# CHARTER SCHOOL PETITION REVIEW FORM:Watsonville Prep School

CALIFORNIA DEPARTMENT OF EDUCATION

## Key Information Regarding Watsonville Prep School

### Proposed Grade Span and Build-out Plan

**Table 1: 2019–2024 Proposed Enrollment**

K–Kindergarten

NA–Not Applicable. Grade levels not served.

| Grade | 2019–2020 | 2020–21 | 2021–22 | 2022–23 | 2023–24 |
| --- | --- | --- | --- | --- | --- |
| K | 60 | 60 | 60 | 60 | 60 |
|  1 | 60 | 60 | 60 | 60 | 60 |
|  2 | 60 | 60 | 60 | 60 | 60 |
|  3 | NA | 60 | 60 | 60 | 60 |
|  4 | NA | NA | 60 | 60 | 60 |
|  5 | NA | NA | NA | 60 | 60 |
|  6 | NA | NA | NA | NA | 60 |
|  7 | NA | NA | NA | NA | NA |
|  8 | NA | NA | NA | NA | NA |
|  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 | 180 | 240 | 300 | 360 | 420 |

The California Department of Education (CDE) notes that although the anticipated enrollment plan for 2019–2024 in the Watsonville Prep School (WPS) petition only includes K through grade six, the petitioner plans on expanding WPS as a K through grade eight school in subsequent years.

### Proposed Location

WPS will be located within the city boundaries of Watsonville. WPS will seek to operate in district facilities and may exercise rights under Proposition 39 (Attachment 3, p. 134).

### Brief History

On March 28, 2018, the petitioner submitted the WPS petition to Pajaro Valley Unified School District (PVUSD). On May 23, 2018, PVUSD voted to deny the WPS petition by a vote of five to zero. On June 19, 2018, the petitioner submitted the WPS petition to Santa Cruz County Board of Education (SCCBOE). On August 16, 2018, SCCBOE voted to deny the WPS petition by a vote of four to three.

### Lead Petitioner(s)

Kevin Sved, Chief Executive Officer, Navigator Schools

## 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]) | Yes |
| 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])
 | No |
| 1. Suspension and Expulsion Procedures (*EC* Section 47605[b][5][J])
 | Yes |
| 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 (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 State Board of Education (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 WPS petition is consistent with sound educational practice. WPS proposes to serve pupils in K through grade eight within the city boundaries of Watsonville. WPS plans to open in 2019 with 180 pupils in K through grade two and grow one grade per year to serve 420 pupils in K through grade six in 2023–24 (Attachment 3, p. 14). WPS will serve as a direct-funded charter school operated by Navigator Schools, a California non-profit public benefit corporation, pursuant to California law. Currently, Navigator Schools operates two college prep K through grade eight schools: Hollister Prep (HP) and Gilroy Prep (GP). WPS will replicate the identical educational model implemented at both HP and GP charter schools (Attachment 3, p. 27). The CDE notes that although the anticipated enrollment plan for 2019–2024 in the WPS petition only includes K through grade six, the petitioner plans on expanding WPS as a K through grade eight school in subsequent years. Additionally, the petition describes instructional models for all grades K through grade eight (Attachment 3, pp. 28–35).

## 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 petitioner is able to successfully implement the intended program.**

### Comments

#### Budget

WPS multi-year projected budget includes the following projected pupil enrollment (Attachment 4):

* 180 K through grade two in 2019–2020
* 240 K through grade three in 2020–21
* 300 K through grade four in 2021–22
* 360 K through grade five in 2022–23
* 420 K through grade six in 2023–24

The CDE notes that although the anticipated enrollment plan for 2019–2024 in the WPS petition only includes K through grade six, the petitioner plans on expanding WPS as a K through grade eight school in subsequent years. The Navigator K–8 model, as implemented in HP and GP, is designed to prepare Navigator students for the rigors of high school.

The CDE concludes that the multi-year financial plan is fiscally viable due to positive ending fund balances of $125,523; $175,785; and $341,628 with reserves of 5.7, 5.9, and 9.3 percent for fiscal years (FYs) 2019–2020 through 2021–22, respectively.

WPS has also secured additional financial commitments:

* The WPS petitioner has secured a commitment letter dated March 26, 2018, which confirms Charter School Growth Fund’s grant of $2,100,000 for Navigator Schools and outlines a schedule of grant disbursements (Attachment 9, p. 309). On October 4, 2018, the CDE received confirmation of receipt of a disbursement in the amount of $300,000 in the form of a bank statement. An additional disbursement in the amount of $300,000 is scheduled to be funded in December 2018.
* The WPS petitioner has secured a commitment letter dated March 26, 2018 that states that Silicon Schools Fund is recommending that their Board grant up to $800,000 to support the opening of WPS (Attachment 9, p. 310). On October 29, 2018, the CDE received a grant agreement and confirmation of $100,000 in the form of a bank statement. An additional $100,000 will be granted to the petitioner from Silicon Schools Fund upon approval by the SBE.
* On October 29, 2018, the CDE received a grant agreement from the Walton Family Foundation with the confirmation of $325,000 in the form of a bank statement.

As a condition of the approval, the CDE is recommending that WPS provide an updated multi-year budget to include these additional grants.

The petitioner did not include budget assumptions and narrative with the budgeted cost for rental facilities through a Proposition (Prop) 39 or lease agreement, but the WPS petition included a budgeted cost for a three percent oversight fee. On October 29, 2018, on a phone call with the CDE, the petitioner clarified that two percent of the three percent oversight fee was delineated for the facility cost through a Prop 39 agreement with the district. WPS anticipates submitting a Prop 39 application to PVUSD, in addition to seeking other viable options.

**History of Operating other Charter Schools**

Currently, Navigator Schools operates two college prep K through grade eight schools. GP was initially authorized by the Gilroy Unified School District (GUSD) in 2010 for a two-year term. GP was first renewed in 2012 and, most recently, in 2018 for a five-year term from 2018–23. HP was initially authorized by the Hollister School District (HSD) in 2013 and was recently renewed for another five-year term from 2018–2023.

The WPS petition states that the academic achievements of both GP and HP are products of a concentrated effort to create an educational model that can be easily replicable and personalized to meet the needs of the community being served (Attachment 3, p. 8).

The following tables reflect the California Assessment of Student Performance and Progress (CAASPP) data from 2016–18 in English language arts (ELA) and mathematics for all pupils and significant subgroups for the two Navigator Schools currently in operation as well as the districts, and counties where the schools are located and intend to locate.

The 2016–18 data shows that GP and HP have consistently outperformed the district, county, and state data results. The CDE notes that the district demographics of PVUSD, the district where WPS will be located, mirror that of GUSD and HSD where over 70 percent of the pupils served are classified as Hispanic/Latino and over 20 percent as ELs.

**Summary Data for California Assessment of Student Performance and Progress Results**

**Key Abbreviations**

COE – County Office of Education

EL – English Learners

ELA – English language arts

GP – Gilroy Prep

GUSD – Gilroy Unified School District

HP– Hollister Prep

HSD – Hollister School District

LEA - Local educational agency

PVUSD – Pajaro Valley Unified School District

SED – Socio-economically disadvantaged

SPED – Special Education

**Navigator Schools CAASPP Results by Year**

| LEA | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math |
| --- | --- | --- | --- | --- | --- | --- |
| GP | 82 | 67 | 83.22 | 75.17 | 84.75 | 70.06 |
| GUSD | 49 | 40 | 47.97 | 40.31 | 47.97 | 40.31 |
| Santa Clara COE | 62 | 55 | 61.9 | 55.48 | 61.9 | 55.48 |

| LEA | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math |
| --- | --- | --- | --- | --- | --- | --- |
| HP | 86 | 76 | 90.56 | 75 | 87.81 | 75.21 |
| HSD | 41 | 29 | 47.71 | 35.13 | 47.71 | 35.13 |
| San Benito COE | 46 | 31 | 51.5 | 36.48 | 51.5 | 36.48 |

| LEA | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math |
| --- | --- | --- | --- | --- | --- | --- |
| PVUSD | 32 | 21 | 30.74 | 21.17 | 32.57 | 22.56 |
| Santa Cruz COE | 45 | 33 | 44.79 | 32.95 | 45.96 | 34.33 |

**Navigator Schools 2017–18 ELA CAASPP Results by Subgroup**

| LEA | All Pupils | Hispanic/Latino | ELs | SPED | SED |
| --- | --- | --- | --- | --- | --- |
| GP | 84.75 | 81.4 | 54.54 | 44.83 | 82.29 |
| GUSD | 47.97 | 39.31 | 9.56 | 14.12 | 33.97 |
| Santa Clara COE | 61.9 | 37.04 | 17.8 | 20.04 | 37.58 |

| LEA | All Pupils | Hispanic/Latino | ELs | SPED | SED |
| --- | --- | --- | --- | --- | --- |
| HP | 87.81 | 87.25 | 80.96 | 60 | 85.81 |
| HSD | 47.71 | 44.35 | 20.43 | 12.06 | 39.01 |
| San Benito COE | 51.5 | 46.82 | 23.22 | 13.29 | 42.05 |

**Navigator Schools 2017–18 MATH CAASPP Results by Subgroup**

| LEA | All Pupils | Hispanic/Latino | ELs | SPED | SED |
| --- | --- | --- | --- | --- | --- |
| GP | 70.06 | 63.22 | 43.94 | 48.28 | 61.46 |
| GUSD | 40.31 | 31.9 | 12.35 | 11.62 | 27.43 |
| Santa Clara COE | 55.48 | 26.53 | 21.27 | 17.9 | 29 |

| LEA | All Pupils | Hispanic/Latino | ELs | SPED | SED |
| --- | --- | --- | --- | --- | --- |
| HP | 75.21 | 74.51 | 66.67 | 40 | 75 |
| HSD | 35.13 | 30.99 | 14.08 | 9.95 | 28.15 |
| San Benito COE | 36.48 | 31.68 | 17.46 | 9.89 | 29.04 |

**Demographics where Navigator Schools are located**

| LEA | All Pupils | Hispanic/Latino | ELs | Foster Youth | Homeless | Migrant Ed | SPED | SED |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| GP | 544 | 341(63%) | 201(37%) | NA | NA | NA | NA | NA |
| GUSD | 11834 | 8275(70%) | 2690(23%) | 76(0.6%) | 60(0.5%) | 137(1%) | 1428(12%) | 6850(58%) |
| Santa Clara COE | 272132 | 104429(38%) | 62147(23%) | 599(0.2%) | 2676(1%) | 1066(0.4%) | 28004(10%) | 108180(40%) |

| LEA | All Pupils | Hispanic/Latino | ELs | Foster Youth | Homeless | Migrant Ed | SPED | SED |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| HP | 713 | 654(92%) | 320(45%) | NA | NA | NA | NA | NA |
| HSD | 5856 | 4729(81%) | 2033(35%) | 24(0.4%) | 117(2%) | 691(12%) | 691(12%) | 3743(64%) |
| San Benito COE | 11253 | 8341(74%) | 2878(26%) | 44(0.4%) | 216(2%) | 1409(13%) | 1267(11%) | 6792(60%) |

| LEA | All Pupils | Hispanic/Latino | ELs | Foster Youth | Homeless | Migrant Ed | SPED | SED |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| PVUSD | 20279 | 16543(86%) | 8541(42%) | 72(0.4%) | 2783(14%) | 1283(6.3%) | 2709(13%) | 15065(74%) |
| Santa Cruz | 40393 | 22580(56%) | 10650(26%) | 153(0.4%) | 3174(8%) | 1440(4%) | 4990(12%) | 21866(54%) |

## 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 …

**The petition does contain the required number of signatures at the time of its submission.**

### Comments

The WPS petition does contain the required number of teacher signatures at the time of its submission.

## 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 WPS petition does contain the required affirmations (Attachment 3, pp. 4–6 and 102).

## 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 WPS petition does include the necessary declaration (Attachment 3, p. 4).

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

#### Educational Program

WPS intends to open in the 2019–2020 school year serving K through grade two and grow a grade per year to serve 420 pupils in grades K through grade six in 2023–24. WPS intends to locate within the city boundaries of Watsonville. The mission and vision of Navigator schools is to equip pupils to be learners and leaders in high school, college, and beyond as well as improve communities through education (Attachment 3, p. 12). The petition describes instructional models for both K through grade five and grade six through grade eight (Attachment 3, pp. 28–35). The petition states that WPS does not plan to operate a transitional kindergarten (TK) program; however, will do so if required by the charter authorizer (Attachment 3, p. 31). WPS will work with pupils continuously from K through grade eight serving pupils in a small, community-based school setting. The following five key educational elements will define a pupil’s K through grade eight experience at WPS (Attachment 3, pp. 23–24):

* Data-driven instruction
* Consistent coaching and feedback for all staff
* Robust multiple tiers of support for academics and behavior
* State of the art technology to prepare pupils for the future
* A strong culture of excellence

#### Plan for Low-Achieving Pupils

The WPS petition states that WPS educators will identify all pupils at risk of having any difficulties that interfere with learning. Additionally, pupils will be identified for intervention through regular data monitoring by WPS staff that utilizes state test results, formative and summative assessments, and teacher data. WPS will follow the Response to Intervention (RTI) process to provide focused intervention to low-achieving pupils with the purpose of mitigating the underlying academic, social-emotional or behavioral issues they might present (Attachment 3, p. 46). The WPS petition states that the RTI model will be based on the following tiers of support (Attachment 3, pp. 47–48):

* Tier 1–Academic and behavioral supports are provided in the general education classroom and are accessible to all pupils.
* Tier 2–Supports are provided to pupils using a full inclusion model via small groups of pupils within the general education classroom.
* Tier 3–Intensive supports are provided to pupils who continue to struggle after consistent provisions of Tier 2 supports.

#### Plan for High-Achieving Pupils

The WPS petition states that high-achieving pupils will be identified by state test results, formative and summative assessments, and teacher observations. WPS will support high-achieving pupils through leveled reading groups, adaptive software, pupil-led discussion groups, and independent learning projects. Parents are notified monthly when pupils demonstrate high achievement in mathematics, reading, and when pupils meet blended learning goals. Independent learning projects will allow high-achieving pupils to demonstrate the acquisition, application, and expansion of skills (Attachment 3, pp. 49–50).

#### Plan for English Learners

The petition states that WPS will meet all applicable legal requirements for ELs as they pertain to annual notification to parents, pupil identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient (RFEP) status, monitoring, evaluating program effectiveness, and standardized testing requirements. The WPS petition states that the Home Language Survey is administered upon every pupil’s enrollment into WPS. WPS will administer English Language Proficiency Assessments for California (ELPAC). All pupils who indicate their home language is other than English will be tested within 30 days of initial enrollment and at least annually thereafter until reclassified as RFEP. The WPS petition states that Navigator classrooms implement integrated and designated English language development (ELD), and pupils who are ELs participate in both integrated and designated ELD instructional segments until they have met all reclassification criteria and are RFEP. Reclassified pupils are monitored for at least four years to ensure their continued ability to achieve mastery of Common Core State Standards, English language arts standards, and to provide additional support, if needed. Additionally, WPS will provide professional development to improve instruction for ELs and all pupils. The WPS petition outlines the evaluation for the program effectiveness for EL pupils at WPS (Attachment 3, pp. 50–54).

#### Plan for Special Education

The petition states that WPS will comply with all applicable state and federal laws in serving pupils with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and the Individuals with Disabilities Education Improvement Act (IDEIA). The petition identifies a plan for pupils with disabilities, including identification, assessment referrals, interim and initial placements, implementation of the Individualized Education Program, reporting, and due process (Attachment 3, pp. 56–64).

## 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 WPS petition does not present a reasonably comprehensive description of measurable pupil outcomes (MPOs). The petition does not include a description of each subgroup of pupils. The WPS petition includes a table that outlines the goals, actions, measurable outcomes and method of measurement, and person(s) responsible for each of the eight state priorities (Attachment 3, pp. 66–76). However, the petition does not include measurable outcomes for each of the significant subgroups the petitioner proposes to serve. The WPS petition states that Navigator Schools plans to enroll at a minimum the same percentages as PVUSD schools for pupils with disabilities, ELs, homeless/foster youth, and socio-economically disadvantaged (SED) pupils (Attachment 3, p. 14). Additionally, the petition states that WPS will focus recruitment efforts on the EL and SED populations (Attachment 3, p. 100).

If approved by the SBE, as a condition for approval, the WPS petitioner will be required to revise the petition to include the necessary language for Element 2–Measurable Pupil Outcomes to align the MPOs for each of the following subgroups: pupils with disabilities, ELs, homeless/foster youth, SED pupils, and any other applicable subgroup as identified in *EC* Section 52052.

## 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 WPS petition does present a reasonably comprehensive description of the method for measuring pupil progress. The petition includes a table outlining the assessment, content area, description, and use of assessment (Attachment 3, pp. 77–79). The petition states that once a week, WPS staff will meet during an early-release period to review weekly assessment data and make adjustments to curriculum and instruction for each grade level. Additionally, reports from assessments are made available to pupils, parents, and the Navigator School Board as requested and will be accessible to parents daily through a live parent portal. The petition states that WPS is dedicated to continuous improvement and will annually reevaluate the mission and vision of WPS with various stakeholders (Attachment 3, pp. 77–81).

## 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 does present a reasonably comprehensive description of the WPS governance structure. WPS will be a directly-funded independent charter school operated by Navigator Schools, a California non-profit public benefit corporation, pursuant to California law. WPS is governed by Navigator Schools Board of Directors in accordance with its adopted bylaws and the governance, policy-making authority, and fiduciary responsibility for WPS will rest with the Navigator Schools Board of Directors. The WPS petition includes an organization chart and lists the responsibilities of the Navigator Board (Attachment 3, pp. 83–84). The petition states that parents from each school are encouraged to apply for a position on the Navigator Schools Board and that the board shall include representatives and members of the community, including one parent representative from GP and one parent representative from HP. The petition states that parents attend monthly School Site Council (SSC) and English Learner Advisory Committee (ELAC) parent meetings where they elect their own officers and representatives.

The petition states that the SSC shall be comprised of the principal, chairperson, three certificated representatives, one classified representative, and five WPS parent members. It is unclear whether the chairperson of the SSC is a parent, community member, or pupil. If the chairperson is a parent, community member or pupil, then WPS would comply with the parity requirement under *EC* Section 52852(b)(1)(2) (Attachment 3, pp. 85–86).

If approved by the SBE, it would be expected that a WPS parent would be afforded the same opportunity to apply for a position on the Navigator Schools Board, through the election process, as indicated in the petition. Additionally, WPS must comply with the requirements under *EC* Section 52852(b)(1) and (2), as applicable.

## 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 WPS petition does present a reasonably comprehensive description of employee qualifications (Attachment 3, pp. 87–95).

## 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 WPS petition does present a reasonably comprehensive description of health and safety procedures. The petition states that Navigator Schools has adopted and implemented a comprehensive set of health, safety, and risk management policies and procedures for its charter schools. The petition states that employees and contractors of Navigator Schools are required to submit to a criminal background check and to furnish a criminal record summary as required by *EC* sections 44237 and 45125.1. Employees and volunteers who have frequent or prolonged contact with pupils will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with pupils, and for employees at least once each four years thereafter, as required by *EC* Section 49406. The petition states that all enrolled pupils and staff will be required to provide records documenting immunizations and all rising seventh grade pupils must be immunized with a pertussis vaccine booster. Pupils shall be screened for vision, hearing, and scoliosis (Attachment 3, pp. 96–99).

## 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 WPS petition does present a reasonably comprehensive description of means for achieving racial and ethnic balance. The petition states that Navigator Schools has adopted and implemented a policy, including an outreach program, which focuses on achieving and maintaining a racial and ethnic balance among its pupils that is reflective of the general population residing within PVUSD (Attachment 3, p. 100).

## 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 WPS petition does present a reasonably comprehensive description of admission requirements. The petition states that admission preferences in the case of a public random drawing shall be given to pupils in the following order:

1. Siblings of current pupils
2. Children of teachers, staff, and founders identified in the original charter (not to exceed ten percent of the total enrollment)
3. Residents of PVUSD who reside within the city boundaries of Watsonville
4. Other residents of PVUSD
5. All other applicants

There is no weighted priority assigned to the preference categories; rather, within each grade level, pupils will be drawn from pools beginning with all applicants who qualify for the first preference category and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more pupils in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled (Attachment 3, pp. 102–105).

The WPS petition provides a preference for residents of PVUSD who reside within the city boundaries of Watsonville. The CDE cannot determine from the WPS petition the reasoning for this preference and whether the preference would result in: (1) limiting enrollment access for pupils with disabilities, academically low-achieving pupils, ELs, neglected or delinquent pupils, homeless pupils, socio-economically disadvantaged pupils, or foster youth; (2) limiting access of pupils based on nationality, race, ethnicity, or sexual orientation; and (3) a violation of federal or state law.

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

## 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.
 | No |
| 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 not present a reasonably comprehensive description of annual independent financial audits.**

### Comments

The WPS petition does not present a reasonably comprehensive description of annual independent financial audits as the petition does not specify who is responsible for contracting and overseeing the independent audit (Attachment 3, p. 106).

If approved by the SBE, as a condition for approval, the WPS petitioner will be required to revise the petition to include the necessary language for Element 9–Annual Independent Financial Audits to specify who is responsible for contracting and overseeing the independent audit.

## 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.
 | Yes |
| 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).
 | Yes |
| 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 present a reasonably comprehensive description of suspension and expulsion procedures.**

### Comments

The WPS petition does present a reasonably comprehensive description of suspension and expulsion procedures.

Addressing evaluation criteria A, B, and D, the petition states that the pupil suspension and expulsion policy has been established in order to promote learning and protect the safety and well-being of all pupils at WPS. The petition lists discretionary and non-discretionary offenses and procedures for suspension and expulsion (Attachment 3, pp. 109–117). Additionally, the petition states that WPS is committed to annual review and modification of the list of offenses and policies and procedures surrounding suspensions and expulsions (Attachment 3, p. 107). The petition states that no pupil shall be involuntarily removed by WPS for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action (Attachment 3, p. 108). Additionally, the petition states that a pupil may be expelled by the neutral and impartial Navigator Schools Board of Directors following a hearing before it, or by the Board upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board as needed. The Administrative Panel will consist of at least three members who are certificated and neither a teacher of the pupil or a Board member (Attachment 3, p. 118).

Addressing evaluation criteria C and E, the WPS petition states that when an appeal relating to the placement of the pupil or the manifestation determination has been requested by either the parent or WPS, the pupil will remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 United States Code (U.S.C.) Section 1415(k), until the expiration of the 45-day time period provided for in an interim alternative educational setting, unless the parent and WPS agree otherwise. In accordance with 20 U.S.C. Section 1415(k)(3), if a parent or guardian disagrees with any decision regarding placement, or the manifestation determination, or if WPS believes that maintaining the current placement of the pupil is substantially likely to result in injury to the pupil or to others, the parent or guardian or WPS may request a hearing. In such an appeal, a hearing officer may: (1) return a pupil with a disability to the placement from which the pupil was removed; or (2) order a change of placement of a pupil with a disability to an appropriate interim alternative setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such pupils is substantially likely to result in injury to the pupil or to others (Attachment 3, p. 124).

## 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 WPS petition does present a reasonably comprehensive description of CalSTRS and social security coverage. The petition states that certificated employees at WPS shall participate in the CalSTRS and all other employees not eligible for CalSTRS shall participate in the federal social security system. Additionally, Navigator Schools offers a 403(b) option to all employees. Navigator Schools’ business office is responsible for ensuring all required deductions and contributions are made (Attachment 3, p. 126).

## 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 WPS petition does present a reasonably comprehensive description of public attendance alternatives (Attachment 3, p. 127).

## 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 WPS petition does present a reasonably comprehensive description of post-employment rights of employees (Attachment 3, p. 128).

## 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 WPS petition does present a reasonably comprehensive description of dispute resolution procedures.

The CDE notes that the WPS petitioner includes a letter, dated September 24, 2018, describing the changes to the WPS charter petition necessary for appeal to SBE which includes language for Element 14–Dispute Resolution Procedures (Attachment 5, pp. 1–2).

If approved by the SBE, as a condition for approval, the WPS petitioner will be required to revise the petition in order to reflect the SBE as the authorizing entity and include the necessary language for Element 14–Dispute Resolution Procedures by adding the following:

* Recognize that, because it is not an 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.
* 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.
* Recognize that the SBE cannot be pre-bound to a contractual obligation to split the costs of mediation or agree to mediation to resolve disputes.

## 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 WPS petition does include a reasonably comprehensive description of closure procedures. The petition states that the closure of WPS will be documented by official action of the Board of Directors and will identify an entity and person or persons responsible for closure-related activities. WPS will prepare final financial records and have an independent audit completed within six months after closure of WPS. The petition states that all assets of WPS will remain the sole property of Navigator Schools, and, upon the dissolution of the nonprofit benefit corporation, shall be distributed in accordance with the Articles of Incorporation. Navigator Schools shall remain solely responsible for all liabilities arising from the operation of WPS (Attachment 3, pp. 131–132).

**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 WPS petition does provide evidence addressing the requirements regarding standards, assessments, and parent consultation. The petition states that WPS shall meet all statewide standards and conduct the pupil assessments required, pursuant to *EC* sections 60605 and 60851, and any other statewide standards authorized in statute, or pupil assessments applicable to pupils in non-charter public schools (Attachment 3, p. 4). The petition states that parents and community members will be encouraged to apply to serve on the Navigator Board of Directors and will be invited to serve on each of WPS’s governing and executive committees, SSC, and ELAC (Attachment 3, pp. 85–86).

## 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 WPS petition does provide the required information and financial projections (Attachment 3, pp. 134–136 and Attachment 4). WPS will be located within the city boundaries of Watsonville. WPS will seek to operate in district facilities and may exercise rights under Prop 39 (Attachment 3, p. 134).

The WPS petition included a budgeted cost for a three percent oversight fee. The petitioner did not include budget assumptions and narrative with the budgeted cost for rental facilities through a Prop 39 or lease agreement. On October 29, 2018, on a phone call with the CDE, the petitioner clarified that two percent of the three percent oversight fee was delineated for the facility cost through a Prop 39 agreement with the district. WPS anticipates submitting a Prop 39 application to PVUSD, in addition to seeking other viable options.

## 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 WPS petition does meet this requirement (Attachment 3, pp. 5 and 88).

## 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 WPS petition does address this requirement (Attachment 3, pp. 106 and 133).

## 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 WPS petition does not address this requirement. The petition does not include a description of each subgroup of pupils. The WPS petition includes a table that outlines the goals, actions, measurable outcomes and method of measurement, and person(s) responsible for each of the eight state priorities (Attachment 3, pp. 66–76). However, the petition does not include measurable outcomes for each of the significant subgroups the petitioner proposes to serve. The WPS petition states that Navigator Schools plans to enroll at a minimum the same percentages as PVUSD schools for pupils with disabilities, ELs, homeless/foster youth, and SED pupils (Attachment 3, p. 14). Additionally, the petition states that WPS will focus recruitment efforts on the EL and SED populations (Attachment 3, p. 100).

If approved by the SBE, as a condition for approval, the WPS petitioner will be required to revise the petition to include the necessary language for Element 2–Measurable Pupil Outcomes to align the MPOs for each of the following subgroups: pupils with disabilities, ELs, homeless/foster youth, SED pupils, and any other applicable subgroup as identified in *EC* Section 52052.

## 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.

**Not Applicable**

### Comments

WPS does not intend to serve secondary pupils.