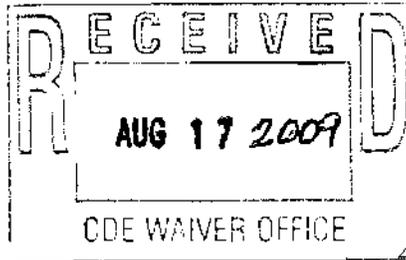




**Los Angeles County Office of Education**



*Amended August 11, 2009*

Darlene P. Hoopes, PhD  
Superintendent

August 7, 2009

Los Angeles County  
Board of Education

Anna Papadakis  
President

Thomas A. Saenz  
Vice President

Douglas R. Boyd

Rudell S. Flear

Leslie K. Gilbert, PhD

Rebecca J. Turantino

Maria Elena Rojas

Mr. Theodore R. Mitchell, President  
State Board of Education  
1430 N Street, Suite 5111  
Sacramento, CA 95814

Dear Mr. Mitchell,

The Los Angeles County Office of Education (LACOE) is opposed to approval of the waiver submitted to the State Board of Education by Inglewood Unified School District (IUSD) based on the following facts:

- 1) The sites identified in the waiver currently operate under CDS Code 19-10199-0102020 as a county-wide charter pursuant to Education Code Section 47605.6 authorized by the Los Angeles County Board of Education (LACBOE) and known as Today's Fresh Start Charter School (TFSCS). LACOE's stance is that the petition submitted by TFSCS to IUSD was improper because sites named in the charter petition (and subsequently in the waiver) are under the authorization of the LACOE.
- 2) The waiver request submitted by IUSD cites Education Code Sections 47505 (a)(1) and 47605(a)(5). These sections set forth criteria for establishing charter school sites authorized by a local district in general and more specifically, when a site within the geographic boundaries of the district is not available. Neither of these sections is relevant to the sites specified in the waiver, which are authorized by the LACBOE as a county-wide charter pursuant to Education Code Section 47605.6.
- 3) Neither the Charter School Act, nor any part of California Education Code, provide authority to the California Department of Education or the State Board of Education to usurp the authority of a county board to authorize a county-wide charter as provided under Education Code Section 47605.6 or transfer such authority to a local school district governing board.
- 4) As of August 7, 2009, TFSCS had not notified the LACBOE that it intends to close the county-wide charter operating under CDS Code 19-10199-0102020 authorized by the LACBOE.

Mr. Theodore R. Mitchell, President  
State Board of Education  
August 7, 2009  
Page 2

- 5) LACOE has issued TFSCS a notice of concern pursuant to Education Code Section 47607(c)(1) regarding a lack of a valid certificate of occupancy for each of two of the county authorized sites included in the waiver request. Granting the waiver request permits the charter to circumvent accountability measures that are in place.

The sites named in the waiver constitute a charter school under the rightful authority of the Los Angeles County Board of Education. The waiver submitted by Inglewood attempts to usurp the rightful authority of a county board of education and permit a local district governing board the authority to operate a county-wide charter, which is not permitted under Education Code Section 47605.6.

Sincerely,



Darline P. Robles, Ph.D.  
Superintendent

DPR:LD:JI:jh:ls

- c: Lupe Delgado, Ed.D., Assistant Superintendent, Educational Services, LACOE  
Donald Kenneth Shelton, Assistant Superintendent, Business Services, LACOE  
Carol Barkley, Director, Charter Schools Division, CDE  
Yolanda M. Benitez, Director, Parent and Community Services, LACOE  
Janis Isenberg, Project Director III, Charter School Office, LACOE  
Jndy Pinegar, Manager, Waiver Office, CDE