

# **International Studies Language Academy (ISLA)**

**Appeal of a Petition to Establish a Charter  
Previously Denied by:**

**Glendale Unified Board of Education  
Los Angeles County Board of Education  
El Dorado Charter SELPA**

Report to the State Board of Education

May 12, 2016

# Statutory Grounds for Denial

## EC 47605(b)

- (1) Presents Unsound Educational Program
- (2) Petitioners Unlikely to Successfully Implement Educational Program
- (3) Does Not Contain Required Signatures
- (4) Does Not Contain Required Affirmations & Assurances
- (5) Does Not Contain Reasonably Comprehensive Descriptions of All Required Elements

# Comparison of GUSD, LACOE, and CDE Findings

	<b>GUSD and LACOE</b>	<b>CDE</b>
Finding #1	NO	YES
Finding #2	NO	YES w/ Amendments
Finding #3	YES	YES
Finding #4	YES	YES w/ Amendments
Finding #5 - 1	NO	YES w/ Amendments
Finding #5 - 2	NO	YES
Finding #5 - 3	NO	YES
Finding #5 - 4	NO	NO
Finding #5 - 5	NO	YES w/ Amendments
Finding #5 - 6	YES	YES w/ Amendments
Finding #5 - 7	NO	YES
Finding #5 - 8	NO	YES w/ Amendments
Finding #5 - 9	YES	YES
Finding #5 - 10	NO	YES w/ Amendments
Finding #5 - 11	YES	YES
Finding #5 - 12	YES	YES
Finding #5 - 13	YES	YES
Finding #5 - 14	YES	YES w/ Amendments
Finding #5 - 15	YES	YES
Finding #5 - 16	NO	YES

# Why the Disparity?

- ISLA was permitted to submit more than 100 additional pages of supporting information to CDE omitted from their original petition and from their capacity interview with LACOE.
- ISLA was allowed to verbally refute weaknesses in their petition to CDE on March 18<sup>th</sup>, and at the ACCS Hearing.
- ISLA was coached by ACCS on other information to include in their presentation to the SBE, also omitted from the original petition.

# California Code Regulations, Title 5, §11967(b)(1)

The applicable regulations clearly require the State to review and make a determination based upon the charter petition “as denied” by the local district.

[Petitioners are to deliver, “[a] **complete copy of the charter petition as denied**”].

The only permissible changes are those that are “**necessary to reflect ...the SBE as the chartering entity.**”

Given the material nature of CDE’s required changes, approval of the Petition as revised would **exceed SBE’s legal authority** for the review of charter petitions on appeal.

(Ibid., at (b)(4); emphasis added.)

# Significant and Substantive Changes Needed

**Material Revisions:** “in regards to technical versus material revisions.” (ACCS Notes, September 28, 2011.) CDE staff clearly defined this issue to the ACCS as...

**“A change that would likely be considered clearly material in nature might be a change in response to a district or county finding.”**  
(Ibid.)

# Material Differences Between: GUSD, LACOE, and CDE Findings

	<b>GUSD and LACOE</b>	<b>CDE</b>
Finding #1	NO	YES
Finding #2	NO	YES w/ Amendments
Finding #3	YES	YES
Finding #4	YES	YES w/ Amendments
Finding #5 - 1	NO	YES w/ Amendments
Finding #5 - 2	NO	YES
Finding #5 - 3	NO	YES
Finding #5 - 4	NO	NO
Finding #5 - 5	NO	YES w/ Amendments
Finding #5 - 6	YES	YES w/ Amendments
Finding #5 - 7	NO	YES
Finding #5 - 8	NO	YES w/ Amendments
Finding #5 - 9	YES	YES
Finding #5 - 10	NO	YES w/ Amendments
Finding #5 - 11	YES	YES
Finding #5 - 12	YES	YES
Finding #5 - 13	YES	YES
Finding #5 - 14	YES	YES w/ Amendments
Finding #5 - 15	YES	YES
Finding #5 - 16	NO	YES

# GUSD and County Consideration of ISLA

## **Staff Findings for Denial under EC 47605(b):**

**Finding 1:** The petition presents an unsound educational program

**Finding 2:** The petitioners are demonstrably unlikely to successfully implement the proposed educational program

**Finding 5:** The petition does not contain a reasonably comprehensive description of all required elements

# Reasons for Denial of ISLA Petition

## Finding 1

**Finding 1**: The petition presents an unsound educational program

### **Insufficient Plan to Serve Students With Special Needs**

- Lack of capacity to serve students and address a wide continuum of student needs
- Lacks the necessary staff
- Lack of understanding of federal and state legal responsibilities as a proposed independent LEA

# Reasons for Denial of ISLA Petition

## Finding 2

**Finding 2:** The petitioners are demonstrably unlikely to successfully implement the proposed educational program

### **Fiscally Unsound Budget and Operational Plan:**

- Certificated Salaries & Benefits (understated by 44%)
- Textbooks and other instructional materials
- First year funding shortfall for Special Education services

# Lack of Budget Details in the Submitted Petition

All budget/operational concerns receive the same response from ISLA, “we know what we’re doing,” but they waited until April to price out textbooks.

From: **Reggie Stuenzi Sellards** <[sell4101@mail.brandman.edu](mailto:sell4101@mail.brandman.edu)>  
Date: Mon, Apr 18, 2016 at 2:29 PM  
Subject: [Duallang] DL Textbooks Expenditures  
To: [duallang@list.sdcoe.net](mailto:duallang@list.sdcoe.net)

Hello,

Our brand-new multi-language immersion school would like to hear from other language immersion programs on how much your school spends on textbooks per student per year. Your input is highly appreciated.  
Thank you.

Sincerely

Regula Sellards, Ed.D.  
International Studies Language Academy (ISLA)  
<http://www.islaca.org>

----- Forwarded message -----

From: **Alicia Moyer** <[abmoyer@sdcoe.net](mailto:abmoyer@sdcoe.net)>  
Date: Wed, Apr 27, 2016 at 8:17 AM  
Subject: [Duallang] DL Textbooks Expenditures  
To: "[duallang@list.sdcoe.net](mailto:duallang@list.sdcoe.net)" <[duallang@list.sdcoe.net](mailto:duallang@list.sdcoe.net)>

Hello,

Our brand-new multi-language immersion school would like to hear from other language immersion programs on how much your school spends on textbooks per student per year.  
Your input is highly appreciated.  
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Regula Sellards, Ed.D.  
International Studies Language Academy (ISLA)  
<http://www.islaca.org>

# Reasons for Denial of ISLA Petition

## Finding 2 – cont.

### Finding 2 (continued):

#### LACOE’S EXPERT COST ANALYSIS WITH GUSD KNOWN COST SPECIAL EDUCATION & BOOKS COSTS INCLUDED

Source	Budget Plan	FY 16-17	FY 17-18	FY 18-19	FY 19-20
LACOE	Net Income Projections	\$644	(\$324,808)	(\$95,880)	\$68,853
GUSD	Special Ed. Adjustment	(\$299,525)	(\$458,785)	(\$526,711)	(\$628,719)
GUSD	Books Adjustment	(\$572,904)	(\$313,920)	(\$154,344)	(\$201,432)
LACOE	Ending Net Assets	<b>(\$871,785)</b>	<b>(\$1,969,298)</b>	<b>(\$2,746,233)</b>	<b>(\$3,507,531)</b>

Note: BAS adjusted projections to add PCSGP Funds & Personnel Cost

Note: SPED adjusted to Enrollment x SpEd pop 10.5% x \$10K/child encroachment GUSD – projected encroachment budgeted

**Even if we assume ISLA can find teachers to work for 44% less than GUSD’s Average Teacher, the plan is bankrupt**

# County Consideration of ISLA

**Finding 5:** The petition does not contain a reasonably comprehensive description of all required elements

## **Description of Educational Program:**

- Proposes to simultaneously launch a four-language dual immersion program and an acquisition program in French, German, Italian, and Spanish in all grades, K-7 for 2016/2017
- Does not budget for sufficient number of multiple-subject and single-subject credentialed teachers in the four languages and all required courses
- Has not identified the curriculum for each of the four languages for all grade levels and in all content areas or for the content being taught in English

# Back to the Material Changes Noted Page 1

## ISLA MUST:

- Change their Governance Structure
- Change their Bylaws
- Identify an articulated instructional program
- Identify a core program in middle school
- Describe all core subjects within the four target languages and the school's EL program
- Describe the required TK program
- Identify how the school will monitor academic growth using State approved methodology and how students will be placed in structured EL classes
- Describe how the school is aligned to LCAP requirements
- Describe how the school meets the needs of foster/homeless youth
- Describe a suspension/expulsion process aligned to Ed Code
- Delete references to a non-existent high school program and CAHSEE
- Revise the Fiscal Policies Handbook to address identified deficiencies
- Describe the criteria for selection of contractors

# Back to the Material Changes Noted Page 2

## ISLA MUST:

- Revise the budget to appropriately account for anticipated revenue and realistic expenditures
- Clearly describe the budget assumptions on revenue estimates
- Present a budget that in its totality appears viable over a period of no less than two years of operation
- Present a budget that provides for the amassing of a required reserve
- Provide details regarding the types of insurance coverage and rate determinations
- Identify a location for the school (actual or potential inventory for a school site)
- Identify the instructional leader that demonstrates experience in the operations of a charter school and experience with a multi-language dual immersion school

# Back to the Material Changes Noted Page 3

## ISLA MUST:

- Identify the curriculum to be used for all four languages and English, for all grades and content areas
- Describe how the various instructional strategies identified will be prioritized and integrated into the overall instructional program
- Identify who will be responsible for the facilitation of professional development
- Provide an adequate description of how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, foster/homeless students, and other special student populations
- Demonstrate that sufficient instructional minutes are being met at the different grade spans

# Back to the Material Changes Noted

Page 4

## ISLA MUST:

- Identify assessments to be used in addition to Smarter Balanced Assessment Consortium and a process to identify outcomes other than “strive for”
- Clearly identify the relationship between the charter school, Academics, and the charter school model in Florida
- Identify recruitment efforts for recruiting a diverse racial and ethnic student population
- Describe the roles, formation and implementation of a School Site Council
- Counselor is a key position, but not hired until Year 4; identify the plan for those responsibilities during the first three years of operation
- Create an organization chart that clearly delineates the chain of command or reporting structure that accurately places the authorizing agency and identifies which employees are considered “Administration” or “Faculty and Staff”

# Back to the Material Changes Noted Page 5

## ISLA MUST:

- Clearly identify what credentials are needed for the various teaching positions
- Admission requirements need to be modified to be compliant with Ed Codes
- Identify a responsible entity to conduct closure-related activities
- Describe the process for the transfer and maintenance of state assessment results and special education records
- Describe the process for the transfer and maintenance of personnel records
- Provide a financial statement that includes the proposed first-year operational budget that includes startup costs, cash-flow, financial projections for three-years

# Conclusion

There are clearly 3 out of the 5 Statutory Grounds for Denial and 8 out of the 16 Technical Category Grounds for Denial!

California Code Regulations, Title 5, §11967(b)(1): does not allow for ANY changes to the petition.

1. By CDE staff's own description, the changes requested are material in nature, and **in conflict with legal requirements.**
2. CDE and ACCS exceeded their authority in asking for material and technical changes, and has put the SBE in a situation where **approval of the charter petition under these circumstances would be inappropriate and in conflict with legal requirements.**

**In order to stay within legal limits, the SBE needs to vote to deny the ISLA charter petition appeal.**