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October 14, 2015

Via Email and Federal Express

Dr. Michael Kirst
President
California State Board of Education
1430 N Street, Suite #5111
Sacramento, CA 95814

Cindy Chan
Director, Charter Schools Division
California Department of Education
1430 N Street, Suite 5401
Sacramento, CA 95814

Re: Prepa Tec Los Angeles High School Charter Petition, Response to Findings of Fact for Denial of Charter Petition by the Los Angeles County Office of Education

Dear Dr. Kirst and Ms. Chan:

We submit this appeal for review and approval of the Prepa Tec Los Angeles High School ("Prepa Tec HS") charter petition pursuant to Education Code section 47605(j) and 5 CCR 11967 *et seq.* Prepa Tec HS would provide a rigorous college and career readiness with real world experience, International Baccalaureate ("IB") high school program for students in grades 9-12 in the predominately underserved, low-income Latino communities of Southeast Los Angeles, including Watts, South Gate, Walnut Park, Cudahy and Huntington Park.

Prepa Tec HS will be operated by Alta Public Schools ("APS"), which is a California nonprofit public benefit corporation that already operates two successful charter schools in these same underserved communities. Academia Moderna Elementary School ("Academia Moderna") opened in the 2009-10 school year and currently has 471 students enrolled in grades K-5 in the International Baccalaureate Primary Years Program ("IBPYP"). Academia Moderna opened with an API of 652 and had an API of 803 by 2012—outperforming every local elementary school in year-over-year growth. Academia Moderna continues to outperform other LAUSD elementary schools and is currently the number one "LAUSD similar" elementary school in our community based on recently released Smarter Balanced/CAASPP scores. Prepa Tec Los Angeles Middle School ("Prepa Tec MS") opened in the 2013-14 school year with 84 students and currently has 377 students enrolled in grades 6-8. Prepa Tec MS implements the International Baccalaureate Middle Years Program ("IBMYP") with a STEM-embedded approach. It is the only school in the region with a competitive robotics program. Now beginning its third year of operation, Prepa Tec MS has recruited students as outlined in Element 7 of the LAUSD Approved Charter Petition and included students who did not matriculate from our elementary school, and based on internal, interim assessments, Prepa Tec MS has already made strides in closing achievement gaps for these students. Both Academia Moderna and Prepa Tec MS are authorized by the Los Angeles Unified School District ("LAUSD").

This appeal cover letter describes how the Prepa Tec Los Angeles High School charter meets the legal standard for approval of a charter.

This letter will present the following points:

- A. The Prepa Tec Los Angeles High School charter is ***consistent with sound educational practice***. Its International Baccalaureate Middle Years and Diploma Program will benefit students by providing a world-class education through an inquiry and investigation school model that will prepare students to meet the challenges of a global 21st century.
- B. Prepa Tec High School leaders collectively have over 20 years' experience in successfully developing and administering charter schools in underserved communities in Los Angeles, and are ***demonstrably likely to successfully implement the Prepa Tec Los Angeles High School program***. APS' elementary school—Academia Moderna—is the number one ranked "LAUSD similar" elementary school in our area with recently released CAASPP scores. Academia Moderna's base success in 2012, was achieving an unprecedented 86-point API gain. Alta Public Schools ("APS") middle school—Prepa Tec Middle School—has taken on a large number of academically low-achieving students that did not start in the Academia Moderna Elementary School, approximately 67%. Prepa Tec Middle School has developed creative, targeted strategies such as our "6th Grade Academy" to provide rigorous intervention and scholastic discipline to bring new middle school students up to grade level and beyond. Both Academia Moderna Elementary School and Prepa Tec Middle School are confident in their offerings of curriculum and instruction, educational strategies, teacher's instructional delivery methodology and strategies that address the needs of our students, including offering parents assistance in providing support to their children/our students to overcome the many challenges in our communities.
- C. Both Academia Moderna and Prepa Tec MS have ***positive fund balances, and maintain fiscal reserves*** (15% and 5%, respectively). The Prepa Tec HS budget and multi-year projections are reasonable, and the proposed charter is ***fiscally viable*** with the assumed starting enrollment of 168 pupils.
- D. The Prepa Tec HS charter as submitted to LAUSD provides a ***comprehensive description of the school's educational program and all 16 required elements*** of a charter petition.
- E. The Prepa Tec HS charter states ***measurable pupil outcomes and annual goals*** to be achieved in the eight state priorities. The charter provides specific annual actions to achieve these goals, as well as methods to measure outcomes and pupil progress, both schoolwide and by subgroups.

THE PREPA TEC LOS ANGELES HIGH SCHOOL CHARTER PETITION UNEQUIVOCALLY MEETS THE LEGAL CRITERIA FOR APPROVAL

Petitions submitted on appeal to the SBE to establish new charter schools are governed by the standards in Education Code Section 47605(b). (Ed. Code § 47605(j)(1).) We understand the SBE interprets these standards by the extensive SBE approval criteria in California Code of Regulations, Title 5, Section 11967.5.1. Further, the SBE "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." (Ed. Code § 47605(b).) To that end, we note the Charter Schools Act is written such that the default position is for *approval* of a charter petition, absent specific findings.

A. The Prepa Tec High School charter is ***consistent with sound educational practice***.

Legal Criteria: The Prepa Tec HS charter must be approved if it is consistent with sound educational practice. (See Ed. Code § 47605(b)(1).) A charter “shall be ‘consistent with sound educational practice’ if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend.” (5 C.C.R. § 11967.5.1(a).) These regulations note that a “charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.” (*Id.*) Conversely, an “unsound education program” is narrowly defined as one that is likely to cause physical, educational, or psychological harm, or is of no educational benefit, to the pupils who attend the charter school (among other factors not applicable here). (5 C.C.R. § 11967.5.1(b).)

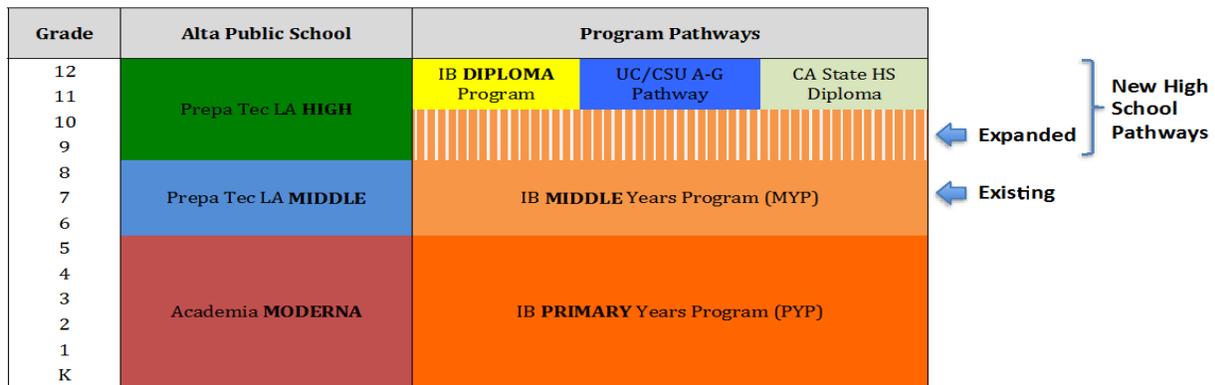
Analysis: The Prepa Tec HS charter petition presents a sound educational program based on the internationally recognized, college-level International Baccalaureate (“IB”) philosophy and teaching methods. The International Baccalaureate Program is a known educational benefit. Students who attend an International Baccalaureate high school are more likely to succeed in college. (<http://www.ibo.org/globalassets/publications/ib-research/dp/academicperformanceofibstudentsenteringtheuniversityofcalifornia2010.pdf>). Prepa Tec HS will implement the International Baccalaureate to develop students’ breadth and depth of knowledge in core academic subjects, teach students how to think critically, and prepare them to flourish physically, intellectually and emotionally. Even before our school becomes International Baccalaureate accredited (approximately 5 years through the IBO), our International Baccalaureate-aligned high school program will be Common Core standards-based aligned, research-based and offered in small classes that have an international approach to learning. These facets of a world-class education are simply not available in the high schools our students otherwise would attend.

Further, as described in our Prepa Tec HS charter petition, the International Baccalaureate Program is customized to our unique population. Students matriculating from our Prepa Tec MS will have experience in the IBMYP and continue the International Baccalaureate’s philosophical approach to their course of study. Students new to International Baccalaureate will learn to integrate International Baccalaureate strategies into their existing standards-based repertoire. Low-achieving students will have the support of our 3-tiered response to intervention, including individualized instruction, bi-monthly formative assessments, individualized learning plans and tutoring. English Learner (EL) students will be served by full inclusion in the classroom with small group and individual customization in the classroom and through the after school program. In addition to mandatory compliance of monitoring and supporting students for 3 years after reclassification, students are monitored and supported on an on-going basis. An estimated 92.8% of our students will be Free and Reduced Lunch Program-eligible and nearly 44.1% EL, accordingly our program is designed to address and support students who may be “at risk” and in need of intervention. Our charter is aligned to Common Core State Standards and will use strategies such as early detection, family communication, teacher collaboration, focused instruction, direct intervention, ongoing assessment, and an authentic commitment to each individual student in our small school environment.

Prepa Tec HS proposes to expand the successful International Baccalaureate Programs already offered by APS—the International Baccalaureate Primary Years Program at Academia Moderna, and the International Baccalaureate Middle Years Program at Prepa Tec MS. Prepa Tec HS would offer 2 pathways for its students, as illustrated in [Figure 1](#) below. The College Preparatory Pathway, which all students would automatically be placed into in 9th Grade or upon transfer to Prepa Tec HS, and which builds upon the International Baccalaureate Middle Years Program. These pathways allows students to complete the “A” to “G” courses approved by the University of California and the California State University, as well as enroll in Advanced Placement (“AP”) courses, as part of the students’ graduation requirements.

Figure 1: APS Schools, IB Program and Graduation Pathways

APS Schools, IB Programs and Graduation Pathways



Prepa Tec HS students would have the option to transfer in the 11th grade to participate in the two-year International Baccalaureate Diploma Program. This program also meets the “A” to “G” admissions criteria and provides AP courses like the College Preparatory Pathway, but it also adds the rigorous, college-level coursework and exams necessary for students to earn an International Baccalaureate Diploma. The International Baccalaureate Diploma is an internationally recognized hallmark of academic excellence. Research shows that International Baccalaureate students who enroll in the University of California (“UC”) system perform better overall than other students. (<http://www.ibo.org/globalassets/publications/ib-research/dp/academicperformanceofibstudentsenteringtheuniversityofcalifornia2010.pdf>). The study further states that Latino students who graduate from an International Baccalaureate program and attend a UC school have higher GPAs and graduate at a higher rate than their matched Latino peers, because of how effectively the International Baccalaureate program prepares students for college. Expectations for students in our International Baccalaureate Diploma Program will be high and our school will offer multiple supports, as the baseline for the program is a challenging, college preparation-level curriculum.

Although the International Baccalaureate Diploma Program is increasingly rigorous and designed for students who are motivated to challenge themselves, pathways offered at Prepa Tec HS will prepare students academically for college by providing, at a minimum, a curriculum that is aligned with the Common Core State Standards, that includes courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria, and that offers students AP courses.

As described at length in the charter, Prepa Tec HS’s program is designed and customized to prepare our students academically for college and careers, to encourage their character development, and to create world citizens who are involved in their community. Historically, International Baccalaureate Programs have been for high-achieving students. However, a new wave of research shows the positive impact of these programs on socioeconomically disadvantaged and minority students exactly like those in our communities we serve.

For instance, a comprehensive 2012 study by researchers at the University of Chicago looked at how completion of a high school International Baccalaureate program affected students from low income and under-represented racial/ethnic groups. (Coca *et al.*, *Working to My Potential: The Postsecondary Experiences of CPS Students in the International Baccalaureate Diploma Program*, conducted by the

Chicago Postsecondary Transition Project at the University of Chicago Consortium on Chicago School Research (2012).) The study found startling results. Compared to their matched peers, students that participated in the International Baccalaureate Diploma Program:

1. Are more likely to attend a four-year college.
2. Are more likely to apply and be admitted to a more selective college.
3. Are more likely to persist in college.

Specific, measurable benefits of participating in the International Baccalaureate program included:

1. Improved writing and analytical skills.
2. Ability to organize and manage time.
3. Work ethic; willingness to seek assistance from peers or formal resources.
4. Confidence to participate in academic dialogue and engage with teachers and professors.
5. Sense of accomplishment that leads to increased self-confidence.
6. Highly motivated.
7. Commitment to education.

While these characteristics are important for all students, they are critically important for students who are already socioeconomically disadvantaged, who are from under-represented racial and ethnic groups (such as Latino and African American students), and who are first generation college-going students. These are key determining factors for college success. They are also aligned with California's new priorities in education. The study's authors write:

"The analysis presented in this report belies the expectations of critics. IB students are more likely than similar peers to attend college, to attend a selective college, and to persist for two years in college, even when using extremely rigorous controls for selection. IB students in college describe a confidence in their academic ability rarely seen in studies of first-generation, low-income, racial/ethnic minority college students. Not only did they feel they could keep up with their more advantaged peers, they felt they could eclipse them. Indeed, the IB program in Chicago appears to have accomplished something very rare in urban education: it took economically and socially disadvantaged students and radically changed their long-term educational prospects by making them world-class learners with an arsenal of academic skills."

In short, the Prepa Tec HS charter is consistent with sound educational practices because it will equip our students to be successful at four-year colleges and universities. There is no reason for the SBE to conclude the Prepa Tec HS program could cause physical, educational, or psychological harm, or be of no educational benefit, to the pupils who attend the school.

Authorizing Prepa Tec HS would allow Alta Public Schools to complete the continuum of the International Baccalaureate Program as requested by our teachers, students and families in our communities. Prepa Tec HS students will earn an International Baccalaureate Diploma respected by top universities in California and across the world. Prepa Tec HS proposes to serve approximately 168 pupils in the first year of operation (2016-17) and expand to 672 pupils by the fourth year of operation by adding a grade each year. This is a conservative, sustainable expansion plan as APS' elementary and middle school population grows in matriculation and given the overcrowded high schools in our neighborhoods that need relief.

B. Prepa Tec HS's leaders collectively have over 20 years' experience in successfully developing and administering charter schools in underserved communities in Los Angeles, and are demonstrably likely to successfully implement the Prepa Tec HS program.

Prepa Tec HS's *leadership* is comprised of experienced and qualified board members, administrative and instructional professionals, and *extensive parent involvement*.

Alta Public Schools is governed by a diverse 7-member board of directors (including one parent member) who have professional experience in education, law, banking and finance, facilities development and management, government and community affairs, literacy and technology. Each school under the Alta Public Schools umbrella has extensive parental involvement in the life of the school and recognizes that their participation is essential to our success. Both schools have fulfilled the APS' mission to have parent participation throughout our schools, including in consulting parents on the instructional program. Parents are encouraged to participate in the schools by joining the various committees dedicated to students, parent matters and the culture of the school. Currently, the Board of Directors has one parent representative that reports back to parent groups to support and empower parents with direct communication at all levels. Academia Moderna also offers parents workshops that include topics and issues such as student behavior and discipline at home and in school, understanding your student, understanding how the school works, and English as a Second Language. Parents are also directly involved in the financial life of the school; through the Alta Public Schools foundation, they are able to raise funds for projects for their children. Parents have raised sufficient funds to develop our library and employ a full time librarian.

Key to our schools is parent participation, which will continue to be encouraged and promoted at Prepa Tec HS. Our charter proposes both a school site council and a Parent Center providing an opportunity for parents to interact with each other (build relationships), identify and assist our board to address and build a high school where educational endeavors, college and career readiness can be attained in an area of Los Angeles that is challenged with high poverty and crime, and low educational attainment.

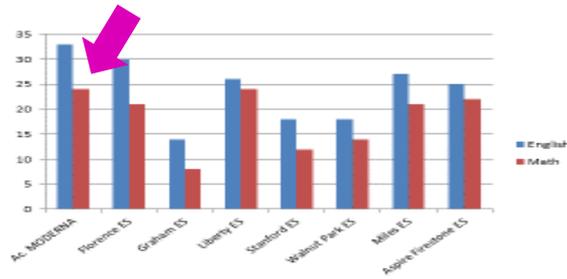
The educational philosophy of Prepa Tec HS is to create a small, college preparatory high school where students in Southeast Los Angeles learn to exceed expectations, to be self-aware and aware of others, to be responsible, inquisitive, prepared, inspired, engaged, and independent in a culture of study. We seek to serve our ethnically, culturally and socioeconomically diverse population with International Baccalaureate values: inclusiveness and recognition of a common humanity. We will prepare them to thrive in college and return to the community as professionals who contribute to the well being of future generations.

Prepa Tec HS's leaders are demonstrably likely to successfully implement the program based on current success at other APS schools. The Smarter Balanced data reflects that Academia Moderna Charter School surpasses all residential comparison schools in both English and Mathematics outcome in 2014-15 as indicated in Figure 2 below.

Figure 2: 2015 Smarter Balanced Outcomes Comparisons

SBAC 2015 Comparisons

AMCS surpasses all the residential comparison schools in both English and Math Smarter Balanced outcomes in 2015



(“AMCS” refers to Academia Moderna Charter School.) Cde.ca.gov-Dataquest 2015

Academic Performance Index

Academia Moderna Elementary School is in its 5th year of operation. Table 1 below indicates a consistent growth in students from 67 students in 2011, to 143 in 2012, an increase of 76 students, then 216 in 2013. The API realized a growth of 86 points from 717 to 803 in 2012. The API shows a dip of 35 points the following year.

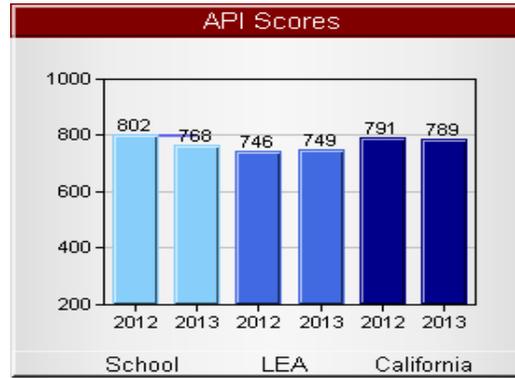
Table 1: Academia Moderna Elementary School 3-Year Analysis from CDE

Groups	Students Included in 2011 Growth API	2011 Growth API	Students Included in 2012 Growth API	2012 Growth API	Students Included in 2013 Growth API	2013 Growth API	Non-Weighted 3-Year Average API*	Weighted 3-Year Average API*
Schoolwide	67	717	143	803	216	768	763	772
Black or African American	1		0		0			
American Indian or Alaska Native	0		0		0			
Asian	0		0		0			
Filipino	0		0		0			
Hispanic or Latino	66	714	143	803	215	769	762	772
Native Hawaiian or Pacific Islander	0		0		0			
White	0		0		0			
Two or More Races	0		0		1			
Socioeconomically Disadvantaged	60	715	138	798	202	768	760	770
English Learners	52	722	102	792	152	762	759	765
Students with Disabilities	10		14	730	16	604		

Cde.ca.gov 2015, Dataquest

As shown in Figure 3 below, even factoring in the API dip in 2013, Academia Moderna's API scores are higher than LAUSD schools.

Figure 3: API Elementary School Comparisons with Academia Moderna and LAUSD Schools and California State Elementary Schools



These results provided a framework for us to focus on Curriculum and Instructional protocols. Instituting the International Baccalaureate (IB) the Primary Years Program (PYP) prepares students to become active, caring, lifelong learners who demonstrate respect for themselves and others and have the capacity to participate in the world around them. The IB PYP, Middle Years Program (MYP), and now the IB high school, focus on the development of the whole child as an inquirer, both within and beyond the classroom.

The International Baccalaureate (IB) Primary Years Program (PYP) helps students develop the skills, knowledge and attitudes they need to excel not only in their studies, but also in their personal growth.

This curriculum and instruction has provided our teachers with access to curriculum and assessment that is readily available to determine the needs of each child/student. A designated RSP teacher has been hired to provide services to student identified as Students with Disabilities.

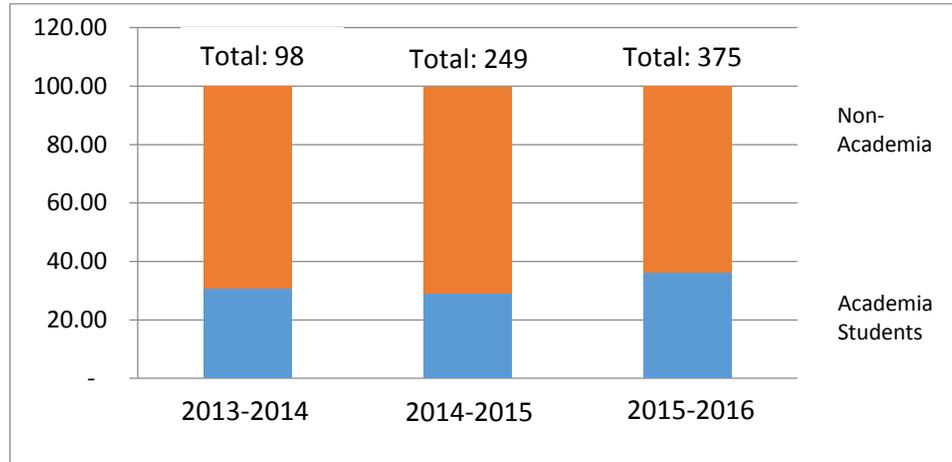
Table 2: Academia Moderna Benchmark Results

Groups	Number of Students Tested CST 2011	State API 2011	Number of Students Tested 2012	State API 2012	Number of Students Tested 2013	State API 2013	State 3 year Average API	Number of Students Tested 2014	2014 Benchmark Projected API	Number of Students Tested 2015	2015 Benchmark Projected API
Schoolwide	67	717	143	803	216	768	772	258	846	218	885
Hispanic or Latino	66	714	143	803	215	769	772	247	858	214	888
LSE	60	715	138	798	202	768	770	238	855	210	888
EL	52	722	102	792	152	762	765	100	789	63	798
SPED	10	*	14	730	16	604		12	724	11	760

*Too few

Prepa Tec MS has also had success. Prepa Tec MS is beginning its third year of operations. As shown below in Figure 4, Prepa Tec MS serves both students who matriculate from Academia Moderna and students who do not.

Figure 4: Academia vs. Non Academia Prepa Tec MS Student Enrollment Breakdown



Prepa Tec MS has increased achievement for all students at the school:

Table 3: Prepa Tec MS 2014 Benchmark API

Groups	Number of Students Tested 2014	2014 Benchmark API	Number of Students Tested 2015	2015 Benchmark API
Schoolwide	98	749	251	811
Hispanic or Latino	97	749	249	811
LSE	No Data	No Data	199	821
EL	28	731	46	744
SPED	7	739	22	657

Internal Prep Tec Middle School Benchmarks

The Middle Years Program (MYP) is a five-year program, which can be implemented in a partnership between schools, or in several abbreviated (two, three or four year) formats. Students who complete the MYP are well-prepared to undertake the International Baccalaureate Diploma Program (DP) or Career-related Program (CP) in the high school. The International Baccalaureate (IB) program at Prepa Tec MS is offered starting at the 6th grade level. In support of the neighborhood need for a rigorous educational program, as indicated in Figure 5, the Prepa Tec MS program was expanded to include more neighborhood students and make available our school's successful practices; International Baccalaureate Program, Thinking Maps, Strong Professional Development to support teachers and staff.

Additional detailed information on the academic framework and instructional program, and how the high school will link and closely fit with the elementary and middle schools, including the International Baccalaureate Program, can be found in the charter petition.

Enrollment Projections

We are confident that enrollment projections for Prepa Tec HS are realistic and can be met. While there are both traditional high schools and charter schools in the area, there are thousands of students attending over-crowded traditional neighborhood schools, many of which are looking for an academically rigorous small school in their community where there is a higher probability that they will succeed. We are only opening the school with one grade level, thus eliminating the need to recruit 500+ students all at once. Alta Public Schools enjoys a great reputation in the community and recruitment of students has already begun.

C. Alta Public Schools Is a Successful Charter School Operator with Sound Educational, Fiscal and Operational Programs.

Legal Criteria: The SBE may determine an educational program is *unlikely* to succeed based on limited factors. These may include a history of unsuccessful work in education, such as charter revocation at another school, unfamiliarity with the contents of a charter petition or the legal requirements applicable to charter schools, or presenting unrealistic financial or operational plans for the school. (Ed. Code § 47605(b)(2); 5 C.C.R. § 11967.5.1(c).)

Analysis: APS has successfully operated Academia Moderna since 2009. Building on this success, APS was authorized to open Prepa Tec MS in 2013. Neither Academia Moderna nor Prepa Tec MS has ever faced charter revocation. In fact, Academia Moderna is the top-performing elementary school in LAUSD-chosen similar schools. Academia Moderna's charter was recently renewed on February 11, 2014. Prepa Tec MS is in the range of the schools where its students would otherwise enroll and is working to bring students who enter below grade level up to grade level and beyond. In addition, Prepa Tec is *demonstrative of success—e.g. solid sound educational program, low discipline rates, high year-to-year retention, high participation of parent in responses to surveys, etc.* APS will continue to successfully implement its educational program by opening Prepa Tec HS upon approval of the Charter Petition by the SBE.

Through Academia Moderna and Prepa Tec MS, APS is very familiar with the legal requirements that apply to California charter schools. APS particularly understands the requirements of law that will apply to our subgroups, such as EL students, students achieving below grade level, socioeconomically disadvantaged pupils, gifted students and pupils with disabilities. Our program for serving EL students at Prepa Tec HS is described in *Elements 1, 2 & 3*. We currently successfully serve EL populations at Academia Moderna and Prepa Tec MS of 51% and 14%, respectively. The following data collected from the 2014-2015 NWEA results show an increase in performance with students being reclassified at a total of 44.44%.

Table 4: Prepa Tec MS

PTLAMs CELDT Data (2014 - 2015)		
Annual Reclassification Data		
6th Grade	7th Grade	8th Grade
11 total out of 21	5 total out of 11	4 total out of 13
52.38% Reclassified	45.45% Reclassified	30.76% Reclassified
45 Total Annuals Took CELDT 2014-2015		
20 Students Will Be Reclassified Out Of 45 Annual Students Tested		
44.44% Total Students Reclassified		

We also have experience serving populations where a high percentage of student have IEPs (39 students, 7% at Academia Moderna and 33 identified students, 10% at Prepa Tec MS). The special education section in our original charter submission was tailored to LAUSD required language. (LAUSD has "District Required Language" (DRL) it requires every charter to use for its special education section.) As part of the letter required in this appeal explaining changes to reflect the State as authorizer, we have included a revised special education section. As detailed there, Prepa Tec HS intends to be its own local education agency ("LEA") under Education Code section 47641(a) and Prepa Tec HS will apply for acceptance to the Desert/Mountain Special Education Local Plan Area ("SELPA") and/or the El Dorado County Office of Education Charter SELPA, both of which have been approved by the State Board of Education. By participating in SELPA membership as its own LEA, Prepa Tec HS will be solely responsible for the

provision of special education and related services. Upon acceptance to a SELPA, Prepa Tec HS will execute a Memorandum of Understanding ("MOU") with the selected SELPA regarding the provision and funding of special education services consistent with the requirements of the SELPA Local Plan for Special Education. Prepa Tec HS shall follow SELPA policies as they apply to all SELPA schools for responding to implementation of special education services.

The factors that make a school unlikely to successfully implement its program do not apply to APS. APS has *no* history of charter revocations, and its leaders have *no* past history of unsuccessful work in education. Prepa Tec HS will have a Principal, NCLB-Credentialed Teachers, IBMYP Coordination (IB Diploma Program), administrative leadership and support that will directly assist the pedagogical leadership of the program. APS has had great success in operations despite the great recession. Our Superintendent of Instruction and future Principal will have a strong background in curriculum, instruction and assessment.

APS has also presented a realistic financial plan for Prepa Tec HS. For each of its schools, APS uses a "slow growth" model, which intentionally starts with a minimal number of grade levels and expands during subsequent years of operation. This model is conservative. It supports the organic development of school culture and allows a new school to develop and implement an educational program in an effective manner considering the needs of its students at all academic levels. As a result, APS plans for the expense-to-revenue ratio at Prepa Tec HS to be proportionally higher during the startup years as compared to later years when the school is at or near enrollment capacity.

As described at length in the charter, Prepa Tec HS' program is designed and customized to prepare our students academically for college, to encourage their character development, and to create world citizens who are involved in their community. Historically, International Baccalaureate Programs have been for high-achieving students. However, a new wave of research shows the positive impact of these programs on socioeconomically disadvantaged and minority students exactly like those in our communities.

Prepa Tec HS has a proven educational program, proven educational leaders and our financial plan is solvent. (see original budget as well as updated budget to reflect changes in State funding for all charter schools since original submission).

D. Both Academia Moderna and Prepa Tec MS additionally have *positive fund balances and the projected year-end balance for Prepa Tec HS includes more than 5% percent fiscal reserves for the year ending 6/30/2018.*

Both Academia Moderna and Prepa Tec MS additionally have ***positive fund balances with more than 5% percent fiscal reserves.*** The Prepa Tec HS budget and multi-year projections are reasonable and the proposed charter is ***fiscally viable*** with the assumed starting enrollment of 168 pupils. Academia Moderna has been financially successful and has reached fiscal stability. The ending fund balance as of June 30, 2015 was \$753,531, representing 15.6% of expenditures. Prepa Tec MS began operations in 2013-14 with extremely low enrollment. Rather than implementing cost cutting measures that would have destroyed the instructional program and negatively impacted students, the board elected to incur a loss in the first year of operations (actual loss was \$173,216) with the intention to replenish the fund balance as the school grew into stability. During the second year of operations, the school balanced the budget and ended with an annual surplus of \$6,765. Looking forward, Prepa Tec MS is continuing on their fiscal plan to not only replenish the fund balance, but also reach the 5% of expenditure threshold for stability. The budgeted ending fund balance as of 6/30/16 is \$201,139. Please note that the 15-16 budget is based on actual enrollment as of 8/31/15 and is not depended upon adding students to meet this goal.

We have also budgeted for the high costs of starting a new charter school, including revenue for recruiting, hiring and training employees, and securing/improving a suitable site. On August 8, 2015, the Los Angeles County Treasurer and Tax Collector and the Los Angeles County Supervisors approved the sale of an abandoned lot across the street from the Academia Moderna site, 8001 Santa Fe Ave., Walnut Park, CA 90255, which will be utilized to house the Prepa Tec MS's "6th Grade Academy." This will also give us the opportunity to house our first class of Prepa Tec HS 9th graders for the 2016-2017 school year. The same year we will apply for Prop. 39 as a secondary plan to house the following year's new students, while searching for a permanent site for the 600 high school students the third and fourth years. Our budget is consistent with this plan.

As shown on the school's proposed budget, APS (the corporation that operates Academia Moderna and Prepa Tec MS) will provide Prepa Tec HS financial assistance to cover costs during the initial operational years of "slow growth" at Prepa Tec HS. This is common for multi-school Charter Management Organizations (CMOs) like APS. APS' interschool transfer and loan policy was included as part of the original charter, and is provided as Tab 14. Through careful planning, fiscal awareness and stewardship of resources, it is common under the "slow growth" model for a new school to reach self-sustainability, or the "break even" point, in four or five years. This depends, of course, on the school's ability to increase enrollment each year as it expands its educational programs. APS has excelled at increasing enrollment at both its other schools, as charted in Figures 5 and 6 below.

Figure 5: Academia Moderna Elementary School Enrollment

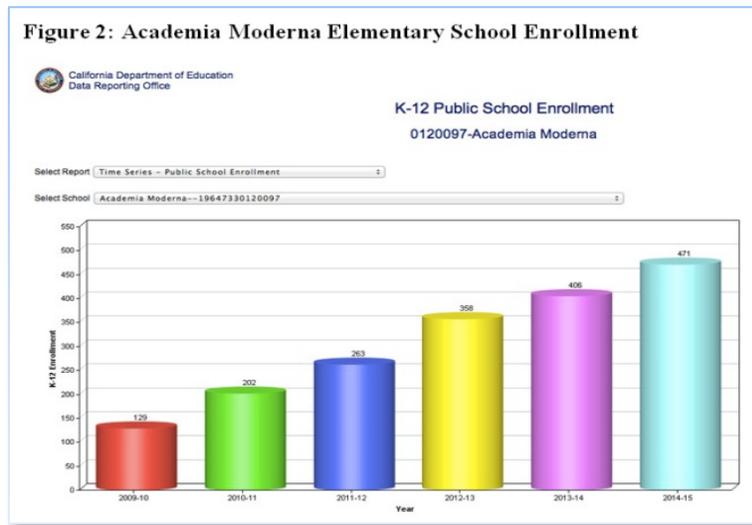
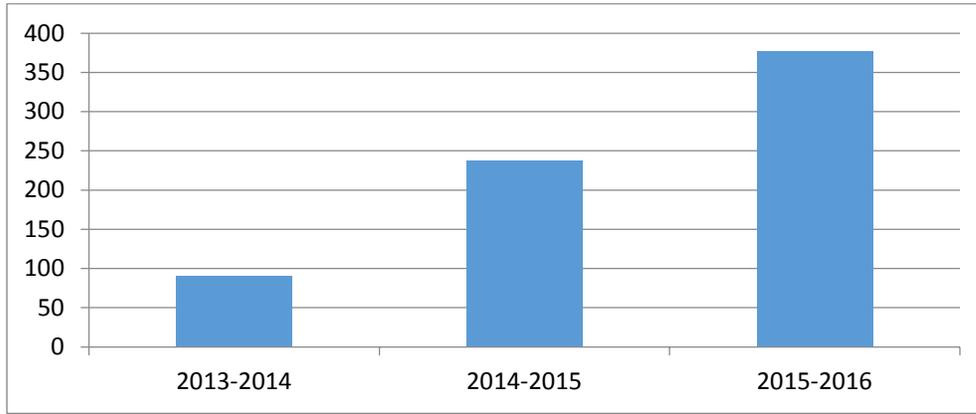


Figure 6: Prepa Tec MS Enrollment



APS projects that Prepa Tec HS will reach financial self-sustainability during its second year in operations. Based on matriculation from our middle school, our experience and success in charter school recruiting, and the patent need in our community for a quality, small high school, we will be able to increase enrollment at least as rapidly as we have budgeted for. The multi-year financial budget for Prepa Tec HS (updated to reflect changes in state funding since original charter submission) is provided as Tab 7. It shows a positive year-end cash balance with a 5% cash reserve by June 30, 2018.

Academia Moderna is financially self-sustaining with positive year-end cash balances projected for each of the next five fiscal years. As planned, Prepa Tec MS has been supported by APS during its initial startup years, but the school is projected to be financially self-sustaining in this 2015-16 fiscal year—ahead of schedule under the APS “slow growth” model. This has placed APS, as a whole, in a strong financial position with year-end aggregated total net assets (for both schools) of \$600,500 for the 2013-14 fiscal year, and \$813,069 for 2014-15. The APS 2013-14 consolidated financial audit was part of the charter submission and is included as Tab 11. The multi-year financial budgets (updated to reflect changes in state funding since original charter submission) of Academia Moderna and Prepa Tec MS are provided as Tabs 12 and Tab 13, respectively.

Because APS and its leaders have a history of success in education, are familiar with the legal requirements for charter petitions and charter school operations, and because APS has presented realistic financial and operational plans for Prepa Tec HS based on its experience operating two other charter schools, APS is likely to successfully implement the Prepa Tec HS educational program.

E. The Prepa Tec HS charter as submitted to LAUSD provides a *comprehensive description of the school's educational program and all 16 required elements* of a charter petition.

The Prepa Tec HS charter provides reasonably comprehensive descriptions of the sixteen charter elements set forth in Education Code Section 47605(b)(5). A charter is “reasonably comprehensive” when it is “substantive,” includes “essentially all aspects of the elements,” is “specific to the charter petition being proposed,” and describes how the school will provide and improve learning, hold itself accountable, and compete with other public schools. (5 CCR § 11967.5.1(f).) The Prepa Tec HS charter does all these things. Further, APS is amenable to technical amendments of the Prepa Tec HS charter as may be recommended by CDE staff. Please see, also, Charter Petitioner's Response to Los Angeles Unified School District (“LAUSD”) Board of Education Findings for Denial (Tab 3), and Charter Petitioner's Response to Los Angeles County Board of Education (“LACBOE”) Findings for Denial (Tab 5).

F. The Prepa Tec HS charter states *measurable pupil outcomes and annual goals* to be achieved in the eight state priorities.

The Prepa Tec HS charter states *measurable pupil outcomes and annual goals* to be achieved in the eight state priorities. The charter provides specific annual actions to achieve these goals, as well as methods to measure outcomes and pupil progress, both school-wide and by subgroups, as outlined in the submitted Prepa Tec HS Charter Petition.

Prepa Tec HS acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School shall annually submit a Local Control and Accountability Plan (LCAP) or LCAP update, as appropriate, before July 1. In accordance with Ed. Code sections 47604.33 and 47606.5, Prepa Tec HS shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Ed. Code section 47605(b)(5)(A)(ii), using the LCAP template adopted by the State Board of Education, as it may be changed from time to time. Prepa Tec HS shall comply with all requirements of Ed. Code section 47606.5, including but not limited to the requirement that Charter School "shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update." Ed. Code § 47606.5(e).

G. LAUSD and the County Board **BOTH** Erred in Denying the Prepa Tec HS Charter Petition.

LAUSD and the County Board both erred in the denial of the Prepa Tec HS charter petition. We believe it is important to stress that the law requires the State to review the Prepa Tec HS charter *de novo*. (5 CCR § 11967(f) and 11967.5; Ed. Code, § 47605(b).) However, we understand that as part of the CDE's review of the charter on appeal, the CDE will consider LAUSD's and the County Board's findings. ***The LAUSD and County Board findings are not supported by the charter and evidence in the record.*** Therefore, APS has prepared a line-by-line response to each finding by LAUSD and the County Board for the CDE to consider in its review of the charter.

Our response to each finding by LAUSD is included as Tab 3. Our response to each finding by the County Board is included as Tab 5.

CONCLUSION: by approving the Prepa Tec HS charter petition, the state will improve the educational opportunities of students who reside in Southeast Los Angeles, and who need better educational choices.

The Prepa Tec HS charter exceeds the minimum standards for approval under the law. Approval of this charter will enable us to provide an academically rigorous, small, globally focused high school for families who reside in predominately Latino, disadvantaged neighborhoods in Southeast Los Angeles. APS already enjoys a solid, positive reputation in these communities, and many students and families have been asking for our high school. This charter provides a sound educational program, based on the renowned International Baccalaureate philosophy and teaching methods, to prepare Prepa Tec HS students for success in college and in life.

We respectfully request, therefore, that the CDE staff recommend approval of, and that the SBE approve, the Prepa Tec HS charter.

Thank you for your consideration. We look forward to a long and productive relationship with the CDE. We are eager to discuss any issues, other questions or concerns from CDE staff and the members of the State Board of Education.

Sincerely,

A handwritten signature in black ink, appearing to read 'Xavier Reyes', with a long horizontal stroke extending to the left.

Xavier Reyes,
Lead Petitioner, Prepa Tec High School
Founder and CEO, Alta Public Schools

Enclosures

cc: Members, State Board of Education

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
Governing Board of the Los Angeles Unified School District

REGULAR MEETING MINUTES
333 South Beaudry Avenue, Board Room
1:00 p.m., Tuesday, March 10, 2015

The Board of Education of the City of Los Angeles, acting as the Governing Board of the Los Angeles Unified School District, met in regular session on Tuesday, March 10, 2015, at the Los Angeles City Board of Education Administrative Offices, Board Room, 333 South Beaudry Avenue, Los Angeles, California.

Dr. Vladovic called the meeting to order at 1:21 p.m.

The following Board Members were present: Ms. Tamar Galatzan, Mr. Bennett Kayser, Dr. George McKenna, III, Ms. Mónica Ratliff, Mr. Steve Zimmer, and Board President Richard Vladovic. Ms. Mónica García arrived at 1:25 p.m.

Superintendent Ramon Cortines was present.

BOARD PRESIDENT'S REPORTS

RECOGNITION OF CALIFORNIA TEACHER OF THE YEAR,
LOVELYN MARQUEZ-PRUEHER

Dr. Vladovic presented Ms. Lovelyn Marquez-Prueher a Certificate of Recognition in honor of her being named as one of the five 2015 California Teachers of the Year. Ms. Marquez-Prueher is an eighth grade teacher at Dodson Middle School.

Ms. Marquez-Prueher thanked the Board for the recognition.

RECOGNITION OF CARLSTON FAMILY FOUNDATION
OUTSTANDING TEACHERS OF AMERICA AWARD,
KARIN BRUHNKE

Dr. Vladovic presented Ms. Bruhnke a Certificate of Recognition in honor of her being named as one of the five 2014 Carlston Family Foundation Outstanding Teachers of America. Ms. Bruhnke is a teacher at San Pedro High School.

Ms. Bruhnke thanked the Board for the recognition.

Mr. Tim Allen, Carlston Family Foundation, spoke briefly about the foundation and its activities.

Dr. Vladovic passed the gavel to Mr. Zimmer and left the room.

RECOGNITION OF HON. ABBE LAND, WEST HOLLYWOOD CITY COUNCIL

Mr. Zimmer presented Hon. Abbe Land a Certificate of Recognition in honor of her work in the City of West Hollywood. Ms. Land served on the West Hollywood City Council for over 20 years, and served 5 terms as the city's mayor.

Ms. Land thanked the Board for the recognition.

- - -
Dr. Vladovic assumed the Chair.
- - -

COMMITTEE REPORTS

Ms. García briefly reviewed highlights of the Successful School Climate: Progressive Discipline and Safety Committee meeting, which highlighted the success the District is seeing in its restorative justice work which is being led by Ms. Michelle King, Chief Deputy Superintendent, and Chief Steven Zipperman, Los Angeles School Police.

Ms. Ratliff stated that the past Curriculum, Instruction and Assessment Committee meeting focused on choices and autonomies in terms of curriculum. Topics of discussion included curriculum frameworks, textbook adoption, and school libraries.

Mr. Zimmer thanked Mr. Edgar Zazueta, Chief of External Affairs, Dr. Kimberly Uyeda, Director of Student Medical Services, and Ms. Tonya Ross, RN, Director of Nursing Services, for their presentations at the last Committee of the Whole meeting.

LABOR PARTNERS

Mr. Alex Caputo-Pearl, President, United Teachers Los Angeles (UTLA), provided an update on the Schools LA Students Deserve campaign. He also addressed the potential reduction in force for certificated employees.

Mr. John Hanna, Southwest Regional Council of Carpenters, discussed the benefits provided to the District by the work of the union members.

Mr. Antonio Sanchez, Los Angeles and Orange Counties Building Trades Council, thanked the District for the recently agreed on labor contract.

SUPERINTENDENT'S REPORT

SMARTER BALANCED ASSESSMENT CONSORTIUM TESTING READINESS UPDATE

Dr. Cynthia Lim, Executive Director, Office of Data and Accountability, updated the Board on the District-wide readiness test for the Smarter Balanced testing that was conducted on February 19, 2015. Every school was asked to take a practice test on the system at the same time in order to place maximum stress on the infrastructure and identify any issues and problem areas. Schools experienced problems with www.lausd.net and the California Department of Education (CDE) site was overloaded causing

schools not to be able to access the practice test. Participants were asked to complete a survey and identify issues. Corrections and updates were made by the District and the CDE.

Dr. Lim, Superintendent Cortines, and Mr. Shahryar Khazei, Deputy Chief Information Officer, responded to questions from Board Members regarding the impact on students' ability to complete testing, testing devices, real time troubleshooting, status of request to the State to not count scores, infrastructure, and keyboarding practice.

CONSENT ITEMS

Items for action below to be adopted by a single vote:

NEW BUSINESS FOR ACTION:

BOARD OF EDUCATION REPORT NO. 361-14/15
Procurement Actions

BOARD OF EDUCATION REPORT NO. 369-14/15
Routine Personnel Actions

BOARD OF EDUCATION REPORT NO. 370-14/15
Nonroutine Personnel Actions

BOARD OF EDUCATION REPORT NO. 397-14/15
Report of Cash Disbursements, Request to Reissue Expired Warrants, Reimbursement of the Controller's Revolving Cash Fund, and Donations of Money

BOARD OF EDUCATION REPORT NO. 365-14/15
Facilities Services Division Contract Actions

BOARD OF EDUCATION REPORT NO. 374-14/15
Amendment to the Facilities Services Division Strategic Execution Plan to Define and Approve Four Sustainable Environment Enhancement Developments for Schools (SEEDS) Projects

BOARD OF EDUCATION REPORT NO. 375-14/15
Amendment to the Facilities Services Division Strategic Execution Plan to Approve an Increase to the Charter Augmentation Grant for the Accelerated Charter Elementary School Project

BOARD OF EDUCATION REPORT NO. 376-14/15
Amendment to the Facilities Services Division Strategic Execution Plan to Define and Approve Three Projects that Address Critical Repair Needs

BOARD OF EDUCATION REPORT NO. 377-14/15
Amendment to the Facilities Services Division Strategic Execution Plan to Approve \$30 Million of Energy Efficient Lighting Upgrades

BOARD OF EDUCATION REPORT NO. 381-14/15
Ratification of Real Estate Leases, Licenses, and Other Agreements or Instruments That are Necessary or Incidental for the Use of Real Property

BOARD OF EDUCATION REPORT NO. 385-14/15
Amendment to the Information Technology Division Strategic Execution Plan to
Revise and Approve the Budget and Schedule for the Marlton School
Information Technology Network Modernization Plan

BOARD OF EDUCATION REPORT NO. 287-14/15
Denial of the Charter Petition for Prepa Tec Los Angeles High School

Mr. Jefferson Crain, Executive Officer of the Board, made the following statement:

Before action is taken on the following reports, a public hearing must be held:

- Board Report No. 287 – 14/15, Denial of the Charter Petition for Prepa Tec Los Angeles High School
- Board Report No. 289-14/15, Renewal of the Charter for Ararat Charter School
- Board Report No. 336-14/15, Renewal of the Charter for Los Angeles Academy of Arts and Enterprise

This constitutes a public hearing on the reports, and a maximum of 12 individuals who wish to address the Board on these items will be heard. Those who wish to speak should sign-up in the rear of the Board Room. Speakers will be called by name.

The Board will be taking action on these reports. Petitions denied may be submitted directly to the Los Angeles County Office of Education or directly to the State for action.

BOARD OF EDUCATION REPORT NO. 289-14/15
Renewal of the Charter for Ararat Charter School

BOARD OF EDUCATION REPORT NO. 387-14/15
Material Revision of the Charter for City Charter High School to Modify
Admissions Preferences and Element 10 Provisions

BOARD OF EDUCATION REPORT NO. 388-14/15
Material Revision of the Charter for City Language Immersion Charter to Modify Admissions
Preferences and Element 10 Provisions

BOARD OF EDUCATION REPORT NO. 354-14/15
Naming of Christa McAuliffe Early Education Center

BOARD OF EDUCATION REPORT NO. 393-14/15
Approval of the Santa Monica College California Career Pathways Trust Grant Application to the
California Department of Education

BOARD OF EDUCATION REPORT NO. 394-14/15
Approval of the Youth Policy Institute California Career Pathways Trust Grant Application to the
California Department of Education

BOARD OF EDUCATION REPORT NO. 395-14/15

Approval of the Collaboration Resulting in Educator Applying Technology Effectively (CREATE)
Proposal for the USDOE i3 Development Grant

BOARD OF EDUCATION REPORT NO. 396-14/15

Approval of the Literacy Design Collaborative Proposal through the USDOE i3 Validation Grant

BOARD OF EDUCATION REPORT NO. 405-14/15

Approval of Tobacco Use and Prevention Education Grant Application

BOARD MEMBER RESOLUTIONS FOR ACTION:

Ms. García, Ms. Ratliff, Dr. McKenna - Celebrating Leadership and Honoring the Legacy of Cesar E. Chavez (Res-049-14/15)

Whereas, A passionate advocate for social justice and civil rights for the poor and disenfranchised, Cesar E. Chavez is a true American hero;

Whereas, In 1962 Cesar E. Chavez co-founded the United Farm Workers Union to address the poor treatment of workers in the fields, and sought to empower them by organizing the first union to acquire labor contracts for farm workers;

Whereas, Cesar E. Chavez changed national attitudes of workers in the fields and integrated the La Causa slogan, "Sí Se Puede" into the fight for civil rights and justice for all people of color;

Whereas, In his 2008 campaign for President of the United States, then Senator Barack Obama's campaign slogan, "Yes, We Can" the English translation of the La Causa slogan, channeled the hopes, dreams, and struggle for equality;

Whereas, For more than three decades, Cesar E. Chavez led this groundbreaking organization by effecting social change through peaceful tactics such as fasts, boycotts, strikes, and pilgrimages; his union's efforts influenced and inspired millions of Americans, forging a diverse national coalition of students, middle-class consumers, religious groups, and minorities in a hard-won struggle to achieve fair wages, medical coverage, pension benefits, humane living conditions, and perhaps most important, dignity and respect for the hundreds of thousands of farmworkers across the country;

Whereas, Cesar E. Chavez espoused the "Education of the Heart" for all students because he believed that it is not enough to teach our young people to be successful, to seek achievement, and to make progress as individuals while forgetting about progress and prosperity for their community, and while leaving friends and neighbors behind; he believed that our ambitions must be broad enough to include the aspirations and needs of others;

Whereas, In 2000, the California Legislature established March 31st as Cesar E. Chavez Day, a statewide holiday in recognition of the life of this outstanding Mexican-American labor leader and the contributions he has made to the State of California; the anniversary of his birth on March 31, 2015, provides a fitting opportunity to remember and honor his many contributions; and

Whereas, In California, the Cesar Chavez Day of Service and Learning was created for public school children to promote service to the communities of California in honor of the life and work of Cesar Chavez; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District celebrates March 31st as Cesar E. Chavez Day to honor his legacy and urges President Obama to declare March 31, 2015 as a National Day of Service; and, be it finally

Resolved, That the Superintendent encourages students, staff, school administrators, teachers, and community members to implement service-learning projects based on his life, work, and values, and realize the full intent of the State-established Cesar Chavez Day of Service and Learning.

Ms. García, Mr. Zimmer, Ms. Galatzan - Celebrating March as Women's History Month (Res-050-14/15)

Whereas, The Los Angeles Unified School District is committed to a goal of a 100% graduation rate for all students, regardless of their race, gender, or socioeconomic background;

Whereas, The contributions of women have been publicly celebrated in the United States since 1980, as a result of the advocacy of the National Women's History Project;

Whereas, Children, as well as adults, have been inspired by the accomplishments of countless women;

Whereas, Women have made significant and indispensable contributions to all aspects of society, including education, science, medicine, government, welfare, and the arts;

Whereas, Women serve our country at every level of government, from the military to the Supreme Court;

Whereas, The contributions of well-known women are highlighted in literature, music, and film;

Whereas, Each day, lesser-known women work steadfastly for the betterment of family, society, and humanity;

Whereas, To create a more fair and just society, women of every race, class, and ethnic background have been leaders in every major progressive social movement, including the abolitionist movement, the emancipation movement, the suffrage movement, the industrial labor movement, the civil rights movement, and the environmental movement;

Whereas, Despite these invaluable contributions and increasing recognition, the role of women in society has been consistently overlooked and undervalued in the teaching and study of history; and

Whereas, Additional education is needed in order to increase the people's knowledge of the contributions of women to the development of society; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District celebrates March as Women's History Month; and, be it finally

Resolved, That the Superintendent work with all schools to encourage students to learn more about the contributions and achievements of women and the opportunities available to them.

Ms. García, Mr. Zimmer, Ms. Galatzan - Celebrating March as School Social Worker Month (Res-051-14/15)

Whereas, For more than 80 years the Los Angeles Unified School District has been a national leader in investing in social work services in order to achieve its goals of 100% graduation, proficiency for all, 100% attendance, parent/community engagement and school safety school;

Whereas, March is National School Social Work Month, which aims to honor the work of school social workers who have been providing a critical link between school, home, and community for over a hundred years;

Whereas, The mission of Pupil Services is to ensure that all LAUSD students are enrolled, attending, engaged and on-track to graduate. Pupil Services and Attendance (PSA) Counselors are child welfare advocates who utilize a three-tiered model (prevention, early intervention, and intensive intervention) to improve individual and system-wide student attendance, engagement, achievement, and graduation;

Whereas, Over 400 LAUSD social workers and counselors that serve as PSA Counselors work directly with students who experience difficulties in achieving their academic potential due to social/emotional, home, and school/community barriers. PSA Counselors in specialized programs provide additional support services that are needed by the specific populations they serve;

Whereas, The school social work profession has consistently focused on coordinating the efforts of schools, families, and communities toward helping students improve their academic achievement and social, emotional, and behavioral competence by using its unique perspective of viewing the person in his or her environment;

Whereas, Within the District and beyond, an overwhelming number of students come to school every day with a myriad of adversities and mental health problems that compromise their ability to learn and achieve academically;

Whereas, In California, three out of four children with mental health needs do not receive treatment, despite having healthcare coverage;

Whereas, More than 25% of American youth experience a serious traumatic event by their 16th birthday, and many children suffer multiple and repeated traumas including abuse, maltreatment and neglect, traumatic loss, serious accidental injury, experiencing or witnessing violence in neighborhoods, schools and homes, treatment for life threatening illness, accidents and fire disasters, and terrorism;

Whereas, School social workers understand the interconnection between family, cultural, and community factors as social issues such as poverty, trauma, community and interpersonal violence, and substance abuse impact the safety and academic achievement of students;

Whereas, School social work practice is essential to the schools' mission and includes activities such as assessment, crisis intervention, home visits, conflict resolution, individual, group, and family counseling, parent education, staff consultation and training, program development, and coordination and linking of school and community services; and

Whereas, There are 290 full time employee (FTE) school social workers employed by the District's School Mental Health Unit and other programs to support the academic mission by providing services which strengthen home/school/community partnerships and are an integral education team member as they prevent, screen and treat; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District declares March as School Social Worker Month and expresses appreciation to each social work professional for their service and leadership.

RESOLUTIONS REQUESTED BY THE SUPERINTENDENT:

Reappointment of Members to the School Construction Bond Citizens' Oversight Committee (Sup Res004)

Resolved, That the Governing Board of the Los Angeles Unified School District ratifies the reappointment of Mr. Stephen R. English, representing the Los Angeles City Controller's Office, as Member to the School Construction Bond Citizens' Oversight Committee for a two-year term commencing April 6, 2015 and determines that Mr. English is not an employee, official, vendor, contractor, or consultant of the District; and, be it finally

Resolved, That the Governing Board of the Los Angeles Unified School District ratifies the reappointment of Ms. Pamela S. Schmidt, representing an early education coalition comprised of the California Community Foundation, Los Angeles Universal Preschool, Preschool California, and Public Counsel Law Center, as Member to the School Construction Bond Citizens' Oversight Committee for a two-year term commencing April 13, 2015 and determines that Ms. Schmidt is not an employee, official, vendor, contractor, or consultant of the District.

CORRESPONDENCE AND PETITIONS

Report of Correspondence (0080-14/15)

APPROVAL OF MINUTES:

10 a.m., Regular Board Meeting, April 8, 2014 (0084-14/15)
10 a.m., Regular Closed Session Meeting, February 10, 2015
1 p.m., Regular Board Meeting, February 10, 2015

Remarks were heard from Board Members.

Mr. Gerardo Loera, Chief Academic Officer, responded to questions from Board Members regarding technology devices.

Ms. Galatzan moved that the Consent Items be adopted. Mr. Zimmer seconded the motion. On roll call vote, the Consent Items were adopted, 7 ayes, with Mr. Kayser recording no votes on Board of Education Report No. 387-14/15, Material Revision of the Charter for City Charter High School to Modify Admissions Preferences and Element 10 Provisions and Board of Education Report No. 388-14/15, Material Revision of the Charter for City Language Immersion Charter to Modify Admissions Preferences and Element 10 Provisions; and Ms. Ratliff recording a no vote on Contract No. 4400003078-1, Carskadon Associates, of Board of Education Report No. 361-14/15, Procurement Actions, and abstaining on Board of Education Report No. 375-14/15, Amendment to the Facilities Services Division Strategic Execution Plan to Approve an Increase to the Charter Augmentation Grant for the Accelerated Charter Elementary School Project.

OLD BUSINESS FOR ACTION

BOARD OF EDUCATION REPORT NO. 244-14/15
Charter for Valor Academy Elementary School

This item was postponed to the Regular Board meeting of April 14, 2015.

BOARD OF EDUCATION REVISED REPORT NO. 353-14/15
Adoption of the Instructional Calendars for the 2015-2016 School Year

Ms. Ratliff moved that the report be adopted. Mr. Kayser seconded the motion.

Remarks were heard from Board Members.

The following speaker addressed the Board:

Ms. Morina Lichstein, Parent

Board Member remarks continued.

After discussion and on roll call vote, the report was adopted, 5 ayes, 1 no, Dr. Vladovic. Ms. García was absent.

Later in the meeting, Ms. García recorded an aye vote on the report.

NEW BUSINESS FOR ACTION

BOARD OF EDUCATION REVISED REPORT NO. 402-14/15
2014-15 Second Interim Report and Multi-Year Projections and
Fiscal Stabilization Plan for Fiscal Year 2015-16

The following speaker addressed the Board:

Mr. Matthew Kogan, UTLA

Ms. Donna Brashear, Executive Director, Adult and Career Education, and Superintendent Cortines responded to questions from Board Members regarding the Adults with Disabilities program.

Ms. Megan Reilly, Chief Financial Officer, provided a detailed report on the 2014-15 budget overview and Second Interim Financial Report. She began the presentation with a review of factors that have contributed to the District's structural deficit, including declining enrollment, special education costs and the use of one-time fixes and reserve funds for ongoing needs.

Superintendent Cortines and Ms. Reilly responded to questions from Board Members regarding reductions and cuts in other school districts, furlough days, declining enrollment, and special education rates.

Ms. Reilly stated that the District's estimated deficit for 2015-16 was over \$300 million. After the Governor's January proposed budget, the estimated deficit was lowered to under \$100 million.

The Second Interim Financial Report estimates the District's ending balance at approximately \$45 million, which is an increase of more than \$40 million from the First Interim Financial Report. Ms. Reilly discussed the components of ending and assigned balances.

Superintendent Cortines and Ms. Reilly responded to questions from Board Members regarding the use of one-time funds, professional development, retirement costs, special education costs, graduation cap and gowns, and Third Interim Financial Report.

Ms. Reilly reviewed liabilities for the coming years.

Superintendent Cortines responded to questions from Board Members regarding pension costs.

Ms. Reilly discussed next steps, strategies presented in the District's 2015-16 Fiscal Stabilization Plan, the District's multi-year outlook, and timelines.

Remarks were heard from Board Members.

Ms. Reilly, Superintendent Cortines, Ms. Maureen Diekmann, Executive Director, Early Childhood Education Division, Mr. Edgar Zazueta, Chief of External Affairs, responded to questions from Board Members regarding health benefits, early education programs, transitional kindergarten, and strategies to increase enrollment.

Ms. Ratliff moved that the report be adopted. Mr. Zimmer seconded the motion. On roll call vote, the report was unanimously adopted.

Dr. Vladovic modified the Order of Business.

BOARD OF EDUCATION REPORT NO. 336-14/15
Renewal of the Charter for Los Angeles Academy of Arts and Enterprise

Ms. García moved that the report be adopted. Mr. Zimmer seconded the motion.

The following speakers addressed the Board:

Mr. David Calvo, Principal
Ms. Yolanda Jimenez, Assistant Principal
Mr. Jonathan Cano, Student
Mr. Kevin Gonzalez, Student
Ms. Chasidy Acevedo, Student
Ms. Desiree Dailo, Student
Mr. Moctesuma Esparza, Board Chair
Ms. Christy Acevedo, Student
Mr. Juan Espinoza, Student
Ms. Nicole Arriaga, Student
Ms. Ana Grajeda, Parent Coordinator
Ms. Nikki Revell, Teacher

Mr. Jose Cole-Gutierrez, Director, Charter Schools Division, and Dr. Robert Perry, Administrative Coordinator, Charter Schools Division, responded to questions from Board Members regarding suspension rates, students that left the school, and staffing changes.

After discussion and on roll call vote, the report was adopted, 5 ayes, 2 noes, Mr. Kayser and Ms. Ratliff.

BOARD OF EDUCATION REPORT NO. 386-14/15
Material Revision of the Charter for City Charter Middle School to
Modify Admissions Preferences and Element 10 Provisions

Ms. Galatzan moved that the report be adopted. Ms. García seconded the motion.

The following speaker addressed the Board:

Ms. Valerie Braimah, Executive Director

Mr. Cole-Gutierrez and Mr. David Holmquist, General Counsel, responded to questions from Board Members regarding admissions preferences, lotteries, school diversity, and material revisions.

Mr. Zimmer moved that the report be amended to revisit the approval of the material revision after one year. After discussion, the amendment was withdrawn.

After discussion and on roll call vote, the report was adopted, 5 ayes, 1 no, Mr. Kayser, 1 abstention, Mr. Zimmer.

Dr. Vladovic resumed the Order of Business.

BOARD OF EDUCATION REVISED REPORT NO. 371-14/15
Reduction in Force Notices to Certificated and Management Employees

Ms. García moved that the report be adopted. Ms. Ratliff seconded the motion. On roll call vote, the

report was adopted, 5 ayes, 2 noes, Mr. Kayser and Dr. Vladovic.

BOARD OF EDUCATION REPORT NO. 373-14/15

Identification of 11 School Sites for the Development of Comprehensive Modernization Projects

Ms. Galatzan moved that the report be adopted. Ms. García seconded the motion.

Remarks were heard from Board Members.

The item be held until further information can be provided.

Later in the meeting, on roll call vote, the report was unanimously adopted.

BOARD OF EDUCATION REPORT NO. 227-14/15

Denial of the Charter School Conversion Petition for Canoga Park High School

This item was withdrawn.

BOARD MEMBER RESOLUTIONS FOR ACTION

The following resolution, Close the Commercial Property Loophole (Res-027-14/15), was postponed to the Regular Board meeting of April 14, 2015:

Whereas, Voters in the state of California approved Proposition 13 in 1978;

Whereas, Proposition 13 created limits on the property taxes paid by residential and commercial properties;

Whereas, Residential and commercial property values in California are reassessed upon change of ownership;

Whereas, On average, California residential property changes hands every 10 years, while change of ownership for commercial property is far more complicated and therefore generates reassessments less often;

Whereas, Commercial property owners are able to avoid reassessment of their property by limiting the portion of ownership that changes hands to ensure that no single party owns more than 50 percent;

Whereas, Property taxes represent the single largest source of funding for public schools;

Whereas, Proposition 13 resulted in a 53 percent drop in property tax collections and through subsequent legislation the State assumed a greater role in funding of schools;

Whereas, Since the State of California has assumed a greater role in the funding of public schools, per-pupil support has declined from the top 10 in the nation to the bottom 10;

Whereas, Proposition 13 is anti-competitive in that new entrepreneurs and businesses must pay fair market value for their property, while commercial property owners who have owned their property for a longer time pay disproportionately lower property tax rates;

Whereas, California's schools enroll the largest share of English learners (ELs) in the US, and has a larger percentage of students from low-income families than does the rest of the US;

Whereas, Research shows that ELs and students from low-income families cost more to educate;

Whereas, California spends far less per student than do states – such as Illinois and New York - that have smaller percentages of both ELs and economically disadvantaged students;

Whereas, Among states, California ranks 51st in the number of students per teacher, 51st in the number of students per guidance counselor, 51st in the number of students per librarian, and 48th nationally in the number of students per administrator;

Whereas, Public schools in California face challenges in providing an equitable and fair education for a student population with vast differences in language, poverty, parental education level, and other social, educational and economic factors; and

Whereas, Regularly reassessing non-residential property would, according to an analysis of data provided by the California Board of Equalization, generate at least \$6 billion in additional revenue for public schools and other public services; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District supports efforts to modify how the value of commercial properties in California are reassessed to allow for more regular and fair commercial property value reassessment while maintaining Proposition 13 protections for residential properties and small businesses;

Resolved further, That tax revenues generated by modernizing how commercial property is reassessed benefit local schools and essential social services, and, be it finally

Resolved, That the Los Angeles Unified School District supports this effort and will communicate this position to local elected officials including members of the Los Angeles Board of Supervisors, the Los Angeles City Council, as well as Senators, and Assembly members.

Ms. García moved the following resolution, Embracing Best Practices: Requirement for Independent Third Party Oversight Services for Major Project Implementations (Res-052-14/15):

Whereas, The Los Angeles Unified School District is charged to do everything in its power to reach 100% graduation and implements a large volume of projects each year that require substantial District resources and impact our students, parents, teachers, administrators, and support staff;

Whereas, Oversight by an independent third party provides services to evaluate and monitor the progress of the projects and to verify and validate compliance with the intended business outcome, the project schedule, risk, budget and readiness;

Whereas, Major unsuccessful projects cause great harm to our system and major projects have not consistently utilized independent third party oversight;

Whereas, The Legacy Replacement Project (LRP) to replace the District's legacy financial and procurement system was successfully implemented as scheduled and within budget with independent third party oversight;

Whereas, Despite the increase in the project budget to include independent third party oversight, the value of the services will be cost effective and prevent massive disruption from absence of successful implementation; and

Whereas, Third party oversight will support risk identification and management, as well as increase transparency and accountability in project implementation; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District supports efforts to ensure the successful implementation of projects across the District; and, be it finally

Resolved, That the Board directs the Superintendent to institute a policy to include independent third party oversight for all major projects to increase the likelihood of successful implementation, in order to efficiently manage District resources and to provide the best product to our students, parents, teachers, administrators, and support staff.

Ms. Galatzan seconded the motion.

The following speaker addressed the Board:

Mr. Scott Folsom, School Construction Bond Citizens' Oversight Committee

Ms. Galatzan moved that the following amendments to the Resolved section:

Resolved, That the Governing Board of the Los Angeles Unified School District supports efforts to ensure the successful implementation of projects across the District; ~~and, be it finally~~

Resolved, That the Board directs the Superintendent to institute a policy to include independent third party oversight ~~for all major of information technology projects; to increase the likelihood of successful implementation, in order to efficiently manage District resources and to provide the best product to our students, parents, teachers, administrators, and support staff.~~ that the review be ordered unless the Superintendent determines it is not warranted because of the cost and lack of complexity of the project; that the cost of the oversight work be factored into the overall cost of the project; and, be it finally

Resolved, That the oversight provider be required to submit a written report of its findings and recommendations to the Board.

With the consent of the resolution's mover and seconder, the amendments were accepted as friendly. Remarks were heard from Board Members.

Mr. Zimmer moved that the resolution be amended to direct the Office of the Inspector General to provide oversight. Mr. Kayser seconded the motion.

Mr. Kenneth Bramlett, Inspector General, and Superintendent Cortines responded to questions from Board Members regarding contract employees and expertise.

After discussion, Mr. Zimmer's motion to amend the resolution was withdrawn.

On roll call vote, the resolution was unanimously adopted as amended.

The final version of the resolution reads as follows:

Whereas, The Los Angeles Unified School District is charged to do everything in its power to reach 100% graduation and implements a large volume of projects each year that require substantial District resources and impact our students, parents, teachers, administrators, and support staff;

Whereas, Oversight by an independent third party provides services to evaluate and monitor the progress of the projects and to verify and validate compliance with the intended business outcome, the project schedule, risk, budget and readiness;

Whereas, Major unsuccessful projects cause great harm to our system and major projects have not consistently utilized independent third party oversight;

Whereas, The Legacy Replacement Project (LRP) to replace the District's legacy financial and procurement system was successfully implemented as scheduled and within budget with independent third party oversight;

Whereas, Despite the increase in the project budget to include independent third party oversight, the value of the services will be cost effective and prevent massive disruption from absence of successful implementation; and

Whereas, Third party oversight will support risk identification and management, as well as increase transparency and accountability in project implementation; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District supports efforts to ensure the successful implementation of projects across the District;

Resolved, That the Board directs the Superintendent to institute a policy to include independent third party oversight of information technology projects; that the review be ordered unless the Superintendent determines it is not warranted because of the cost and lack of complexity of the project; that the cost of the oversight work be factored into the overall cost of the project; and, be it finally

Resolved, That the oversight provider be required to submit a written report of its findings and recommendations to the Board.

The following resolution, Encourage LAUSD Participation in the PulsePoint Application to Save Lives (Res-053-14/15), was postponed to the Regular Board meeting of April 14, 2015:

Whereas, The Los Angeles County Fire Department and the Los Angeles Fire Department have announced their participation in the PulsePoint Application (PulsePoint App), a smart phone

application designed explicitly to save lives by connecting persons experiencing Sudden Cardiac Arrest (SCA) in a public place with Cardiopulmonary Resuscitation (CPR)-trained individuals who are within a one-quarter mile radius;

Whereas, To be most effective in saving as many lives as possible and improving the chances for survival for victims of SCA, it is imperative to increase the number of CPR-trained registrants in the PulsePoint App;

Whereas, SCA is a leading cause of death in the United States, accounting for an estimated 325,000 deaths each year (which is approximately 1,000 people a day or one person every two minutes);

Whereas, Eighty percent of out-of-hospital cardiac arrests happen at home or within private settings, and survival rates nationally for SCA are less than 8 percent.

Whereas, Delivery of CPR is lifesaving first aid, and can sustain life until emergency responders arrive by helping to maintain vital blood flow to the heart and brain;

Whereas, In April 2008, the American Heart Association revised its recommendations and encouraged bystanders to use Hands-Only CPR as an alternative to the combined rescue breathing and chest compression method. It is believed that this change will significantly increase the willingness of bystanders to perform CPR, and if administered immediately, can double or triple a cardiac arrest victim's chance of survival;

Whereas, The PulsePoint App will alert registered CPR-trained individuals and off-duty first responders, at the same time emergency responders are notified, that there is a cardiac arrest victim in his/her proximity in a public place. The application uses sophisticated location-based services to alert trained citizens in the immediate vicinity of the need for CPR;

Whereas, The PulsePoint App also directs these citizen rescuers to the exact location of the closest public access Automated External Defibrillator (AED). An individual is able to report and update AED locations using the PulsePoint AED Application (PulsePoint AED App). As a result, emergency responders trained in CPR and off-duty professionals, such as firefighters, police officers, and nurses, will be able to locate the AED closest to them when a cardiac emergency occurs;

Whereas, Marketing and outreach activities are handled by PulsePoint, a 501(c)(3) non-profit, foundation whose mission is to improve communication with local public safety agencies and empower CPR-trained individuals to use their skills in aiding someone with SCA and reduce millions of annual deaths;

Whereas, Downloading both the PulsePoint App and the PulsePoint AED App offer the potential of saving thousands of lives within and beyond the boundaries of the Los Angeles Unified School District; and

Whereas, The PulsePoint App currently provides coverage for hundreds of cities and communities in other states and countries, including Arizona, South Dakota, Oregon, Ohio, Florida, New York, and Australia; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District urges all District employees, students, and their families to be prepared to respond during a cardiac, breathing, or first aid emergency by receiving appropriate training and certification in First Aid, CPR and AED;

Resolved further, That the Board directs the Superintendent to disseminate and make available information about the PulsePoint Respond and AED applications to District employees, students, and families; and, be it finally

Resolved, That the Board expresses its appreciation to all District employees that will voluntarily register for and utilize this new resource to help save more lives in the District.

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Dr. Vladovic modified the Order of Business.

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Ms. Galatzan moved the following amended version of the resolution, Creating a Strategic Plan for Thematic K-12 Magnet Pathways (Res-055-14/15):

Whereas, Los Angeles Unified School District's magnet program was established pursuant to a 1976 court order mandating that the District take steps to alleviate and address the Five Harms of Racial Isolation: low academic achievement, low self-esteem, lack of access to post-secondary opportunities, interracial hostility and intolerance, and overcrowded conditions;

Whereas, The District's magnet program has grown from 42 programs at 41 schools in the 1979-1980 school year to 191 programs in 167 schools in the current school year, and will add seven more programs in the 2015-2016 school year;

Whereas, There are 14 magnet themes including Business, Humanities, STEM, Gifted, Highly Gifted, High Ability, and Visual and Performing Arts;

Whereas, All District students, including English Learners, Special Education, and Gifted/Talented are encouraged to apply;

Whereas, No screening- including grades, placement tests, or auditions- may be used as criteria for admitting or eliminating students, except for Gifted, Highly Gifted, and High Ability magnets and some Performing Arts magnets;

Whereas, Each magnet's openings are determined by available space and by the need to maintain a racially balanced enrollment;

Whereas, The demand for magnet seats has strongly outweighed availability of magnet seats at many schools in the District;

Whereas, Magnet selection is determined using a priority-point system with priority points given for matriculation from one magnet program to another; placement on the waiting list; having your resident school be a predominantly Hispanic, Black, Asian, and Other Non-Anglo (PHBAO) school; having your resident school designated as overcrowded; and having a sibling already attending the same magnet school;

Whereas, Based on the number of priority points a student has accumulated, the District uses a fair and secure computerized lottery to place students in their desired magnet programs;

Whereas, LAUSD Reference Guide 6014.1 outlines “Procedures to Establish a New Magnet Program for the 2016-2017 School Year”, which involves gathering community input, holding a majority vote of existing permanent certificated staff, and completing a written application;

Whereas, Reference Guide 6014.1 does not clearly articulate the criteria for the approval of a new magnet program beyond addressing the Five Harms of Racial Isolation and completing the Application to Establish a Magnet Program;

Whereas, The District lacks a strategic long-term plan to give students thematic K-12 magnet pathways within their Educational Service Centers; now, therefore, be it

Resolved, That the Superintendent direct staff to develop a comprehensive strategic plan within 90 days that:

- Assesses current trends in magnet school enrollment, broken down according to geographic Educational Service Center, including, but not limited to:
 - The percentages of students who are accepted into their first, second, and third choices;
 - The number of students who are placed on the wait list by school name;
 - Data on how many applicants do not get in at all;
 - Data on the capacity, number of seats available, and number of applicants within each thematic pathway in elementary, middle, and secondary schools; and
 - Data reporting where students go who apply, but are not admitted to the magnet program (i.e. home schools, other District schools, independent charters, schools outside the boundaries of the District);
- Includes guidelines for long-term goals and strategies, broken down according to Educational Service Center, including:
 - Future criteria for approving new magnet applications (including, but not limited to, proximity to schools with similar programs);
 - How to develop more thematic K-12 pathways; and
 - Budgetary needs/constraints for expanding the magnet programs; ~~and, be it finally~~

Resolved further, That the Superintendent review the process to apply for the Magnet Program and Zones of Choice, and present a strategy to align application deadlines to give student applicants and their families maximum choice; and, be it finally

Resolved, That the findings of the comprehensive strategic plan for magnet schools be incorporated into future iterations of Reference Guide 6041.1.

Ms. García seconded the motion.

Remarks were heard from Board Members.

Ms. Ratliff moved that the resolution be amended to include a bullet for the data equity index and amend the final Resolved to state that the plan comes back to the Board for approval. With the consent of the resolution's mover and seconder, the amendments were accepted as friendly.

After discussion and on roll call, the resolution was unanimously adopted as amended.

The final version of the resolution reads as follows:

Whereas, Los Angeles Unified School District's magnet program was established pursuant to a 1976 court order mandating that the District take steps to alleviate and address the Five Harms of Racial Isolation: low academic achievement, low self-esteem, lack of access to post-secondary opportunities, interracial hostility and intolerance, and overcrowded conditions;

Whereas, The District's magnet program has grown from 42 programs at 41 schools in the 1979-1980 school year to 191 programs in 167 schools in the current school year, and will add seven more programs in the 2015-2016 school year;

Whereas, There are 14 magnet themes including Business, Humanities, STEM, Gifted, Highly Gifted, High Ability, and Visual and Performing Arts;

Whereas, All District students, including English Learners, Special Education, and Gifted/Talented are encouraged to apply;

Whereas, No screening- including grades, placement tests, or auditions- may be used as criteria for admitting or eliminating students, except for Gifted, Highly Gifted, and High Ability magnets and some Performing Arts magnets;

Whereas, Each magnet's openings are determined by available space and by the need to maintain a racially balanced enrollment;

Whereas, The demand for magnet seats has strongly outweighed availability of magnet seats at many schools in the District;

Whereas, Magnet selection is determined using a priority-point system with priority points given for matriculation from one magnet program to another; placement on the waiting list; having your resident school be a predominantly Hispanic, Black, Asian, and Other Non-Anglo (PHBAO) school; having your resident school designated as overcrowded; and having a sibling already attending the same magnet school;

Whereas, Based on the number of priority points a student has accumulated, the District uses a fair and secure computerized lottery to place students in their desired magnet programs;

Whereas, LAUSD Reference Guide 6014.1 outlines "Procedures to Establish a New Magnet Program for the 2016-2017 School Year", which involves gathering community input, holding a majority vote of existing permanent certificated staff, and completing a written application;

Whereas, Reference Guide 6014.1 does not clearly articulate the criteria for the approval of a new magnet program beyond addressing the Five Harms of Racial Isolation and completing the Application to Establish a Magnet Program;

Whereas, The District lacks a strategic long-term plan to give students thematic K-12 magnet pathways within their Educational Service Centers; now, therefore, be it

Resolved, That the Superintendent direct staff to develop a comprehensive strategic plan within 90 days that:

- Assesses current trends in magnet school enrollment, broken down according to geographic Educational Service Center, including, but not limited to:
 - The percentages of students who are accepted into their first, second, and third choices;
 - The number of students who are placed on the wait list by school name;
 - Data on how many applicants do not get in at all;
 - Data on the capacity, number of seats available, and number of applicants within each thematic pathway in elementary, middle, and secondary schools; and
 - Data reporting where students go who apply, but are not admitted to the magnet program (i.e. home schools, other District schools, independent charters, schools outside the boundaries of the District);
 - Data on how the equity index applies;
- Includes guidelines for long-term goals and strategies, broken down according to Educational Service Center, including:
 - Future criteria for approving new magnet applications (including, but not limited to, proximity to schools with similar programs);
 - How to develop more thematic K-12 pathways; and
 - Budgetary needs/constraints for expanding the magnet programs; ~~and, be it finally~~

Resolved further, That the Superintendent review the process to apply for the Magnet Program and Zones of Choice, and present a strategy to align application deadlines to give student applicants and their families maximum choice; and, be it finally

Resolved, That the findings of the comprehensive strategic plan for magnet schools be brought to the Governing Board of the Los Angeles Unified School District for approval prior to its incorporation into future iterations of Reference Guide 6041.1.

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Dr. Vladovic resumed the Order of Business.

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Ms. Ratliff moved the following amended version of the resolution, Financial Transparency and Accessibility (Res-054-14/15):

Whereas, Financial transparency allows the public to understand and comment on budget decisions made by the Los Angeles Unified School District;

Whereas, The District has made strides towards financial transparency with the publicly available and easily accessible School Spending Report and School Budget Summary Report; and

Whereas, The central budget and budget of individual divisions within the District remain difficult for many members of the public to view in an easily accessible manner similar to the School Spending Reports and School Budget Summary Reports; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District hereby directs the Superintendent to present the District's ~~budget 2015-16 Budget, through development, approval, and implementation review~~, in a manner that is accessible and understandable in a similar manner to the School Spending Reports and School Budget Summary Reports, by the end of calendar year 2015 in a timely manner.

Ms. Cheryl Simpson, Budget Director, and Mr. Marvin Cruz, Deputy Chief Information Officer, addressed the Board on the resolution.

Ms. García seconded the motion. By general consent, the resolution was adopted as amended.

The final version of the resolution reads as follows:

Whereas, Financial transparency allows the public to understand and comment on budget decisions made by the Los Angeles Unified School District;

Whereas, The District has made strides towards financial transparency with the publicly available and easily accessible School Spending Report and School Budget Summary Report; and

Whereas, The central budget and budget of individual divisions within the District remain difficult for many members of the public to view in an easily accessible manner similar to the School Spending Reports and School Budget Summary Reports; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District hereby directs the Superintendent to present the District's budget in a manner that is accessible and understandable in a similar manner to the School Spending Reports and School Budget Summary Reports, by the end of calendar year 2015.

BOARD MEMBER RESOLUTIONS FOR INITIAL ANNOUNCEMENT

The following resolutions will be for action at the Regular Board meeting of April 14, 2015:

Ms. Galatzan, Dr. McKenna – Support of State Legislation to End the “Personal Belief” Exemption for Student Immunizations (Res-056-14/15)

Whereas, Measles is a highly contagious disease that can result in complications including pneumonia, blindness, encephalitis and death;

Whereas, Measles can be prevented through the Measles, Mumps, Rubella (MMR) vaccine, typically given to children at 12 months and 4-6 years of age;

Whereas, The MMR vaccine is 93 percent effective with the first dose and 97 percent with the second dose in preventing measles;

Whereas, The Centers for Disease Control and Prevention stated in 2000 that measles had been eradicated in the United States, meaning the disease no longer originates here;

Whereas, 20 million cases of measles are reported annually around the world, and travelers to the United States can transmit it to those who have not been vaccinated;

Whereas, A measles outbreak that started in Orange County in December has since sickened dozens of people throughout California and other states;

Whereas, California Health Code 120325 requires children to be immunized against measles and 10 other diseases prior to being admitted to public or private elementary or secondary school, child-care center, day nursery, family daycare home or development center;

Whereas, California Health Code 120365 grants an exemption to this requirement if the vaccination is contrary to the "personal beliefs" of the parent or guardian;

Whereas, .01 percent of the Los Angeles Unified School District's Early Childhood Education and .08 percent of kindergarten students are unvaccinated due to a personal belief exemption, in addition to an unknown number of older children;

Whereas, California Sens. Richard Pan and Ben Allen have introduced Senate Bill 277, which would repeal the personal belief exemption, but allow an exemption for medical reasons; and

Whereas, SB277 would also require school districts to notify parents of the immunization rate at their child's campus for each required vaccination at the start of every academic year, and for the state to reimburse districts for any related costs; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District urges the California Legislature and the Governor to approve SB277 as a way to protect all students from potentially serious yet preventable diseases.

Ms. Galatzan, Mr. Zimmer, Ms. García – Supporting Low-Income Students through Title I Funding and Opposing House Resolution 5 (Res-057-14/15)

Whereas, The federal government has long recognized the need to provide additional resources to children living in poverty in order to advance equity in public education;

Whereas, President Lyndon Johnson established special funding through Title I of the Elementary and Secondary Education Act (ESEA) of 1965 to help close the achievement gap between low-income children and their middle-class peers;

Whereas, Title I funding can be used to supplement the educational program of a school through a variety of means, including the hiring of additional teachers and paraprofessionals to reduce class size, providing professional development for teachers, and purchasing instructional materials;

Whereas, The average per-pupil allocation of Title I funding has fallen by 22 percent nationally, from \$1,546 in 2009 to \$1,212 in 2014;

Whereas, President Barack Obama has proposed an increase of \$1 billion to the Title I budget for Fiscal Year 2016, which would bring the program to the highest funding level in its history;

Whereas, Congress has introduced House Resolution 5 (HR5), which would revise the ESEA and cut the nation's Title I funding by \$800 million to 2012-13 levels and freeze that allocation through 2021-22;

Whereas, HR5 would also change the formula for allocating Title I funds, resulting in an \$80.6 million, or 24 percent loss to the Los Angeles Unified School District, thus undermining the District's ability to provide schools and students with the resources they need to succeed;

Whereas, The District already experienced a significant drop in annual Title I allocations as a result of the Great Recession and sequestration; and

Whereas The District is committed to providing all children with a world-class education, regardless of socioeconomic status or other factors, and students living in material poverty are especially deserving of services to help them succeed academically; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District opposes HR 5 of the 114th Congress; and, be it finally

Resolved, That the Board directs the Office of Government Relations to convey this message to the 114th Congress, and work with other districts in California that would be negatively impacted by this policy to lobby against its adoption.

Ms. García – Take Our Daughters and Sons to Work Day (Res-058-14/15)

Whereas, Take Our Daughters to Work Day was established in 1993 to empower young girls to realize their full potential in the work environment and build the confidence necessary to obtain the skills and capabilities to enter and compete in today's workplace;

Whereas, In 2003, the name of the program was officially changed to Take Our Daughters and Sons To Work Day to include boys and empower all youth to overcome societal barriers and reach their full potential;

Whereas, Adults, parents and mentors all share the responsibility to cultivate and inspire the passions and talents of all our youth;

Whereas, President Barack Obama has stated that on Take Our Daughters and Sons to Work Day, we reaffirm our commitment to this special responsibility by creating opportunities for our Nation's youth to gain first-hand experience in the workplace;

Whereas, By connecting young people to diverse professional paths, we are able to broaden their horizons, instilling in them the belief that with hard work, determination and commitment anything is possible. As adults we must encourage, provide positive examples, and foster confidence, hope, and determination, to ensure a strong and prepared 21st century workforce that can meet the challenges ahead;

Whereas, On Take Our Daughters and Sons To Work Day on April 23th, millions of young girls and boys will participate and accompany their parents to the workplace where they will learn, be inspired and have the opportunity to strive to reach their fullest potential; and

Whereas, The Los Angeles Unified School District Parent-Student Handbook states that students who participate are required to notify the school of attendance by returning a School Notification of Participation and Parent Responsibility Form; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District designates April 23th as Take Our Daughters and Sons to Work Day and commemorates it throughout the District;

Resolved further, That students and employees will be encouraged to participate in Take Our Daughters and Sons to Work Day; and, be it finally

Resolved, That the Board supports Take Our Daughters and Sons To Work Day.

Ms. García, Dr. Vladovic – Declaring April as Autism Awareness Month (Res-059-14/15)

Whereas, The Los Angeles Unified School District's mission to achieve 100% graduation applies to all students of all abilities;

Whereas, National Autism Awareness Month started in the United States in the 1970s in an attempt to draw attention to the urgency for awareness and concern about autism and the challenges faced by the autistic community;

Whereas, According to the Centers for Disease Control and Prevention, autism prevalence currently stands at one in every 88 children in America;

Whereas, There is no cure for autism and there is an ever-growing need for services and supports for individuals with autism;

Whereas, Walk Now for Autism Speaks, the nation's largest grassroots autism walk program, is Autism Speaks' signature fundraising and awareness event, taking place in communities across the United States. Powered by volunteers and families with loved ones on the autism spectrum, this successful grassroots fundraising effort generates vital funds for autism research and raises awareness about the increasing prevalence of autism and the need for increased research funding to combat this complex disorder;

Whereas The Los Angeles Walk Now for Autism Speaks event on April 18th strives to increase awareness and advocacy of autism, and to provide families with information, tools and resources;

Whereas, The District currently serves 13,494 students within the autism spectrum;

Whereas, The District's Division of Special Education, through its transition programs and services provided to all students with disabilities, is committed to providing students with autism the support necessary to transition from high school to a productive post-secondary life; and

Whereas, The District celebrates the autistic community's uniqueness, strengths, and abilities; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District hereby declares April 2015 National Autism Awareness Month and directs the Superintendent and all District staff to support activities that promote education and awareness of this special population.

Ms. García, Ms. Ratliff – National Library Week: Access and Knowledge to All (Res-060-14/15)

Whereas, National Library Week is a national observance first sponsored in 1958 by the American Library Association (ALA) and libraries across the country each April;

Whereas, Our school, academic, public, and special libraries make a difference in the lives of millions of people in the United States;

Whereas, More than 21 million people use California's public libraries each year;

Whereas, In conjunction with National Library Week, the American Association of School Librarians also observe School Library month in April;

Whereas, In interest to satisfy the students' educational needs, the school libraries provide a range of resources and information in support of the school curriculum;

Whereas, Los Angeles Unified School District libraries are important community educational resources, providing books and innovative programs for students and communities in about 500 schools;

Whereas, Librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn, and work;

Whereas, Libraries are part of the American Dream, places for opportunity, education, self-help, and lifelong learning;

Whereas, Libraries are narrowing the digital divide, by providing no-fee public internet access to accommodate the growing need for access to digital and online information, including government, continuing education, and employment opportunities;

Whereas, The Los Angeles Public Libraries supports and welcomes new Angelenos by providing information on citizenship, DACA and other benefits; and

Whereas, Libraries remain a brick and mortar safe-haven for free-access to knowledge, technology, entertainment and history in under-resourced communities where many students lack access to the world-wide-web in their homes; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District supports the goals and ideals of National Library Week and declares April 12-18, 2015, as LAUSD Library Week;

Resolved further, That it encourages all students and residents to visit a library to take advantage of the wonderful library resources available and thank their librarians and library staff for making information accessible to all who walk through the library's doors; and, be it finally

Resolved, That the Board supports librarians' efforts to ensure that all Americans, regardless of their social, economic, or citizenship status, can continue to access 21st century library services.

Ms. García, Mr. Zimmer – Denim Day in LAUSD (Res-061-14/15)

Whereas, The Los Angeles Unified School District makes every effort to ensure that every student is free from harm and excels in a nurturing environment;

Whereas, In 1998, an Italian Supreme Court decision overturned a rape conviction because the victim wore jeans. People all over the world were outraged. Wearing jeans became an international symbol of protest against erroneous and destructive attitudes about sexual assault;

Whereas, Peace Over Violence organizes Denim Day in Los Angeles every April during National Sexual Awareness Month;

Whereas, Denim Day seeks to invite public discourse and eventually eliminate attitudes that blame victims and prevent them from seeking assistance;

Whereas, This year, Denim Day in LA will take place on April 29, 2015 and on that day, people throughout L.A. will wear their jeans as a visible sign of protest against the myths that still surround sexual assault;

Whereas, Approximately every two minutes, somewhere in America, someone is sexually assaulted;

Whereas, Women neither ask for nor deserve to be raped, ever;

Whereas, Silence does not equal consent;

Whereas, By participating in Denim Day in LA on April 29, 2015, we promote prevention through education; make it possible for more survivors of sexual assault to reach out and find help; and help men and boys to understand the critical role they play in preventing violence against women;

Whereas, On this day, in the schools, offices and streets of Los Angeles County, we unite against rape of girls, women, boys and men. We stand in support of survivors and we break the silence to end sexual violence;

Whereas, The District is committed to maintaining a safe learning environment that is free from sexual abuse of children; and

Whereas, The District has called upon itself and on the community in Los Angeles and in the State of California for changes to better protect the students in the District; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District hereby declares April 29, 2015 Denim Day, and directs the Superintendent and all District staff to support activities that promote the education and awareness of abuse prevention.

Ms. García – Celebrating the Month of the Young Child (Res-062-14/15)

Whereas, The Los Angeles Unified School District recognizes that a quality early childhood experience will ensure the successful emotional, intellectual and physical development of a child;

Whereas, Every child should reach adulthood having experienced a safe, healthy and nurturing childhood, which prepares her or him to become a responsible and contributing member of the community;

Whereas, The District acknowledges its responsibility to provide strong, safe communities and support for families in the development of caring and capable children and youth;

Whereas, The Month of the Young Child provides an opportunity for the community to acknowledge the value of early learning and to show appreciation for those who promote a child's strength through nurturing relationships and the cultivation of creative spirits.

Whereas, April has been celebrated as "The Month of the Young Child" in communities across the nation since 1971; and

Whereas, This celebration provides an important opportunity for the District to focus attention on the needs of children and their families, and in particular to support the literacy of children and families; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District acknowledges and celebrates April as "The Month of the Young Child" in the District.

Ms. García, Ms. Ratliff – Proclaim April as Child Abuse Prevention Awareness Month (Res-063-14/15)

Whereas, The most important responsibility of the Los Angeles Unified School District is to educate our students in a safe environment;

Whereas, The District is committed to expanding the awareness of the school community around child abuse prevention and personal safety;

Whereas, In Federal fiscal year 2013, 52 states reported 678,932 victims of child abuse or neglect;

Whereas, Child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone in our community;

Whereas, Our children are our most valuable resources and will shape the future of Los Angeles;

Whereas, Child abuse can have long-term psychological, emotional, and physical effects that can have lifelong consequences for victims of abuse;

Whereas, Effective child abuse prevention activities succeed because of the meaningful connections and partnerships created between child welfare, education, health, community- and faith-based organizations, businesses and law enforcement agencies;

Whereas, We acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, nurturing environment;

Whereas, Prevention remains the best defense for our children and families;

Whereas, The District is dedicated to keeping parents, families and community stakeholders connected with information and resources needed to support their children's education, health and well-being;

Whereas, The District has centralized protocols, guidelines, tools and resources for best practices in child abuse prevention, intervention and post-intervention at each school through on-going training, education and awareness; and

Whereas, Students learn better and are more successful, productive, contributing members of society when they are engaged in a safe, respectful and nurturing school community; now, therefore, be it

Resolved, That the Los Angeles Unified School District declares the month of April as Child Abuse Prevention Awareness month in the District and urges all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

Ms. Ratliff, Mr. Zimmer, Dr. McKenna, Mr. Kayser – Celebrating Teacher and Substitute Teacher Appreciation Week 2015 (Res-064-14/15)

Whereas, Instruction and teachers are at the very heart of the Los Angeles Unified School District's mission to provide our students with an education that prepares them to be college and career-ready;

Whereas, Teachers are the drivers of educational high achievement towards the goal of 100% graduation rates;

Whereas, Teachers are more than purveyors of knowledge in the classroom, they also serve our students as role models and mentors;

Whereas, Substitute teachers must continually adjust to different working conditions in order to provide continuity in the learning process for students;

Whereas, Teachers positively impact the lives of students well beyond the classroom;

Whereas, The National Education Association and the National Parent Teacher Association have

designated the week of May 4-8, 2015, as National Teacher Appreciation Week and May 5, 2015, as National Teacher Day; and

Whereas, It has also become customary for school districts to recognize the first full week in May as National Substitute Teacher Appreciation Week or "SubWeek"; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District hereby recognizes and honors the contributions of teachers to quality education across the Los Angeles Unified School District and extends its gratitude and appreciation for their year-long efforts;

Resolved further, That the Board hereby declares the week of May 4-8, 2015, as Teacher Appreciation Week;

Resolved further, That the Board hereby declares the week of May 4-8, 2015, as National Substitute Teacher Appreciation Week; and, be it finally

Resolved, That the Board hereby declares May 5, 2014, as National Teacher Day.

Ms. Ratliff – Celebrating Administrative Professionals Week 2015 (Res-065-14/15)

Whereas, Administrative educational office professionals play an essential role in coordinating the office operations of schools and offices, often working alongside their administrators;

Whereas, Classified educational office professionals are the front lines of our schools and offices, often serving as the first contact that parents, students, and others have with the school in the office, on the phone, and in the virtual world;

Whereas, The work of educational office professionals today requires advanced knowledge and expertise in communications, computer software, office technology, project management, organization, customer service, and other vital office management responsibilities;

Whereas, Educational office professionals are masters of data and have remained the steady center of our schools and offices by helping ensure requests and concerns are handled correctly, promptly, and at minimal cost; and

Whereas, Administrative Professionals Week is observed annually in workplaces around the world to recognize the important contributions of administrative support staff and is sponsored by the International Association of Administrative Professionals; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District proclaims the week of April 19-25, 2015 as Administrative Professionals Week, and Wednesday, April 22, 2015 as Administrative Professionals Day, saluting the valuable contributions of administrative professionals and all educational office professionals in the workplace for their dedicated service and leadership.

Ms. Ratliff, Mr. Zimmer – Recognizing Be Kind to Animals Week® 2015 (Res-066-14/15)

Whereas, The Los Angeles Unified School District is committed to providing a safe and civil learning and working environment for all students and staff;

Whereas, Animal abuse and interpersonal violence toward humans share common characteristics;

Whereas, Research shows that animal abuse is a predictor of domestic violence and an indicator of distress in the household;

Whereas, The National School Safety Council, the U.S. Department of Education, the American Psychological Association, and the National Crime Prevention Council agree that animal cruelty is a warning sign for at-risk youth;

Whereas, A study by the U.S. Department of Justice on animal abuse and youth violence suggests that “addressing cruelty to animals...may add one more piece to the puzzle on understanding and preventing youth violence”;

Whereas, The household dog and cat population in Los Angeles County is estimated to be between 2.4 million and 4.8 million; and

Whereas, The American Humane Association established the first full week of May as the annual celebration of the philosophy of kindness to animals; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District hereby reaffirms its commitment to promote attitudes of kindness, consideration, and respect for all living things; and, be it finally

Resolved, That the Board hereby declares the week of May 3-9, 2015 as Be Kind to Animals Week® and encourages all students, families, and staff to treat all animals humanely this week and throughout the year.

PUBLIC COMMENT

The following speakers addressed the Board on the subjects indicated:

Ms. Karina Lopez, Parent	Parent Engagement
Ms. Maria Ortiz, Parent	Parent Engagement
Ms. Carmen Sanchez, Parent	Parent Engagement
Ms. Ana Carrion, Parent	Parent Engagement
Ms. Luz Maria Montoya, Parent	Title I
Ms. Marcela Garcia, Parent	Parent Involvement
Ms. Ingrid Villeda, UTLA	Safety
Mr. Roberto Fonseca, Parent	Parent Involvement
Ms. Diana Guillen, Parent	Parent Involvement
Ms. Shayla Correa, Student	Bullying

ADJOURNMENT

Ms. Ratliff moved that the meeting be adjourned in memory of Ms. Debra Ricketts, a Library Aide at Cantara Elementary School, Ms. Lois Allen, a teacher at Banning High School, and Mr. John Mockler, former Director of the Independent Analysis Unit. Dr. Vladovic seconded the motion, which by general consent was adopted. Ms. Galatzan was absent.

The meeting adjourned at 7:50 p.m.

APPROVED BY THE BOARD: **APRIL 14, 2015**

DR. RICHARD VLADOVIC
PRESIDENT

JEFFERSON CRAIN
EXECUTIVE OFFICER OF THE BOARD

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LAUSD FINDINGS FOR DENIAL OF PETITION



Los Angeles Unified School District

Board of Education Report

File #: Rep-287-14/15, **Version:** 1

Denial of the Charter Petition for Prepa Tec Los Angeles High School [Public Hearing]

Action Proposed:

Staff recommends denial of the charter petition for Prepa Tec Los Angeles High School (Prepa Tec High School) proposed to be located in Board District 5 and Educational Service Center South (ESCS), and adoption of the attached *Findings of Fact In Support of Denial of the Charter Petition for Prepa Tec Los Angeles High School*.

Background:

On December 16, 2014, Prepa Tec High School submitted a charter school petition application to the Charter Schools Division (CSD) seeking approval to open and operate a high school to serve 168 students in grade 9 in year 1 and grow to serve up to 504 students in grades 9-12 by the fifth year of the charter term. Although the petition does not provide a specific facility address, the school plans to locate in the 90255 zip code in Huntington Park, which is served by Board District 5 and Educational Service Center South (ESCS). Prepa Tec High School has not indicated that it intends to apply for Proposition 39 facilities under California Education Code § 47614.

Upon submission, the District comprehensively reviews each petition application to determine whether petitioners have met the requirements set forth in California Education Code sections 47605. Pursuant to a waiver executed by the petitioners and the District, the timeline for Board action on this petition has been extended to March 15, 2015.

Statutory Framework

Education Code section 47605(b) sets forth grounds for denying a charter petition. Section 47605(b) states that "[t]he governing board of the school district 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 subdivision [47605](a).
4. The petition does not contain an affirmation of each of the conditions described in subdivision (d) [of section 47605].

5. The petition does not contain reasonably comprehensive descriptions of all of the [sixteen elements set forth in section 47605 (b)(5)].”

Grounds for Denial

Staff of the Charter Schools Division and the Office of the General Counsel reviewed the charter petition application for Prepa Tec High School. Based on the results of the District review process, staff assesses that petitioners have not met the criteria for charter approval. Based on this review, and as fully discussed in the attached *Findings of Fact In Support of Denial of the Charter Petition for Prepa Tec Los Angeles High School*, staff has determined, in accordance with Education Code sections 47605(b), the following:

- (1) Petitioners are demonstrably unlikely to successfully implement the educational program set forth in the petition.

The petition does not contain reasonably comprehensive descriptions of all of the sixteen elements required in a charter school petition.

I. Petitioner is demonstrably unlikely to successfully implement the education program set forth in the petition.

Alta Public Schools, the organization that proposes to operate Prepa Tec High School, currently operates two other charter schools authorized by the Los Angeles Unified School District Board of Education, Academia Moderna, an elementary school, and Prepa Tec Los Angeles, a middle school. Both schools are located in Board District 5, ESC South.

The current schools under Alta Public Schools need the opportunity to continue to focus on growing academically, fiscally, and operationally. For example, in 2013 Academia Moderna experienced a drop in API from 802 to 768, a 34-point decrease from its 2012 Base API. That same year, every subgroup also experienced a decline in API - the Latino subgroup decreased by 33 points - and both the Socioeconomically Disadvantaged and English Learners' API scores fell by 29 points. According to the 2013 SPF, Academia Moderna has been classified as a “Watch” school, second to the last in a five tiered classification system of performance. The school's placement in this tier is due to low 3rd grade reading proficiency levels on the ELA portion of the California Standards Tests coupled with a low percentage of students scoring proficient in Math (53%) and ELA (43%). In both of the CSD's 2014/15 and 2013/14 annual oversight reports Academia Moderna earned a rating of “2” Developing in Academic Achievement, which includes review of evidence the charter school provides regarding its performance. As part of the CSD's most recent oversight visit staff recommended that the school use their internal benchmark assessment results to guide and strengthen targeted intervention and to provide clear effective feedback to students in their work samples that would allow them to improve in their area of deficient. It was also recommended that the school provide ongoing monitoring of its English Learners to ensure timely reclassification. The school had a 7.8% reclassification rate in 2013/14 which is below the District average.

Prepa Tec Los Angeles, the middle school operated by Alta Public Schools, opened in 2013-2014 and therefore does not have API scores or similar state level achievement data. Prepa Tec Los Angeles' internal benchmark data shows mixed results. Using the Success For All's 4sight assessment tool, 60-70% of students tested scored in the Advanced/ Proficient band in ELA. However, in the area of Mathematics, 55-90% of students score in the Basic/Below Basic performance band. CDE's Dataquest indicates that in 2013/14 Prepa Tec had a 31% English Learner student population and a reclassification rate of 0%.

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In addition to its record of academic performance, Alta Public Schools also faces increasing fiscal and operational challenges. Alta's initial school, Academia Moderna, historically demonstrated sound fiscal management and a strong fiscal position, the addition of the second school, Prepa Tec Los Angeles, in 13/14, has stretched the organization's fiscal resources and capacity. Prepa Tec has improved their fiscal procedures but their fiscal position remains very weak. The school was scheduled and budgeted to open with 168 students. The school opened with only 91 students causing loss of revenue and reduction in expenses. The audited financials for 13/14 showed a negative net income of (\$173,218).

Per the 13/14 audit Academia Moderna has positive net assets of \$773,718 and Prepa Tec has negative net assets of (\$173,218). Prepa Tec has an outstanding loan of \$238,000 owed to Academia Moderna. Based on the 14/15 First Interim Report, Academia Moderna projects net assets for 14/15 of \$1,338,939 and Prepa Tec projects negative net assets of (\$364,267). Prepa Tec remains in a very weak position and continues to rely on Academia Moderna for fiscal support.

In the most recent oversight report, 2014/15, Prepa Tec Los Angeles received a score of (2) Developing for their fiscal operations because the school has negative net assets. Additionally, their net income is less than projected due to low enrollment and is currently a fiscal drain on the organization. Prepa Tec was the first middle school that Alta opened. There were significant fiscal issues with the establishing of the new school. The proposed new school is a high school and represents Alta's first attempt to open a high school. We have concerns about a potential weak fiscal start for the new school.

Moreover, Prepa Tec Los Angeles operates under a governance structure that differs substantively from the governance described in its current approved petition. For example, the school currently has three additional administrative positions that were not described in the charter leaving unclear the roles and responsibilities in operating the school. This has resulted in disjointed operations and reporting accountabilities. While Academia Moderna has updated such during its renewal this year, Prepa Tec has taken no action to appropriately resolve the divergence despite notice from the CSD.

II. The petition does not contain reasonably comprehensive descriptions of all of the sixteen elements required in a charter school petition.

The Prepa Tec High School petition application also does not meet the statutory criteria because the petition does not include reasonably comprehensive descriptions of all sixteen required elements. For example, in Element 1 the petition does not adequately describe the manner in which students will concurrently meet Common Core State Standards while participating in the IB Middle Years and/or the IB Diploma program. Finally, in Element 10 the petition states that a Charter School student may be suspended or expelled for "willful defiance" which is inconsistent with the LAUSD's 2013 School Discipline Policy and School Climate Bill of Rights.

For a full description of the petition elements that are not reasonably comprehensive, please see the attached *Findings of Fact In Support of Denial of the Charter Petition for Prepa Tec High School*.

The Board of Education held a public hearing on the petition for Prepa Tec High School on January 13, 2015.

The petition is available for perusal in the offices of the Charter Schools Division and online at the District's Board of Education website at <http://laschoolboard.org/charterpetitions>.

Expected Outcomes:

File #: Rep-287-14/15, **Version:** 1

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Denial will prevent the establishment of Prepa Tec High School as an LAUSD authorized charter school at this time.

Board Options and Consequences:

“Yes” - The adoption of the recommendation of denial of the charter petition for Prepa Tec High School would prevent the establishment of Prepa Tec High School as a charter school, unless petitioners appeal the denial and the charter is granted by the Los Angeles County Board of Education or the California State Board of Education.

“No” - Should the Board not adopt staff recommendation of denial of the charter petition and the attached *Findings of Fact In Support of Denial of the Renewal Petition for Prepa Tec High School*, the charter petition for Prepa Tec High School would be approved for a charter term beginning July 1, 2015. Within 30 days, the Board requires that the school submit to the Charter Schools Division a revised charter petition that meets all LAUSD requirements, including but not limited to a reasonably comprehensive description of all sixteen required elements and compliance with current District Required Language.

Policy Implications:

No policy implications at this time.

Budget Impact:

If the Board adopts staff recommendation of denial of the petition, the action will not have a budget impact. If the Board does not adopt the staff denial recommendation and the petition is approved, the impact on the budget will be commensurate with the terms of the specific Special Education Local Planning Area (SELPA) MOU (Option 1, 2 or 3) executed by the charter school and the District.

Issues and Analysis:

Issues are outlined above and in more detail in the attached *Findings of Fact In Support of Denial of the Charter Petition for Prepa Tec High School*.

Attachments:

Findings of Fact in Support of Denial of the Charter Petition for Prepa Tec High School

Informatives:

Not applicable.

Los Angeles Unified School District and Los Angeles County Board of Education
Findings for Denial and Petitioner's Responses

LOS ANGELES UNIFIED SCHOOL DISTRICT
2012 BASE API AND 2013 GROWTH API DEMOGRAPHICS
SCHOOLS WITHIN A 2-MILE RADIUS

School: Prepa Tec Los Angeles HS
Address: 2665 Clarendon, Huntington Park, CA 90255
Span: 9-12

ESC	BD	Loc. Code	School	Grade Span	2013 Growth API Testing Enrollment	2013-14 PI Status	Met 2013 Sch-wide Growth Target	Met 2013 Subgroup Growth Targets	2013 Growth API	2012 Base API	2013 API State Rank	2013 Base API Similar Schools Rank	% F/R Lunch	% Sp Ed	% GATE	% EL	% RFP	School Demographic Characteristics									
																		% Latino	% White	% Af Amer	% Asian	% Filipino	% Am Indian	% Pacific Island	% Two or More		
E	5	2219	Ascot Avenue Elementary	K-5	569	Year 5	No	No	747	768	2	6	94	8	9	43	37	96	0	4	0	0	0	0	0	0	0
S	5	8536	Bell Senior High	9-12	2820	Year 5	Yes	No	706	690	3	2	80	10	14	21	54	98	1	0	0	0	0	0	0	0	0
S	5	3219	Corona Avenue Elementary	1-5	819	Year 5	No	No	749	754	3	5	100	9	10	34	27	97	3	0	0	0	0	0	0	0	0
S	7	8113	Thomas A. Edison Middle	6-8	1178	Year 5	Yes	No	716	703	2	6	100	12	12	24	50	97	0	3	0	0	0	0	0	0	0
S	5	3849	Fishburn Avenue Elementary	K-5	419	Year 5	No	No	782	823	4	6	88	11	9	38	30	100	0	0	0	0	0	0	0	0	0
S	7	3890	Florence Avenue Elementary	K-6	555	Year 2	Yes	Yes	823	800	6	10	100	11	14	31	40	99	0	1	0	0	0	0	0	0	0
S	5	8151	Henry T. Gage Middle	6-8	1892	Year 5	Yes	No	696	688	1	1	90	11	15	19	53	99	0	0	0	0	0	0	0	0	0
S	7	4219	Graham Elementary	K-6	525	Year 5	No	No	701	742	1	1	100	7	8	44	24	96	0	3	0	0	0	1	0	0	0
S	5	4562	Holmes Avenue Elementary	K-6	228	Year 5	No	No	693	709	1	2	100	6	9	32	22	82	0	13	4	0	0	0	0	0	0
E	5	4575	Hooper Avenue Elementary	1-5	847	Year 5	No	No	675	696	1	1	86	12	6	40	39	93	0	7	0	0	0	0	0	0	0
S	5	6920	Hope Street Elementary	K-5	378	Year 4	Yes	No	776	771	4	4	100	7	7	33	24	99	0	1	0	0	0	0	0	0	0
S	5	2391	Huntington Park Elementary	K-5	371	Year 1	No	No	785	798	4	6	100	8	8	30	33	98	1	0	0	0	0	0	1	0	0
XP	5	8700	Huntington Park Senior High	9-12	1509	Year 5	Yes	No	673	651	2	6	100	12	8	23	56	99	0	1	0	0	0	0	0	0	0
S	5	6880	Independence Elementary	K-5	522	Year 5	No	No	778	787	4	4	91	16	17	28	29	99	0	1	0	0	0	0	0	0	0
S	5	4863	Liberty Boulevard Elementary	K-5	396	Year 4	No	No	781	782	4	6	88	10	11	24	40	99	1	0	0	0	0	0	0	0	0
S	5	4877	Lillian Street Elementary	K-6	420	Year 2	No	No	768	770	3	4	93	8	9	31	38	100	0	0	0	0	0	0	0	0	0
S	5	4918	Loma Vista Elementary	K-5	576	Year 5	No	No	785	793	4	7	100	12	13	45	28	99	0	0	0	0	0	0	0	0	0
XP	5	8866	Linda Esperanza Marquez High A Huntington Park Ins	9-12	433	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
XP	5	7725	Linda Esperanza Marquez High B Libra Academy	9-12	385	0	0	0	0	0	5	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
XP	5	7669	Linda Esperanza Marquez High C School Of Social Ju	9-12	405	0	0	0	0	0	2	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
S	5	8882	Maywood Academy High	9-12	954	Year 5	Yes	No	705	668	3	4	85	10	13	18	58	98	1	0	0	0	0	0	0	0	0
S	5	5301	Middleton Street Elementary	1-6	1003	Year 5	Yes	Yes	793	763	4	10	86	13	11	32	48	100	0	0	0	0	0	0	0	0	0
S	5	5315	Miles Avenue Elementary	K-5	770	Year 3	No	No	768	803	3	4	88	9	9	49	28	99	0	0	0	0	0	0	0	0	0
S	7	5329	Miramonte Elementary	K-6	664	Year 5	Yes	Yes	708	676	1	2	89	9	5	42	30	99	0	1	0	0	0	0	0	0	0
S	7	2313	Dr. Lawrence H. Moore Math, Science, Technology Ac	K-5	503	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
XP	5	8268	Chester W. Nimitz Middle	6-8	1964	Year 5	Yes	No	738	731	3	4	100	10	22	17	54	99	0	0	0	0	0	0	0	0	0
S	5	2378	Nueva Vista Elementary	K-6	762	Year 3	Yes	No	809	817	5	8	100	9	13	23	27	97	2	0	0	0	0	0	0	0	0
S	5	5153	Orchard Academies 2B	6-8	460	Year 2	Yes	No	712	657	2	4	100	17	11	20	38	98	1	0	0	0	0	0	0	0	0
S	5	5154	Orchard Academies 2C	6-8	460	Year 2	No	No	643	637	1	1	100	14	8	22	41	98	1	1	0	0	0	0	0	0	0
S	5	4642	Pacific Boulevard	K-5	407	Year 2	Yes	No	803	819	5	10	84	31	10	35	33	99	0	0	0	0	0	0	0	0	0
S	7	6021	Parmelee Avenue Elementary	K-6	656	Year 5	No	No	747	745	2	6	99	11	9	36	23	94	0	5	0	0	0	0	0	0	0
XP	7	7718	Communication And Technology At Diego Rivera Learn	9-12	353	Year 1	Yes	No	563	507	1	1	67	11	5	30	42	94	1	5	0	0	0	0	0	0	0
XP	7	7719	Green Design At Diego Rivera Learning Complex	9-12	368	Year 1	Yes	No	580	558	1	2	76	14	4	27	46	93	1	6	0	0	0	0	0	0	0
XP	7	7721	Performing Arts Community At Diego Rivera Learning	9-12	350	Year 1	Yes	No	596	529	1	1	77	9	6	26	45	90	0	9	0	0	0	0	0	0	0
XP	7	8867	Public Service Community At Diego Rivera Learning	9-12	347	Year 1	Yes	No	603	585	1	1	84	9	5	26	44	90	0	10	0	0	0	0	0	0	0
S	5	6884	Lucille Roybal-Allard Elementary	K-6	389	Year 5	No	No	775	805	4	3	88	8	10	26	27	99	0	0	0	0	0	0	0	0	0
S	5	4641	San Antonio Elementary	K-5	455	Year 5	Yes	Yes	792	779	4	5	84	9	10	29	29	98	0	0	0	0	0	1	0	0	0
S	5	8871	South Gate Senior High	9-12	2366	Year 5	Yes	No	709	693	3	4	89	9	11	19	51	99	0	1	0	0	0	0	0	0	0
S	5	6918	State Street Elementary	K-5	401	Year 5	No	No	735	733	2	2	87	16	13	36	19	100	0	0	0	0	0	0	0	0	0
S	5	7493	Vernon City Elementary	K-6	175	Year 2	Yes	No	814	815	6	9	100	11	18	30	40	98	1	1	0	0	0	0	0	0	0
S	5	4640	Walnut Park Elementary	K-5	571	Year 5	No	No	775	805	4	3	88	8	10	26	27	99	0	0	0	0	0	0	0	0	0
S	5	5193	Walnut Park Middle B Science, Technology, Engineer	6-8	495	Year 5	No	No					0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
S	5	8390	Walnut Park Middle A School Of Social Justice And	6-8	456	Year 5	No	No					0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
S	5	2309	Willow Elementary	K-5	311	Year 5	No	No					0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

* = The school was not opened in 2011-12 or 2012-13.

= The school did not have a valid 2012 Base API or ranks.

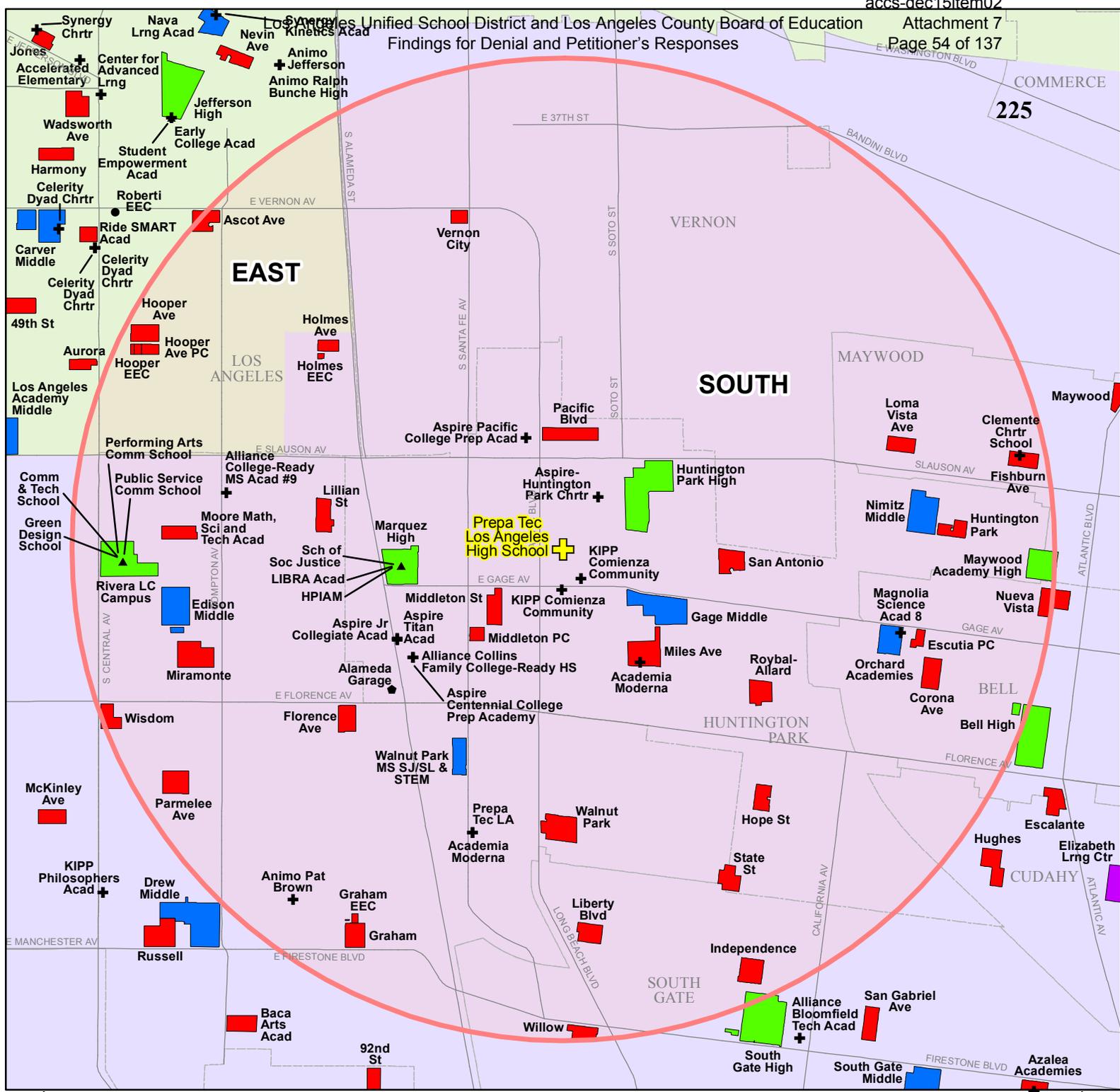
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Los Angeles Unified School District and Los Angeles County Board of Education
Findings for Denial and Petitioner's Responses

LOS ANGELES UNIFIED SCHOOL DISTRICT
2012 BASE API AND 2013 GROWTH API DEMOGRAPHICS
SCHOOLS WITHIN A 2-MILE RADIUS

ESC	BD	Loc. Code	School	Grade Span	2013 Growth API Testing Enrollment	2013-14 PI Status	Met 2013 Sch-wide Growth Target	Met 2013 Subgroup Growth Targets	2013 Growth API	2012 Base API	2013 API State Rank	2013 Base API Similar Schools Rank	% F/R Lunch	% Sp Ed	% GATE	% EL	% RFEP	% Latino	% White	% Af Amer	% Asian	% Filipino	% Am Indian	% Pacific Island	% Two or More
S	7	6872	Wisdom Elementary	K-6	612	Year 2	No	No	737	746	2	6	100	9	6	41	22	91	0	9	0	0	0	0	0
XR	5	5207	Prepa Tec - Los Angeles	6-7																					
XR	7	8504	Animo Pat Brown	9-12	447	Year 2	No	No	799	795	7	10	97	9	0	22	63	97	1	2	0	0	0	0	0
XR	5	2266	Aspire Junior Collegiate Academy	K-5																					
XR	5	5194	Aspire Centennial College Preparatory Academy	6-7																					
XR	5	8647	Alliance Collins Family College-Ready High	9-12	462	Year 2	Yes	Yes	815	782	8	10	96	5	0	11	63	98	0	1	0	0	1	0	0
XR	2	5199	Alliance College Ready # 9	6-8																					
XR	5	5166	Magnolia Science Academy Bell	6-8	490	Year 2	Yes	Yes	763	714	4	5	94	7	0	16	47	98	2	0	0	0	0	0	0
XR	5	7733	Aspire Pacific Academy	10-12	475	Year 2	No	No	741	737	5	8	91	11	0	11	65	99	0	0	0	0	0	0	0
XR	5	2268	Aspire Titan Academy	K-5																					
XR	5	2279	Clemente Charter School	K-6																					
XR	5	2130	Aspire Huntington Park Charter	K-5	166	0	Yes	No	826	854	6	10	92	10	0	28	49	98	1	0	0	0	0	0	0
XR	5	2156	Academia Moderna	K-5	225	0	No	No	768	802	3	4	88	7	0	54	18	100	0	0	0	0	0	0	0
XR	5	2159	Kipp Comienza Community Prep	K-3	98	0	0	0	978	8	10	0	84	6	0	59	0	98	0	2	0	0	0	0	0

Please note: School Demographic percentages may not sum to 100 due to responses of: other, multiple, or non-response.



L.A.U.S.D. FACILITIES WITHIN A TWO MILE RADIUS OF PREPA TEC LOS ANGELES HIGH SCHOOL

LAUSD Facilities and Planned Projects

- ⊕ Charter School
- Elementary School
- Middle School
- ▲ High School
- Planned Early Education Center
- ☆ Planned Classroom Addition
- ⊕ Planned Playground Expansion
- ★ Planned School Reconfiguration
- ▲ Planned Continuation School
- ◆ Administrative Office
- Elementary School
- Middle School
- High School
- Span School
- Magnet School (Fill Color Indicates Grade Level)
- Charter School (Fill Color Indicates Grade Level)
- Planned School (Color Indicates Grade Level)
- Closed School (Color Indicates Grade Level)
- Opportunity School or Non K-12 School
- Special Education School
- Administrative Site

LAUSD Boundaries

- LAUSD Boundary
- South Educational Service Center Area
- Area Outside of LAUSD

Area of Interest

- 2 mi. Radius of Prepa Tec Los Angeles High School

⊕ Prepa Tec Los Angeles High School (Located in Board of Education District #5)



Prepared by Master Planning and Demographics
Facilities Services Division

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**LOS ANGELES UNIFIED SCHOOL DISTRICT
DIVISION OF INSTRUCTION ♦ OFFICE OF SCHOOL CHOICE
Charter Schools Division**

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Deputy Superintendent of Instruction



GEORGE BARTLESON
Chief of School Choice

JOSÉ COLE-GUTIÉRREZ
Director, Charter Schools Division

WAIVER OF CHARTER PETITION REVIEW TIMELINE

Charter Petitioner(s) and Charter School governing entity and/or board for below named proposed/renewing charter school hereby waives statutory timelines pursuant to Education Code 47605(b) requiring the governing board of the Los Angeles Unified School District ("District") to grant or deny the charter within 60 days of the receipt of the petition or within 90 days if an additional 30 days have been agreed upon by the District and the petitioner.

PROPOSED OR RENEWING CHARTER SCHOOL: Prepa Tec Los Angeles High School

Date Charter Petition/Renewal Petition Accepted for Processing: December 17, 2014

Original 60 Day Date: February 14, 2015

Original 90-Day Date: March 16, 2015

Charter Petitioner and Charter School governing entity waives the 60-day and/or 90-day dates above.

Parties agree that the target date for Board action on the petition is

February 10, 2015 and no later than March 10, 2015

This waiver also applies to charter schools who have submitted a renewal petition pursuant to Education Code section 47607. By executing this waiver, charter petitioner and charter school's governing board are waiving the "automatic renewal" provision of Title 5 California Code of Regulations section 11966.4(c).

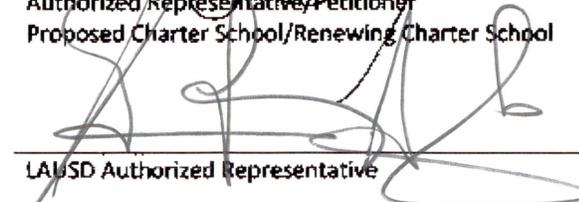
By signing below, petitioner(s) executing this waiver attests that he/she has authority to sign this waiver on behalf of the charter school or organization's governing board.



Authorized Representative/Petitioner
Proposed Charter School/Renewing Charter School

1/16/15

DATE



LAUSD Authorized Representative

1/16/15

DATE

**PREPA TEC LOS ANGELES HIGH SCHOOL
CHARTER SCHOOL PETITION
Findings of Fact for Denial of Petition
By the Los Angeles Unified School District
BOARD OF EDUCATION REPORT NO. 287 – 14/15
March 10, 2015**

The charter review process requires the authorizer to evaluate whether the charter petition meets the criteria for approval.

Education Code Section 47605 (b) states the required petition elements and conditions for denial.

Education Code Section 47605 outlines additional petition criteria.

I. INTRODUCTION

On December 16, 2014, Prepa Tec Los Angeles High School Charter School (“PTHS” or “Charter School”) submitted a charter school petition application to the Charter Schools Division (“CSD”) of the Los Angeles Unified School District (“District” or “LAUSD”). The proposed Charter School seeks to serve 168 students in grades 9-12 in the Huntington Park Region of Los Angeles, in Board District 5.

California Education Code section 47605(b) provides that 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. Education code section 47605(b) further provides that the governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a) of Education Code 47605.
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d) of Education Code 47605.
- (5) The petition does not contain a reasonably comprehensive description of all required elements.

The petition for PTHS does not meet the criteria under Education Code section 47605(b).

II. GROUNDS FOR DENIAL

LAUSD's analysis of the charter school petition submitted on or about December 16, 2014, to the District by PTHS indicates:

B. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition for PTHS (Educ. Code section 47605(b)(2)).

The organization, Alta Public Schools, has yet to demonstrate a solid sustainable foundation with its current operation of two schools. Currently operated schools need to improve and strengthen academically, fiscally and operationally.

Fiscal

- The CSD has concerns that the negative fiscal status of Prep Tec, Los Angeles, also operated by the petitioners, will impact the ability of the proposed new Charter School to successfully implement its educational program. The negative net assets and negative net income of Prepa Tec, Los Angeles is less than the charter school anticipated resulting in a fiscal rating of 2 and negative financial impact on the charter school and the CMO operating the school. The negative impact on the CMO's ability to operate the Prepa Tec, Los Angeles will be compounded if the new proposed Charter School similarly does not attain the income it is projecting. This will correspondingly impact the ability of the new Charter School to successfully implement its education program.
- Prepa Tec has an outstanding loan of \$238,000 owed to Academia Moderna. Based on the 14/15 First Interim Report, Academia Moderna projects net assets for 14/15 of \$1,320,820 and Prepa Tec projects negative net assets of (\$460,931). Prepa Tec remains in a very weak position and continues to rely on Academia Moderna for fiscal support. Alta Public Schools, the CMO has negative net assets of (\$58,551) per the January 31, 2015 financials. Because of the fiscal position of the CMO the burden of supporting a weak existing school and a potentially weak new school will fall to Academia Moderna, one of the existing schools.
- The petition describes two IB Programs to be run simultaneously. The cost for the programs is not detailed in the budget.
- Per 2014-15 Annual Oversight Visit -
 1. Prepa Tec, Los Angeles (grades 6-8) in its second year of operation has negative net assets (\$173,218) and is not operating within the limits of its revenue.
 - a. 2014-15 First Interim reports project another year of operating at a net loss and an increase in negative net assets.
 - Net assets: (\$460,931)
 - Net income: (\$191,049)
- Per 2013-14 Annual Oversight Visit -
 2. During the first year of operation a number of items were cited on the

annual oversight visit report:

- a. Prepa Tec, Los Angeles opened in 2013-14 without a checking account and at the time of the oversight visit it was determined expenses of the Prepa Tec were comingled with their older existing school, Academia Moderna (grades K-5) without Board approval for expenses to be paid by Academia Moderna on behalf of Prep Tec. Also once a checking account was established for Prepa Tec revenue belonging to Academia Moderna was erroneously deposited in Prepa Tec's checking account.
- The following recommendations were cited on the report:
 - Reflect in board meeting Minutes approval of the Board regarding financial transactions between Academia Moderna and Prepa Tec.
 - Maintain monthly reconciliation of the loans and payments between Academia Moderna and Prepa Tec.
 - Present to the board the operational costs shared between Academia Moderna and Prepa Tec including personnel.
 - Establish procedures for Prep Tec to review accounting transactions prepared by the back office including but not limited to monthly bank reconciliations.

Academic and Operations

- In 2013 Academia Moderna experienced a drop in API from 802 to 768, a 34-point decrease from its 2012 Base API. That same year, every subgroup also experienced a decline in API - the Latino subgroup decreased by 33 points - and both the Socioeconomically Disadvantaged and English Learners' API scores fell by 29 points. According to the 2013 School Performance Framework (SPF), Academia Moderna has been classified as a "Watch" school, second to the last in a five tiered classification system of performance.
- In both of the CSD's 2014/15 and 2013/14 annual oversight reports Academia Moderna earned a rating of "2" **Developing** in Academic Achievement.
- The assessment tool used at Academia Moderna, the other school in the CMO, is *Success For All's 4Sight* which projected an API of 661 in ELA for students tested in grades 3-5; of which 29% scoring in the *Advanced/Proficient* band and 71% in the *Basic/Far Below Basic* band. Similarly, these same students had a projected API of 677 in mathematics; 24% in *Advanced/Proficient* and 76% in *Basic/Far Below Basic* performance band. As a result, CSD included in its annual oversight report recommendations that the school use assessment results to guide their targeted intervention program. It was also recommended that teachers provide clear effective feedback to students in their work samples that would allow them to improve in areas of deficient and provide ongoing monitoring of its English Learners to ensure timely reclassification. The school had a 7.8% reclassification in 2013/14 which is below the District average.
- Alta Public Schools has not yet demonstrated that the organization can produce strong levels of academic performance at the secondary level. The CMO's existing secondary level school, Prepa Tec, Los Angeles, only opened in the

2013-2014 school year serving grades 6-8. As a result, there is no State level performance data (e.g., norm referenced test results) to establish baseline student achievement data to demonstrate strong academic outcomes at the secondary level.

- Based on past oversight visits to Academia Moderna, which did not apply to become an IB Primary program, the innovative feature of the school until its fourth year of operation and 3 years beyond the time specified in the charter petition. After which, a new teacher with less than 2 years teaching experience was assigned as the IB program coordinator. This brings into question the CMO's ability to 1) adhere to timelines specified in the charter petition; and 2) appropriately secure and leverage experienced staff to implement a secondary program of this magnitude with fidelity.
- Prepa Tec Los Angeles, the middle school, has applied for IB Middle Years Program authorization and is currently in "consideration" phase or "request for candidacy" phase which lasts for 2 years.
- The proposed new school, Prepa Tec High School, seeks to offer both the IB Middle Years and the IB Diploma Program designed for students ages 16-19. Thus, Prepa Tec is proposing to operate two separate IB programs simultaneously (IB Middle Years in grades 9-10, and IB Diploma in grades 11-12). However, to date the organization has had one year of operating an authorized IB program at the elementary level only. It is the CSD's belief that the CMO has yet to become an established IB program provider and as such have demonstrated limited proficiency to implement the highly complex and differentiated IB Middle Years and the IB Diploma Program (DP) as described in the charter at this time.
- The Charter School's enrollment projections are unrealistically overinflated. Specifically, the petition projects 168 students in year one for 9th grade only, and projects reaching a capacity of 504 in year five serving grades 9-12. The ability of the Charter School to be able to obtain these enrollment numbers may be impacted by the following, but not limited to, circumstances:
 - There are 3 traditional high schools with in a 2 mile radius of the proposed Charter School serving 4,211 students.
 - There are 2 charter high schools within a 2 mile radius of the proposed Charter School serving 925 students.
 - The existence of a substantial number of other established high schools in a 2 mile radius of the proposed Charter School, calls into question the reasonableness of Charter School's enrollment projections.
 - Prepa Tec Los Angeles, the middle school operated by the CMO projected and failed to meet high enrollment in its first year of operations. As a result it contributed to the serious fiscal shortcomings.

C. The PTHS petition does not contain a reasonably comprehensive description of all required elements (Educ. Code section 47605(b)(5)).

Description of the Charter School's Educational Program (Element 1)

The petition does not contain a reasonably comprehensive description of the charter school's educational program.

- Element 1 of the petition does not clearly show that the school has a way for students to concurrently meet Common Core State Standards while participating in the IB Middle Years and/or the IB Diploma program. The petitioners were not able to demonstrate that the Common Core State Standards curricula would be interwoven, embedded, or otherwise included in either the IB Middle Years or the IB Diploma Programs.
- The Prepa Tec High School petition does not contain a reasonably comprehensive description of how the charter school's IB Middle Years and/ or IB Diploma Program will meet the needs of the targeted population (e.g., English Learners, Gifted and high Achievers, Students Achieving below Grade Level, and the socioeconomically disadvantaged students). While the petition includes a description of how the proposed school will serve subgroups overall, the petition fails to describe how the IB programs in particular will benefit and meet the needs of the students they intend to serve.
- The new charter petition application requires petitioners to describe the school's specific graduation requirements, including the number/types of units required. They must also explain how the school program and the course schedule will enable all students to meet graduation requirements in four years. Petitioners must also demonstrate how the school will ensure it provides sufficient credit recovery opportunities and support and how they ensure that transfer students can meet graduation and college entrance requirements. The Prepa Tec High School petition does not include a list of graduation requirements or a clear outline of how students can meet high school graduation requirements. Consequently, parents will also be limited in their ability to monitor their child's progress towards meeting graduation requirements. The petition does not include graduation requirements. Moreover, the only information about graduation requirements in the petition includes the following language “*All students in grades 9 and 10 will study under the IB Middle Years Program (IBMYP). As students successfully matriculate to grade 11, they will have the option of continuing their IB coursework under the more rigorous IB Diploma Program (IBDP) or electing to continue in the College Preparatory/Advanced Placement pathway.*” This narrative represents one of a few vague descriptions or references of matriculation but not toward meeting high school graduation requirements.

Governance Structure (Element 4)

The petition does not contain a reasonably comprehensive description of the charter school's governance structure.

- The petition does not sufficiently demonstrate the relationship of the Charter School's governing board to the leadership of the Charter School and any relevant site committees in the organizational chart provided in the petition. Specifically, the petition references a "Parent Council" and "Staff Advisory Committees" but these are not included in the organizational chart. The organizational charter also fails to include Alta Public Schools leadership positions identified in the petition, including the Chief Executive Officer, Director of Human Relations, Director of Student Services, Director of Operations, and Superintendent of Public Instruction.
- The Charter School fails to provide sufficient assurance that the Charter School will comply with the Brown Act. While the petition specifies that the Charter School will comply with the Brown Act, the Alta Public School's corporate board Bylaws allow board meetings to be held any place within California even though the Brown Act requires that all regular and special meetings be held within the boundaries of the territory over which the board has jurisdiction.

Employee Qualifications (Element 5)

The petition does not contain a reasonably comprehensive description of employee qualifications.

- The petition fails to describe the qualifications and duties of some key positions identified in the petition. For instance, while the Charter School assumes it will employ a Special Education specialist, yard personnel, and a custodian in its first year of operation, the petition does not provide a job description or describe the minimum and desirable qualifications of these positions.
- Although the petition indicates that assistance and management will come from Alta Public Schools' management positions, including, the Chief Executive Officer, Director of Human Relations, Director of Student Services, Director of Operations, and the Superintendent of Instruction, the petition only includes a job description and describes the qualifications for the Chief Executive Officer and Superintendent of Instruction positions.

Admission Procedures (Element 8)

The petition does not present a reasonably comprehensive description of admission requirements.

- The petition fails to sufficiently describe how admission preferences in the public random drawing (lottery) process will be implemented in the event that applications for enrollment exceed school capacity. While the petition identifies

the student categories that will be given preference when a lottery is utilized, and describes how preference will be given to the categories, it fails to describe how preference will be granted to students in each category based on the order listed in the petition.

Suspension and Expulsion Procedures (Element 10)

The petition does not present a reasonably comprehensive description of student suspension and expulsion procedures.

- The petition fails to provide a reasonably comprehensive description of the Charter School's student suspension and expulsion procedures. Clearly described/outlined procedures are necessary to avoid inconsistent, capricious, and unfair student disciplinary practices and necessary to afford students adequate due process. For instance, the petition does not identify offenses for which students must (where non-discretionary) and may (where discretionary) be suspended and separately, the offenses for which students must or may be recommended for expulsion.
- The petition's description of the Charter School's procedures for the discipline of students fails to conform with policy and procedures which LAUSD has determined to be necessary and appropriate. Specifically, the petition states that a Charter School student may be suspended or expelled for "willful defiance" which is inconsistent with the LAUSD's 2013 School Discipline Policy and School Climate Bill of Rights.

**CHARTER PETITIONER'S RESPONSE TO
LOS ANGELES UNIFIED SCHOOL DISTRICT ("LAUSD") BOARD OF EDUCATION
FINDINGS FOR DENIAL**

Finding #1: The petitioners are demonstrably unlikely to successfully implement the program.

- Fiscal issues. *LAUSD found: (1) While Alta Public Schools ("APS") has demonstrated sound fiscal management and a strong finances in operating Academia Moderna (the elementary school), the opening of Prepa Tec Los Angeles Middle School ("Prepa Tec MS") stretched APS' financial resources. Prepa Tec MS has an outstanding \$238,000 loan to Academia Moderna and projects another year of operating at a net loss. APS (the CMO) has negative net assets because of the middle school. (2) The cost to run both IB programs (college preparatory and IB diploma pathways) is not broken down in the budget. (3) In the past, Academia Moderna and Prepa Tec MS financial transactions were not adequately separated and documented.*

Petitioner's Response.

First, it is quite common for a new charter school to stretch the financial resources of its operator. Even LAUSD's vast financial resources are impacted by the opening of a new school. As discussed in the charter and appeal documents, the APS "slow growth" model *specifically plans* for these financial impacts during a new charter school's startup years of operation. Academia Moderna—which was APS' first school—is fully self-sustainable with a positive year end cash balance projected for each of the next five fiscal years [\$526,187 for 2015-16] and reserves of \$1,312,494. When it opened, Prepa Tec MS was supported by a loan from APS. This loan has been paid in full. This support was specifically planned for, *was approved by LAUSD*, and is common for Charter Management Organizations ("CMOs"). APS has since adopted a board policy for interschool transfer and loans (Tab 13). The middle school is projected to be self-sustainable *this fiscal year*. The middle school's successful growth—ahead of schedule—has placed APS in a strong financial position as a whole. APS does not have negative net assets. APS ended the 2013-14 fiscal year with aggregated *positive* total net assets (for both schools) of \$600,500, and \$813,069 for the 2014-15 fiscal year. Please refer to the 2013-14 consolidated financial audit for APS (Tab 9), the APS multi-year consolidated budget (Tab 10), the Academia Moderna budget (Tab 11), and the Prepa Tec MS budget (Tab 12) for additional detail.

Second, APS is prepared to provide financial assistance to Prepa Tec HS during the school's first, startup year. Under APS' proven, fiscally conservative "slow growth" model and consistent with the other schools operated by APS, APS projects that Prepa Tec HS will be self-sustainable during its second year in operations. The multi-year budget for Prepa Tec HS projects a positive end of year cash balance with a 5% cash reserve by June 30, 2018 (assuming a start date of Fall 2016). Please refer to the updated Prepa Tec HS budget (Tab 6) for additional detail.

Third, to be clear, the budget for Prepa Tec HS includes the cost to operate *both* IB pathways: the College Preparatory IBMYP pathway and the IB Diploma Program. Neither IB program runs concurrently until the fourth year of operations. As described in the charter, all 9th and 10th grade students will be on the IBMYP College Preparatory pathway with the HS Diploma for those not seeking a college career. In their 11th grade year, students may elect to pursue the IB Diploma Program, which includes all the facets of

College Preparatory *plus* additional IB coursework and exams. Moreover, for those students interested in a UC or CalState university career, A-G course work will continue from 9th grade to 12th grade.

Fourth, both Academia Moderna and Prepa Tec MS have long ago fully resolved LAUSD's concerns that financial transactions were not adequately separated and documented. Issues were resolved and all financial audits since the Alta Public Schools charter management organization was created in 2014 have shown no discrepancies in the fiscal operations of the schools. Fiscal controls were strengthened to better identify in the accounting process which copy paper invoices, for example, belonged what school.

- Academic and Operations. *LAUSD found that both Academia Moderna and Prepa Tec MS would benefit from additional time to grow academically and operationally before APS further expands to open Prepa Tec HS. (1) Academia Moderna's most recent year's API was a drop from the previous year, and LAUSD rates the school as a "2" in academic achievement. (2) APS has not yet demonstrated that it can produce strong academic performance at the secondary level because there have been no State norm-referenced test results for its grades 6-8. (3) APS has not yet become an established IB program provider and, as a result, has limited proficiency to timely implement the IB programs it proposes. (4) Enrollment projects are overstated and the middle school failed to meet enrollment projections in its first year.*

Petitioner's Response.

Academia Moderna and Prepa Tec MS do not need additional time to grow. The API scores of Academia Moderna are charted below in Figure 4. Academia Moderna finished its first year in operations in 2010 with an API score of 652. By 2012, Academia Moderna achieved an API score of 803, *outperforming the growth rates of all other schools in Southeast Los Angeles.* In 2013, Academia Moderna suffered an anomaly with the California Standardized Tests, which caused its API score to drop by 34 points. We believe that several specific and indirect occurrences attributed to the Academia Moderna 34 API point decline in 2013: 1) The incorporation of a new set of standards, referred to as the California Common Core State Standards (CCSS), which were not fully aligned with previous state standards that have been the guide for instruction since 1997. This misalignment of state standards proved to be detrimental to most schools in the state of California and as such suffered an overall decline in test outcomes; 2) In addition to the misalignment or transition to new state standards, Academia Moderna attributes the principal reasons for the decline in 2013 to unforeseen and unmanageable human occurrences the day of the test. That day of testing, Academia Moderna had several absentee teachers during testing, which caused numerous students in several classes to perform extremely low. We know this to be the case because the CST results did not correlate with Academia Moderna's ongoing benchmark outcomes for the year (See figures C and D), which shows that students were well prepared for the CST; and, 3) Academia Moderna also attributes the API drop to student test fatigue. Academia Moderna students were chosen by the state to also pilot the Smarter Balanced test. We know fatigue to be a factor because the grade level that scored the lowest, 3rd grade, was one of the grades that pilot-tested the Smarter Balanced test.

However, even with the API drop in 2013, Academia Moderna has maintained an *average 35.3-point gain in API per year.*

Figure 4: Academic Performance Index (2011-2013)¹

School Year	Number of Students Included in API	Growth API
2011-12	67	717
2012-13	143	803
2013-14	216	768
3-Year Average API		763

¹ <http://dq.cde.ca.gov/dataquest/Acnt2014/apiavgSch.aspx?allcids=19647330120097>

More importantly, Academia Moderna continues to outperform other LAUSD elementary schools and is currently the number one LAUSD-appointed “similar schools” elementary school in our community based on recently released CAASPP scores. Moreover Academia Moderna is ranked number 4 among all 34 elementary schools in the Southeast LAUSD in ELA and number 6 in math scores. Further, the internal assessments for Academia Moderna (the school used the Success For All 4Sight quarterly benchmarks during API “gap years”) also show success. These internal assessment results were shared with LAUSD. The data showed that students attending Prepa Tec MS performed at an API equivalent of 787 during the third quarter of the 2014-15 school year, with an overall predicted API of 801¹ for the end of the school year.

Figure 5: Academia Moderna Internal Assessment Results

	% Advanced/Proficient	Projected API
English Language Arts	67.2%	839
Mathematics	75.2%	869

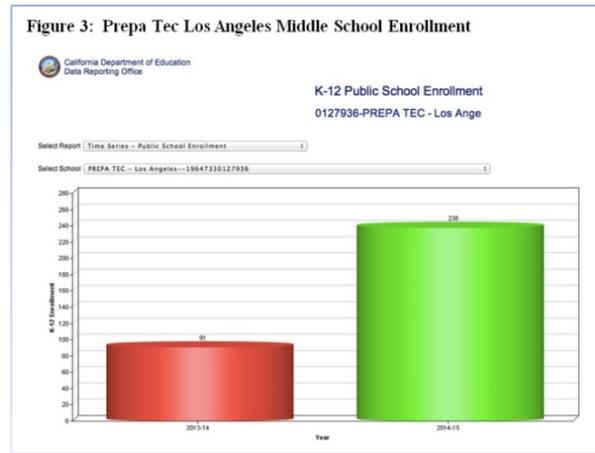
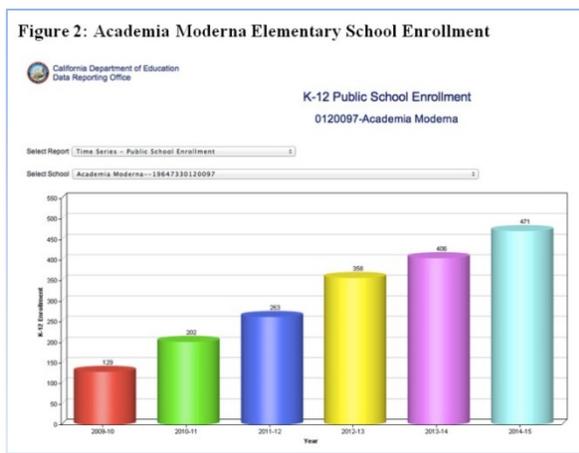
As for how well APS can produce academic achievement at the secondary level, as LAUSD itself points out, there is no State level performance data since Prepa Tec MS opened.

Prepa Tec Middle School 2014-15 Benchmark Projected API

Groups	Number of Students Tested 2014	2014 Benchmark Projected API	Number of Students Tested 2015	2015 Benchmark Projected API
Schoolwide	98	749	251	811
Hispanic or Latino	97	749	249	811
LSE	No Data	No Data	199	821
EL	28	731	46	744
SPED	7	739	22	657

APS can also successfully continue to implement the IB program. Academia Moderna is an International Baccalaureate World School authorized to offer the IB Primary Years Program. Prepa Tec MS has applied for and is in the "candidate" phase; this can take several years but Prepa Tec MS is ahead of schedule.

Contrary to the LAUSD findings, APS has excelled at increasing enrollment at both its charter schools.



Finding #2: The petition does not contain reasonably comprehensive descriptions of certain required elements.

- Element 1. LAUSD found: (1) The charter does not adequately explain how Common Core State Standards can be woven into the IB program. (2) The charter does not adequately describe how the IB will be tailored to meet the needs of the target population. (3) The charter does not adequately describe graduation requirements.

Petitioner's Response

The charter more than adequately describes how the Common Core State Standards will be woven into the Prepa Tec HS curriculum. In fact, the charter states that a mission and goal of the school is to "Implement the College Pre-IBMYP/DP scope and sequence, merging the Common Core State Standards (CCSS) and district policies, to develop and use the best instructional practices that meet the varied needs of all students." The charter explains that Prepa Tec HS students "will have current textbooks and instructional materials in each subject are consistent with the Common Core State Standards and cycles of the curriculum frameworks adopted by the California Department of Education," and the course descriptions detail *how* the relevant courses will achieve the Common Core State Standards. All course work, including IB Diploma, IB Middle Year Program, College Prep or High School prep are Common Core aligned.

IB DIPLOMA PROGRAMME ROAD MAP
GROUP 1: IB DP Language A - Language and Literature (SL/HL)
GROUP 2: IB DP Language B - (Spanish HL)
GROUP 3: IB DP History of the Americas (SL/HL)
GROUP 4: IB DP Chemistry (SL/HL)
GROUP 5: IB DP Mathematics (SL/HL)
GROUP 6: IB DP Music, Theatre, Visual Arts (optional area)
THEORY OF KNOWLEDGE (TOK) with extended essay and
CREATIVITY, ACTION, SERVICE (CAS)
TOK required as well as one course from each group 1-5, plus one additional course from groups 1-6, with 3 Higher Level (HL), and 3 Standard Level (SL) courses necessary to earn IB Diploma.

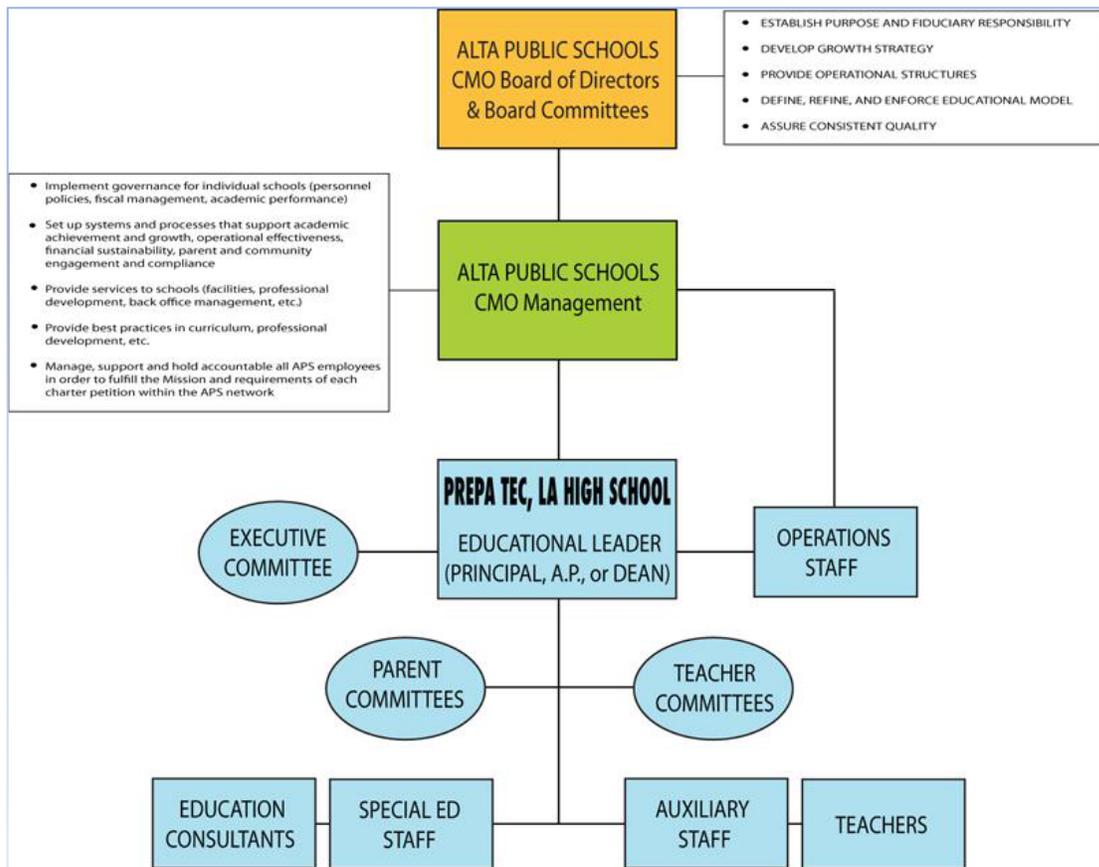
The charter further details how Prepa Tec HS will implement these Common Core State Standards for our *specific* student population, including English Language Learners, socioeconomically disadvantaged students, high achievers and low-achieving students. See charter, pp. 90. Our school's teachers will be trained to design innovative instructional strategies by: (1) differentiating the content, process, and products delivered to students in order to provide equal access to standards-based education for all learners (including English Language learners); (2) writing effective standards-based lesson plans; (3) exploring how all learners (including EL) vary in their readiness, interests and learning profiles; and (4) using a repertoire of research-based instructional strategies proven to increase student achievement in a standards-based system. See charter, pp. 90-99.

As for graduation requirements and college preparedness, APS dedicates approximately 11 pages of the charter to explaining the requirements and assessments necessary to complete the College Preparatory and IB Diploma Program pathways at Prepa Tec HS. See charter, pp. . And the entire educational program is geared toward college preparedness: Prepa Tec HS will allow students to complete the "A" to "G" courses approved by the University of California and the California State University, as well as enroll in Advanced Placement ("AP") courses. See charter, pp. 82-85. This meets the requirements of Education Code section 47605(b)(5)(A)(iii). The charter provides students and the State (authorizer) a clear understanding of what is required to graduate from Prepa Tec HS.

- Element 4. LAUSD found (1) The charter "references a 'Parent Council' and 'Staff Advisory Committees' but these are not included in the organizational chart." (2) The charter fails to provide adequate assurance that the school will follow the Brown Act because even though the charter promises to comply, the APS corporate bylaws permit the APS board of directors to meet anywhere in California.

Petitioner's Response.

This finding is confusing. The organizational chart provided in Element 4 of the charter *does* include the "Parent Committees" and "Teacher Committees," as shown below:



See charter, pp. 131, 141, Chart on p. 133

The charter also specifically states that "During the term of the charter, [Prepa Tec HS] and its parent non-profit corporation, [APS], will comply with the provisions of the Brown Act and Government Code 1090, regarding conflict of interest and 'open meeting laws'." See charter, pp. 130, 134, 137, 138, 139. This is reasonable and adequate.

- Element 5. *LAUSD found the charter failed to include a job description for the school's Special Education specialist, Director of Human Relations, Director of Student Services, Director of Operations, yard personnel, and custodian.*

Petitioner's Response.

Education Code section 47605(b)(5)(E) requires a charter to include a reasonably comprehensive description of the qualifications to be met by employees of the school. The Prepa Tec HS charter does so. Pages 143 through 144 describe the qualities *all* employees at the school must have, such as the ability to work collaboratively and knowledge of the educational and/or business practices that will fulfill our school's mission. Pages 144 through 157 go on to describe in detail the job qualifications for key positions such as CEO, Superintendent of Instruction, School Leader (Principal), teachers, office manager, administrative assistant, and even custodian, kitchen and yard assistants. Page 157 through 158 details the school's hiring processes, and pages 159 through 160 describe how employees from the CEO to business office staff will be held accountable and evaluated. These descriptions are more than reasonable. The qualifications necessary for a Special Education specialist, for instance, are well-established in the special education provisions of federal law and the California Education Code.

We also note that several administrative management positions—such as the Director of Human Relations and Director of Operations—will be filled by APS employees who work for all schools in the CMO.

- Element 8. *LAUSD found the charter failed to describe how admission preferences in the random drawing (lottery) process will be implemented, and in what order, in the event that applications for enrollment exceed school capacity.*

Petitioner's Response.

The charter *does* specifically identify how preference will be granted:

"Preference

Preferences for available spaces will be granted in the following order:

1. Students residing within the LAUSD boundaries as indicated by Education Code section 47605(d)(2)(B)
2. Sibling(s) of a current student
3. Children of Founding Board members and current employees, not to exceed 10% of the school's total enrollment.

PTHS shall be a public school of choice and as such will serve all and any students on a first come, first serve basis. When there are more applications for available seats, a Public Random Lottery will be called. At the day of the lottery, all applicants in the random public lottery will be given one lottery ticket to be drawn

by an independent, no-interested person. Those applicants that fall under the —preferencesll category will be given an additional ticket per preference class to be included in the random drawing- for example: an applicant that is a non-LAUSD resident will receive only one lottery ticket. But, an applicant that is an LAUSD resident will receive two lottery tickets; and, an applicant that is both an LAUSD resident and a Sibling of a current enrolled student will receive three lottery tickets.

Preferences at PTHS only mean that the applicant will receive an extra ticket in the Random Public Lottery, which will only increase the applicant's chances of winning a seat through the lottery."

See charter, p. 179.

- Element 10. *LAUSD found the charter failed to provide a reasonably comprehensive description of Prepa Tec HS's suspension and expulsion procedures because it does not identify offenses for which students must (where non-discretionary) and may (where discretionary) be suspended and separately, the offenses for which students must or may be recommended expulsion, and for punishing students for willful defiance, which LAUSD claims does not conform to LAUSD's 2013 School Discipline Policy and School Climate Bill of Rights.*

Petitioner's Response.

The charter is required only to provide a reasonably comprehensive description of the "procedures by which pupils can be suspended or expelled." (Ed. Code § 47605(b)(5)(J).) Pages 183 through 200 of the charter provide this. There is no requirement for the charter to enumerate each and every discretionary or mandatory offense for suspension and expulsion, and no requirement for the charter to comply with LAUSD policies. The charter does—even though it is not required to—enumerate the list of offenses that are considered grounds for suspension or expulsion, and it lists offenses for which the school *mandates* the recommendation for expulsion. This is similar to many other approved charters.



MINUTES FROM THE LACBOE MEETING DENYING CHARTER APPEAL

APPROVED
NO. 32:2014-15

MINUTES
LOS ANGELES COUNTY BOARD OF EDUCATION
9300 Imperial Hwy.
Downey, California 90242-2890
Tuesday, May 19, 2015

A Board meeting of the Los Angeles County Board of Education was held on Tuesday, May 19, 2015, in the Board Room of the Los Angeles County Education Center, 9300 Imperial Highway, Downey, CA 90242-2890.

PRESENT: Mr. Douglas Boyd, Ms. Katie Braude, Dr. Jose Zapata Calderon, Mr. Alex Johnson, Mr. Thomas A. Saenz, Dr. Ray Reisler, and Dr. Rebecca Turrentine

OTHERS PRESENT: Superintendent Dr. Arturo Delgado; Administrative staff; Ms. Beatrice Robles, Senior Executive Assistant

PRELIMINARY ACTIVITIES

CALL TO ORDER

Ms. Braude called the meeting to order at 3:10 p.m.

PLEDGE OF ALLEGIANCE

Mr. Boyd led the Pledge of Allegiance to the Flag.

ORDERING OF THE AGENDA

Dr. Delgado indicated that Interdistrict Attendance Appeal No. 2 had been resolved.

Dr. Delgado asked the County Board if the two presentations could be moved prior to the Study Session in order to allow for students and parents to leave soon after the presentations.

It was **MOVED** by Mr. Boyd, **SECONDED** by Dr. Calderon, and **CARRIED** to approve the Board agenda with the noted changes.

Yes vote: Mr. Boyd, Dr. Reisler, Mr. Saenz, Dr. Calderon, Mr. Johnson, Dr. Turrentine, and Ms. Braude.

COMMUNICATIONS: BOARD / SUPERINTENDENT

Mr. Boyd

- Mr. Boyd spoke about the CCBE/CSBA Delegate Assembly meeting last week and shared information with the County Board that included a special report on the LCAP and new accountability mechanism. He shared meeting materials with the County Board. He mentioned that CSBA (CCBE is a subset of CSBA), determines the position recommendations on Legislative bills. He said that in looking at AB 710, the interests are very different on this legislative bill. He said that the staff recommended an opposition to the bill. He asked if CCBE staff would hold off on opposing the bill as he and another county office of education (COE) wanted to get more information on the bill

Los Angeles County Board of Education
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and how this affected a COE v. a school district. He said he is hopeful with the information provided to CCBE it will trigger CCBE supporting the bill rather than opposing the bill.

Dr. Calderon

- Dr. Calderon said he was in Sacramento yesterday for Immigrant Rights Day. He said there were about 300 individuals who traveled to Sacramento and that he was able to meet with his representatives. He spoke about the importance of the day's event and how it affects K-12 education. He hopes that LACOE will take an active part in this effort.
- Dr. Calderon spoke about a Legislative Bill called A Health for All. The bill would allow low-income immigrant families in California to get regular medical care through the state's health insurance program through Medi-Cal. The bill would also allow undocumented immigrants whose incomes are above the Medi-Cal eligibility limit to purchase insurance through Covered California, the state's online marketplace set up under the 2010 Affordable Care Act.
- Dr. Calderon spoke about equitable funding for ROP programs, Pre-school programs and K-12 educational programs.

Dr. Delgado

- Dr. Delgado mentioned that he attended a conference in NAPA to showcase RTSA program to other counties in other states. He said that on June 11 and 12, LACOE will host a conference where other counties and districts will participate and receive information about RTSA. He said that LACOE will be undergoing the process of RTSA certification on June 11 and 12.
- Dr. Delgado said that last Tuesday, he attended the dedication ceremony for the Antonovich Amphitheater at LACHSA. He said the event was well attended to give tribute to Supervisor Antonovich who has been a champion of the school and program.

Mr. Saenz

- Mr. Saenz said that he attended a meeting with Advocacy groups last week where they had a discussion on the draft Educator Equity Plan and looked at credentialed teachers and how they are distributed. He said it might be useful for the County Board to be briefed by staff about the plan.

COMMUNICATIONS: PUBLIC

Dr. Cristina Duran addressed the County Board.

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PRESENTATIONS

2014-15 LOS ANGELES COUNTY ACADEMIC DECATHLON WINNERS / SOUTH PASADENA HIGH SCHOOL

The Superintendent and County Board recognized South Pasadena High School of South Pasadena Unified School District for earning first place in the 2014 Los Angeles County Academic Decathlon, which was held January 31 and February 7. The following students were presented with a certificate: Elise Matsusaka, Rebecca Bao, John Dullaghan, Matthew Brogdon, Jacob Chun, and Oscar Garcia. The California Credit Union and the University of Southern California were the two major sponsors for the event and received recognition for their support of the Academic Decathlon event. In addition, Ms. Janet Anderson, Principal; Mrs. Janet Wichman, Assistant Principal and Mr. Oliver Valcorza, Team Coach, were recognized by the Superintendent and County Board for their success.

RECOGNITION OF ENVIRONMENTAL CHARTER MIDDLE SCHOOL-GARDENA FOR RECEIVING THE 2015 GOLD RIBBON AND TITLE I ACADEMIC ACHIEVEMENT AWARDS

The Superintendent and County Board recognized Environmental Charter Middle School-Gardena (ESMS-G), which received the Gold Ribbon Award for its model program that includes standards-based activities, projects, strategies and practices that can be replicated by other local educational agencies. In addition, ECMS-G also received the Title I Academic Achievement Award for meeting the educational needs of students living at or below the poverty line.

STUDY SESSIONS

ATTORNEY-CLIENT PRIVILEGE AND CLOSED SESSION UNDER BROWN ACT

Ms. Andrade and staff presented a study session to the County Board on an Overview of Attorney Client Privilege and Review Closed Session under Brown Act.

The County Board had a discussion on this item.

Mr. Saenz requested a copy of the Attorney General Counsel's opinion on Budgetary Implications.

(The County Board took a recess 4:18 p.m.-4:25 p.m.)

HEARINGS (None)

REPORTS / STUDY TOPICS

STAFF FINDINGS ON THE PREPA TEC LOS ANGELES HIGH SCHOOL, GRADES 9-12: APPEAL OF A PETITION TO ESTABLISH A CHARTER PREVIOUSLY DENIED BY LOS ANGELES UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Ms. Olivia Fuentes, Director of Accountability, Support and Monitoring, provided background information on Prepa Tec Los Angeles High School to the County Board. Ms. Fuentes introduced Dr. Brooke Soles Wilson, Coordinator II, Charter School Office, who gave a report to the County Board with staff findings for the denial on the appeal of a petition to establish a charter school previously denied by the Los Angeles Unified School District Board of Education.

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Dr. Soles presented information on Findings 2: The petitioners are demonstrably unlikely to successfully implement the proposed educational program. She highlighted Prepa Tec's past history; unfamiliar with requirements of law; unrealistic financial and operational plan; and lack of necessary background. Dr. Brooks also reviewed Finding 5 and the petition elements that were Not Reasonably Comprehensive, Reasonably Comprehensive with Specific Deficiencies and Reasonably Comprehensive.

Dr. Scott Price, Chief Business Officer, presented a financial overview of Prepa Tec.

Dr. Soles indicated that under Finding 6, the petition does not satisfy all Required Assurances.

There was no discussion by the County Board on this item.

CONSENT CALENDAR RECOMMENDATIONS (None)

RECOMMENDATIONS

APPROVE THE SUPERINTENDENT'S RECOMMENDATION TO DENY THE PREPA TEC LOS ANGELES HIGH SCHOOL, GRADES 9-12: INITIAL PETITION ON APPEAL DENIED BY LOS ANGELES UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

The Superintendent recommended that the County Board take action to adopt the written findings of fact and take action to deny the charter petition to establish the Prepa Tec Los Angeles High School received on appeal following denial by LAUSD.

There were several speakers who spoke in support of Prepa Tec Los Angeles High School: Mr. Xavier Reyes, Executive Director of Prepa Tec; Mr. Barry Baxter, Superintendent of Instruction; Mr. Spencer Styles, CEO of Charter Impact; Ms. Jessie Garcia, parent; and Ms. Flor Camarena, parent (required a Spanish interpreter).

The County Board had a discussion on this item.

Mr. Saenz asked that the findings be amended to remove Indicator 1 in Finding 2, which he does not believe is well supported, and to conform the headings under Indicator 4 to match the State Board regulations on which the Indicators are based.

It was **MOVED** by Mr. Boyd, **SECONDED** by Dr. Turrentine, and **CARRIED** to approve the Superintendent's Recommendation and adopt the written findings of fact with the following amendment: Remove Indicator 1 in Finding 2; make any associated changes required; re-label Findings and Conclusions under Indicator 4 to correspond to specific two areas identified in State Board of Education's regulations.

Yes vote: Mr. Boyd, Dr. Reisler, Mr. Saenz, Dr. Calderon, Mr. Johnson, Dr. Turrentine, and Ms. Braude.

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INFORMATIONAL ITEMS

GOVERNMENTAL RELATIONS

Dr. Delgado reported on two legislative Bills AB 762 (Mullin) Childcare Licensing has passed the Assembly Human Services Committee unanimously; AB 1064 (Hernandez) Indirect Costs extension, passed the Assembly floor and will now be heard by the Senate Committee.

Dr. Delgado said that the Governor will reveal the May Revise this week.

BOARD COMMITTEE/LIAISON REPORTS (None)

LOS ANGELES COUNTY BOARD OF EDUCATION MEETING SCHEDULE, ESTABLISHMENT OF MEETING TIMES, FUTURE AGENDA ITEMS, FOLLOW-UP

Dr. Delgado reviewed the Board calendar for the June 2, 2015, Board meeting and indicated that the County Board meeting would start at 3:00 p.m.

(The County Board took a recess 5:58 p.m.-6:00 p.m.)

(Mr. Boyd left the County Board meeting at 6:00 p.m.)

LOS ANGELES COUNTY BOARD OF EDUCATION'S DECISION ON AN INTERDISTRICT ATTENDANCE APPEAL

CARLOS M. v. LOS NIETOS SCHOOL DISTRICT

The proceedings were conducted in open session to reach a decision on the interdistrict attendance appeal. Ms. Vibiana Andrade, General Counsel, represented the Los Angeles County Board of Education; Dr. Victor Thompson, Director, Student Support Services, Los Angeles County Office of Education, was also present.

The appellant was not present, but was represented by his mother, Ms. Susana Medina. Ms. Jacqueline Cardenas, Director of Curriculum and Instruction, represented Los Nietos School District.

Fact-finding was conducted by a designated hearing consultant. A copy of the record, a summary of findings and conclusions, and a recommendation by the hearing consultant were provided to all parties. The representatives addressed the Board and responded to questions from the Board.

Four affirmative votes of the Board are required for an interdistrict appeal to be granted. An electronic roll-call vote was taken. Voting no were Dr. Reisler, Mr. Saenz, Dr. Calderon, Mr. Johnson, Dr. Turrentine, and Ms. Braude. The appeal was denied.

(Dr. Turrentine left the County Board meeting at 6:15 p.m.)

Los Angeles County Board of Education
Minutes of May 19, 2015
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JOSUE H. v. LOS ANGELES UNIFIED SCHOOL DISTRICT

The proceedings were conducted in open session to reach a decision on the interdistrict attendance appeal. Ms. Vibiana Andrade, General Counsel, represented the Los Angeles County Board of Education; Dr. Victor Thompson, Director, Student Support Services, Los Angeles County Office of Education, was also present.

The appellant was present, and was represented by his mother Ms. Micaela Hernandez. Ms. Debra Villescas, Pupil Services and Attendance Counselor, represented Los Angeles Unified School District.

Fact-finding was conducted by a designated hearing consultant. A copy of the record, a summary of findings and conclusions, and a recommendation by the hearing consultant were provided to all parties. The representatives addressed the Board and responded to questions from the Board.

Four affirmative votes of the Board are required for an interdistrict appeal to be granted. An electronic roll-call vote was taken. Voting yes were Dr. Reisler, Mr. Saenz, Dr. Calderon, Mr. Johnson and Ms. Braude. The appeal was granted.

Kilei P. B. v. LOS ANGELES UNIFIED SCHOOL DISTRICT

The proceedings were conducted in open session to reach a decision on the interdistrict attendance appeal. Ms. Vibiana Andrade, General Counsel, represented the Los Angeles County Board of Education; Dr. Victor Thompson, Director, Student Support Services, Los Angeles County Office of Education, was also present.

The appellant and representative were not present. Ms. Debra Villescas, Pupil Services and Attendance Counselor, represented the Los Angeles Unified School District.

Fact-finding was conducted by a designated hearing consultant. A copy of the record, a summary of findings and conclusions, and a recommendation by the hearing consultant were provided to all parties. The representatives addressed the Board and responded to questions from the Board.

Four affirmative votes of the Board are required for an interdistrict appeal to be granted. An electronic roll-call vote was taken. Voting no were Dr. Reisler, Mr. Saenz, Dr. Calderon, Mr. Johnson, and Ms. Braude. The appeal was denied.

ADJOURNMENT

It was **MOVED** by Mr. Johnson, **SECONDED** by Dr. Reisler, and **CARRIED** to adjourn the meeting.

A verbal vote was taken to adjourn the meeting: Dr. Reisler, Mr. Saenz, Dr. Calderon, Mr. Johnson, and Ms. Braude.

The meeting was adjourned at 6:45 p.m.



LOS ANGELES COUNTY BOARD OF EDUCATION
9300 Imperial Highway, Downey, CA 90242
Phone (562) 922-6128 Fax (562) 940-1727

No. 32:2014-15

The full agenda is accessible through the receptionist at the northeast entrance of the above address. Enclosures to the agenda are available for review in the Board of Education's office during business hours 8:30 a.m. – 5:00 p.m. Any material related to an item on this Board Agenda distributed to the Board of Education is available for public inspection at our Office of Communications, Room EC 103 – LACOE Administrative Offices. Procedures for addressing the Board are in the wall receptacle in the entry to the Board Room and posted on the LACOE Board of Education website. To request a disability-related accommodation under the ADA, please call Ms. Beatrice Robles at (562) 922-6128 at least 24 hours in advance.

Board Meeting
May 19, 2015
2:00 p.m. – Board Room (EC 100)

I. BOARD COMMITTEE MEETINGS

- A. Board Curriculum, Instruction and Assessment Committee Meeting – 2:00 p.m.

II. PRELIMINARY ACTIVITIES – 3:00 p.m.

- Ms. Braude
Mr. Boyd
Dr. Delgado
- A. Call to Order
B. Pledge of Allegiance
C. Ordering of the Agenda

III. COMMUNICATIONS: BOARD OF EDUCATION / SUPERINTENDENT / PUBLIC

STUDY SESSIONS

- Ms. Andrade
- A. Attorney-Client Privilege and Closed Session under Brown Act

IV. PRESENTATIONS

- Dr. Delgado
- A. 2014-15 Los Angeles County Academic Decathlon Winners / South Pasadena High School
- Ms. Benitez
- B. Recognition of *Environmental Charter Middle School-Gardena* for Receiving the 2015 Gold Ribbon And Title I Academic Achievement Awards

V. HEARINGS (none)

VI. REPORTS / STUDY TOPICS

- Ms. Benitez
- A. Staff Findings on the *Prepa Tec Los Angeles High School, Grades 9-12*: Appeal of a Petition to Establish a Charter Previously denied by Los Angeles Unified School District Board of Education

VII. CONSENT CALENDAR RECOMMENDATIONS (none)

VIII. RECOMMENDATIONS

- Ms. Benitez
- A. Approve the Superintendent's Recommendation to deny the *Prepa Tec Los Angeles High School, Grades 9-12*: Initial Petition on Appeal denied by Los Angeles Unified School District Board of Education

Los Angeles County Board of Education
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Dr. Delgado
Ms. Braude
Dr. Delgado

IX. INFORMATIONAL ITEMS

- A. Governmental Relations
- B. Board Committee / Liaison Reports
- C. Los Angeles County Board of Education Meeting Schedule, Establishment of Meeting Times, Future Agenda Items, Follow up

Ms. Braude

X. INTERDISTRICT AND EXPULSION APPEAL HEARINGS

- A. Los Angeles County Board of Education's Decision on Interdistrict Attendance Appeals (Open Session) (Enclosure)
 - 1. Carlos M. v. Los Nietos School District
 - 2. Nathan B. v. Los Angeles Unified School District
 - 3. Josue H. v. Los Angeles Unified School District
 - 4. Kilei P. B. v. Los Angeles Unified School District

Ms. Braude

XI. ADJOURNMENT

Board Meeting – May 19, 2015

Item

Study Sessions

- A. Study Session: Attorney–Client Privilege and Closed Session under Brown Act

Staff will present to the County Board an Overview of Attorney Client Privilege and Review Closed Session under Brown Act.

Board Meeting – May 19, 2015

Item IV. Presentations

A. 2014-15 Los Angeles County Academic Decathlon Winners / South Pasadena High School

The Board recognizes South Pasadena High School of South Pasadena Unified School District for earning first place in the 2014-15 Los Angeles County Academic Decathlon, which was held January 31 and February 7.

During the program, the nine student decathletes on South Pasadena High School's winning team will be introduced and presented with individual certificates of recognition; an additional certificate will be presented to South Pasadena High school principal and Decathlon team coach.

Board Meeting – May 19, 2015

Item IV. Presentations

- B. Recognition of *Environmental Charter Middle School-Gardena* for Receiving the 2015 Gold Ribbon and Title I Academic Achievement Awards

Environmental Charter Middle School-Gardena (ECMS-G) received the Gold Ribbon Award for its model program that includes standards-based activities, projects, strategies and practices that can be replicated by other local educational agencies. Specifically, the school utilizes benchmark assessments to evaluate student performance on interdisciplinary projects. The Gold Ribbon award recognizes California schools that have made gains in implementing the academic content and performance standards adopted by the State Board of Education.

The school also received the Title I Academic Achievement Award for meeting the educational needs of students living at or below the poverty line. A school must demonstrate that all students are making significant progress toward proficiency on California's academic content standards and socioeconomically disadvantaged students must have doubled the achievement targets for two consecutive years.

ECMS-G's Leadership Team will tell us about the school's innovative program and goals for the future.

Board Meeting – May 19, 2015

Item VI. Reports / Study Topics

- A. Staff Findings on the *Prepa Tec Los Angeles High School, Grades 9-12: Appeal of a Petition to Establish a Charter Previously denied by Los Angeles Unified School District Board of Education*

The petition for the Prepa Tec Los Angeles High School (Prepa Tec HS) is presented to the Los Angeles County Board of Education (County Board) pursuant to Education Code (EC) section 47605. Upon denial by the Los Angeles Unified School District Board of Education, the petitioner exercised the statutory right of appeal to the County Board.

EC section 47605(b) limits the reasons for denying a charter petition to the following:

- (1) *The charter school presents an unsound educational program.*
- (2) *The petitioners are demonstrably unlikely to successfully implement the program.*
- (3) *The petition does not contain the required number of signatures.*
- (4) *The petition does not contain an affirmation of specified assurances.*
- (5) *The petition does not contain reasonably comprehensive descriptions of 16 required elements of a charter.*

The County Board shall evaluate the petition according to the criteria and procedures established in law and may only deny the petition if it provides written findings addressing the reasons for the denial.

Key findings are provided below and in the chart that follows:

Alta Public Schools (APS), the charter management organization for Prepa Tec HS, operates an elementary and middle school that do not have a solid history of academic growth. The middle school has not fully implemented the International Baccalaureate (IB) program or met its enrollment projections.

LACOE was informed that CMO cash, net assets, liabilities, operating results and net cash flow were unavailable; therefore, it was unable to conduct an analysis of the CMO to determine fiscal solvency. There is a history of inter-school borrowing; the inter-school borrowing policy does not describe the term for repayment, and the policy does not indicate an interest rate as required by EC 42603.

For Prepa Tec HS to be fiscally solvent, the Budget Plan requires it meet enrollment and Average Daily Attendance projections each year. The petition lacks an adequate plan for meeting enrollment projections and providing facilities.

Eight of 16 Required Elements are not reasonably comprehensive.

Board Meeting – May 19, 2015

Staff Findings on the *Prepa Tec Los Angeles High School, Grades 9-12*: Appeal of a Petition to Establish a Charter Previously denied by Los Angeles Unified School District Board of Education

- 2 -

Prepa Tec Los Angeles High School
 Petition Received on Appeal

Summary of Required Charter Elements Pursuant to <i>Education Code Section 47605(b)</i>			
Findings 1-5 are Grounds for Denial Pursuant to <i>EC 47605(b)</i>		Meets Requirements*	
Finding 1	Sound Educational Practice	Yes	
Finding 2	Ability to Successfully Implement Intended Program	No	
Finding 3	Required Number of Signatures	Yes	
Finding 4	Affirmation of Specified Conditions	Yes*	
Finding 5: The charter petition contains a reasonably comprehensive description of all required elements.	1	Description of Educational Program	No
	2	Measurable Pupil Outcomes	No
	3	Method for Measuring Pupil Progress	No
	4	Governance Structure	No
	5	Employee Qualifications	No
	6	Health and Safety Procedures	Yes
	7	Racial and Ethnic Balance	Yes*
	8	Admission Requirements	No
	9	Annual Independent Financial Audits	Yes*
	10	Suspension and Expulsion Procedures	Yes*
	11	Retirement Coverage	Yes
	12	Public School Attendance Alternatives	Yes*
	13	Post-employment Rights of Employees	Yes
	14	Dispute Resolution Procedures	No
	15	Exclusive Public School Employer	Yes
	16	Closure Procedures	No
Finding 6: The charter petition meets the additional statutory requirements <i>EC 47605 (c), (e) – (h), (l) and (m)</i>	(c)	Standards, Assessments and Parent Consultation	No
	(e)	Employment is Voluntary	Not applicable
	(f)	Pupil Attendance is Voluntary	Not applicable
	(g)	Effect on Authorizer and Financial Projections Facilities, Administrative Services, Civil Liability and Financial Statements	Met 0 of 4
	(h)	Targets Academically Low Achieving Pupils**	Does Not Qualify
	(l)	Teacher Credentialing	No
	(m)	Transmission of Audit Report	Yes
<p>*Elements marked as meeting requirements may need further explanation, adjustment or technical changes; however, they are reasonably comprehensive and/or substantively comply with regulatory guidance and the LACOE standard of review described in Board Policy and the Superintendent's Administrative Regulations.</p> <p>**Charters created to target academically low achieving pupils are given a priority for authorization</p>			



LACBOE FINDINGS FOR DENIAL OF PETITION

Los Angeles County Office of Education
Charter School Office
Date: May 19, 2015

Staff Findings on the *Prepa Tec Los Angeles High School, Grades 9-12*
Appeal of a Petition to Establish a Charter Previously Denied by the Los Angeles Unified School
District Board of Education

Background

The petition for the *Prepa Tec Los Angeles High School*¹ (Prepa Tec HS) proposes the establishment of a ninth through twelfth grade charter school to be located within the boundaries of the Los Angeles Unified School District (LAUSD). First year enrollment is projected at 168 students in grade 9, with expansion to 672 students in grades 9-12 by the fifth year.²

The petition states the school will be located at 2665 Clarendon Street, Huntington Park. However, the petitioner hopes to secure a one-year lease at 6005 Stafford Avenue, Huntington Park for 2015-16 to open with 168 grade 9 students.³ Further information regarding location is described in Finding 2.

The petition states the charter school's mission is "to provide a world-class education to all students through an inquiry and investigation school model that will prepare students to meet the challenges of a global 21st century."

Its vision is "to create a center for higher learning in Southeast Los Angeles where students learn to exceed expectations, to be self-aware and aware of others, to be responsible, inquisitive, prepared, passionate, inspired, engaged, independent, and love to have fun."

The charter management organization (CMO) for Prepa Tec HS is Alta Public Schools (APS). APS incorporated in 2009 with the opening of its elementary school, Academia Moderna (K-5). In 2013, APS opened Prepa Tec Los Angeles Middle School (Prepa Tec MS) serving grades six through eight. Both schools, located in Huntington Park, are authorized by the LAUSD Board of Education (LAUSD Board) and follow the International Baccalaureate (IB) educational program. APS was originally incorporated as Academia Moderna, Inc. The CMO changed its name upon opening its middle school in 2013.

APS submitted a Prepa Tec MS petition on behalf of Academia Moderna, Inc., to the LAUSD Board in fall 2011. It was denied on December 6, 2011, based on written Findings of Fact. The Charter Schools Division concluded "that until such time the administrators and Board members of Alta Public Schools can lead the schools that they are currently associated with to higher levels of student achievement that Alta Public Schools should not be granted the requested additional charter school."

The denied petition was submitted to the Los Angeles County Board of Education (County Board) on February 2, 2012. There was a 30-day extension agreement to grant or deny the appeal. However, the petition was withdrawn on March 14, 2012. APS resubmitted the petition to the LAUSD Board in fall 2013 and was subsequently authorized; this is its current middle school.

¹ There is a currently operating middle school with the same name. To distinguish these schools, the report refers to them as Prepa Tec HS and Prepa Tec MS.

² The petition states two (2) enrollment numbers. On page 16 it states "our enrollment capacity will be 504 students." However, on the same page, the Enrollment Roll-Out Plan table totals 672 students. The petitioner clarified this inconsistency stating the correct enrollment capacity is 672 students. Further enrollment analysis is described in Finding 2.

³ At the Capacity Interview the petitioner stated the potential new facility will be located at 1805 Stafford Avenue; when asked to clarify potential new facility post-Capacity Interview, the petitioner stated 6005 Stafford Avenue.

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APS opened its elementary school in 2009-10 and currently serves 471 kindergarten through fifth grade students. The LAUSD Board renewed the charter in February 2014 for a five-year term ending June 2019. In 2013-14, APS opened its middle school and currently serves 248 sixth through eighth grade students.

The Los Angeles County Office of Education (LACOE) Review Team compiled the chart below representing academic and enrollment data for the existing APS schools.

Academic and Student Demographics for Alta Public Schools

School Name (Grades)	Weighted 3-Year Average API	% of Enrollment by Student Group 2014-15			
		Hispanic or Latino	Socio-economically Disadvantaged	English Learners	Students with Disabilities [^]
Academia Moderna (K-5)	772	100	96	64	6
Prepa Tec MS (6-8)	*	98	95	23	--

* Denotes no 3-Year Average API available for school
 -- Indicates that no data was available
 Source: CDE DataQuest (Enrollment, 3-Year Average API) retrieved 4-20-15 through 4-28-15.
[^]Source: CDE DataQuest (2013-14 School Quality Snapshot) retrieved 4-24-15.
 All percentages have been rounded to the nearest whole number.

International Baccalaureate (IB) program. APS schools utilize the International Baccalaureate (IB) program. APS also intends to implement an IB program at the proposed high school. According to the IB website, IB was founded in 1968 and is a non-profit educational foundation offering four (4) programs of international education. Its purpose is to develop the intellectual, personal, emotional and social skills needed to live, learn and work in a rapidly globalizing world. Schools must be authorized by the IB organization to offer any of the programs.

The four (4) programs are as follows: Primary Years (ages 3-12), Middle Years (ages 11-16), Diploma Program (ages 16-19), and Career-related (ages 16-19).

Academia Moderna is a Primary Years IB program. Prepa Tec MS is currently in a “request for candidacy” phase for its Middle Years IB Program. At the Capacity Interview, the school stated APS intends to implement the Middle Years IB Program beginning 2016-17.

The petition describes the IB approach for the high school as follows:

Prepa Tec [HS] will be a model school of life-long learning through the IB Middle Years (IBMYP) and Diploma Programme (IBDP) in the United States. We will create a dynamic environment where all staff cultivate, model, nurture, and promote our organizational values of real-world learning and application, servant leadership, inclusiveness, discovery, continuous improvement and accountability.

There are 164 IB schools in California with 39 schools operating in Los Angeles County. There are 10 schools in LAUSD; three (3) are charter schools. Appendix 2 (page 21) contains a list of these schools and a summary of data regarding their programs and performance.

Nearby high schools. There are 11 schools serving ninth through twelfth grades located within a 2.5 mile radius of the proposed charter location at 6005 Stafford Avenue. All 11 schools serve a population similar to that described in the petition as the target population; five (5) of these schools are charters. Appendix 2 (page 21) contains a list of these schools with schoolwide Weighted 3-Year Average API data, enrollment and demographic information.

Reason for Denial by LAUSD Board

The LAUSD Board denied the Prepa Tec HS petition based on written findings of fact adopted at a public

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

meeting on March 10, 2015.⁴ The findings complied with requirements for denial under the *Charter Schools Act*.

The following is a summary of LAUSD Board's written factual findings relative to *Education Code (EC)*:

1. The petitioners are demonstrably unlikely to successfully implement the program as described below (*EC 47605(b)(2)*):

- A. APS faces increasing fiscal and operational challenges. *Academia Moderna* historically demonstrated sound fiscal management and a strong fiscal position. The addition of the second school, *Prepa Tec MS* in 2013-14 has stretched the organization's fiscal resources and capacity. The middle school remains in a very weak position and continues to rely on the elementary school for fiscal support. There are concerns regarding a potential weak fiscal start for opening the high school.

- B. The current elementary and middle schools under APS need the opportunity to continue to focus on growth academically, fiscally, and operationally.

Academia Moderna experienced a drop in API from 802 to 768 in 2013; each student group also experienced a decline in API (Latino, socio-economically disadvantaged, and English learners). In 2013-14 and 2014-15, the elementary school earned a "2-Developing" rating in academic achievement on LAUSD's four-point annual oversight scale with "1" being the lowest and "4" being the highest.

Prepa Tec MS does not have state assessment data to analyze as it opened in 2013-14. Its internal benchmarks present mixed results. In 2014-15, the middle school earned a "2-Developing" rating for its fiscal operations because the school has negative assets.

2. The petition fails to provide a reasonably comprehensive description of five (5) of the sixteen required elements (*EC 47605(b)(5)*):

- A. Element 1: Description of the Educational Program. The petition does not clearly show how students will concurrently meet Common Core State Standards (CCSS) while participating in the International Baccalaureate (IB) Middle Years and/or the IB Diploma program. It further does not contain a reasonably comprehensive description of how the school's IB programs will meet the needs of the targeted population (e.g., English learners, socio-economically disadvantaged). Furthermore, the petition does not include a list of graduation requirements or a clear outline of how students will achieve high school graduation requirements.

- B. Element 4: Governance Structure. The petition does not demonstrate the relationship of the governing board to the charter school leadership including site committees in the organizational chart. Parent Council and Staff Advisory Committees are not included in the chart but referenced in the petition. The chart also fails to include APS and key leadership positions identified in the petition.

- C. Element 5: Employee Qualifications. The petition fails to identify the qualifications and duties of key positions identified in the petition (e.g., Special Education specialist, yard personnel, custodian). Additionally, key leadership positions are missing in the organizational chart such as the Chief Executive Officer, Director of Human Relations, Director of Student Services, Director

⁴ The LAUSD Board currently authorizes the two (2) APS schools. The LAUSD Charter Schools Division (CSD) informed the CSO that the CSD was, and is, willing to work collaboratively with APS regarding matters identified in the Findings of Fact adopted by the LAUSD Board. No representative of APS addressed the LAUSD Board on the high school petition.

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of Operations and the Superintendent of Instruction. Certain job descriptions that are referenced in the petition are also missing.

- D. Element 8: Admission Requirements. The petition fails to describe how admission preferences in the lottery process will be implemented in the event applications for enrollment exceed school capacity. It fails to describe how preference will be granted to students in each category based on the order listed in the petition.
- E. Element 10: Suspension and Expulsion Procedures. The petition presents due process concerns for students and discipline policies are inconsistent with current willful defiance policies.

Any of the above findings may be cause for denial of a charter under EC 47605(b).

Response from the Petitioner

The petitioner provided a written response to the findings of the local board and submitted it as part of the petition package. The response was considered during the review process.

Appeal to the Los Angeles County Board of Education

The County Board held a Public Hearing to determine support for the petition on April 21, 2015.

Twelve (12) stakeholders spoke in support of the charter: the Chief Executive Officer, the APS Superintendent, six (6) Prepa Tec MS students and four (4) parents/relatives of Prepa Tec MS students.

The LACOE Review Process

The Standard of Review is provided in Appendix 1 and is incorporated herein by reference.

FINDINGS OF FACT

Staff findings of fact adhere to guidance established in the *Education Code, California Code of Regulations*, Title 5, LACOE Board Policy, LACOE's Administrative Regulations (AR) and other requirements of law. *Words in italicized text indicate a direct reference to the language in these documents.*

Finding 1: The petition provides a sound educational program for students to be enrolled in the school. [EC 47605(b)(1)]

Based on the guidance established in 5 CCR 11967.5.1(b), the charter petition does not present *an unsound educational program for students to be enrolled in the school.*

However, the Review Team found multiple deficiencies with the described educational program as identified in Findings 2 and 5. These findings call into question whether the educational design can be implemented and will result in an educational benefit to **all** students who would attend the school.

Finding 2: The petitioners are demonstrably unlikely to successfully implement the proposed educational program. [EC 47605(b)(2)]

5 CCR 11967.5.1(c)(1-4) provides four (4) indicators that the petitioners are unlikely to implement the proposed educational program.

Based on the review of the petition, supporting documents and information obtained through the Capacity Interview with the school's leadership team, **all four (4) indicators are present.**

Indicator 1. The petitioner has *a past history of involvement in charter schools* that is considered *unsuccessful.*

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

Middle school under enrollment.

APS has not met enrollment projections at the middle school. In the Prepa Tec MS charter, APS projected 2013-14 enrollment of 168 students. It enrolled 98 students in sixth and seventh grades; thus Prepa Tec MS was under enrolled by 70 students. In 2014-15, APS projected enrollment at 336 sixth and seventh grade students. As of April 24, 2015, it had enrolled 248 students in sixth, seventh, and eighth grades; thus, Prepa Tec MS is under enrolled by 88 students. According to the petitioner, Prepa Tec MS moved to a new facility during 2013-14 to accommodate enrollment growth; however, Prepa Tec MS continues to be under enrolled even after the move.

Academic performance of currently operating APS schools.

Academia Moderna. The elementary school earned a rating of “2-Developing” (“1” being the lowest rating; “4” being the highest) from LAUSD in its 2013-14 and 2014-15 annual oversight reports. Its 2013 Growth API represents a decline from its 2012 Growth API not only schoolwide but for every numerically significant student group. 2011 to 2013 Growth API is presented in the chart.

Academia Moderna Weighted 3-Year Average API and Growth API

	Weighted 3-Year Average	2011 Growth API	2012 Growth API	2013 Growth API
Schoolwide	772	717	803	768
Hispanic or Latino	772	714	803	769
Socioeconomically Disadvantaged	770	715	798	768
English Learners	765	722	792	762
Students with Disabilities	*	*	730	604
*Indicates that 10 or fewer students had valid test scores Source: CDE DataQuest (3-Year Average API School Report) retrieved 4-20-15.				

Prepa Tec MS. The middle school has not yet implemented the full IB program and is currently in the “consideration” or “request for candidacy” phase. According to the APS middle school charter, it will begin its “Full Trial IB Implementation” in 2016-17. Because the middle school opened in 2013-14, there is no state assessment data to analyze progress. Prepa Tec MS received a rating of “2-Developing” in a recent oversight evaluation by LAUSD.

Indicator 2. *The petitioner is unfamiliar with the content of the petition or the requirements of law that would apply to the proposed charter school as described below.*

1. The petition, and the petitioner’s responses to questions about the petition posed at the Capacity Interview, indicates the petitioner is not sufficiently familiar with the requirements of law regarding special education as described in Finding 5, Element 1. The petition does not describe the administrative and legal oversight for the special education program. Furthermore, the petition does not identify how the school will monitor academic growth of students with disabilities.
2. The petition indicates the petitioner is not familiar with current requirements of law regarding suspension and expulsion as described in Finding 5, Element10.
3. The petition does not identify or describe the needs of foster youth, a population that must be addressed under the Local Control Accountability Plan (LCAP) requirements.

Indicator 3. *The petitioner has presented an unrealistic operational plan for the proposed charter school. An unrealistic financial and operational plan is one to which there is evidence that any or all of the four (4) standards specified in state regulations are not met. Prepa Tec HS failed to meet all four (4) standards as described below.*

1. *In the area of administrative services, the charter or supporting documents do not adequately describe the structure for providing administrative services...that reflect an understanding of school*

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

business practices and expertise to carry out the necessary administrative services, or a reasonable plan and timeline to develop and assemble such practices and expertise.

- A. The fiscal policies and procedures handbook is outdated and does not reflect the new corporate structure of APS.

The inter-school borrowing policy is not included in the fiscal policies. LAUSD Board findings include an outstanding loan of \$238,000 that Prepa Tec MS borrowed from Academia Moderna. The Review Team communicated with the petitioner to clarify this Finding. However, the Review Team did not receive the approved agreement for the current outstanding loan.

The inter-school borrowing policy does not include the requirements of EC 42603 to describe the term for repayment, and the policy does not indicate an interest rate.

- B. Table 1 illustrates the last three (3) years of financial performance from 2013-14 of the two (2) schools operated by APS including the following: cash, net assets, liabilities, operating results and net cash flow. Below is a fiscal overview of the past performance of both the elementary and middle schools as well as the lack of repayment by Prepa Tec MS to Academia Moderna.

The Review Team attempted to clarify statements the petitioner included in the response to LAUSD Board Findings of Fact such as “we understand and share the concern that opening a high school is a financial challenge, however we believe that...sharing costs with the CMO, Alta Public Schools, will get us to a great start and future as was the case for Acedemia [sic] Moderna and now Prepa Tec, LA middle school.” However, **the petitioner informed the Review Team that the CMO cash, net assets, liabilities, operating results and net cash flow were unavailable; therefore, the Review Team was unable to conduct an analysis of the CMO to determine fiscal solvency.**

Table 1: Academia Moderna and Prepa Tec MS Financial Overview

Financial Overview (Audit Reports)	Cash	Net Assets	Liabilities	Operating Results	Net Cash Flow
2011-12 Year (1) Academia Moderna	\$164,895	\$605,361	\$300,276	\$283,737	\$123,312
2012-13 Year (2) Academia Moderna	\$218,919	\$765,287	\$223,728	\$159,926	\$54,024
2013-14 Year (3) Prepa Tec MS	\$11,756	\$(173,218)	\$320,211	\$(173,218)	\$11,756
Academia Moderna	\$396,260	\$773,718	\$910,464	\$8,431	\$177,341
Alta Public Schools (CMO)	Petitioner informed the Review Team that this information was not available.				
Source: Annual independent audits (2012-14).					

- C. The petition lacks a record of reimbursing Academia Moderna funds from inter-borrowing of \$238,000. As of March 31, 2015, Prepa Tec MS has an outstanding liability of \$656,227.

Charter School	FY 2014-15
Alta Public Schools (CMO)	\$132,384
Academia Moderna (K-5)	\$523,843

Based on prior year historical data Prepa Tec MS, the current ratio falls far below the standard. For schools in their first or second year of operation, the current ratio should be greater than or equal to 1.1. Prepa Tec MS current ratio is 0.43.

Additionally, unrestricted days cash falls far below the standard. For schools in their first or second year of operation must have a minimum of 30 days. Prepa Tec MS unrestricted days cash is fewer than 15 days cash.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

During the Capacity Interview, the petitioner was asked to provide copies of specific financial records for APS for FY 2013-14 as of April 29, 2015. Without these documents, LACOE is unable to provide an analysis of the CMO and its fiscal operations. As LACOE did not receive the financial documents, the Review Team was unable to determine if the CMO is fiscally solvent. The LAUSD Board Findings of Fact, "Alta Public Schools, the CMO has negative net assets of (\$58,551) per the January 31, 2015 financials."

- D. The petition lacks a cost allocation plan that demonstrates operational cost share between the two (2) existing schools including personnel. Additionally, this information is not included in the fiscal policies.
- E. The 2013-14 Independent Audit Report for Academia Moderna and Prepa Tec MS identifies an internal control issue at elementary school operated by APS. In a letter to the APS governing Board, the auditor stated there is a concern regarding the CMO's capacity to maintain effective finance and/or business management practices as described, below:

Audit Observation: Auditor noted ten manual check disbursement (site level) lacked supporting documentation. Auditor also noted ten general transactions lacked appropriate approval and were still processed for payment by Academia Moderna.

Audit Recommendation: To strengthen internal controls over the purchasing function manual checks processed at the site level should be kept a minimum and should only be used in an emergency case by case basis, in order to allow as many disbursements to be processed through the normal procedure where internal controls are in place as much as possible.

In addition, supporting documentation should be provided for all purchases made and submitted with all manual checks to APS management company prior to committing the expense to APS general ledger. Both manual checks and general transactions should be thoroughly reviewed and approved by management to ensure accurate monitoring of Alta Public Schools' cash flow.

- 2. *In the area of financial administration, the charter or supporting documents do not adequately...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.*

To be fiscally solvent, the Budget Plan requires the school meet its enrollment and Average Daily Attendance (ADA) projections each year. **The petition does not provide an adequate plan that describes how the school intends to meet the enrollment projections stated in the charter.** As stated in Indicator 1, APS has not met enrollment projections at its middle school.

Deficiencies in the Budget Plan are as follows:

- A. **Periods throughout each** fiscal year (FY), Prepa Tec HS, will have deficit spending causing the school to sell future state aid anticipated revenues or use funds from other charter schools in the APS organization.
- B. There are overstated management service fees for APS totaling approximately \$315,000 over a five (5) year period. According to the management agreement, the schools pay 10% of total revenues to APS. However, according to the budget projections, the Prepa Tec HS will pay 12%.
- C. The budget lacks IB projected expenditures for each fiscal year. For example, insufficient funds are budgeted for ongoing required IB professional development.
- D. There is no reserve for contingency in the first year of operation.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

Table 2 illustrates a financial overview of the charter school's net income projections and ending cash balance for the first three (3) fiscal years. The positive ending cash balance for FY 1 through FY 3 is contingent upon selling of accounts receivable or inter-school borrowing. The positive ending cash balance for FY 3 is contingent upon achieving the targeted ADA of 461.70.

Table 2: Prepa Tec HS Financial Overview

Budget Plan	FY 2015-16	FY 2016-17	FY 2017-18
Net Income Projections	\$66,268	\$293,380	\$575,494
Ending Cash Balance	\$21,100	\$30,342	\$209,430

Source: Prepa Tec HS multi-year forecast FY 2015-18.

Table 3 illustrates interest expenses of \$76,550 resulting from the sale of receivables or inter-school borrowing in FY 1 through FY 3.

Table 3: Prepa Tec HS Sale of Receivables and Inter-school Borrowing

	FY 2015-16	FY 2016-17	FY 2017-18
Sale of Receivables/Borrowing	\$445,000	\$765,000	\$335,000
Interest Expense	\$15,800	\$30,600	\$30,150

Source: Prepa Tec HS monthly cash flow/budget FY 2015-18.

- In the area of insurance, the charter and supporting documents do not adequately provide for the acquisition of and budgeting for general liability, workers compensations, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.*

The charter and supporting documents provide insufficient information to determine the adequacy of all lines of coverage required.

- In the area of facilities, the charter and supporting documents do not adequately describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter.*

The charter petition and supporting documents provide insufficient information regarding the facility to be used by the school. The petition states the school will be located at 2665 Clarendon Avenue, Huntington Park. This is the current location of the Prepa Tec MS. Supporting documents include a lease for this address that expires June 30, 2015.

At the Capacity Interview, the petitioner stated the school would be located at 1805 Stafford Avenue, Huntington Park. Communications with the petitioner after the Capacity Interview revealed APS is in negotiations for a school site at 6005 Stafford Avenue, Huntington Park, which is currently occupied by another charter school. The lease is intended to begin July 2015; the site will only be used by the school for one (1) year. Thus, the school must seek and secure a facility that meets its enrollment needs for 2015-16 and again for 2016-17 and beyond.

At the time this report was written, no location has been secured for Prepa Tec HS for the 2015-16 school year, and the petition does not provide a copy of any contract, Memorandum of Understanding, letter of intent and/or lease for the sites identified above.

Below is the enrollment plan stated in the charter; total enrollment for Year 5 is 672.

Enrollment Roll-Out Plan for Prepa Tec HS

Grade	2015-16	2016-17	2017-18	2018-19	2019-20
9	168	168	168	168	168
10	0	168	168	168	168
11	0	0	168	168	168
12	0	0	0	168	168

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

Indicator 4. *The petitioner lacks the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment and finance and business management.*

Academic program. At the Capacity Interview, the petitioner stated APS was not familiar with opening and operating a high school but was “willing to give it a try.” The petition offers various educational approaches and programs that require expertise, experience and thoughtful planning to implement successfully. The school has not identified a principal for the high school.

The petition lacks an adequate description of services for specific student groups such as English learners (ELs) and students with special needs. When asked, at the Capacity Interview, to provide more specific information about the program for serving these student groups, the petitioner and leadership team did not provide the necessary details.

The petition fails to detail the Professional Development (PD) necessary to affect positive academic results including that necessary for IB, Advanced Placement (AP) and intervention programs. The educational design is contingent on implementing two (2) IB programs (IB Middle Years Program and Diploma Program), a College Prep/Advanced Placement (AP) program and intervention programs for low achieving students. Hence, effective and consistent PD is a key component for successful implementation.

High school enrollment plan. APS proposes to recruit and retain 168 students in year one (1) with a year five (5) enrollment of 672. The current Prepa Tec MS grade 8 enrollment is 67. If all 67 students choose to attend the high school, APS must still recruit 101 students for 2015-16 to meet its projection of 168 students.

There are two (2) impediments to securing sufficient high school enrollment for 2015-16: lack of outreach and competition with local nearby established charter high schools. Academic performance of the nearby charter schools is located on page 3.

Lack of outreach. The petitioner stated at the Capacity Interview and Public Hearing that APS has not “done any outreach whatsoever...it’s all been word of mouth...we have not made the contact with the parents yet [beyond the current grade 8 students at Prepa Tec MS].” Given the enrollment competition identified below and the short time period to recruit, enrolling the 168 students necessary to meet the school’s enrollment projection is a significant goal to achieve.

Competition with target area charter high schools. Prepa Tec HS will compete with five (5) established local charter high schools for 2015-16 enrollment. At the Public Hearing and Capacity Interview, the petitioner stated the charter schools in the targeted area all have waiting lists and no enrollment openings for 2015-16. However, enrollment is available.

The Review Team contacted the charter schools within a 2.5 mile radius to determine enrollment openings for grade 9 for 2015-16. As shown in the table below, two (2) of the schools do not have a waiting list for grade 9, the grade Prepa Tec HS intends to offer next year.

The table below presents waiting list information for charter schools near the proposed Prepa Tec HS.

Waiting List for Charter High Schools Near Proposed Location*

Charter School Name	Distance from Proposed School (in miles)	9 th Grade Waiting List	10 th Grade Waiting List	11 th Grade Waiting List	12 th Grade Waiting List
Alliance Collins Family College Ready	1.42	Yes	Yes	Yes	Yes
Alliance Margaret Bloomfield Tech	1.48	No	No	N/A	N/A
Aspire Pacific Academy	1.51	No	N/A	N/A	Not accepting new students
Animo Pat Brown	2.04	Yes	Yes	Yes	Yes
Animo Ralph Bunche	2.16	Yes	Yes	Yes	Yes

*Wait List numbers were obtained through phone calls to the schools (4-21-15 through 4-23-15) made by the Review Team.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

Finding 3: The petition contains the required number of signatures. [EC 47605(b)(3)]

The petition has been signed by a number of teachers that is equivalent to at least one-half of the number of teachers the charter school estimates will be employed at the school during the first year of operation.

At the Capacity Interview, the petitioner proposed seven (7) teachers during its first year of operation. There are seven (7) signatories in the petition.

The CSO sent letters to the seven (7) teachers who signed as being meaningfully interested in teaching at the school. The purpose of the letter is to determine authenticity of their interest. Four (4) of the seven (7) teachers confirmed interest; one (1) letter was returned to sender. There was no response from the remaining two (2) teachers.

Finding 4: The petition does contain an affirmation of all specified assurances. [EC 47605(b)(4); EC 47605(d)]

However, the petition does not include the following language: *this paragraph applies only to pupils subject to compulsory full-time education pursuant to EC 48200 (EC 47605(d)(2)(C)(3)).*

Finding 5: The petition does not contain a reasonably comprehensive description of all required elements. [EC 47605(b)(5)(A)-(P)]

Based on the guidance established in EC, 5 CCR, the requirements set forth in Board Policy and LACOE's Administrative Regulations (AR) and other requirements of law, eight (8) of the 16 required elements are not reasonably comprehensive. The findings of the Review Team are as follows:

Element 1: Description of the Educational Program. *Not reasonably comprehensive*

1. The petition lacks a *framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population*. It fails to identify the interests, background and challenges of specific student groups to be served by the school (e.g., Latino or Hispanic, socio-economically disadvantaged, English learners and students with disabilities).
2. The petition contains an inadequate description of *the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods that will enable the school's pupils to master the content standards*.

- A. The petition does not ensure IB access for interested students or identify how the school will meet the needs of the students it intends to serve through its IB program.

The petition describes many IB projects such as portfolios, community service, essays and other assessments, that are necessary to complete the IB programs, but fails to describe how students will receive support to fulfill these requirements. For example, the petition fails to describe the IB community project and personal project expectations and assessments for grade 9 and 10 students. It does not describe whether students will be expected to fulfill requirements outside of the instructional day, and what support they will receive if they are unable to do so. Additionally, it does not describe how students performing below grade level expectations, including ELs and students with disabilities, will be supported in completing IB program requirements.

- B. The petition lacks course descriptions, consistent course sequencing and an adequate description of the instructional design.

The course descriptions lack a clear path for students entering the IB Diploma program at grades 11 and/or 12. During the Capacity Interview, the IB Coordinator stated it would be difficult for students to transition into the IB program without having previous IB experience.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

There are inconsistencies in course sequencing and course descriptions. There are three (3) examples. First, the petition describes a three-year science course sequence but includes a four-year course pattern. Additionally, the petition does not describe how students will be selected to enroll in "College Mathematics" or "Pre-Calculus" courses considering the prerequisite math course for these two (2) courses is the same. Finally, the petition contains conflicting information regarding world language course offerings. The course description indicates Spanish as the only world language to be offered; however, Mandarin is also stated in the petition. At the Capacity Interview, the petitioner stated Spanish and Mandarin will be offered beginning year one (1).

The petition fails to describe the educational program prior to official IB implementation; the "Full Trial IB Implementation" does not begin until 2017-18. It does not state clearly what portions of the IB program the petitioner intends to implement during year one (1) and year two (2) of the charter term. This lack of clarity is also present in the IB course titles. The IB course titles do not align with the course list and course descriptions throughout the petition. For example, the IB Diploma Program includes physics, sports exercise and health, music and theater but these courses are not described in the College Prep/AP program. Finally, the petition does not detail how course offerings will meet a-g requirements.

Furthermore, the petition lacks information on how students who have not demonstrated college-readiness will access AP level courses and what specific AP courses are offered before the twelfth grade. At the Capacity Interview, the school stated students will enroll in AP Biology in grade 9. However, the petition lacked specificity regarding AP enrollment.

C. The petition lacks an adequate description of its intervention programs.

First, it does not address how academic deficits will be assessed through intervention or how students enter and exit intervention programs. Second, the petition does not state credentialed teachers are responsible for providing intervention rather it states teacher assistants are given the responsibility to provide direct intervention to the lowest achieving students. Third, the petition does not reference Saturday school as a component of the intervention program; however, at the Capacity Interview, the school stated Saturday school is a component of the intervention program. Finally, the petition describes a Tier 3 intervention in a flow chart (Learning Lab) but does not provide a description of this intervention piece. A clearly identified plan for serving these students is essential to preventing further academic decline.

3. The petition does not sufficiently indicate *how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.*

The petition fails to describe how students who require intervention will also have access to enrichment courses. The intervention period (Period "0") described will provide students enrichment or intervention courses simultaneously. It is unclear if students who require intervention will receive access to enrichment classes.

4. The petition lacks an adequate description of *how the charter school will meet the needs of students with disabilities.*

A. It does not adequately describe the special education program. For example, there is no description of how the school will identify, assess and serve its students with special needs including placements and related services. Additionally, the petition does not describe how the school will implement its Individualized Educational Plans (IEPs).

B. The petition fails to adequately describe how the intervention programs will serve students with disabilities while being compliant with Least Restrictive Environment (LRE).

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

- C. The petition states it will fulfill requirements of the LACOE Special Education Local Plan Area (SELPA) without the necessary detail regarding whether the school will act as a school of the district or its own Local Educational Agency (LEA).
 - D. The petition does not provide detailed requirements for implementing Child Find, offering a Free Appropriate Public Education (FAPE) and a LRE. Additionally, it does not describe the process for changing the FAPE and LRE once defined.
 - E. The petition does not state how suspension and expulsion procedures for students with disabilities will occur.
5. The petition lacks an adequate description of *how the charter school will meet the needs of English learners (ELs)*.
- A. The petition does not adequately describe an EL program and the petitioner was unable to provide sufficient evidence of planning to serve this student population.

During the Capacity Interview, the school stated that extra time would be allowed for EL students to complete their work and that this program (e.g. extra time) would not be created until there was a need. The school referenced a "my plan" (e.g., individual learning plan) for students but stated the EL portion of this plan was blank as the school does not know how extensive this aspect of the instructional program will be and how many students will be served. Finally, it was stated that "high schools typically have a low number of ELs;" however, 32% of the current Prepa Tec MS grade 8 students are ELs. Six (6) of the (7) middle schools within a 2.5 mile radius have more than 13% ELs.

- B. Specific deficiencies in the petition regarding how the school will meet the needs of ELs are described below.
 - It does not provide a coherent framework for instruction for ELs. For example, it fails to describe two (2) of the five (5) levels of English proficiency. Furthermore, it does not provide a process and criteria to determine the effectiveness of the instructional program for ELs.
 - It is inconsistent in describing the delivery of EL programs and services. It states that ELs "will be immersed in English" yet it also states the school will provide "Spanish language support they [ELs] need." Providing primary language instruction, such as Spanish, or bilingual instruction is not the same as immersing a student in English.
 - It does not indicate how the school will provide designated ELD by proficiency levels to ensure support for newcomers and Long Term ELs (LTELs).
 - It is not updated to reflect current law. It does not identify the correct criteria for reclassification. It states CST results will be used as part of the reclassification process; these results are no longer used. California Assessment of Student Performance and Progress (CAASPP) 2015 are the new standards and results shall be used for reclassification purposes in 2015-16.
 - State priority outcome goals do not specify goals and actions that will provide ELs access to CCSS courses. For example, the petition identifies pupil outcomes "to increase percentage of students scoring proficient by 5% in core subjects," but no specific actions related to instruction, improving teacher delivery of instruction, or PD is described. Furthermore, there are no services or actions identified in the LCAP actions for ELs.
 - The petition states the school will "transition students out of ELL classification within two years with intensive English language acquisition," but does not describe how this will be accomplished. Typically, the reclassification process takes five (5) to seven (7) years.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

6. The petition fails to adequately specify *the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of EC section 47641, the process to be used to identify students who 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.*

During the Capacity Interview, the school was unaware of the requirements and processes of special education services and securing SELPA membership when acting as its own LEA under County Board authorization. This information is typically stated in the "Changes to Reflect the County Board as Authorizer" section for appeals but was not included. Finally, the petitioner and leadership team stated they had not begun the process for joining a SELPA for the proposed high school.

7. There are two (2) discrepancies regarding the *bell schedule, proposed school calendar and the instructional minutes by grade level* in the petition as follows:
 - A. The petition does not clearly identify "Period 0" as part of the regular schedule or described the program offered during this time. At the Capacity Interview, the school clarified that "Period 0" is a part of the regular schedule for all students to provide both intervention and enrichment time.
 - B. The petition identifies incorrect holiday calendar dates from December 2015 through May 2016. The calendar states either an incorrect date or year.

Element 2: Measurable Pupil Outcomes. *Not reasonably comprehensive*

1. The petition does not adequately specify the *skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. 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.*
 - A. The petition does not describe how the school plans to meet the growth targets within multiple state priority goals. The petition states "student subgroups will meet or exceed targets for growth" but does not explain how these targets will be measured.
 - B. The petition states "100% of students will gain academic content knowledge through the implementation of CA CCSS." However, this is not a measurable outcome as it does not describe how the goal will be assessed.
 - C. The petition fails to state what the student outcomes will be as a result of PD. For example, a teacher participating in PD in order to implement CCSS or comprehensive use of schoolwide positive behavior support plan by all stakeholders is not measurable.

Element 3: Method for Measuring Pupil Progress. *Not reasonably comprehensive*

1. The petition does not utilize *a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.*
 - A. It does not identify the specific formative assessment(s) for the high school level it will use to measure student progress toward meeting IB program goals, AP requirements and the CCSS. It refers to the use of "bimonthly formative assessments," but these are not described.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

- B. It states the Diagnostic Reading Assessment and leveled readers will be used as assessment tools for data collection; however, these are not high school level measurement tools.
2. The petition fails to outline an adequate *plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.*
- A. It does not specify how parents/guardians of a child with a home language other than English will be notified of their child's EL status.

Element 4: Governance Structure. *Not reasonably comprehensive*

1. The petition, bylaws, and conflict of interest policy do not state the Board will comply with Government Code section 1090 as required by LACOE Board Policy 0420.4
2. The conflict of interest policy does not include *evidence that the school's governing board has adopted internal control policies to prevent fraud, embezzlement, and conflict of interest and ensures the implementation and monitoring of those policies* as stated in LACOE AR 0420.4(g). Furthermore, the petition contains a conflict of interest policy for Academia Moderna but not APS. At the Capacity Interview, the petitioner stated the conflict of interest policy should have been included with the APS letterhead and that it is, in essence, the same policy.
3. The petition fails to include *evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:*

A. *The charter school will become and remain a viable enterprise.*

- The petition, and information stated at the Capacity Interview, indicates an excessive number of administrators and support staff for a high school with an enrollment goal of 168 students for the first year of operation.

The petition does not clearly describe the relationship between the CMO and its schools. The petition states the proposed high school will employ a Chief Executive Officer, Superintendent and Principal in Year 1. The organizational chart only identifies an "educational leader" specified as a principal, assistant principal or dean. The petition also states the school will have an Office Manager, Administrative Assistant and Custodian; the organizational chart identifies "operations staff."

At the Capacity Interview, it was explained that the Chief Executive Officer and Superintendent will divide their time between all the schools. It was also stated the CMO employs a Director of Operations, Director of Human Resources, Director of Student Services and that there will be an IB Coordinator and Resource Specialist at the high school.

- There is a conflict regarding the number of Board Members between the charter petition and the bylaws. The petition states the Board of Directors shall consist of at least four (4) directors; the bylaws state the number shall not be less than five (5). The petition states that terms for some Board Members have expired. It is unclear who currently sits on the Board according to the petition.

B. *There will be active and effective representation of interested parties, including, but not limited to parents (guardians).*

The organizational chart provides a potential communication barrier between parents and the Board of Directors. Parents are required to express concerns to the Principal who in turn to communicates concerns to the CMO. There is no process for concerns to be brought to the Board.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

At the Capacity Interview, board members stated parents have an opportunity to share ideas through public comment at board meetings, via a parent who sits on the board and through the School Site Council (SSC). The school stated the Executive Committee, which is not a decision making body, oversees two (2) committees: the SSC and the English Learner Advisory Committee (ELAC). He further stated that the Executive Committee creates a report to the APS Superintendent. These are not specified in the petition and cannot be assured.

- C. *The petition does not contain an organizational chart that accurately reflects the reporting structure of the governing board, ancillary boards, and each category of school employees as specified in LACOE AR.*

The organizational chart does not reflect a clear reporting structure of staff to the governing board and does not contain all administrative positions. At the Capacity Interview, the Chief Executive Officer stated that the APS Superintendent reports to him. This is not reflected in the chart.

“CMO Management” positions are not listed on the organizational chart; therefore, it is unclear which positions are at the school site and CMO level. For example, at the Capacity Interview, the Chief Executive Officer stated the following positions are a part of the CMO Management: Operations, Superintendent, Chief Executive Officer (CEO), Director of Human Resource and Student Support Services. However, these job descriptions are not described in the petition.

The organizational chart does not delineate the chain of command or reporting structure for school site personnel.

Element 5: Employee Qualifications. *Not reasonably comprehensive*

1. *The petition does not identify the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support)..sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.*

The organizational chart does not describe all categories of employees in the petition as stated above in Element 4: Governance Structure. Furthermore, key positions such as the Education Consultants and Special Education Staff are referenced on the chart but not described in the petition.

2. *The petition does not 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.*

The petition fails to describe the credential requirements for the special education staff. While administrative supervisory duties related to special education are mentioned, the petition does not describe the credential requirements of staff serving students with special needs.

Element 6: Health and Safety Procedures. *Reasonably comprehensive*

Element 7: Means to Achieve a Reflective Racial and Ethnic Balance. *Reasonably comprehensive with a specific deficiency*

The petition lacks implementation benchmarks that measure whether the applicant pool is reflective of the racial and ethnic composition of the general population residing within the geographic boundaries of the school district (e.g., how the school will measure whether it has met the demographic composition of the district).

The table below compiled by the Review Team provides data necessary to develop benchmarks and monitor the racial and ethnic balance of the student population that are missing from the petition.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

Demographic Composition for the Cities of Huntington Park and South Gate Combined and LAUSD

Demographic Categories	% of General Population (Combined Huntington Park City and South Gate City)*		% Enrollment for LAUSD**
	All Ages	Ages 5 to 19	K-12
Black or African American	0.52	0.52	9.17
American Indian or Alaska Native	0.09	0.06	0.38
Asian	0.63	0.66	4.08
Hispanic or Latino	95.66	95.69	73.50
Native Hawaiian or Pacific Islander	0.06	0.06	0.38
White	2.73	2.71	9.32
Some Other Race	0.15	0.20	3.03
Two or More Races	0.15	0.16	0.14

*Source: United Census Bureau: <http://quickfacts.census.gov> and American Fact Finder: <http://factfinder.census.gov/> retrieved 4-13-15.
**Source: CDE DataQuest (School Enrollment) retrieved 4-17-15.

Element 8: Admission Requirements. *Not reasonably comprehensive*

1. The admission requirements *are not in keeping with EC section 47605(b)(5)(H)*.
 - A. *Stated preferences are not clearly defined (siblings, employee’s children, district students, etc.).* The petition includes a preference for all students who reside within LACOE’s boundaries. That stated preference may apply to most, if not all, applicants. The preference should remain for district residents.
 - B. *The process for conducting the lottery is not clearly defined and/or observable.* The timeline for conducting the lottery is inconsistent throughout the petition. The petition states contradictory number of days for parent notification regarding the lottery process. For example, if a student is selected and eligible to enroll from the lottery, the parent/guardian has five (5) days to “conclude the matriculation of the student.” Yet, if the parent does not complete the matriculation process within five (5) days, a letter will be sent to the parent/guardian asking for positive enrollment confirmation.

Element 9: Annual Independent Financial Audits. *Reasonably comprehensive with specific deficiency*

The petition lacks the following statement required by LACOE AR 0420.4: *Financial reporting to charter agency would be carried out in pursuant to EC 47604.33.*

Element 10: Suspension and Expulsion Procedures. *Reasonably comprehensive with specific deficiencies*

1. The petition does not *identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioner reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.*
 - A. The petition does not provide a list of offenses for which students in the charter school may be suspended or may be expelled.
 - B. The petition includes a list of disciplinary offenses that are not consistent with current *EC 48900*.
2. The petition fails to *identify the procedures by which pupils can be suspended or expelled.*
 - A. It fails to identify procedures for suspending or expelling students with disabilities.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

- B. The petition does not adequately describe how a student receives an in-house suspension, where the student will be located during that suspension and who will supervise the student for the duration of the suspension.
 - C. The petition contains contradictory information regarding the length of student suspensions.
 - D. The expulsion of a student who has been suspended for 20 days and the policies outlined in other sections of Element 10 are inconsistent. Regardless of the incident committed, this statement indicates a student will be considered for expulsion.
3. The petition does not *identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regards to suspension or expulsion*. The suspension appeal process could lead to a due process concern if the student is suspended by the CEO; if the CEO is part of the appeal body, this does not constitute a fair process.

Element 11: STRS, PERS, and Social Security. *Reasonably comprehensive*

Element 12: Public School Attendance Alternatives. *Reasonably comprehensive with a specific deficiency*

See Element 8, Item 1B.

Element 13: Post-Employment Rights of Employees. *Reasonably comprehensive*

Element 14: Dispute Resolution Procedures. *Not reasonably comprehensive*

The petition does not contain the following statements in accordance with LACOE AR 0420.4(i):

- 1. *At any time that LACOE believes the dispute relates to an issue that could lead to revocation of the charter school, both parties will no longer be subject to this process.*
- 2. *The County Board may proceed immediately with the revocation procedures as set forth in law and stated below if it believes the charter school:*
 - (a) *Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.*
 - (b) *Failed to meet or pursue any of the pupil outcomes identified in the charter.*
 - (c) *Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.*
 - (d) *Violated any provision of law.*

Element 15: Exclusive Public Employer. *Reasonably comprehensive*

Element 16: Closure Procedures. *Not reasonably comprehensive*

- 1. The petition as amended in the Changes to Reflect the County as Authorizer does not provide for notification to be given to the *SELPA or Retirement Systems*.
- 2. The petition as amended in the Changes to Reflect the County as Authorizer does not include information regarding the *grade level and completed classes to be included with the pupil information*.
- 3. It does not provide for the transfer of *all state assessment results, and any special education records to the custody of the responsible entity*.

Finding 6: The petition does not satisfy all of the Required Assurances of Education Code section 47605(c), (e) through (j), (l), and (m) as follows:

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

Standards, Assessments and Parent Consultation. [EC 47605(c)] *Does not meet the condition*

The petition fails to state the charter school will *meet all statewide standards and conduct the pupil assessments required pursuant to EC section 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools*. Deficiencies for this condition are described in Findings 2 and 5.

Employment is Voluntary. [EC 47605(e)] *Not applicable*

Pupil Attendance is Voluntary. [EC 47605(f)] *Not applicable*

Effect on the Authorizer and Financial Projections. [EC 47605(g)] *Does not provide the necessary evidence*

1. The petition does not describe *the facilities to be used by the charter school including where the school intends to locate*. Deficiencies are described in Finding 2, Indicator 3, #4.
2. The petition does not describe *the manner in which administrative services of the school are to be provided*. Deficiencies are described in Finding 2, Indicator 3, #1.
3. The petition does not provide *financial statements that include a proposed first-year operational budget, including startup costs, and cash-flow and financial projections for the first three years of operation*.

The necessary financial statements were included but are deficient as identified in Finding 2, Indicator 3.

4. The petition does not provide the necessary evidence in the area of *potential civil liabilities* that could affect the authorizer.

The numerous deficiencies identified in this report create potential civil liability for the County Board. The County Board is on notice that the school does not demonstrate adequate academic performance, does not have a strong financial position and the petition does not fully comply with the requirements of law. This will impact the County Board's oversight and monitoring obligations.

Preference to Academically Low Performing Students. [EC 47605(h)] *Does not qualify for the preference*

The petition does not *demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving*. It does not provide sufficient detail regarding the intervention programs the school will use with those academically low performing students as required by EC 47605(h). Specific deficiencies regarding the intervention programs are described in Findings 2 and 5.

Teacher Credentialing Requirement. *Does not meet the condition*

See Finding 5.

Transmission of Audit Report. [EC 47605(m)] *Meets the condition*

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

Appendix 1

Los Angeles County Office of Education Standard of Review

Review Criteria: The Los Angeles County Office of Education (LACOE) Charter School Review Team (Review Team) considered the petition according to the requirements of the *EC* and other pertinent laws, guidance established in 5 *CCR*, *County Board Policy (BP)* and LACOE's *Administrative Regulations (AR)*.⁵

LACOE has adopted the petition review criteria established in 5 *CCR* 11967.5.1(a-g) except where LACOE determined that the regulations provide insufficient direction or where they are not applicable because the structure or responsibility of the County Board and LACOE differ from those of the State Board of Education (SBE) and the California Department of Education (CDE). In these instances, LACOE developed its own (local) review criteria or added criteria to those developed by CDE to reflect the needs of the County Board as the authorizer and LACOE as the monitoring and oversight agency.

Reasonably Comprehensive: In addition to the regulatory guidance that specifies the components of each required element, 5 *CCR* 11967.5.1(g) states a “reasonably comprehensive” description of the required petition elements shall 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.*

Reasonably Comprehensive with Deficiencies: An element may be reasonably comprehensive but lack specific critical information or contain an error important enough to warrant correction. These elements are described as “reasonably comprehensive” with a specific “deficiency” or “deficiencies.” Correcting the deficiency or deficiencies would not be a material revision (as defined in statute and County Board Policy) to the charter.

Technical Adjustments: Three (3) circumstances may require a “technical adjustment” to the petition:

1. Adjustments necessary to reflect the County Board as the authorizer. These adjustments are necessary because the petition was initially submitted to a local district and contains specific references to and/or language required by that district and/or the petition does not reflect the structure of the County Office.

⁵ Words in italics indicate a direct reference to the language in these documents.

Staff Findings of Fact on the Prepa Tec Los Angeles HS Charter Petition

2. Adjustments needed to bring the petition current with changes made to law since the petition was submitted. This includes adjustments necessary to comply with the *Charter School Act* effective July 1, 2013, as the result of *Assembly Bill (AB) 97* (Local Control Funding Formula).
3. Adjustments necessary to address clerical errors or inconsistencies where making the adjustment would not be a material revision (as defined in statute and *County BP*) to the charter.

Affirmations and Assurances: *The petition shall contain a clear, unequivocal affirmation of each requirement, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in EC section 47605(c-f, l and m).*

Reviewers: The Review Team included staff from the Controller's Office, Facilities and Construction, Risk Management, Curriculum and Instruction, Special Education, Student Support Services, Human Resources, the Office of General Counsel, and the Division of Accountability, Support and Monitoring, including the Charter School Office.

Scope of Review: Findings are based on a review of the submitted renewal petition and supporting documents, information obtained through the Capacity Interview and other communications with the petitioners and representatives of the school, and other publicly available information.

Legislative Intent: The Review Team considered whether the petition complies with *EC 47601* of the *Charter Schools Act*, which states:

It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- (a) Improve pupil learning.*
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.*
- (c) Encourage the use of different and innovative teaching methods.*
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.*
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.*
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.*

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Appendix 2

Summary Data for IB Schools in Los Angeles Unified School District

Academia Moderna Charter (K-5) ©	x			8/28/14	772	471	95	98	51	6
Academia Semillas del Pueblo Xinaxcalmecac (K-12) ©	x			8/29/09	637	257	97	89	22	10
Downtown Magnets High School (9-12)			x	10/8/14	806	1,060	59	85	5	4
Eagle Rock Junior/Senior High School (7-12)		x	x	5/11/11	765	2,469	58	56	6	11
El Sereno Middle School (6-8)		x		5/1/12	710	1,276	91	89	13	16
Farmdale Elementary School (K-5)	x			12/19/11	713	526	92	83	37	18
Granada Hills Charter High School (9-12) ©			x	12/21/11	880	4,410	39	51	3	6
James A. Foshay Learning Center (K-12)	x	x		8/6/12	705	1,934	83	90	13	7
Meyler Street Elementary School (K-5)	x			5/5/14	750	788	82	80	47	7
Woodrow Wilson High School (9-12)		x	x	5/1/12	646	1,624	92	76	13	14
© Denotes Charter School ^PYP=Primary Years Program; MYP=Middle Years Program; DP=Diploma Program; Source: International Baccalaureate website: http://www.ibo.org/ retrieved 4-22-15. ^^SED=Socioeconomically Disadvantaged *Source: CDE DataQuest (2013-14 School Quality Snapshot) retrieved 4-24-15. Source: CDE DataQuest (3-Year Average API School Report, Enrollment) retrieved 4-24-15 and 4-28-15.										

Academic and Enrollment Data for High Schools Located Near Proposed Charter School

Alliance Margaret Bloomfield Tech ©	1.48	--	104	98	93	26	--	
Maywood Academy High	1.92	684	1,322	99	95	14	10	
Bell Senior High	2.01	690	3,256	97	92	15	11	
Animo Pat Brown ©	2.04	796	612	99	98	16	9	
Animo Ralph Bunche ©	2.16	712	610	99	99	22	7	
Thomas Jefferson High	2.27	573	1,012	89	84	29	14	
SED=Socioeconomically Disadvantaged Schools in _____ are schools listed in charter petition. © Denotes charter school * Denotes no 3-Year Average API available for school. -- Denotes no data is available for school from CDE. Alliance Margaret Bloomfield Tech began operations in 2014. Wait List numbers were obtained through phone calls to the schools (4-21-15 through 4-23-15). ^Source: CDE DataQuest (2013-14 School Quality Snapshot) retrieved 4-24-15. Source: CDE DataQuest (Enrollment, 3-Year Average API, Accountability Progress reporting) retrieved 4-16-15 through 4-28-15.								

CHARTER PETITIONER'S RESPONSE TO LOS ANGELES COUNTY BOARD OF EDUCATION ("LACBOE") FINDINGS FOR DENIAL

Finding #1: The charter provides a sound educational program.

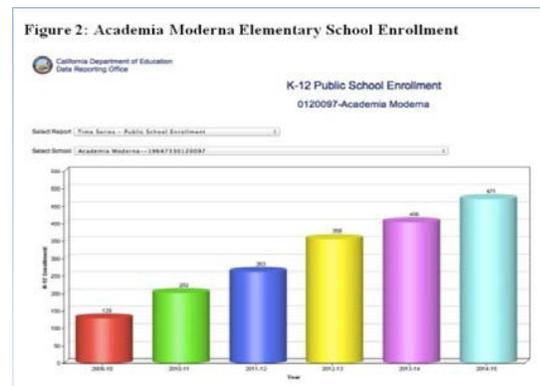
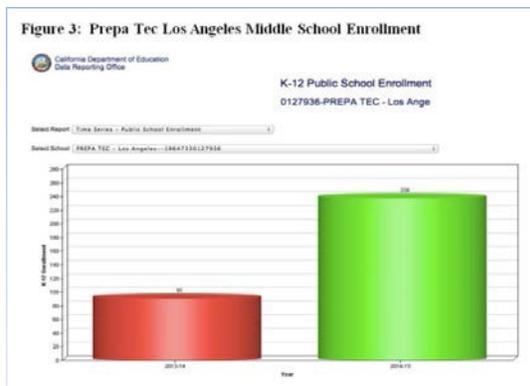
Finding #2: The petitioners are demonstrably unlikely to successfully implement the program.

- History of Involvement in Charter Schools. LACBOE found Alta Public Schools ("APS") has an unsuccessful history because: (1) The middle school is under-enrolled. (2) Academia Moderna's 2013 API represented a decline from the previous year. (3) Prepa Tec Los Angeles Middle School ("Prepa Tec MS") is in the candidacy phase for IB certification and there is no State assessment data to analyze its progress.

Petitioner's Response.

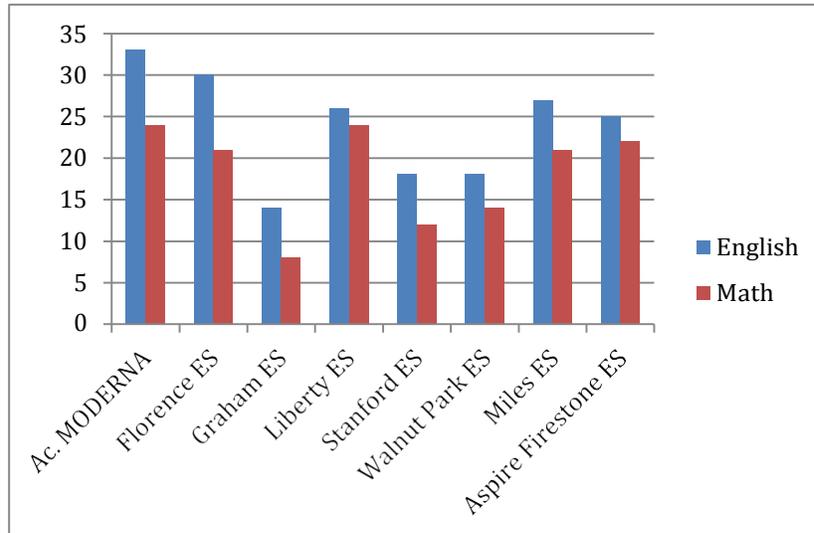
LACBOE has completely misinterpreted the State's regulations for finding an unlikelihood of success. 5 CCR 11967.5.1(c) provides that if petitioners have a past history of involvement in charter schools that is unsuccessful, *such as a charter that has been revoked*, this is a factor the State may consider to determine if petitioners are "demonstrably unlikely to successfully implement the program." The example given in the regulations for what it means to be "unsuccessful" is serious—a charter revocation. Even if the 3 items LACBOE cited were accurate (they are not, or they are taken out of context), these items are not serious. A charter revocation is *not comparable* to under-enrollment, a one-year API decline after a year of remarkable API gains, or a lack of State test data through no fault of the charter. APS operates two charter schools. Neither have ever faced revocation or any other serious academic or financial crisis.

As to the enrollment issue, the middle school is fully enrolled for its budget and charter projections for 2015-16. It currently has a waiting list. APS has excelled at increasing enrollment at both its charter schools year to year:



As to Academia Moderna's academic performance, this school continues to outperform other LAUSD elementary schools that LAUSD identified as "similar schools," and is currently the number one elementary school in our community based on recently released CAASPP scores. The Smarter

Balanced/CAASPP was administered at Academia Moderna. Below are our 2015 Smarter Balanced scores in English and Math compared with these "similar schools":



Further, the internal assessments for Academia Moderna (the school used the Success For All 4Sight quarterly benchmarks during API "gap years") also show success. The data showed that students attending Prepa Tec MS performed at an API equivalent of 787 during the third quarter of the 2014-15 school year, with an overall predicted API of 801 for the end of the school year.

Academia Moderna finished its first year in operations in 2010 with an API score of 652. By 2012, Academia Moderna achieved an API score of 803, outperforming the growth rates of all other schools in Southeast Los Angeles. In 2013, Academia Moderna suffered an anomaly with the California Standardized Tests, which caused its API score to drop by 34 points. Prior to this, Academia Moderna had reached an incredible 803 API in the school year 2011-2012, which was a 151-point growth from the previous two years. Throughout the school year 2012-2013, Academia Moderna continued its upward trend towards its goal of 900 API. However, at the culmination of the school year, student test results showed an unforeseen API of 768. This was a drop of 34 points.

**2013-2014 Prepa Tec
 Final Benchmark Projected API of 749**

Benchmark	ACTUAL	FORCASTED
Benchmark 1	652	0
Benchmark 2	655	0
Benchmark 3	714	674
Benchmark 4	710	782
Benchmark 5	749	731

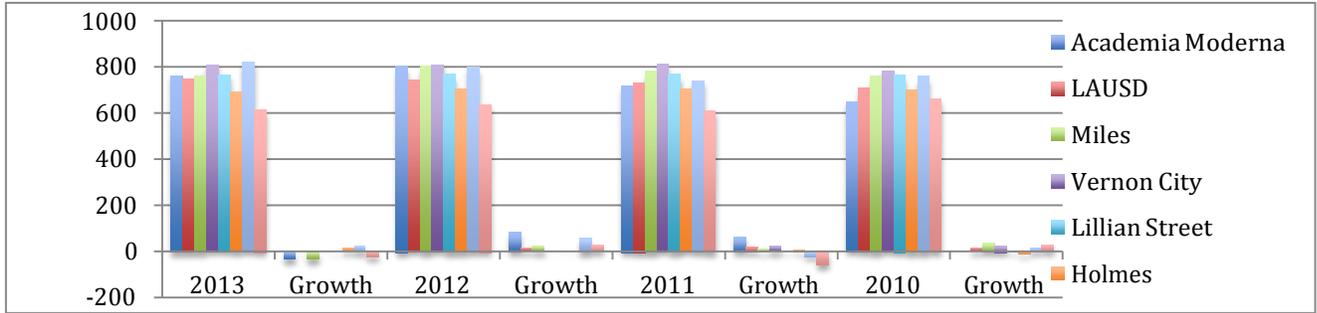
**2014-2015 Prepa Tec
 Final Benchmark Projected API of 801**

Benchmark	ACTUAL	FORCASTED
Benchmark 1	758	0
Benchmark 2	774	0
Benchmark 3	787	790
Benchmark 4	804	801
Benchmark 5	749	731

We believe that several specific and indirect occurrences attributed to the Academia Moderna's 34 API point decline in 2013: 1) The incorporation of a new set of standards, referred to as the California Common Core State Standards (CCSS), which were not fully aligned with previous state standards that have been the guide for instruction since 1997. This misalignment of state standards proved to be detrimental to most schools in the state of California and they suffered an overall decline in test outcomes; 2) In addition to the misalignment or transition to new state standards, Academia Moderna attributes the principal reasons for the decline in 2013 to unforeseen and unmanageable human occurrences the day of the test. This process of adopting the Common Core State Standards, Smarter Balanced and instructional delivery practices were all part of our transition. We know this to be the case because the CST results did not correlate with Academia Moderna's ongoing benchmark outcomes for the year (See figures C and D), which shows that students were well prepared for the CST; and, 3) Academia Moderna also attributes the API drop to students have to adjust from a pencil-based exam to a technology-based exam. Academia Moderna students were chosen by the state to also pilot the Smarter Balanced test. We know that transitioning was likely a factor because the grade level that scored the lowest, 3rd grade, was one of the grades that pilot-tested the Smarter Balanced test.

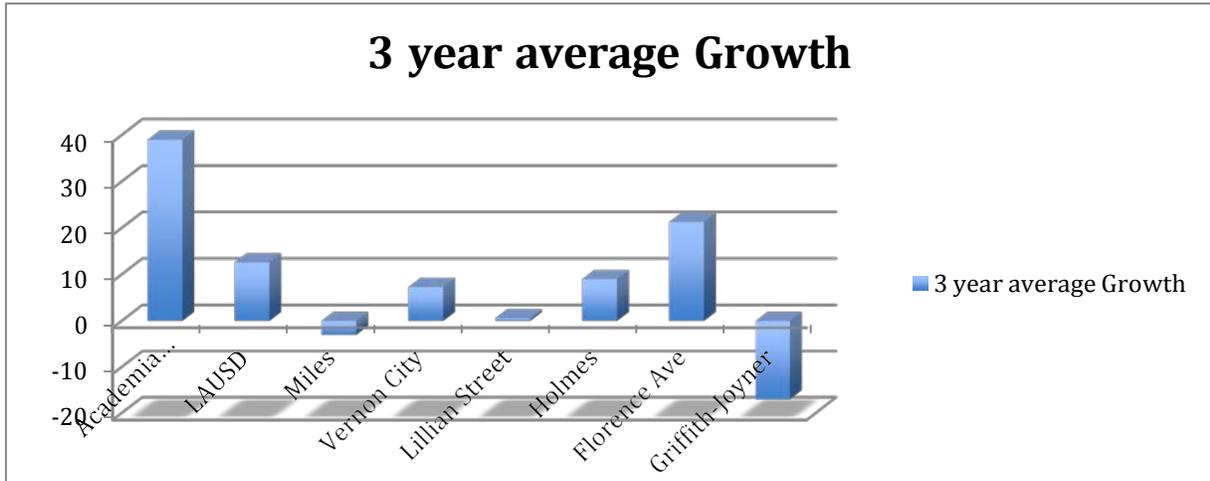
Comparison of CST	2013	Growth	2012	Growth	2011	Growth	2010	Growth	Av Growth
Academia Moderna	768	-34	803	86	717	65	652	N/A	39
LAUSD	749	3	744	15	729	20	709	16	12.6
Miles	768	-35	804	22	782	10	759	37	-3
Vernon City	814	-1	814	1	813	22	791	29	7.3
Lillian Street	767	-3	770	0	770	5	765	7	0.6
Holmes	693	16	708	2	710	9	701	-9	9
Florence Ave	824	24	800	58	742	-18	760	19	21.3
Griffith-Joyner	616	-23	638	28	609	-56	665	28	-17

Figure A



In sum, Academia Moderna has outperformed, on average, all area schools, as well as, the district (LAUSD) throughout its first three years of growth. This growth played a major role in the re-authorization of Academia Moderna's charter.

Figure B



Benchmark Growth for 2012-2013

Bench 1	520
Bench 2	586
Bench 3	715
Bench 4	754
Bench 5	808
CST	768

Figure C

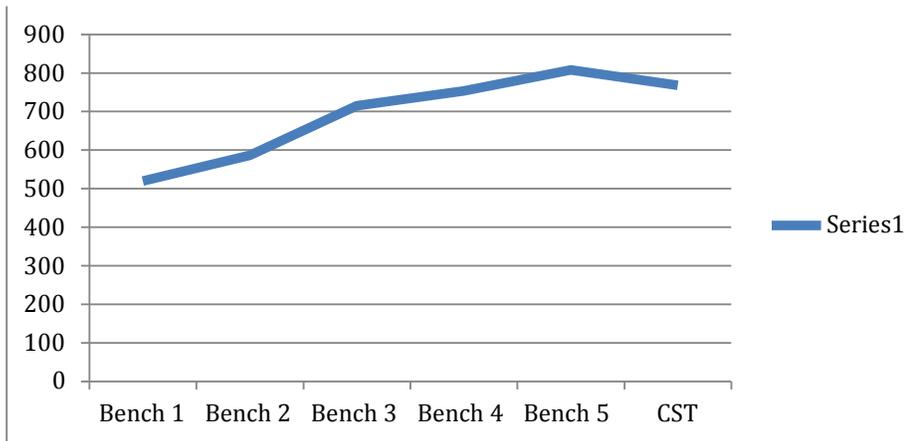
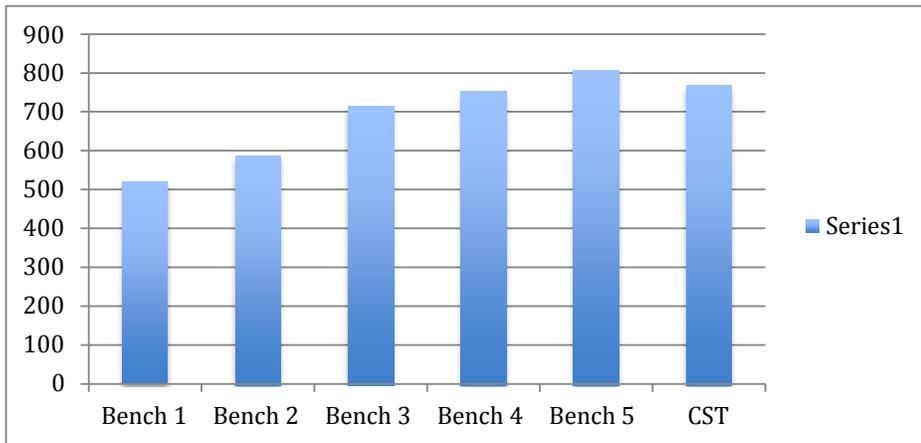
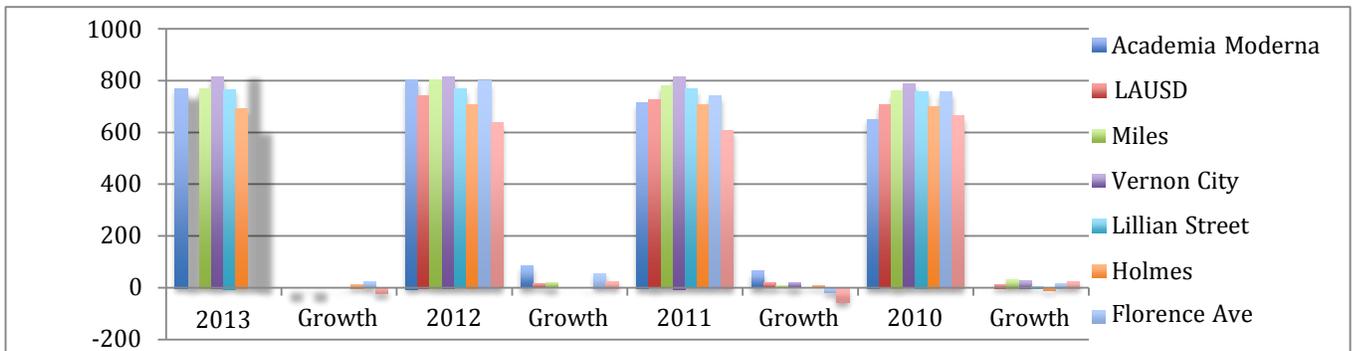


Figure D



However, even with the API drop in 2013, Academia Moderna has maintained an average 35.3-point gain in API per year. We note Academia Moderna was renewed in 2014—after the API scores LACBOE cites as problematic.



As for the middle school, it is unfair for LACBOE to brand the school “unsuccessful” based on a lack of State assessment data due to the State’s suspension of testing for all public schools. Prepa Tec MS has used internal assessment data in lieu of standardized State tests for each year it has been in operation, and those results show that students are learning at high levels (Prepa Tec MS utilizes Success For All’s 4Sight quarterly benchmarks). Our Fourth Quarter 2014 benchmarks were:

	<u>% Advanced/Proficient</u>	<u>Projected API</u>
<u>English Language Arts</u>	<u>67.2%</u>	<u>839</u>
<u>Mathematics</u>	<u>75.2%</u>	<u>869</u>

Our internal benchmarks results demonstrate a substantial increase of API from 2014 to 2015 at Prepa Tec MS as follows:

Groups	Number of Students Tested 2014	2014 Benchmark Projected API	Number of Students Tested 2015	2015 Benchmark Projected API
Schoolwide	98	749	251	811
Hispanic or Latino	97	749	249	811
LSE	No Data	No Data	199	821
EL	28	731	46	744
SPED	7	739	22	657

Internal Prep Tech Middle School Benchmarks

In its first two years of operation, Prepa Tec MS took on primarily low-achieving students who did not matriculate from our elementary school, and based on internal, interim assessments, Prepa Tec MS has already made strides in closing achievement gaps for these students. Based on recent, preliminary CAASPP data, Prepa Tec MS is not academically high-achieving yet, but is in the range of the schools where its students would otherwise enroll and is working to bring students who enter below grade level up to grade level and beyond. In addition, Prepa Tec MS experiences substantial interest from its community, as demonstrated by its growing waitlist. The longer these students attend our schools, such as attending our elementary school before attending Prepa Tec MS, the higher their academic performance will be as they enter into Prepa Tec HS. The following are indicators of our school’s achievement:

- We have a 100% compliance rate with the LAUSD SELPA oversight at both schools.
- Eighty-five percent (85%) of our parents participated in the administered survey.
- Consistently low discipline rates.
- High year-to-year retention rates.

Knowledge of Charter Law. LACBOE found APS is unfamiliar with the requirements of charter law as to (1) education: LACBOE found the charter should describe the particular oversight and monitoring required by LACBOE. (2) Suspensions and expulsions: LACBOE found the charter should describe non-discretionary and discretionary offenses for which

students must or may be suspended or expelled, and add detail about procedures for suspension, expulsion and due process for appeals. (3) Foster youth: LACBOE found that since a school's LCAP is required to address foster youth, so should the charter.

Petitioner's Response.

Please see the school's letter to the State describing changes to the charter necessary to reflect the SBE as authorizer. The special education portion of Element 1 of the charter submitted to LAUSD was tailored for LAUSD. Any charter school that seeks to be authorized by LAUSD is *required* to copy-paste the special education portion of Element 1 verbatim from LAUSD's own "District Required Language" (DRL). APS adopted the precise LAUSD special education language in the petition because it was required to. As part of the letter explaining changes to reflect the State as authorizer instead of LAUSD, we have included a revised special education section. As detailed there, Prepa Tec HS intends to be its own local education agency ("LEA") under Education Code section 47641(a) and is already in discussions to join the El Dorado County SELPA. We will work closely with the SELPA to ensure there is adequate legal oversight and monitoring for academic growth of special education students. Through its other two charter schools, APS is very familiar with the requirements of law that apply to special education students. We currently have 28 special education students at Prepa Tec MS (which makes up 8% of the current student body), and 26 special education students at Academia Moderna (6% of the current student body). While the number of special education students at Academia Moderna has been relatively constant since the school opened, Prepa Tec MS has had a 100% increase in special education students each school year over the past 2 years.

As for suspensions and expulsions, APS is knowledgeable about the law regarding charter school suspensions and expulsions. Element 10 (pp.183-200 of the charter) describes the proposed suspension and expulsion policies and procedures at Prepa Tec HS. This description is reasonably comprehensive, and states that the high school's final discipline policy will be developed with input from all stakeholders once the charter is approved. There is no legal requirement for the charter to enumerate each and every discretionary or mandatory offense for suspension and expulsion. The charter does—even though it is not required to—enumerate the list of offenses that are considered grounds for suspension or expulsion, and it lists offenses for which the school mandates the recommendation for expulsion. This is similar to many other approved charters.

The charter addresses the needs of foster youth in Element 1, p.22 (Foster Parent Engagement), p. 118 (Foster Youth) and p. 132 (Foster Student Records). Foster Youth is also addressed in Element 2 & 3, LCAP. Indeed, APS continues to serve foster youth at its elementary and middle schools.

- Realistic Operational and Financial Plan. *LACBOE found the operational plan for Prepa Tec HS is unrealistic because: (1) The charter does not include enough detail about the structure for administrative services. (2) The school's inter-school borrowing policy lacks transparency, and LACBOE does not believe the proposed startup loan from the CMO is proper. (3) The school's budget will not amass a reserve quickly enough, and at various periods, the budget assumes the school may need to sell receivables. (4) The charter does not adequately describe how it will meet enrollment projections. (5) The charter does not include insurance policies. (6) The charter does not adequately describe the location and facilities.*

Petitioner's Response.

As to administrative services, APS already has the support (or contracts for those services) necessary to run two successful charter schools. APS has an "understanding of school business practices and expertise," including how to achieve economies of scale, that goes above and beyond the experience and resources that most charter applicants have. Element 5, pp. 144-158, describes the many "pooled" services that will be provided by APS (the CMO) to Prepa Tec HS at the same rate the other schools pay. This information has been incorporated into the organization's fiscal policies and the CMO's management services are accounted for in the Prepa Tec HS budget. The budget also includes necessary funds for International Baccalaureate professional development (LACBOE incorrectly found that the budget did not include this item).

The charter adequately describes the high school's operational plan throughout. For example: Element 1, pp. 22-25 (describes the school's board, CEO, Superintendent, Director of HR and Director of Operations as explicitly being responsible for delivering various aspects of the annual school goals in each of the State Priorities); Element 1, pp. 26-52, (the instructional program, educational philosophy, approaches to learning, and delivery of instruction are described in detail); Element 5, pp. 143-144 (discusses that administrative assistance will come from APS); Element 5, pp. 144-151 (describes the types of operational, financial, professional development, business services and HR functions and supports provided by the CEO and Superintendent, which are positions in the home office of each APS school, including Prepa Tec HS); Element 5, pp. 143-160 (provides key job descriptions and describes allocation of operational responsibilities).

As for the proposed loan from APS (the CMO) to the new high school, the APS interschool borrowing policy is part of the record and was presented to LACBOE. (Tab 13.) LACBOE found the policy did not track Education Code section 42603 and was therefore inadequate. We note Education Code section 42603 does not apply to charter schools. (See Ed. Code, § 47610.) Moreover, the APS policy does include all the components in Section 42603, including a requirement that interschool loans document repayment terms, term and interest rate (if any), and Interschool Loan Board Authorization Form. Most importantly, the APS "slow growth" model specifically plans for a loan from the CMO to a new charter school during its startup years of operation. This is not unusual or illegal. The LACBOE review faulted APS for not including granular-level details about the loan from the CMO to the middle school. We believe this level of detail is not required in the high school's charter. Nonetheless, the finances presented to LACOE do provide the necessary detail. Academia Moderna—which was APS' first school—is fully self-sustainable with a positive year-end cash balance projected for each of the next five fiscal years, with a balance of \$828,013 projected for 2015-16 and reserves of \$558,400. When it opened, Prepa Tec MS was supported by a loan from APS. As shown in the schools' budgets, this loan has now been paid in full. The middle school is projected to be self-sustainable this fiscal year. The middle school's successful growth—ahead of schedule—has placed APS in a strong financial position as a whole. Likewise, the multi-year budget for Prepa Tec HS projects a positive end of year cash balance with a 5% cash reserve by June 30, 2018 (assuming a start date of Fall 2016). Please refer to the updated Prepa Tec HS budget (Tab 6) for additional detail.

The organization as a whole (APS and both its schools) had a surplus of \$226,974 and an ending net asset balance of \$827,477 (which is 11.1% of the operating budget) as of June 30, 2015. This is financially strong. Please refer to the 2013-14 consolidated financial audit for APS (Tab 9), the APS multi-

year consolidated budget (Tab 10), the Academia Modern budget (Tab 11), and the Prepa Tec MS budget (Tab 12) for additional detail.

To be conservative, the Prepa Tec HS budget has been prepared assuming that the high school may use third party borrowing through the sale of receivables. Many charter schools do this, especially in startup years or to overcome delays in public funding. As a new school, Prepa Tec HS will have trailing revenue and expenses that are out of alignment with the State's disbursement schedule. Interschool loans (as detailed in the charter and budget, and discussed above) and/or financing from a third party (such as the sale of receivables) may be needed in order to ensure that expenses are paid and cash flow is available. Prepa Tec HS is projected to be self-sustainable in the second year of operations. The need for borrowing to overcome the delays in public funding will end in the 2nd year of operations. As noted above, the multi-year budget projections for the school show a positive end of year cash balance with a 5% cash reserve by June 30, 2018.

The fact that our charter accounts for things like delays in funding and startup expenses is a sign of our school's likely success. Our budget is conservative—we have planned for fiscal challenges, and we have planned how we will address them. This strategy is realistic and an indicator of success.

We also note LACBOE's review of the Prepa Tec HS finances was incomplete. The review team at the county refused to accept the school's updated budgets, even though the updates were caused by changes in the state funding formula and allocation for charter schools.

As for how we will meet enrollment, please see Element 7, pp. 170-174, for a comprehensive description of strategies being utilized to recruit students that are reflective of the racial and ethnic balance of our communities: various modes of advertising, holding community meetings, earned radio and TV spots. Our enrollment projections are moderate. The two primary public high schools in our area are overcrowded. The only high school in our neighborhood that is "excelling" according to the School Performance Framework (Alliance Collins Family College Ready HS) is small and has limited enrollment. Parents want more options. In addition, we anticipate students from our middle school will matriculate to our high school. The LACBOE findings point to enrollment at the Prepa Tec MS, which was below projections for the first year. The middle school had a challenging Year 1 due to (1) the late-year charter approval, and (2) only having a few months to secure a lease for the school's building. Since Year 1, the middle school has made great strides and is now fully enrolled with a waiting list in Year 3.

As to the issue of insurance, the charter describes all insurance coverage to be acquired. (Charter, pp. 216-219.) The Prepa Tec Los HS budget includes a line item for insurance. LACBOE suggests that because it has not reviewed the policies themselves, the insurance is inadequate. This conclusion is unsupported by law. A school cannot secure a policy before it has a charter. The aforementioned information in the charter and budget is reasonably comprehensive and thus meets the legal mandate for the charter petition.

Likewise, a school cannot sign a lease for a facility before it has a charter. The LACBOE findings fault the school for not including a signed lease in its charter petition. The proposed site location (address) is listed in the charter, Element 1, p.11. We have discussed the particulars of our plan to use this site with both the district and county staff. The proposed site, located at 2665 Clarendon St. in Huntington Park, has the correct zoning and certificate of occupancy as issued by the city of Huntington Park and it is currently being used as a charter school. Reference to the target community and site is also made in Element 1, pp.

12-1818, and in the charter's analysis on academic performance surrounding the subject site. We are also considering other sites as the Clarendon St. landlord will not execute the lease until the charter is approved.

- Experience and Background. *LACBOE found APS lacks the necessary background to be successful because: (1) The school has not selected a Principal yet. (2) The charter does not adequately describe services for EL students, special education services, and IB professional development. (3) In LACBOE's opinion, the charter cannot possibly meet enrollment projections of 168 students in year one because of competition with other schools and lack of outreach.*

Petitioner's Response.

LACBOE's findings misinterpret this indicator. This section of 5 CCR 11967.5.1(c) is about the school leaders' backgrounds in areas necessary for a school's success: curriculum, instruction, assessment, finance and business. The issues listed by LACBOE are not about APS' leaders' backgrounds and experience.

APS' leaders have the background and experience necessary to operate a successful high school. The organization already operates two charter schools, Academia Moderna (which was recently renewed by LAUSD) and Prepa Tec Middle School. APS is governed by a diverse 7-member board of directors (including one parent member) who have professional experience in education, banking and finance, law enforcement, real estate, government and community issues, literacy and technology.

In addition, our CEO has vast experience in the field of education that will ensure our high school's success. For example, our CEO created the Charter Launch program, which he has built from a research position to a fully functioning program in less than four months by formulating and directing all aspects of operations, product development, marketing, curriculum, positioning strategies, programming, staffing, organizational articulation and budget management. Our CEO has also organized a high-profile project advisory cohort of existing school operators; directed logistics and trained a statewide facilitator staff of ten people to implement the Charter Launch program in chosen demographic areas; and managed daily operations for the statewide program to assist new school developers. Further, he has assisted over thirty new charter school teams in the development of their state-standards-aligned schools, from classroom direct instruction through on-line instructional approaches, including advice on the delivery of instruction and guidance for educational leaders. He directed the Charter Launch web site design/development from concept through testing, and that site received the most hits upon launch than any other page in the organization's web site. He also negotiated and consulted on another successful charter school's lead sponsor's cause-related marketing campaign, including TV, print, and internet.

As APS shared with LACBOE, APS has already hired an IB coordinator for APS middle school, who will also serve the high school. The IB Coordinator is an expert in IB Middle Schools and Diploma Program recruited from a success program in New Zealand. His experienced in IB program implementation and will provide support in all aspects of the IB curriculum, instruction and assessment programs across the organization.

As for the high school's Principal, the hiring process is ongoing. Several qualified candidates that would make excellent principals have been interviewed and are interested in working at the high school.

However, a school cannot make a job offer before it has a charter. LACBOE has made it impossible for the school to succeed: the school's charter appeal was denied because the school has not hired a Principal; yet if the school hired a Principal before it had a charter, this would be financially reckless and would be cause for denial.

APS' successful background and experience serving English Language Learners is proven by the reclassification rate for Academia Moderna. In February 2015, Academia Moderna's redesignation rate was 25.1 %. This rate is above average for the district, county and state. The charter itself also adequately describes services for English Language Learner students. Element 1, pp. 8-15, describes the elements of the high school's EL Master Plan. Pages 92-101 describes how the school will meet the needs of various subgroups of students, and pages 111-113 align our subgroup services to the state's goals and describe CELDT testing and CAHSEE.

In terms of our special education students, the following data reflects our schools' student achievement for this subgroup:

- Academia Moderna currently has 30 students on IEPs, which is 6.3% of enrollment.
- 2015 SBAC results show our SPED students are at 42% proficiency in ELA and 66% in Math at Academia Moderna.
- In 2013-2014, our SPED students benchmarked at a final Proficiency level of 27% in ELA and 75% in Math at Academia Moderna.
- In 2014-2015, our SPED students benchmarked at a final Proficiency level of 73% ELA and 55% Math at Academia Moderna.

- Prepa Tec currently has 32 students on IEPs, which is 8.6% of enrollment.
- 2015 SBAC results show our SPED students are at 6% proficiency in both ELA and Math at Prepa Tec.
- In 2013-2014, our SPED students benchmarked at a final Proficiency level of 50% in ELA and 0% in Math at Prepa Tec.
- In 2014-2015, our SPED students benchmarked at a final Proficiency level of 50% in ELA and 16% in Math at Prepa Tec.

We have a 100% compliance rate with the LAUSD SELPA oversight at both schools. Please also see our letter to the State describing changes to the charter necessary to reflect the SBE as authorizer. The special education portion of Element 1 of the charter submitted to LAUSD was tailored for LAUSD. As part of the letter explaining changes to reflect the State as authorizer instead of LAUSD, we have included a revised special education section.

APS is experienced in providing teachers with IB-tailored professional development, for the IB Primary Years program at Academia Moderna and for the IB Middle Years at the middle school. The charter for Prepa Tec HS details how the school will provide professional development: Please see Element 1, pp.23-24, 29, 33, 89-94, 99; Elements 2 and 3, pp. 120, 126-127; Element 5, pp. 145-148, 151, 154-156.

In LACBOE's opinion, Prepa Tec HS' enrollment projections are impossible because there are already too many charter schools in the 2.5-mile radius of the proposed Prepa Tec HS. This opinion is irrelevant, and has absolutely no bearing on APS' leaders' experience.

LACBOE is also wrong about the need for our high school. Whether or not two charter high schools in a 2.5-mile radius have 9th grade spots is irrelevant. Public high schools in Southeast Los Angeles are not succeeding. There is a critical need for quality public school options at the high school level in the communities of Huntington Park, Walnut Park, Southgate and surrounding neighborhoods.

'12-'13 Enrollment, Graduation and CSU/UC Eligibility Data at Southeast High Schools

School Name	Enrollment	Cohort Graduation Rate	Cohort Dropout Rate	Number of Cohort Students Who Didn't Graduate	Graduates Who Are CSU/UC Eligible
Huntington Park HS	2274	77.2%	17.3%	174	26.1%
Southgate HS	3125	84.3%	11.9%	127	28.8%
Southeast HS	2593	79.9%	16.5%	108	40.5%
Un-weighted Averages and Numerical Totals	7992	80.5%	15.2%	409	31.8%

As the above table illustrates, public education in our communities is in crisis. The dropout rate at our neighborhood schools has significantly improved over the last decade, and detrimental policies such as forced busing due to overcrowding and schools on year-round calendars have mostly been eliminated. However, it is evident there continues to be a wide opportunity gap that children living in these communities must overcome.

High schools in our area have large student populations, high teacher to student ratios, and dropout rates that continue to be unacceptable. Students who do graduate are not taking challenging courses that are designed to prepare them to apply to the Cal State University or University of California systems. In 2012-13, only 31.8% of graduates from the three traditional high schools our students would otherwise attend took the necessary coursework to go on to CSU or UC colleges. This is especially disheartening as LAUSD was one of the first districts in the nation to approve a policy that required all high school students to enroll in courses needed to fulfill the A-G requirements as part of the high school scope and pass each class with a grade of C or better. Even those students who graduate and are eligible to apply and enroll in college are not prepared for the academic rigor of higher education.

Every year at the three traditional public high schools in the target attendance area of Prepa Tec HS—Huntington Park HS, Southgate HS and South East HS—there are hundreds of students that do not graduate. When over 400 students per year drop out from those three high schools, that means that over the course of a decade more than 4,000 students will drop out of school and not graduate. That is four thousand young adults who disappear from the public school system. The number is staggering, and charts, percentages and descriptions do not do justice to the issue. At Prepa Tec HS, we recognize that these are real human lives that we as a school system, society, and as a community, have failed.

For every 100 students who enroll in the 9th grade at one of our three major competitor high schools, only 80 of them will graduate four years later, and from those graduates only 32 of them will have taken and passed the necessary coursework to apply to attend a CSU or UC school. There clearly is a need for a new high school and plenty of students to enroll in our school. APS has a comprehensive outreach plan that is ready to be implemented. Please see Element 7, pp. 170-174 for details on the community outreach plan.

Finding #3: The charter contains the required number of signatures.

Finding #4: The charter contains all required assurances.

Finding #5: The petition does not contain reasonably comprehensive descriptions of certain required elements.

- Element 1. *LACBOE found: (1) The charter does not adequately describe the needs of its target population. (2) The charter does not adequately describe how students will be helped along the IB pathways, interventions for students who are behind, or how students can enter the IB high school if they lack previous IB experience. (3) The charter is inconsistent in course sequencing, and there are typos in the bell schedule and proposed calendar. (4) The charter does not adequately describe services for EL students and special education services.*

Petitioner's Response.

We note that most of the issues under Finding #5 are technical issues that could have easily been resolved if the county had communicated its unique authorizer conditions and requested technical amendments. The standard applied by LACBOE exceeds the standard in the law: charter elements must be reasonably comprehensive but not exhaustive. Further, many of the findings are based on factual mistakes and assumptions.

Our charter does describe the needs of Prepa Tec HS's target population. Our students will primarily be socioeconomically disadvantaged students from Hispanic families. We estimate 92.8% of our students will qualify for Free and Reduced Lunch. They are "at-risk" students—at risk of achieving below basic proficiency on state standardized exams and at risk of failing out of school entirely. (Charter, pp. 97-98.) Based on the demographics at surrounding middle schools, we also project that our student body will include a large number of English Learners (44.1%). (Charter, pp. 97-98.) As described in our charter, these students need a bilingual, Spanish-speaking staff at the school, and they need us to invest heavily in our language acquisition program to transition students from English Language Learner classification within two years. (Charter, p. 15.) Because our English Learners will be placed into a full-inclusion program with classes taught in English, these students will need support, sometimes provided in Spanish, to develop the grammatical framework and vocabulary necessary to read and write in English. (Charter, p. 94.) These students need teachers trained in the language development processes and strategies who will understand the steps English Learners are undergoing to acquire the language. (Id.) Aside from having staff trained specifically to work with English Learners and socioeconomically challenged students, these students will need also additional learning materials, computer and computer-aided tutorials, travel and school project experiences, and after-school tutoring. (Charter, p. 98.) Prepa Tec HS is ready to meet these needs.

Our charter also adequately describes how students will be supported so they can be successful in our IB high school. As discussed above, APS is experienced in providing teachers IB-tailored professional development, based on the IB Primary Years program at Academia Moderna and the IB Middle Years at the middle school. Teachers at our high school will likewise be trained in high-school-specific IB supports. We believe this is crucial for our students' success. Our teachers will be responsible for customizing their IB classroom instruction to meet the needs of all learners all along the IB pathways. Teachers, supported by administrators, will design and use innovative IB instructional strategies that differentiate the content, process, and products delivered to students in order provide equal access to standards-based education for all learners (including English Learners and students with special needs). (Charter, pp. 78-81.) Teachers' professional development will cover how to write effective standards-based IB lesson plans, exploring how all learners (including English Learners and special needs students) vary in their readiness, interest and learning profiles, and how to use a repertoire of research-based instructional strategies to increase student achievement in IB pathways. (Charter, p. 80.)

The charter describes numerous interventions for students who fall behind. The school will employ a 3-tiered intervention process with: (1) small group and individualized instruction in the classroom, with bi-monthly assessments; then (2) structured intervention with individualized learning plans and, for students not making adequate process, an intervention plan and additional instruction during and after school; and then finally (3) referral for special education. (Charter, p. 92.) The charter also notes that students who do not come from an IB background can successfully enroll in our IB high school at any grade level. (Charter, p. 27.) Indeed, all students who enter our high school in grades 9 and 10—whether from an IB middle school or not—study under the IB Middle Years Program. As stated in the charter, 11th grade students who transfer into Prepa Tec HS and who have not studied under a program as academically demanding as IB will meet with our counselor to assess their readiness for the College Preparatory or IB Diploma Program pathway. Students who join our school in 12th grade will generally follow the College Preparatory pathway unless they are transferring from another IB Diploma Program. (Charter, p. 26-27.)

As for course sequencing and bell schedule inconsistencies, we believe there were 3 typos in these portions of our charter. Certainly we will implement a bell schedule that works, as well as a finalized calendar, once we have a charter.

LACBOE's concern about the EL and special education portions of our charter are repeated numerous times throughout the LACBOE findings. As noted above, we plan to invest heavily in our full-inclusion English Learner program with the goal to reclassify these students within two years, which will be achieved through English immersion in the classroom from teachers trained in the language development process and strategies and who can provide grammatical and vocabulary support in Spanish, if needed. As noted above, for special education, we have a 100% compliance rate with the LAUSD SELPA oversight at both Prepa Tec MS and Academia Moderna. Please see the amended special education section of our charter provided in our letter describing changes that are necessary to reflect the SBE as authorizer.

- Elements 2 and 3. LACBOE found: (1) *The charter does not describe how its performance targets for state priority goals or implementation of Common Core State Standards will be assessed.* (2) *The school's proposed use of professional development to achieve goals is not measurable.* (3) *The charter does not describe what bi-monthly formative assessments will be used.* (4) *The school proposes the use of DRA and leveled readers, but these are*

not high school level assessment tools. (5) The charter does not explain how parents of EL students will be updated on their child's progress.

Petitioner's Response.

Element 2 of the charter requires a description of measurable pupil outcomes—the extent to which all students can demonstrate they have attained the skills, knowledge and attitudes the school sets as its goals, aligned to state priorities. (Ed. Code, § 47605(b)(5)(B).) Element 3 requires the charter to describe the methods by which pupil progress in meeting those goals will be measured. (Ed. Code, § 47605(b)(5)(C).) Element 2 and 3 of the Prepa Tec HS charter do this.

For Common Core, the charter sets out the goal that 100% of students will gain Common Core content knowledge as the school implements the State's Common Core State Standards. This is measurable: if the school fully implements the Common Core curriculum, 100% of its students will be learning Common Core State Standards. The charter goes on to describe numerous, discrete, measurable outcomes for each subject in the curriculum, and the courses that will be tailored to meet these learner outcomes. The charter describes assessment tools for each of the measurable outcomes, and a monitoring timeline, all broken down by subject.

As for the school's performance targets aligned to state priorities, the charter provides a breakdown for each and every State priority and sub-priority of "Goal to Achieve Priority," "Actions to Achieve Goal," "Measurable Outcome," and "Methods of Measurement." The goals are also broken down by year for each year of the charter term.

In addition to the above goals (meeting state priorities, implementing Common Core State Standards), the charter sets out formative assessment methods. One of these is professional development. The charter provides that teachers will be trained to identify the exact achievement target that is required by each content standard. It goes on to explain that, as a result, they will be able to better measure whether their students have mastered a given standard.

Element 2 and 3 describes how the school will use formative assessments, and provides examples of several types: selected response, essays, performances, and products. These are also listed throughout Element 2 and 3: Math application and logical reasoning exam, CCSS-approved Math textbook computation and assessment tests, in-class assessments of students' skills in reading, student journals, science fair projects, report cards, oral presentations, and the NWEA Maps assessments. These include formative assessments, embedded curriculum assessments, teacher created assessments, project rubric based assessments and the NWEA Maps instrument. The charter agrees to use a nationally normed reading assessment tool that is similar to the DRA.

As for the school's notice to parents of their child's EL status, this is not part of Element 2 and 3. However, the charter provides throughout that it will provide parent outreach services and meaningfully inform parents with limited English proficiency of important information regarding school matters to the same extent as other parents. Specifically, the charter explains that parents will be informed of the reclassification process and of CELDT results within thirty days of receiving results. (Charter, p. 8; pp. 93-96.)

- Element 4. *LACBOE found: (1) The charter did not include evidence of the board's adoption of policies to prevent fraud, embezzlement and conflict of interest, and the charter does not ensure implementation of those policies. (2) The governance structure includes too many administrators. (3) The charter does not adequately explain the school's relationship to the CMO and other schools under APS. (4) It is unclear how many board members the school will have. (5) There is no process for parents to bring concerns to the board.*

Petitioner's Response.

Prepa Tec HS will be operated by APS, a California nonprofit public benefit corporation that has existed and operated charter schools since January 2008. APS has already adopted and implemented policies for each of its LAUSD-authorized charter schools to prevent fraud, embezzlement and conflicts of interest. Those policies were included in the charter submission as Appendix 7. Those policies are regularly reviewed by and are adequate for LAUSD—a district that has some of the most stringent requirements for conflicts of interest and internal financial controls in the state. APS will adopt and implement similar policies and internal controls for Prepa Tec HS. The Prepa Tec HS charter confirms that the school's leaders and board members will follow such policies. (Charter, pp. 133-135.) As for "ensuring" implementation of those policies, the board and CEO will monitor compliance with those policies. A charter document cannot do more to "ensure" success.

As for the school's governance structure, Education Code section 47605.6(b)(iv)(E)-(F) requires a description of the Prepa Tec HS structure and employee qualifications—our charter has done this. The precise number of employees used by a school is not subject to review and approval by an authorizer. Indeed, the Legislature's goal in creating charter schools was to allow public schools to "use different and innovative teaching methods." (Ed. Code, § 47601.) Our charter describes how our model will work (indeed, it has already worked for our two other schools). At Prepa Tec HS, the Chief Executive Officer and Superintendent of Instruction are positions shared across all three APS schools. This is common for multi-school charters, and we find this structure improves consistency, quality control and access to resources for each school. Some administrative support employees will also be shared. However, the school will have its own Principal as the day-to-day site leader. (Charter, pp. 132-142.) Our budget reflects this structure.

Our charter clearly describes Prepa Tec HS' relationship to APS. Prepa Tec HS will be operated by APS as contemplated by Education Code section 47604. APS currently operates two charter schools—an elementary school and a middle school—and now desires to open and operate a third charter school, Prepa Tec HS. (Charter, p. 132.) The relationship between Prepa Tec HS and the other two charter schools is that all three schools are operated by APS. Accordingly, APS is able to achieve economies of scale for each school, such as the procurement of some goods and services for reduced costs. School districts and district-run schools have long enjoyed these benefits.

As to the number of members on APS' board, we acknowledge that our charter states we will have at least 4 directors and APS' bylaws provide for not less than 5 directors. Prepa Tec HS will be required to follow both, so until and unless the bylaws are amended, APS will have not less than 5 directors. However, this discrepancy is moot because the APS board currently consists of 7 directors, all of whom are identified in our charter. The actual number of directors on the APS board, therefore, complies with both the terms of our charter and the bylaws. APS would be happy to revise its bylaws if necessary.

We are confused by the LACBOE finding that there is no process for parents to bring concerns to the attention of the APS board because we highly value parent involvement at APS, including transparency between parents and the board of directors. Our Prepa Tec HS charter describes numerous ways we will ensure parent and stakeholder involvement. (Charter, pp. 140-142.) The APS board is structured to include a parent representative from each school operated by APS, including Prepa Tec HS, as well as 2 to 5 community members, which may or may not also be parents of Prepa Tec HS students. (Charter, p. 135.) The APS board complies with notice and open meeting requirements of the Ralph M. Brown Act, which means all parents have the opportunity to speak directly to the board during its meetings. (Charter, p. 137.) APS currently holds board meetings in Walnut Park, California during the evenings in order to make these meetings convenient for parents to attend after work and near their homes. Further, the school's executive committee is specifically charged with engaging the community and parents in changes to school policies and governance, organizing the school's Parent Council and parent committees for each grade level, and ensuring parent concerns are addressed by the school and the APS board. (Charter, pp. 140-142.)

- Element 5. *LACBOE found: (1) The organizational chart does not show all employees. (2) The charter does not detail the credentials its Special Education Consultant must have.*

Petitioner's Response.

An organizational chart that shows *all* school employees is not legally required, and would be impossible to create before a school's charter is approved and employees are hired. Education Code section 47605.6(b)(5)(F) requires a reasonably comprehensive description of the qualifications to be met by employees of the school. The Prepa Tec HS charter does so. Pages 143 through 144 of the charter describe the qualities all employees at the school must have, such as the ability to work collaboratively and knowledge of the educational and/or business practices that will fulfill our school's mission. Pages 144 through 157 go on to describe in detail the job qualifications for key positions such as CEO, Superintendent of Instruction, School Leader (Principal), teachers, office manager, administrative assistant, and even custodian, kitchen and yard assistants.

In addition, pages 157 through 158 of the charter detail our hiring processes, and pages 159 through 160 describe how employees, ranging from the CEO to office staff, will be held accountable and evaluated. These descriptions are more than reasonable, the standard required by Education Code section 47605.6(b)(5). The credentials necessary for our Special Education Consultant, for instance, are well-established in the special education provisions of federal law and the California Education Code.

- Element 8. *LACBOE did not understand the school's admission requirements and enrollment process.*

Petitioner's Response.

Our admission requirements and enrollment process are clearly explained in pages 175 through 180 of our charter. Prepa Tec HS is a public school of choice, and as such we will serve any and all students on a first come, first serve basis. Students may apply to attend our school by submission of an application during the January 1 - March 31 open enrollment period for our first year. For subsequent

school years, our open enrollment period will be from August through December. (Charter, pp. 176-177.) If we receive more applications than seats available at the school, we will hold a public random lottery. Preference will be granted in the following order: (1) students residing in LAUSD boundaries per Education Code section 47605(d)(2)(B); (2) siblings of a current student; and (3) children of founding board members and current employees, not to exceed 10% of the school's total enrollment. (Charter, p. 179.) All applicants at the random public lottery will be given one ticket to be drawn during the lottery by an independent, non-interested person. Applicants who fall under a preference category above will be given an additional ticket for each preference class they meet, which will be included in the drawing. Thus, preference at Prepa Tec HS means only that the applicant will receive an extra ticket or tickets in the lottery, which increases the chances the applicant will be drawn during the lottery.

- Element 14. *LACBOE found the charter did not comply with LACBOE's own policy for dispute resolution.*

Petitioner's Response. LACBOE's policy is not required by law.

- Element 16. *LACBOE found technical issues.*

Petitioner's Response. These issues are immaterial and can be addressed by technical amendment.

Finding #6: The charter does not contain all required assurances.

At the outset, we note this finding conflicts with Finding #4 above, in which the LACBOE concluded that the charter does contain all required assurances.

The charter does include the Standards, Assessments and Parent Condition assurances that the LACBOE claims are missing. (Ed. Code, § 47605(c).) The charter quotes the language in Education Code section 47605(c)(1) on Page 5, which states Prepa Tec HS will "Meet all statewide standards and conduct the pupil assessments required pursuant to Ed. Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools." As for section 47605(c)(2), the charter describes numerous ways the school will, on a regular basis, include parents/ guardians and teachers regarding the school's educational program. In fact, the school made it a priority in its mission to have parent participation throughout the school, including consulting with parents on the school's educational program. (Charter, pp. 143-143.)

The charter also adequately describes the school and location. As outlined in the charter, Prepa Tec HS intends to be located in and serve the predominantly Latino communities of Southeast Los Angeles, including Watts, South Gate, Walnut Park, Cudahy and Huntington Park. The charter specifically includes the proposed address for the school site at 2665 Clarendon in Huntington Park, California 90255. (Charter, p. 11.) The charter also discusses how Prepa Tec HS will achieve State Priority #1, Sub-priority C, related to its facilities. (Charter, p. 111-112.)

The charter describes how administrative services will be provided to Prepa Tec HS. As described herein, APS (our CMO) will provide and/ or procure administrative services to the school as needed. For

instance, APS currently contracts with Charter Impact for the existing schools' back office services. (Charter, pp. 132-142.)

The LACBOE findings acknowledge that all necessary financial statements are included in our charter, but concluded they are inadequate. As described above, our budget has been carefully prepared and vetted. It includes the startup costs, cash flow and financial projections for the school's first three years of operation as required by Education Code section 47605(g).

The charter addresses that there will be no civil liability for the school's authorizer. The charter provides that Prepa Tec HS will maintain commercial general liability insurance, which includes fire, legal liability and number of other insurance coverages, to be endorsed to name the authorizer as named additional insureds. (Charter, pp. 217-219.) The charter also provides that we will indemnify, defend and hold harmless the authorizer for claims arising from the charter. (Charter, p. 219.)

As discussed above, Pages 94 through 104 of the charter address how Prepa Tec HS's curriculum will meet the needs of all students, including academically low achieving students as required by Education Code section 47605(h). More specifically, Pages 96 through 97 provide the schools' specific strategies for low achieving students, whose needs include early detection through assessments in Reading, Writing, and Math, the involvement and collaboration of the students' teachers and family, focused instruction, direct intervention and ongoing assessments to keep low achieving students on track, and a school community that is committed to each student's education.

Finally, the charter describes how we will comply with teacher credentialing requirements. Page 22 provides "all teachers required to hold a credential will hold a valid CA Teaching Credential as defined by the CA Commission on Teacher Credentialing," which the Superintendent of Instruction is required to track during the recruitment process for all teacher candidates, and which the Superintendent, Director of Human Resources and Principal will each review on a semi-annual basis. Teacher credentials are required as part of the teacher recruitment process (Charter, pp. 89-90), and records of teacher credentials must be retained as school records that are readily available for inspection in compliance with state and federal law (Charter, p. 158).

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LA - Action Require	PREPA TEC, LA - Act/ona	Effective Date /Attachments
<p>LACOE - Finding 1: The petition <u>provides a sound educational program</u> for students to be enrolled in the school [EC 47605(b)(1)]</p>		
<p>Based on the guidance established in 5 CCR 11967.5.1 (b), the charter petition <u>does not present an unsound educational program</u> for students to be enrolled in the school.</p>		
<p>However, the Review Team found multiple deficiencies with the described educational program as identified in Findings 2 and 5. These findings call into question whether the educational design can be implemented and will result in an educational benefit to all students who would attend the school.</p>		
<p>No information or additions are allowed. Once the Submitted Petition is approved all items will be clarified</p>	<p>Prepa Tee High School will submit additional information to clarify and adjust for LACOE Staff Recommendations.</p>	<p>None</p>
<p>LACOE - Finding 2: The petitioners are demonstrably <u>unlikely to successfully implement</u> the proposed educational program. [EC 47605(b)(2)]</p>		
<p>5 CCR 11967.5.1(c)(1-4) provides four (4) indicators that the petitioners are unlikely to implement the proposed educational program.</p>		
<p>Based on the review of the petition, supporting documents and information obtained through the Capacity Interview with the school's leadership team, all four (4) indicators are present.</p>		
<p>Indicator 1. The petitioner has a past history of involvement in charter schools that is considered unsuccessful.</p>		
<p>LACOE Page 4 of 21</p>	<p>Staff Findings of Fact on the Prepa Tee Los Angeles HS Charter Petition</p>	<p>Handwritten notes: "A of enrollment in AS", "LOCATION", "MS GRADE", and a question mark in a diamond.</p>
<p>Middle school under enrollment.</p>		
<p>APS has not met enrollment projections at the middle school. In the Prepa Tee MS charter, APS projected 2013-14 enrollment of 168 students. It enrolled 98 students in sixth and seventh grades; thus Prepa Tee MS was under enrolled by 70 students. In 2014-15, APS projected enrollment at 336 sixth and seventh grade students. As of April 24, 2015, it had enrolled 248 students in sixth, seventh, and eighth grades; thus, Prepa Tee MS is under enrolled by 88 students. According to the petitioner, Prepa Tee MS moved to a new facility during 2013-14 to accommodate enrollment growth however, Prepa Tee MS continues to be under enrolled even after the move.</p>		

Handwritten notes at the bottom of the page: "containing 168 students", "CWO - updated policies"

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Presented to LAUSD	<p>Our CEO has vast experience in school leadership; as the CCSA Director of Development, he wrote the book on charter school development and management through his state-wide program Charter Launch. Gained multi-million in grants from Dept. of Ed for ch</p> <p>Launched two successful schools and currently sits on two very successful charter school Boards.</p> <p>Attachment of Resumes and capacity of leadership.</p> <p>30+ years of experience from school leaders and staff members.</p> <p>In all cases there have been successful experiences; as well as opportunities to provide professional grow.</p>	
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Indicator 2. The petitioner is unfamiliar with the content of the petition or the requirements of law that would apply to the proposed charter school as described below.

- The petition, and the petitioner's responses to questions about the petition posed at the Capacity Interview, indicates the petitioner is **not sufficiently familiar w¹h the requirement of law regarding special education** as described in Finding 5, Element 1. The **petition** does not describe the **administrative and legal oversight** for the **special education program**. Furthermore, the **petition** does not **identify** how the school will monitor academic growth of students with disabilities.
- The petition indicates the petitioner is not familiar with current **requirements** of law regarding **suspension** and **expulsion** as descri in Finding 5, Element 10.
- The petition does not **identify** or describe the ne of foster **youth**, a population that must be addressed under the Local Control Accountability Plan (LCAP) requirements.

<p>1. Special Education Pages 8-11</p> <p>2. Suspension and Expulsions-Element 10 Submitted pgs 183-200</p>	<p>LAUSD review of our elementary school and middle school have shown a "developing" status NOT A FAILING STATUS in this category.</p> <p>Students with Disabilities pg. 184</p>	<p>We is a District-wide web-based software system used for online IEPs and tracking of related services (such as spe and language, physical therapy, vision and hearing screenings nursing services, etc.) provided to students during the co of th educati We allows administr to monitor IEP ti and service delivery, and ge reports to ensure compliance with spe education laws and regulations. Welligent Is also a be bi system that electronica invoices Medi-Cal and other insurance companies to seek reimbursement</p>
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<p>3. Submitted Chart Petition, Page 7 (LCAP-subgroups of which Foster Care is one), English Learners (p. 8) Special Education, (pgs. 8-11) Disadvantaged</p>	<p>LAUSD ha required language as indicated In the highlighted areas (grey): We are available to take any re changes within the law.</p> <p>LOCAL CONTROL FUNDING FORMULA (LCFF) AND LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)</p> <p>Charter Sch acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School shall annually submit a Local Control and Accountability Plan (LCAP) or LCAP update, as appropriate, to th Charter Sch Division and the Los Angeles County Superintendent of Schools on or before July 1. In accordance with Ed. Code sections 47604.33 and 47606.5, Charter School shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Ed. Code section 47605(b)(5)(A)(ii). using the Local Control and Acco Plan template adopted by the State Board of Education, as it may be changed fr time to time. Charter School shall comply with all requirements of Ed. Code section 47606.5, including but not limited to the requirement that Charter School "shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update." Ed. Code § 47606.5(e).</p>	<p>companies to seek reimbursement for services delivered to students.</p> <p>LCAP Pories pgs. 22-25</p> <p>Capacity Interview was held at LAUSD prior to the Capacity Interview at LACOE-</p>
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Indicator 3. The petitioner has presented an unre **operational plan** for the proposed charter school. An unrealistic financial and operational plan is one to which there is evidence that any or all of the four (4) standards specifi in state regulations are not met. Prepa Tee HS failed to meet all four (4) standards as described below.

1. In the area of administrative services, the charter or **supporting** documents do not **adequately** describe the structure fo **providing** administrative serv ... that reflect an **understanding** of sch

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business practices and expert to carry out the necessary administrative services, or a reasonable plan to develop and assemble such practices and expertise.

	Weighted 3-Year Average	2011 Growth API	2012 Growth API	2013 Growth API
Schoolwide	772	717	803	768
Hispanic or Latino	772	714	803	769
Socioeconomically Disadvantaged	770	715	798	768
English Learn	765	722	792	762
Students with Disabilities	-	-	730	604

*Indicates that 10 or fewer students had valid test scores Source: COE DataQuest (3-Year Average API School Report) retri 4-20-15.

Staff Findings of Fact on the Prepa Tee Los Angeles HS Charter Petition business practices and expertise to carry out the necessary administrative services, or a reasonable plan and timeline to develop and assemble such practices and expertise.

1. The fiscal policies and procedures handbook is outdated and does not reflect the new co structure of APS. The inter-school borrowing policy included in the fiscal policies. LAUSD Board findings include an outstanding loan of \$238,000 that Prepa Tee MS borrowed from Academia Modema. The Review Team communicated with the petitioner to clarify this Finding. However, the Review Team did not receive the approved agreement for the current outstanding loan. The inter-school borrowing policy does not include the requirements of EC 42603 to describe the term for repayment, and the policy does not indicate an interest rate.

2. Table 1 illustrates the last three (3) years of financial perf from 2013-14 of the two (2) schools operated by APS including the following: cash, net assets, liabilities, operating results and net cash flow. Below is a fiscal overview of the past performance of both the elementary and middle schools as well as the lack of repayment by Prepa Tee MS to Academia Modema. The Review Team attempted to clarify statements the petitioner included in the response to LAUSD Board Findings of Fact such as "we understand and share the concern that opening a high school is a financial challenge, however we believe that...sharing co with the CMO, Alta Public Schools, will get us to a great start and future as was the case for Academia [sic] Modema and now Prepa Tee, LA middle school." However, the petitioner informed the Review Team that the CMO cash, net assets, liabilities, operating results and net cash flow were unavailable; therefore, the Review Team was unable to conduct an analysis of the CMO to determine fiscal solvency.

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	<p>All schools are solvent and have always been in the black</p> <p>Inner-school policy is in place and it is sanctioned by school districts, IRS and the State</p> <p>All Loans to Prepa from Aca will be paid by June 2015</p> <p>Ratios are at or above standards</p> <p>Days cash is at or above standards</p> <p>Intern control "observations" have been addressed but this is NOT AN AUDIT FINDING</p> <p>We did provide the information requested – emails sent are available</p>	
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The petition lacks a record of reimbursing Academia Moderna funds from inter-borrowing of \$238,000. As of March 31, 2015, Prepa Tee MS has an outstanding liability of \$656,227.

Based on prior year historical data Prepa Tee MS, the current ratio is far below the standard. For schools in their first or second year of operation, the current ratio should be greater than or equal to 1.1. Prepa Tee MS current ratio is 0.43.

Additionally, unrestricted days cash is far below the standard. For schools in their first or second year of operation must have a minimum of 30 days. Prepa Tee MS unrestricted days cash is fewer than 15 days cash.

Page 6 of 21

Staff Findings of Fact on the Prepa Tee Los Angeles HS Charter Petition

During the Capacity Interview, the petitioner was asked to provide copies of specific financial records for APS for FY 2013-14 as of April 29, 2015. Without these documents, LACOE is unable to provide an analysis of the CMO and its financial operations. As LACOE did not receive the financial documents, the Review Team was unable to determine if the CMO is fiscally solvent. The LAUSD Board Findings of Fact, "Alta Public Schools, the CMO has **negative** net assets of **(\$58,551)** per the January 31, 2015 financials."

1. The petition lacks a cost allocation plan that demonstrates operational cost share between the two (2) existing schools including personnel. Additionally, this information is not included in the fiscal policies.

The 2013-14 Independent Audit Report for Academia Moderna and Prepa Tee MS identifies an internal control issue at elementary school operated by APS. In a letter to the APS governing Board, the auditor stated there is a concern regarding the CMO's capacity to maintain effective finance and/or business management practices as described, below: Audit Observation: Auditor noted ten manual check disbursement (site level) lacked supporting documentation. Auditor also noted ten general transactions lacked appropriate approval and were still processed for payment by Academia Moderna. Audit Recommendation: To strengthen internal controls over the purchasing function manual checks processed at the site level should be kept a minimum and should **only** be used in an **emergency** case **by** cash basis, in order to allow as **many** disbursements

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to be processed through the normal procedure where internal controls are in place as much as possible. In addition, supporting documentation should be provided for all purchases made and submitted with all manual checks to APS management company prior to committing the expense to APS general ledger. Both manual checks and general transactions should be thoroughly reviewed and approved by management to ensure accurate monitoring of Alta Public Schools' cash flow.

2. Charter support documents do not adequately... **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.

To be fiscally solvent, the **Budget Plan requires** the school meet its enrollment and **Average Daily Attendance (ADA) projections** each year. The petition does not provide an adequate plan that describes how the school intends to meet the enrollment projection stated in the charter. As stated in Indicator 1, APS has not met enrollment projections at its middle school.

Deficiencies in the **Budget Plan** are as follows:

A. Periods throughout each fiscal year (FY), Prepa Tee HS, will have deficit spending causing the school to sell future state aid **anticipated revenues** or use funds from other charter schools in the APS organization.

B. There are overstated management service fees for APS totaling approximately \$315,000 over a five (5) year period. According to the management agreement, the schools pay 10% of total revenues to APS. **However, according to the budget projections, the Prepa Tee HS will pay 12%.**

C. The budget lacks 18 **projected expenditures** for each fiscal year. For example, insufficient funds are budgeted for ongoing required IB professional development.

D. There is no reserve for **contingency** in the first year of operation.

Attach are documents to support questions by LACOE Staff.

4. In the area of insurance, the charter and supporting documents do not **adequately provide** for the **acquisition** of and **budgeting** for general liability, workers compensations, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance. The charter and supporting documents provide insufficient information to determine the adequacy of all lines of coverage required.

Insurance, workers compensations and other needed insurance are in full affect through the CCSA JPL and upon approval of the high school it will be added.

5. In the area of **facilities**, the charter and support documents do not adequately describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter. The charter petition and supporting documents provide insufficient information regarding the facility to be used by the school. The petition states the school will be located at 2665 Clarendon **Avenue, Huntington** Park. This is the current location of the Prepa Tee MS. Supporting documents include a lease for this address that expires June 30, 2015. At the Capacity Interview, the petitioner stated the school would be located at 1805 Stafford Avenue, **Huntington** Park. Communications with the **petitioner** after the **Capacity** Interview revealed

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APS is in negotiations for a school site at 6005 Stafford Avenue, Huntington Park, which is currently occupied by another charter school. The lease is intended to begin July 2015; the site will only be used by the school for one (1) year. Thus, the school must seek and secure a facility that meets its enrollment needs for 2015-16 and again for 2016-17 and beyond. At the time this report was written, no location has been secured for Prepa Tee HS for the 2015-16 school year, and the petition does not provide a copy of any contract, Memorandum of Understanding, letter of intent and/or lease for the sites identified above. Below is the enrollment plan stated in the charter; total enrollment for Year 5 is 672.

The Pepa Tee High School Charter is in the process of securing a facility that will not be confirmed until it is approved.

LACOE - Finding 3: The petition contains the required number of signatures. [EC 47605(b)(3)]

The petition has been signed by a number of teachers that is equivalent to at least one-half of the number of teachers the charter school estimates will be employed at the school during the first year of operation.

At the Capacity Interview, the petitioner proposed seven (7) teachers during its first year of operation. There are seven (7) signatories in the petition.

The CSO sent letters to the seven (7) teachers who signed as being meaningfully interested in teaching at the school. The purpose of the letter is to determine authenticity of their interest. Four (4) of the seven (7) teachers confirmed interest; one (1) letter was returned to sender. There was no response from the remaining two (2) teachers.

Prepa Tee High School reaffirmed with the same teachers as to their interest all (7) seven teachers affirmed their interest and commitment to the high school.

All seven (7) teachers are actively involved in the high school process.

LACOE - Finding 4: The petition does contain an affirmation of all specified assurances. [EC 47605(b)(4); EC 47605(d)]

However, the petition does not include the following language: this paragraph applies only to pupils subject to compulsory full-time education pursuant to EC 48200 (EC 47605(d)(2)(C)(3)). Will be deleted.

Affirmations will be added to the petition once it is approved. At this point no changes to the submission are allowed by LACOE. Also no changes from LAUSD submission could be changed.

LACOE - Finding 5: The petition does not contain a reasonably comprehensive description of all required elements. [EC 47605(b)(5)(A)-(P)]

Element 1
Not reasonably comprehensive

Reasonably Comprehensive - See Language on Pages 7-101 for a comprehensive description aligned with the need of target population, special

Prepa Tee High School will submit additional information to clarify

LACOE-Gray

PREPATEC- Red

DUE- Green

	populations, master content standards, instructional design, and intervention program.	and adjust for LACOE Staff Recommendations
Element 2 Reasonably comprehensive See Pages 105-129 Element 3 Reasonably comprehensive See Pages 105-129		Prepa Tee High School will submit additional information to clarify and adjust for LACOE Staff Recommendations
Element 4 Not reasonably comprehensive	See Language on Pages 131-141 for a Reasonably comprehensive descr	Prepa Tee High School will submit additional information to clarify and adjust for LACOE Staff Recommendation
Element 5 Not reasonably comprehensive	See Language on Pages 144-160 for a Reasonably comprehensive descr	Prepa Tee High School will submit additional information to clarify and adjust for LACOE Staff Recommendation
Element 6-Health and Safety <u>Reasonably comprehensive</u>	Reasonably comprehensive as stated	
Element 7: Means to Achieve a Reflective Racial and Ethnic Balance <u>Reasonably comprehensive</u>	Reasonable comprehensive with specific deficiency: LAUSD court Order Integration Standard Language, pg. 168	
Element 8: Admissions Requirements Not Reasonably comprehensive	See Language on Pages 175-180 for a Reasonably comprehensive description	Prepa Tee High School will submit additional information to clarify and adjust for LACOE Staff Recommendations
Element 9: Annual Independent Financial Audits <u>Reasonably comprehensive</u>	Reasonably comprehensive with specific deficiencies - The required statement will be added: LACOE AR 0420.4: Financial reporting to chart agency would be carried out in pursuant to EC 47604.33	Prepa Tee High School will submit additional information to clarify and adjust for LA Staff Recommendations

LACOE-Gray

PREPATEC-Red

DUE-Green

<p>Element 10 Suspension and Expulsion Procedures <u>Reasonably comprehensive</u></p>	<p>Reasonably comprehensive with specific deficiencies. LAUSD Required Language, See p. 183 All other LACOE recommendations will be adhered.</p>	<p>Prepa Tec High School will submit additional information to clarify and adjust for LACOE Staff Reco</p>
<p>Element 11: STRS, PERS and Social Security <u>Reasonably comprehensive</u></p>	<p>Reasonably comprehensive</p>	
<p>Element 12 Public Employment Right of Employees <u>Reasonably comprehensive</u></p>	<p>Reasonably comprehensive with specific deficiency- See pages Page 177, Lottery p. 178</p>	<p>Preps Tee High School will submit additional information to clarify and adjust for LACOE Staff Reco</p>
<p>Element 13: Post-Employment Rights of Employees <u>Reasonably comprehensive</u></p>	<p>Reasonably comprehensive</p>	
<p>Element 14: Dispute Resolution Procedures Not Reasonably comprehensive</p>	<p>Reasonably comprehensive - These items are addressed in Element 16 and will be moved accordingly once approved.</p>	<p>Prepa Tee High School will submit additional information to clarify and adjust for LACOE Staff Recommendations</p>
<p>Element 15: Exclusive Public Employer <u>Reasonably comprehensive</u></p>	<p>Reasonably comprehensive</p>	
<p>Element 16: Closure Procedures Not Reasonably comprehensive</p>	<p>Reasonably comprehensive No changes were allowed during the Submission of the Petition, once approved the recommended changes will be made.</p>	<p>Prepa Tee High School will submit additional information to clarify and adjust for LACOE Staff Recommendation</p>
<p>Standard, Assessments and Parent Consultation.</p>	<p>See page 22 for the description of Annual School Goals and Actions to Achieve Those Goals, including Parent Consultation More will be addressed once it is approved.</p>	<p>Prepa Tee High School will submit additional information to clarify and adjust for LACOE Staff Recommendation</p>
<p>Effect on Authorizer Does not provide necessary evidence</p>	<p>General Information Table on Page 11 indicates probable implications for District</p>	
<p>Preference to Academically Low</p>	<p>Currently we do not have a specific preference for "Low Achieving Students"</p>	

LA Day

PREPATEC-Red

DUE-Green

Performing Students	but all persons are welcome to enroll in our campus as indicated in the petition	
Teacher Credentialing	All teachers are NCLB Highly Qualified cert teachers	

Board CIA Committee
May 19, 2015
Attachment 1

MINUTES

LOS ANGELES COUNTY OFFICE OF EDUCATION
BOARD CURRICULUM, INSTRUCTION, AND ASSESSMENT COMMITTEE
April 21, 2015

A meeting of the Los Angeles County Board of Education Curriculum, Instruction, and Assessment (CIA) Committee was held on Tuesday, April 21, 2015, at the Los Angeles County Education Center, 9300 Imperial Highway, Downey, CA.

COMMITTEE MEMBERS PRESENT:

Ms. Katie Braude, Dr. Jose Z. Calderon, Dr. Raymond Reisler, Dr. Rebecca J. Turr
Mr. Alex A. Johnson (arrived 2:25 p.m.), and Mr. Douglas R. Boyd (arrived 2:33 p.m.)

COMMITTEE MEMBERS ABSENT:

Mr. Thomas A. Saenz

CALL TO ORDER:

Dr. Calderon called the meeting to order at 2:10 p.m.

APPROVAL OF THE MINUTES

Motion to approve the minutes of March 17, 2015, made by Dr. Turr seconded by
Dr. Reisler, and so carried.

STUDENT SUCCESS GRANT PROGRAM IMPLEMENTATION UPDATE:

Dr. Cuauhtemoc Avila and Educational Programs staff from the Division of Student Programs and the Division of Special Education provided an overview of the Student Success Grant Program.

Ms. Jennifer Flores, Principal at International Polytechnic (iPoly) High School, shared details of the grant goals for iPoly High School to prepare graduates to navigate the 21st century by improving student services in Science, Technology, Engineering, and Mathematics (STEM); team and conflict resolution; and opportunities to improve college and career readiness skills.

Ms. Rebecca Piepho-Su, Principal at Larson East PAU, shared details of the grant goal of improving pre-K through 5th grade literacy for the deaf and hard-of-hearing (DHH) program students using a multi-modality approach. Additionally, research-based instructional training has been implemented to improve literacy instruction.

FUTURE AGENDA ITEMS:

- Local Control and Accountability Plan Update

ADJOURNMENT

Meeting was adjourned at 3:05 p.m.

LOS ANGELES COUNTY OFFICE OF EDUCATION
BOARD CURRICULUM IN AND ASSESSMENT COMMITTEE
9300 Imperial Highway, Board Room
Downey, California 90242
May 19, 2015, 2:00 p.m.

AGENDA

1. Call to Order Dr. Calderon
2. Approval of the Minutes of April 21, 2015 (Attachment 1) Dr. Calderon
3. Local Control and Accountability Plan Update (Attachment 2) Dr. Avila
4. Future Agenda Items Dr. Calderon
5. Adjournment Dr. Calderon