satisfied; while fundraising of \$200,000 not reasonable or verified, the RVC appears to be positioned well to receive the grant money through the Charter School Program, funded by the USDE.</p> <ul style="list-style-type: none"> • In years 2016-2017 through 2020-2021, the petition assumes it will raise an average of \$125 per each year based on historical district fundraising efforts. • State and Federal revenue assumptions are based on reasonable growth assumptions 	<p>X</p>		
<p>• Revenue assumptions based on reasonable student growth projections</p> <p>Comments:</p> <ul style="list-style-type: none"> • If the starting enrollment is 220 as assumed by the petitioners, revenue assumptions are reasonable. • If not, a difference of enrollment affecting the Average Daily Attendance (ADA) affects the local, State, and Federal funding that RVC would receive. Most notably LCFF funding, which would be the largest source of funding for RVC at approximately \$7,400 per ADA in 2016-2017. 	<p>X</p>		

<p>• Reasonable cost-of-living and inflation assumptions</p> <p>Comments:</p> <ul style="list-style-type: none"> • Some expenses are estimated to increase each year by 1-2%. The COLA increase projected by School Services of California 2015-2016 to 2020-2021 is 1.02-2.50%. • Other methods used to project expenses in the Multi Year Budget include per pupil rates, per square foot rate, per teacher rates, and payroll step increases. 	X		
<p>• Annual fund balances are positive or sources of supplemental working capital are</p> <p>Identified</p> <p>Comments:</p> <ul style="list-style-type: none"> • If the starting enrollment is 220 as assumed by the petitioners which drives the assumed revenue in the petition, annual fund balances are positive. • MCOE staff has prepared different scenarios to test the solvency under alternate expenditure projections. These scenarios do not show positive fund balances. 		X	
<p>If the charter school intends to enter a contract with an educational management organization (EMO), does the proposal include the following:</p>	Yes	No	N/A
<p>Description of the proposed contract including roles, responsibilities, payment structure, conditions for renewal/termination and investment disclosure?</p>			N/A
<p>Description of EMO's role in the financial management of the charter school and the internal controls which will guide this relationship?</p>			N/A
<p>List of other schools managed by EMO including contract information?</p>			N/A
<p>Summary of EMO history and philosophy, past results of school management efforts and background on its corporate leaders?</p>			N/A
<p>Comments:</p>			
<p>Impact Statement</p>	Yes	No	N/A

<p>Provides estimated numbers of students anticipated to enroll</p> <p>Comments:</p> <ul style="list-style-type: none"> The petition states that the current district MAP program has 133 students enrolled. The petition states that on average there are 100 students on the waiting list for the district MAP Program. In the RVC presentation to the Marin County Board of Trustees on September 8, 2015, it was stated that, on average, there are 50-85 students on the waiting list for the district MAP program. The petitioners obtained 222 signatures of parents who state they are meaningfully interested in enrolling their children in RVC. This is not enough of an indicator of actual enrollment. Satisfied; Petitioners have satisfied their anticipated enrollment The petition assumes that enrollment each year remains constant with 36 students enrolling in Kindergarten each year. 	X		
<p>Identifies whether charter will request to purchase support services from MCOE or District</p> <p>Comments: Language in the petition leaves flexibility to request to purchase support services from MCOE and/or the District (i.e. Special Education services, food services).</p>	X		
<p>Describes suggested processes and policies between charter and MCOE</p> <p>Includes:</p>			X
<p>• Process, activities and associated fees for oversight of charter</p> <p>Comments: The petition discusses the 1% fees associated for oversight of the charter and has budgeted accordingly in the Multi Year Budget.</p>	X		
<p>• Content, processes, timelines, and evaluation criteria for annual review and site visits</p>			
<p>• Regular, ongoing fiscal and programmatic performance monitoring and reporting</p>			
<p>• Content, process, timelines and evaluation criteria for charter renewal</p>	X		
<p>Proposed support service needs and suggested payments to MCOE or district for services</p>			

<p>• Clearly drafted contract/agreement or reference to MOU</p> <p>Comment:</p> <ul style="list-style-type: none"> • There does not appear to be a reference specific to an MOU. • The petition references potential coordination for food service, Special Education services, etc. with District and MCOE. <p>Satisfied; Petitioners have shown a willingness to work with MCOE's MOU.</p>	X		
<p>Identify whether a request will be made for use of MCOE or District-owned facilities</p> <p>Comments:</p> <ul style="list-style-type: none"> • Petition notes <i>potential</i> space at Red Hill School in the Ross Valley School District, but does not request the space specifically. Page 196. • The petitioners stated during the presentation given the Marin County Board of Education meeting held on September 9, 2015 that the Red Hill School is the preferred site. 	X		
<p>Reasonably detailed lease or occupation agreement for privately obtained facilities</p> <p>Comment:</p> <ul style="list-style-type: none"> • RVC has not yet secured facilities, therefore no detailed lease or occupation agreement is provided. • The petition describes examples of potential privately obtained facilities within the RVSD boundaries with assistance from a local commercial real estate firm. • The petitions describes the building space desired and has budgeted approximately \$185,000 (a rate of \$1.10 per square foot) each year 2016-2017 through 2020-2021 • It is unverified if the rate of \$1.10 per square foot is an adequate budget assumption to lease property with the boundaries of RVSD. • Not satisfied; District has provided \$1.85 per square foot as an amount they would charge for leased facilities, if they had field-act approved facilities. Independently researched commercial space yielded approximately \$1.76 per square foot. 		X	
<p>Proposed legal status of school is identified</p> <p>Comment: The petition seeks authorization to create a new charter school.</p>	X		

<p>Describes the manner in which administrative services of the charter school are to be provided</p> <p>Comment:</p> <ul style="list-style-type: none"> The School Director and Office Manager will provide administrative services. The RVC CFO to provide fiscal oversight and assistance. Business Service contracted services are budgeted, but no description is provided detailing those services. Payroll contracted services are budgeted, but the expenses assumed are understated. A clear delineation of duties for administrative services does not appear to be provided. Business services are not described beyond use of third party financial software. 		X	
<p>Identify whether school intends to manage risk independently or will seek to secure coverage through the Marin County Office of Education or other public agency</p> <p>Comments:</p> <ul style="list-style-type: none"> The petition describes on page 192 that RVC shall acquire necessary types of insurance coverage in detail (which ties to risk management). The petition does not state it intends to seek coverage through MCOE or other public agency. 	X		
<p>Addresses potential civil liability effects, if any, upon the school and the MCOE</p> <p>Comment:</p> <ul style="list-style-type: none"> The petition adequately addresses the potential civil liability effects, if any, upon the school and MCOE per Education Code section 47605(g) on page 197 of the petition. 	X		
<p>Comments:</p>			
<p>Special Education/SELPA (Marin County SELPA Charter School Policy)</p>	<p>Yes</p>	<p>No</p>	<p>N/A</p>

<p>Identifies whether the charter will be an independent LEA for special education purposes</p> <p>The petition indicated on page 87 that the RVC may initially be a public school of the authorizer, but may pursue becoming their own LEA for the purposes of special education. It appears as though the provision of special education identified in the petition is written under the understanding that RVC shall operate as a school under the authorizer. However, the budgetary information included in Appendix D is presented as though the RVC intends to operate as their own LEA for the purposes of special education. Therefore, it remains unclear as to how the RVC intends to operate regarding the provision of special education services. The information provided regarding the following five (5) questions assumes that the RVC intends to operate as their own LEA.</p> <p>p. 87 RVC may initially be a public school of the authorizer, but may pursue becoming their own.</p> <p>Therefore the next 5 questions may not be applicable</p> <p>Note: An email received from Conn Hickey on September 15, 2015, asked the following:</p> <p><i>When are going to have the special education discussion about how it might work if the County authorizes and we elect to be a school of the district, both in terms of cost and our ability to hire our own credentialed special ed teacher? Absences this conversation, our default position will be to become our own LEA for special ed purposes joining either the El Dorado or Sonoma Charter SELPAs. Do you even want to have this discussion?</i></p> <p><i>We replied:</i> <i>No, we are reviewing the petition as though you are an LEA for special education purposes through one of the Charter SELPAs.</i></p>	<p>X</p>		
<p>Has consulted with the Marin County SELPA Director</p> <p>The petitioner met with the Marin County SELPA Director on April 20, 2015 to discuss the charter petition and the provision of special education services.</p> <p>Met April 20 – email correspondence 4-27 responding to questions</p>	<p>X</p>		

<p>Discussed special education responsibilities of charter</p> <p>The petitioner met with the SELPA Director on April 20, 2015 to discuss the charter petition and the provision of special education services.</p> <p>Discussion at meeting on April 20</p>	<p>X</p>		
<p>Discussed application of SELPA policies</p> <p>The Marin County SELPA Director provided the petitioner with a copy of the Marin County SELPA Charter School Policy via electronic mail correspondence on April 27, 2015.</p> <p>April 27 forwarded SELPA policies – policies were not discussed, but provided</p>	<p>X</p>		
<p>Describes how special education services will be provided consistent with Marin SELPA Plan and/or policies and procedures</p> <p>The petition indicated on pages 87-98 how the special education support and services shall be provided within the charter. The petition does not provide specific details regarding the application of services; however, the information provided is consistent with Marin County SELPA policies. The petition provides assurances that identify all teachers will be appropriately credentialed; however, it does not provide the specific/expected credentialing/authorization of the one (1) special education provider. The lack of information regarding credentialing authorizations is discussed in greater detail in the Credentialing section of this analysis.</p> <p>p. 87-98 – specific information to model p. 96 – specific/expected credentialing/authorization of special education provider is not identified ref. p. 10 re: assurances that identify all teachers will be appropriately credentialed</p>	<p>X</p>		
<p>Includes fiscal allocation plan</p> <p>No specific fiscal allocation plan (FAP) is provided. The RVC is not a member of a SELPA therefore a FAP would be difficult to determine at this time. Page 55 of Appendix D provides budgetary information concerning special education. Fiscal matters related to special education are discussed in greater detail in the Budget section of this analysis.</p> <p>p. 87 Not necessary or known. Petition identifies that fiscal matters related to special education will be identified within the MOU between the authorizer and RVC or the SELPA's FAP See Appendix D p. 55 regarding fiscal impact if operating as an independent LEA</p>	<p>X</p>		

<p>If charter not an independent LEA:</p> <p>Again, it remains unclear as to how the RVC intends to operate regarding the provision of special education services. The information provided regarding the following seven (7) questions assumes that the RVC intends to operate as a school under the authorizer.</p> <p>p. 93 RVC shall provide a special education teacher – all other special education services shall be the responsibility of the authorizer</p>	X		
<p>Clarifies in charter or an MOU the responsibilities of each party for service delivery</p> <p>The petition states on page 93 that the RVC shall provide a special education teacher. All other special education services shall be the responsibility of the authorizer.</p> <p>p. 93 RVC shall provide a special education teacher – all other special education services shall be the responsibility of the authorizer</p>	X		
<p>Referral</p> <p>The petition states on pages 88-90 that the RVC will engage in a traditional Student Study Team (SST) process consistent with the “search and serve” requirements related to special education. All practices identified are consistent with CA Education Code and Marin County SELPA policies.</p> <p>p. 88-90 Traditional Student Study Team Process and procedures consistent with CA Education Code and SELPA policies</p>			X
<p>Assessment</p> <p>The petition indicates on pages 90-91 that special education assessments will be conducted in a manner consistent with CA education code and Marin County SELPA policies. The responsibility to conduct the assessment with qualified staff and hold the IEP meeting rests with the authorizer.</p> <p>p. 90-91 Consistent with CA education code and SELPA policies. Responsibility to conduct the assessment with qualified staff and hold the IEP meeting rests with the authorizer</p>			X

<p>Instruction</p> <p>The petition states on page 96 that the RVC shall comply with the federal mandate to serve students in special education in the least restrictive learning environment. The petition identifies an “inclusion program” where individualized tutoring shall be provided within the general education setting and general education and special education students work collaboratively to meet the individual learning needs of students with IEPs. The petition indicates that qualified personnel shall deliver the instruction outlined in each student’s IEP. All IEP services outside of the one (1) special education teacher shall be provided by the authorizer. All information regarding special education instruction in the petition is consistent with CA education code and Marin County SELPA policies.</p> <p>p. 96 IEP shall be implemented consistent with CA education code and SELPA policies.</p>			X
<p>Due Process</p> <p>The petition indicates on pages 95-96 that the responsibility to “defend” rests with the authorizer. Additionally, the authorizer shall provide counsel for all due process proceedings related to special education. All information related to due process is consistent with CA Education Code and Marin County SELPA policies.</p> <p>p. 95-96 Consistent with CA Education Code and SELPA policies. Responsibility to “defend” rests with the authorizer. Authorizer shall provide counsel for all due process proceedings Should RVC become their own LEA they request the right to hire and utilize their own counsel for matters related to special education due process</p>			X
<p>Agreements describing allocation of actual and excess costs</p> <p>The petition does not identify any agreements regarding the allocation of actual and excess costs concerning special education. Typically, these matters are addressed and delineated in the MOU between the charter school and the authorizer. At the time of this writing an MOU between the RVC and the authorizer does not exist.</p> <p>If LEA under authorizer to be determined in MOU. If independent LEA, information presented in Appendix D p. 55 – making the assumption that they will be operating independently</p> <p>May be Satisfied; provided acceptance into a Charter SELPA</p>	X		

<p>Charter fiscally responsible for fair share of any encroachment on general funds</p> <p>The petition does not identify excess costs related to the provision of special education beyond the 15% associated with Charter SELPA members. Again, these matters are typically addressed and delineated in the MOU between the charter school and the authorizer. At the time of this writing an MOU between the RVC and the authorizer does not exist.</p> <p>To be determined in the MOU – depends on how the Charter stands – note Appendix D p. 55</p> <p>May be Satisfied; provided acceptance into a Charter SELPA</p>	X		
<p>If charter is LEA within SELPA*</p> <p>*As it remains unclear as to how the RVC intends to operate regarding the provision of special education services, the information provided regarding the following nine (9) questions assumes that the RVC intends to operate as an independent LEA within the Marin County SELPA.</p>	Yes	No	N/A
<p>Notifies SELPA Director of intent prior to February 1st of the preceding school year</p> <p>The Marin County SELPA Director has not been notified of the RVC's intent to act as an independent LEA within the SELPA; however, per the Marin County SELPA policy the notification does not need to occur until on or before February 1, 2016.</p> <p>Expected by 2.1.16 if approved</p>			X
<p>Located within Marin County SELPA geographical boundaries</p> <p>The petition states on page 7 that the RVC intends to rent a location within the Ross Valley School District boundaries. This location is within the Marin County SELPA's geographic boundaries.</p> <p>p. 7 To rent location within current School District boundaries</p>	X		
<p>Provides current operating budget in accordance with Ed Code 42130 and 42131</p> <p>The petitioner's budgetary information related to special education is identified on page 55 of Appendix D. Please see the Budget section of this report for an analysis of the operating budget related to the provision of special education.</p> <p>Appendix D</p>	X		

<p>Provides assurances that all be instructed in safe environment</p> <p>The petition provides assurances of a safe learning environment for students on pages 18 and 152. p. 18 and 152</p>	<p>X</p>		
<p>Provides copy of original charter petition and any amendments</p> <p>The petition under review is the original charter petition. The petition in question has never been authorized and therefore no amendments have been made. p. 1-198 & Appendix A-K</p>	<p>X</p>		
<p>Responsible for any legal fees relating to application and assurances process</p> <p>The petition is silent regarding the responsibility for legal fees related to the application and assurances process.</p>	<p>X</p>		
<p>Meets the terms of the “Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA”</p> <p>Organization, Implementation, Administration and Operation of the Marin SELPA”</p> <p>The petition provides information on pages 87-98 that is consistent with the Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. p. 87-98</p>	<p>X</p>		
<p>Meets the terms of all Marin SELPA policies and procedures</p> <p>The information on pages 87-98 of the petition is consistent with the Marin County SELPA policies and procedures. p. 87-98 – p. 90 refer to authorizer if there are complications with meeting the terms of the SELPA policy and procedures</p>	<p>X</p>		

<p>Charter fiscally responsible for fair share of any encroachment on general funds</p> <p>The petition's budgetary information related to special education is identified on page 55 of Appendix D. Please see the Budget section of this report for an analysis of the operating budget related to the provision of special education.</p> <p>Appendix D – p. 55</p> <p>May be Satisfied; provided acceptance into a Charter SELPA</p>	<p>X</p>		
<p>Petition includes the following assurances:</p>			
<p>The charter will comply with all provisions of IDEA</p> <p>The petition identifies an assurance to adhere to all provision of IDEA on page 10.</p> <p>p. 10</p>	<p>X</p>		
<p>No student will be denied admission based on disability or lack of available services</p> <p>The petition states on pages 9-10 that all students that wish to attend the RVC shall be admitted. However, the petitioner should provide more information regarding what is meant by "...enroll and support students with disabilities who can benefit from its programs and who otherwise qualify for enrollment" on page 87 of the petition. The language seems to contradict the information on page 9 that indicates that all students shall be admitted regardless of "benefit". Further clarification regarding this matter is warranted.</p> <p>p. 9-10 p. 87 question re: student to benefit from program</p> <p>Satisfied; Petitioners have clearly stated they will not discriminate when enrolling special education students. This is an area where the RVC needs to invest time into developing clearer procedures that are consistent with their pledge to not discriminate or discourage students from enrolling in RVC.</p>	<p>X</p>		
<p>Will implement a Student Study Team process</p> <p>The petition identifies on page 89 that a Student Study Team process shall be utilized by the RVC.</p> <p>p. 89</p>	<p>X</p>		

<p>Any student potentially in need of Section 504 services will be the responsibility of the charter school*</p> <p>The petition states on pages 9-10 and page 96 that the RVC shall comply with Section 504 of the Rehabilitation Act*.</p> <p>*Please note that Section 504 is not a function/aspect of special education.</p> <p>p. 9-10, 96 – Please note Section 504 is not a special education function</p>	<p>X</p>		
<p>Petition/MOU describes the process for notifying district of residence and authorizing school district when a special education student enrolls, becomes eligible, ineligible and/or leaves charter school*</p> <p>The petition was silent on this matter. However, this requirement is identified in the Marin County SELPAS Charter School Policy*.</p> <p>*This policy does not appear to be grounded in any statute and therefore may serve as an unnecessary and requirement of the RVC.</p> <p>Did not see this outlined, and unsure if it is necessary to notify the DOR/authorizing LEA</p>	<p>X</p>		
<p>Overview of how special education funding and services will be provided by:</p>			

<p>Charter School</p> <p>According to the petition, if the RVC operates as a school under the authorizer the special education funding and services shall be delineated through an MOU. All special education and related services with the exception of one (1) special education teacher shall be the responsibility of the authorizer. Special education funding shall be consistent with the Marin County SELPA's FAP and a fully executed MOU.</p> <p>According to the petition, if the RVC operates as an independent LEA the special education funding and services will be the responsibility of the RVC. The RVC shall provide all special education and related services through direct hire or agency contract. Special education funding shall be determined by the SELPA's FAP.</p> <p>Authorizer - Funding through MOU & Services one special education teacher all other related services provided by authorizer Independent – Funding SELPA FAP & Services one special education teacher and contracts with private or public personnel</p>	<p>X</p>		
<p>Marin County Office of Education</p> <p>According to the petition, if the RVC operates as a school under the authorizer the special education funding and services shall be delineated through an MOU. All special education and related services with the exception of one (1) special education teacher shall be the responsibility of the MCOE (authorizer). Special education funding shall be consistent with the Marin County SELPA's FAP and a fully executed MOU.</p> <p>According to the petition, if the RVC operates as an independent LEA the special education funding and services will be the responsibility of the RVC. The RVC may access regionalized special education services consistent with the Marin County Local Plan for special education.</p> <p>Authorizer - Funding through MOU & Services all services outside of one special education teacher designated from RVC</p>			<p>X</p>

<p>SELPA</p> <p>According to the petition, if the RVC operates as a school under the authorizer the special education funding and services shall be provided by the SELPA via the FAP. The RVC shall access SELPA services consistent with the policies and procedures in place for all of the SELPA's member LEAs.</p> <p>According to the petition, if the RVC operates as an independent LEA the special education funding and services shall be provided by the SELPA via the FAP. The RVC shall access SELPA services consistent with the policies and procedures in place for all of the SELPA's member LEAs.</p> <p>Independent – Funding SELPA FAP & Services one special education teacher and contracts with private or public personnel</p>			X
<p>Petition/MOU describes the transition to or from a district when a student with an IEP enrolls in, or transfers out of, the charter school</p> <p>The petition states on page 89 the procedures for notification when a student transfers into the RVC. The petition is silent on procedures for transfers out of the RVC.</p> <p>p. 89 – Clear identification of notifying when a student transfers into the Charter, but no description of notification when a student transfers out.</p> <p>Ed Code section 47605(d)(3) provides that when a pupil leaves a charter school for any reason the charter school is required to notify the superintendent of the district of residence within 30 days and shall when requested forward pupil records to that district. Thus, the petition needs to address this issue.</p> <p>Satisfied; This is listed in the Assurances on page 10.</p>	X		
<p>Comments</p> <p>The plan for students with disabilities appears vague in order to afford the authorizer flexibility when drafting an MOU or having the RVC pursue LEA membership within a SELPA. Although the flexibility is appreciated, it makes for a difficult analysis when it is truly unknown as to what “lens” to review the petition (school under the authorizer or independent LEA) - as each “status” carries very different responsibilities and implications to the authorizer and the SELPA's member LEAs.</p>			

ANNUAL PERFORMANCE AUDITS

Petition/MOU describes what will be included as part of performance audits, including:	Yes	No	N/A
<p>Review of each component of Initial/Renewal Charter Petition for compliance</p> <p>The Petition states the charter will approve and monitor annual budget and fiscal and performance audits Page 140</p>	X		
<p>Analysis of whether goals are being met; review of all state and federal student assessment data and reports</p> <p>The petition provided a description of analyzing whether goals are being met on page 140 and pages 111-114. The petition also provided a description of how student achievement would be reviewed through state and federal assessment data and reports, reference pages 132-135.</p>	X		
<p>Summary of major decisions made/policies established by the board in each year</p> <p>Petition provided a summary of policies established by the board on annual bases, but there was not specific information describing a summary of decisions made and policies. Reference page 140.</p>	X		
<p>Data on level of parent involvement in governance and operation of the school</p> <p>In various sections, the charter petition outlined parent involvement in governance and operation in the school environments. Please reference pages 108-110; 136-137 and 147-148.</p>	X		
<p>Summary data from annual student/parent satisfaction survey</p> <p>In the Charter School's table describing annual goals to be achieved there is a reference to obtaining summary data from student/parent annual satisfaction survey. Reference page 108.</p>	X		
<p>Data regarding number of staff, their qualifications and verification of credentials</p> <p>The Charter petition clearly outlines the various job descriptions in Appendix I and on pages 149-151 the petition provides an overview of the number of staff, their qualifications and credentials.</p>	X		
<p>Copy of health/safety procedures and summary of any major changes</p> <p>On pages 152-154 the petition provide an overview of health and safety procedures and how changes would be implemented if necessary.</p>	X		

<p>Review of the suitability of the facility in terms of health and safety</p> <p>On pages 102 and 154 the petition provides an outline of how a review of the facility will be completed to ensure health and safety for the school environment.</p>	X		
<p>Review of the suitability of the facility in terms of educational utility</p> <p>The petition clearly outlines how the facility anticipated to be used will be suitable to support the educational utility for students served. Reference page 196.</p>	X		
<p>Review copies of all required documentation (e.g. budget reports, financial projections, leases, insurance, etc.)</p> <p>Not reviewed – due to review occurring in fiscal review.</p>			
<p>Overview of admission practices</p>			
<p>Number of students actually enrolled</p> <p>The petition referenced the number of student to be served on pages 21-24. Enrollment assumptions are questioned under the fiscal review section.</p> <p>p. 21-24</p> <p>Satisfied; enrollment projections are satisfied</p>	X		
<p>Waiting lists</p> <p>The petition provided an overview of how a wait list would be managed if necessary, reference pages 159-162.</p>	X		
<p>Expulsions and suspensions</p> <p>On pages 164-178 the petition provided an overview of the expulsion and suspension procedures to serve students within RVC.</p>	X		

<p>Review of any internal/external dispute resolutions</p> <p>On pages 185-186 the petition provides reference to an external dispute resolution process, the petition also states its intention to develop an internal dispute resolution, but one is not developed at this time.</p> <p>Ed Code section 47605 (b)(5)(N) requires a charter school to describe "procedures to be followed by a charter school and the entity granting the charter to resolve disputes" relating to the charter. On this basis the charter is not required to have an internal dispute resolution process.</p>	X		
<p>Site visit by granting agency including observation of the instructional program.</p> <p>On page 193 the petition references the opportunity of a site visit by the granting agency (district or authorized overseer) which may include observation of the instructional program.</p>	X		

Comments:

CHARTER RENEWAL
Did the Charter School Do What It Said It Would Do?

NOTE: The renewal process follows all of the same steps and requires all of the same information as a new charter proposal

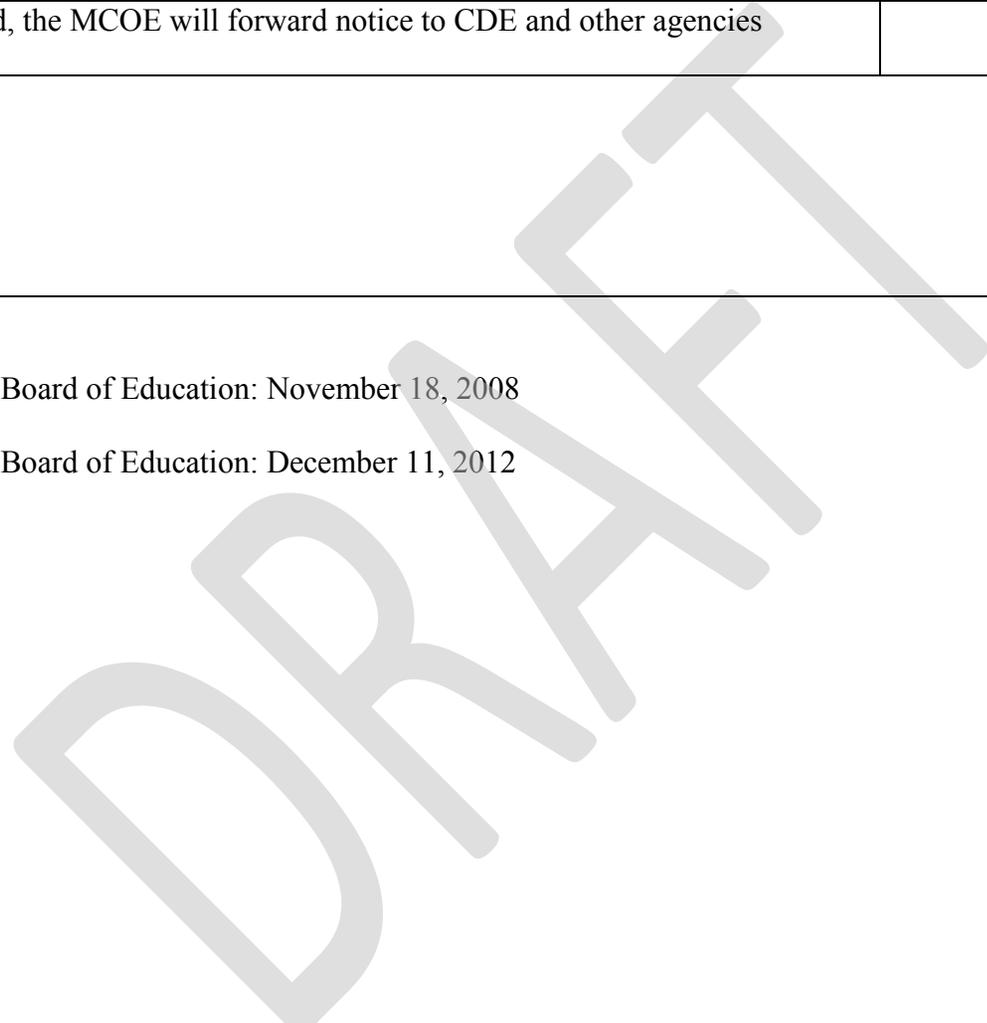
Questions to Address	Yes	No	N/A
Terms of the Charter			
Are all the required terms of the charter in place, including changes in Charter School Law and Regulations?			
Are all the terms of the original/amended charter fully implemented?			
Are the implemented programs consistent with the terms of the charter?			
Are the operations consistent with the terms of the charter?			
Academic Program			
Has the school made reasonable progress in meeting internally established goals?			

Is student performance significantly improved and/or consistently strong as indicated by test results, API and AYP? Effective January 1, 2005, or after the charter school has been in operation four years, whichever is later, does the charter school meet the renewal requirements contained in the Charter Schools Act?			
Viability of School			
Financially solvent?			
Enrollment stable and near capacity?			
School governance sound?			
Professional staff competent?			

DRAFT

Submission of charter renewal proposal in accordance with timelines and process outlined in Marin County Board of Education Policy	Yes	No	N/A
When approved or denied, the MCOE will forward notice to CDE and other agencies as required by law			
Comments:			

March 2004 Revision
 November 18, 2008 Revision
 Approved by the Marin County Board of Education: November 18, 2008
 Revised December 11, 2012
 Approved by the Marin County Board of Education: December 11, 2012



Appendix B

RVC Petition Review
Multi Year Projection – Scenario A
Detail of Assumptions – Page 1

STRUCTURAL BUDGET: Solvent Insolvent

Alternative Elements for the Multi Year Budget Projections:

- Historical Waiting List
- Enrollment Trend Each Year
- Unverified Donations

Enrollment

1. The RVC petition assumes 100 students on the waiting list to enter the district MAP Program. The RVC power point presentation at the Marin County Board of Education meeting held on September 9, 2015, reported that the student on the waiting list to enter the district MA Program is actually 50-85, although the presenter referred to 100 students.
2. In 2016-2017 Scenario A assumes enrollment of 195 students based on:
 - a. 127 students from the district MAP Program enroll in RVC (97.6% retention rate)
 - b. 68 new students will enroll in RVC
3. In years 2017-2018 through 2020-2021 Scenario A based on:
 - a. 31 Kindergarten students enroll each year
 - b. Enrollment is projected to remain stable in grades 1st-5th
 - c. No retention rate factored in

Revenue

1. In 2015-2016 Scenario A assumes no parent donations
2. In 2015-2016 Scenario A assumes no other local donations
3. In 2015-2016 Scenario A assumes \$60,000 of unsecured loans based on the amount received by RVC as August 31, 2015
4. In 2016-2017 through 2020-2021 Scenario A assumes parent donations at \$125 per student

Expenses

1. Expenses are reduced due a projected reduction of a 1.0 FTE certificated teacher.
2. Expenses are adjusted down based Scenario A's lower enrollment/average daily attendance projections.

Other than the alternative assumptions above, Scenario A stays consistent with the Ross Valley Charter petition assumptions.

The petition states "RVC's response to negative financial events will be to cut expenses and/or increase revenues, just as school districts have to do".

Additional information regarding RVC budget assumptions:

1. Staffing for front office management and business services may be understaffed
2. Beginning Salary for the Office Manager position may not be competitive
3. Startup expense of \$100 per student for textbooks and instructional materials appears to be under budgeted
4. Expenses for Special Education may be understated
5. Expenses for Food Service may be understated
6. Special Education contracts for instructional services in 2016-2017 may be under budgeted

RVC Multi-Year Projection - Scenario A

Appendix B

2015-2016 through 2020-2021

	2015-2016			2016-2017			2017-2018			2018-2019			2019-2020			2020-2021		
	RVC Estimates	Scenario A	Difference															
Revenue																		
1 General Block Grant/Local Control	\$ -	\$ -	\$ -	\$ 1,579,776	\$ 1,397,198	\$ (182,578)	\$ 1,700,602	\$ 1,411,250	\$ (289,352)	\$ 1,714,268	\$ 1,417,527	\$ (296,741)	\$ 1,660,819	\$ 1,417,528	\$ (243,291)	\$ 1,660,819	\$ 1,417,528	\$ (243,291)
2 Federal Revenue	\$ -	\$ -	\$ -	\$ 12,666	\$ 9,758	\$ (2,908)	\$ 37,589	\$ 31,426	\$ (6,163)	\$ 38,680	\$ 31,470	\$ (7,210)	\$ 37,995	\$ 30,736	\$ (7,259)	\$ 37,341	\$ 30,736	\$ (6,605)
3 Other State Revenue	\$ -	\$ -	\$ -	\$ 130,401	\$ 115,388	\$ (15,013)	\$ 136,353	\$ 113,165	\$ (23,188)	\$ 135,176	\$ 111,738	\$ (23,438)	\$ 131,610	\$ 111,699	\$ (19,911)	\$ 131,610	\$ 111,699	\$ (19,911)
4 Local Revenues	\$ -	\$ -	\$ -	\$ 54,317	\$ 49,772	\$ (4,545)	\$ 56,411	\$ 48,034	\$ (8,377)	\$ 55,793	\$ 46,914	\$ (8,879)	\$ 54,442	\$ 47,415	\$ (7,027)	\$ 54,442	\$ 47,415	\$ (7,027)
5 Fundraising And Grants	\$ 305,000	\$ 60,000	\$ (245,000)	\$ 27,500	\$ 24,420	\$ (3,081)	\$ 28,750	\$ 23,622	\$ (5,128)	\$ 28,500	\$ 23,622	\$ (4,878)	\$ 27,750	\$ 23,622	\$ (4,128)	\$ 27,750	\$ 23,622	\$ (4,128)
6 Total Revenue	\$ 305,000	\$ 60,000	\$ (245,000)	\$ 1,804,660	\$ 1,596,535	\$ (208,125)	\$ 1,959,704	\$ 1,627,497	\$ (332,207)	\$ 1,972,417	\$ 1,631,271	\$ (341,146)	\$ 1,912,617	\$ 1,630,999	\$ (281,618)	\$ 1,911,962	\$ 1,630,999	\$ (280,963)
Expenses																		
7 Compensation and Benefits	\$ 30,024	\$ 30,024	\$ -	\$ 1,244,500	\$ 1,172,908	\$ (71,592)	\$ 1,270,484	\$ 1,197,877	\$ (72,607)	\$ 1,318,203	\$ 1,244,577	\$ (73,626)	\$ 1,359,408	\$ 1,284,755	\$ (74,653)	\$ 1,379,495	\$ 1,303,815	\$ (75,680)
8 Books and Supplies	\$ 93,460	\$ 83,990	\$ (9,470)	\$ 95,852	\$ 86,076	\$ (9,776)	\$ 103,068	\$ 87,786	\$ (15,282)	\$ 102,787	\$ 87,034	\$ (15,753)	\$ 101,284	\$ 87,623	\$ (13,661)	\$ 102,338	\$ 88,351	\$ (13,987)
9 Services & Other Operating Expenditures	\$ 59,738	\$ 59,738	\$ -	\$ 346,909	\$ 330,571	\$ (16,338)	\$ 395,897	\$ 369,206	\$ (26,691)	\$ 484,542	\$ 456,730	\$ (27,812)	\$ 390,626	\$ 367,259	\$ (23,367)	\$ 390,628	\$ 368,364	\$ (22,264)
10 Capital Outlay	\$ 34,000	\$ 34,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
11 Total Expense	\$ 217,222	\$ 207,752	\$ (9,470)	\$ 1,687,261	\$ 1,589,554	\$ (97,707)	\$ 1,769,449	\$ 1,654,870	\$ (114,579)	\$ 1,905,532	\$ 1,788,341	\$ (117,191)	\$ 1,851,318	\$ 1,739,638	\$ (111,680)	\$ 1,872,461	\$ 1,760,531	\$ (111,930)
12 Operating Income (excluding Depreciation)	\$ 87,778	\$ (147,752)	\$ (235,530)	\$ 117,399	\$ 6,981	\$ (110,418)	\$ 190,255	\$ (27,373)	\$ (217,628)	\$ 66,885	\$ (157,070)	\$ (223,955)	\$ 61,299	\$ (108,638)	\$ (169,937)	\$ 39,501	\$ (129,531)	\$ (169,032)
13 Operating Income (including Depreciation)	\$ 114,978	\$ (120,552)	\$ (235,530)	\$ 110,599	\$ 181	\$ (110,418)	\$ 183,455	\$ (34,173)	\$ (217,628)	\$ 60,085	\$ (163,870)	\$ (223,955)	\$ 54,499	\$ (115,438)	\$ (169,937)	\$ 39,501	\$ (129,531)	\$ (169,032)
																\$ -		
Fund Balance																		
14 Beginning Balance	\$ -	\$ -	\$ -	\$ 114,978	\$ (120,552)	\$ (235,530)	\$ 225,578	\$ (120,370)	\$ (345,948)	\$ 409,032	\$ (154,544)	\$ (563,576)	\$ 469,117	\$ (318,414)	\$ (787,531)	\$ 523,616	\$ (433,853)	\$ (957,469)
15 Operating Income (including Depreciation)	\$ 114,978	\$ (120,552)	\$ (235,530)	\$ 110,599	\$ 181	\$ (110,418)	\$ 183,455	\$ (34,173)	\$ (217,628)	\$ 60,085	\$ (163,870)	\$ (223,955)	\$ 54,499	\$ (115,438)	\$ (169,937)	\$ 39,501	\$ (129,531)	\$ (169,032)
16 Ending Fund Balance (including Depreciation)	\$ 114,978	\$ (120,552)	\$ (235,530)	\$ 225,578	\$ (120,370)	\$ (345,948)	\$ 409,032	\$ (154,544)	\$ (563,576)	\$ 469,117	\$ (318,414)	\$ (787,531)	\$ 523,616	\$ (433,853)	\$ (957,469)	\$ 563,117	\$ (563,384)	\$ (1,126,501)
17 Ending Fund Balance as a % of Expenses	53%	-58%	-111%	13%	-8%	-21%	23%	-9%	-32%	25%	-18%	-42%	28%	-25%	-53%	30%	-32%	-62%

Multi-Year Projection - Scenario A
2015-2016 through 2020-2021
Detail of Assumptions - Page 3

Assumption Factors 2015-2016:	Assumption Factors 2016-2017	Assumption Factors 2017-2018	Assumption Factors 2018-2019
<p>Enrollment to Calculate Startup Expenses -Based pm 2016-2017 projections</p> <p>Line</p> <p>Revenue 4 No parent donations - (\$20,000) 4 No local donations - (\$200,000) 5 Unsecured loan, cash received - (\$25,000)</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed - Reduced technology expenses due to 1 less classroom 9 Services and Other Operating Expenses - No Change</p>	<p>Enrollment Reduce Starting Enrollment by 25 Students -Based on alternate MAP program waiting list data -Based on retention rate of 97.6% Enrollment: 195 Average Daily Attendance 96% - 187.5 ADA (23.7) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 187.5 ADA 2,3 State and Federal Revenue based on 187.5 ADA 4 Parent donation based on \$125 per student</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>	<p>Enrollment Kindergarten enrollment same as prior year No student retention rate factored in</p> <p>Enrollment: 191 Average Daily Attendance 96% - 183.8 ADA (37.0) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 183.8 ADA 2,3 State and Federal Revenue based on 183.8 ADA 4 Parent donation based on \$125 per student</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>	<p>Enrollment Kindergarten enrollment same as prior year No student retention rate factored in</p> <p>Enrollment: 189 Average Daily Attendance 96% - 181.4 ADA (37.5) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 181.4 ADA 2,3 State and Federal Revenue based on 181.4 ADA 4 Parent donation - No change</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>

Assumption Factors 2019-2020	Assumption Factors 2020-2021
<p>Enrollment Kindergarten enrollment same as prior year No student retention rate factored in</p> <p>Enrollment: 1189 Average Daily Attendance 96% - 181.4 ADA (31.7) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 181.4 ADA 2,3 State and Federal Revenue based on 181.4 ADA 4 Parent donation based on \$125 per student</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>	<p>Enrollment Kindergarten enrollment same as prior year No student retention rate factored in</p> <p>Enrollment: 189 Average Daily Attendance 96% - 181.4 ADA (31.7) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 181.4 ADA 2,3 State and Federal Revenue based on 181.4 ADA 4 Parent donation based on \$125 per student</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>

Appendix C

RVC Petition Review
Multi Year Projection – Scenario B
Detail of Assumptions – Page 1

STRUCTURAL BUDGET: Solvent Insolvent

Alternative Elements for the Multi Year Budget Projections:

- Historical Waiting List
- Enrollment Trend Each Year
- Unverified Donations
- One-Time Planning and Implementation Grant

Enrollment

1. The RVC petition assumes 100 students on the waiting list to enter the district MAP Program. The RVC power point presentation at the Marin County Board of Education meeting held on September 9, 2015, reported that the student on the waiting list to enter the district MA Program is actually 50-85, although the presenter referred to 100 students.
2. In 2016-2017 Scenario B assumes enrollment of 195 students based on:
 - a. 127 students from the district MAP Program enroll in RVC (97.6% retention rate)
 - b. 68 new students will enroll in RVC
3. In years 2017-2018 through 2020-2021 Scenario B based on:
 - a. 31 Kindergarten students enroll each year
 - b. Enrollment is projected to remain stable in grades 1st-5th
 - c. No retention rate factored in

Revenue

1. In 2015-2016 Scenario B assumes no parent donations
2. In 2015-2016 Scenario B assumes no other local donations
3. In 2015-2016 Scenario B assumes \$60,000 of unsecured loans based on the amount received by RVC as August 31, 2015
4. In 2016-2017 through 2020-2021 Scenario B assumes parent donations at \$125 per student
5. 40% of the one-time Planning and Implementation Grant Included in 2015-2016 (total estimated grant \$375,000)

Expenses

1. Expenses are reduced due a projected reduction of a 1.0 FTE certificated teacher.
2. Expenses are adjusted down based Scenario B's lower enrollment/average daily attendance projections.

Other than the alternative assumptions above, Scenario B stays consistent with the Ross Valley Charter petition assumptions.

The petition states "RVC's response to negative financial events will be to cut expenses and/or increase revenues, just as school districts have to do".

Additional information regarding RVC budget assumptions:

1. Staffing for front office management and business services may be understaffed.
2. Beginning Salary for the Office Manager position may not be competitive.
3. Startup expense of \$100 per student for textbooks and instructional materials appears to be under budgeted.
4. Expenses for Special Education may be understated.
5. Expenses for Food Service may be understated.
6. Special Education contracts for instructional services in 2016-2017 may be under budgeted.

Ross Valley School District and Marin County Board of Education
Findings for Denial and Petitioner's Responses

Multi-Year Projection - Scenario B
2015-2016 through 2020-2021
Page 2

	2015-2016			2016-2017			2017-2018			2018-2019			2019-2020			2020-2021		
	RVC Estimates	Scenario B	Difference	RVC Estimates	Scenario B	Difference	RVC Estimates	Scenario B	Difference	RVC Estimates	Scenario B	Difference	RVC Estimates	Scenario B	Difference	RVC Estimates	Scenario B	Difference
Revenue																		
1 General Block Grant/Local Control	\$ -	\$ -	\$ -	\$ 1,579,776	\$ 1,397,198	\$ (182,578)	\$ 1,700,602	\$ 1,411,250	\$ (289,352)	\$ 1,714,268	\$ 1,417,527	\$ (296,741)	\$ 1,660,819	\$ 1,417,528	\$ (243,291)	\$ 1,660,819	\$ 1,417,528	\$ (243,291)
2 Federal Revenue	\$ -	\$ -	\$ -	\$ 12,666	\$ 9,758	\$ (2,908)	\$ 37,589	\$ 31,426	\$ (6,163)	\$ 38,680	\$ 31,470	\$ (7,210)	\$ 37,995	\$ 30,736	\$ (7,259)	\$ 37,341	\$ 30,736	\$ (6,605)
3 Other State Revenue	\$ -	\$ -	\$ -	\$ 130,401	\$ 115,388	\$ (15,013)	\$ 136,353	\$ 113,165	\$ (23,188)	\$ 135,176	\$ 111,738	\$ (23,438)	\$ 131,610	\$ 111,699	\$ (19,911)	\$ 131,610	\$ 111,699	\$ (19,911)
4 One-Time Planning & Implementation Grant*	\$ -	\$ 150,000	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5 Local Revenues	\$ -	\$ -	\$ -	\$ 54,317	\$ 49,772	\$ (4,545)	\$ 56,411	\$ 48,034	\$ (8,377)	\$ 55,793	\$ 46,914	\$ (8,879)	\$ 54,442	\$ 47,415	\$ (7,027)	\$ 54,442	\$ 47,415	\$ (7,027)
6 Fundraising And Grants	\$ 305,000	\$ 60,000	\$ (245,000)	\$ 27,500	\$ 24,420	\$ (3,081)	\$ 28,750	\$ 23,622	\$ (5,128)	\$ 28,500	\$ 23,622	\$ (4,878)	\$ 27,750	\$ 23,622	\$ (4,128)	\$ 27,750	\$ 23,622	\$ (4,128)
7 Total Revenue	\$ 305,000	\$ 210,000	\$ (95,000)	\$ 1,804,660	\$ 1,596,535	\$ (208,125)	\$ 1,959,704	\$ 1,627,497	\$ (332,207)	\$ 1,972,417	\$ 1,631,271	\$ (341,146)	\$ 1,912,617	\$ 1,630,999	\$ (281,618)	\$ 1,911,962	\$ 1,630,999	\$ (280,963)
Expenses																		
8 Compensation and Benefits	\$ 30,024	\$ 30,024	\$ -	\$ 1,244,500	\$ 1,172,908	\$ (71,592)	\$ 1,270,484	\$ 1,197,877	\$ (72,607)	\$ 1,318,203	\$ 1,244,577	\$ (73,626)	\$ 1,359,408	\$ 1,284,755	\$ (74,653)	\$ 1,379,495	\$ 1,303,815	\$ (75,680)
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11 Capital Outlay	\$ 34,000	\$ 34,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
12 Total Expense	\$ 217,222	\$ 207,752	\$ (9,470)	\$ 1,687,261	\$ 1,589,554	\$ (97,707)	\$ 1,769,449	\$ 1,654,870	\$ (114,579)	\$ 1,905,532	\$ 1,788,341	\$ (117,191)	\$ 1,851,318	\$ 1,739,638	\$ (111,680)	\$ 1,872,461	\$ 1,760,531	\$ (111,930)
13 Operating Income (excluding Depreciation)	\$ 87,778	\$ 2,248	\$ (85,530)	\$ 117,399	\$ 6,981	\$ (110,418)	\$ 190,255	\$ (27,373)	\$ (217,628)	\$ 66,885	\$ (157,070)	\$ (223,955)	\$ 61,299	\$ (108,638)	\$ (169,937)	\$ 39,501	\$ (129,531)	\$ (169,032)
14 Operating Income (including Depreciation)	\$ 114,978	\$ 29,448	\$ (85,530)	\$ 110,599	\$ 181	\$ (110,418)	\$ 183,455	\$ (34,173)	\$ (217,628)	\$ 60,085	\$ (163,870)	\$ (223,955)	\$ 54,499	\$ (115,438)	\$ (169,937)	\$ 39,501	\$ (129,531)	\$ (169,032)
Fund Balance																		
15 Beginning Balance	\$ -	\$ -	\$ -	\$ 114,978	\$ 29,448	\$ (85,530)	\$ 225,578	\$ 29,630	\$ (195,948)	\$ 409,032	\$ (4,544)	\$ (413,576)	\$ 469,117	\$ (168,414)	\$ (637,531)	\$ 523,616	\$ (283,853)	\$ (807,469)
16 Operating Income (including Depreciation)	\$ 114,978	\$ 29,448	\$ (85,530)	\$ 110,599	\$ 181	\$ (110,418)	\$ 183,455	\$ (34,173)	\$ (217,628)	\$ 60,085	\$ (163,870)	\$ (223,955)	\$ 54,499	\$ (115,438)	\$ (169,937)	\$ 39,501	\$ (129,531)	\$ (169,032)
17 Ending Fund Balance (including Depreciation)	\$ 114,978	\$ 29,448	\$ (85,530)	\$ 225,578	\$ 29,630	\$ (195,948)	\$ 409,032	\$ (4,544)	\$ (413,576)	\$ 469,117	\$ (168,414)	\$ (637,531)	\$ 523,616	\$ (283,853)	\$ (807,469)	\$ 563,117	\$ (413,384)	\$ (976,501)
18 Ending Fund Balance as a % of Expenses	53%	14%	-39%	13%	2%	-12%	23%	0%	-23%	25%	-9%	-34%	28%	-16%	-45%	30%	-23%	-54%

19 *Distribution of the \$375,000
 2015-2016 40%
 PCSGP Planning and Implementation Grant
 2016-2017 35%
 Expenses TBD \$ 131,250
 2017-2018 25%
 Expenses TBD \$ 93,750

Planning and Implementation Grant funds are intended to supplement, not supplant, state or local funds.
 -Supplanting is the use of PCSGP funds to pay for costs that would normally be paid using state or local funds. This primarily includes the operational costs of the school, such as rent and teacher salaries.

Multi-Year Projection - Scenario B
2015-2016 through 2020-2021
Detail of Assumptions - Page 3

Assumption Factors 2015-2016:	Assumption Factors 2016-2017	Assumption Factors 2017-2018	Assumption Factors 2018-2019
<p>Enrollment to Calculate Startup Expenses -Based pm 2016-2017 projections</p> <p>Line</p> <p>Revenue 4 P & I Grant - 40% of \$375,000 5 No parent donations - (\$20,000) 5 No local donations - (\$200,000) 6 Unsecured loan, cash received - (\$25,000)</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed - Reduced technology expenses due to 1 less classroom 9 Services and Other Operating Expenses - No Change</p>	<p>Enrollment Reduce Starting Enrollment by 25 Students -Based on alternate MAP program waiting list data -Based on retention rate of 97.6% Enrollment: 195 Average Daily Attendance 96% - 187.5 ADA (23.7) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 187.5 ADA 2,3 State and Federal Revenue based on 187.5 ADA 5 Parent donation based on \$125 per student</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>	<p>Enrollment Kindergarten enrollment same as prior year No student retention rate factored in</p> <p>Enrollment: 191 Average Daily Attendance 96% - 183.8 ADA (37.0) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 183.8 ADA 2,3 State and Federal Revenue based on 183.8 ADA 5 Parent donation based on \$125 per student</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>	<p>Enrollment Kindergarten enrollment same as prior year No student retention rate factored in</p> <p>Enrollment: 189 Average Daily Attendance 96% - 181.4 ADA (37.5) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 181.4 ADA 2,3 State and Federal Revenue based on 181.4 ADA 5 Parent donation - No change</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>
<p>Assumption Factors 2019-2020</p> <p>Enrollment Kindergarten enrollment same as prior year No student retention rate factored in</p> <p>Enrollment: 1189 Average Daily Attendance 96% - 181.4 ADA (31.7) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 181.4 ADA 2,3 State and Federal Revenue based on 181.4 ADA 5 Parent donation based on \$125 per student</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>	<p>Assumption Factors 2020-2021</p> <p>Enrollment Kindergarten enrollment same as prior year No student retention rate factored in</p> <p>Enrollment: 189 Average Daily Attendance 96% - 181.4 ADA (31.7) less than RVC projection</p> <p>Line</p> <p>Revenue 1 LCFF - Based on 181.4 ADA 2,3 State and Federal Revenue based on 181.4 ADA 5 Parent donation based on \$125 per student</p> <p>Expense 7 Certificated - Reduce by 1.0 FTE Classroom Teacher 7 Classified - No Change 8 Books and Supplies - Reduced expenses where per pupil expense calculation assumed 9 Services and Other Operating Expenses - Reduced expenses where per pupil calculation assumed 10 Capital Outlay - No Change Special Education Adjusted Down - Expenses exceed revenues by 15% Food Service Adjusted Down- Expenses exceed revenues by 5%</p>		

Appendix D

RVC Petition Review
Multi Year Projection – Scenario C
Detail of Assumptions – Page 1

STRUCTURAL BUDGET: Solvent Insolvent

Alternative Elements for the Multi Year Budget Projections:

- Historical Waiting List
- Enrollment Trend Each Year
- Unverified Donations
- One-Time Planning and Implementation Grant

Enrollment

1. The Scenario C used the same enrollment projections presented in the RVC petition.

Revenue

1. In 2015-2016 Scenario C assumes no parent donations
2. In 2015-2016 Scenario C assumes no other local donations
3. In 2015-2016 Scenario C assumes \$60,000 of unsecured loans based on the amount received by RVC as August 31, 2015
4. In 2016-2017 through 2020-2021 Scenario C assumes parent donations at \$125 per student
5. 40% of the one-time Planning and Implementation Grant Included in 2015-2016 (total estimated grant \$375,000)

Expenses

2. The Scenario C used the same expense projections presented in the RVC petition.

Additional information regarding RVC budget assumptions:

1. Staffing for front office management and business services may be understaffed.
2. Beginning Salary for the Office Manager position may not be competitive.
3. Startup expense of \$100 per student for textbooks and instructional materials appears to be under budgeted.
4. Expenses for Special Education may be understated.
5. Expenses for Food Service may be understated.
6. Special Education contracts for instructional services in 2016-2017 may be under budgeted.

Multi-Year Projection - Scenario C
2015-2016 through 2020-2021
Detail of Assumptions - Page 3

Assumption Factors 2015-2016:	Assumption Factors 2016-2017	Assumption Factors 2017-2018	Assumption Factors 2018-2019
<p>Enrollment to Calculate Startup Expenses -Based on the assumptions presented in the RVC Petition</p> <p>Line</p> <p>Revenue 4 P & I Grant - 40% of \$375,000 5 No parent donations - (\$20,000) 5 No local donations - (\$200,000) 6 Unsecured loan, cash received - (\$25,000)</p> <p>Expense -Based on the assumptions presented in the RVC Petition</p>	<p>Enrollment -Based on the assumptions presented in the RVC Petition</p> <p>Line</p> <p>Revenue -Based on the assumptions presented in the RVC Petition</p> <p>Expense -Based on the assumptions presented in the RVC Petition</p>	<p>Enrollment -Based on the assumptions presented in the RVC Petition No student retention rate factored in</p> <p>Line</p> <p>Revenue -Based on the assumptions presented in the RVC Petition</p> <p>Expense -Based on the assumptions presented in the RVC Petition</p>	<p>Enrollment -Based on the assumptions presented in the RVC Petition No student retention rate factored in</p> <p>Line</p> <p>Revenue -Based on the assumptions presented in the RVC Petition</p> <p>Expense -Based on the assumptions presented in the RVC Petition</p>
<p>Assumption Factors 2019-2020</p> <p>Enrollment -Based on the assumptions presented in the RVC Petition</p> <p>Line</p> <p>Revenue -Based on the assumptions presented in the RVC Petition</p> <p>Expense -Based on the assumptions presented in the RVC Petition</p>	<p>Assumption Factors 2020-2021</p> <p>Enrollment -Based on the assumptions presented in the RVC Petition</p> <p>Line</p> <p>Revenue -Based on the assumptions presented in the RVC Petition</p> <p>Expense -Based on the assumptions presented in the RVC Petition</p>		

Appendix E

Marin County Charter Ad Hoc Committee
Ross Valley Charter Petition Appeal Review
Staff Review
Clarifying Questions #1
September 15, 2015

QUESTION #1

Section A.2, Attendance

Attendance Expectations and Requirements

- A general description of attendance was provided without detailed information about expectation and requirements with regular attendance, tardies, and independent study. p. 68, p. 115. Please clarify how the charter will monitor and track attendance.

ANSWER

On page 10 of the petition is the following sentence: "The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)]" It is in the Charter School's interest to have strong attendance, as our financial viability is based upon strong attendance percentages. We will expect regular attendance and prompt arrival at the beginning of the school days. We will stress to the parents why regular attendance is important to our financial picture, as well as to their student's educational success. Families will be encouraged to make appointments outside of school hours, to schedule vacations outside of the school schedule, and to arrive on time for the morning attendance.

We will develop detailed attendance, tardy, and independent study policies before school starts and will include these in our Parent Handbook as well as through regular communication to parents. Attendance will be recorded each morning by teachers and communicated to the Office Manager and recorded using software which will either be purchased or developed using Excel. For example, CalDATT is a free excel program that may be useful in helping us track attendance. <http://www.attendanceworks.org/tools/tools-for-calculating-chronic-absence/>

The RVC office will contact the family of any student who did not come to school. Attendance patterns will be reviewed regularly, and parents will be contacted if students are missing school. We have reviewed the California Attorney General's report on Truancy and Absenteeism in order to help us develop a strong plan. <http://www.oag.ca.gov/truancy/2015>

QUESTION #2

Section B, Measurable Student Outcomes and Other Uses of Data

The petition lacks specific benchmark skills and specific classroom – level skills for students. p. 125, 128, 129. Please provide specific benchmarks.

ANSWER

Please see the answer to a similar, but more detailed, question in the second set of questions.

QUESTION #3

Section D, Governance

- Did the petitioners intend to not address the County Board of Education policy regarding compliance with the Public Records Act?

ANSWER

RVC explicitly did address the County Charter policy regarding compliance with the Public Records Act. The petition, which we view as one of our governing documents, states on page 11 in the second bullet, that: "The Charter School shall comply with the Public Records Act." This language makes it clear that the Charter School will be subject to the Public Records Act.

The County Policy states: "The By-laws, articles of incorporation and other management documents, as applicable, governing, or proposed to govern, the charter school. The information in this section should specify that the charter school will be subject to the Brown Act, the Public Records Act, as well as the Conflict of Interest provisions which also apply to members of a Board of Education."

QUESTION #4

Section F, Health and Safety Procedures

Tuberculosis testing is addressed with reference to appropriate Education Code, without any description outlining specific practices (such as provided for background checks). Please clarify how the charter will monitor and test for Tuberculosis.

The petition lacks specific health and safety practices addressing key areas as:

- Seismic safety (structural integrity and earthquake preparedness)
- Natural disasters and emergencies
- Immunizations, health screenings, administration of medications
- Zero tolerance for use of drugs and tobacco
- Staff training on emergency and first aid response

It is noted that a full draft of health and safety procedures will be provided at least 30 days prior to operation. While seismic safety information will not be available until a facility is secured, please provide specifics as to how the charter will address the areas above not related to facilities.

ANSWER

Once the petition is authorized, the Governing Board will commence work on developing many specific school policies in the many areas that policies will be needed, such as, human

resources, Parents, Students, Health, School Safety, Internet and resulting handbooks for employee and parents. We will utilize our legal consultants, Young, Minney and Corr, our operational consultant EdTec, and the California Charter Schools Association (CCSA), just as school districts use the California School Boards Association and their legal counsel in developing their policies. We developed, adopted, and placed in the appendix one such policy, the Application and Admission Policy, before submitting the petition because we felt a need to clarify our enrollment application process. Other policies will be similarly developed after we are authorized. If the County would like to look at a beginning template of our Health and Safety Policy, we would be happy to obtain one and forward it to the county as an example of where we plan to start with our Health and Safety Policy Development. We have budgeted \$15,000 in our planning year to work with Young, Minney, and Corr to develop these and other policies before school opens.

QUESTION #5

Likelihood that the Petitioners Will be Able to Successfully Implement the Program of the Proposed Charter

Does the information provided in the proposal confirm that the school will have the services of individuals who have the necessary background in curriculum, instruction, assessment, finance, facilities, business management, organization, governance and administration?

Staffing for Front Office Management

The petition has budgeted 1.05 FTE (9 hours per day) for office staffing beginning in 2016-2017. The petition notes that business services will be completed by the Office Manager with oversight from the Board's CFO.

- Please clarify who will complete other front office processes of necessary charter administration. For example:
 - Preparation and distribution of information documents for families at the beginning of each school year and throughout the year as needed
 - Processing student registration information
 - Greeting parents and public via phone, email, or in person
 - Checking students in/out school
 - Assisting sick or injured students
 - Reporting Student truancy
 - Processing free and reduced lunch applications for the National School Lunch Program
 - Assuring RVC is in compliance with all National School Lunch Program policies and procedures
 - Processing lunch orders and collect/account for lunch cash sales
 - Placing orders for supplies and equipment
 - Receiving and distributing supplies and equipment received
 - Processing incoming/outgoing mail
 - Public records requests

- Maintenance and record keeping of all student records

ANSWER

All of the above functions will be provided by the Office Manager, except that checking students in and out of school will be done by teachers.

Processing lunch orders will be done using on-line applications over the internet both for ordering lunch and for payment transactions. (Ross Valley School District currently uses Choice Lunch.) There are training resources on the CDE website at <http://www.cde.ca.gov/ls/nu/ed/index.asp> and the USDA Food and Nutrition Service website <http://www.fns.usda.gov/school-meals/professional-standards> that we plan to make use of to ensure that we are in compliance with the National School Lunch Program policies and procedures. We have already downloaded templates of the lunch applications from the CDE website., Many of these structures will be implemented once we are an authorized school, as we cannot set up accounts until that time.

The Office Manager (under the oversight of the School Director and the CFO) will also be responsible for the daily execution of the following tasks that were included in this Question #5:

- Management of Student Information System, CalPADS reporting, daily, monthly and attendance reports for the P-1, P-2, and Annual reporting periods
- Attendance tracking and record retention of employee absences, sick/personnel vacation leave, and other types employee leaves
- Tracking for sick leave for part-time employees under AB 1522 Sick Leave for All
- Management of personnel records
- Front end processing of payroll documents and record keeping for these documents
- Recording keeping for TB testing, fingerprinting, etc.

The following asked-about functions will be the responsibility of the School Director and the Governing Board

- Personnel contract preparation (in consultation with legal counsel)
- Risk Management (in consultation with RVC's insurance provider)
- Policy management
- Safety programs
- Liability and property insurance management
- Board Meeting Preparation

The following asked-about functions will be the responsibility of the School Director

- Safety and health inspection reports
- Workplace accident prevention program
- Workers' Compensation monitoring and management
- Preparation, publishing, and record keeping of board agenda dates, agendas, and backup documentation (along with the Board Secretary)

- Records retention for Board Policies, Contracts, MOUs, and all other RVC documents. There will be a heavy reliance on keeping school records in a secure, cloud based, internally shared, archival system.
- Record keeping for mandatory trainings such as required Mandate Reporting, Mandatory Reporter and Sexual Harassment training, etc.

The following three asked-about functions will likely be contracted to a third party, and overseeing execution of the function will be a shared responsibility of the Office Manager and School Director.

- Calling and securing substitutes for employee absences
- Health and Welfare benefits management
- Compliance training and record keeping

Although the Office Manager has many specific duties, it should be noted that this will be a small school, with approximately 222 students and ten full-time teachers, so we anticipate that the job will be manageable for one full-time person.

QUESTION #6

Additionally, contracted Business Services are budgeted at \$14,000 in the startup year 2015-2016 for training, accounting and business services and budgeted at \$8,000 in the subsequent years.

- Please provide a description of the specifics of the business services to be provided under this contract in the subsequent years.
- Payroll services to be processed by an outside vendor are budgeted approximately \$1,000 each year 2016-2017 through 2020-2021. Please provide the rationale for this yearly budgeted amount as well as a description of the payroll services to be provided.

ANSWER

- Accounting functions, including accounts receivable and payable, will be done using EdTec cloud based software. Budgeting will be done using Excel. The \$14,000 that is budgeted for the planning year will be paid to EdTec consultants for setting up the chart of accounts and the accounting procedures. As is explained in the Budget Narrative on page 57 of the Appendix, day to day accounting entries will be performed by the Office Manager and reviewed by the School Director and with the assistance and oversight corporation CFO. As can be seen in the Appendix the CFO has 35 years of financial industry and IT experience, and has attended ACSA Academies for Business Service Managers and Superintendents. He was also a school district trustee for 7 years and was the financial expert on his boards and created a user friendly budget decision making and reporting process.
- We anticipate using a cloud based payroll service to pay our 14-19 employees. This is a highly competitive business and believe that \$1,000 per year is a reasonable estimate. The payroll services will likely include tax withholding and payment as well as direct

deposit of employee payments. There will be replicable process set up with internet based time keeping creating feeds to the payroll system. The details of this will be worked out with vendor. \$80 a month is not an uncommon charge for payroll services for 12 employees.

QUESTION #7

Special Education Services

- Please provide additional information regarding the expenses for “Special Education Contract Instructors” in year 2016-2017. In 2016-2017, these services are anticipated to be much lower than in subsequent years of the multiyear projection. Please provide rationale for this assumption.

ANSWER

The contract expenses for Special Education are very difficult to estimate from year to year as needs change depending on the student population. EdTec’s budgeting formula, based on its experience doing business services for over 300 charter schools, is to budget Special Education expenses at 115% of Special Education Revenue. Since Federal Special Education revenue is received in the year after services are provided, the assumed expenses as 115% of revenue are less in the first year since there is no federal revenue in the first year. As explained in the Budget Narrative in the Appendix, RVC will create a Special Ed allocated Reserve Account and will put \$30,000 per year into this Reserve until it reaches \$150,000. This reserve will be set aside for any non-public school placements or other extraordinary Special Ed expenses that might occur.

There is considerable confusion in the Draft Matrix regarding whether the petition should be evaluated as if RVC should be an LEA of a charter SELPA for special education purposes or a school of the County. The Matrix quotes an email from Terena Mares to Conn Hickey stating that the County will be evaluating the petition based on the assumption that RVC will be an LEA for Special Education purposes. It then goes on to evaluate it mostly as a school of the County for Special Education services. RVC does not want to be a school of the County for Special Education purposes and is in the process of applying to one or more Charter SELPAs for membership.

QUESTION #8

Student Food Services

- The assumption in the petition states on the Multiyear Budget: “Assumes that 0.95% of total Food Service Cost is reimbursed”. Please provide additional rationale for assumptions for projected food services expenses. For example, what are the number of students projected to be served, what is the anticipated cost per meal, what is the projected charge per student meal etc.?

ANSWER

These assumptions are based on EdTec's experience that, on average, revenue collected from Federal and State reimbursement of Free and Reduced Price Lunch combined with the amount charged paying parents, including both Reduced Price and full price parents, will cover 95% of lunch costs. The cost per meal and charge per student meal will be determined in the Spring of 2016, when RVC negotiates with a vendor for lunch services. The petition projects 27 of our students will qualify for free or reduced lunches.

QUESTION #9

Services and Operating Expenses

- Please provide the rationale for utilities expense projections for 10 months rather than 12 months 2016-2017 through 2020-2021.
- Please provide the basis for the amount projected for legal services expense assumption 2016-2017 through 2020-2021.

ANSWER

Utilities - We do not plan to have school operating between June 15 and August 15, so utilities cost for heating, electricity, water, and trash should be very close to zero for these months. EdTec typically assumes some expenses for the summer months, but very minimal and believes that the overall amount for utilities looks very reasonable for the projected size of the school.

Legal Fees- RVC believes that best way to control legal expenses is to:

- Maintain legal compliance and avoid legal disputes with internal or external parties through education and training of the Governing Board and Staff regarding legal requirements
 - The California Charter Schools Association (CCSA) offers many free workshops and trainings to members regarding all aspects of operating a charter school, including governance. RVC, as a CCSA member, will make maximum use of these trainings.
 - Additionally, our law firm offers free and low-cost trainings to charter schools that RVC will participate in.
 - We have budgeted \$15,000 in legal expenses in our planning year to establish exhaustive policies and procedures and corresponding employee and student-parent handbooks so that our community understands the Charter School's requirements and expectations.
- When issues that involve compliance or possible disputes arise, get advice from legal counsel before taking action.
- Start with a collaborative posture towards parents, staff, and other parties who have concerns or complaints, so that these individuals see that RVC is genuinely addressing their concern or problem and will be less inclined to seek legal recourse as addressed means to a solution. This approach is a critical part of the RVC core philosophy.

- Judicious use of legal counsel by doing all the work that can be done prior to starting an attorney's clock running. Various members of the RVC Board have considerable, relevant legal knowledge and experience, including one non-profit attorney. So, once we get counsel's opinion about a solution, our methodology has been, and will continue to be, doing as much of the actual work ourselves using volunteer work (paid employees once the charter is approved). For example, RVC has spent around \$20,000 in legal fees in developing and defending two charter petitions. Ross Valley School District has spent close to \$150,000 in legal fees evaluating these petitions.
- Most of EdTec's clients spend very little on legal fees after the startup period.

QUESTION #10

Facilities

- Please provide the rationale for leasing commercial space rather than accessing space available under Prop 39 provisions.

ANSWER

The petitioners believe it would be very disruptive to the Ross Valley School District, and particularly for Manor School, for RVC to rent reasonably equivalent classroom space from the District under the provisions of Prop 39. Manor School is the most likely space the District would offer and the petitioners are not willing to locate at Manor School for a variety of reasons, including the desire not to displace K-5 teachers and classrooms, the belief that both Manor and RVC will be able to evolve better if they are not on the same campus, the desire to create more space at Manor for Fairfax students so that they don't have to go to school at Brookside and Hidden Valley, the belief that 400+ students is too many students on the small Manor footprint, the belief that smaller schools are better.

QUESTION #11

Cash Flow Projection

- Cash flow projection is described as follows: "The Charter School has forecasted receipt of \$250,000 in principal in July 2016, and assumes a four year payback period. Repayments of this principal consist of \$62.5k per year, in six equal portions in September through February." This is in reference to the California School Finance Authority Charter School Revolving Loan Fund.

It appears that the Three Year Cash Flow spreadsheet assumes a five year payback period of the principal, in six equal portions in September through February of \$8,333 each which totals \$49,999 each year.

Please clarify if the payback period is four or five years.

ANSWER

The numbers in the cash flow are correct. A five year payback with \$50,000 being repaid each year in six equal installments. A four year payback of \$62.5K per year is possible, but the five year payback is what EdTec would recommend requesting from CSFA when RVC applies for the revolving loan.

QUESTION #12 (from the 3rd List of Questions)

Section K, Staff Retirement System

Other Observations

- The Charter will need to coordinate STRS reporting and contributions with the Marin County Office of Education.
Does the Charter intend to coordinate STRS reporting and contributions with the Marin County Office of Education?

ANSWER

RVC intends to coordinate STRS reporting and contributions with the MCOE and submit any information to the County that it needs for its oversight role and to receive any STRS services that the MCOE provides to other charter schools in the county.

Marin County Charter Ad Hoc Committee
Ross Valley Charter Petition Appeal Review
Staff Review
Clarifying Questions #2
September 17, 2015

QUESTION # 1

Section B, Measurable Student Outcomes and Other Uses of Data

How pupil outcomes will address state content and performance standards in core academics

- Exit outcomes were noted in the RVC Graduate Profile as well as in their additional goals section. It was noted that these description are broadly stated and do not clearly articulate actual grade equivalent or standard score data in content and performance standards. p. 111-114, 120-125

Please provide specific on how students will move from grade to grade. What measures will be used? What measure will the RVC use to gage and measure mastery?

Affirmation that "benchmark" skills and specific classroom-level skills will be developed

- The petition had a lack of specific benchmark skills and specific classroom – level skills that will be developed. p. 125, 128-129

Please provide more detail about the benchmarks that will be used to show how RVC will know what a student knows and understands, and what they do not know.

ANSWER

Pages 128-129 in the petition contain a detailed mapping of the different elements making up the Graduate Profile. As can be seen by looking at the sample 4th/5th Class Progress Report in the appendix, many of the elements of the Graduate Profile are not strictly academic in nature and are therefore subjective assessments based on the professional judgment of the very experienced teachers who are petitioning.

The academic assessments in ELA and Math subject matter, which make up about 75% of the Progress Report contents, are based on very clear and articulable benchmarks.

RVC teachers will specifically teach the Common Core State Standards for English-Language Arts and Math, so benchmark skills will be taken directly from the standards. There are many standards for each grade level in the core subjects (reading, writing, listening & speaking, and math), so not all of them are listed on the progress report, but they will all be taught. The following are our benchmarks for third grade; we can provide detailed benchmarks for all grades if you would like.

In third grade, students will be expected to have mastered the following skills by the end of the year:

LANGUAGE ARTS

READING--FOUNDATIONAL SKILLS

- Know and apply grade-level phonics and word analysis skills in decoding words.
- Identify and know the meaning of the most common prefixes and derivational suffixes.
- Decode words with common Latin suffixes.
- Decode multi-syllable words.
- Read grade appropriate irregularly spelled words.
- Read with sufficient accuracy and fluency to support comprehension.
- Read grade level text with purpose and understanding.
- Read grade level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.
- Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

LITERATURE

- Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.
- Recount stories, including fables, folktales, and myths from diverse cultures; determine the central message, lesson, or moral and explain how it is conveyed through key details in the text.
- Describe characters in a story (e.g., their traits, motivations, or feelings) and explain how their actions contribute to the sequence of events
- Determine the meaning of words and phrases as they are used in a text, distinguishing literal from nonliteral language.
- Refer to parts of stories, dramas, and poems when writing or speaking about a text, using terms such as chapter, scene, and stanza; describe how each successive part builds on earlier sections.
- Distinguish their own point of view from that of the narrator or those of the characters.
- Explain how specific aspects of a text's illustrations contribute to what is conveyed by the words in a story (e.g., create mood, emphasize aspects of a character or setting).
- Compare and contrast the themes, settings, and plots of stories written by the same author about the same or similar characters (e.g., in books from a series).
- By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 2-3 text complexity band independently and proficiently.

INFORMATIONAL TEXT

- Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.
- Determine the main idea of a text; recount the key details and explain how they support the main idea.
- Describe the relationship between a series of historical events, scientific ideas or concepts, or steps in technical procedures in a text, using language that pertains to time, sequence, and cause/effect.
- Determine the meaning of general academic and domain specific words and phrases in a text relevant to a grade 3 topic or subject area.
- Use text features and search tools (e.g., key words, sidebars, hyperlinks) to locate information relevant to a given topic efficiently.
- Distinguish their own point of view from that of the author of a text.

- Use information gained from illustrations (e.g., maps, photographs) and the words in a text to demonstrate understanding of the text (e.g., where, when, why, and how key events occur).
- Describe the logical connection between particular sentences and paragraphs in a text (e.g., comparison, cause/effect, first/second/third in a sequence).
- Compare and contrast the most important points and key details presented in two texts on the same topic.
- By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 2-3 text complexity band independently and proficiently.

WRITING

- Write opinion pieces on topics or texts, supporting a point of view with reasons.
 - Introduce the topic or text they are writing about, state an opinion, and create an organizational structure that lists reasons.
 - Provide reasons that support the opinion.
 - Use linking words and phrases (e.g., because, therefore, since, for example) to connect opinion and reasons.
 - Provide a concluding statement or section.
- Write informative/explanatory texts to examine a topic and convey ideas and information clearly.
 - Introduce a topic and group related information together; include illustrations when useful to aiding comprehension.
 - Develop the topic with facts, definitions, and details.
 - Use linking words and phrases (e.g., also, another, and, more, but) to connect ideas within categories of information.
 - Provide a concluding statement or section.
- Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences.
 - Establish a situation and introduce a narrator and/or characters; organize an event sequence that unfolds naturally.
 - Use dialogue and descriptions of actions, thoughts, and feelings to develop experiences and events or show the response of characters to situations.
 - Use temporal words and phrases to signal event order.
 - Provide a sense of closure.
- With guidance and support from adults, produce writing in which the development and organization are appropriate to task and purpose.
- With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, and editing.
- With guidance and support from adults, use technology to produce and publish writing (using keyboarding skills) as well as to interact and collaborate with others.
- Conduct short research projects that build knowledge about a topic.
- Recall information from experiences or gather information from print and digital sources; take brief notes on sources and sort evidence into provided categories.
- Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

SPEAKING & LISTENING

- Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 3 topics and texts, building on others' ideas and expressing their own clearly.
- Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.
- Follow agreed upon rules for discussions (e.g., gaining the floor in respectful ways, listening to others with care, speaking one at a time about the topics and texts under discussion).
- Ask questions to check understanding of information presented, stay on topic, and link their comments to the remarks of others.
- Explain their own ideas and understanding in light of the discussion.
- Determine the main ideas and supporting details of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.
- Ask and answer questions about information from a speaker, offering appropriate elaboration and detail.
- Report on a topic or text, tell a story, or recount an experience with appropriate facts and relevant, descriptive details, speaking clearly at an understandable pace.
- Create engaging audio recordings of stories or poems that demonstrate fluid reading at an understandable pace; add visual displays when appropriate to emphasize or enhance certain facts or details.
- Speak in complete sentences when appropriate to task and situation in order to provide requested detail or clarification.

LANGUAGE

- Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.
- Explain the function of nouns, pronouns, verbs, adjectives, and adverbs in general and their functions in particular sentences.
- Form and use regular and irregular plural nouns.
- Use abstract nouns (e.g., childhood).
- Form and use regular and irregular verbs.
- Form and use the simple (e.g., I walked; I walk; I will walk) verb tenses.
- Ensure subject-verb and pronoun-antecedent agreement.
- Form and use comparative and superlative adjectives and adverbs, and choose between them depending on what is to be modified.
- Use coordinating and subordinating conjunctions.
- Produce simple, compound, and complex sentences.
- Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.
- Capitalize appropriate words in titles.
- Use commas in addresses.
- Use commas and quotation marks in dialogue.
- Form and use possessives.
- Use conventional spelling for high-frequency and other studied words and for adding suffixes to base words (e.g., sitting, smiled, cries, happiness).

- Use spelling patterns and generalizations (e.g., word families, position-based spellings, syllable patterns, ending rules, meaningful word parts) in writing words
- Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.
- Use knowledge of language and its conventions when writing, speaking, reading, or listening.
- Choose words and phrases for effect.
- Recognize and observe differences between the conventions of spoken and written standard English.
- Determine or clarify the meaning of unknown and multiple-meaning word and phrases based on grade 3 reading and content, choosing flexibly from a range of strategies.
- Use sentence level context as a clue to the meaning of a word or phrase.
- Determine the meaning of the new word formed when a known affix is added to a known word (e.g., agreeable/disagreeable, comfortable/uncomfortable, care/careless, heat/preheat).
- Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., company, companion).
- Use glossaries or beginning dictionaries, both print and digital, to determine or clarify the precise meaning of key words and phrases.
- Demonstrate understanding of figurative language, word relationships and nuances in word meanings.
- Distinguish the literal and nonliteral meanings of words and phrases in context (e.g., take steps).
- Identify real-life connections between words and their use (e.g., describe people who are friendly or helpful).
- Distinguish shades of meaning among related words that describe states of mind or degrees of certainty (e.g., knew, believed, suspected, heard, wondered).
- Acquire and use accurately grade-appropriate conversational, general academic, and domain-specific words and phrases, including those that signal spatial and temporal relationships (e.g., After dinner that night we went looking for them).

MATH

OPERATIONS & ALGEBRAIC THINKING

- Interpret products of whole numbers, e.g., interpret 5×7 as the total number of objects in 5 groups of 7 objects each.
- Interpret whole-number quotients of whole numbers, e.g., interpret $56 \div 8$ as the number of objects in each share when 56 objects are partitioned equally into 8 shares, or as a number of shares when 56 objects are partitioned into equal shares of 8 objects each.
- Use multiplication and division within 100 to solve word problems in situations involving equal groups, arrays, and measurement quantities, e.g., by using drawings and equations with a symbol for the unknown number to represent the problem.
- Determine the unknown whole number in a multiplication or division equation relating three whole numbers. For example, determine the unknown number that makes the equation true in each of the equations $8 \times ? = 48$, $5 = _ \div 3$, $6 \times 6 = ?$
- Apply properties of operations as strategies to multiply and divide. Examples: If $6 \times 4 = 24$ is known, then $4 \times 6 = 24$ is also known. (Commutative property of multiplication.) $3 \times 5 \times 2$ can be found by $3 \times 5 = 15$, then $15 \times 2 = 30$, or by $5 \times 2 = 10$, then $3 \times 10 = 30$. (Associative property of multiplication.) Knowing that $8 \times 5 = 40$ and $8 \times 2 = 16$, one can find 8×7 as $8 \times (5 + 2) = (8 \times 5) + (8 \times 2) = 40 + 16 = 56$. (Distributive property.)

- Understand division as an unknown-factor problem. For example, find $32 \div 8$ by finding the number that makes 32 when multiplied by 8.
- Represent and solve problems involving multiplication and division. Understand properties of multiplication and the relationship between multiplication and division.
- Fluently multiply and divide within 100, using strategies such as the relationship between multiplication and division (e.g., knowing that $8 \times 5 = 40$, one knows $40 \div 5 = 8$) or properties of operations.
- By the end of Grade 3, know from memory all products of two one-digit numbers.
- Solve two-step word problems using the four operations. Represent these problems using equations with a letter standing for the unknown quantity. Assess the reasonableness of answers using mental computation and estimation strategies including rounding.
- Identify arithmetic patterns (including patterns in the addition table or multiplication table), and explain them using properties of operations.
- Solve problems involving the four operations, and identify and explain patterns in arithmetic.

NUMBER & OPERATIONS IN BASE TEN

- Use place value understanding to round whole numbers to the nearest 10 or 100.
- Fluently add and subtract within 1000 using strategies and algorithms based on place value, properties of operations, and/or the relationship between addition and subtraction.
- Multiply one-digit whole numbers by multiples of 10 in the range 10-90 (e.g., 9×80 , 5×60) using strategies based on place value and properties of operations.

NUMBER & OPERATIONS IN FRACTIONS

- Understand a fraction $1/b$ as the quantity formed by 1 part when a whole is partitioned into b equal parts; understand a fraction a/b as the quantity formed by a parts of size $1/b$.
- Understand a fraction as a number on the number line; represent fractions on a number line diagram.
- Represent a fraction $1/b$ on a number line diagram by defining the interval from 0 to 1 as the whole and partitioning it into b equal parts. Recognize that each part has size $1/b$ and that the endpoint of the part based at 0 locates the number $1/b$ on the number line.
- Represent a fraction a/b on a number line diagram by marking off a lengths $1/b$ from 0. Recognize that the resulting interval has size a/b and that its endpoint locates the number a/b on the number line.
- Explain equivalence of fractions in special cases, and compare fractions by reasoning about their size.
- Understand two fractions as equivalent (equal) if they are the same size, or the same point on a number line.
- Recognize and generate simple equivalent fractions, e.g., $1/2 = 2/4$, $4/6 = 2/3$. Explain why the fractions are equivalent, e.g., by using a visual fraction model.
- Express whole numbers as fractions, and recognize fractions that are equivalent to whole numbers. Examples: Express 3 in the form $3 = 3/1$; recognize that $6/1 = 6$; locate $4/4$ and 1 at the same point of a number line diagram.
- Compare two fractions with the same numerator or the same denominator by reasoning about their size. Recognize that comparisons are valid only when the two fractions refer to the same whole. Record the results of comparisons with the symbols $>$, $=$, or $<$ and justify the conclusions, e.g., by using a visual fraction model.

MEASUREMENT & DATA

- Tell and write time to the nearest minute and measure time intervals in minutes. Solve word problems involving addition and subtraction of time intervals in minutes, e.g., by representing the problem on a number line diagram.
- Measure and estimate liquid volumes and masses of objects using standard units of grams (g), kilograms (kg), and liters (l).
- Add, subtract, multiply, or divide to solve one-step word problems involving masses or volumes that are given in the same units, e.g., by using drawings (such as a beaker with a measurement scale) to represent the problem.
- Draw a scaled picture graph and a scaled bar graph to represent a data set with several categories. Solve one- and two-step "how many more" and "how many less" problems using information presented in scaled bar graphs. For example, draw a bar graph in which each square in the bar graph might represent 5 pets.
- Generate measurement data by measuring lengths using rulers marked with halves and fourths of an inch. Show the data by making a line plot, where the horizontal scale is marked off in appropriate units— whole numbers, halves, or quarters.
- Recognize area as an attribute of plane figures and understand concepts of area measurement.
- A square with side length 1 unit, called "a unit square," is said to have "one square unit" of area, and can be used to measure area.
- A plane figure which can be covered without gaps or overlaps by n unit squares is said to have an area of n square units.
- Measure areas by counting unit squares (square cm, square m, square in, square ft, and improvised units). Represent and interpret data.
- Solve problems involving measurement and estimation. Geometric Measurement: understand concepts of area and relate area to multiplication and to addition.
- Relate area to the operations of multiplication and addition.
- Find the area of a rectangle with whole-number side lengths by tiling it, and show that the area is the same as would be found by multiplying the side lengths.
- Multiply side lengths to find areas of rectangles with whole-number side lengths in the context of solving real world and mathematical problems, and represent whole-number products as rectangular areas in mathematical reasoning.
- Use tiling to show in a concrete case that the area of a rectangle with whole-number side lengths a and $b + c$ is the sum of $a \times b$ and $a \times c$. Use area models to represent the distributive property in mathematical reasoning.
- Recognize area as additive. Find areas of rectilinear figures by decomposing them into non-overlapping rectangles and adding the areas of the non-overlapping parts, applying this technique to solve real world problems.
- Solve real world and mathematical problems involving perimeters of polygons, including finding the perimeter given the side lengths, finding an unknown side length, and exhibiting rectangles with the same perimeter and different areas or with the same area and different perimeters.

GEOMETRY

- Understand that shapes in different categories (e.g., rhombuses, rectangles, and others) may share attributes (e.g., having four sides), and that the shared attributes can define a larger

category (e.g., quadrilaterals). Recognize rhombuses, rectangles, and squares as examples of quadrilaterals, and draw examples of quadrilaterals that do not belong to any of these subcategories.

- Partition shapes into parts with equal areas. Express the area of each part as a unit fraction of the whole. For example, partition a shape into 4 parts with equal area, and describe the area of each part as $\frac{1}{4}$ of the area of the shape.

The specific assessments for these skills, and measures used to gauge and measure mastery are addressed in the next question.

QUESTION #2

Section C, The Method by Which Pupil Progress in Meeting the Pupil Outcomes Will be Measured

Description of how assessments align to mission, exit outcomes, and curriculum

- The assessments lacked specificity and direct alignment with stated mission, although the reader could imply the connections using the descriptions across the curriculum portion of the application. p. 128-132

Please provide more detail about the specific measurements that will be used that are in direct alignment with the mission. What measurements will be used to move students from grade to grade? How will learning be measured?

Describes minimal required performance level necessary to attain each standard

- There was no identified required performance level necessary to attain each standard noted in the application. This is an area that is not met.

Please provide more detail on how students will move from grade to grade. What will grade to grade mastery look like and how will it be measured? Rubric; Assessment.

ANSWER

In terms of how RVC assessments align with the Mission, the Mission can be understood as a brief summary of the elements of the Graduate Profile. As mentioned in the answer to the previous question, the Progress Report is designed to show progress towards the Graduate Profile. The non-academic portions of the Graduate Profile make up about 25% of the Progress Report and the assessments made are based on the teachers' judgment as educational professionals with many, many years of experience. Newer teachers will be guided by the experienced founding teachers.

In terms of the 75% of the Progress Report that is academic in nature, RVC will use multiple measures to assess student progress throughout each school year. The most crucial are in these core subjects:

Reading—Students will be individually assessed using the Teachers College (Lucy Calkins)

Running Records assessment, which measures decoding, fluency, and comprehension. These assessments, which are used by schools throughout the country, will happen at the beginning of each year and at least every trimester (more often for students who are below grade level). Each student's reading level, along with the level that is considered "at grade level," will be noted on each trimester's Progress Report. A sample reading assessment that is "at grade level" for November of 4th grade is attached as Exhibit A.

Benchmark reading levels are as follows:

**Teachers College Reading and Writing Project
Benchmark Reading Levels and Marking Period Assessments**

Updated December 2012

SEPTEMBER	NOVEMBER	JANUARY	MARCH	JUNE
<u>Kindergarten</u> Emergent Story Books Shared Reading	<u>Kindergarten</u> Emergent Story Books Shared Reading A/B (with book intro)	<u>Kindergarten</u> B/C (with book intro)	<u>Kindergarten</u> 1=Early Emergent 2=A/B (with book intro) 3=C (with book intro) 4=D/E	<u>Kindergarten</u> 1=B or below 2=C (with book intro) 3=D/E 4=F or above
<u>Grade 1:</u> 1=B or below 2=C 3=D/E 4=F or above	<u>Grade 1:</u> 1=C or below 2=D/E 3=F/G 4=H or above	<u>Grade 1:</u> 1=D or below 2=E/F 3=G/H 4=I or above	<u>Grade 1:</u> 1=E or below 2=F/G 3=H/I/J 4=K or above	<u>Grade 1:</u> 1=G or below 2=H 3=I/J/K 4=L or above
<u>Grade 2:</u> 1=F or below 2=G/H 3=I/J/K 4=L or above	<u>Grade 2:</u> 1=G or below 2=H/I 3=J/K/L 4=M or above	<u>Grade 2:</u> 1=H or below 2=I/J 3=K/L 4=M or above	<u>Grade 2:</u> 1=I or below 2=J/K 3=L/M 4=N or above	<u>Grade 2:</u> 1=J or below 2=K/L 3=M 4=N or above
<u>Grade 3:</u> 1=K or below (avg. H) 2=L 3=M 4=N or above	<u>Grade 3:</u> 1=K or below (avg. I) 2=L/M (avg. L) 3=N 4=O or above	<u>Grade 3:</u> 1=L or below 2=M/N 3=O 4=P or above	<u>Grade 3:</u> 1=M or below (avg. J) 2=N 3=O 4=P or above	<u>Grade 3:</u> 1=N or below (avg. K) 2=O 3=P 4=Q or above
<u>Grade 4:</u> 1=M or below (avg. J) 2=N/O (avg. N) 3=P/Q (avg. P) 4=R or above	<u>Grade 4:</u> 1=N or below (avg. L) 2=O/P (avg. P) 3=Q/R (avg. Q) 4=S or above	<u>Grade 4:</u> 1=O or below 2=P/Q 3=R/S 4=T or above	<u>Grade 4:</u> 1=O or below (avg. K) 2=P/Q (avg. P) 3=R/S (avg. R) 4=T or above	<u>Grade 4:</u> 1=P or below (avg. L) 2=Q/R (avg. Q) 3=S/T (avg. S) 4=U or above
<u>Grade 5:</u> 1=P or below (avg. M) 2=Q/R (avg. Q) 3=S 4=T or above	<u>Grade 5:</u> 1=P or below (avg. N) 2=Q/R/S (avg. Q) 3=T 4=U or above	<u>Grade 5:</u> 1=Q or below 2=R/S/T 3=U 4=V or above	<u>Grade 5:</u> 1=Q or below (avg. O) 2=R/S/T (avg. R/S) 3=U 4=V or above	<u>Grade 5:</u> 1=R or below (avg. P) 2=S/T/U (avg. S/T) 3=V 4=W or above

Scale:

1 = below grade level

2 = approaching grade level

3= at grade level

4= above grade level

Writing—For each writing unit, students will do an on-demand writing sample before the unit and after the unit. These writing samples will be assessed using rubrics from Lucy Calkins' Units of Study, described in *Writing Pathways, Grades K-5; Performance Assessments and Learning Progressions* by Lucy Calkins. The rubrics allow teachers to score a piece of writing based on the corresponding grade level expectations. Rubric scoring is done by adding up scores from components of a student's writing to find a raw score, then converting that raw score into a scaled score. Student writing will be assessed in informational, narrative, and opinion genres each year, 2nd-5th grade. Sample 4th grade writing rubrics are attached as Exhibit B.

Math—For each math unit, teachers will assess students' progress toward the standards using assessments, either created or found by teachers, based on specific CCSS skills. A sample 4th grade place value unit assessment is attached as Exhibit C. In addition, students will take Smarter Balanced Interim Assessments (described below).

For Language Arts and Math, RVC will also use Smarter Balanced Interim Assessments. These Interim Assessment Blocks are standards-based and focus on a particular area or set of standards, with a limited number of questions or problems. Students will take these assessments throughout the year to assess progress toward particular skills. The data from the interim assessments will be used to improve teaching and learning. Students who score below standard on these assessments will be re-taught skills and re-tested to ensure mastery. The Interim Assessments can be re-administered any number of times. They will be administered online and use the same delivery software as the Smarter Balanced summative assessments (end of year state mandated standardized tests), which all 3rd through 5th grade students will also take. More information on the interim assessments can be found here:

<http://www.smarterbalanced.org/wordpress/wp-content/uploads/2014/06/Interim-Assessment-Statement-Purpose-FINALmerged.pdf>

Promotion to Next Grade

RVC will focus on individual student progress, with the understanding that each student will develop differently. At least each trimester, RVC teachers will assess their students in reading, writing, and math, and, with the help of the School Director, will create a visual assessment data collection sheet. [See example as Exhibit D] Students will be identified as below grade level, at grade level, or above grade level in each core subject. Based on their needs, students who are below grade level may receive support from the Intervention Teacher and additional classroom support from the teacher; have a Student Success Team meeting convened with the Intervention Teacher, Special Education Teacher, and classroom teacher to articulate the

students' strengths and needs; and if needed, will receive assessment to determine if the student qualifies for Special Education services.

Rarely will a student be retained. Rather, students will be closely monitored, starting at the early grades, and given extra support or different types of instruction as needed. Retention will be considered when a student is found to be consistently below grade level despite intervention and support efforts, and the student doesn't qualify for Special Education services, and when the parents, teachers, and other professionals decide it would be the best course of action for that individual student, taking into account the student's age and social and emotional factors.

The founding teachers have many years of experience teaching and assessing students, and will help to guide the less experienced teachers that RVC hires. Part of the beauty of a multi-age classroom is that students don't have to be pushed to meet grade level standards each year before they are ready. The founding teachers have found that their students in the Multi-Age Program (MAP) often make much more progress in the second year with the same teacher. The ultimate goal is that by the end of fifth grade, **as summarized in our Mission Statement and outlined in more detail in our Graduate Profile**, students will have mastered the academic standards, developed RVC's articulated 21st Century Skills, and be ready to confidently move on to middle school.

Using the one commonly normed 5th grade assessment benchmarked to the Common Core State Standards that is currently available for California public school students (the Smarter Balanced Assessment Consortium "SBAC"), the 2014-2015 MAP 5th graders performed well in both assessed academic areas of Math and English-Language Arts. The table below contains the percentage of MAP 5th grade students that met or exceeded standards in Math and ELA compared to **the total RVSD 5th grade**.

Percentage of 5th Graders who Met or Exceeded Standards 2015

	English-Language Arts	Math	Average of ELA and MATH
Ross Valley School District	81%	71%	76%
Multi-Age Program	87%	82%	84%

These scores were the result of students working for six years with the six petitioning teachers using the educational philosophy, materials, instructional approaches, and assessments outlined in the Petition, as well as outlined in the above clarifying answers to the County's questions. During the course of these six years, keep in mind that the teachers shifted from teaching using the old state standards to the new Common Core State Standards, so as the CDE is pointing out, these scores should be viewed as initial benchmarks. The founding teachers will continue to use assessment data to improve and refine teaching practices as RVC teachers, just as they have as MAP teachers.

Exhibit A – Reading Assessment

Set 1 Teacher Copy: Assessment for Independent Reading Levels Level Q
Levels L-Z (Fiction/Narrative)

Reader's Name _____ Grade _____ Date _____

Excerpt from *The Cuckoo Child*, by Dick King-Smith, pp. 25-26
Set 1, Level Q 292 words

Independent Level: Yes No
Accuracy Rate: _____
Oral Reading Rate _____

Book Introduction: Say this to the reader before he or she begins the student copy of the text: "Jack loves all kinds of birds. In this scene, Jack and his class are at the zoo, watching the ranger feed the ostriches, which are very large birds. Please read aloud the first section. (Point to the line on the student copy to show the child where the first section ends.) After this part, you may read the rest silently. If you need to, you can reread the first part. When you are finished reading, I will ask you to retell or summarize what you have just read."

- During and after the Running Record, you may make these observations and notes to inform instruction:*
- Self-corrects;
 - Pauses while reading to think;
 - Uses more than one strategy to figure out unfamiliar words;
 - Miscues make sense;
 - Miscues fit the syntax or structure of the sentence;
 - Miscues look similar to words in the text;
 - Figures out the meaning of unfamiliar words—if the child mispronounces a word during the running record, ask the child if they know the meaning of the word when they finish reading the excerpt.

Running Record: For the first 100 words, record the reader's miscues (or errors) above the words as he or she reads. Later, you may or may not code them, using miscue analysis (MSU). Stop when the child has made five miscues and go back to the previous level.

When he had gone some way away, the ranger began to throw the fruit and vegetables over the fence. Then, leaving the birds busily feeding, he hurried back, unlocked the gate, and, pushing in the wheelbarrow, reloaded it with the more outlying of the ostrich eggs.

Jack watched all this with mounting excitement. It might take a bird to hatch eggs, but a boy could hatch a *plan!* He unzipped the canvas backpack slung over his shoulder.

The ranger came out again and relocked the gate.

In the wheelbarrow were nine eggs.

He picked one up.

"Now," he said, "where's (100 words) the young man who asked that question?"

**** (Reader may continue silently from this point on) ****

And when Jack raised his hand, the ranger said, "Here, you can go first," and handed him an ostrich egg.

Then, one after another, the ranger took the other spare eggs out of the wheelbarrow and gave them to various children to hold and examine.

Exhibit A – Reading Assessment

Set 1 Teacher Copy: Assessment for Independent Reading Levels Level Q
 Levels L-Z (Fiction/Narrative)

“Let me!” “Let me!” “Give it here!” “Let me go first!” cried the boys and girls as they competed to hold an egg, and in the hubbub and confusion nobody noticed what Jack was doing or heard him zip his backpack shut.

“Now, now, children, that’s enough!” said (200 words) the teacher. “Put all the eggs back in the wheelbarrow now.” She turned to the ranger and said, “What will you do with these?”

“Often we send some to other safari parks or zoos,” said the ranger, “but actually these will be fed to our big snakes, the pythons and the boa constrictors. Now then, have you all put your eggs back?”

“Yes!” chorused the children. Jack said nothing.

“Thank you for your trouble,” said the teacher.

“Bye-bye then,” said the ranger, and off he went. In the wheelbarrow were eight eggs. (292 words)

Total miscues including self-corrected: _____ Self-corrections: _____ Miscues reader did not self-correct: _____	Accuracy Rate: Circle the number of miscues the reader did not self-correct.				
	100%	99%	98%	97%	96%
	0 miscues	1 miscue	2 miscues	3 miscues	4 miscues
	96%-100% accuracy is necessary to determine the reader’s independent reading level. Try a lower level text if the reader made 5 or more miscues.				

Literal and Inferential Retelling or Summary

Say, “Please retell or summarize what you just read.” Write notes regarding the student’s retelling or summary on the back of this page. If the student has trouble getting started, you can prompt him/her. Make a note that you prompted the student.

Use the Retelling Rubric and Sample Student Responses to determine if the child’s retelling and responses to the comprehension questions are acceptable. If a student answers a comprehension question as part of the retelling you do not have to ask him/her that question. If a student is not able to retell but is able to answer the comprehension questions, note that this student will need extra work on how to retell a story.

Exhibit A – Reading Assessment

Set 1 Teacher Copy: Assessment for Independent Reading Levels Level Q
Levels L-Z (Fiction/Narrative)

Comprehension Questions Section: Analyze the student's retelling/summary to see if it contains information that answers each question below. If a question was not answered in the retelling, ask it and record the student's response.

1. *Literal Question:* What does the ranger say he will do with the spare eggs?
2. *Literal Question:* Did anybody notice that one of the eggs is missing at the end of the passage? How can you tell?
3. *Inferential Question:* The story says, "It might take a bird to hatch eggs, but a boy could hatch a plan!" What was Jack's plan?
4. *Inferential Question:* What do you think Jack did with one of the eggs?

Oral Reading Fluency Scale – Circle the Appropriate Level

Fluent	Level 4	Reads primarily in larger, meaningful phrase groups. Although some regressions, repetitions, and deviations from text may be present, these do not appear to detract from the overall structure of the text. Preservation of the author's syntax is consistent. Most of the text is read with expressive interpretation.
	Level 3	Reads primarily in three or four-word phrase groups. Some small groupings may be present. However, the majority of phrasing seems appropriate and preserves the syntax of the author. Some expressive interpretation is present; this may be inconsistent across the reading of the text.
Non fluent	Level 2	Reads primarily in two-word phrases with some three or four-word groupings. Some word-by-word reading may be present. Word groupings may seem awkward and unrelated to larger context of sentence or passage. Beginning a little expressive interpretation, frequently first seen when reading dialogue.
	Level 1	Reads primarily word-by-word. Occasional two-word or three-word phrases may occur—but these are infrequent and/or they do not preserve meaningful syntax. No expressive interpretation.

Adapted from: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), 2002 Oral Reading Study.

Level Q Benchmarks for Oral Reading Rate (Words Per Minute)

Oral reading rate is the number of words per minute the reader reads with accuracy, intonation and meaningful phrasing.

Level 1 Needs Support	Level 2 Approaches Standards	Level 3 Meets Standards	Level 4 Exceeds Standards
74 wpm or less	75-104 wpm	105-140 wpm	141 wpm or more

Please refer to the Benchmarks for Student Progress for details regarding Oral Reading Rate.

Final Score

- Yes No Was the reader's accuracy rate at least 96%?**
Yes No Did the student read with fluency? (a score of 3 or 4 on the Oral Reading Fluency Scale)
Yes No Did the reader correctly answer at least 3 questions in the Comprehension Questions Section?
Yes No Did the retelling/summary express the important things that happened in the text?

Is this the student's independent reading level?

- If you did **NOT** answer "yes" to all four questions in this Final Score box, try an easier text. Keep moving to easier texts until you find the level at which you are able to answer "yes" to all four questions in the Final Score box.
- If you circled four "yes" answers in this Final Score box, the student is reading strongly at this level. However, it is possible that the student may also read strongly at a higher level. Keep moving to higher passages until you can no longer answer "yes" to all four questions. The highest level that showed strong reading is the independent reading level. For example, you might find that you answered "yes" to all four questions in the Final Score box for level Q, then a "yes" to all four questions for level R, but only three "yes" answers for level S. Level R is the highest passage on which you were able to answer "yes" to all four questions in the Final Score box. Level R is the current independent reading level for the student.

Exhibit B – Writing Assessments

Name: _____

Date: _____

Rubric for Information Writing—Fourth Grade								
	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE								
Overall	The writer taught readers some important points about a subject.	Mid-level	The writer taught readers information about a subject. He put in ideas, observations, and questions.	Mid-level	The writer taught readers different things about a subject. She put facts, details, quotes, and ideas into each part of my writing.	Mid-level	The writer used different kinds of information to teach about the subject. Sometimes he included little essays, stories, or how-to sections in his writing.	
Lead	The writer wrote a beginning in which he named a subject and tried to interest readers.	Mid-level	The writer wrote a beginning in which she got readers ready to learn a lot of information about the subject.	Mid-level	The writer hooked his readers by explaining why the subject mattered, telling a surprising fact, or giving a big picture. He let readers know that he would teach them different things about a subject.	Mid-level	The writer wrote an introduction that helped readers get interested in and understand the subject. She let readers know the subtopics she would be developing later as well as the sequence.	
Transitions	The writer used words such as <i>and</i> and <i>also</i> to show she had more to say.	Mid-level	The writer used words to show sequence such as <i>before</i> , <i>after</i> , <i>then</i> , and <i>later</i> . He also used words to show what did not fit such as <i>however</i> and <i>but</i> .	Mid-level	The writer used words in each section that helped readers understand how one piece of information connected with others. If she wrote the section in sequence, she used words and phrases such as <i>before</i> , <i>later</i> , <i>next</i> , <i>then</i> , and <i>after</i> . If she organized the section in kinds or parts, she used words such as <i>another</i> , <i>also</i> , and <i>for example</i> .	Mid-level	When the writer wrote about results, he used words and phrases such as <i>consequently</i> , <i>as a result</i> , and <i>because of this</i> . When he compared information, he used phrases such as <i>in contrast</i> , <i>by comparison</i> , and <i>especially</i> . In narrative parts, he used phrases that go with stories such as <i>a little later</i> and <i>three hours later</i> . In the sections that stated an opinion, he used words such as <i>but the most important reason</i> , <i>for example</i> , and <i>consequently</i> .	
Ending	The writer wrote some sentences or a section at the end to wrap up his piece.	Mid-level	The writer wrote an ending that drew conclusions, asked questions, or suggested ways readers might respond.	Mid-level	The writer wrote an ending that reminded readers of his subject and may have suggested a follow-up action or left readers with a final insight. He added his thoughts, feelings, and questions about the subject at the end.	Mid-level	The writer wrote a conclusion in which she restated the main points and may have offered a final thought or question for readers to consider.	

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE (cont.)								
Organization	The writer's writing had different parts. Each part told different information about the topic.	Mid-level	The writer grouped his information into parts. Each part was mostly about one thing that connected to his big topic.	Mid-level	The writer grouped information into sections and used paragraphs and sometimes chapters to separate those sections. Each section had information that was mostly about the same thing. She may have used headings and subheadings.	Mid-level	The writer organized his writing into a sequence of separate sections. He may have used headings and subheadings to highlight the separate sections. The writer wrote each section according to an organizational plan shaped partly by the genre of the section.	
								TOTAL
DEVELOPMENT								
Elaboration*	The writer used different kinds of information in his writing such as facts, definitions, details, steps, and tips.	Mid-level	The writer wrote facts, definitions, details, and observations about her topic and explained some of them.	Mid-level	The writer taught his readers different things about the subject. He chose those subtopics because they were important and interesting. The writer included different kinds of facts and details such as numbers, names, and examples. The writer got his information from talking to people, reading books, and from his own knowledge and observations. The writer made choices about organization. He might have used compare/contrast, cause/effect, or pro/con. He may have used diagrams, charts, headings, bold words, and definition boxes to help teach his readers.	Mid-level	The writer explained different aspects of a subject. She included a variety of information such as examples, details, dates, and quotes. The writer used trusted sources and gave credit when appropriate. She made sure to research any details that would add to her writing. The writer worked to make her information understandable to readers. To do this, she may have referred to earlier parts of her text and summarized background information. She let readers know when she was discussing facts and when she was offering her own thinking.	(X2)

* Elaboration and Craft are double-weighted categories: Whatever score a student would get in these categories is worth double the amount of points. For example, if a student exceeds expectations in Elaboration, then that student would receive 8 points instead of 4 points. If a student meets standards in Elaboration, then that student would receive 6 points instead of 3 points.

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
DEVELOPMENT (cont.)								
Craft*	The writer tried to include the words that showed she was an expert on the subject.	Mid-level	The writer chose expert words to teach readers a lot about the subject. He taught information in a way to interest readers. He may have used drawings, captions, or diagrams.	Mid-level	The writer made deliberate word choices to teach her readers. She may have done this by using and repeating key words about her topic. When it felt right to do so, the writer chose interesting comparisons and used figurative language to clarify her points. The writer made choices about which information was best to include or not include. The writer used a teaching tone. To do so, she may have used phrases such as <i>that means . . .</i> , <i>what that really means is . . .</i> , and <i>let me explain. . .</i>	Mid-level	The writer made deliberate word choices to have an effect on his readers. He used the vocabulary of experts and explained key terms. The writer worked to include the exact phrase, comparison, or image that would explain information and concepts. The writer not only made choices about which details and facts to include but also made choices about how to convey his information so it would make sense to readers. He blended storytelling, summary, and other genres as needed and used text features. The writer used a consistent, inviting, teaching tone and varied his sentences to help readers take in and understand the information.	(X2)
								TOTAL
LANGUAGE CONVENTIONS								
Spelling	The writer used what he knew about spelling patterns (<i>tion, er, ly, etc.</i>) to spell a word. The writer spelled all of the word wall words correctly and used the word wall to help him figure out how to spell other words.	Mid-level	The writer used what she knew about spelling patterns to help her spell and edit before she wrote her final draft. The writer got help from others to check her spelling and punctuation before she wrote her final draft.	Mid-level	The writer used what he knew about word families and spelling rules to help him spell and edit. He used the word wall and dictionaries to help him when needed.	Mid-level	The writer used what she knew about word families and spelling rules to help her spell and edit. She used the word wall and dictionaries to help her when needed.	

* Elaboration and Craft are double-weighted categories: Whatever score a student would get in these categories is worth double the amount of points. For example, if a student exceeds expectations in Elaboration, then that student would receive 8 points instead of 4 points. If a student meets standards in Elaboration, then that student would receive 6 points instead of 3 points.

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
LANGUAGE CONVENTIONS (cont.)								
Punctuation	The writer used quotation marks to show what characters said. When the writer used words such as <i>can't</i> and <i>don't</i> , she put in the apostrophe.	Mid-level	The writer punctuated dialogue correctly, with commas and quotation marks. The writer put punctuation at the end of every sentence while writing. The writer wrote in ways that helped readers read with expression, reading some parts quickly, some slowly, some parts in one sort of voice and others in another.	Mid-level	When writing long, complex sentences, the writer used commas to make them clear and correct.	Mid-level	The writer used commas to set off introductory parts of sentences (for example, <i>As you might know</i> ,). The writer used a variety of punctuation to fix any run-on sentences. He used punctuation to cite his sources.	
								TOTAL

Teachers, we created these rubrics so you will have your own place to pull together scores of student work. You can use these assessments immediately after giving the on-demands and also for self-assessment and setting goals.

If you want to translate this score into a grade, you can use the provided table to score each student on a scale of 0–4.

Scoring Guide

In each row, circle the descriptor in the column that matches the student work. Scores in the categories of Elaboration and Craft are worth double the point value (2, 3, 4, 5, 6, 7, or 8 instead of 1, 1.5, 2, 2.5, 3, 3.5, or 4).

Total the number of points and then track students' progress by seeing when the total points increase.

Total score: _____

Number of Points	Scaled Score
1–11	1
11.5–16.5	1.5
17–22	2
22.5–27.5	2.5
28–33	3
33.5–38.5	3.5
39–44	4

Exhibit B – Writing Assessments

Name: _____

Date: _____

Rubric for Narrative Writing—Fourth Grade								
	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE								
Overall	The writer wrote about <i>one time</i> when she did something.	Mid-level	The writer told the story bit by bit.	Mid-level	The writer wrote the important part of an event bit by bit and took out unimportant parts.	Mid-level	The writer wrote a story of an important moment. It read like a story, even though it might be a true account.	
Lead	The writer thought about how to write a good beginning and chose a way to start his story. He chose the action, talk, or setting that would make a good beginning.	Mid-level	The writer wrote a beginning in which she helped readers know who the characters were and what the setting was in her story.	Mid-level	The writer wrote a beginning in which he showed what was happening and where, getting readers into the world of the story.	Mid-level	The writer wrote a beginning in which she not only showed what was happening and where, but also gave some clues to what would later become a problem for the main character.	
Transitions	The writer told her story in order by using words such as <i>when, then, and after</i> .	Mid-level	The writer told his story in order by using phrases such as <i>a little later and after that</i> .	Mid-level	The writer showed how much time went by with words and phrases that mark time such as <i>just then and suddenly</i> (to show when things happened quickly) or <i>after a while</i> and <i>a little later</i> (to show when a little time passed).	Mid-level	The writer used transitional phrases to show passage of time in complicated ways, perhaps by showing things happening at the same time (<i>meanwhile, at the same time</i>) or flashback and flash-forward (<i>early that morning, three hours later</i>).	
Ending	The writer chose the action, talk, or feeling that would make a good ending.	Mid-level	The writer chose the action, talk, or feeling that would make a good ending and worked to write it well.	Mid-level	The writer wrote an ending that connected to the beginning or the middle of the story. The writer used action, dialogue, or feeling to bring his story to a close.	Mid-level	The writer wrote an ending that connected to the main part of the story. The character said, did, or realized something at the end that came from what happened in the story. The writer gave readers a sense of closure.	

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE (cont.)								
Organization	The writer wrote a lot of lines on a page and wrote across a lot of pages.	Mid-level	The writer used paragraphs and skipped lines to separate what happened first from what happened later (and finally) in his story.	Mid-level	The writer used paragraphs to separate the different parts or times of the story or to show when a new character was speaking.	Mid-level	The writer used paragraphs to separate different parts or times of the story and to show when a new character was speaking. Some parts of the story were longer and more developed than others.	
								Total
DEVELOPMENT								
Elaboration*	The writer tried to bring his characters to life with details, talk, and actions.	Mid-level	The writer worked to show what was happening to (and in) her characters.	Mid-level	The writer added more to the heart of his story, including not only actions and dialogue but also thoughts and feelings.	Mid-level	The writer developed characters, setting, and plot throughout her story, especially the heart of the story. To do this, she used a blend of description, action, dialogue, and thinking.	(X2)
Craft*	The writer chose strong words that would help readers picture her story.	Mid-level	The writer not only told his story, but also wrote it in ways that got readers to picture what was happening and that brought his story to life.	Mid-level	The writer showed <i>why</i> characters did what they did by including their thinking. The writer made some parts of the story go quickly, some slowly. The writer included precise and sometimes sensory details and used figurative language (simile, metaphor, personification) to bring her story to life. The writer used a storytelling voice and conveyed the emotion or tone of her story through description, phrases, dialogue, and thoughts.	Mid-level	The writer showed <i>why</i> characters did what they did by including their thinking and their responses to what happened. The writer slowed down the heart of the story. He made less important parts shorter and less detailed and blended storytelling and summary as needed. The writer included precise details and used figurative language so that readers could picture the setting, characters, and events. He used some objects or actions as symbols to bring forth his meaning. The writer varied his sentences to create the pace and tone of his narrative.	(X2)
								Total

* Elaboration and Craft are double-weighted categories: Whatever score a student would get in these categories is worth double the amount of points. For example, if a student exceeds expectations in Elaboration, then that student would receive 8 points instead of 4 points. If a student meets standards in Elaboration, then that student would receive 6 points instead of 3 points.

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Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
LANGUAGE CONVENTIONS								
Spelling	To spell a word, the writer used what he knew about spelling patterns (<i>tion, er, ly, etc.</i>). The writer spelled all of the word wall words correctly and used the word wall to help him figure out how to spell other words.	Mid-level	The writer used what she knew about spelling patterns to help her spell and edit before she wrote her final draft. The writer got help from others to check her spelling and punctuation before she wrote her final draft.	Mid-level	The writer used what he knew about word families and spelling rules to help him spell and edit. He used the word wall and dictionaries when needed.	Mid-level	The writer used what she knew about word families and spelling rules to help her spell and edit. She used the word wall and dictionaries when needed.	
Punctuation	The writer used quotation marks to show what characters said. When the writer used words such as <i>can't</i> and <i>don't</i> , she used the apostrophe.	Mid-level	The writer punctuated dialogue correctly with commas and quotation marks. While writing, the writer put punctuation at the end of every sentence. The writer wrote in ways that helped readers read with expression, reading some parts quickly, some slowly, some parts in one sort of voice and others in another.	Mid-level	When writing long, complex sentences, the writer used commas to make them clear and correct.	Mid-level	The writer used commas to set off introductory parts of sentences, such as <i>One day at the park, I went on the slide</i> ; he also used commas to show talking directly to someone, such as <i>Are you mad, Mom?</i>	
								Total

Teachers, we created these rubrics so you will have your own place to pull together scores of student work. You can use these assessments immediately after giving the on-demands and also for self-assessment and setting goals.

If you want to translate this score into a grade, you can use the provided table to score each student on a scale of 0–4.

Scoring Guide

In each row, circle the descriptor in the column that matches the student work. Scores in the categories of Elaboration and Craft are worth double the point value (2, 3, 4, 5, 6, 7, or 8 instead of 1, 1.5, 2, 2.5, 3, 3.5, or 4).

Total the number of points and then track students' progress by seeing when the total points increase.

Total score: _____

Number of Points	Scaled Score
1–11	1
11.5–16.5	1.5
17–22	2
22.5–27.5	2.5
28–33	3
33.5–38.5	3.5
39–44	4

Exhibit B – Writing Assessments

Name: _____

Date: _____

Rubric for Opinion Writing—Fourth Grade								
	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE								
Overall	The writer wrote her opinion or her likes and dislikes and gave reasons for her opinion.	Mid-level	The writer told readers his opinion and ideas on a text or a topic and helped them understand his reasons.	Mid-level	The writer made a claim about a topic or a text and tried to support her reasons.	Mid-level	The writer made a claim or thesis on a topic or text, supported it with reasons, and provided a variety of evidence for each reason.	
Lead	The writer wrote a beginning in which he not only gave his opinion, but also set readers up to expect that his writing would try to convince them of it.	Mid-level	The writer wrote a beginning in which she not only set readers up to expect that this would be a piece of opinion writing, but also tried to hook them into caring about her opinion.	Mid-level	The writer wrote a few sentences to hook his readers, perhaps by asking a question, explaining why the topic mattered, telling a surprising fact, or giving background information. The writer stated his claim.	Mid-level	The writer wrote an introduction that led to a claim or thesis and got her readers to care about her opinion. She got readers to care by not only including a cool fact or jazzy question, but also figuring out what was significant in or around the topic and giving readers information about what was significant about the topic. The writer worked to find the precise words to state her claim; she let readers know the reasons she would develop later.	

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE (cont.)								
Transitions	The writer connected parts of her piece using words such as <i>also, another, and because</i> .	Mid-level	The writer connected his ideas and reasons with his examples using words such as <i>for example and because</i> . He connected one reason or example using words such as <i>also and another</i> .	Mid-level	The writer used words and phrases to glue parts of her piece together. She used phrases such as <i>for example, another example, one time, and for instance</i> to show when she wanted to shift from saying reasons to giving evidence and <i>in addition to, also, and another</i> to show when she wanted to make a new point.	Mid-level	The writer used transition words and phrases to connect evidence back to his reasons using phrases such as <i>this shows that. . .</i> . The writer helped readers follow his thinking with phrases such as <i>another reason and the most important reason</i> . To show what happened he used phrases such as <i>consequently and because of</i> . The writer used words such as <i>specifically and in particular</i> to be more precise.	
Ending	The writer wrote an ending in which he reminded readers of his opinion.	Mid-level	The writer worked on an ending, perhaps a thought or comment related to her opinion.	Mid-level	The writer wrote an ending for his piece in which he restated and reflected on his claim, perhaps suggesting an action or response based on what he had written.	Mid-level	The writer worked on a conclusion in which he connected back to and highlighted what the text was mainly about, not just the preceding paragraph.	
Organization	The writer's piece had different parts; she wrote a lot of lines for each part.	Mid-level	The writer wrote several reasons or examples why readers should agree with his opinion and wrote at least several sentences about each reason. The writer organized his information so that each part of his writing was mostly about one thing.	Mid-level	The writer separated sections of information using paragraphs.	Mid-level	The writer grouped information and related ideas into paragraphs. He put the parts of his writing in the order that most suited his purpose and helped him prove his reasons and claim.	
								TOTAL

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
DEVELOPMENT								
Elaboration*	The writer wrote at least two reasons and wrote at least a few sentences about each one.	Mid-level	The writer not only named her reasons to support her opinion, but also wrote more about each one.	Mid-level	The writer gave reasons to support his opinion. He chose the reasons to convince his readers. The writer included examples and information to support his reasons, perhaps from a text, his knowledge, or his life.	Mid-level	The writer gave reasons to support her opinion that were parallel and did not overlap. She put them in an order that she thought would be most convincing. The writer included evidence such as facts, examples, quotations, micro-stories, and information to support her claim. The writer discussed and unpacked the way that the evidence went with the claim.	(X2)
Craft*	The writer chose words that would make readers agree with her opinion.	Mid-level	The writer not only told readers to believe him, but also wrote in ways that got them thinking or feeling in certain ways.	Mid-level	The writer made deliberate word choices to convince her readers, perhaps by emphasizing or repeating words that made readers feel emotions. If it felt right to do so, the writer chose precise details and facts to help make her points and used figurative language to draw readers into her line of thought. The writer made choices about which evidence was best to include or not include to support her points. The writer used a convincing tone.	Mid-level	The writer made deliberate word choices to have an effect on his readers. The writer reached for the precise phrase, metaphor, or image that would convey his ideas. The writer made choices about how to angle his evidence to support his points. When it seemed right to do so, the writer tried to use a scholarly voice and varied his sentences to create the pace and tone of the different sections of his piece.	(X2)
								TOTAL

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Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
LANGUAGE CONVENTIONS								
Spelling	To spell a word, the writer used what he knew about spelling patterns (<i>tion, er, ly</i> , etc.). The writer spelled all of the word wall words correctly and used the word wall to help him figure out how to spell other words.	Mid-level	The writer used what she knew about word families and spelling rules to help her spell and edit. The writer got help from others to check her spelling and punctuation before she wrote her final draft.	Mid-level	The writer used what he knew about word families and spelling rules to help him spell and edit. He used the word wall and dictionaries to help him when needed.	Mid-level	The writer used what she knew about word patterns to spell correctly and she used references to help her spell words when needed. She made sure to correctly spell words that were important to her topic.	
Punctuation	The writer used quotation marks to show what characters said. When the writer used words such as <i>can't</i> and <i>don't</i> , she put in the apostrophe.	Mid-level	The writer punctuated dialogue correctly with commas and quotation marks. While writing, the writer put punctuation at the end of every sentence. The writer wrote in ways that helped readers read with expression, reading some parts quickly, some slowly, some parts in one sort of voice and others in another.	Mid-level	When writing long, complex sentences, the writer used commas to make them clear and correct. The writer used periods to fix her run-on sentences.	Mid-level	The writer used commas to set off introductory parts of sentences, for example, <i>At this time in history, and it was common to . . .</i> The writer used a variety of punctuation to fix any run-on sentences. The writer used punctuation to cite his sources.	
								TOTAL

Teachers, we created these rubrics so you will have your own place to pull together scores of student work. You can use these assessments immediately after giving the on-demands and also for self-assessment and setting goals.

If you want to translate this score into a grade, you can use the provided table to score each student on a scale of 0–4.

Scoring Guide

In each row, circle the descriptor in the column that matches the student work. Scores in the categories of Elaboration and Craft are worth double the point value (2, 3, 4, 5, 6, 7, or 8 instead of 1, 1.5, 2, 2.5, 3, 3.5, or 4).

Total the number of points and then track students' progress by seeing when the total points increase.

Total score: _____

Number of Points	Scaled Score
1–11	1
11.5–16.5	1.5
17–22	2
22.5–27.5	2.5
28–33	3
33.5–38.5	3.5
39–44	4

Exhibit C – Sample Math Assessment

Subtract these numbers:

$371 - 290 =$

$624 - 416 =$

$7607 - 3519 =$

$7000 - 3758 =$

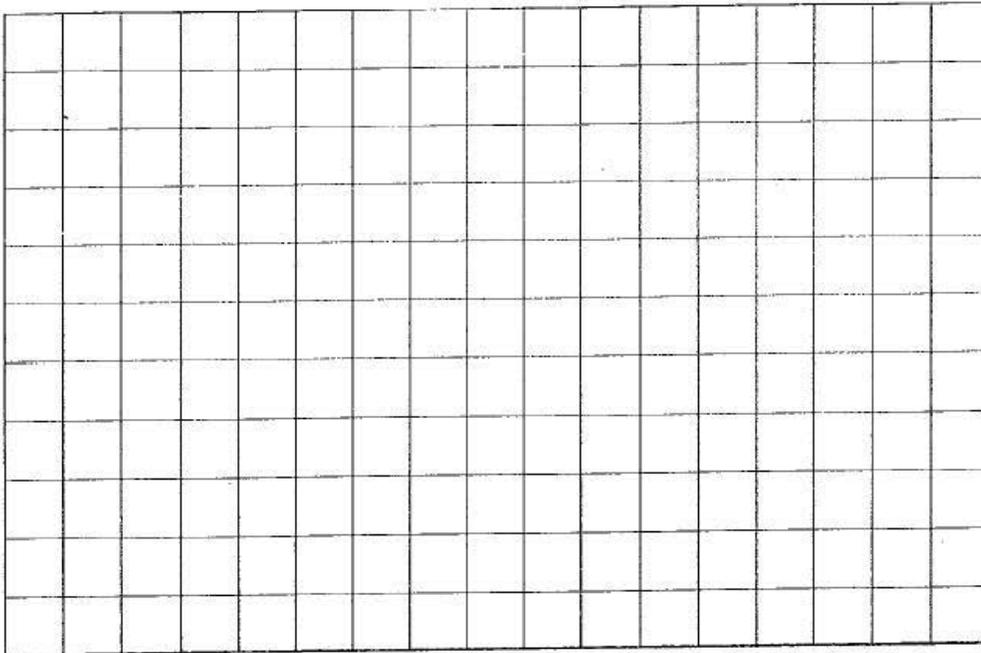


Exhibit C – Sample Math Assessment

Use symbols $<$, $>$, or $=$ to compare these numbers:

724 742

6400 6040

43,270 34,207

279,478 297,278

91,418 91,418

2,717,344 989,478

Round these numbers to the nearest 1,000:

4,621 _____

8,336 _____

263,279 _____

378,598 _____

Round these numbers to the nearest 100,000:

2,841,276 _____

8,366,810 _____

Exhibit C – Sample Math Assessment

Fill in the missing parts of this chart:

Base ten Numerals	Number name	Expanded form
4,326	Four thousand, three hundred twenty-six	$4000 + 300 + 20 + 6$
8,918		
627,005		
		$4,000,000 + 200,000 + 60,000 + 5,000 + 20 + 4$
	Two million, six hundred thousand, five hundred sixty-two	
4,029,316		

Exhibit C – Sample Math Assessment

The bike shop sells bikes (two wheels) and trikes (three wheels). Sarah counted all the wheels of all the cycles in the shop. There were 30 wheels in all. There were the same number of bikes as there were trikes. How many bikes were there, and how many trikes were there?

What strategy (or strategies) did you use?

Ross Valley Charter School Sample Assessment Summary

School Year:

Trimester:

Class:

Student	Reading	Writing	Math
Student Name	at	at	at
Student Name	at	below	at
Student Name	above	above	at
Student Name	below	at	below
etc.			

Question #3 of 2nd List of Questions

(This question is also answered at the end of 1st List of Questions)

QUESTION #3

Section K, Staff Retirement System

Other Observations

- The Charter will need to coordinate STRS reporting and contributions with the Marin County Office of Education.

Does the Charter intend to coordinate STRS reporting and contributions with the Marin County Office of Education?

ANSWER

RVC intends to coordinate STRS reporting and contributions with the MCOE and submit any information to the County that it needs for its oversight role (if the County Board approves the charter) and to receive any STRS services that the MCOE provides to other charter schools in the county, in accordance with Education Code Section 47611.3.

Marin County Charter Ad Hoc Committee
Ross Valley Charter Petition Appeal Review
Staff Review
Clarifying Questions #3
September 22, 2015

QUESTION #1

Section A.2, Attendance

Includes school year/day, academic calendar, number of school days and instructional minutes

- Attendance portions of the application noted dates of attendance and a projected 2016-17 school calendar. It was noted that the Charter school intends to follow the existing Ross Valley School District master calendar as closely as possible. Instructional minutes were noted with the weekly bell schedule. There was some concern about the number of minutes the TK program was being provided in comparison to the regular K program that may be beyond the purview of this review (page 68-70, 71 Appendix G – TK minutes should be the same as K). Please verify that instructional minutes for Transitional Kindergarten will be the same as Kindergarten instructional minutes.

ANSWER

Charter schools are required to meet the annual instructional minutes requirements of Education Code Section 47612.5(a). Charter schools do not have to meet minimum length of instruction minutes per school day – that is a requirement only applicable to school districts. On page 71, the RVC charter affirms that it will offer 42,300 annual instructional minutes in TK, which is 6300 minutes in excess of the 36,000 annual minutes required by Education Code Section 47612.5. Any legal requirements regarding TK and Kindergarten programs being of the same length apply to school districts, and not to charter schools.

QUESTION #2

Section I, Financial Audit

Describes the scope of the audit including a review of average daily attendance

- Element 9 – Independent Financial Audit (page 163 of the petition) does not describe the scope of the audit including a review of average daily attendance
- The petition states compliance with California Code Regulations governing audits of charter schools, but does not specifically address the manner in which average daily attendance will be audited.

Please describe, in the scope of the audit process, including how average daily attendance will be reviewed.

ANSWER

As the annual, independent audit is a statutorily-required process for all charter schools and school districts, and because the Education Audit Appeals Panel (EAAP) annually publishes an audit guide which all auditors are required to closely follow, RVC is concerned that this question may exceed the requirement that a charter petition contain a “reasonably comprehensive” description of “[t]he manner in which annual, independent financial audits shall be conducted...” which is what is required by

Education Code Section 47605(b)(5)(I). That is, the Charter School has no license, agency, or authority to modify how average daily attendance will be reviewed by the auditor. Indeed, neither does the auditor.

During the annual, independent financial audit, the auditor will review RVC's average daily attendance precisely as specified in the then-current Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting published by EAAP (Audit Guide). The 2015-16 Audit Guide requires the following:

1. Determine whether the P2 and Annual reports of attendance submitted to the CDE are supported by written contemporaneous records that document all pupil attendance included in the charter school's ADA calculations, by tracing the ADA numbers from the P2 and Annual reports of attendance through any documentation used by the charter school to summarize attendance, to written contemporaneous data origination documents.
2. Determine whether the charter school calculated ADA in accordance with Education Code section 47612 and title 5, California Code of Regulations, section 11960.
 - a. Verify that the ADA as reported on the P2 and Annual reports of attendance were computed by dividing the charter school's total number of pupil-days of attendance by the number of calendar days on which school was taught in the charter school through the P2 and Annual apportionment periods.
 - b. Verify that for purposes of determining the charter school's total number of pupil-days of attendance, no pupil generated more than one day of attendance in a calendar day.
 - c. Verify that the number of calendar days of attendance used in the divisor corresponds to the school calendar.
 - d. If the charter school operates a multi-track calendar, verify compliance with Education Code section 47612, by the following steps:
 - 1) Verify that ADA was calculated separately for each track. The divisor in the calculation shall be the calendar days in which school was taught for pupils in each track.
 - 2) Verify that the charter school operated no more than five tracks.
 - 3) Verify that the charter school operated each track for a minimum of 175 days. If the charter school is a conversion school that had operated a multi-track year-round schedule, the charter school was authorized to continue its previous schedule as long as it provided no fewer than 163 days of instruction in each track.

- 4) For each track, verify that the charter school provided the total number of instructional minutes, as specified in Education Code section 47612.5.
 - 5) Verify that no track had less than 55 percent of its schooldays before April 15.
 - 6) Unless otherwise authorized by statute, verify that no pupil generated more than one unit of ADA in a fiscal year.
- e. For any pupil over the age of 19 years that generated attendance for apportionment purposes in the charter school, verify the pupil met both of the following conditions, unless the charter school program is as specified in Education Code section 47612.1:
- 1) The pupil was enrolled in a public school in pursuit of a high school diploma (for a student in special education, an Individualized Education Program (IEP)) while 19 years of age and, without a break in public school enrollment since that time, is enrolled in the charter school and is making satisfactory progress towards award of a high school diploma (for a student in special education, satisfactory progress in keeping with an IEP) consistent with the definition of satisfactory progress set forth in title 5, California Code of Regulations, section 11965(h).
 - 2) The pupil is not older than 22.
3. Trace the number of school days reported on the Annual attendance report to the school calendar to confirm the number of days reported.
 4. Calculate any inappropriately reported units of ADA, by grade span, identified through the foregoing audit procedures. State in a finding the number(s) of units of ADA that were inappropriately reported for apportionment and an estimate of their dollar value. If there are any ungraded units of ADA, then proportionately allocate the disallowance among the grade spans.
 5. If the number of school days reported on the Annual attendance report is incorrectly reported as determined in 3 above, report a finding which includes the correct number of school days taught in the fiscal year. If the charter school operates multiple tracks, report the finding by individual tracks.

QUESTION #3

Financial & Organizational Accountability

A detailed review of the annual budget development, implementation and review process including the process by which the charter school leadership and governance team will monitor and report regarding the continuing financial solvency of the school.

- The petition does not describe a detailed review of the annual budget development, implementation and review process including the process by which the charter school leadership and governance team will monitor and report regarding the continuing financial solvency of the school.

Please provide a detailed description of the process for the annual budget development, and the implementation and review process by which the charter and governance team will monitor and report on the continuing financial solvency of the charter school.

Detailed description of the manner, format and content by which the charter school will regularly report its current and projected financial viability.

- The petition does not describe in detail the manner, format and content by which the charter school will regularly report its current and projected financial viability.

Please provide a detailed description of the manner, format and content by which the charter school will regularly report its current and projected financial viability.

Detailed description of the organization, scope and preparation of the following financial documents and reports.

- The petitions does not provide a detailed description of the organization, scope and preparation of the financial documents and reports.

Please provide a detailed description of the organization, scope and preparation of the required financial documents and reports.

Description of the process by which the school will comply with all reports required for charter schools by law; includes copy of each required report to MCOE

- The petition describes the timelines and types of fiscal reports required for submission to the authorizer, County Superintendent, and State, but does not always describe the process in detail (page 191).

Please describe the process by which the charter school will comply with all reports required for charter schools by law.

ANSWER

The County Draft Matrix contains the following

Does the information provided in the proposal confirm that the school will have the services of individuals who have the necessary background in curriculum, instruction, assessment, finance, facilities, business management, organization, governance and administration? The petition describes individuals with curriculum, instruction and assessment but does not provide a list of individuals with finance, facilities or business management.

In response, we would ask the County to review pages 95-109 of the Appendix in which the experience of the founders is narrated in considerable detail.

In particular, the Governing Board members for RVC have a great deal of public school and business management experience. The Chair of the Governing Board has 15 years of elected School Board member experience, including several years as chair. Two Board Members are public education professionals with combined decades of experience starting and managing and serving on boards of successful charter schools and charter management organizations. The Treasurer and Chief Financial Officer (CFO) has over 25 years' experience managing a financial services and IT business with \$6 million in annual revenue and 35 employees. He was not only responsible for all the budgeting and financial reporting for his business but for his clients' budgeting and financial reporting, as well. He also has over 6 years of school district trustee experience and is a graduate of the Association of California Students Association Business Managers and Superintendents Academies. Barry Price and Adam Smith have extensive commercial facilities experience.

The School Director and CFO will produce monthly financial reports that compare actuals to budgeted income and expense. Monthly Cash Flow Reports will also be produced. The Charter School will maintain a rolling three-year budget. These reports will be distributed to Board members monthly and reviewed every other month at board meetings. First and Second Interim Budgets will be approved by the Board and distributed to appropriate oversight agencies. Any additional financial reporting that the County might want RVC to provide can be developed using the EdTec software described below. In fact the Petition clearly states that RVC "shall provide additional fiscal reports as requested by the District."

The level of detail being asked for in this question is more than required at the petition approval stage. The details that are being sought appear to be very granular in nature and will be developed after authorization.

As stated in the budget narrative, RVC will use EdTec financial software for revenue and expense accounting as well accounts receivable and payable. This software is used by over 300 charter schools and can produce all of the required reports needed for reporting to the County and State as well as the capability to develop RVC-defined reports.

RVC has budgeted \$14,000 in planning year expenses to pay EdTec to set up this software and to help RVC develop all the detailed accounting and reporting procedures the question appears to be asking be provided now.

Our budgeting process will be grounded in the new LCFF and LCAPP processes. WestEd has developed good resources to help LEA's with this process. (See, for example, <http://lcff.wested.org/developing-a-quality-local-control-and-accountability-plan-resources/>) The CDE also produces good information, see for example <http://www.cde.ca.gov/fg/aa/lc/lcffffaq.asp> . CCSA also provides free seminars and workshops to charter schools on the most recent budget development requirements and processes.

Our budget planning cycle will begin in October of every year. We will start with a review of Mission and Core Beliefs. We will then review the desired outcomes included in the petition and any additional or different outcomes we conclude are important. We will review the metrics that are in the petition and supplement these with additional metrics, where appropriate, as nationally normed assessments truly aligned to the Common Core State Standards become available (as outlined in Elements 2 and 3 in the Petition).

After this needs assessment, we will identify what activities, programs and practices need to be added or changed and what resources this will require. These deliberations and conclusions will guide the budget process for the following year.

Action plans will also be developed to manage implementation of the plans that are developed.

Reporting out to the board, the staff and the parent community will happen 4 times a year following the three progress reports described in the petition and in the early Fall when California State Testing results are available.

This will begin a new budget cycle in the fall.

All these budget activities will be done with parent, staff, and appropriate subgroup input in formal LCAP meetings as outlined in the WestEd process.

We will budget using an Excel template provided by CCSA which budgets at a very granular level. Revenue will be budgeted, as it has for the petition, using the then-current FCMAT LCFF Calculator Excel template. RVC will develop a user friendly budget reporting process that relates budget expenditures to various programs. The RVC CFO developed a similar user friendly budget process during his tenure on the Ross Valley School Board.

QUESTION #4

Required Supplemental Information

Planning Assumptions

Number/Types of Students

- The petition states that the current district MAP program has 133 students enrolled.
- The petition states that on average there are 100 students on the waiting list for the district MAP Program, however, in the RVC presentation to the Marin County Board of Trustees on September 8, 2015, the power point presentation stated that, on average, there are 50-85 students on the waiting list for the district MAP program; the presenter verbally stated 100.

- The petitioners obtained 222 signatures of parents who are meaningfully interested in enrolling their children in RVC. This is not an indication of actual enrollment.
- The petition assumes that enrollment each year remains constant with 36 students enrolling in Kindergarten each year.
- Enrollment may be overstated for budget and planning purposes.
- A difference of enrollment affecting the Average Daily Attendance (ADA) affects local, State, and Federal funding that RVC would receive. Most notably LCFF funding, which would be the largest source of funding for RVC (approximately \$7,400 per ADA).

What are RVC's contingency plans if the number of enrolled students does not materialize?

ANSWER

This question gets to the heart of the financial viability of RVC. It raises doubts, without presenting any evidence, about petitioners' ability to achieve full enrollment of 222 students both at the outset of operation, and on an ongoing basis. Indeed, two of three budget scenarios prepared by County staff project an enrollment of 195 students and a kindergarten class of 31 over 5 years. Such speculation does not amount to factual findings, and cannot form the basis of charter denial.

Under California law, an authorizer cannot legally deny a charter because it has doubts about capacity to enroll students. Instead it requires the authorizer to "set forth specific facts to support" a finding of financial unsustainability.

The Petition contains considerable evidence to support the projection that we will be able to have 222 students on an ongoing basis. It discusses the several year history of averaging 45 kindergarten applicants per year for a school which only allowed in-district applications and involved no marketing. It is puzzling that the County is coming up with a scenario number that is 31% less than an historical number of applicants, which is already artificially low because it excludes out-of-district students. The Petition contained signatures of parents of 222 potential students for the 2016 school year and these were obtained with only a two month word of mouth effort and no real marketing. The County question discounts this number by pointing out that "This is not an indication of actual enrollment." This is a somewhat odd statement since "actual enrollment" is not possible without an approved charter petition. State law has a requirement for parent-based charter petitions that parents of only 50% of the students projected for the first year sign indicating they are meaningful interested in having their child attend the proposed charter school.

RVC had an informational booth at the San Anselmo Fair September 28, and in 6 hours obtained signatures from parents of 20 additional children who will be PreK-5th grade in the fall of 2016. This is further evidence supporting our claim that it will be relatively easy for RVC to fill its enrollment to the projections contained in the Petition.

The County question raises doubt, but presents no facts, as to the length of the wait list. The MAP waiting list published at Manor School in September 2016 contained 100 names. Since then, the Ross Valley School District moved management of the wait list from Manor to the District Office and has refused to share the contents of the list with MAP parents or teachers. In its Petition Report Recommending Denial, the District claimed the waiting list was much smaller than 100, which is why at the hearing presenters used smaller numbers. But one of the emails sent to the County by Robin Goldman, a MAP detractor and

complainant, included a response to her Freedom of Information Request indicating that as of the end of August 2015, after classes had been filled, the MAP wait list had 92 names on it.

There are 131 students currently enrolled in MAP. Current students plus those on the wait list would provide an enrollment of 223—but that only includes Ross Valley residents.

RVC believes that there are many parents in Marin, outside of Ross Valley School District, who will apply to RVC. Many, many parents who do not live in Ross Valley have expressed interest in enrolling in RVC. The demand for charter schools in Marin is high because the supply is so desperately low. There is only space for 1.5% of Marin's total student population to attend charter schools domiciled in Marin County, whereas the average for the other seven Bay Area urban/suburban counties (excluding San Francisco) is 7.7%. By contrast, 17.8% of Marin County's students attend private school, compared to 10.9% for these same seven counties. The total **combined** percentage of Marin students attending both charter and private schools is 19.3%, quite similar to the other seven suburban counties, which are at 18.6%. (Based on CDE data.)

These numbers indicate Marin County has a charter school *supply* shortage rather than a *demand* shortage. From this data, it is very reasonable to conclude that the reason there are so few charter schools in Marin County is not the tremendous satisfaction with public schools, but rather the financial ability of many Marin County parents who seek another choice to decide to purchase the education they prefer, rather than to undertake the immense amount of work required to start a charter school. The impact on Marin County is that those middle and low income parents, who cannot or do not spend resources on private education, and who seek something different from their local public school, have practically no educational choice. This creates tremendous opportunity for charter schools to meet enrollment targets.

Because of this data, and the ease of obtaining signatures of parents of 222 students, RVC is very confident that with a marketing campaign in the County, it will have more than enough applicants to meet its enrollment projections on a sustainable basis. RVC has heard from many parents whose children are in private school only because they could not get into a very oversubscribed MAP program or other elementary charter schools in the County.

In short, there is much evidence to suggest RVC will be able to enroll 222 students and no evidence suggesting otherwise. This therefore is not a legal basis for petition denial.

QUESTION #5

Costs of all major items are identified and within reasonable market ranges

- \$100 per pupil budgeted for textbooks and instructional materials does not appear to be adequate. Absent the rationale for the \$100/student for these expenses appears to be low.

Please provide more detail for the rationale of budgeting start-up costs of \$100 per student for necessary textbook, core curricula, and instructional materials.

ANSWER

The petitioning teachers typically don't use text books, and instead have been very innovative in developing instructional materials for their students. Charter schools have to find ways to do things less expensively than district schools and we believe this is a reasonable amount.

In a study that looked at charter schools across the state, EdTec found that 25% of schools spent less than \$50 per ADA on Textbooks and Core Curriculum. RVC is budgeting a little over \$70 per ADA per year on an ongoing basis.

RVC teachers have never used textbook consumables, purchased from publishers, as have other teachers in the Ross Valley School District. Their project based orientation significantly reduces the funds spent on instructional materials.

California and the rest of the country is in a generational transition to a new and much more rigorous set of academic standards. EdReports.org, a new non-profit organization focused on evaluating textbooks' alignment to the Common Core, have as yet to certify any purchasable textbooks from publishers as Common Core aligned. The only K-5 instructional materials certified by EdReports.org are only available free on the internet.

The six petitioning teachers have a great deal of experience creating, finding and using free or low-cost instructional materials.

QUESTION #6

Revenue from "soft" sources less than 10% of ongoing operational costs

- Revenues in the startup year 2015-2016 are mostly "soft" sources
- "Soft sources" referring to local donations assumed in the petition.

Please provide additional rationale and specific plans for how RVC will generate and verify the receipt of \$220,000 (a combination of parent donations and other donations).

What contingency plans are in place if the amount of donations in 2015-2016 do not materialize?

ANSWER

We will be applying for the CDE PCSGP grant when applications become available, in the next few weeks. We expect that grant to be considerably larger than \$220,000, closer to \$375,000. We were awarded a \$375,000 last October (an award letter was supplied to Terena) with a peer review score of 52 out of a possible 56 (a score of 28 is sufficient for receiving the grant).

We had a goal of obtaining \$85,000 in four-year unsecured loans to help with startup expenses and ensure a 5% reserve at the end of the first year. We have \$60,000 in the bank and have commitments for another \$25,000, \$20,000 of which we should have in the bank by October 6.

We have raised \$50,000 from parents and prospective parents in the last 14 months and if it means the difference between starting school in the fall of 2016 or not, we believe we can raise another \$50,000 to add to the \$85,000.

We are also approaching education foundations and philanthropists who are supporting charter schools with our story of the low availability of charter schools to Marin's 29% of economically disadvantaged public school students, and believe we will raise funds from this source.

And if need be, we can use some of the \$250,000 California School Finance Authority Charter School Revolving Loan which we are now in the process of applying for.

QUESTION #7

Equipment and Supplies

- \$30,700 (\$3,070 per regular classroom including Special Education) has been budgeted for furniture, printers, video display projection equipment, file cabinets, wall boards, and shelves. Absent additional rationale for this expenses appears to be low.
- \$32,500 has been budgeted for ten teacher laptops and 100 Chromebooks. Absent additional rationale for this expenses appears to be low.

Please provide the basis and rationale for classroom start-up costs related to the purchase of furniture, printers, video display projection equipment, file cabinets, wall boards, and shelves.

Please provide additional rationale and detail for technology equipment for students and instructional staff.

ANSWER

Classroom Furniture:

\$ 5,100.00	6 multistudent \$85 tables for 10 classrooms
\$ 4,500.00	25 \$18 student chairs for 10 classrooms
\$ 3,600.00	Teacher/Staff Workstation & Chair \$400 each
\$ 1,800.00	Two Bookshelves per classroom teacher @ \$100
\$ 1,350.00	One file cabinet per classroom teacher \$150 each
\$ 1,350.00	One Dry Erase board per gen ed classroom \$150 each
\$ 1,300.00	13 storage shelving unites @ \$100
\$ 2,700	One printer per classroom \$300 each
\$ 9,000	One Electronic Display Projection System per classroom \$1000 each
\$30,700.00	Total Classroom Furniture

Teacher Laptops and 99 Chromebooks

\$19,440	3 set of 27 chromebooks for charging carts @\$240
\$4,320	3 chromebooks for 6 2-5 classrooms @\$240
\$900	3 charging cards @\$300
\$7,900	10 laptops @ \$780
\$32,560	total

The Draft County Matrix states: "beginning in 2017-2018, approximately \$2,300 per year for technology is budgeted. Ongoing technology costs may be understated." This is the amount budgeted for replacement Chromebooks for students and laptops for teachers. There is another \$8,000 a year budgeted for outsourced technology services. RVC will not have servers but will run all its business and educational technology in the internet "cloud".

QUESTION #8

Timeline allows for grant and fundraising

- The petition assumes cash received from the budgeted local donations and unsecured loans will begin to flow into RVC beginning in September 2015. It anticipates receipt of \$30,500 each month beginning in September 2015 through June 2016. No additional information is provided that explains the rationale for this assumption.
- Please provide additional rationale for the assumption of \$30,500 cash received in local donations and loans each month for ten months in the start-up year 2015-2016.

ANSWER

The Petition budget assumes \$20,000 in parent fundraising, \$85,000 in four year 1.5% unsecured loans, and \$200,000 in grant funding.

Timing for this funding had to be assumed for the cash flow report, so it was evenly distributed across the 10 months of September through June.

The answer to question #6 above is also responsive to this question.

QUESTION #9

Expenditure sufficient for reasonably expected legal services

- Budgeted expenses for legal services 2016-2017 through 2020-2021 may be understated.
- It is unclear if legal services for Special Education are included in the budget.

Please provide additional rationale for budgeted legal expenses 2016-2017 through 2020-2021. Please clarify if expenses for Special Education legal expenses are included in this assumption.

ANSWER

Legal Fees- RVC believes that best way to control legal expenses is to:

- Maintain legal compliance and avoid legal disputes with internal or external parties through education and training of the Governing Board and Staff regarding legal requirements

- a. The California Charter Schools Association (CCSA) offers many free workshops and trainings to members regarding all aspects of operating a charter school, including governance, and RVC, as a CCSA member, has, and will continue to, make maximum use of these trainings.
 - b. We have budgeted \$15,000 in legal expenses in our planning year to establish exhaustive policies and procedures and corresponding staff and parent handbooks so that our community understands the school requirements and expectations.
2. When issues that involve compliance or possible disputes arise, get advice from legal counsel before taking action.
 3. Take a collaborative posture towards parents, staff, and other parties that have complaints so that people realize we are genuinely addressing their concern or problem and will be less inclined to seek legal recourse as the only way they feel their problem will be addressed. This is a critical part of the RVC core philosophy. This is particular will help us keep our Special Ed legal costs down.
 4. Judicious use of legal counsel by doing all the work that can be done by without running legal meters. Various members of the board have considerable legal knowledge and experience, including one non-profit attorney. So once we get counsel opinion about a solution our methodology has been and will continue to be doing as much of the actual work ourselves using volunteer work. For example, we have spent around \$20,000 in legal fees in developing and defending two petitions. Ross Valley School District has spent close to \$150,000 in legal fees evaluating these petitions, clearly a different approach.

Based on the mean legal expenses for charter schools, EdTec believes these estimates are reasonable. These expenses do include legal expenses for Special Education. The Budget Narrative in the Appendix states that RVC will create a restricted reserve for Special Education extraordinary expenses. This will be done at a rate of \$30,000 per year until a reserve of \$150,000 is attained and will be replenished if drawn on. Extraordinary Special Education legal expenses would come out of this reserve.

QUESTION #10

Impact Statement

Reasonably detailed lease or occupation agreement for privately obtained facilities

- The petition describes the building space desired and has budgeted approximately \$185,000 (a rate of \$1.10 per square foot) each year 2016-2017 through 2020-2021
- It is unverified if the rate of \$1.10 per square foot is an adequate budget assumption to lease property with the boundaries of RVSD.

Please provide additional rationale for the assumption of \$1.10 per square foot cost to rent private facilities within the district's boundaries.

ANSWER

Rental market assumptions in the petition are for school space. There have been four school space rental transactions in the last year within District boundaries: one with the District for Deer Park, one with the San Francisco Archdiocese for St. Rita's School, and two with the Girl Scouts for the Bothin and Arequipa sites. All of them have been for considerably less than \$1.10 per square foot per month, the amount conservatively budgeted by RVC. The District's lease for Deer Park, which has roughly the same amount of square feet that RVC would like to lease from District at Red Hill, was for \$92,700 annually, or

about \$0.55 per square foot per month. RVC has budgeted \$185,328 for rent during the 2016-17 school year. And the District has available, currently unrented, space at Red Hill that RVC would like to rent.

QUESTION #11

Describes the manner in which administrative services of the charter school are to be provided

- Payroll contracted services are budgeted, but the expenses assumed may be understated.
 - A clear delineation of duties for administrative services does not appear to be provided.
- Please provide more detail regarding how the process of payroll services will be completed. Also, please provide additional rationale regarding the expense assumed in the petition for payroll services.

ANSWER

A fairly exhaustive list of administrative services was asked about in Question List One and answered there.

EdTec believes that for a monthly check cycle, monthly fees would be around \$100 a month, and there would be annual and quarterly filing that would be about \$300 more. So a more accurate number would be \$1,500 per year.

QUESTION #12

Financial Plan

Costs of all major items are identified and within reasonable market ranges

Expenditure assumptions reflect market costs

Expenditures for Special Education excess costs consistent with current experience in the school district/county

Special Education/SELPA (Marin County SELPA Charter School Policy)

Charter fiscally responsible for fair share of any encroachment on general funds

- With the information provided in the petition, it was unclear if Special Education was adequately budgeted. While the petition describes for the flexibility of pursuing an LEA within a separate SELPA or a school within the county, there does not appear to be a contingency plan that allows for costs beyond the 15% encroachment associated with being an LEA within a Charter SELPA such as El Dorado or Sonoma's Charter SELPA. We have confirmed that on average, charters who are members within Charter SELPAs have a 15% encroachment.
- The petition does not identify excess costs related to the provision of special education beyond the 15% associated with Charter SELPA members. Again, if the charter is to be a school within the county, these matters would typically be addressed and delineated in the MOU between the charter school and the authorizer. At the time of this writing an MOU between the RVC and the authorizer does not exist.

Please describe how the charter will handle the unknown costs associated with their fair share of encroachment if it is authorized as a school within the county.

ANSWER

In an email on September 15, 2015 RVC project coordinator Conn Hickey asked Terena Mares the following question:

When are going to have the special education discussion about how it might work if the County authorizes and we elect to be a school of the district, both in terms of cost and our ability to hire our own credentialed special ed teacher? Absences this conversation, our default position will be to become our own LEA for special ed purposes joining either the El Dorado or Sonoma Charter SELPAs. Do you even want to have this discussion?

On September 16, 2015 Terena responded as follows:

No, we are reviewing the petition as though you are an LEA for special education purposes through one of the Charter SELPAs.

Given this exchange between RVC and the County, we believe this question was based on an incorrect assumption, namely that the County was interested in having a conversation about the implications of RVC being a school of the County for Special Education Purposes. We will be applying to one or more charter SELPAs once application windows open for next fall later this year.

QUESTION #13

No student will be denied admission based on disability or lack of available services

- The petition states on pages 9-10 that all students that wish to attend the RVC shall be admitted. However, the petitioner should provide more information regarding what is meant by "...enroll and support students with disabilities who can benefit from its programs and who otherwise qualify for enrollment" on page 87 of the petition. The language seems to contradict the information on page 9 that indicates that all students shall be admitted regardless of "benefit". p. 9-10 p. 87

Please provide further clarification regarding what is meant by "enroll and support students with disabilities who can benefit from its programs".

ANSWER

RVC affirms, again, that it will admit all students who wish to attend (subject only to capacity), and that it will not discriminate in admissions based upon disability, or upon any protected class. The statement regarding students who can benefit from the Charter School's programs was designed as a recognition that a particular student's IEP team may determine that RVC is not a good fit for that individual student. (Just as general education students and parents may determine that RVC is not a good fit.) As a school of choice, RVC recognizes that some students may elect to make a different choice. The Charter School welcomes all students, but understands that a particular IEP team may find that the educational program at RVC is not in the best interest of the student.

QUESTION #14

Petition/MOU describes the transition to or from a district when a student with an IEP enrolls in, or transfers out of, the charter school

- The petition states on page 89 the procedures for notification when a student transfers into the RVC. The petition is silent on procedures for transfers out of the RVC. p. 89 – Clear identification of notifying when a student transfers into the Charter, but no description of notification when a student transfers out.

Ed Code section 47605(d)(3) provides that when a pupil leaves a charter school for any reason the charter school is required to notify the superintendent of the district of residence within 30

days and shall when requested forward pupil records to that district. Thus, the petition needs to address this issue.

Please verify whether RVC will notify the superintendent of the district of residence within 30 days and whether the RVC will forward pupil records to that district, when requested.

ANSWER

On page 10 of the petition is the following Affirmation:

- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. Education Code Section 47605(d)(3)]

Appendix F

Terena Mares

Subject: September 29th RVC Meeting Follow-up
Attachments: Items of Concern to RVC in the MCOE Published MOU FINAL 10-1-15.pdf

From: Jason Morrison [<mailto:jmorrison@pacinst.org>]
Sent: Thursday, October 01, 2015 10:00 AM
To: Terena Mares <tmares@marinschools.org>; rhenryedlaw@gmail.com
Cc: Conn Hickey <connbhickey@gmail.com>; Chris Lyons <sealyons@sbcglobal.net>; 'Janelle Ruley' <jruley@mycharterlaw.com>; Bryce Flemming <bryce@edtec.com>
Subject: September 29th RVC Meeting Follow-up

Dear Terena, Bob, and Charter Ad Hoc Committee Members,

Thank you again for our meeting on Tuesday. Below are several issues we'd like to follow-up on. In addition, attached please find our input regarding your standard MOU template.

Office Manager

After Tuesday's meeting, Chris, Conn, and I talked about your concern that our Office Manager's responsibilities are too great for one person. We talked with Bryce and Kate, and Bryce suggested that we add a lower-level classified position to perform the receptionist-type duties of interfacing with parents, answering the phone, helping children needing special attention, tracking truancy and absenteeism, and other administrative tasks.

One way we could manage it is this: we currently have in our budget two \$15/hour classified positions working two hours each during lunch. We could likely extend one of these positions to add four hours in the morning (7:30 a.m.-1:30 p.m.), and extend the other position to add two hours in the afternoon (noon-4:00), so they total ten hours a day for 180 days. Together this equates to a .8 FTE in additional office support over the course of the school year for a total additional cost of around \$17,500.

This is an amount our budget can absorb and will make the Office Manager position a more manageable job for one person.

Conditional Approval

Clarification on Conn's answer that we would rather have a denial than a conditional approval: we are O.K. with a conditional approval as long as between this Friday and next Thursday we sit down and discuss what conditions the charter ad hoc committee would recommend and see if it is possible for us to come to a preliminary agreement, in writing, about what these conditions are. Our objective is to know with great certainty whether the County is going to approve us on October 13. Absent such certainty, we prefer a denial so we can continue our appeal process to the next level in time to open the school in the fall should we be approved the State Board.

We do not object to an approval with operational conditions, such as RVC being admitted to a charter SELPA. But again, we would like a chance to discuss these with the County so that we could come to an agreement about them or conclude that they are not acceptable to us.

Cloud Services

This was not asked about at the meeting, but here are some examples of who would provide "Cloud" services:

Financial Services - EdTec
SIS System - SIS Vendor
Payroll Services - Payroll Vendor

Maintenance on Chromebooks and Laptops will be depot maintenance. The images will be locked down. The \$8,000 budgeted per year is for technology support services provided by an off-site vendor who has not yet been selected.

PCSGP Start-up Grant

Further to your email about the PCSGP, we received the following information from the California Charter Schools Association late Tuesday afternoon after our meeting with the Ad Hoc Committee:

The United States Department of Education (ED) announced yesterday [Monday] that California was not successful in securing funding for the 2015 Public Charter School Grant Program (PCSGP), a major source of start-up, implementation and dissemination funding for charter schools. The ED received 27 eligible state applications and only selected the top eight applications for funding. California had requested approximately \$40 million for each of the next three years.

One fortunate circumstance is that the California Department of Education (CDE) has some remaining funding available from the prior PCSGP award, and plans to allocate up to \$30 million in available funds in a new grant cycle. According to CDE, the new PCSGP application should be available in the next several weeks. While some details are still unclear, we expect the application criteria and process to be very similar to prior cycles. However, due to federal grant deadlines, the spending timelines may be extremely condensed, particularly for those schools planning to open in 2016.

While it is too soon to know what this will exactly mean for RVC, our high score from our last application and the need to spend the money quickly may work to our advantage in supplying the \$200,000 of start-up resources for the planning year 2015-16 whose source is yet to be conclusively identified. It has been the past practice of the CDE to award grants in the order of the highest score to the lowest, so if there are more applicants than funds, if we score high again, our likelihood of receiving funds will be high.

Please let us know if you have any further questions. Since the timeline is quite tight at this juncture, please feel free to call me on my mobile if you care to discuss any of the above (415-342-8276).

Best regards,

Jason Morrison
RVC Co-lead Petitioner

To: Terena Mares, Robert Henry and Members of the Ad Hoc County Charter Subcommittee:

From: Chris Lyons and Jason Morrison

September 30, 2016

The following lists our concerns with the "Charter Schools MOU Template FINAL MCBE Jan 2015.pdf"

We find all the sections of the template acceptable with the following exceptions or concerns.

Item 1: Renewal for succeeding years is subject to approval by the respective Boards.

RVC Suggestion:

Prefer that the term of the MOU is coterminous with the term of the charter, so the Boards do not have to take action to approve annually.

Item 3, paragraph 3: Unless otherwise agreed, the Charter School will provide, at its own expense, personnel to work with the County Office to manage receipts and disbursements for the Charter School, according to County Office of Education procedures.

RVC Concern:

RVC intends use EdTec software and manage its own receipts and disbursements. Without further discussion, it would seem that this provision would not allow that and we would operating as a department of the county

Item 4: Following review and approval of the attendance accounting system by the County Office, the Charter School agrees that it will not be changed prior to additional review by the County Office.

RVC Suggestion:

We would like to add the condition to this approval that "such approval shall not be unreasonably withheld."

Item 4: Reporting by the Charter School of average daily attendance, in accordance with the Charter Schools Act and the California Code of Regulations, shall be submitted to the County Office by the Charter School, according to the County Office of Education procedures. The Charter School will also be responsible for preparation and submittal of the Period 1, Period 2, and Annual Attendance Reports.

As an LEA, charter schools are required to submit attendance records to the state in a very proscribed manner. The CFO attended one full day FCMAT workshop and RVC wants to make sure that nothing in this section of the MOU is intended to replace that reporting process which involves uploading data in specific formats.

Item 7: The Charter School shall provide the following reports to the County Office not later than October 31 each year

RVC Suggestion:

Add: "(in a manner that will protect employee confidentiality)"

Item 8: The County Office will receive notification of all meetings of the Fiscal Committee, as well as minutes and miscellaneous work products from that group.

RVC Concern:

Please clarify "miscellaneous work products."

Item 8: and (3) all transactions are recorded and documented in an appropriate manner that allow reporting as required by the County Office of Education or Department of Education.

We are alright with this provision as long as there is nothing so required that is outside the normal SACS standards.

Item 8: All purchase orders over ten thousand dollars (\$10,000.00) must include documentation of a good faith effort to secure the lowest possible cost for comparable goods or services. The Charter School Board shall not approve purchase orders or check requests lacking such documentation. Documentation shall be attached to all check and purchase order requests showing that at least three (3) vendors were contacted and such documentation shall be maintained for three (3) years.

We are alright with this provision as long as it is NOT interpreted as requiring a competitive, public bidding process. In addition we would want to add a phrase to the end of the first sentence to the effect of "and overall value received in the opinion of RVC will be part of the decision making criteria."

Item 11.

Items 11c through 11q do not apply to RVC since it is planning to be its own LEA for special education purposes and join a charter SELPA.

Item 12: The insuring limits for liability coverage, at a minimum, shall be not less than five million dollars (\$5,000,000.00) for any one person injured or killed and not less than fifteen million dollars (\$15,000,000.00) for the injury or death of more than one person.

RVC Suggestion: change to "The insuring limits for liability coverage shall be determined as recommended by the Charter School's insurance provider for a charter school of RVC's size, and approved by the County."

Item 13. Contracted Services: At the discretion of the County Office, the Charter School may procure operating services from the County Office at prices to be determined by the County Office. Such services may include Purchasing, Payroll, Data Processing, Accounting, Food Services, Duplicating, Legal or other similar services the County Office provides to its own schools.

RVC Concern: This provision gives the County Office overly broad discretion; it reads as though the County could require RVC to purchase services from it. It would be acceptable if it read: "By mutual agreement, the Charter School may procure" RVC is not going to be a school of the county but an LEA in the county. Many other LEA's in the county do buy such services from the County but it is my mutual agreement, not at the County's discretion.

Item 14: Applicable revenue is defined in accordance with Education Code Section 47613(f) as the general purpose entitlement and categorical block grant.

RVC Concern: this provision needs to be updated to reflect current law (local control funding formula).

Item 15. Evaluation of the Educational Program/General Operation

While we in conceptually agree on the need for accountability and public reporting we would like to leave some more flexibility in the format and content of an annual report to our authorizer, Board and parent and teacher community than is contemplated by this section. There is nothing specifically that we object to reporting. Our counsel has advised us that this specificity of reporting was commonly in MOUs a decade or more ago but has fallen out of disuse because they were so cumbersome they were usually not followed through on. Some of the elements mentioned are required by state law but many are not. We would prefer to develop some language that says that we will work together with our authorizer to develop an annual report that creates the accountability we believe the County is appropriately seeking without becoming an undue burden on the Charter School. For example, (c) is accomplished with the annual LCAP update (and unnecessarily refers to the countywide benefit charter statute, and (g) is required in a different annual report to the County.

Item 17: ... as well as in conformance with federal and state laws and regulations.

RVC Suggestion: "as well as in conformance with applicable federal and state laws and regulations."

Item 20: ...the Charter School agrees to comply promptly with all County Office inquiries made under Education Code Sections 47604.3, 47604.32 and 47604.33 with all inquiries made by the County Superintendent of Schools under Education Code Sections 1240, 1241.5, 47604.3 and 47604.4.

RVC Concerns: (1) misspelling of promptly; (2) no need to repeat Education Code Section 47604.3 twice; (3) it is not clear that charter schools are subject to Education Code Section 1240 – the County has more than sufficient authority over RVC without mention of this statute.

Item 21: In accordance with Education Code Section 47605, subdivision (I), teachers in the Charter School shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Those documents shall be maintained on file at the Charter School and shall be subject to periodic inspection by the County Office. Further, the Charter School agrees to comply with the "highly qualified" requirements of the No Child Left Behind Act, as it is deemed to apply to charter schools.

RVC Suggestion: change to "core teachers," in accordance with the cited law.

Item 22. The Charter School shall conduct its Board of Directors meetings, as well as those of any Standing Committees, etc.

RVC Concern: what does "etc." mean here? Also, why is Education Code Section 47604.3 included again?

Item 23. Conflicts of Interest: The Charter School and all of its officers and employees shall comply with Government Code Section 1090 et. seq.

RVC Concern: Our only concern about adhering to Government Code Section 1090 is that we would like to be able to have a teacher on our governing board. We would appreciate being able to work out something with the County that would allow this but, as we stated in the petition, are willing to give this up to gain authorization by the County.

Item 24. Pupil Transportation: The Charter School shall be responsible for any transportation offered to students who enroll in the Charter School with the exception of

transportation required through an IEP which shall be as provided under Section 11 of this Agreement.

Since Section 11 will not be part of this agreement, no IEP required transportation needs to be an exception to this Section.

Appendix G

Conditions of Operational Approval

(Subject to Committee recommendation to approve in all other areas)

Through discussions and communications with the Petitioners, the Committee identified certain areas that could be addressed through an MOU that, if all other areas were satisfied, could be tied to a subsequent conditional, operational approval.

- Section F; Health and Safety Procedures (47605(b)(5)(F))
 - Seismic safety (structural integrity and earthquake preparedness)
 - Policies and procedures related to earthquake preparedness; natural disasters and emergencies; immunizations, health screenings, administration of medications; zero tolerance for use of drugs, alcohol and tobacco; and staff training on emergency and first aid response.
 - Upon securing a facility, the Petitioners stated a willingness to develop procedures related to the secured facility prior to opening school
- Section K; Staff Retirement System
 - Petitioners stated a willingness to an agreed upon coordination of procedures related to retirement reporting through the MCOE.
- Facilities
 - Petitioners stated a willingness to base a conditional, operational approval on the identification and secured lease of the school site where the charter school would operate 47605(j).
- Finances
 - Enrollment; revenue projections contingent upon 220 Average Daily Attendance (ADA); Petitioners expressed a willingness to base a conditional, operational approval as contingent upon this enrollment.
 - Startup grant; once approved as a charter school, Petitioners expressed a willingness to apply for the Federal Public Charter Schools Grant Program that provides planning and implementation money for startup charters.

The Committee concluded that in spite of these items, which potentially could have been addressed through a conditional, operational approval, the Petition is nevertheless demonstrably unlikely to successfully implement the program set forth in the petition. Specifically, the petition failed to demonstrate an appropriate level of staffing necessary to ensure the successful day-to-day financial operations of a charter school; the Petition did not satisfactorily demonstrate the manner in which administrative services of the school are to be provided; and, the Petition failed to fully demonstrate plausible and sustainable financial projections for the first three years of operation.

Appendix H

Ross Valley School District and Marin County Board of Education
 Findings for Denial and Petitioner's Responses
 Enrollment and Waitlist Data
 2015-16

Grade	Spaces	Spaces Available	Total Students Enrolled	Accepted After Lottery	Accepted From Waitlist	Declined After Lottery/Waitlist	Waitlist	Declined to Remain on Waitlist	Manor Students	Other District Schools	Out of District Students
KDG	24	24	20	18	2	6	16	12	9	4	3
1st	24	3	22	0	3	0	1	0	0	1	0
2nd	24	1	21	0	1	1	23	0	11	10	2
3rd	24	4	22	0	2	4	22	0	16	6	0
4th	28	3	24	0	3	9	5	0	4	1	0
5th	28	6	24	0	1	10	4	0	1	1	2
Total						30	71	12	41	23	7

- The only grade that we held a lottery for was Kindergarten.
- There was a current waitlist for 1st-5th.
- The only families contacted about remaining on the waitlist was kindergarten
- The District wanted to keep class sizes similar to Manor (K-5) and the other District classes

Ross Valley School District and Marin County Board of Education
 Findings for Denial and Petitioner's Responses

089 Ross Valley School District J23540
 2014-15 Supplies

BUDGET REPORT
 FROM 07/01/2014 TO 06/30/2015

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Account classifications selected								Field ranges selected			
FD	RESC	Y	OBJT	SO	GOAL	FUNC	LOC	ACT	GRP	FI	RANGE
1.	01	----	-?	-4	???	.??	-?????	-1	???	-???	-???
2.	-	-	-	.	-	-	-	-	-	-	-
3.	-	-	-	.	-	-	-	-	-	-	-
4.	-	-	-	.	-	-	-	-	-	-	-
5.	-	-	-	.	-	-	-	-	-	-	-
6.	-	-	-	.	-	-	-	-	-	-	-
7.	-	-	-	.	-	-	-	-	-	-	-
8.	-	-	-	.	-	-	-	-	-	-	-
9.	-	-	-	.	-	-	-	-	-	-	-
10.	-	-	-	.	-	-	-	-	-	-	-

Sort / Rollup on : FUND

FY Start Date : 07/01/2014
 Budget Type : Working
 Include Budget Tfrs: N
 Budget Detail : Not Included
 Warnings Only : N

Restricted Fld Nbr : 02 RESOURCE
 Separation Option : No Separation of Restricted and UnRestricted
 Extraction Type : Restricted and UnRestricted
 GL Transactions : Approved Only
 Pre-Encumbrances : Included
 Account Description: Not Shown

Detail line format : 1 OBJECT
 Print Revenue Sub Totals: N

Report prepared : SEPTEMBER 30, 2015, 5:23 PM

Ross Valley School District and Marin County Board of Education
Findings for Denial and Petitioner's Responses

089 Ross Valley School District J23540 BUDGET REPORT BDX110 L.00.06 09/30/15 17:23 PAGE 1

2014-15 Supplies FROM 07/01/2014 TO 06/30/2015

FUND :01 GENERAL FUND

OBJECT CLASSIFICATION	WORKING BUDGET	EXPENDED/RECEIVED			%	ENCUMBERED	UNENCUMBERED	
		CURRENT	YEAR TO DATE				BALANCE	%
4100 APPRVD TEXTBOOKS & CORE CURR M	42,505.73	77,258.67	77,258.67	100.0	0.00	34,752.94-	.0	
4200 BOOKS AND REFERENCE MATERIALS	158,827.18	71,979.15	71,979.15	45.3	0.00	86,848.03	54.6	
4300 MATERIALS & SUPPLIES	458,338.36	338,939.84	338,939.84	73.9	0.00	119,398.52	26.0	
4301 GAS, OIL & DIESEL	770.00	188.91	188.91	24.5	0.00	581.09	75.4	
4303 OFFICE SUPPLIES	140.00	0.00	0.00	.0	0.00	140.00	100.0	
4306 TEACHER ALLOCATIONS - SUPPLIES	26,086.72	24,492.56	24,492.56	93.8	0.00	1,594.16	6.1	
4307 SOFTWARE	18,545.00	8,363.95	8,363.95	45.1	0.00	10,181.05	54.8	
4310 CLASSROOM SUPPLIES	81,355.11	68,528.68	68,528.68	84.2	24.99-	12,851.42	15.7	
4311 PAPER	26,300.28	22,731.09	22,731.09	86.4	0.00	3,569.19	13.5	
4312 COMPUTER SUPPLIES	2,056.00	1,594.68	1,594.68	77.5	0.00	461.32	22.4	
4400 NONCAPITALIZED EQUIPMENT	13,688.00	11,048.09	11,048.09	80.7	0.00	2,639.91	19.2	
4410 NC COMPUTERS/PRINTERS	49,627.18	47,743.62	47,743.62	96.2	0.00	1,883.56	3.7	
4415 NC LCD PROJECTOR	1,130.00	0.00	0.00	.0	0.00	1,130.00	100.0	
4451 NC COMPUTER/PRINTER REPLACE	0.00	0.00	0.00	.0	0.00	0.00	.0	
TOTAL: 4xxx	879,369.56	672,869.24	672,869.24	76.5	24.99-	206,525.31	23.4	
TOTAL: 1xxx - 5xxx	879,369.56	672,869.24	672,869.24	76.5	24.99-	206,525.31	23.4	

Less CCSS one-time exp of \$211,751, the average per student spent was \$198.76 - This does not include any textbook adoption

total enrollment = 2,320

Ross Valley School District and Marin County Board of Education
Findings for Denial and Petitioner's Responses

089 Ross Valley School District J23540 BUDGET REPORT BDX110 L.00.06 09/30/15 17:23 PAGE 2

2014-15 Supplies FROM 07/01/2014 TO 06/30/2015

FUND :01 GENERAL FUND		Summary						
OBJECT CLASSIFICATION		WORKING BUDGET	EXPENDED/RECEIVED		%	ENCUMBERED	UNENCUMBERED	
			CURRENT	YEAR TO DATE			BALANCE	%
TOTAL INCOME	(8000 - 8999)	0.00	0.00	0.00	.0	0.00	0.00	.0
TOTAL:	1xxx - 5xxx	879,369.56	672,869.24	672,869.24	76.5	24.99-	206,525.31	23.4
TOTAL:	1xxx - 6xxx	879,369.56	672,869.24	672,869.24	76.5	24.99-	206,525.31	23.4
TOTAL:	1xxx - 7xxx	879,369.56	672,869.24	672,869.24	76.5	24.99-	206,525.31	23.4
TOTAL EXPENSES	(1000 - 7999)	879,369.56	672,869.24	672,869.24	76.5	24.99-	206,525.31	23.4

Ross Valley School District and Marin County Board of Education
 Findings for Denial and Petitioner's Responses

089 Ross Valley School District J23534
 Manor Supplies

BUDGET REPORT
 FROM 07/01/2014 TO 06/30/2015

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Account classifications selected								Field ranges selected													
FD	RESC	Y	OBJT	SO	GOAL	FUNC	LOC	ACT	GRP	FI	RANGE										
1.	01	-	0000	-	?	-	4	???	?	?	???	-	???	-	082	-	???	-	082		
2.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
3.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
4.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
5.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
6.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
7.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
8.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
9.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
10.	-	-	-	.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		

Sort / Rollup on : FUND

FY Start Date : 07/01/2014
 Budget Type : Working
 Include Budget Tfrs: N
 Budget Detail : Not Included
 Warnings Only : N

Restricted Fld Nbr : 02 RESOURCE
 Separation Option : No Separation of Restricted and UnRestricted
 Extraction Type : Restricted and UnRestricted
 GL Transactions : Approved Only
 Pre-Encumbrances : Included
 Account Description: Not Shown

Detail line format : 1 OBJECT
 Print Revenue Sub Totals: N

Report prepared : SEPTEMBER 30, 2015, 5:13 PM

Ross Valley School District and Marin County Board of Education
Findings for Denial and Petitioner's Responses

089 Ross Valley School District J23534

BUDGET REPORT

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Manor Supplies

FROM 07/01/2014 TO 06/30/2015

FUND :01 GENERAL FUND

OBJECT CLASSIFICATION	WORKING BUDGET	EXPENDED/RECEIVED			%	ENCUMBERED	UNENCUMBERED	
		CURRENT	YEAR TO DATE				BALANCE	%
4200 BOOKS AND REFERENCE MATERIALS	791.00	618.32	618.32	78.1	0.00	172.68	21.8	
4300 MATERIALS & SUPPLIES	6,243.00	3,391.42	3,391.42	54.3	0.00	2,851.58	45.6	
4303 OFFICE SUPPLIES	2,171.00	2,126.31	2,126.31	97.9	0.00	44.69	2.0	
4306 TEACHER ALLOCATIONS - SUPPLIES	4,784.00	4,272.65	4,272.65	89.3	0.00	511.35	10.6	
4310 CLASSROOM SUPPLIES	9,941.00	9,306.07	9,306.07	93.6	24.99-	659.92	6.6	
4311 PAPER	4,403.00	3,254.51	3,254.51	73.9	0.00	1,148.49	26.0	
TOTAL: 4xxx	28,333.00	22,969.28	22,969.28	81.0	24.99-	5,388.71	19.0	
TOTAL: 1xxx - 5xxx	28,333.00	22,969.28	22,969.28	81.0	24.99-	5,388.71	19.0	

Enrollment =
390

Budgeted =
\$72.65 per
student

Actual spent
= \$58.90 per
student

0000 resource,
District allocated
supplies for Manor -
site based only; does
not include district-
level items purchased
for Manor/all schools

Ross Valley School District and Marin County Board of Education
Findings for Denial and Petitioner's Responses

089 Ross Valley School District J23534 BUDGET REPORT BDX110 L.00.06 09/30/15 17:13 PAGE 2

Manor Supplies FROM 07/01/2014 TO 06/30/2015

FUND :01 GENERAL FUND		Summary						
OBJECT CLASSIFICATION	WORKING BUDGET	EXPENDED/RECEIVED			%	ENCUMBERED	UNENCUMBERED	
		CURRENT	YEAR TO DATE				BALANCE	%
TOTAL INCOME (8000 - 8999)	0.00	0.00	0.00	0.00	.0	0.00	0.00	.0
TOTAL: 1xxx - 5xxx	28,333.00	22,969.28	22,969.28	22,969.28	81.0	24.99-	5,388.71	19.0
TOTAL: 1xxx - 6xxx	28,333.00	22,969.28	22,969.28	22,969.28	81.0	24.99-	5,388.71	19.0
TOTAL: 1xxx - 7xxx	28,333.00	22,969.28	22,969.28	22,969.28	81.0	24.99-	5,388.71	19.0
TOTAL EXPENSES (1000 - 7999)	28,333.00	22,969.28	22,969.28	22,969.28	81.0	24.99-	5,388.71	19.0

RVSD Support Staff

	<u>FTE</u>		<u>Relative FTE</u>	
Superintendent Office	2			
Human Resources	2.5			
Special Ed	3			
Math Coordinator	0.4			
Psych	1			
Nurse	1			
Grounds/Maint	4			
Business Office	4			
Technology	4			
	<hr/>			
	21.9	Divide by 5 Schools	4.38	Prorata FTE based on number of schools
		Divide based on enrollment	2.10	Prorata FTE based on MAP enrollment
		20.9 / 2,320 * 222		

Appendix I

**RVC Multi Year Projection Assumptions
 Scenario D Spreadsheet (Exhibit A1)**
 Updated October 5, 2015

STRUCTURAL BUDGET: Solvent Insolvent

Budget Adjustment Elements for the Multi Year Budget Projections:

Revenue

1. RVC Enrollment projections of 220
2. Not Included: Unverified Donations of \$200,000
3. In 2015-2016 Scenario D assumes parent donations totaling \$20,000.
4. In 2015-2016 Scenario D assumes no other local donations.
5. In 2015-2016 Scenario D assumes \$60,000 of unsecured loans based on the amount received by RVC as of August 31, 2015.
6. In 2016-2017 through 2020-2021 Scenario D assumes parent donations at \$125 per student.
7. LCFF, Federal, and other State funding projected the same as in the RVC Multi Year Budget 2016-2017 through 2020-2021.
8. Scenario D assumes Planning and Implementation Grant of \$375,000. \$252,000 to be received in 2015-2016. Remaining dollars set aside for one-time expenses not yet determined. This assumption is based on information received from the California Department of Education on October 1, 2015.

Expenses

Certain expense areas in the petitioners Multi Year Budget were under budgeted. The following areas of the budgeted expenses are adjusted in Scenario D:

1. Front office management and business services is understaffed. Also, beginning salary for the Office Manger position is not reasonably competitive. Alternate projections for additional staffing and salary ranges as follows:
 - Full-time Office Manager Starting salary \$80,472 and benefits \$17,876. Based on MCOE Accountant starting salary.
 - Add full-time School Secretary starting salary \$40,108 and benefits \$13,880. Based on Lagunitas School District (enrollment 286) School Secretary starting salary and benefits.
 - Below shows the RVC budget assumptions for office staffing and an appropriate assumption for office staffing needed and the adjusted expense:

<u>Year</u>	<u>RVC Budget</u>	<u>Adjusted Budget</u>
2015-2016	\$ 9,158	\$ 22,528
2016-2017	\$66,846	\$152,335
2017-2018	\$67,812	\$154,453
2018-2019	\$68,799	\$156,616
2019-2020	\$69,809	\$158,825
2020-2021	\$70,841	\$161,082

Willow Creek Charter staffing (Enrollment 356): Two full-time administrators, three full-time office staff, and contracted services for payroll, accounts payable, and account receivable.

Exhibit A-2 provides additional comparisons for office staffing and business services with three small charters and one small school district.

2. Startup expenses at \$100/students and ongoing expenses at \$74-\$77/students (as stated in the petition's Multi Year Budget) for textbooks and instructional materials are under budgeted. The Ross Valley School District reported \$258 average per student district wide for instructional materials in 2014-2015 (not including one-time Common Core dollars). Because the Multi-Age Program (MAP) is an existing program of the district, and \$258 is a reasonable cost per student for instructional materials, the adjustment below is based on \$258 per student.

<u>Year</u>	<u>RVC Budget</u>	<u>Adjusted Budget</u>
2015-2016	\$22,200	\$56,800
2016-2017	\$16,360	\$56,800
2017-2018	\$17,422	\$59,340
2018-2019	\$17,592	\$58,824
2019-2020	\$17,450	\$57,276
2020-2021	\$17,776	\$57,276

3. Utilities expenses overall compare to actual expenses in similar size districts.
4. Legal services expense is under budgeted. The alternate assumptions is based on a historical five year average of similar size districts actual legal expenses (Bolinias-Stinson School District – Enrollment 117, Lagunitas School District – Enrollment 286, and Nicasio School District – Enrollment 55):

<u>Year</u>	<u>RVC Budget</u>	<u>Adjusted Budget</u>
2016-2017	\$3,060	\$13,000
2017-2018	\$5,202	\$10,800
2018-2019	\$5,306	\$11,000
2019-2020	\$5,412	\$11,300
2020-2021	\$5,520	\$11,500

5. Special Education contracts for instructional services in 2016-2017 is under budgeted. An alternate assumption is to budget these contracts approximately the same each year based on the student enrollment. It is still unclear if the budgeted amount each year is sufficient to provide the services to the special needs student population:

<u>Year</u>	<u>RVC Budget</u>	<u>Adjusted Budget</u>
2016-2017	\$20,869	\$50,000

6. The petitioners provided additional information regarding technology services. The Petitioners clarified the \$8,000 budgeted each year is for contracted technology support. In comparison, costs for contracted technology services for districts ranging from 50 to 300 students range from \$8,000-\$20,000 (Bolinias-Stinson, Lagunitas, and Nicasio school districts). Since the Charter assumes Cloud Services, it would appear that technology services contracts would be greater than the average, especially given the assumed dependency on support from Cloud services vendors who provide minimal support. If staffing is not increased, even after adding beyond the additional .8 budgeted by the Petitioners, then vendor contract amounts would need to be increased.

<u>Year</u>	<u>RVC Budget</u>	<u>Adjusted Budget</u>
2016-2017	\$8,000	\$12,000
2017-2018	\$8,000	\$12,000
2018-2019	\$8,160	\$12,160
2019-2020	\$8,323	\$12,323
2020-2021	\$8,490	\$12,490

Similar size charter school technology contract expense – Willow Creek Charter: \$57,000

7. Other contracted services for Student Information Services, sub-finder, and payroll services are under budgeted. Based on estimates by MCOE for additional estimated contracted expenses and necessary staff liaison time required to coordinate and manage the flow of information.

<u>Year</u>	<u>RVC Budget</u>	<u>Adjusted Budget</u>
2016-2017	\$2,500	\$7,500
2017-2018	\$2,565	\$7,565
2018-2019	\$2,631	\$7,631
2019-2020	\$2,700	\$7,300
2020-2021	\$2,770	\$7,770

8. Facilities is a challenging area to analyze since a site for RVC has not been secured. The petition assumes the cost to lease commercial property in the San Anselmo area at \$1.10 per square foot, which is under budgeted. Scenario D assumes \$1.83 per square foot as estimated by the Ross Valley School District. Further internet research and consultation with personnel in the real estate industry substantiates this estimate as reasonably yielded at \$1.76. The Ross Valley School District estimate is used as the RVC petitioners have stated an intent to lease district facilities. (Industry data obtained from Cityfeet.com and Banc Home Loans)

<u>Year</u>	<u>RVC Budget</u>	<u>Adjusted Budget</u>
2016-2017	\$185,328	\$296,525
2017-2018	\$185,328	\$296,525
2018-2019	\$185,328	\$296,525
2019-2020	\$185,328	\$296,525
2020-2021	\$185,328	\$296,525

If the RVC were to seek facilities under Proposition 39, the RVSD is permitted to charge for a cost of use. School districts are allowed to charge charter schools for use of district facilities under Proposition 39 (Education Code 47614). It provides two alternatives for calculating the cost to charter schools for the use of district facilities: 1) A pro rata share charge (based on the ratio of space allocated to the charter school divided by the total space of the district) or 2) An increased oversight fee. Since Ross Valley School District would not be the authorizing agency, the RSVD option is limited to charging for the pro rata share of facilities costs.

The California Department of Education annually releases pro rata share facility costs per square foot as reported by charter schools that have acquired facilities pursuant to Proposition 39. The exhibits presented show data collected from 2013-2014, and the information is displayed in two separate exhibits (average per square foot expense located in counties contiguous to Marin County (Exhibit A-3) and average per square foot expense from data submitted by California charters, Exhibit A-4). The petitioners have expressed interest in leasing facilities owned by the Ross Valley School District, specifically the Red Hill School facility. The Ross Valley School District (RSVD) however, shared they were unwilling to lease facilities which are not Field Actⁱ compliant and according to the RSVD, the Red Hill School is not Field Act compliant. Furthermore, the RSVD has not provided a pro rata share under Proposition 39, however, the RSVD has indicated they would make Manor School available if they were to receive a request under Proposition 39. Under a Proposition 39 request, the RSVD is entitled to charge a pro rata share for facilities.

ⁱ The Field Act banned the construction of unreinforced buildings, and required that earthquake forces be taken into account in structural design (specifically, that school buildings must be able to withstand certain structural requirements).

Ross Valley School District and Marin County Board of Education
Findings for Denial and Petitioner's Responses

RVC Petition Review - Multi-Year Projection - Scenario D
2015-2016 through 2020-2021
Update 10-8-15

Exhibit A-1

	2015-2016		2016-2017		2017-2018		2018-2019		2019-2020		2020-2021	
	RVC Estimates	Scenario D	RVC Estimates	Scenario D	RVC Estimates	Scenario D	RVC Estimates	Scenario D	RVC Estimates	Scenario D	RVC Estimates	Scenario D
Revenue												
1 General Block Grant/Local Control	\$ -	\$ -	\$ 1,579,776	\$ 1,579,776	\$ 1,700,602	\$ 1,700,602	\$ 1,714,268	\$ 1,714,268	\$ 1,660,819	\$ 1,660,819	\$ 1,660,819	\$ 1,660,819
2 Federal Revenue	\$ -	\$ -	\$ 12,666	\$ 12,666	\$ 37,589	\$ 37,589	\$ 38,680	\$ 38,680	\$ 37,995	\$ 37,995	\$ 37,341	\$ 37,341
3 Other State Revenue	\$ -	\$ -	\$ 130,401	\$ 130,401	\$ 136,353	\$ 136,353	\$ 135,176	\$ 135,176	\$ 131,610	\$ 131,610	\$ 131,610	\$ 131,610
4 Parent Donations and Food Service Cash Sales	\$ -	\$ 20,000	\$ 54,317	\$ 54,317	\$ 56,411	\$ 56,411	\$ 55,793	\$ 55,793	\$ 54,442	\$ 54,442	\$ 54,442	\$ 54,442
5 Charter Planning and Implementation Grant*	\$ -	\$ 252,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6 Fundraising And Grants	\$ 305,000	\$ 60,000	\$ 27,500	\$ 27,500	\$ 28,750	\$ 28,750	\$ 28,500	\$ 28,500	\$ 27,750	\$ 27,750	\$ 27,750	\$ 27,750
7 Total Revenue	\$ 305,000	\$ 332,000	\$ 1,804,660	\$ 1,804,660	\$ 1,959,704	\$ 1,959,705	\$ 1,972,417	\$ 1,972,417	\$ 1,912,617	\$ 1,912,616	\$ 1,911,962	\$ 1,911,962
Expenses												
8 Compensation and Benefits	\$ 30,024	\$ 30,024	\$ 1,244,500	\$ 1,244,500	\$ 1,270,484	\$ 1,270,484	\$ 1,318,203	\$ 1,318,203	\$ 1,359,408	\$ 1,359,408	\$ 1,379,495	\$ 1,379,495
9 Add Office Staffing	\$ -	\$ 13,370	\$ -	\$ 85,489	\$ -	\$ 86,641	\$ -	\$ 87,817	\$ -	\$ 89,016	\$ -	\$ 90,241
10 Books and Supplies	\$ 93,460	\$ 93,460	\$ 95,852	\$ 95,852	\$ 103,068	\$ 103,068	\$ 102,787	\$ 102,787	\$ 101,284	\$ 101,284	\$ 102,338	\$ 102,338
11 Add'l for Instructional Materials	\$ -	\$ 34,600	\$ -	\$ 40,446	\$ -	\$ 41,918	\$ -	\$ 41,232	\$ -	\$ 39,826	\$ -	\$ 39,500
12 Services & Other Operating Expenditures	\$ 59,738	\$ 59,738	\$ 346,909	\$ 346,909	\$ 395,897	\$ 395,897	\$ 484,542	\$ 484,542	\$ 390,626	\$ 390,626	\$ 390,628	\$ 390,628
13 Additional Legal	\$ -	\$ -	\$ -	\$ 9,940	\$ -	\$ 5,598	\$ -	\$ 5,694	\$ -	\$ 5,888	\$ -	\$ 5,980
14 Add'l for Special Ed Contract Services	\$ -	\$ -	\$ -	\$ 29,125	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
15 Add'l Expense for Technology	\$ -	\$ -	\$ -	\$ 4,000	\$ -	\$ 4,000	\$ -	\$ 4,000	\$ -	\$ 4,000	\$ -	\$ 4,000
16 Other Fees for SIS, Payroll, Subfinder	\$ -	\$ -	\$ -	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000
17 Add'l Expenses for Facilities Lease	\$ -	\$ -	\$ -	\$ 111,200	\$ -	\$ 111,200	\$ -	\$ 111,200	\$ -	\$ 111,200	\$ -	\$ 111,200
18 Capital Outlay	\$ 34,000	\$ 34,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
19 Total Expense	\$ 217,222	\$ 265,192	\$ 1,687,261	\$ 1,972,461	\$ 1,769,449	\$ 2,023,806	\$ 1,905,532	\$ 2,160,475	\$ 1,851,318	\$ 2,106,248	\$ 1,872,461	\$ 2,128,382
20 Net Increase/Decrease	\$ 87,778	\$ 66,808	\$ 117,399	\$ (167,801)	\$ 190,255	\$ (64,101)	\$ 66,885	\$ (188,058)	\$ 61,299	\$ (193,632)	\$ 39,501	\$ (216,420)
Fund Balance												
21 Beginning Balance	\$ -	\$ -	\$ 87,778	\$ 66,808	\$ 205,177	\$ (100,993)	\$ 395,432	\$ (165,094)	\$ 462,317	\$ (353,152)	\$ 523,616	\$ (546,784)
22 Ending Fund Balance	\$ 87,778	\$ 66,808	\$ 205,177	\$ (100,993)	\$ 395,432	\$ (165,094)	\$ 462,317	\$ (353,152)	\$ 523,616	\$ (546,784)	\$ 563,117	\$ (763,204)
23 Reserve Unsecured Loan		\$ -										
Ending Fund Balance as a % of Expenses	40%	25%	12%	-5%	22%	-8%	24%	-16%	28%	-26%	30%	-36%
24 *Distribution of the \$375,000 PCSGP Planning and Implementation Grant	2015-2016	68%	2016-2017	32%								
			Expenses TBD	\$ 123,000								
Planning and Implementation Grant funds are intended to supplement, not supplant, state or local funds.												
-Supplanting is the use of PCSGP funds to pay for costs that would normally be paid using state or local funds. This primarily includes the operational costs of the school, such as rent and teacher salaries.												
25 RVC will apply for the Charter School Revolving Loan Fund. If awarded, total cash of	\$ 250,000		\$ (50,000)		\$ (50,000)		\$ (50,000)		\$ (50,000)		\$ (50,000)	

RVC Petition Review
Office/Business Staffing Comparison
10/8/2015

Exhibit A-2

Charter/District	Average Daily Attendance	Admin	CBO	Payroll	Accounts Pay/Rec	Office Support	Technology	Technology Expense	Student Information System	Substitute Calling
Novato Charter	256.25	2.00	*	Contracted with NUSD **	In-House	1.88	via District	\$1,000-\$3,000	Aeries	In-House
Willow Creek Charter	339.02	2.00	*	Contracted with ARI***		3.00	via District<	\$57,000	Aeries	In-House
River Montessori Charter (Petaluma)	102.93	1.00	1.00	CBO		2.00	In-House	Volunteers	Schoolwise	In-House
Lagunitas School District (Two Sites)	271.60	1.60	1.00	1.00		2.00	Contracted<<	\$20,000	Aeries	In-House
Ross Valley Charter	212.00	1.00	<<<	Contracted+	In-House	1.00	Contracted++	\$8,000	?	?

After meeting with the Committee, Petitioners communicated a willingness to add an additional .8 FTE, at \$15.00 per hour, beyond what is listed in the Petition.

* One of the administrators functions as Chief Business Official (CBO)

** Contract services by Novato Unified School District for payroll, State Teacher Retirement System (STRS) & Public Employees Retirement System (PERS) reporting, processing Human Resource information, attendance reporting in 2014-2015 - \$37,479.

*** Contract services by Administrative Resources, Inc. for payroll and accounts payable and receivables processing in 2015-2016 - \$68,760.

< Technology services provided by the district. Total cost is \$114,000, with the charter paying \$57,000 (50% of the total Expense).

<< Technology contract for Lagunitas \$20,000.

<<< The RVC Petitioner states the Chief Financial Officer is also a board member of the charter, and is volunteering as CFO.

+ Contracted services for payroll processing in 2016-2017 - \$1,000

++ Contracted services for technology in 2016-2017 - \$8,000.

California Department of Education
 Charter Schools Division
 Last Updated by CDE February 10, 2015

Exhibit A-3

Charters in Counties Contiguous to Marin County

County	Chartering Authority	Charter School	Proposition 39 Facilities Provided By	Per Sq Ft Charge Reported by Charter School
Alameda	Oakland Unified	Bay Area Technology	Oakland Unified	\$ 4.27
Alameda	Oakland Unified	LPS Oakland R & D Campus	Oakland Unified	\$ 3.24
Napa	Napa Valley Unified	River School Charter	Napa Valley Unified	\$ 2.70
Napa	Napa Valley Unified	Stone Bridge	Napa Valley Unified	\$ 0.06
San Francisco	San Francisco Unified	Creative Arts Charter	San Francisco Unified	\$ 1.87
San Francisco	San Francisco Unified	Edison Charter Academy	San Francisco Unified	\$ 1.87
San Francisco	San Francisco Unified	Gateway Middle	San Francisco Unified	\$ 2.15
San Francisco	San Francisco Unified	KIPP San Francisco Bay Academy	San Francisco Unified	\$ 2.15
San Francisco	San Francisco Unified	KIPP San Francisco College Preparatory	San Francisco Unified	\$ 1.87
San Francisco	San Francisco Unified	Leadership High	San Francisco Unified	\$ 3.07

Average per Square Foot C \$ 2.33

Willow Creek Charter:

Under Proposition 39, Willow Creek Charter facility expense is based on an increased oversight fee (as described above). The cost is 3% of the charter's Local Control Funding Formula (LCFF) - Approximately \$85,000.

Note: School districts are allowed to charge charter schools for use of district facilities under Proposition 39 (Education Code 47614). It provides two alternatives for calculating the cost to charter schools for the use of district facilities: 1) A pro rata share charge (based on the ratio of space allocated to the charter school divided by the total space of the district) or 2) An increased oversight fee.

Novato Charter:

Novato Charter is not charged for facilities by the Novato Unified School District.

California Department of Education
Charter Schools Division
Last Updated by CDE February 10, 2015

Exhibit A-4

County	Chartering Authority	Charter School	Proposition 39 Facilities Provided By	Per Sq Ft Charge Reported by Charter School
Alameda	Oakland Unified	Bay Area Technology	Oakland Unified	\$ 4.27
Alameda	Oakland Unified	LPS Oakland R & D Campus	Oakland Unified	\$ 3.24
Fresno	Fresno County Office of Education	Edison-Bethune Charter Academy	Fresno County Office of Education	\$ 2.26
Kern	Tehachapi Unified	Abernathy Collegiate Charter	Tehachapi Unified	\$ 1.70
Los Angeles	Los Angeles County Office of Education	Odyssey Charter	Pasadena Unified	\$ 0.82
Los Angeles	Los Angeles Unified	Animo Jackie Robinson Charter High	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Animo Westside Charter Middle	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	APEX Academy	Los Angeles Unified	\$ 6.03
Los Angeles	Los Angeles Unified	Apple Academy Charter Public	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Ararat Charter	Los Angeles Unified	\$ 6.15
Los Angeles	Los Angeles Unified	Celerity Cardinal Charter	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Celerity Nascent Charter	Los Angeles Unified	\$ 6.31
Los Angeles	Los Angeles Unified	Celerity Octavia Charter	Los Angeles Unified	\$ 6.15
Los Angeles	Los Angeles Unified	Celerity Palmati Charter	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Celerity Troika Charter	Los Angeles Unified	\$ 6.31
Los Angeles	Los Angeles Unified	Citizens of the World 2	Los Angeles Unified	\$ 10.45
Los Angeles	Los Angeles Unified	Citizens of the World 3	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Citizens of the World Charter	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	City Charter Elementary School	Los Angeles Unified	\$ 6.15
Los Angeles	Los Angeles Unified	Crenshaw Arts-Technology Charter High	Los Angeles Unified	\$ 6.31
Los Angeles	Los Angeles Unified	Extera Public	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Extera Public School #2	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Goethe International Charter	Los Angeles Unified	\$ 6.31
Los Angeles	Los Angeles Unified	Ingenium Charter Middle School	Los Angeles Unified	\$ 6.15
Los Angeles	Los Angeles Unified	Ivy Academia Charter	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	KIPP Iluminar Academy	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Math and Science College Preparatory	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Monsenor Oscar Romero Charter Middle	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	New Heights Charter	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	PUC Triumph Charter High	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Triumph Charter Academy	Los Angeles Unified	\$ 5.97
Los Angeles	Los Angeles Unified	Valley Charter Middle	Los Angeles Unified	\$ 5.97

California Department of Education
 Charter Schools Division
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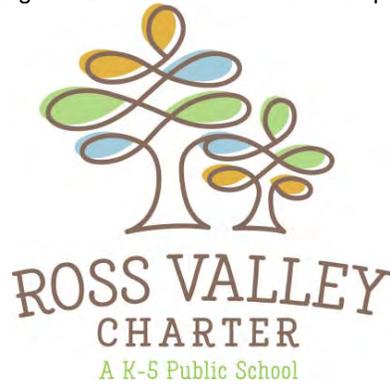
Exhibit A-4

County	Chartering Authority	Charter School	Proposition 39 Facilities Provided By	Per Sq Ft Charge Reported by Charter School
Los Angeles	Los Angeles Unified	Watts Learning Center Charter Middle School	Los Angeles Unified	\$ 6.31
Los Angeles	Los Angeles Unified	Westside Innovative School House	Los Angeles Unified	\$ 5.97
Los Angeles	Pasadena Unified	Aveson School of Leaders	Pasadena Unified	\$ 0.82
Los Angeles	Pasadena Unified	Celerity Exa Charter	Pasadena Unified	\$ 8.58
Los Angeles	State Board of Education	Barack Obama Charter	Compton Unified	\$ 15.58
Los Angeles	State Board of Education	Ingenium Charter	Ingenium Charter	\$ 6.31
Monterey	Monterey County Office of Education	Bay View Academy	Monterey Peninsula Unified	\$ 3.83
Napa	Napa Valley Unified	River School Charter	Napa Valley Unified	\$ 2.70
Napa	Napa Valley Unified	Stone Bridge	Napa Valley Unified	\$ 0.06
Orange	Capistrano Unified	Community Roots Academy	Capistrano Unified	\$ 0.70
Orange	Capistrano Unified	Journey School	Capistrano Unified	\$ 0.73
Orange	Capistrano Unified	Oxford Preparatory Academy - South Orange County	Capistrano Unified	\$ 3.50
Orange	Santa Ana Unified	Edward B. Cole Academy	Santa Ana Unified	\$ 1.42
Sacramento	Sacramento City Unified	California Montessori Project - Capitol Campus	Sacramento City Unified	\$ 1.95
Sacramento	Sacramento City Unified	Capitol Collegiate Academy	Sacramento City Unified	\$ 1.95
Sacramento	Sacramento City Unified	Oak Park Preparatory Academy	Sacramento City Unified	\$ 2.10
Sacramento	Sacramento City Unified	Sacramento Charter High	Sacramento City Unified	\$ 2.10
Sacramento	Sacramento City Unified	St. HOPE Public School 7	Sacramento City Unified	\$ 2.10
Sacramento	San Juan Unified	California Montessori Project-San Juan	San Juan Unified	\$ 1.04
San Diego	San Diego Unified	Epiphany Prep Charter	San Diego Unified	\$ 19.44
San Diego	San Diego Unified	Evangeline Roberts Institute of Learning	San Diego Unified	\$ 1.05
San Francisco	San Francisco Unified	Creative Arts Charter	San Francisco Unified	\$ 1.87
San Francisco	San Francisco Unified	Edison Charter Academy	San Francisco Unified	\$ 1.87
San Francisco	San Francisco Unified	Gateway Middle	San Francisco Unified	\$ 2.15
San Francisco	San Francisco Unified	KIPP San Francisco Bay Academy	San Francisco Unified	\$ 2.15
San Francisco	San Francisco Unified	KIPP San Francisco College Preparatory	San Francisco Unified	\$ 1.87
San Francisco	San Francisco Unified	Leadership High	San Francisco Unified	\$ 3.07
San Mateo	Redwood City Elementary	Connect Community Charter	Redwood City Elementary	\$ 0.34
San Mateo	Sequoia Union High	Summit Preparatory Charter High	Sequoia Union High	\$ 4.79
Santa Barbara	Santa Barbara Unified	Adelante Charter	Santa Barbara Unified	\$ 4.47
Santa Clara	East Side Union High	Summit Public School: Rainier	East Side Union High	\$ 2.12
Santa Clara	Franklin-McKinley Elementary	Cornerstone Academy Preparatory	Franklin-McKinley Elementary	\$ 5.11

California Department of Education
 Charter Schools Division
 Last Updated by CDE February 10, 2015

Exhibit A-4

County	Chartering Authority	Charter School	Proposition 39 Facilities Provided By	Per Sq Ft Charge Reported by Charter School
Santa Clara	Franklin-McKinley Elementary	KIPP Heritage Academy	Franklin-McKinley Elementary	\$ 5.63
Santa Clara	Santa Clara County Office of Education	Downtown College Prep Alum Rock	East Side Union High	\$ 2.12
Ventura	Ventura County Office of Education	Ventura Charter School of Arts and Global Education	Ventura Unified	\$ 4.15
Average per Square Foot Cost				\$ 4.63



**ROSS VALLEY CHARTER INITIAL RESPONSE
TO MARIN COUNTY BOARD OF EDUCATION'S DENIAL FINDINGS**

October 15, 2015

While RVC appreciates the fact that the Marin County Office of Education staff review of the Ross Valley Charter ("RVC") petition resulted in the staff and Board validating virtually the entirety of the petition, we do not agree with its very three conservative financial assumptions which formed the basis of the County Board denying the appeal. In this initial response, we will provide considerable detail as to why the County's assumptions in these three areas do not constitute facts which demonstrate that RVC is unlikely to successfully implement the program set forth in the petition.

Background

The Marin County Office of Education Staff and the Marin Board of Education thoroughly reviewed the RVC charter petition. Their process for review is detailed in the two-page Charter Ad Hoc Committee Recommendation.

This two page Recommendation (submitted under Tab 3b with RVC's charter petition appeal to the State Board of Education) is followed by 159 pages of Appendices A through I, which are comprised as follows:

- A. The final "Marin County School District Charter School Petition/MOU Review Matrix" (59 pages, found on pages 4-63) that resulted from staff evaluations. This Matrix is included in County Board Charter Policy as the questions to be answered in the evaluation of a charter petition. Blue and Green typeface comments reflect areas where the petition met requirements in view of County Staff. Red typeface comments reflect areas where it did not.
- B-D. Appendices B, C, and D contain Financial Scenarios A, B, and C (found on pages 64-75). These scenarios – one which showed RVC to be sustainable and two which showed RVC unsustainable – were not relied on for the Committee Recommendation. We know this because the County concluded RVC was not financial sustainable so Appendix D (Scenario C) did not apply. Also the Matrix concluded, after the petitioners responded to questions (see below Appendix E), that the Petitioner's "State and Federal revenue assumptions are based on reasonable growth assumptions." (See Matrix, pages 33, 36, and 40) Therefore Scenarios A and B also did not apply. It is not clear why these scenarios were included in the Appendices since they were not used in the conclusions.

- E. The County Staff asked the Petitioners three sets of questions over a period of two weeks. There were 29 questions in total, and Petitioners provided 55 pages of answers (found on pages 76-132). There are Acrobat "Sticky" notes throughout these documents which are the County staff's response to the Petitioners' answers. Some of the resulting follow up questions were resolved in the RVC meeting with the Ad Hoc Committee on September 29 and are reflected in the final Matrix prepared after that meeting, which is Appendix A.
- F. This Appendix is an email that Petitioners sent to the County after the one and only meeting that Petitioners had with the County Ad Hoc Committee; Terena Mares, the Deputy Superintendent who coordinated the County review process; and Robert Henry, County Counsel. The focus of this two-hour meeting on September 29, 2015 was the County's questions and RVC's answers contained in Appendix E. In the follow-up email, petitioners agreed that they would add a receptionist to the office staffing to meet the County's concerns in this area. (Found on pages 133-140)
- G. Entitled "Conditions of Operational Approval" this Appendix lists the areas that the County staff would want to have discussions about should the Board decide to authorize a conditional approval. (Found on page 141)
- H. Contains information from the Ross Valley School District requested by the County after its meeting with the District on September 30, 2015. The County subsequently used the District's budget for instructional materials and its staffing levels in its assumptions for Appendix I, Financial Scenario D, the basis for denial. (Found on pages 142-151)
- I. This Appendix contains Financial Scenario D, which was used by the County to conclude that RVC is financially unsustainable. (Found on pages 152-161)

It is clear from the Recommendation and its Appendices A, G, and I that County Staff and the Ad Hoc Committee concluded that the RVC Petition **met every statutory requirement** except for two:

1. The County believed the petition did not fully demonstrate plausible and sustainable financial projections for the first three years of operation. This conclusion, as the Recommendation makes clear in its final paragraph, was based on Scenario D, in Appendix I, which created assumptions in three expense areas higher than Petitioners' assumptions. This response will address all three expense area assumptions.
2. The Petition did not satisfactorily demonstrate the manner in which administrative services of RVC are to be provided.

Other Materials Provided by RVC for its Appeal to the State Board of Education

RVC is providing the following additional materials in its charter petition appeal submission to the State Board of Education:

- Very brief summaries of the number of speakers who appeared for and against the Charter Petition at both the two District Board meetings considering the RVC petition and the two County Board meetings considering the RVC petition
- 47 letters to the County in support of RVC
- A letter from the IRS confirming approval of RVC's 501(c)(3) status
- The County also posted on its web site a more detailed description of the Committee process and we have excerpted 11 pages from the 469 pages posted that RVC believes are useful in understanding the Committee's process and its conclusions. These are the County Timeline for evaluating the Appeal, the Minutes from the 9-22-15 Committee meeting (the only Committee

Meeting Minutes posted), and the Staff Assignments for doing the evaluations necessary to answer the questions in the Marin County School District Charter Petition Review Matrix. The latter demonstrates the thoroughness with which the County evaluated the petition.

RVC Response to the County Findings in the Recommendation

Starting a charter school entails risk both within the charter school and to the school district, which may be losing revenue because of the loss of ADA. The California Legislature understood this and therefore did not include either loss of revenue to the district or doubts about sustainability over time to be lawful reasons for denial of a charter petition. Instead, the standard required by Education Code Section 47605(b) for denying a petition is:

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 16 described Elements] (Emphasis Added)

The law clearly requires a denial to be based on facts, and not speculation or baseless conservative financial assumptions.

The Legislature further encouraged authorizing entities to take risks in approving charter petitions by giving authorizers blanket immunity from financial liability from the acts, errors, or omissions of a charter school in Education Code Section 47604(c) if the authorizing entity performs a list of clearly enumerated and not onerous activities spelled out in Education Code Sections 47604.32 and 47605(m). In short, the Legislature recognized that school districts and county boards of education are instinctually conservative and it asked them to actually take the risks inherent in authorizing new charters unless there were facts, as in the case of reason #2 for denial cited above, that clearly showed that the charter school was demonstrably unlikely to succeed.

RVC contends that the County has failed to meet this test of providing facts that show that RVC is demonstrably unlikely to succeed.

In its Recommendation for Denial, the County included the following paragraph:

The Marin County Office of Education (MCOE) has a long history of high standards of fiscal stewardship for its nineteen school districts. Under its AB1200 roles and responsibilities, the MCOE conducts financial reviews of school district budgets four times each year. Moreover, three members of the business office staff have a combined 50 plus years of school district and charter school fiscal oversight and chief business official experience in California schools. It is from this

experience, and the fiscal oversight standards of the MCOE, that the MCOE staff provided its analysis of the fiscal health of the Ross Valley Charter School Petition.

It is "best practice" for business officials in Marin County to make worse case assumptions regarding both revenue and expense so that revenue will always come in at or over budget, and expenses will come in at or below budget. In the case of the Ross Valley School District, for example, this has resulted in annual "surprise" operating surpluses averaging \$500,000 a year or more. But this tendency to making very conservative budget estimates, which may be appropriate in the County's AB1200 role, are not what the Legislature intended in reviewing charter petitions.

Scenario D was never shared with Petitioners for their comment and did not appear until the Recommendation was posted on October 9.

RENT

The County's Scenario D assumes \$1.76/sq. ft./month (\$0.66 more per square foot) and adds a total \$111,200 to Petitioners' annual expenses, which, by itself, makes the budget unsustainable.

The County did this despite documenting in Appendix G that, regarding facilities: "Petitioners stated a willingness to base a conditional, operational approval on the identification and secured lease of the school site where the charter school would operate 47605(j)."

It is, of course, impossible to secure a facility without an authorized school, which is why RVC is quite willing to make opening a school contingent on having a school site that it can afford. The petitioners are six fully tenured teachers in Ross Valley School District and are not going to leave their positions unless RVC is financially sustainable.

The County asked RVC to provide additional rationale for its estimate of \$1.10/sq. ft. and RVC provided the following information, which is on page 129 of the Recommendation document.

Rental market assumptions in the petition are for school space. There have been four school space rental transactions in the last year within District boundaries: one with the District for Deer Park, one with the San Francisco Archdiocese for St. Rita's School, and two with the Girl Scouts for the Bothin and Arequipa sites. All of them have been for considerably less than \$1.10 per square foot per month, the amount conservatively budgeted by RVC. The District's lease for Deer Park, which has roughly the same amount of square feet that RVC would like to lease from District at Red Hill, was for \$92,700 annually, or about \$0.55 per square foot per month. RVC has budgeted \$185,328 for rent during the 2016-17 school year. And the District has available, currently unrented, space at Red Hill that RVC would like to rent.

The County Acrobat Sticky note comment on this answer, entered by "tmares on 9/29/15" two hours before the RVC meeting with the Ad Hoc Committee, was "Question satisfied." So the County's adding of \$111,200 worth of expenses to RVC's budget was a somewhat surprising development when Scenario D was developed at the last minute, included in the report, and made the basis of denial.

As stated in the petition and in the answer to the County's question, the Ross Valley School District is renting to a tenant, a similar amount of square footage to what RVC would request from it, in a closed school, the Deer Park facility, which was leased similarly in "as is" and non Field Act Compliant condition,

for half of what RVC budgeted for renting the vacant 11 classrooms at the Red Hill closed school facility. And the District is not renting this Deer Park facility space to public school students. What rationale could the District possibly have for renting the same amount of space, in a similar condition, for twice what it is receiving from a non-public school organization?

If RVC does rent Red Hill for \$92,700, enough expense dollars would be freed up to totally cover the Business Operations expenses short fall addressed later in this response.

INSTRUCTIONAL MATERIALS

The County asked Petitioners a question about instructional materials cost assumptions, focusing on the start-up budget of \$100 per ADA and this is the answer RVC supplied:

The petitioning teachers typically don't use textbooks, and instead have been very innovative in developing instructional materials for their students. Charter schools have to find ways to do things less expensively than district schools and we believe this is a reasonable amount. In a study that looked at charter schools across the state, EdTec found that 25% of schools spent less than \$50 per ADA on Textbooks and Core Curriculum per year. RVC is budgeting a little over \$70 per ADA per year on an ongoing basis.

RVC teachers don't use textbook consumables, purchased from publishers, as have other teachers in the Ross Valley School District. Their project-based orientation significantly reduces the funds spent on instructional materials.

California and the rest of the country is in a generational transition to a new and much more rigorous set of academic standards. EdReports.org, a new non-profit organization focused on evaluating textbooks' alignment to the Common Core, has as yet to certify any purchasable textbooks from publishers as Common Core aligned. The only K-5 instructional materials certified by EdReports.org are only available free on the Internet.

The six petitioning teachers have a great deal of experience creating, finding and using free or low-cost instructional materials.

In an Acrobat Sticky note from tmares dated 9/29/15 (on page 126) is the following:

This question is satisfied, in that it states the charter will not need or purchase textbooks. The question of whether \$100 per pupil is adequate for instructional materials is determined by the type of instruction. The description of instruction appears to satisfy this question.

The County then asked Ross Valley School District for its instructional supplies budget and insisted on making the assumption in its Scenario D (again which Petitioners did not see until it was posted on line Friday afternoon, October 9, before the Tuesday Board Meeting) that RVC would spend the same amount per ADA on instructional materials as the District spends, despite having the information that this comparison is inappropriate. EdTec, RVC's back office service provider, tells us that no charter school spends the same on instructional materials as District schools. An EdTec study that found that 25% of its clients spend less than \$50 per ADA (including elementary schools only). The Ross Valley School District is comprised of one third middle school students; these students require more

instructional materials than elementary school students. This clearly unsupportable County assumption added \$40,000 a year of expense to the RVC budget.

This does not come close to meeting the test of a factual finding for denial that shows that RVC is demonstrably unlikely to successfully implement its program.

BUSINESS OPERATIONS NEEDS MORE RESOURCES

In Scenario D, the County added \$86,000 annually to RVC expenses for Business Office Staff, adding further to the projected unsustainability.

Subsequent to the meeting between RVC and the Ad Hoc Committee, RVC sent an email with the following information to the County.

After Tuesday's meeting, Chris, Conn, and I talked about your concern that our Office Manager's responsibilities are too great for one person. We talked with Bryce and Kate [from EdTec], and Bryce suggested that we add a lower-level classified position to perform the receptionist-type duties of interfacing with parents, answering the phone, helping children needing special attention, tracking truancy and absenteeism, and other administrative tasks.

One way we could manage it is this: we currently have in our budget two \$15/hour classified positions working two hours each during lunch. We could likely extend one of these positions to add four hours in the morning (7:30 a.m.-1:30 p.m.), and extend the other position to add two hours in the afternoon (noon-4:00), so they total ten hours a day for 180 days. Together this equates to a .8 FTE in additional office support over the course of the school year for a total additional cost of around \$17,500.

This is an amount our budget can absorb and will make the Office Manager position a more manageable job for one person.

A common charter school model is that teachers are relatively inexperienced and therefore need strong instructional leadership, which must be provided by the School Director. This requires a very strong Office Manager who is capable of managing the business and regulatory aspects of running a school and also requires more office staff to do input of information, etc. In an EdTec study performed two years ago, the average charter school teacher had 6.8 years of experience and earned \$52,192. In our model, the average teaching experience of our six petitioning teachers is 18 years, with the least experienced having taught 14 years.

These six teachers have demonstrated their capacity to be instructional leaders. They have been the only instructional leaders for their entire 8-19 years teaching in the Ross Valley School Alt Ed program and have demonstrated their ability to incorporate Common Core State Standards and to mentor younger teachers in the Alt Ed program without any assistance from the local principal.

This instructional leadership model of relying on teachers and not exclusively an administrator is also based on RVC's belief in the critical importance of collective responsibility as an Essential Component in the Learning Environment. This is emphasized and repeated throughout the Petition and can be found elaborated in the petition on pages 5, 18, 34-35, 145, 147 and in the Appendix on page 136. RVC believes this is a key cultural value in the 21st Century digital workplace and if teachers do not model this

for children, children cannot learn it. We realize that this cultural value is not commonly found in public education culture or governance, but we believe it is one of the requirements for Common Core success and for success in the 21st century workplace and must over time become commonplace in public schools.

The resulting model for RVC is that the School Director will also be the Chief Business Official (CBO) – in charge of overseeing all accounting, attendance, enrollment, policy and procedure development and implementation – and will spend proportionally less time on instructional leadership. The teachers will shoulder the responsibility of mentoring the three new classroom teachers and the RVC Petition outlines how schedules will be organized to allow for 4 – 5 hours of teacher collaboration time per week. This means that the Office Manager will be doing the low level accounting and attendance entry work into the cloud-based EdTec software according to policies and procedures developed during the planning year using EdTec as consultants. The Office Manager would also supervise the receptionist in doing many day to day matters dealing with serving students, and many of the tasks are listed on pages 79-80 as Office Manager responsibilities.

With this model, the higher paid School Director would shoulder many of the responsibilities of a larger school CBO. But even without this model in place there are examples of small charter schools operating with three people in administration, much like our proposed model.

Charter School	Location	Enrollment	ED	Principal	Office Manager	Office/Asst.	Total
STREAM	Oroville	270	1.0	-	1.0	0.5	2.50
Village Charter Academy	Canoga Park	210	1.0	1.0	1.0	0.5	3.50
Intellectual Virtues Academy	Long Beach	170		1	1	1	3.00
North County Trade Tech	Vista	165		1	1	1	3.00
Average		203.75					3

We would be happy to engage with the California Department of Education Staff in a more detailed discussion of how we see this model working.

Pages 79-82 and pages 122-3 contain more information on this Business Operations question.

THE PETITION DID NOT SATISFACTORILY DEMONSTRATE THE MANNER IN WHICH ADMINISTRATIVE SERVICES OF THE SCHOOL ARE TO BE PROVIDED.

It is not clear to Petitioners that this finding is substantially different from the finding of insufficient Office Personnel. If the County were looking for detailed procedures for a whole host of administrative procedures, Petitioners believe that these are more appropriately developed and agreed to after authorization.

We do not believe this is referring to financially related procedures because this was asked about by the County and answered by the Petitioners, and in two different Sticky notes, tmares stated that RVC's response satisfied the question. (pages 122-3)

Bank Balance at Westamerica Bank

When Petitioners appealed to the County, RVC had \$60,000 in accounts at Westamerica Bank and the County included that amount in its Scenario D. RVC currently has \$87,000 in Westamerica Bank and can provide online snapshots to verify this.

Response to County Findings Contained in Resolution but not in Recommendation

At 3:30 pm on October 14, the County sent RVC a copy of a Resolution that it says was adopted by the County Board in its October 13 meeting. This Resolution contains an additional finding of "not sufficient detail" in the petition. This finding is not in the Ad Hoc Committee Recommendation, the Resolution was not provided to the public before the meeting, and it was not distributed, made available, or read aloud at the meeting, although there was a mention of a resolution being prepared. The additional finding appearing in this resolution was not included in the oral motion made and seconded, and approved unanimously by the Board. The oral motion only made reference to the Ad Hoc Committee Recommendation. RVC has clearly demonstrated its capacity to respond to information presented by potential authorizers, and would have liked an opportunity to respond contemporaneously to this additional finding.

RVC will prepare a written response to this second finding of insufficient information, which it will send under separate cover to the California Department of Education.

Marin County Charter Ad Hoc Committee
Ross Valley Charter Petition Appeal Review
Staff Review
Clarifying Questions #1
September 15, 2015

QUESTION #1

Section A.2, Attendance

Attendance Expectations and Requirements

- A general description of attendance was provided without detailed information about expectation and requirements with regular attendance, tardies, and independent study. p. 68, p. 115. Please clarify how the charter will monitor and track attendance.

ANSWER

On page 10 of the petition is the following sentence: "The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)]" It is in the Charter School's interest to have strong attendance, as our financial viability is based upon strong attendance percentages. We will expect regular attendance and prompt arrival at the beginning of the school days. We will stress to the parents why regular attendance is important to our financial picture, as well as to their student's educational success. Families will be encouraged to make appointments outside of school hours, to schedule vacations outside of the school schedule, and to arrive on time for the morning attendance.

We will develop detailed attendance, tardy, and independent study policies before school starts and will include these in our Parent Handbook as well as through regular communication to parents. Attendance will be recorded each morning by teachers and communicated to the Office Manager and recorded using software which will either be purchased or developed using Excel. For example, CalDATT is a free excel program that may be useful in helping us track attendance. <http://www.attendanceworks.org/tools/tools-for-calculating-chronic-absence/>

The RVC office will contact the family of any student who did not come to school. Attendance patterns will be reviewed regularly, and parents will be contacted if students are missing school. We have reviewed the California Attorney General's report on Truancy and Absenteeism in order to help us develop a strong plan. <http://www.oag.ca.gov/truancy/2015>

QUESTION #2

Section B, Measurable Student Outcomes and Other Uses of Data

The petition lacks specific benchmark skills and specific classroom – level skills for students. p. 125, 128, 129. Please provide specific benchmarks.

ANSWER

Please see the answer to a similar, but more detailed, question in the second set of questions.

QUESTION #3

Section D, Governance

- Did the petitioners intend to not address the County Board of Education policy regarding compliance with the Public Records Act?

ANSWER

RVC explicitly did address the County Charter policy regarding compliance with the Public Records Act. The petition, which we view as one of our governing documents, states on page 11 in the second bullet, that: "The Charter School shall comply with the Public Records Act." This language makes it clear that the Charter School will be subject to the Public Records Act.

The County Policy states: "The By-laws, articles of incorporation and other management documents, as applicable, governing, or proposed to govern, the charter school. The information in this section should specify that the charter school will be subject to the Brown Act, the Public Records Act, as well as the Conflict of Interest provisions which also apply to members of a Board of Education."

QUESTION #4

Section F, Health and Safety Procedures

Tuberculosis testing is addressed with reference to appropriate Education Code, without any description outlining specific practices (such as provided for background checks). Please clarify how the charter will monitor and test for Tuberculosis.

The petition lacks specific health and safety practices addressing key areas as:

- Seismic safety (structural integrity and earthquake preparedness)
- Natural disasters and emergencies
- Immunizations, health screenings, administration of medications
- Zero tolerance for use of drugs and tobacco
- Staff training on emergency and first aid response

It is noted that a full draft of health and safety procedures will be provided at least 30 days prior to operation. While seismic safety information will not be available until a facility is secured, please provide specifics as to how the charter will address the areas above not related to facilities.

ANSWER

Once the petition is authorized, the Governing Board will commence work on developing many specific school policies in the many areas that policies will be needed, such as, human

resources, Parents, Students, Health, School Safety, Internet and resulting handbooks for employee and parents. We will utilize our legal consultants, Young, Minney and Corr, our operational consultant EdTec, and the California Charter Schools Association (CCSA), just as school districts use the California School Boards Association and their legal counsel in developing their policies. We developed, adopted, and placed in the appendix one such policy, the Application and Admission Policy, before submitting the petition because we felt a need to clarify our enrollment application process. Other policies will be similarly developed after we are authorized. If the County would like to look at a beginning template of our Health and Safety Policy, we would be happy to obtain one and forward it to the county as an example of where we plan to start with our Health and Safety Policy Development. We have budgeted \$15,000 in our planning year to work with Young, Minney, and Corr to develop these and other policies before school opens.

QUESTION #5

Likelihood that the Petitioners Will be Able to Successfully Implement the Program of the Proposed Charter

Does the information provided in the proposal confirm that the school will have the services of individuals who have the necessary background in curriculum, instruction, assessment, finance, facilities, business management, organization, governance and administration?

Staffing for Front Office Management

The petition has budgeted 1.05 FTE (9 hours per day) for office staffing beginning in 2016-2017. The petition notes that business services will be completed by the Office Manager with oversight from the Board's CFO.

- Please clarify who will complete other front office processes of necessary charter administration. For example:
 - Preparation and distribution of information documents for families at the beginning of each school year and throughout the year as needed
 - Processing student registration information
 - Greeting parents and public via phone, email, or in person
 - Checking students in/out school
 - Assisting sick or injured students
 - Reporting Student truancy
 - Processing free and reduced lunch applications for the National School Lunch Program
 - Assuring RVC is in compliance with all National School Lunch Program policies and procedures
 - Processing lunch orders and collect/account for lunch cash sales
 - Placing orders for supplies and equipment
 - Receiving and distributing supplies and equipment received
 - Processing incoming/outgoing mail
 - Public records requests

- Maintenance and record keeping of all student records

ANSWER

All of the above functions will be provided by the Office Manager, except that checking students in and out of school will be done by teachers.

Processing lunch orders will be done using on-line applications over the internet both for ordering lunch and for payment transactions. (Ross Valley School District currently uses Choice Lunch.) There are training resources on the CDE website at <http://www.cde.ca.gov/ls/nu/ed/index.asp> and the USDA Food and Nutrition Service website <http://www.fns.usda.gov/school-meals/professional-standards> that we plan to make use of to ensure that we are in compliance with the National School Lunch Program policies and procedures. We have already downloaded templates of the lunch applications from the CDE website., Many of these structures will be implemented once we are an authorized school, as we cannot set up accounts until that time.

The Office Manager (under the oversight of the School Director and the CFO) will also be responsible for the daily execution of the following tasks that were included in this Question #5:

- Management of Student Information System, CalPADS reporting, daily, monthly and attendance reports for the P-1, P-2, and Annual reporting periods
- Attendance tracking and record retention of employee absences, sick/personnel vacation leave, and other types employee leaves
- Tracking for sick leave for part-time employees under AB 1522 Sick Leave for All
- Management of personnel records
- Front end processing of payroll documents and record keeping for these documents
- Recording keeping for TB testing, fingerprinting, etc.

The following asked-about functions will be the responsibility of the School Director and the Governing Board

- Personnel contract preparation (in consultation with legal counsel)
- Risk Management (in consultation with RVC's insurance provider)
- Policy management
- Safety programs
- Liability and property insurance management
- Board Meeting Preparation

The following asked-about functions will be the responsibility of the School Director

- Safety and health inspection reports
- Workplace accident prevention program
- Workers' Compensation monitoring and management
- Preparation, publishing, and record keeping of board agenda dates, agendas, and backup documentation (along with the Board Secretary)

- Records retention for Board Policies, Contracts, MOUs, and all other RVC documents. There will be a heavy reliance on keeping school records in a secure, cloud based, internally shared, archival system.
- Record keeping for mandatory trainings such as required Mandate Reporting, Mandatory Reporter and Sexual Harassment training, etc.

The following three asked-about functions will likely be contracted to a third party, and overseeing execution of the function will be a shared responsibility of the Office Manager and School Director.

- Calling and securing substitutes for employee absences
- Health and Welfare benefits management
- Compliance training and record keeping

Although the Office Manager has many specific duties, it should be noted that this will be a small school, with approximately 222 students and ten full-time teachers, so we anticipate that the job will be manageable for one full-time person.

QUESTION #6

Additionally, contracted Business Services are budgeted at \$14,000 in the startup year 2015-2016 for training, accounting and business services and budgeted at \$8,000 in the subsequent years.

- Please provide a description of the specifics of the business services to be provided under this contract in the subsequent years.
- Payroll services to be processed by an outside vendor are budgeted approximately \$1,000 each year 2016-2017 through 2020-2021. Please provide the rationale for this yearly budgeted amount as well as a description of the payroll services to be provided.

ANSWER

- Accounting functions, including accounts receivable and payable, will be done using EdTec cloud based software. Budgeting will be done using Excel. The \$14,000 that is budgeted for the planning year will be paid to EdTec consultants for setting up the chart of accounts and the accounting procedures. As is explained in the Budget Narrative on page 57 of the Appendix, day to day accounting entries will be performed by the Office Manager and reviewed by the School Director and with the assistance and oversight corporation CFO. As can be seen in the Appendix the CFO has 35 years of financial industry and IT experience, and has attended ACSA Academies for Business Service Managers and Superintendents. He was also a school district trustee for 7 years and was the financial expert on his boards and created a user friendly budget decision making and reporting process.
- We anticipate using a cloud based payroll service to pay our 14-19 employees. This is a highly competitive business and believe that \$1,000 per year is a reasonable estimate. The payroll services will likely include tax withholding and payment as well as direct

deposit of employee payments. There will be replicable process set up with internet based time keeping creating feeds to the payroll system. The details of this will be worked out with vendor. \$80 a month is not an uncommon charge for payroll services for 12 employees.

QUESTION #7

Special Education Services

- Please provide additional information regarding the expenses for “Special Education Contract Instructors” in year 2016-2017. In 2016-2017, these services are anticipated to be much lower than in subsequent years of the multiyear projection. Please provide rationale for this assumption.

ANSWER

The contract expenses for Special Education are very difficult to estimate from year to year as needs change depending on the student population. EdTec’s budgeting formula, based on its experience doing business services for over 300 charter schools, is to budget Special Education expenses at 115% of Special Education Revenue. Since Federal Special Education revenue is received in the year after services are provided, the assumed expenses as 115% of revenue are less in the first year since there is no federal revenue in the first year. As explained in the Budget Narrative in the Appendix, RVC will create a Special Ed allocated Reserve Account and will put \$30,000 per year into this Reserve until it reaches \$150,000. This reserve will be set aside for any non-public school placements or other extraordinary Special Ed expenses that might occur.

There is considerable confusion in the Draft Matrix regarding whether the petition should be evaluated as if RVC should be an LEA of a charter SELPA for special education purposes or a school of the County. The Matrix quotes an email from Terena Mares to Conn Hickey stating that the County will be evaluating the petition based on the assumption that RVC will be an LEA for Special Education purposes. It then goes on to evaluate it mostly as a school of the County for Special Education services. RVC does not want to be a school of the County for Special Education purposes and is in the process of applying to one or more Charter SELPAs for membership.

QUESTION #8

Student Food Services

- The assumption in the petition states on the Multiyear Budget: “Assumes that 0.95% of total Food Service Cost is reimbursed”. Please provide additional rationale for assumptions for projected food services expenses. For example, what are the number of students projected to be served, what is the anticipated cost per meal, what is the projected charge per student meal etc.?

ANSWER

These assumptions are based on EdTec's experience that, on average, revenue collected from Federal and State reimbursement of Free and Reduced Price Lunch combined with the amount charged paying parents, including both Reduced Price and full price parents, will cover 95% of lunch costs. The cost per meal and charge per student meal will be determined in the Spring of 2016, when RVC negotiates with a vendor for lunch services. The petition projects 27 of our students will qualify for free or reduced lunches.

QUESTION #9

Services and Operating Expenses

- Please provide the rationale for utilities expense projections for 10 months rather than 12 months 2016-2017 through 2020-2021.
- Please provide the basis for the amount projected for legal services expense assumption 2016-2017 through 2020-2021.

ANSWER

Utilities - We do not plan to have school operating between June 15 and August 15, so utilities cost for heating, electricity, water, and trash should be very close to zero for these months. EdTec typically assumes some expenses for the summer months, but very minimal and believes that the overall amount for utilities looks very reasonable for the projected size of the school.

Legal Fees- RVC believes that best way to control legal expenses is to:

- Maintain legal compliance and avoid legal disputes with internal or external parties through education and training of the Governing Board and Staff regarding legal requirements
 - The California Charter Schools Association (CCSA) offers many free workshops and trainings to members regarding all aspects of operating a charter school, including governance. RVC, as a CCSA member, will make maximum use of these trainings.
 - Additionally, our law firm offers free and low-cost trainings to charter schools that RVC will participate in.
 - We have budgeted \$15,000 in legal expenses in our planning year to establish exhaustive policies and procedures and corresponding employee and student-parent handbooks so that our community understands the Charter School's requirements and expectations.
- When issues that involve compliance or possible disputes arise, get advice from legal counsel before taking action.
- Start with a collaborative posture towards parents, staff, and other parties who have concerns or complaints, so that these individuals see that RVC is genuinely addressing their concern or problem and will be less inclined to seek legal recourse as addressed means to a solution. This approach is a critical part of the RVC core philosophy.

- Judicious use of legal counsel by doing all the work that can be done prior to starting an attorney's clock running. Various members of the RVC Board have considerable, relevant legal knowledge and experience, including one non-profit attorney. So, once we get counsel's opinion about a solution, our methodology has been, and will continue to be, doing as much of the actual work ourselves using volunteer work (paid employees once the charter is approved). For example, RVC has spent around \$20,000 in legal fees in developing and defending two charter petitions. Ross Valley School District has spent close to \$150,000 in legal fees evaluating these petitions.
- Most of EdTec's clients spend very little on legal fees after the startup period.

QUESTION #10

Facilities

- Please provide the rationale for leasing commercial space rather than accessing space available under Prop 39 provisions.

ANSWER

The petitioners believe it would be very disruptive to the Ross Valley School District, and particularly for Manor School, for RVC to rent reasonably equivalent classroom space from the District under the provisions of Prop 39. Manor School is the most likely space the District would offer and the petitioners are not willing to locate at Manor School for a variety of reasons, including the desire not to displace K-5 teachers and classrooms, the belief that both Manor and RVC will be able to evolve better if they are not on the same campus, the desire to create more space at Manor for Fairfax students so that they don't have to go to school at Brookside and Hidden Valley, the belief that 400+ students is too many students on the small Manor footprint, the belief that smaller schools are better.

QUESTION #11

Cash Flow Projection

- Cash flow projection is described as follows: "The Charter School has forecasted receipt of \$250,000 in principal in July 2016, and assumes a four year payback period. Repayments of this principal consist of \$62.5k per year, in six equal portions in September through February." This is in reference to the California School Finance Authority Charter School Revolving Loan Fund.

It appears that the Three Year Cash Flow spreadsheet assumes a five year payback period of the principal, in six equal portions in September through February of \$8,333 each which totals \$49,999 each year.

Please clarify if the payback period is four or five years.

ANSWER

The numbers in the cash flow are correct. A five year payback with \$50,000 being repaid each year in six equal installments. A four year payback of \$62.5K per year is possible, but the five year payback is what EdTec would recommend requesting from CSFA when RVC applies for the revolving loan.

QUESTION #12 (from the 3rd List of Questions)

Section K, Staff Retirement System

Other Observations

- The Charter will need to coordinate STRS reporting and contributions with the Marin County Office of Education.
Does the Charter intend to coordinate STRS reporting and contributions with the Marin County Office of Education?

ANSWER

RVC intends to coordinate STRS reporting and contributions with the MCOE and submit any information to the County that it needs for its oversight role and to receive any STRS services that the MCOE provides to other charter schools in the county.

Marin County Charter Ad Hoc Committee
Ross Valley Charter Petition Appeal Review
Staff Review
Clarifying Questions #2
September 17, 2015

QUESTION # 1

Section B, Measurable Student Outcomes and Other Uses of Data

How pupil outcomes will address state content and performance standards in core academics

- Exit outcomes were noted in the RVC Graduate Profile as well as in their additional goals section. It was noted that these description are broadly stated and do not clearly articulate actual grade equivalent or standard score data in content and performance standards. p. 111-114, 120-125

Please provide specific on how students will move from grade to grade. What measures will be used? What measure will the RVC use to gage and measure mastery?

Affirmation that "benchmark" skills and specific classroom-level skills will be developed

- The petition had a lack of specific benchmark skills and specific classroom – level skills that will be developed. p. 125, 128-129

Please provide more detail about the benchmarks that will be used to show how RVC will know what a student knows and understands, and what they do not know.

ANSWER

Pages 128-129 in the petition contain a detailed mapping of the different elements making up the Graduate Profile. As can be seen by looking at the sample 4th/5th Class Progress Report in the appendix, many of the elements of the Graduate Profile are not strictly academic in nature and are therefore subjective assessments based on the professional judgment of the very experienced teachers who are petitioning.

The academic assessments in ELA and Math subject matter, which make up about 75% of the Progress Report contents, are based on very clear and articulable benchmarks.

RVC teachers will specifically teach the Common Core State Standards for English-Language Arts and Math, so benchmark skills will be taken directly from the standards. There are many standards for each grade level in the core subjects (reading, writing, listening & speaking, and math), so not all of them are listed on the progress report, but they will all be taught. The following are our benchmarks for third grade; we can provide detailed benchmarks for all grades if you would like.

In third grade, students will be expected to have mastered the following skills by the end of the year:

LANGUAGE ARTS

READING--FOUNDATIONAL SKILLS

- Know and apply grade-level phonics and word analysis skills in decoding words.
- Identify and know the meaning of the most common prefixes and derivational suffixes.
- Decode words with common Latin suffixes.
- Decode multi-syllable words.
- Read grade appropriate irregularly spelled words.
- Read with sufficient accuracy and fluency to support comprehension.
- Read grade level text with purpose and understanding.
- Read grade level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.
- Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

LITERATURE

- Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.
- Recount stories, including fables, folktales, and myths from diverse cultures; determine the central message, lesson, or moral and explain how it is conveyed through key details in the text.
- Describe characters in a story (e.g., their traits, motivations, or feelings) and explain how their actions contribute to the sequence of events
- Determine the meaning of words and phrases as they are used in a text, distinguishing literal from nonliteral language.
- Refer to parts of stories, dramas, and poems when writing or speaking about a text, using terms such as chapter, scene, and stanza; describe how each successive part builds on earlier sections.
- Distinguish their own point of view from that of the narrator or those of the characters.
- Explain how specific aspects of a text's illustrations contribute to what is conveyed by the words in a story (e.g., create mood, emphasize aspects of a character or setting).
- Compare and contrast the themes, settings, and plots of stories written by the same author about the same or similar characters (e.g., in books from a series).
- By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 2-3 text complexity band independently and proficiently.

INFORMATIONAL TEXT

- Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.
- Determine the main idea of a text; recount the key details and explain how they support the main idea.
- Describe the relationship between a series of historical events, scientific ideas or concepts, or steps in technical procedures in a text, using language that pertains to time, sequence, and cause/effect.
- Determine the meaning of general academic and domain specific words and phrases in a text relevant to a grade 3 topic or subject area.
- Use text features and search tools (e.g., key words, sidebars, hyperlinks) to locate information relevant to a given topic efficiently.
- Distinguish their own point of view from that of the author of a text.

- Use information gained from illustrations (e.g., maps, photographs) and the words in a text to demonstrate understanding of the text (e.g., where, when, why, and how key events occur).
- Describe the logical connection between particular sentences and paragraphs in a text (e.g., comparison, cause/effect, first/second/third in a sequence).
- Compare and contrast the most important points and key details presented in two texts on the same topic.
- By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 2-3 text complexity band independently and proficiently.

WRITING

- Write opinion pieces on topics or texts, supporting a point of view with reasons.
 - Introduce the topic or text they are writing about, state an opinion, and create an organizational structure that lists reasons.
 - Provide reasons that support the opinion.
 - Use linking words and phrases (e.g., because, therefore, since, for example) to connect opinion and reasons.
 - Provide a concluding statement or section.
- Write informative/explanatory texts to examine a topic and convey ideas and information clearly.
 - Introduce a topic and group related information together; include illustrations when useful to aiding comprehension.
 - Develop the topic with facts, definitions, and details.
 - Use linking words and phrases (e.g., also, another, and, more, but) to connect ideas within categories of information.
 - Provide a concluding statement or section.
- Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences.
 - Establish a situation and introduce a narrator and/or characters; organize an event sequence that unfolds naturally.
 - Use dialogue and descriptions of actions, thoughts, and feelings to develop experiences and events or show the response of characters to situations.
 - Use temporal words and phrases to signal event order.
 - Provide a sense of closure.
- With guidance and support from adults, produce writing in which the development and organization are appropriate to task and purpose.
- With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, and editing.
- With guidance and support from adults, use technology to produce and publish writing (using keyboarding skills) as well as to interact and collaborate with others.
- Conduct short research projects that build knowledge about a topic.
- Recall information from experiences or gather information from print and digital sources; take brief notes on sources and sort evidence into provided categories.
- Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

SPEAKING & LISTENING

- Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 3 topics and texts, building on others' ideas and expressing their own clearly.
- Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.
- Follow agreed upon rules for discussions (e.g., gaining the floor in respectful ways, listening to others with care, speaking one at a time about the topics and texts under discussion).
- Ask questions to check understanding of information presented, stay on topic, and link their comments to the remarks of others.
- Explain their own ideas and understanding in light of the discussion.
- Determine the main ideas and supporting details of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.
- Ask and answer questions about information from a speaker, offering appropriate elaboration and detail.
- Report on a topic or text, tell a story, or recount an experience with appropriate facts and relevant, descriptive details, speaking clearly at an understandable pace.
- Create engaging audio recordings of stories or poems that demonstrate fluid reading at an understandable pace; add visual displays when appropriate to emphasize or enhance certain facts or details.
- Speak in complete sentences when appropriate to task and situation in order to provide requested detail or clarification.

LANGUAGE

- Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.
- Explain the function of nouns, pronouns, verbs, adjectives, and adverbs in general and their functions in particular sentences.
- Form and use regular and irregular plural nouns.
- Use abstract nouns (e.g., childhood).
- Form and use regular and irregular verbs.
- Form and use the simple (e.g., I walked; I walk; I will walk) verb tenses.
- Ensure subject-verb and pronoun-antecedent agreement.
- Form and use comparative and superlative adjectives and adverbs, and choose between them depending on what is to be modified.
- Use coordinating and subordinating conjunctions.
- Produce simple, compound, and complex sentences.
- Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.
- Capitalize appropriate words in titles.
- Use commas in addresses.
- Use commas and quotation marks in dialogue.
- Form and use possessives.
- Use conventional spelling for high-frequency and other studied words and for adding suffixes to base words (e.g., sitting, smiled, cries, happiness).

- Use spelling patterns and generalizations (e.g., word families, position-based spellings, syllable patterns, ending rules, meaningful word parts) in writing words
- Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.
- Use knowledge of language and its conventions when writing, speaking, reading, or listening.
- Choose words and phrases for effect.
- Recognize and observe differences between the conventions of spoken and written standard English.
- Determine or clarify the meaning of unknown and multiple-meaning word and phrases based on grade 3 reading and content, choosing flexibly from a range of strategies.
- Use sentence level context as a clue to the meaning of a word or phrase.
- Determine the meaning of the new word formed when a known affix is added to a known word (e.g., agreeable/disagreeable, comfortable/uncomfortable, care/careless, heat/preheat).
- Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., company, companion).
- Use glossaries or beginning dictionaries, both print and digital, to determine or clarify the precise meaning of key words and phrases.
- Demonstrate understanding of figurative language, word relationships and nuances in word meanings.
- Distinguish the literal and nonliteral meanings of words and phrases in context (e.g., take steps).
- Identify real-life connections between words and their use (e.g., describe people who are friendly or helpful).
- Distinguish shades of meaning among related words that describe states of mind or degrees of certainty (e.g., knew, believed, suspected, heard, wondered).
- Acquire and use accurately grade-appropriate conversational, general academic, and domain-specific words and phrases, including those that signal spatial and temporal relationships (e.g., After dinner that night we went looking for them).

MATH

OPERATIONS & ALGEBRAIC THINKING

- Interpret products of whole numbers, e.g., interpret 5×7 as the total number of objects in 5 groups of 7 objects each.
- Interpret whole-number quotients of whole numbers, e.g., interpret $56 \div 8$ as the number of objects in each share when 56 objects are partitioned equally into 8 shares, or as a number of shares when 56 objects are partitioned into equal shares of 8 objects each.
- Use multiplication and division within 100 to solve word problems in situations involving equal groups, arrays, and measurement quantities, e.g., by using drawings and equations with a symbol for the unknown number to represent the problem.
- Determine the unknown whole number in a multiplication or division equation relating three whole numbers. For example, determine the unknown number that makes the equation true in each of the equations $8 \times ? = 48$, $5 = _ \div 3$, $6 \times 6 = ?$
- Apply properties of operations as strategies to multiply and divide. Examples: If $6 \times 4 = 24$ is known, then $4 \times 6 = 24$ is also known. (Commutative property of multiplication.) $3 \times 5 \times 2$ can be found by $3 \times 5 = 15$, then $15 \times 2 = 30$, or by $5 \times 2 = 10$, then $3 \times 10 = 30$. (Associative property of multiplication.) Knowing that $8 \times 5 = 40$ and $8 \times 2 = 16$, one can find 8×7 as $8 \times (5 + 2) = (8 \times 5) + (8 \times 2) = 40 + 16 = 56$. (Distributive property.)

- Understand division as an unknown-factor problem. For example, find $32 \div 8$ by finding the number that makes 32 when multiplied by 8.
- Represent and solve problems involving multiplication and division. Understand properties of multiplication and the relationship between multiplication and division.
- Fluently multiply and divide within 100, using strategies such as the relationship between multiplication and division (e.g., knowing that $8 \times 5 = 40$, one knows $40 \div 5 = 8$) or properties of operations.
- By the end of Grade 3, know from memory all products of two one-digit numbers.
- Solve two-step word problems using the four operations. Represent these problems using equations with a letter standing for the unknown quantity. Assess the reasonableness of answers using mental computation and estimation strategies including rounding.
- Identify arithmetic patterns (including patterns in the addition table or multiplication table), and explain them using properties of operations.
- Solve problems involving the four operations, and identify and explain patterns in arithmetic.

NUMBER & OPERATIONS IN BASE TEN

- Use place value understanding to round whole numbers to the nearest 10 or 100.
- Fluently add and subtract within 1000 using strategies and algorithms based on place value, properties of operations, and/or the relationship between addition and subtraction.
- Multiply one-digit whole numbers by multiples of 10 in the range 10-90 (e.g., 9×80 , 5×60) using strategies based on place value and properties of operations.

NUMBER & OPERATIONS IN FRACTIONS

- Understand a fraction $1/b$ as the quantity formed by 1 part when a whole is partitioned into b equal parts; understand a fraction a/b as the quantity formed by a parts of size $1/b$.
- Understand a fraction as a number on the number line; represent fractions on a number line diagram.
- Represent a fraction $1/b$ on a number line diagram by defining the interval from 0 to 1 as the whole and partitioning it into b equal parts. Recognize that each part has size $1/b$ and that the endpoint of the part based at 0 locates the number $1/b$ on the number line.
- Represent a fraction a/b on a number line diagram by marking off a lengths $1/b$ from 0. Recognize that the resulting interval has size a/b and that its endpoint locates the number a/b on the number line.
- Explain equivalence of fractions in special cases, and compare fractions by reasoning about their size.
- Understand two fractions as equivalent (equal) if they are the same size, or the same point on a number line.
- Recognize and generate simple equivalent fractions, e.g., $1/2 = 2/4$, $4/6 = 2/3$. Explain why the fractions are equivalent, e.g., by using a visual fraction model.
- Express whole numbers as fractions, and recognize fractions that are equivalent to whole numbers. Examples: Express 3 in the form $3 = 3/1$; recognize that $6/1 = 6$; locate $4/4$ and 1 at the same point of a number line diagram.
- Compare two fractions with the same numerator or the same denominator by reasoning about their size. Recognize that comparisons are valid only when the two fractions refer to the same whole. Record the results of comparisons with the symbols $>$, $=$, or $<$ and justify the conclusions, e.g., by using a visual fraction model.

MEASUREMENT & DATA

- Tell and write time to the nearest minute and measure time intervals in minutes. Solve word problems involving addition and subtraction of time intervals in minutes, e.g., by representing the problem on a number line diagram.
- Measure and estimate liquid volumes and masses of objects using standard units of grams (g), kilograms (kg), and liters (l).
- Add, subtract, multiply, or divide to solve one-step word problems involving masses or volumes that are given in the same units, e.g., by using drawings (such as a beaker with a measurement scale) to represent the problem.
- Draw a scaled picture graph and a scaled bar graph to represent a data set with several categories. Solve one- and two-step "how many more" and "how many less" problems using information presented in scaled bar graphs. For example, draw a bar graph in which each square in the bar graph might represent 5 pets.
- Generate measurement data by measuring lengths using rulers marked with halves and fourths of an inch. Show the data by making a line plot, where the horizontal scale is marked off in appropriate units— whole numbers, halves, or quarters.
- Recognize area as an attribute of plane figures and understand concepts of area measurement.
- A square with side length 1 unit, called "a unit square," is said to have "one square unit" of area, and can be used to measure area.
- A plane figure which can be covered without gaps or overlaps by n unit squares is said to have an area of n square units.
- Measure areas by counting unit squares (square cm, square m, square in, square ft, and improvised units). Represent and interpret data.
- Solve problems involving measurement and estimation. Geometric Measurement: understand concepts of area and relate area to multiplication and to addition.
- Relate area to the operations of multiplication and addition.
- Find the area of a rectangle with whole-number side lengths by tiling it, and show that the area is the same as would be found by multiplying the side lengths.
- Multiply side lengths to find areas of rectangles with whole-number side lengths in the context of solving real world and mathematical problems, and represent whole-number products as rectangular areas in mathematical reasoning.
- Use tiling to show in a concrete case that the area of a rectangle with whole-number side lengths a and $b + c$ is the sum of $a \times b$ and $a \times c$. Use area models to represent the distributive property in mathematical reasoning.
- Recognize area as additive. Find areas of rectilinear figures by decomposing them into non-overlapping rectangles and adding the areas of the non-overlapping parts, applying this technique to solve real world problems.
- Solve real world and mathematical problems involving perimeters of polygons, including finding the perimeter given the side lengths, finding an unknown side length, and exhibiting rectangles with the same perimeter and different areas or with the same area and different perimeters.

GEOMETRY

- Understand that shapes in different categories (e.g., rhombuses, rectangles, and others) may share attributes (e.g., having four sides), and that the shared attributes can define a larger

category (e.g., quadrilaterals). Recognize rhombuses, rectangles, and squares as examples of quadrilaterals, and draw examples of quadrilaterals that do not belong to any of these subcategories.

- Partition shapes into parts with equal areas. Express the area of each part as a unit fraction of the whole. For example, partition a shape into 4 parts with equal area, and describe the area of each part as $\frac{1}{4}$ of the area of the shape.

The specific assessments for these skills, and measures used to gauge and measure mastery are addressed in the next question.

QUESTION #2

Section C, The Method by Which Pupil Progress in Meeting the Pupil Outcomes Will be Measured

Description of how assessments align to mission, exit outcomes, and curriculum

- The assessments lacked specificity and direct alignment with stated mission, although the reader could imply the connections using the descriptions across the curriculum portion of the application. p. 128-132

Please provide more detail about the specific measurements that will be used that are in direct alignment with the mission. What measurements will be used to move students from grade to grade? How will learning be measured?

Describes minimal required performance level necessary to attain each standard

- There was no identified required performance level necessary to attain each standard noted in the application. This is an area that is not met.

Please provide more detail on how students will move from grade to grade. What will grade to grade mastery look like and how will it be measured? Rubric; Assessment.

ANSWER

In terms of how RVC assessments align with the Mission, the Mission can be understood as a brief summary of the elements of the Graduate Profile. As mentioned in the answer to the previous question, the Progress Report is designed to show progress towards the Graduate Profile. The non-academic portions of the Graduate Profile make up about 25% of the Progress Report and the assessments made are based on the teachers' judgment as educational professionals with many, many years of experience. Newer teachers will be guided by the experienced founding teachers.

In terms of the 75% of the Progress Report that is academic in nature, RVC will use multiple measures to assess student progress throughout each school year. The most crucial are in these core subjects:

Reading—Students will be individually assessed using the Teachers College (Lucy Calkins)

Running Records assessment, which measures decoding, fluency, and comprehension. These assessments, which are used by schools throughout the country, will happen at the beginning of each year and at least every trimester (more often for students who are below grade level). Each student's reading level, along with the level that is considered "at grade level," will be noted on each trimester's Progress Report. A sample reading assessment that is "at grade level" for November of 4th grade is attached as Exhibit A.

Benchmark reading levels are as follows:

**Teachers College Reading and Writing Project
Benchmark Reading Levels and Marking Period Assessments**

Updated December 2012

SEPTEMBER	NOVEMBER	JANUARY	MARCH	JUNE
<u>Kindergarten</u> Emergent Story Books Shared Reading	<u>Kindergarten</u> Emergent Story Books Shared Reading A/B (with book intro)	<u>Kindergarten</u> B/C (with book intro)	<u>Kindergarten</u> 1=Early Emergent 2=A/B (with book intro) 3=C (with book intro) 4=D/E	<u>Kindergarten</u> 1=B or below 2=C (with book intro) 3=D/E 4=F or above
<u>Grade 1:</u> 1=B or below 2=C 3=D/E 4=F or above	<u>Grade 1:</u> 1=C or below 2=D/E 3=F/G 4=H or above	<u>Grade 1:</u> 1=D or below 2=E/F 3=G/H 4=I or above	<u>Grade 1:</u> 1=E or below 2=F/G 3=H/I/J 4=K or above	<u>Grade 1:</u> 1=G or below 2=H 3=I/J/K 4=L or above
<u>Grade 2:</u> 1=F or below 2=G/H 3=I/J/K 4=L or above	<u>Grade 2:</u> 1=G or below 2=H/I 3=J/K/L 4=M or above	<u>Grade 2:</u> 1=H or below 2=I/J 3=K/L 4=M or above	<u>Grade 2:</u> 1=I or below 2=J/K 3=L/M 4=N or above	<u>Grade 2:</u> 1=J or below 2=K/L 3=M 4=N or above
<u>Grade 3:</u> 1=K or below (avg. H) 2=L 3=M 4=N or above	<u>Grade 3:</u> 1=K or below (avg. I) 2=L/M (avg. L) 3=N 4=O or above	<u>Grade 3:</u> 1=L or below 2=M/N 3=O 4=P or above	<u>Grade 3:</u> 1=M or below (avg. J) 2=N 3=O 4=P or above	<u>Grade 3:</u> 1=N or below (avg. K) 2=O 3=P 4=Q or above
<u>Grade 4:</u> 1=M or below (avg. J) 2=N/O (avg. N) 3=P/Q (avg. P) 4=R or above	<u>Grade 4:</u> 1=N or below (avg. L) 2=O/P (avg. P) 3=Q/R (avg. Q) 4=S or above	<u>Grade 4:</u> 1=O or below 2=P/Q 3=R/S 4=T or above	<u>Grade 4:</u> 1=O or below (avg. K) 2=P/Q (avg. P) 3=R/S (avg. R) 4=T or above	<u>Grade 4:</u> 1=P or below (avg. L) 2=Q/R (avg. Q) 3=S/T (avg. S) 4=U or above
<u>Grade 5:</u> 1=P or below (avg. M) 2=Q/R (avg. Q) 3=S 4=T or above	<u>Grade 5:</u> 1=P or below (avg. N) 2=Q/R/S (avg. Q) 3=T 4=U or above	<u>Grade 5:</u> 1=Q or below 2=R/S/T 3=U 4=V or above	<u>Grade 5:</u> 1=Q or below (avg. O) 2=R/S/T (avg. R/S) 3=U 4=V or above	<u>Grade 5:</u> 1=R or below (avg. P) 2=S/T/U (avg. S/T) 3=V 4=W or above

Scale:

1 = below grade level

2 = approaching grade level

3= at grade level

4= above grade level

Writing—For each writing unit, students will do an on-demand writing sample before the unit and after the unit. These writing samples will be assessed using rubrics from Lucy Calkins' Units of Study, described in *Writing Pathways, Grades K-5; Performance Assessments and Learning Progressions* by Lucy Calkins. The rubrics allow teachers to score a piece of writing based on the corresponding grade level expectations. Rubric scoring is done by adding up scores from components of a student's writing to find a raw score, then converting that raw score into a scaled score. Student writing will be assessed in informational, narrative, and opinion genres each year, 2nd-5th grade. Sample 4th grade writing rubrics are attached as Exhibit B.

Math—For each math unit, teachers will assess students' progress toward the standards using assessments, either created or found by teachers, based on specific CCSS skills. A sample 4th grade place value unit assessment is attached as Exhibit C. In addition, students will take Smarter Balanced Interim Assessments (described below).

For Language Arts and Math, RVC will also use Smarter Balanced Interim Assessments. These Interim Assessment Blocks are standards-based and focus on a particular area or set of standards, with a limited number of questions or problems. Students will take these assessments throughout the year to assess progress toward particular skills. The data from the interim assessments will be used to improve teaching and learning. Students who score below standard on these assessments will be re-taught skills and re-tested to ensure mastery. The Interim Assessments can be re-administered any number of times. They will be administered online and use the same delivery software as the Smarter Balanced summative assessments (end of year state mandated standardized tests), which all 3rd through 5th grade students will also take. More information on the interim assessments can be found here:

<http://www.smarterbalanced.org/wordpress/wp-content/uploads/2014/06/Interim-Assessment-Statement-Purpose-FINALmerged.pdf>

Promotion to Next Grade

RVC will focus on individual student progress, with the understanding that each student will develop differently. At least each trimester, RVC teachers will assess their students in reading, writing, and math, and, with the help of the School Director, will create a visual assessment data collection sheet. [See example as Exhibit D] Students will be identified as below grade level, at grade level, or above grade level in each core subject. Based on their needs, students who are below grade level may receive support from the Intervention Teacher and additional classroom support from the teacher; have a Student Success Team meeting convened with the Intervention Teacher, Special Education Teacher, and classroom teacher to articulate the

students' strengths and needs; and if needed, will receive assessment to determine if the student qualifies for Special Education services.

Rarely will a student be retained. Rather, students will be closely monitored, starting at the early grades, and given extra support or different types of instruction as needed. Retention will be considered when a student is found to be consistently below grade level despite intervention and support efforts, and the student doesn't qualify for Special Education services, and when the parents, teachers, and other professionals decide it would be the best course of action for that individual student, taking into account the student's age and social and emotional factors.

The founding teachers have many years of experience teaching and assessing students, and will help to guide the less experienced teachers that RVC hires. Part of the beauty of a multi-age classroom is that students don't have to be pushed to meet grade level standards each year before they are ready. The founding teachers have found that their students in the Multi-Age Program (MAP) often make much more progress in the second year with the same teacher. The ultimate goal is that by the end of fifth grade, **as summarized in our Mission Statement and outlined in more detail in our Graduate Profile**, students will have mastered the academic standards, developed RVC's articulated 21st Century Skills, and be ready to confidently move on to middle school.

Using the one commonly normed 5th grade assessment benchmarked to the Common Core State Standards that is currently available for California public school students (the Smarter Balanced Assessment Consortium "SBAC"), the 2014-2015 MAP 5th graders performed well in both assessed academic areas of Math and English-Language Arts. The table below contains the percentage of MAP 5th grade students that met or exceeded standards in Math and ELA compared to **the total RVSD 5th grade**.

Percentage of 5th Graders who Met or Exceeded Standards 2015

	English-Language Arts	Math	Average of ELA and MATH
Ross Valley School District	81%	71%	76%
Multi-Age Program	87%	82%	84%

These scores were the result of students working for six years with the six petitioning teachers using the educational philosophy, materials, instructional approaches, and assessments outlined in the Petition, as well as outlined in the above clarifying answers to the County's questions. During the course of these six years, keep in mind that the teachers shifted from teaching using the old state standards to the new Common Core State Standards, so as the CDE is pointing out, these scores should be viewed as initial benchmarks. The founding teachers will continue to use assessment data to improve and refine teaching practices as RVC teachers, just as they have as MAP teachers.

Exhibit A – Reading Assessment

Set 1 Teacher Copy: Assessment for Independent Reading Levels Level Q
Levels L-Z (Fiction/Narrative)

Reader's Name _____ Grade _____ Date _____ Excerpt from <i>The Cuckoo Child</i> , by Dick King-Smith, pp. 25-26 Set 1, Level Q 292 words	Independent Level: Yes No Accuracy Rate: _____ Oral Reading Rate _____
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Book Introduction: Say this to the reader before he or she begins the student copy of the text: "Jack loves all kinds of birds. In this scene, Jack and his class are at the zoo, watching the ranger feed the ostriches, which are very large birds. Please read aloud the first section. (Point to the line on the student copy to show the child where the first section ends.) After this part, you may read the rest silently. If you need to, you can reread the first part. When you are finished reading, I will ask you to retell or summarize what you have just read."

<p><i>During and after the Running Record, you may make these observations and notes to inform instruction:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Self-corrects; <input type="checkbox"/> Pauses while reading to think; <input type="checkbox"/> Uses more than one strategy to figure out unfamiliar words; <input type="checkbox"/> Miscues make sense; <input type="checkbox"/> Miscues fit the syntax or structure of the sentence; <input type="checkbox"/> Miscues look similar to words in the text; <input type="checkbox"/> Figures out the meaning of unfamiliar words—if the child mispronounces a word during the running record, ask the child if they know the meaning of the word when they finish reading the excerpt. 	<p>Running Record: For the first 100 words, record the reader's miscues (or errors) above the words as he or she reads. Later, you may or may not code them, using miscue analysis (MSU). Stop when the child has made five miscues and go back to the previous level.</p> <p>When he had gone some way away, the ranger began to throw the fruit and vegetables over the fence. Then, leaving the birds busily feeding, he hurried back, unlocked the gate, and, pushing in the wheelbarrow, reloaded it with the more outlying of the ostrich eggs.</p> <p>Jack watched all this with mounting excitement. It might take a bird to hatch eggs, but a boy could hatch a <i>plan</i>! He unzipped the canvas backpack slung over his shoulder.</p> <p>The ranger came out again and relocked the gate.</p> <p>In the wheelbarrow were nine eggs.</p> <p>He picked one up.</p> <p>"Now," he said, "where's (100 words) the young man who asked that question?"</p> <p>**** (Reader may continue silently from this point on) ****</p> <p>And when Jack raised his hand, the ranger said, "Here, you can go first," and handed him an ostrich egg.</p> <p>Then, one after another, the ranger took the other spare eggs out of the wheelbarrow and gave them to various children to hold and examine.</p>
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Set 1 Teacher Copy: Assessment for Independent Reading Levels Level Q
Levels L-Z (Fiction/Narrative)

“Let me!” “Let me!” “Give it here!” “Let me go first!” cried the boys and girls as they competed to hold an egg, and in the hubbub and confusion nobody noticed what Jack was doing or heard him zip his backpack shut.

“Now, now, children, that’s enough!” said (200 words) the teacher. “Put all the eggs back in the wheelbarrow now.” She turned to the ranger and said, “What will you do with these?”

“Often we send some to other safari parks or zoos,” said the ranger, “but actually these will be fed to our big snakes, the pythons and the boa constrictors. Now then, have you all put your eggs back?”

“Yes!” chorused the children. Jack said nothing.

“Thank you for your trouble,” said the teacher.

“Bye-bye then,” said the ranger, and off he went. In the wheelbarrow were eight eggs.

(292 words)

Total miscues including self-corrected: _____

Self-corrections: _____

Miscues reader did not self-correct: _____

Accuracy Rate: Circle the number of miscues the reader did not self-correct.

100%	99%	98%	97%	96%
0 miscues	1 miscue	2 miscues	3 miscues	4 miscues

96%-100% accuracy is necessary to determine the reader’s independent reading level. Try a lower level text if the reader made 5 or more miscues.

Literal and Inferential Retelling or Summary

Say, “Please retell or summarize what you just read.” Write notes regarding the student’s retelling or summary on the back of this page. If the student has trouble getting started, you can prompt him/her. Make a note that you prompted the student.

Use the Retelling Rubric and Sample Student Responses to determine if the child’s retelling and responses to the comprehension questions are acceptable. If a student answers a comprehension question as part of the retelling you do not have to ask him/her that question. If a student is not able to retell but is able to answer the comprehension questions, note that this student will need extra work on how to retell a story.

Exhibit A – Reading Assessment

Set 1 Teacher Copy: Assessment for Independent Reading Levels
Levels L-Z (Fiction/Narrative)

Level Q

Comprehension Questions Section: Analyze the student's retelling/summary to see if it contains information that answers each question below. If a question was not answered in the retelling, ask it and record the student's response.

1. *Literal Question:* What does the ranger say he will do with the spare eggs?
2. *Literal Question:* Did anybody notice that one of the eggs is missing at the end of the passage? How can you tell?
3. *Inferential Question:* The story says, "It might take a bird to hatch eggs, but a boy could hatch a *plan!*" What was Jack's plan?
4. *Inferential Question:* What do you think Jack did with one of the eggs?

Oral Reading Fluency Scale – Circle the Appropriate Level

Fluent	Level 4	Reads primarily in larger, meaningful phrase groups. Although some regressions, repetitions, and deviations from text may be present, these do not appear to detract from the overall structure of the text. Preservation of the author's syntax is consistent. Most of the text is read with expressive interpretation.
	Level 3	Reads primarily in three or four-word phrase groups. Some small groupings may be present. However, the majority of phrasing seems appropriate and preserves the syntax of the author. Some expressive interpretation is present; this may be inconsistent across the reading of the text.
Non fluent	Level 2	Reads primarily in two-word phrases with some three or four-word groupings. Some word-by-word reading may be present. Word groupings may seem awkward and unrelated to larger context of sentence or passage. Beginning a little expressive interpretation, frequently first seen when reading dialogue.
	Level 1	Reads primarily word-by-word. Occasional two-word or three-word phrases may occur—but these are infrequent and/or they do not preserve meaningful syntax. No expressive interpretation.

Adapted from: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), 2002 Oral Reading Study.

Level Q Benchmarks for Oral Reading Rate (Words Per Minute)

Oral reading rate is the number of words per minute the reader reads with accuracy, intonation and meaningful phrasing.

Level 1 Needs Support	Level 2 Approaches Standards	Level 3 Meets Standards	Level 4 Exceeds Standards
74 wpm or less	75-104 wpm	105-140 wpm	141 wpm or more

Please refer to the Benchmarks for Student Progress for details regarding Oral Reading Rate.

Final Score

- Yes No Was the reader's accuracy rate at least 96%?
 Yes No Did the student read with fluency? (a score of 3 or 4 on the Oral Reading Fluency Scale)
 Yes No Did the reader correctly answer at least 3 questions in the Comprehension Questions Section?
 Yes No Did the retelling/summary express the important things that happened in the text?

Is this the student's independent reading level?

- If you did **NOT** answer "yes" to all four questions in this Final Score box, try an easier text. Keep moving to easier texts until you find the level at which you are able to answer "yes" to all four questions in the Final Score box.
- If you circled four "yes" answers in this Final Score box, the student is reading strongly at this level. However, it is possible that the student may also read strongly at a higher level. Keep moving to higher passages until you can no longer answer "yes" to all four questions. The highest level that showed strong reading is the independent reading level. For example, you might find that you answered "yes" to all four questions in the Final Score box for level Q, then a "yes" to all four questions for level R, but only three "yes" answers for level S. Level R is the highest passage on which you were able to answer "yes" to all four questions in the Final Score box. Level R is the current independent reading level for the student.

Exhibit B – Writing Assessments

Name: _____

Date: _____

Rubric for Information Writing—Fourth Grade								
	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE								
Overall	The writer taught readers some important points about a subject.	Mid-level	The writer taught readers information about a subject. He put in ideas, observations, and questions.	Mid-level	The writer taught readers different things about a subject. She put facts, details, quotes, and ideas into each part of my writing.	Mid-level	The writer used different kinds of information to teach about the subject. Sometimes he included little essays, stories, or how-to sections in his writing.	
Lead	The writer wrote a beginning in which he named a subject and tried to interest readers.	Mid-level	The writer wrote a beginning in which she got readers ready to learn a lot of information about the subject.	Mid-level	The writer hooked his readers by explaining why the subject mattered, telling a surprising fact, or giving a big picture. He let readers know that he would teach them different things about a subject.	Mid-level	The writer wrote an introduction that helped readers get interested in and understand the subject. She let readers know the subtopics she would be developing later as well as the sequence.	
Transitions	The writer used words such as <i>and</i> and <i>also</i> to show she had more to say.	Mid-level	The writer used words to show sequence such as <i>before</i> , <i>after</i> , <i>then</i> , and <i>later</i> . He also used words to show what did not fit such as <i>however</i> and <i>but</i> .	Mid-level	The writer used words in each section that helped readers understand how one piece of information connected with others. If she wrote the section in sequence, she used words and phrases such as <i>before</i> , <i>later</i> , <i>next</i> , <i>then</i> , and <i>after</i> . If she organized the section in kinds or parts, she used words such as <i>another</i> , <i>also</i> , and <i>for example</i> .	Mid-level	When the writer wrote about results, he used words and phrases such as <i>consequently</i> , <i>as a result</i> , and <i>because of this</i> . When he compared information, he used phrases such as <i>in contrast</i> , <i>by comparison</i> , and <i>especially</i> . In narrative parts, he used phrases that go with stories such as <i>a little later</i> and <i>three hours later</i> . In the sections that stated an opinion, he used words such as <i>but the most important reason</i> , <i>for example</i> , and <i>consequently</i> .	
Ending	The writer wrote some sentences or a section at the end to wrap up his piece.	Mid-level	The writer wrote an ending that drew conclusions, asked questions, or suggested ways readers might respond.	Mid-level	The writer wrote an ending that reminded readers of his subject and may have suggested a follow-up action or left readers with a final insight. He added his thoughts, feelings, and questions about the subject at the end.	Mid-level	The writer wrote a conclusion in which she restated the main points and may have offered a final thought or question for readers to consider.	

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE (cont.)								
Organization	The writer's writing had different parts. Each part told different information about the topic.	Mid-level	The writer grouped his information into parts. Each part was mostly about one thing that connected to his big topic.	Mid-level	The writer grouped information into sections and used paragraphs and sometimes chapters to separate those sections. Each section had information that was mostly about the same thing. She may have used headings and subheadings.	Mid-level	The writer organized his writing into a sequence of separate sections. He may have used headings and subheadings to highlight the separate sections. The writer wrote each section according to an organizational plan shaped partly by the genre of the section.	
								TOTAL
DEVELOPMENT								
Elaboration*	The writer used different kinds of information in his writing such as facts, definitions, details, steps, and tips.	Mid-level	The writer wrote facts, definitions, details, and observations about her topic and explained some of them.	Mid-level	The writer taught his readers different things about the subject. He chose those subtopics because they were important and interesting. The writer included different kinds of facts and details such as numbers, names, and examples. The writer got his information from talking to people, reading books, and from his own knowledge and observations. The writer made choices about organization. He might have used compare/contrast, cause/effect, or pro/con. He may have used diagrams, charts, headings, bold words, and definition boxes to help teach his readers.	Mid-level	The writer explained different aspects of a subject. She included a variety of information such as examples, details, dates, and quotes. The writer used trusted sources and gave credit when appropriate. She made sure to research any details that would add to her writing. The writer worked to make her information understandable to readers. To do this, she may have referred to earlier parts of her text and summarized background information. She let readers know when she was discussing facts and when she was offering her own thinking.	(X2)

* Elaboration and Craft are double-weighted categories: Whatever score a student would get in these categories is worth double the amount of points. For example, if a student exceeds expectations in Elaboration, then that student would receive 8 points instead of 4 points. If a student meets standards in Elaboration, then that student would receive 6 points instead of 3 points.

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
DEVELOPMENT (cont.)								
Craft*	The writer tried to include the words that showed she was an expert on the subject.	Mid-level	The writer chose expert words to teach readers a lot about the subject. He taught information in a way to interest readers. He may have used drawings, captions, or diagrams.	Mid-level	The writer made deliberate word choices to teach her readers. She may have done this by using and repeating key words about her topic. When it felt right to do so, the writer chose interesting comparisons and used figurative language to clarify her points. The writer made choices about which information was best to include or not include. The writer used a teaching tone. To do so, she may have used phrases such as <i>that means . . .</i> , <i>what that really means is . . .</i> , and <i>let me explain. . .</i>	Mid-level	The writer made deliberate word choices to have an effect on his readers. He used the vocabulary of experts and explained key terms. The writer worked to include the exact phrase, comparison, or image that would explain information and concepts. The writer not only made choices about which details and facts to include but also made choices about how to convey his information so it would make sense to readers. He blended storytelling, summary, and other genres as needed and used text features. The writer used a consistent, inviting, teaching tone and varied his sentences to help readers take in and understand the information.	(X2)
								TOTAL
LANGUAGE CONVENTIONS								
Spelling	The writer used what he knew about spelling patterns (<i>tion, er, ly, etc.</i>) to spell a word. The writer spelled all of the word wall words correctly and used the word wall to help him figure out how to spell other words.	Mid-level	The writer used what she knew about spelling patterns to help her spell and edit before she wrote her final draft. The writer got help from others to check her spelling and punctuation before she wrote her final draft.	Mid-level	The writer used what he knew about word families and spelling rules to help him spell and edit. He used the word wall and dictionaries to help him when needed.	Mid-level	The writer used what she knew about word families and spelling rules to help her spell and edit. She used the word wall and dictionaries to help her when needed.	

* Elaboration and Craft are double-weighted categories: Whatever score a student would get in these categories is worth double the amount of points. For example, if a student exceeds expectations in Elaboration, then that student would receive 8 points instead of 4 points. If a student meets standards in Elaboration, then that student would receive 6 points instead of 3 points.

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
LANGUAGE CONVENTIONS (cont.)								
Punctuation	The writer used quotation marks to show what characters said. When the writer used words such as <i>can't</i> and <i>don't</i> , she put in the apostrophe.	Mid-level	The writer punctuated dialogue correctly, with commas and quotation marks. The writer put punctuation at the end of every sentence while writing. The writer wrote in ways that helped readers read with expression, reading some parts quickly, some slowly, some parts in one sort of voice and others in another.	Mid-level	When writing long, complex sentences, the writer used commas to make them clear and correct.	Mid-level	The writer used commas to set off introductory parts of sentences (for example, <i>As you might know</i> ,). The writer used a variety of punctuation to fix any run-on sentences. He used punctuation to cite his sources.	
								TOTAL

Teachers, we created these rubrics so you will have your own place to pull together scores of student work. You can use these assessments immediately after giving the on-demands and also for self-assessment and setting goals.

If you want to translate this score into a grade, you can use the provided table to score each student on a scale of 0–4.

Scoring Guide

In each row, circle the descriptor in the column that matches the student work. Scores in the categories of Elaboration and Craft are worth double the point value (2, 3, 4, 5, 6, 7, or 8 instead of 1, 1.5, 2, 2.5, 3, 3.5, or 4).

Total the number of points and then track students' progress by seeing when the total points increase.

Total score: _____

Number of Points	Scaled Score
1–11	1
11.5–16.5	1.5
17–22	2
22.5–27.5	2.5
28–33	3
33.5–38.5	3.5
39–44	4

Exhibit B – Writing Assessments

Name: _____

Date: _____

Rubric for Narrative Writing—Fourth Grade								
	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE								
Overall	The writer wrote about <i>one time</i> when she did something.	Mid-level	The writer told the story bit by bit.	Mid-level	The writer wrote the important part of an event bit by bit and took out unimportant parts.	Mid-level	The writer wrote a story of an important moment. It read like a story, even though it might be a true account.	
Lead	The writer thought about how to write a good beginning and chose a way to start his story. He chose the action, talk, or setting that would make a good beginning.	Mid-level	The writer wrote a beginning in which she helped readers know who the characters were and what the setting was in her story.	Mid-level	The writer wrote a beginning in which he showed what was happening and where, getting readers into the world of the story.	Mid-level	The writer wrote a beginning in which she not only showed what was happening and where, but also gave some clues to what would later become a problem for the main character.	
Transitions	The writer told her story in order by using words such as <i>when, then, and after</i> .	Mid-level	The writer told his story in order by using phrases such as <i>a little later and after that</i> .	Mid-level	The writer showed how much time went by with words and phrases that mark time such as <i>just then and suddenly</i> (to show when things happened quickly) or <i>after a while</i> and <i>a little later</i> (to show when a little time passed).	Mid-level	The writer used transitional phrases to show passage of time in complicated ways, perhaps by showing things happening at the same time (<i>meanwhile, at the same time</i>) or flashback and flash-forward (<i>early that morning, three hours later</i>).	
Ending	The writer chose the action, talk, or feeling that would make a good ending.	Mid-level	The writer chose the action, talk, or feeling that would make a good ending and worked to write it well.	Mid-level	The writer wrote an ending that connected to the beginning or the middle of the story. The writer used action, dialogue, or feeling to bring his story to a close.	Mid-level	The writer wrote an ending that connected to the main part of the story. The character said, did, or realized something at the end that came from what happened in the story. The writer gave readers a sense of closure.	

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE (cont.)								
Organization	The writer wrote a lot of lines on a page and wrote across a lot of pages.	Mid-level	The writer used paragraphs and skipped lines to separate what happened first from what happened later (and finally) in his story.	Mid-level	The writer used paragraphs to separate the different parts or times of the story or to show when a new character was speaking.	Mid-level	The writer used paragraphs to separate different parts or times of the story and to show when a new character was speaking. Some parts of the story were longer and more developed than others.	
								Total
DEVELOPMENT								
Elaboration*	The writer tried to bring his characters to life with details, talk, and actions.	Mid-level	The writer worked to show what was happening to (and in) her characters.	Mid-level	The writer added more to the heart of his story, including not only actions and dialogue but also thoughts and feelings.	Mid-level	The writer developed characters, setting, and plot throughout her story, especially the heart of the story. To do this, she used a blend of description, action, dialogue, and thinking.	(X2)
Craft*	The writer chose strong words that would help readers picture her story.	Mid-level	The writer not only told his story, but also wrote it in ways that got readers to picture what was happening and that brought his story to life.	Mid-level	The writer showed <i>why</i> characters did what they did by including their thinking. The writer made some parts of the story go quickly, some slowly. The writer included precise and sometimes sensory details and used figurative language (simile, metaphor, personification) to bring her story to life. The writer used a storytelling voice and conveyed the emotion or tone of her story through description, phrases, dialogue, and thoughts.	Mid-level	The writer showed <i>why</i> characters did what they did by including their thinking and their responses to what happened. The writer slowed down the heart of the story. He made less important parts shorter and less detailed and blended storytelling and summary as needed. The writer included precise details and used figurative language so that readers could picture the setting, characters, and events. He used some objects or actions as symbols to bring forth his meaning. The writer varied his sentences to create the pace and tone of his narrative.	(X2)
								Total

* Elaboration and Craft are double-weighted categories: Whatever score a student would get in these categories is worth double the amount of points. For example, if a student exceeds expectations in Elaboration, then that student would receive 8 points instead of 4 points. If a student meets standards in Elaboration, then that student would receive 6 points instead of 3 points.

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Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
LANGUAGE CONVENTIONS								
Spelling	To spell a word, the writer used what he knew about spelling patterns (<i>tion, er, ly, etc.</i>). The writer spelled all of the word wall words correctly and used the word wall to help him figure out how to spell other words.	Mid-level	The writer used what she knew about spelling patterns to help her spell and edit before she wrote her final draft. The writer got help from others to check her spelling and punctuation before she wrote her final draft.	Mid-level	The writer used what he knew about word families and spelling rules to help him spell and edit. He used the word wall and dictionaries when needed.	Mid-level	The writer used what she knew about word families and spelling rules to help her spell and edit. She used the word wall and dictionaries when needed.	
Punctuation	The writer used quotation marks to show what characters said. When the writer used words such as <i>can't</i> and <i>don't</i> , she used the apostrophe.	Mid-level	The writer punctuated dialogue correctly with commas and quotation marks. While writing, the writer put punctuation at the end of every sentence. The writer wrote in ways that helped readers read with expression, reading some parts quickly, some slowly, some parts in one sort of voice and others in another.	Mid-level	When writing long, complex sentences, the writer used commas to make them clear and correct.	Mid-level	The writer used commas to set off introductory parts of sentences, such as <i>One day at the park, I went on the slide</i> ; he also used commas to show talking directly to someone, such as <i>Are you mad, Mom?</i>	
								Total

Teachers, we created these rubrics so you will have your own place to pull together scores of student work. You can use these assessments immediately after giving the on-demands and also for self-assessment and setting goals.

If you want to translate this score into a grade, you can use the provided table to score each student on a scale of 0–4.

Scoring Guide

In each row, circle the descriptor in the column that matches the student work. Scores in the categories of Elaboration and Craft are worth double the point value (2, 3, 4, 5, 6, 7, or 8 instead of 1, 1.5, 2, 2.5, 3, 3.5, or 4).

Total the number of points and then track students' progress by seeing when the total points increase.

Total score: _____

Number of Points	Scaled Score
1–11	1
11.5–16.5	1.5
17–22	2
22.5–27.5	2.5
28–33	3
33.5–38.5	3.5
39–44	4

Exhibit B – Writing Assessments

Name: _____

Date: _____

Rubric for Opinion Writing—Fourth Grade								
	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE								
Overall	The writer wrote her opinion or her likes and dislikes and gave reasons for her opinion.	Mid-level	The writer told readers his opinion and ideas on a text or a topic and helped them understand his reasons.	Mid-level	The writer made a claim about a topic or a text and tried to support her reasons.	Mid-level	The writer made a claim or thesis on a topic or text, supported it with reasons, and provided a variety of evidence for each reason.	
Lead	The writer wrote a beginning in which he not only gave his opinion, but also set readers up to expect that his writing would try to convince them of it.	Mid-level	The writer wrote a beginning in which she not only set readers up to expect that this would be a piece of opinion writing, but also tried to hook them into caring about her opinion.	Mid-level	The writer wrote a few sentences to hook his readers, perhaps by asking a question, explaining why the topic mattered, telling a surprising fact, or giving background information. The writer stated his claim.	Mid-level	The writer wrote an introduction that led to a claim or thesis and got her readers to care about her opinion. She got readers to care by not only including a cool fact or jazzy question, but also figuring out what was significant in or around the topic and giving readers information about what was significant about the topic. The writer worked to find the precise words to state her claim; she let readers know the reasons she would develop later.	

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
STRUCTURE (cont.)								
Transitions	The writer connected parts of her piece using words such as <i>also, another, and because</i> .	Mid-level	The writer connected his ideas and reasons with his examples using words such as <i>for example and because</i> . He connected one reason or example using words such as <i>also and another</i> .	Mid-level	The writer used words and phrases to glue parts of her piece together. She used phrases such as <i>for example, another example, one time, and for instance</i> to show when she wanted to shift from saying reasons to giving evidence and <i>in addition to, also, and another</i> to show when she wanted to make a new point.	Mid-level	The writer used transition words and phrases to connect evidence back to his reasons using phrases such as <i>this shows that. . .</i> . The writer helped readers follow his thinking with phrases such as <i>another reason and the most important reason</i> . To show what happened he used phrases such as <i>consequently and because of</i> . The writer used words such as <i>specifically and in particular</i> to be more precise.	
Ending	The writer wrote an ending in which he reminded readers of his opinion.	Mid-level	The writer worked on an ending, perhaps a thought or comment related to her opinion.	Mid-level	The writer wrote an ending for his piece in which he restated and reflected on his claim, perhaps suggesting an action or response based on what he had written.	Mid-level	The writer worked on a conclusion in which he connected back to and highlighted what the text was mainly about, not just the preceding paragraph.	
Organization	The writer's piece had different parts; she wrote a lot of lines for each part.	Mid-level	The writer wrote several reasons or examples why readers should agree with his opinion and wrote at least several sentences about each reason. The writer organized his information so that each part of his writing was mostly about one thing.	Mid-level	The writer separated sections of information using paragraphs.	Mid-level	The writer grouped information and related ideas into paragraphs. He put the parts of his writing in the order that most suited his purpose and helped him prove his reasons and claim.	
								TOTAL

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
DEVELOPMENT								
Elaboration*	The writer wrote at least two reasons and wrote at least a few sentences about each one.	Mid-level	The writer not only named her reasons to support her opinion, but also wrote more about each one.	Mid-level	The writer gave reasons to support his opinion. He chose the reasons to convince his readers. The writer included examples and information to support his reasons, perhaps from a text, his knowledge, or his life.	Mid-level	The writer gave reasons to support her opinion that were parallel and did not overlap. She put them in an order that she thought would be most convincing. The writer included evidence such as facts, examples, quotations, micro-stories, and information to support her claim. The writer discussed and unpacked the way that the evidence went with the claim.	(X2)
Craft*	The writer chose words that would make readers agree with her opinion.	Mid-level	The writer not only told readers to believe him, but also wrote in ways that got them thinking or feeling in certain ways.	Mid-level	The writer made deliberate word choices to convince her readers, perhaps by emphasizing or repeating words that made readers feel emotions. If it felt right to do so, the writer chose precise details and facts to help make her points and used figurative language to draw readers into her line of thought. The writer made choices about which evidence was best to include or not include to support her points. The writer used a convincing tone.	Mid-level	The writer made deliberate word choices to have an effect on his readers. The writer reached for the precise phrase, metaphor, or image that would convey his ideas. The writer made choices about how to angle his evidence to support his points. When it seemed right to do so, the writer tried to use a scholarly voice and varied his sentences to create the pace and tone of the different sections of his piece.	(X2)
								TOTAL

* Elaboration and Craft are double-weighted categories: Whatever score a student would get in these categories is worth double the amount of points. For example, if a student exceeds expectations in Elaboration, then that student would receive 8 points instead of 4 points. If a student meets standards in Elaboration, then that student would receive 6 points instead of 3 points.

Exhibit B – Writing Assessments

	Grade 2 (1 POINT)	1.5 PTS	Grade 3 (2 POINTS)	2.5 PTS	Grade 4 (3 POINTS)	3.5 PTS	Grade 5 (4 POINTS)	SCORE
LANGUAGE CONVENTIONS								
Spelling	To spell a word, the writer used what he knew about spelling patterns (<i>tion, er, ly</i> , etc.). The writer spelled all of the word wall words correctly and used the word wall to help him figure out how to spell other words.	Mid-level	The writer used what she knew about word families and spelling rules to help her spell and edit. The writer got help from others to check her spelling and punctuation before she wrote her final draft.	Mid-level	The writer used what he knew about word families and spelling rules to help him spell and edit. He used the word wall and dictionaries to help him when needed.	Mid-level	The writer used what she knew about word patterns to spell correctly and she used references to help her spell words when needed. She made sure to correctly spell words that were important to her topic.	
Punctuation	The writer used quotation marks to show what characters said. When the writer used words such as <i>can't</i> and <i>don't</i> , she put in the apostrophe.	Mid-level	The writer punctuated dialogue correctly with commas and quotation marks. While writing, the writer put punctuation at the end of every sentence. The writer wrote in ways that helped readers read with expression, reading some parts quickly, some slowly, some parts in one sort of voice and others in another.	Mid-level	When writing long, complex sentences, the writer used commas to make them clear and correct. The writer used periods to fix her run-on sentences.	Mid-level	The writer used commas to set off introductory parts of sentences, for example, <i>At this time in history, and it was common to . . .</i> The writer used a variety of punctuation to fix any run-on sentences. The writer used punctuation to cite his sources.	
								TOTAL

Teachers, we created these rubrics so you will have your own place to pull together scores of student work. You can use these assessments immediately after giving the on-demands and also for self-assessment and setting goals.

If you want to translate this score into a grade, you can use the provided table to score each student on a scale of 0–4.

Scoring Guide

In each row, circle the descriptor in the column that matches the student work. Scores in the categories of Elaboration and Craft are worth double the point value (2, 3, 4, 5, 6, 7, or 8 instead of 1, 1.5, 2, 2.5, 3, 3.5, or 4).

Total the number of points and then track students' progress by seeing when the total points increase.

Total score: _____

Number of Points	Scaled Score
1–11	1
11.5–16.5	1.5
17–22	2
22.5–27.5	2.5
28–33	3
33.5–38.5	3.5
39–44	4

Exhibit C – Sample Math Assessment

Subtract these numbers:

$371 - 290 =$

$624 - 416 =$

$7607 - 3519 =$

$7000 - 3758 =$

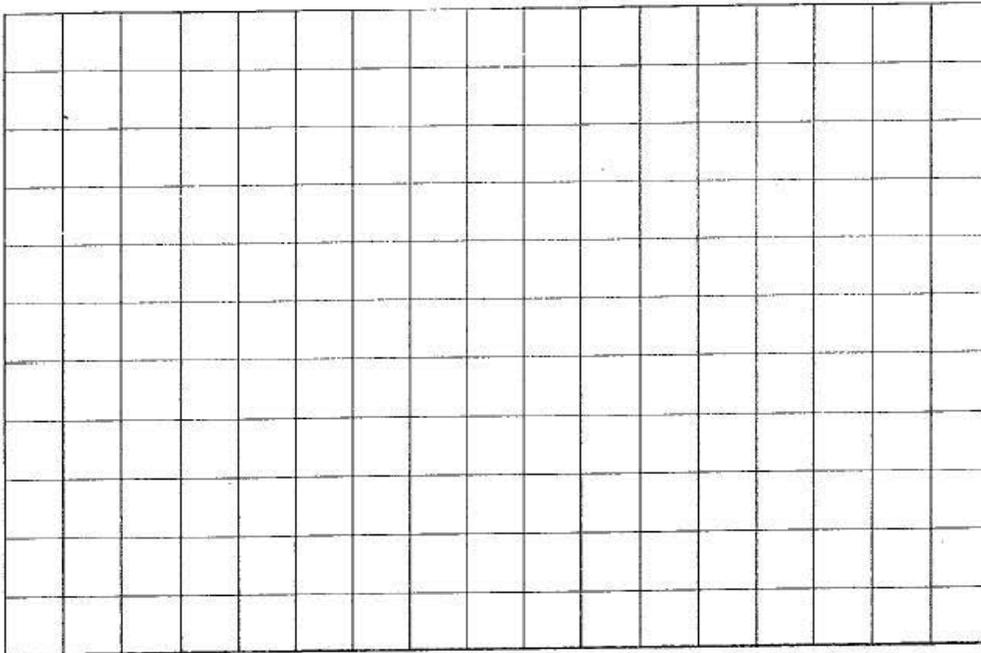


Exhibit C – Sample Math Assessment

Use symbols $<$, $>$, or $=$ to compare these numbers:

724 742

6400 6040

43,270 34,207

279,478 297,278

91,418 91,418

2,717,344 989,478

Round these numbers to the nearest 1,000:

4,621 _____

8,336 _____

263,279 _____

378,598 _____

Round these numbers to the nearest 100,000:

2,841,276 _____

8,366,810 _____

Exhibit C – Sample Math Assessment

Fill in the missing parts of this chart:

Base ten Numerals	Number name	Expanded form
4,326	Four thousand, three hundred twenty-six	$4000 + 300 + 20 + 6$
8,918		
627,005		
		$4,000,000 + 200,000 + 60,000 + 5,000 + 20 + 4$
	Two million, six hundred thousand, five hundred sixty-two	
4,029,316		

Exhibit C – Sample Math Assessment

The bike shop sells bikes (two wheels) and trikes (three wheels). Sarah counted all the wheels of all the cycles in the shop. There were 30 wheels in all. There were the same number of bikes as there were trikes. How many bikes were there, and how many trikes were there?

What strategy (or strategies) did you use?

Ross Valley Charter School Sample Assessment Summary

School Year:

Trimester:

Class:

Student	Reading	Writing	Math
Student Name	at	at	at
Student Name	at	below	at
Student Name	above	above	at
Student Name	below	at	below
etc.			

Question #3 of 2nd List of Questions

(This question is also answered at the end of 1st List of Questions)

QUESTION #3

Section K, Staff Retirement System

Other Observations

- The Charter will need to coordinate STRS reporting and contributions with the Marin County Office of Education.

Does the Charter intend to coordinate STRS reporting and contributions with the Marin County Office of Education?

ANSWER

RVC intends to coordinate STRS reporting and contributions with the MCOE and submit any information to the County that it needs for its oversight role (if the County Board approves the charter) and to receive any STRS services that the MCOE provides to other charter schools in the county, in accordance with Education Code Section 47611.3.

Marin County Charter Ad Hoc Committee
Ross Valley Charter Petition Appeal Review
Staff Review
Clarifying Questions #3
September 22, 2015

QUESTION #1

Section A.2, Attendance

Includes school year/day, academic calendar, number of school days and instructional minutes

- Attendance portions of the application noted dates of attendance and a projected 2016-17 school calendar. It was noted that the Charter school intends to follow the existing Ross Valley School District master calendar as closely as possible. Instructional minutes were noted with the weekly bell schedule. There was some concern about the number of minutes the TK program was being provided in comparison to the regular K program that may be beyond the purview of this review (page 68-70, 71 Appendix G – TK minutes should be the same as K). Please verify that instructional minutes for Transitional Kindergarten will be the same as Kindergarten instructional minutes.

ANSWER

Charter schools are required to meet the annual instructional minutes requirements of Education Code Section 47612.5(a). Charter schools do not have to meet minimum length of instruction minutes per school day – that is a requirement only applicable to school districts. On page 71, the RVC charter affirms that it will offer 42,300 annual instructional minutes in TK, which is 6300 minutes in excess of the 36,000 annual minutes required by Education Code Section 47612.5. Any legal requirements regarding TK and Kindergarten programs being of the same length apply to school districts, and not to charter schools.

QUESTION #2

Section I, Financial Audit

Describes the scope of the audit including a review of average daily attendance

- Element 9 – Independent Financial Audit (page 163 of the petition) does not describe the scope of the audit including a review of average daily attendance
- The petition states compliance with California Code Regulations governing audits of charter schools, but does not specifically address the manner in which average daily attendance will be audited.

Please describe, in the scope of the audit process, including how average daily attendance will be reviewed.

ANSWER

As the annual, independent audit is a statutorily-required process for all charter schools and school districts, and because the Education Audit Appeals Panel (EAAP) annually publishes an audit guide which all auditors are required to closely follow, RVC is concerned that this question may exceed the requirement that a charter petition contain a “reasonably comprehensive” description of “[t]he manner in which annual, independent financial audits shall be conducted...” which is what is required by

Education Code Section 47605(b)(5)(I). That is, the Charter School has no license, agency, or authority to modify how average daily attendance will be reviewed by the auditor. Indeed, neither does the auditor.

During the annual, independent financial audit, the auditor will review RVC's average daily attendance precisely as specified in the then-current Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting published by EAAP (Audit Guide). The 2015-16 Audit Guide requires the following:

1. Determine whether the P2 and Annual reports of attendance submitted to the CDE are supported by written contemporaneous records that document all pupil attendance included in the charter school's ADA calculations, by tracing the ADA numbers from the P2 and Annual reports of attendance through any documentation used by the charter school to summarize attendance, to written contemporaneous data origination documents.
2. Determine whether the charter school calculated ADA in accordance with Education Code section 47612 and title 5, California Code of Regulations, section 11960.
 - a. Verify that the ADA as reported on the P2 and Annual reports of attendance were computed by dividing the charter school's total number of pupil-days of attendance by the number of calendar days on which school was taught in the charter school through the P2 and Annual apportionment periods.
 - b. Verify that for purposes of determining the charter school's total number of pupil-days of attendance, no pupil generated more than one day of attendance in a calendar day.
 - c. Verify that the number of calendar days of attendance used in the divisor corresponds to the school calendar.
 - d. If the charter school operates a multi-track calendar, verify compliance with Education Code section 47612, by the following steps:
 - 1) Verify that ADA was calculated separately for each track. The divisor in the calculation shall be the calendar days in which school was taught for pupils in each track.
 - 2) Verify that the charter school operated no more than five tracks.
 - 3) Verify that the charter school operated each track for a minimum of 175 days. If the charter school is a conversion school that had operated a multi-track year-round schedule, the charter school was authorized to continue its previous schedule as long as it provided no fewer than 163 days of instruction in each track.

- 4) For each track, verify that the charter school provided the total number of instructional minutes, as specified in Education Code section 47612.5.
 - 5) Verify that no track had less than 55 percent of its schooldays before April 15.
 - 6) Unless otherwise authorized by statute, verify that no pupil generated more than one unit of ADA in a fiscal year.
- e. For any pupil over the age of 19 years that generated attendance for apportionment purposes in the charter school, verify the pupil met both of the following conditions, unless the charter school program is as specified in Education Code section 47612.1:
- 1) The pupil was enrolled in a public school in pursuit of a high school diploma (for a student in special education, an Individualized Education Program (IEP)) while 19 years of age and, without a break in public school enrollment since that time, is enrolled in the charter school and is making satisfactory progress towards award of a high school diploma (for a student in special education, satisfactory progress in keeping with an IEP) consistent with the definition of satisfactory progress set forth in title 5, California Code of Regulations, section 11965(h).
 - 2) The pupil is not older than 22.
3. Trace the number of school days reported on the Annual attendance report to the school calendar to confirm the number of days reported.
 4. Calculate any inappropriately reported units of ADA, by grade span, identified through the foregoing audit procedures. State in a finding the number(s) of units of ADA that were inappropriately reported for apportionment and an estimate of their dollar value. If there are any ungraded units of ADA, then proportionately allocate the disallowance among the grade spans.
 5. If the number of school days reported on the Annual attendance report is incorrectly reported as determined in 3 above, report a finding which includes the correct number of school days taught in the fiscal year. If the charter school operates multiple tracks, report the finding by individual tracks.

QUESTION #3

Financial & Organizational Accountability

A detailed review of the annual budget development, implementation and review process including the process by which the charter school leadership and governance team will monitor and report regarding the continuing financial solvency of the school.

- The petition does not describe a detailed review of the annual budget development, implementation and review process including the process by which the charter school leadership and governance team will monitor and report regarding the continuing financial solvency of the school.

Please provide a detailed description of the process for the annual budget development, and the implementation and review process by which the charter and governance team will monitor and report on the continuing financial solvency of the charter school.

Detailed description of the manner, format and content by which the charter school will regularly report its current and projected financial viability.

- The petition does not describe in detail the manner, format and content by which the charter school will regularly report its current and projected financial viability.

Please provide a detailed description of the manner, format and content by which the charter school will regularly report its current and projected financial viability.

Detailed description of the organization, scope and preparation of the following financial documents and reports.

- The petitions does not provide a detailed description of the organization, scope and preparation of the financial documents and reports.

Please provide a detailed description of the organization, scope and preparation of the required financial documents and reports.

Description of the process by which the school will comply with all reports required for charter schools by law; includes copy of each required report to MCOE

- The petition describes the timelines and types of fiscal reports required for submission to the authorizer, County Superintendent, and State, but does not always describe the process in detail (page 191).

Please describe the process by which the charter school will comply with all reports required for charter schools by law.

ANSWER

The County Draft Matrix contains the following

Does the information provided in the proposal confirm that the school will have the services of individuals who have the necessary background in curriculum, instruction, assessment, finance, facilities, business management, organization, governance and administration? The petition describes individuals with curriculum, instruction and assessment but does not provide a list of individuals with finance, facilities or business management.

In response, we would ask the County to review pages 95-109 of the Appendix in which the experience of the founders is narrated in considerable detail.

In particular, the Governing Board members for RVC have a great deal of public school and business management experience. The Chair of the Governing Board has 15 years of elected School Board member experience, including several years as chair. Two Board Members are public education professionals with combined decades of experience starting and managing and serving on boards of successful charter schools and charter management organizations. The Treasurer and Chief Financial Officer (CFO) has over 25 years' experience managing a financial services and IT business with \$6 million in annual revenue and 35 employees. He was not only responsible for all the budgeting and financial reporting for his business but for his clients' budgeting and financial reporting, as well. He also has over 6 years of school district trustee experience and is a graduate of the Association of California Students Association Business Managers and Superintendents Academies. Barry Price and Adam Smith have extensive commercial facilities experience.

The School Director and CFO will produce monthly financial reports that compare actuals to budgeted income and expense. Monthly Cash Flow Reports will also be produced. The Charter School will maintain a rolling three-year budget. These reports will be distributed to Board members monthly and reviewed every other month at board meetings. First and Second Interim Budgets will be approved by the Board and distributed to appropriate oversight agencies. Any additional financial reporting that the County might want RVC to provide can be developed using the EdTec software described below. In fact the Petition clearly states that RVC "shall provide additional fiscal reports as requested by the District."

The level of detail being asked for in this question is more than required at the petition approval stage. The details that are being sought appear to be very granular in nature and will be developed after authorization.

As stated in the budget narrative, RVC will use EdTec financial software for revenue and expense accounting as well accounts receivable and payable. This software is used by over 300 charter schools and can produce all of the required reports needed for reporting to the County and State as well as the capability to develop RVC-defined reports.

RVC has budgeted \$14,000 in planning year expenses to pay EdTec to set up this software and to help RVC develop all the detailed accounting and reporting procedures the question appears to be asking be provided now.

Our budgeting process will be grounded in the new LCFF and LCAPP processes. WestEd has developed good resources to help LEA's with this process. (See, for example, <http://lcff.wested.org/developing-a-quality-local-control-and-accountability-plan-resources/>) The CDE also produces good information, see for example <http://www.cde.ca.gov/fg/aa/lc/lcfffaq.asp> . CCSA also provides free seminars and workshops to charter schools on the most recent budget development requirements and processes.

Our budget planning cycle will begin in October of every year. We will start with a review of Mission and Core Beliefs. We will then review the desired outcomes included in the petition and any additional or different outcomes we conclude are important. We will review the metrics that are in the petition and supplement these with additional metrics, where appropriate, as nationally normed assessments truly aligned to the Common Core State Standards become available (as outlined in Elements 2 and 3 in the Petition).

After this needs assessment, we will identify what activities, programs and practices need to be added or changed and what resources this will require. These deliberations and conclusions will guide the budget process for the following year.

Action plans will also be developed to manage implementation of the plans that are developed.

Reporting out to the board, the staff and the parent community will happen 4 times a year following the three progress reports described in the petition and in the early Fall when California State Testing results are available.

This will begin a new budget cycle in the fall.

All these budget activities will be done with parent, staff, and appropriate subgroup input in formal LCAP meetings as outlined in the WestEd process.

We will budget using an Excel template provided by CCSA which budgets at a very granular level. Revenue will be budgeted, as it has for the petition, using the then-current FCMAT LCFF Calculator Excel template. RVC will develop a user friendly budget reporting process that relates budget expenditures to various programs. The RVC CFO developed a similar user friendly budget process during his tenure on the Ross Valley School Board.

QUESTION #4

Required Supplemental Information

Planning Assumptions

Number/Types of Students

- The petition states that the current district MAP program has 133 students enrolled.
- The petition states that on average there are 100 students on the waiting list for the district MAP Program, however, in the RVC presentation to the Marin County Board of Trustees on September 8, 2015, the power point presentation stated that, on average, there are 50-85 students on the waiting list for the district MAP program; the presenter verbally stated 100.

- The petitioners obtained 222 signatures of parents who are meaningfully interested in enrolling their children in RVC. This is not an indication of actual enrollment.
- The petition assumes that enrollment each year remains constant with 36 students enrolling in Kindergarten each year.
- Enrollment may be overstated for budget and planning purposes.
- A difference of enrollment affecting the Average Daily Attendance (ADA) affects local, State, and Federal funding that RVC would receive. Most notably LCFF funding, which would be the largest source of funding for RVC (approximately \$7,400 per ADA).

What are RVC's contingency plans if the number of enrolled students does not materialize?

ANSWER

This question gets to the heart of the financial viability of RVC. It raises doubts, without presenting any evidence, about petitioners' ability to achieve full enrollment of 222 students both at the outset of operation, and on an ongoing basis. Indeed, two of three budget scenarios prepared by County staff project an enrollment of 195 students and a kindergarten class of 31 over 5 years. Such speculation does not amount to factual findings, and cannot form the basis of charter denial.

Under California law, an authorizer cannot legally deny a charter because it has doubts about capacity to enroll students. Instead it requires the authorizer to "set forth specific facts to support" a finding of financial unsustainability.

The Petition contains considerable evidence to support the projection that we will be able to have 222 students on an ongoing basis. It discusses the several year history of averaging 45 kindergarten applicants per year for a school which only allowed in-district applications and involved no marketing. It is puzzling that the County is coming up with a scenario number that is 31% less than an historical number of applicants, which is already artificially low because it excludes out-of-district students. The Petition contained signatures of parents of 222 potential students for the 2016 school year and these were obtained with only a two month word of mouth effort and no real marketing. The County question discounts this number by pointing out that "This is not an indication of actual enrollment." This is a somewhat odd statement since "actual enrollment" is not possible without an approved charter petition. State law has a requirement for parent-based charter petitions that parents of only 50% of the students projected for the first year sign indicating they are meaningful interested in having their child attend the proposed charter school.

RVC had an informational booth at the San Anselmo Fair September 28, and in 6 hours obtained signatures from parents of 20 additional children who will be PreK-5th grade in the fall of 2016. This is further evidence supporting our claim that it will be relatively easy for RVC to fill its enrollment to the projections contained in the Petition.

The County question raises doubt, but presents no facts, as to the length of the wait list. The MAP waiting list published at Manor School in September 2016 contained 100 names. Since then, the Ross Valley School District moved management of the wait list from Manor to the District Office and has refused to share the contents of the list with MAP parents or teachers. In its Petition Report Recommending Denial, the District claimed the waiting list was much smaller than 100, which is why at the hearing presenters used smaller numbers. But one of the emails sent to the County by Robin Goldman, a MAP detractor and

complainant, included a response to her Freedom of Information Request indicating that as of the end of August 2015, after classes had been filled, the MAP wait list had 92 names on it.

There are 131 students currently enrolled in MAP. Current students plus those on the wait list would provide an enrollment of 223—but that only includes Ross Valley residents.

RVC believes that there are many parents in Marin, outside of Ross Valley School District, who will apply to RVC. Many, many parents who do not live in Ross Valley have expressed interest in enrolling in RVC. The demand for charter schools in Marin is high because the supply is so desperately low. There is only space for 1.5% of Marin's total student population to attend charter schools domiciled in Marin County, whereas the average for the other seven Bay Area urban/suburban counties (excluding San Francisco) is 7.7%. By contrast, 17.8% of Marin County's students attend private school, compared to 10.9% for these same seven counties. The total **combined** percentage of Marin students attending both charter and private schools is 19.3%, quite similar to the other seven suburban counties, which are at 18.6%. (Based on CDE data.)

These numbers indicate Marin County has a charter school *supply* shortage rather than a *demand* shortage. From this data, it is very reasonable to conclude that the reason there are so few charter schools in Marin County is not the tremendous satisfaction with public schools, but rather the financial ability of many Marin County parents who seek another choice to decide to purchase the education they prefer, rather than to undertake the immense amount of work required to start a charter school. The impact on Marin County is that those middle and low income parents, who cannot or do not spend resources on private education, and who seek something different from their local public school, have practically no educational choice. This creates tremendous opportunity for charter schools to meet enrollment targets.

Because of this data, and the ease of obtaining signatures of parents of 222 students, RVC is very confident that with a marketing campaign in the County, it will have more than enough applicants to meet its enrollment projections on a sustainable basis. RVC has heard from many parents whose children are in private school only because they could not get into a very oversubscribed MAP program or other elementary charter schools in the County.

In short, there is much evidence to suggest RVC will be able to enroll 222 students and no evidence suggesting otherwise. This therefore is not a legal basis for petition denial.

QUESTION #5

Costs of all major items are identified and within reasonable market ranges

- \$100 per pupil budgeted for textbooks and instructional materials does not appear to be adequate. Absent the rationale for the \$100/student for these expenses appears to be low.

Please provide more detail for the rationale of budgeting start-up costs of \$100 per student for necessary textbook, core curricula, and instructional materials.

ANSWER

The petitioning teachers typically don't use text books, and instead have been very innovative in developing instructional materials for their students. Charter schools have to find ways to do things less expensively than district schools and we believe this is a reasonable amount.

In a study that looked at charter schools across the state, EdTec found that 25% of schools spent less than \$50 per ADA on Textbooks and Core Curriculum. RVC is budgeting a little over \$70 per ADA per year on an ongoing basis.

RVC teachers have never used textbook consumables, purchased from publishers, as have other teachers in the Ross Valley School District. Their project based orientation significantly reduces the funds spent on instructional materials.

California and the rest of the country is in a generational transition to a new and much more rigorous set of academic standards. EdReports.org, a new non-profit organization focused on evaluating textbooks' alignment to the Common Core, have as yet to certify any purchasable textbooks from publishers as Common Core aligned. The only K-5 instructional materials certified by EdReports.org are only available free on the internet.

The six petitioning teachers have a great deal of experience creating, finding and using free or low-cost instructional materials.

QUESTION #6

Revenue from "soft" sources less than 10% of ongoing operational costs

- Revenues in the startup year 2015-2016 are mostly "soft" sources
- "Soft sources" referring to local donations assumed in the petition.

Please provide additional rationale and specific plans for how RVC will generate and verify the receipt of \$220,000 (a combination of parent donations and other donations).

What contingency plans are in place if the amount of donations in 2015-2016 do not materialize?

ANSWER

We will be applying for the CDE PCSGP grant when applications become available, in the next few weeks. We expect that grant to be considerably larger than \$220,000, closer to \$375,000. We were awarded a \$375,000 last October (an award letter was supplied to Terena) with a peer review score of 52 out of a possible 56 (a score of 28 is sufficient for receiving the grant).

We had a goal of obtaining \$85,000 in four-year unsecured loans to help with startup expenses and ensure a 5% reserve at the end of the first year. We have \$60,000 in the bank and have commitments for another \$25,000, \$20,000 of which we should have in the bank by October 6.

We have raised \$50,000 from parents and prospective parents in the last 14 months and if it means the difference between starting school in the fall of 2016 or not, we believe we can raise another \$50,000 to add to the \$85,000.

We are also approaching education foundations and philanthropists who are supporting charter schools with our story of the low availability of charter schools to Marin's 29% of economically disadvantaged public school students, and believe we will raise funds from this source.

And if need be, we can use some of the \$250,000 California School Finance Authority Charter School Revolving Loan which we are now in the process of applying for.

QUESTION #7

Equipment and Supplies

- \$30,700 (\$3,070 per regular classroom including Special Education) has been budgeted for furniture, printers, video display projection equipment, file cabinets, wall boards, and shelves. Absent additional rationale for this expenses appears to be low.
- \$32,500 has been budgeted for ten teacher laptops and 100 Chromebooks. Absent additional rationale for this expenses appears to be low.

Please provide the basis and rationale for classroom start-up costs related to the purchase of furniture, printers, video display projection equipment, file cabinets, wall boards, and shelves.

Please provide additional rationale and detail for technology equipment for students and instructional staff.

ANSWER

Classroom Furniture:

\$ 5,100.00	6 multistudent \$85 tables for 10 classrooms
\$ 4,500.00	25 \$18 student chairs for 10 classrooms
\$ 3,600.00	Teacher/Staff Workstation & Chair \$400 each
\$ 1,800.00	Two Bookshelves per classroom teacher @ \$100
\$ 1,350.00	One file cabinet per classroom teacher \$150 each
\$ 1,350.00	One Dry Erase board per gen ed classroom \$150 each
\$ 1,300.00	13 storage shelving unites @ \$100
\$ 2,700	One printer per classroom \$300 each
\$ 9,000	One Electronic Display Projection System per classroom \$1000 each
\$30,700.00	Total Classroom Furniture

Teacher Laptops and 99 Chromebooks

\$19,440	3 set of 27 chromebooks for charging carts @\$240
\$4,320	3 chromebooks for 6 2-5 classrooms @\$240
\$900	3 charging cards @\$300
\$7,900	10 laptops @ \$780
\$32,560	total

The Draft County Matrix states: "beginning in 2017-2018, approximately \$2,300 per year for technology is budgeted. Ongoing technology costs may be understated." This is the amount budgeted for replacement Chromebooks for students and laptops for teachers. There is another \$8,000 a year budgeted for outsourced technology services. RVC will not have servers but will run all its business and educational technology in the internet "cloud".

QUESTION #8

Timeline allows for grant and fundraising

- The petition assumes cash received from the budgeted local donations and unsecured loans will begin to flow into RVC beginning in September 2015. It anticipates receipt of \$30,500 each month beginning in September 2015 through June 2016. No additional information is provided that explains the rationale for this assumption.
- Please provide additional rationale for the assumption of \$30,500 cash received in local donations and loans each month for ten months in the start-up year 2015-2016.

ANSWER

The Petition budget assumes \$20,000 in parent fundraising, \$85,000 in four year 1.5% unsecured loans, and \$200,000 in grant funding.

Timing for this funding had to be assumed for the cash flow report, so it was evenly distributed across the 10 months of September through June.

The answer to question #6 above is also responsive to this question.

QUESTION #9

Expenditure sufficient for reasonably expected legal services

- Budgeted expenses for legal services 2016-2017 through 2020-2021 may be understated.
- It is unclear if legal services for Special Education are included in the budget.

Please provide additional rationale for budgeted legal expenses 2016-2017 through 2020-2021. Please clarify if expenses for Special Education legal expenses are included in this assumption.

ANSWER

Legal Fees- RVC believes that best way to control legal expenses is to:

- Maintain legal compliance and avoid legal disputes with internal or external parties through education and training of the Governing Board and Staff regarding legal requirements

- a. The California Charter Schools Association (CCSA) offers many free workshops and trainings to members regarding all aspects of operating a charter school, including governance, and RVC, as a CCSA member, has, and will continue to, make maximum use of these trainings.
 - b. We have budgeted \$15,000 in legal expenses in our planning year to establish exhaustive policies and procedures and corresponding staff and parent handbooks so that our community understands the school requirements and expectations.
2. When issues that involve compliance or possible disputes arise, get advice from legal counsel before taking action.
 3. Take a collaborative posture towards parents, staff, and other parties that have complaints so that people realize we are genuinely addressing their concern or problem and will be less inclined to seek legal recourse as the only way they feel their problem will be addressed. This is a critical part of the RVC core philosophy. This is particular will help us keep our Special Ed legal costs down.
 4. Judicious use of legal counsel by doing all the work that can be done by without running legal meters. Various members of the board have considerable legal knowledge and experience, including one non-profit attorney. So once we get counsel opinion about a solution our methodology has been and will continue to be doing as much of the actual work ourselves using volunteer work. For example, we have spent around \$20,000 in legal fees in developing and defending two petitions. Ross Valley School District has spent close to \$150,000 in legal fees evaluating these petitions, clearly a different approach.

Based on the mean legal expenses for charter schools, EdTec believes these estimates are reasonable. These expenses do include legal expenses for Special Education. The Budget Narrative in the Appendix states that RVC will create a restricted reserve for Special Education extraordinary expenses. This will be done at a rate of \$30,000 per year until a reserve of \$150,000 is attained and will be replenished if drawn on. Extraordinary Special Education legal expenses would come out of this reserve.

QUESTION #10

Impact Statement

Reasonably detailed lease or occupation agreement for privately obtained facilities

- The petition describes the building space desired and has budgeted approximately \$185,000 (a rate of \$1.10 per square foot) each year 2016-2017 through 2020-2021
- It is unverified if the rate of \$1.10 per square foot is an adequate budget assumption to lease property with the boundaries of RVSD.

Please provide additional rationale for the assumption of \$1.10 per square foot cost to rent private facilities within the district's boundaries.

ANSWER

Rental market assumptions in the petition are for school space. There have been four school space rental transactions in the last year within District boundaries: one with the District for Deer Park, one with the San Francisco Archdiocese for St. Rita's School, and two with the Girl Scouts for the Bothin and Arequipa sites. All of them have been for considerably less than \$1.10 per square foot per month, the amount conservatively budgeted by RVC. The District's lease for Deer Park, which has roughly the same amount of square feet that RVC would like to lease from District at Red Hill, was for \$92,700 annually, or

about \$0.55 per square foot per month. RVC has budgeted \$185,328 for rent during the 2016-17 school year. And the District has available, currently unrented, space at Red Hill that RVC would like to rent.

QUESTION #11

Describes the manner in which administrative services of the charter school are to be provided

- Payroll contracted services are budgeted, but the expenses assumed may be understated.
 - A clear delineation of duties for administrative services does not appear to be provided.
- Please provide more detail regarding how the process of payroll services will be completed. Also, please provide additional rationale regarding the expense assumed in the petition for payroll services.

ANSWER

A fairly exhaustive list of administrative services was asked about in Question List One and answered there.

EdTec believes that for a monthly check cycle, monthly fees would be around \$100 a month, and there would be annual and quarterly filing that would be about \$300 more. So a more accurate number would be \$1,500 per year.

QUESTION #12

Financial Plan

Costs of all major items are identified and within reasonable market ranges

Expenditure assumptions reflect market costs

Expenditures for Special Education excess costs consistent with current experience in the school district/county

Special Education/SELPA (Marin County SELPA Charter School Policy)

Charter fiscally responsible for fair share of any encroachment on general funds

- With the information provided in the petition, it was unclear if Special Education was adequately budgeted. While the petition describes for the flexibility of pursuing an LEA within a separate SELPA or a school within the county, there does not appear to be a contingency plan that allows for costs beyond the 15% encroachment associated with being an LEA within a Charter SELPA such as El Dorado or Sonoma's Charter SELPA. We have confirmed that on average, charters who are members within Charter SELPAs have a 15% encroachment.
- The petition does not identify excess costs related to the provision of special education beyond the 15% associated with Charter SELPA members. Again, if the charter is to be a school within the county, these matters would typically be addressed and delineated in the MOU between the charter school and the authorizer. At the time of this writing an MOU between the RVC and the authorizer does not exist.

Please describe how the charter will handle the unknown costs associated with their fair share of encroachment if it is authorized as a school within the county.

ANSWER

In an email on September 15, 2015 RVC project coordinator Conn Hickey asked Terena Mares the following question:

When are going to have the special education discussion about how it might work if the County authorizes and we elect to be a school of the district, both in terms of cost and our ability to hire our own credentialed special ed teacher? Absences this conversation, our default position will be to become our own LEA for special ed purposes joining either the El Dorado or Sonoma Charter SELPAs. Do you even want to have this discussion?

On September 16, 2015 Terena responded as follows:

No, we are reviewing the petition as though you are an LEA for special education purposes through one of the Charter SELPAs.

Given this exchange between RVC and the County, we believe this question was based on an incorrect assumption, namely that the County was interested in having a conversation about the implications of RVC being a school of the County for Special Education Purposes. We will be applying to one or more charter SELPAs once application windows open for next fall later this year.

QUESTION #13

No student will be denied admission based on disability or lack of available services

- The petition states on pages 9-10 that all students that wish to attend the RVC shall be admitted. However, the petitioner should provide more information regarding what is meant by "...enroll and support students with disabilities who can benefit from its programs and who otherwise qualify for enrollment" on page 87 of the petition. The language seems to contradict the information on page 9 that indicates that all students shall be admitted regardless of "benefit". p. 9-10 p. 87

Please provide further clarification regarding what is meant by "enroll and support students with disabilities who can benefit from its programs".

ANSWER

RVC affirms, again, that it will admit all students who wish to attend (subject only to capacity), and that it will not discriminate in admissions based upon disability, or upon any protected class. The statement regarding students who can benefit from the Charter School's programs was designed as a recognition that a particular student's IEP team may determine that RVC is not a good fit for that individual student. (Just as general education students and parents may determine that RVC is not a good fit.) As a school of choice, RVC recognizes that some students may elect to make a different choice. The Charter School welcomes all students, but understands that a particular IEP team may find that the educational program at RVC is not in the best interest of the student.

QUESTION #14

Petition/MOU describes the transition to or from a district when a student with an IEP enrolls in, or transfers out of, the charter school

- The petition states on page 89 the procedures for notification when a student transfers into the RVC. The petition is silent on procedures for transfers out of the RVC. p. 89 – Clear identification of notifying when a student transfers into the Charter, but no description of notification when a student transfers out.

Ed Code section 47605(d)(3) provides that when a pupil leaves a charter school for any reason the charter school is required to notify the superintendent of the district of residence within 30

days and shall when requested forward pupil records to that district. Thus, the petition needs to address this issue.

Please verify whether RVC will notify the superintendent of the district of residence within 30 days and whether the RVC will forward pupil records to that district, when requested.

ANSWER

On page 10 of the petition is the following Affirmation:

- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. Education Code Section 47605(d)(3)]