# CHARTER SCHOOL PETITION REVIEW FORM:Perseverance Preparatory School

CALIFORNIA DEPARTMENT OF EDUCATION

## Key Information Regarding Perseverance Preparatory School

### Proposed Grade Span and Build-out Plan

#### Table 1: 2018–2023 Proposed Enrollment

TK–transitional kindergarten/K–kindergarten

NA–Not Applicable. Grade levels not served.

| Grade | 2018–19 | 2019–2020 | 2020–21 | 2021–22 | 2022–23 |
| --- | --- | --- | --- | --- | --- |
| TK/K | NA | NA | NA | NA | NA |
|  1 | NA | NA | NA | NA | NA |
|  2 | NA | NA | NA | NA | NA |
|  3 | NA | NA | NA | NA | NA |
|  4 | NA | NA | NA | NA | NA |
|  5 | NA | 128 | 128 | 128 | 128 |
|  6 | NA | NA | 128 | 128 | 128 |
|  7 | NA | NA | NA | 128 | 128 |
|  8 | NA | NA | NA | NA | 128 |
|  9 | NA | NA | NA | NA | NA |
| 10 | NA | NA | NA | NA | NA |
| 11 | NA | NA | NA | NA | NA |
| 12 | NA | NA | NA | NA | NA |
| Total | NA | 128 | 256 | 384 | 512 |

### Proposed Location

The Perseverance Preparatory School (PPS) petition states that PPS intends to locate within either the 95112 or 95126 zip code in the San Jose Unified School District (SJUSD), and that PPS may seek the support of SJUSD in securing a district-owned facility through the annual presentation of a Proposition 39 (Prop 39) request and/or under a separately negotiated long-term lease arrangement. The PPS petition states that if PPS is not able to acquire a suitable facility through Prop 39, PPS may seek to rent or purchase a facility. During the 2018–19 planning year, the PPS Board of Directors will select a Facilities Search Team to evaluate options. Additionally, the PPS petition states that PPS may apply for facilities financing assistance, such as the Charter School Facilities Grant Program and/or the state-administered Charter School Facilities Incentive Grants such as Senate Bill 740, dependent upon eligibility determined by the PPS percentage of socio-economically disadvantaged pupils (Attachment 3, p. 29 and pp. 151–152).

The petition states that in PPS’s opening year, PPS’s facilities requirements include, but are not limited to, the following (Attachment 3, pp. 151−153):

* 15,030 square feet of classroom and indoor space for a minimum of the following:
	+ Four classrooms (10,880 square feet)
	+ Three offices (300 square feet)
	+ Bathrooms for boys, girls, and staff (600 square feet)
	+ Multi-purpose room (2,500 square feet)
	+ Staff room (750 square feet)
	+ One acre of outdoor space

### Brief History

PPS was approved by the State Board of Education (SBE) on January 19, 2018, as a grade five through grade eight school for a five-year term effective July 1, 2018, through June 30, 2023, with the following conditions:

* By January 30, 2018, provide evidence that the PPS Board has accepted the SBE conditions of authorization. The California Department of Education (CDE) notes that PPS provided this documentation on January 30, 2018. **The CDE notes that this condition has been met.**
* By February 15, 2018, the PPS Board will provide the CDE with a revised charter petition containing the necessary changes needed to reflect the SBE as the authorizing entity. **The CDE notes that this condition has been met.**
* By May 15, 2018, the PPS Board will provide the CDE with verifiable and substantive evidence that PPS has received the funding anticipated from Silicon Schools Fund. **The CDE notes that this condition has been met.**
* By May 15, 2018,the PPS Board will provide the CDE with a fully executed facility lease agreement. **The CDE notes that this condition has not been met.**
* By June 15, 2018,the PPS Board will provide the CDE with a revised 2018–19 budget, with complete narrative and assumptions. **The CDE notes that this condition has been met.**

On May 29, 2018, the CDE received a submission for a material revision to delay the opening of PPS by one year due to PPS’s inability to secure facilities by the CDE deadline (Attachment 5, p. 1).

### Lead Petitioner

Alexandria LeeNatali, Executive Director

## SUMMARY OF REQUIRED CHARTER ELEMENTS PURSUANT TO CALIFORNIA *EDUCATION CODE* SECTION 47605(b)

NA–Not Applicable

| **Charter Requirements Pursuant to California*****Education Code* Section 47605(b)** | **Meets Requirements** |
| --- | --- |
| Sound Educational Practice (California *Education Code* [*EC*] sections 47605[b] and [b][1]) | Yes |
| Ability to Successfully Implement the Intended Program (*EC* Section 47605[b][2]) | Yes |
| Required Number of Signatures (*EC* Section 47605[b][3]) | NA |
| Affirmation of Specified Conditions (*EC* sections 47605[b][4] and [d]) | Yes |
| Exclusive Public School Employer (*EC* Section 47605[b][6]) | Yes |
| 1. Description of Educational Program (*EC* Section 47605[b][5][A])
 | Yes |
| 1. Measurable Pupil Outcomes (*EC* Section 47605[b][5][B])
 | No |
| 1. Method for Measuring Pupil Progress (*EC* Section 47605[b][5][C])
 | Yes |
| 1. Governance Structure (*EC* Section 47605[b][5][D])
 | Yes |
| 1. Employee Qualifications (*EC* Section 47605[b][5][E])
 | Yes |
| 1. Health and Safety Procedures (*EC* Section 47605[b][5][F])
 | Yes |
| 1. Racial and Ethnic Balance (*EC* Section 47605[b][5][G])
 | Yes |
| 1. Admission Requirements (*EC* Section 47605[b][5][H])
 | Yes |
| 1. Annual Independent Financial Audits (*EC* Section 47605[b][5][I])
 | Yes |
| 1. Suspension and Expulsion Procedures (*EC* Section 47605[b][5][J])
 | No |
| 1. Retirement Coverage (*EC* Section 47605[b][5][K])
 | Yes |
| 1. Public School Attendance Alternatives (*EC* Section 47605[b][5][L])
 | Yes |
| 1. Post-employment Rights of Employees (*EC* Section 47605[b][5][M])
 | Yes |
| 1. Dispute Resolution Procedures (*EC* Section 47605[b][5][N])
 | Yes |
| 1. Closure Procedures (*EC* Section 47605[b][5][O])
 | Yes |
| Standards, Assessments, and Parent Consultation (*EC* sections 47605[c][1] and [2]) | Yes |
| Effect on Authorizer and Financial Projections (*EC* Section 47605[g]) | Yes |
| Teacher Credentialing (*EC* Section 47605[l]) | Yes |
| Transmission of Audit Report (*EC* Section 47605[m]) | Yes |
| Goals to Address the Eight State Priorities (*EC* Section 47605[b][5][A][ii]) | No |
| Transferability of Secondary Courses (*EC* 47605 [b][5][A][iii]) | NA |

**REQUIREMENTS FOR STATE BOARD OF EDUCATION-AUTHORIZED CHARTER SCHOOLS**

## Sound Educational Practice

*EC* sections 47605(b) and (b)(1)

5 *California Code of Regulations* (5 *CCR*) sections 11967.5.1(a) and (b)

### Evaluation Criteria

For purposes of *EC* Section 47605(b), a charter petition 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. 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.

For purposes of *EC* Section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is either of the following:

1. A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.
2. A program that the SBE determines not likely to be of educational benefit to the pupils who attend.

**The charter petition is “consistent with sound educational practice.”**

### Comments

The PPS petition is consistent with sound educational practice and will likely be of educational benefit to the pupils who attend if successfully implemented.

The petition describes PPS’s key strengths as follows (Attachment 3, pp. 16–22):

* Clear and progressive educational mission and vision
* Dedicated and experienced team of founders and future site leaders
* Detailed plans to provide data-driven academic instruction, planning, and assessment
* Planned structures designed to enhance academic learning
* Details to create a culture of high expectations for every pupil
* Planned opportunities to build strong and consistent parent/guardian and community involvement
* Detailed plans to provide a service learning environment that fosters leadership, core values, and social responsibility

## Ability to Successfully Implement the Intended Program

*EC* Section 47605(b)(2)

5 *CCR* Section 11967.5.1(c)

### Evaluation Criteria

For purposes of *EC* Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program":

1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners’ control.
2. The petitioners are unfamiliar, in the SBE’s judgment, with the content of the petition or the requirements of law that would apply to the proposed charter school.
3. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified).
4. The petitioners personally lack 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.

**The petitioners are able to successfully implement the intended program.**

### Comments

The CDE finds that the PPS petitioner is demonstrably likely to implement the intended program as the petitioner has presented a realistic financial and operational plan for the proposed charter school. The CDE concludes that the PPS multi-year financial plan is fiscally viable due to the positive ending fund balances of $137,220; $297,769; and $926,717 with reserves of 10.2, 11.3, and 24.7 percent for fiscal years (FYs) 2019–2020 through 2021–22, respectively.

#### Budget

The PPS multi-year projected budget includes the following (Attachment 4):

* A planning year in 2018–19
* 128 grade five pupils in 2019–2020
* 256 grade five to six pupils in 2020–21
* 384 grade five to seven pupils in 2021–22
* 512 grade five to eight pupils in 2021–22 and 2022–23

In addition, the PPS includes fundraising of $230,000 at the startup year in 2018–19, and $30,000 for each FY 2019–2020 through 2021–22. The fundraising is a soft funding; therefore, the CDE excluded it from the budget.

## Required Number of Signatures

*EC* Section 47605(b)(3)

5 *CCR* Section 11967.5.1(d)

### Evaluation Criteria

For purposes of *EC* Section 47605(b)(3), a charter petition that “does not contain the number of signatures required by [law]” …, shall be a petition that did not contain the requisite number of signatures at the time of its submission …

**Signatures are not applicable for a material revision.**

### Comments

The PPS petition does not require signatures for the submission of a material revision.

## Affirmation of Specified Conditions

*EC* sections 47605(b)(4) and (d)

5 *CCR* Section 11967.5.1(e)

### Evaluation Criteria

For purposes of *EC* Section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in (*EC* Section 47605[d])" …, shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. 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(d).

| Criteria | Criteria Met |
| --- | --- |
| 1. [A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California *Penal Code*. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.
 | Yes |
| 1. (A) A charter school shall admit all pupils who wish to attend the school.
2. If the number of pupils who wish to attend the charter school exceeds the charter school’s capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school’s teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis.
3. In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.
 | Yes |
| 1. If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to *EC* Section 48200.
 | Yes |

**The petition does contain the required affirmations.**

### Comments

The PPS petition does contain the required affirmations (Attachment 3, pp. 3–4).

## Exclusive Public School Employer

*EC* Section 47605(b)(6)

5 *CCR* Section 11967.5.1(f)(15)

### Evaluation Criteria

The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 [commencing with Section 3540] of Division 4 of Title 1 of the California *Government Code*), as required by *EC* Section 47605(b)(6), recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (EERA).

**The petition does include the necessary declaration.**

### Comments

The PPS petition states that PPS will be deemed the exclusive public school employer of the employees of PPS for purposes of the EERA, Chapter 10.7 (commencing with Section 3540 of Division 4 of Title 1 of *Government Code* [*EC* Section 47605(b)(5)(O)] (Attachment 3, p. 3).

**THE 15 CHARTER ELEMENTS**

## 1. Description of Educational Program

*EC* Section 47605(b)(5)(A)

5 *CCR* Section 11967.5.1(f)(1)

### Evaluation Criteria

The description of the educational program …, as required by *EC* Section 47605(b)(5)(A), at a minimum:

| **Criteria** | **Criteria Met** |
| --- | --- |
| 1. Indicates the proposed charter school’s target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.
 | Yes |
| 1. Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person” in the twenty-first century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.
 | Yes |
| 1. Includes 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.
 | Yes |
| 1. Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).
 | Yes |
| 1. Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school’s pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to *EC* Section 60605 and to achieve the objectives specified in the charter.
 | Yes |
| 1. Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
 | Yes |
| 1. Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations.
 | Yes |
| 1. Specifies 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.
 | Yes |

**The petition does overall present a reasonably comprehensive description of the educational program.**

### Comments

The PPS petition provides descriptions to address the implementation of the PPS educational program.

#### Educational Program

The PPS petition states that PPS will use a slow-growth model to fulfill the pupil enrollment over a span of three years, beginning with 128 pupils in grade five in the first year of operation in 2019−2020 and completing articulation of 512 pupils through grade eight in 2022−23. PPS will not serve pupils during the 2018–19 school year and will use this as a planning year (Attachment 3, p. 22).

The PPS petition ensures that its graduates will be equipped with twenty-firstcentury skills and knowledge for a life of scholarly success and ethical leadership (Attachment 3, p. 32).

The PPS petition includes a sample of the daily pupil class schedule, including time specifically focused on the four core curriculum areas adopted by the SBE, pursuant to *EC* Section 60605 (Attachment 3, pp. 30−31).

#### Plan for Low-Achieving Pupils

The PPS petition states that PPS will use the Response to Intervention model that incorporates a systematic, data-driven approach that will benefit all pupils, especially those identified as low-achieving. Low-achieving pupils are identified by teachers as pupils who fail to show evidence of growth toward mastery of standards with Tier I interventions. A pupil will be classified as low-achieving if they are two or more grade levels behind, or if they have a 60 percent or lower in two or more core subjects as measured by interim assessments, weekly quizzes, and daily exit tickets. The PPS petition details plans to use Student Support Teams and follow Tiers I–III interventions for all pupils (Attachment 3, pp. 62−64).

#### Plan for High-Achieving Pupils

The PPS petition states that high-achieving pupils will be identified by scoring 90 percent or higher on a daily lesson exit ticket. Pupils will then have access to various technological programs based on their Personal Lesson Plan (PLP) that has been established with their teacher. Pupils may be classified as permanently high-achieving by scoring two years above grade level on the Gates-MacGinitie or the Northwestern Evaluation Association (NWEA) Measure of Academic Progress (MAP). High-achieving pupils will, by grade six, be expected to analyze their own data from tests, quizzes, and exit tickets, and create their own PLP with support and guidance from their teachers (Attachment 3, p. 62).

#### Plan for English Learners

The PPS petition provides a comprehensive description of the plan for English learner (EL) pupils. The petition describes the required identification, notification, instruction, reclassification, and evaluation of an EL plan. The petition states that PPS will ensure English Language Learners make significant academic gains through the following: (1) extended literacy blocks, (2) tutoring or targeted academic intervention, (3) EL specific support, and (4) clear and structured professional development around supporting ELs inside the classroom. The PPS petition provides evidence that English Language Development standards are aligned to the PPS literacy block, and speech and debate course (Attachment 3, pp. 59−62).

#### Plan for Special Education

The PPS petition states that per federal law, all pupils with disabilities will be fully integrated into the programs of PPS, with the necessary materials, services, and equipment to support their learning. PPS will ensure that any pupil with a disability attending PPS is properly identified, assessed, and provided with necessary services and supports. The PPS petition specifically details developments and implementation of the pupil’s Individualized Education Program (IEP), IEP review procedures, and special education strategies for instruction and services (Attachment 3, pp. 65–70).

PPS will provide all pupils, including pupils identified as having disabilities under the law, or whom PPS suspects may have such disabilities, a Free and Appropriate Public Education and comply with all applicable state and federal statutes, including Title II of the American with Disabilities Act of 1990, the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1974. PPS will educate pupils with disabilities in the least restrictive environment and with non-disabled peers to the extent appropriate and allowed by each pupil’s IEP. PPS recognizes its responsibility to enroll and support pupils with disabilities who can benefit from PPS programs and who otherwise qualify for enrollment, and pledges to work in cooperation with the SJUSD or Special Education Local Plan Area (SELPA) to ensure that a free and appropriate public education is provided to all pupils with exceptional needs. Furthermore, PPS will comply with Assembly Bill (AB) 602, SJUSD guidelines, and all California laws pertaining to special education pupils (Attachment 3, p. 65).

## 2. Measurable Pupil Outcomes

*EC* Section 47605(b)(5)(B)

5 *CCR* Section 11967.5.1(f)(2)

### Evaluation Criteria

Measurable pupil outcomes, as required by *EC* Section 47605(b)(5)(B), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Specify 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.
 | No |
| 1. Include the school’s API growth target, if applicable.
 | Not Applicable |

**The petition does not present a reasonably comprehensive description of measurable pupil outcomes.**

### Comments

The PPS petition does not present a reasonably comprehensive description of measurable pupil outcomes (MPOs). The petition does not include MPOs for the PPS target groups of socio-economically disadvantaged pupils or Latino pupils, pursuant to *EC* Section 52052. The CDE finds the omission of this problematic given the petition states that the projected demographics of PPS is 80 percent free and reduced priced lunch and 80 percent Latino (Attachment 3, p. 29).

If approved by the SBE, as a condition for approval, the PPS petitioner will be required to revise the petition and include the necessary language for Element 2-Measurable Pupil Outcomes.

## 3. Method for Measuring Pupil Progress

*EC* Section 47605(b)(5)(C)

5 *CCR* Section 11967.5.1(f)(3)

### Evaluation Criteria

The method for measuring pupil progress, as required by *EC* Section 47605(b)(5)(C), at a minimum:

| **Criteria** | **Criteria Met** |
| --- | --- |
| 1. Utilizes 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.
 | Yes |
| 1. Includes the annual assessment results from the Standardized Testing and Reporting (STAR) program.
 | Not Applicable |
| 1. Outlines a 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.
 | Yes |

**The petition does present a reasonably comprehensive description of the method for measuring pupil progress.**

### Comments

The PPS petition includes a table that details all assessments to be used by PPS, the content areas covered by each assessment, a description of each assessment, the time of year each assessment will be administered, the grade levels being assessed on each assessment, the outcomes for each assessment, and how PPS administrators and staff will utilize the data from each assessment to continuously monitor and improve the PPS educational program (Attachment 3, pp. 83−85). Additionally, the PPS petition states that individual pupil academic progress will be provided to parents in weekly performance reports (Attachment 3, pp. 99–100).

## 4. Governance Structure

*EC* Section 47605(b)(5)(D)

5 *CCR* Section 11967.5.1(f)(4)

### Evaluation Criteria

The governance structure of the charter school, including, but not limited to, the process … to ensure parental involvement …, as required by *EC* Section 47605(b)(5)(D), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Includes evidence of the charter school’s incorporation as a non-profit public benefit corporation, if applicable.
 | Yes |
| 1. Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:
	1. The charter school will become and remain a viable enterprise.
	2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).
	3. The educational program will be successful.
 | Yes |

**The petition does present a reasonably comprehensive description of the school’s governance structure.**

### Comments

The petition states PPS shall be operated as a California non-profit public benefit corporation formed and organized pursuant to California Nonprofit Public Benefit Corporation Law. PPS will be governed by the Board of Directors pursuant to its corporate bylaws, which shall be consistent with this charter (Attachment 3, p. 87).

The PPS petition states that decision-making is guided and informed by the School Site Council (SSC) and that the Executive Director and Assistant Director are responsible for ensuring the academic success of the school. The Assistant Director works closely with the Executive Director, and is responsible for making weekly reports to the Executive Director regarding academic and school culture data, as well as the professional development progress of staff. The composition of the SSC includes the Executive Director, teachers, pupils, and parents, as well as possible inclusion of the Assistant Director, classified staff, and community representatives. Half of the SSC will be made up of school staff, the majority of which must be teachers, and half will be made up of parents and pupils, which may include elected community representatives at parents’ discretion (Attachment 3, p. 94).

The PPS Board will consist of 7 to 15 directors and will maintain an odd number of members for voting purposes. The exact authorized number will be fixed by the Board from time to time by resolution. The determination of the need to add directors will be based on an evaluation of the current needs of the Board, along with skillsets provided by directors currently in place. The Board will function in accordance with PPS bylaws. The Board will operate under a structure of elected officers of chair, vice chair, secretary, and treasurer; will be elected annually; and will utilize the committee structure outlined in the PPS bylaws. Selection of additional Board members’ post-authorization will be the responsibility of the full Board (Attachment 3, p. 87). The Board will have governance, finance, academic, and development committees which will meet monthly and report back to the Board (Attachment 3, p. 92).

The PPS Board of Directors will meet regularly, at least every month, and in accordance with the Brown Act. PPS Board meetings shall be held at a place to be designated within SJUSD’s boundaries as set forth in the notice of the meeting. All meetings of the Board shall be called, held, and conducted in accordance with the terms and provisions of the Brown Act (Attachment 3, p. 92). The petition states that the Board may elect to use teleconferencing in connection with any meeting of the Board, shall post agendas at all teleconference locations, and shall conduct teleconference meetings in compliance with the Brown Act (Attachment 3, p. 95–96).

The PPS petition states that all families will have the opportunity to participate in the PPS English Language Advisory Committee; advise the Executive Director and staff on programs and services for ELs; advise PPS leadership on the development of the Single Plan for Student Achievement; develop the PPS needs assessment; implement the PPS annual language census; and help make parents aware of the importance of regular school attendance (Attachment 3, p. 98–100).

## 5. Employee Qualifications

*EC* Section 47605(b)(5)(E)

5 *CCR* Section 11967.5.1(f)(5)

### Evaluation Criteria

The qualifications (of the school’s employees), as required by *EC* Section 47605(b)(5)(E), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health and safety of the school’s faculty, staff, and pupils.
 | Yes |
| 1. 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.
 | Yes |
| 1. Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to, credentials as necessary.
 | Yes |

**The petition does present a reasonably comprehensive description of employee qualifications.**

### Comments

The PPS petition includes the necessary descriptions of employee qualifications.

## 6. Health and Safety Procedures

*EC* Section 47605(b)(5)(F)

5 *CCR* Section 11967.5.1(f)(6)

### Evaluation Criteria

The procedures …, to ensure the health and safety of pupils and staff, as required by *EC* Section 47605(b)(5)(F), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Require that each employee of the school furnish the school with a criminal record summary as described in *EC* Section 44237 and comply with *EC* Section 44830.1.
 | Yes |
| 1. Include the examination of faculty and staff for tuberculosis as described in *EC* Section 49406.
 | Yes |
| 1. Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.
 | Yes |
| 1. Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.
 | Yes |

**The petition does present a reasonably comprehensive description of health and safety procedures.**

### Comments

The PPS petition states that all employees and contractors of PPS will be required to submit to a criminal background check and to furnish a criminal record summary, as required by *EC* sections 44237 and 45125.1. The PPS petition states that PPS will comply with all applicable state and federal laws regarding background checks and clearance of personnel. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Executive Director shall monitor compliance with this policy and report to the Board of Directors on a quarterly basis. The Board Chair shall monitor the fingerprinting and background clearance of the Executive Director. Volunteers working outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee. Under *Penal Code* Section 290, registered sex offenders may not serve as volunteers on campus or anywhere, or at any time pupils are present. PPS will also comply with all state and federal laws concerning the disclosure and maintenance of employee records (Attachment 3, p. 114).

The PPS petition states that all faculty and staff will be tested for tuberculosis prior to commencing employment and working with pupils, as required by *EC* Section 49406. All pupils enrolled and staff will be required to provide records documenting immunizations, as is required at public schools pursuant to *Health and Safety Code* sections 120325-120375, and Title 17, *CCR* sections 6000-6075 (Attachment 3, p. 115). Beginning July 1, 2011, all pupils advancing to and enrolled in grade seven through grade twelve must be immunized with a pertussis (whooping cough) vaccine booster. All pupils will be screened for vision, hearing, and scoliosis. PPS will adhere to *EC* Section 49450, *et seq.*, as applicable to the grade levels served by PPS. PPS will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming grade seven pupils, pursuant to *EC* Section 49452.7 (Attachment 3, p. 115).

The PPS petition states that all classified staff, certificated staff (including teachers in any non-core, non-college preparatory courses), short-term employees, and independent contractors will be mandated child abuse reporters and will follow all applicable reporting laws, and the same policies and procedures used by the authorizer. Training on child abuse reporting shall be provided to all employees (Attachment 3, p. 114).

The PPS petition states that PPS will create a complete guide of health and safety and emergency procedures in case of a fire, bomb threat, earthquake, flooding, crash, intrusion, or any other disaster, which will be fully in place by the time PPS opens. A full draft of PPS’s health and safety policies and procedures shall be provided to the authorizer for review, and approved by June 30 of each year, prior to operation (Attachment 3, p. 116).

## 7. Racial and Ethnic Balance

*EC* Section 47605(b)(5)(G)

5 *CCR* Section 11967.5.1(f)(7)

### Evaluation Criteria

Recognizing the limitations on admissions to charter schools imposed by *EC* Section 47605(d), the means by which the school(s) will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district …, as required by *EC* Section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.

**The petition does present a reasonably comprehensive description of means for achieving racial and ethnic balance.**

### Comments

The petition states that PPS shall strive, through recruitment and admissions practices, to achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the district (Attachment 3, p. 117–118).

## 8. Admission Requirements, If Applicable

*EC* Section 47605(b)(5)(H)

5 *CCR* Section 11967.5.1(f)(8)

### Evaluation Criteria

To the extent admission requirements are included in keeping with *EC* Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of *EC* Section 47605(d)(2)(B) and any other applicable provision of law.

**The petition does present a reasonably comprehensive description of admission requirements.**

### Comments

The PPS petition states that although PPS will exclusively target underserved pupils, PPS is open to all California residents without regard to prior academic achievement or residence of the pupils. PPS will enroll all pupils who wish to attend. Admission eligibility will not be determined by the place of residence of a pupil, except as otherwise required by law. If PPS receives more applicants than available space, admission, with the exception of existing pupils, will be determined by public random drawing. The public random drawing will be conducted in accordance with applicable state and federal law (Attachment 3, p. 119).

The CDE notes that with the amendments to *EC* Section 47605(d)(2)(B), outlined in AB 1360 and signed into law on October 13, 2017, the SBE has the discretion to approve the proposed preferences stated in the PPS petition at a public hearing.

The PPS petition states that in the event of a public random drawing, the applicants are given preference in the following order (Attachment 3, p. 119):

1. Pupils currently enrolled at PPS
2. Siblings of current PPS pupils (second year forward)
3. Children of current staff
4. SJUSD pupils
5. All other pupils

## 9. Annual Independent Financial Audits

*EC* Section 47605(b)(5)(I)

5 *CCR* Section 11967.5.1(f)(9)

### Evaluation Criteria

The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE’s satisfaction, as required by *EC* Section 47605(b)(5)(I), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Specify who is responsible for contracting and overseeing the independent audit.
 | Yes |
| 1. Specify that the auditor will have experience in education finance.
 | Yes |
| 1. Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed.
 | Yes |
| 1. Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.
 | Yes |

**The petition does present a reasonably comprehensive description of annual independent financial audits.**

### Comments

The PPS petition states that the PPS Board will appoint an Audit Committee, which will select an independent financial auditor from the State Controller’s list of approved education auditors and oversee audit requirements (Attachment 3, p. 122).

The PPS petition states that the annual audit will be completed within four months of the close of the fiscal year, and that a copy of the auditor's findings will be forwarded to the authorizer, the SJUSD Superintendent, the State Controller, and the CDE by December 15 of each year. The PPS Executive Director, along with the Audit Committee, will review any audit exceptions or deficiencies, and report to the PPS Board with recommendations on how to resolve the findings. The PPS Board will submit a report to the authorizer describing how the exceptions and deficiencies have been, or will be, resolved to the satisfaction of the authorizer along with an anticipated timeline for the same. The anticipated timeline will incorporate any recommendations from the auditor and shall reflect discussions with the authorizer as to a reasonable timeline for resolution (Attachment 3, pp. 122–123).

## 10. Suspension and Expulsion Procedures

*EC* Section 47605(b)(5)(J)

5 *CCR* Section 11967.5.1(f)(10)

### Evaluation Criteria

The procedures by which pupils can be suspended or expelled, as required by *EC* Section 47605(b)(5)(J), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. 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 petitioners’ reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.
 | No |
| 1. Identify the procedures by which pupils can be suspended or expelled.
 | Yes |
| 1. 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 regard to suspension or expulsion.
 | Yes |
| 1. Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests of the school’s pupils and their parents (guardians).
 | No |
| 1. If not otherwise covered under subparagraphs (A), (B), (C), and (D):
2. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.
3. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.
 | Yes |

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

### Comments

The PPS petition does not do the following in addressing evaluation criteria A and D:

* List all acts for which a pupil must be suspended. If approved by the SBE, as a condition of approval, the PPS petitioner will be required to revise the PPS petition to include a list of all acts for which a pupil must be suspended.

Addressing evaluation criteria B and C, the PPS petition states that parents will be notified in advance prior to enactment of a suspension or expulsion, and can appeal a pupil’s suspension or expulsion. The PPS petition states that suspension shall be preceded by an in-person conference, within two days, conducted by the Executive Director with the pupil and the pupil’s parent or guardian. The conference may be omitted if the Executive Director determines that an emergency situation exists that involves a clear and present danger to the lives, safety, or health of pupils or school personnel. If the pupil is suspended without a conference, the parents will be notified of the suspension and a conference will be conducted as soon as possible. The Executive Director will make a determination of the length and placement of suspension, and provide a verbal and written notice to parents. Parents and pupils will have due process rights with regard to suspensions and expulsions. If a pupil is suspended for a period of more than five days, a parent conference will be scheduled to discuss the progress of the suspension upon completion of the tenth day of suspension (Attachment 3, pp. 130–136).

The PPS petition states that if the Executive Director recommends a pupil for expulsion, the pupil and the pupil’s parents will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. Pupils recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the pupil should be expelled. The hearing will be held within 30 days of the recommendation. The expulsion hearing will be presided over by the Board who may also appoint an impartial administrative panel of three or more certificated persons, none of whom is a member of the Board or employed by PPS (Attachment 3, p. 133).

Addressing evaluation criteria E, the PPS petition states that PPS will immediately notify the SELPA upon suspension or expulsion of a pupil with an identified disability. During the suspension, the pupil will continue to receive services. Within 10 school days of a recommendation for expulsion, PPS, the parent, and relevant members of the IEP/504 team shall review all relevant information in the pupil’s file, including the IEP/504, teacher observations, and relevant information provided by the parents. If determined that the conduct was a manifestation of the pupil’s disability, the IEP/504 team shall assess how the pupil’s disability was partial to the infraction, implement a behavioral intervention plan, or review the existing behavioral intervention plan and modify it (Attachment 3, pp. 136–137).

The PPS petition states that PPS will update discipline policies regularly to reflect any changes in the relevant sections of *EC*. The Executive Director may use his or her discretion to provide age-appropriate alternatives to suspension or expulsion for the above infractions that are designed to address and correct the pupil’s specific misbehavior (Attachment 3, p. 129).

The PPS petition includes a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of the intent to remove the pupil no less than five school days before the effective date of the action (Attachment 3, p. 127).

If approved by the SBE, as a condition for approval, the PPS petitioner will be required to revise the petition and include the necessary language for Element 10–Suspension and Expulsion Procedures.

## 11. Teachers’ and Public Employees’ Retirement System, and Social Security Coverage

**California State Teachers’ Retirement System, California Public Employees’ Retirement System, and Social Security Coverage**

*EC* Section 47605(b)(5)(K)

5 *CCR* Section 11967.5.1(f)(11)

### Evaluation Criteria

The manner by which staff members of the charter schools will be covered by California State Teachers’ Retirement System (CalSTRS), California Public Employees’ Retirement System (CalPERS), or federal social security, as required by *EC* Section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.

**The petition does present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage.**

### Comments

The PPS petition does present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage. The petition states that all employees of PPS will be eligible for a 403b account and be covered by social security. The petition states that PPS will not offer retirement contributions to any part-time employees as they do not qualify. The payroll/benefits manager of PPS will ensure that appropriate arrangements for the coverage have been made (Attachment 3, p. 138).

## 12. Public School Attendance Alternatives

*EC* Section 47605(b)(5)(L)

5 *CCR* Section 11967.5.1(f)(12)

### Evaluation Criteria

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by *EC* Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.

**The petition does present a reasonably comprehensive description of public school attendance alternatives.**

### Comments

The PPS petition states that PPS is a school of choice and recognizes that pupil attendance is voluntary and no pupil shall be required to attend PPS. Pupils who opt not to attend PPS may attend other SJUSD schools in accordance with existing enrollment and transfer policies of the SJUSD or their county of residence (Attachment 3, p. 139).

## 13. Post-employment Rights of Employees

*EC* Section 47605(b)(5)(M)

5 *CCR* Section 11967.5.1(f)(13)

### Evaluation Criteria

The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by *EC* Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

| Criteria | Criteria Met |
| --- | --- |
| 1. Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.
 | Yes |
| 1. Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.
 | Yes |
| 1. Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.
 | Yes |

**The petition does present a reasonably comprehensive description of post-employment rights of employees.**

### Comments

The PPS petition states that employees of the SJUSD who choose to leave the employment of the SJUSD to work at PPS shall have no automatic rights of return to the SJUSD after employment at PPS unless specifically granted by the SJUSD through a leave of absence or other agreement or policy of the SJUSD, as aligned with the collective bargaining agreements of the SJUSD. Leave and return rights for SJUSD union-represented employees and former employees who accept employment with PPS will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings (Attachment 3, p. 140).

## 14. Dispute Resolution Procedures

*EC* Section 47605(b)(5)(N)

5 *CCR* Section 11967.5.1(f)(14)

### Evaluation Criteria

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by *EC* Section 47605(b)(5)(N), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a LEA.
 | Yes |
| 1. Describe how the costs of the dispute resolution process, if needed, would be funded.
 | Yes |
| 1. Recognize that, because it is not a LEA, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.
 | Yes |
| 1. Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with *EC* Section 47604.5, the matter will be addressed at the SBE’s discretion in accordance with that provision of law and any regulations pertaining thereto.
 | Yes |

**The petition does present a reasonably comprehensive description of dispute resolution procedures.**

### Comments

The PPS petition presents a reasonably comprehensive description of dispute resolution procedures specific to the SBE (Attachment 3, pp. 141–142).

## 15. Closure Procedures

*EC* Section 47605(b)(5)(O)

5 *CCR* Section 11967.5.1(f)(15)

### Evaluation Criteria

A description of the procedures to be used if the charter school closes, in keeping with *EC* Section 47605(b)(5)(O). The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

**The petition does include a reasonably comprehensive description of closure procedures.**

### Comments

The PPS petition describes the documentation of closure action, notifications to receiving districts, pupil and PPS records transfer, financial close out, and dissolution of assets (Attachment 3, pp. 143–145).

**ADDITIONAL REQUIREMENTS UNDER *EDUCATION CODE* SECTION 47605**

## Standards, Assessments, and Parent Consultation

*EC* sections 47605(c)(1) and (2)

5 *CCR* Section 11967.5.1(f)(3)

### Evaluation Criteria

Evidence is provided that:

| Criteria | Criteria Met |
| --- | --- |
| 1. The school shall meet all statewide standards and conduct the pupil assessments required pursuant to *EC* sections 60605, 60851, and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.
 | Yes |
| 1. The school shall, on a regular basis, consult with their parents and teachers regarding the school’s educational programs.
 | Yes |

**The petition does provide evidence addressing the requirements regarding standards, assessments, and parent consultation.**

### Comments

The PPS petition states that PPS proposes a series of performance-based academic goals using comparative, absolute, and longitudinal measures of pupils’ mastery of literacy and mathematics as well as the California Common Core State Standards. PPS will ensure alignment with measureable goals aligned with *EC* Section 47606 (b)(5)(B). Through such measures, PPS will be able to clearly demonstrate the value-add to the SJUSD as well as to the families and pupils PPS serves (Attachment 3, pp. 71–82).

The PPS petition states the PPS relationship with pupils’ families is critical for pupil success. PPS will provide clear and open communication through annual home visits, family orientations, academic showcase Expo Nights, and monthly Cafecitos meetings with the Executive Director, as well as encourage parents to sign a Contract of Mutual Responsibilities (included in the PPS petition as Appendix C) which outlines the key commitments from all PPS stakeholders (Attachment 3, p. 21).

## Effect on Authorizer and Financial Projections

*EC* Section 47605(g)

5 *CCR* Section 11967.5.1(c)(3)(A–C)

### Evaluation Criteria

…[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:

| Criteria | Criteria Met |
| --- | --- |
| * The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.
 | Yes |
| * The manner in which administrative services of the school are to be provided.
 | Yes |
| * Potential civil liability effects, if any, upon the school and the SBE.
 | Yes |
| * The petitioners have provided 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.
 | Yes |

**The petition does provide the required information and financial projections.**

### Comments

The PPS petition states that PPS intends to locate within either the 95112 or 95126 zip code in SJUSD. PPS may seek the support of SJUSD in securing a district-owned facility through the annual presentation of a Prop 39 request and/or under a separately negotiated long-term lease arrangement. If PPS is not able to acquire a suitable facility through Prop 39, PPS may seek to rent or purchase a facility.

In PPS’s opening year, the PPS facilities requirements include, but are not limited to, the following (Attachment 3, pp. 151–152):

* 15,030 square feet of classroom and indoor space for a minimum of the following:
	+ Four classrooms (10,880 square feet)
	+ Three offices (300 square feet)
	+ Bathrooms for boys, girls, and staff (600 square feet)
	+ Multi-purpose room (2,500 square feet)
	+ Staff room (750 square feet)
	+ One acre of outdoor space

The PPS petition states that PPS engaged EdTec to advise and consult in the development of accurately projected revenues, expenses, and cash flow. EdTec will support PPS in development, finance, operations, governance, software, annual projected budgets, monthly financial statements, payroll, grant and funding opportunities beyond federal and state dollars, and other fiduciary services (Attachment 3, p. 146).

The petition states that an entity that grants a charter to PPS shall not be liable for the debts or obligations of PPS or for claims arising from the performance of acts, errors, or omissions by PPS if the authority has complied with all oversight responsibilities required by law (Attachment 3, p. 153).

## Teacher Credentialing

*EC* Section 47605(l)

5 *CCR* Section 11967.5.1(f)(5)

### Evaluation Criteria

Teachers in charter schools shall be required to hold a California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold …It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, non-college preparatory courses.

**The petition does meet this requirement.**

### Comments

The PPS petition states that the teachers at all levels shall meet or exceed all highly qualified requirements under the Every Student Succeeds Act. Accordingly, a teacher of core academic subjects (i.e., English language arts, history/social science, mathematics, and science) must have a bachelor’s degree; an appropriate California credential, per teaching responsibilities; and demonstrated core academic subject matter competence (Attachment 3, p. 101).

## Transmission of Audit Report

*EC* Section 47605(m)

5 *CCR* Section 11967.5.1(f)(9)

### Evaluation Criteria

A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year … to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited …, and the CDE by December 15 of each year.

**The petition does address this requirement.**

### Comments

The PPS petition states that the annual audit will be completed within four months of the close of the fiscal year, and that a copy of the auditor's findings will be forwarded to the authorizer, the SJUSD Superintendent, the State Controller, and the CDE by

December 15 of each year (Attachment 3, pp. 122–123).

## Goals to Address the Eight State Priorities

*EC* Section 47605(b)(5)(A)(ii)

### Evaluation Criteria

A charter school shall provide a description of annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

**The petition does not address this requirement.**

### Comments

The PPS petition does not address this requirement. The petition does not include MPOs for the PPS target groups of socio-economically disadvantaged pupils or Latino pupils, pursuant to *EC* Section 52052. The CDE finds the omission of this problematic given the petition states that the projected demographic of PPS is 80 percent free and reduced priced lunch and 80 percent Latino (Attachment 3, p. 29).

If approved by the SBE, as a condition for approval, the PPS petitioner will be required to revise the petition and include the necessary language for Goals to Address the Eight State Priorities.

## Transferability of Secondary Courses

*EC* Section 47605(b)(5)(A)(iii)

### Evaluation Criteria

If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements.

**This requirement is not applicable.**

### Comments

PPS will not be serving secondary pupils.