# CHARTER SCHOOL PETITION REVIEW FORM: Los Angeles International Charter High School

CALIFORNIA DEPARTMENT OF EDUCATION

## Key Information Regarding Los Angeles International Charter High School

### Proposed Grade Span and Build-out Plan

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

NA–Not Applicable. Grade levels not served.

| Grade | 2019–2020 | 2020–21 | 2021–22 | 2022–23 | 2023–24 |
| --- | --- | --- | --- | --- | --- |
| 6 | 35 | 40 | 40 | 40 | 40 |
| 7 | NA | 40 | 40 | 40 | 40 |
| 8 | NA | NA | 40 | 40 | 40 |
| 9 | 35 | 30 | 30 | 30 | 30 |
| 10 | 30 | 30 | 30 | 30 | 30 |
| 11 | 30 | 30 | 30 | 30 | 30 |
| 12 | 42 | 30 | 30 | 30 | 30 |
| Total | 172 | 200 | 240 | 240 | 240 |

### Proposed Location

Los Angeles International Charter High School (LAICHS) currently serves 153 pupils in grade nine through grade twelve in a leased facility within the physical boundaries of the Los Angeles Unified School District (LAUSD) at 625 Coleman Avenue, Los Angeles, CA.

### Brief History

LAICHS was originally authorized by LAUSD on June 14, 2005, for a three-year term that was extended for an additional year in May 2008. LAUSD denied the LAICHS renewal petition on March 24, 2009. LAICHS was then authorized on appeal by the Los Angeles County Board of Education (LACBOE) in 2009 and renewed on March 11, 2014, for a five-year term from July 1, 2014, through June 30, 2019.

On November 26, 2018, the petitioner submitted the LAICHS renewal petition to the Los Angeles County Office of Education (LACOE). On January 22, 2019, the LACBOE denied the LAICHS renewal petition by a vote of five to one.

The LAICHS petitioners submitted a renewal petition to the State Board of Education (SBE) on January 28, 2019.

Upon approval, the petitioner proposes to change the name of the school to Los Angeles International Charter School.

### Lead Petitioner

Angie R. Sims, Lead Petitioner

## 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]) | No |
| Ability to Successfully Implement the Intended Program  (*EC* Section 47605[b][2]) | No |
| 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]) | No |
| 1. Measurable Pupil Outcomes (*EC* Section 47605[b][5][B]) | No |
| 1. Method for Measuring Pupil Progress (*EC* Section 47605[b][5][C]) | No |
| 1. Governance Structure (*EC* Section 47605[b][5][D]) | Yes |
| 1. Employee Qualifications (*EC* Section 47605[b][5][E]) | No |
| 1. Health and Safety Procedures (*EC* Section 47605[b][5][F]) | No |
| 1. Racial and Ethnic Balance (*EC* Section 47605[b][5][G]) | Yes |
| 1. Admission Requirements (*EC* Section 47605[b][5][H]) | No |
| 1. Annual Independent Financial Audits (*EC* Section 47605[b][5][I]) | No |
| 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]) | No |
| 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]) | Yes |

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

## Sound Educational Practice

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

*California Code of Regulations*, Title 5(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 not “consistent with sound educational practice.”**

### Comments

The LAICHS petition is not consistent with sound educational practice. LAICHS does not perform at least equal to its comparable district schools where the majority of LAICHS’ pupils would otherwise attend.

#### Renewal Criteria

*EC* Section 47607 sets forth grounds for denying a renewal petition.

1. The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor determining whether to grant a charter renewal.
2. The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

LAICHS does not perform, overall, at least equal to its comparable district schools where the majority of LAICHS’ pupils would otherwise attend.

##### LACOE’s Review of Renewal Criteria Under *EC* Section 47607

LACOE completed a review of 2015–16, 2016–17, and 2017–18 California Assessment of Student Performance and Progress (CAASPP) data for LAICHS and district-chosen comparable schools, which show declines in English language arts (ELA) and mathematics schoolwide and for all pupil groups. LACOE determined that LAICHS has not met the academic performance levels and is not eligible for renewal. For ELA, schoolwide, the percentage of pupils meeting or exceeding standards dropped from 52 to 49 percent over the three-year period with a low of 41 percent in 2016–17. Numerically significant pupil groups show decreases in proficiency over the three-year period for socioeconomically disadvantaged (SED) pupils by five percent and Hispanic/Latino pupils by four percent. For mathematics, schoolwide, the percentage of pupils meeting or exceeding standards dropped from 12 to 9 percent over the three-year period. Numerically significant pupil groups show decreases in proficiency over the three-year period for both SED and Hispanic/Latino pupils by five percent. LACOE determined that LAICHS has not demonstrated increases in pupil academic achievement for all group of pupils served by the school (Attachment 6, pp. 10–13).

Additionally, LACOE completed an analysis which reviewed the 2015–16, 2016–17, and 2017–18 CAASPP data for LAICHS compared to its resident and comparison schools. LACOE considered schools where 2.5 percent or more of LAICHS’ pupils would otherwise be enrolled as resident schools, and considered schools within LAUSD serving comparable grade levels and pupil demographics as comparable schools. LACOE determined that LAICHS does not qualify for renewal consideration as its academic performance is not at least equal to the academic performance of the public schools that LAICHS’ pupils would otherwise have been required to attend as well as the academic performance of the schools in LAUSD in which LAICHS is located (Attachment 6, pp. 13–15).

**LACOE-chosen Resident Schools CAASPP Results for LAICHS (Percent Meets/Exceeds Standards)**

| School | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math |
| --- | --- | --- | --- | --- | --- | --- |
| LAICHS | 52 | 12 | 41 | 8 | 49 | 9 |
| Alhambra High | 65 | 42 | 68 | 45 | 65 | 44 |
| Belmont Senior High | 53 | 24 | 39 | 11 | 37 | 14 |
| Benjamin Franklin Senior High | 63 | 39 | 62 | 41 | 50 | 31 |
| Los Angeles River at Sonia Sotomayor Learning Academy | 38 | 12 | 37 | 6 | 55 | 0 |
| Woodrow Wilson Senior High | 52 | 18 | 48 | 19 | 43 | 16 |

**LACOE-chosen Comparison Schools CAASPP Results for LAICHS (Percent Meets/Exceeds Standards)**

| School | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math |
| --- | --- | --- | --- | --- | --- | --- |
| LAICHS | 52 | 12 | 41 | 8 | 49 | 9 |
| International Studies Learning Center at Legacy High School Complex | 50 | 31 | 46 | 32 | 52 | 29 |
| James A. Garfield Senior High | 64 | 36 | 64 | 33 | 65 | 39 |
| North Hollywood Senior High | 59 | 38 | 70 | 42 | 68 | 37 |
| PUC Community Charter Middle and PUC Community Charter Early College High | 47 | 32 | 48 | 37 | 43 | 38 |

##### California Department of Education’s Review of Renewal Criteria Under *EC* Section 47607

After reviewing the information presented by LACOE, the California Department of Education (CDE) has determined that LACOE’s review and analysis of the pupil achievement data pursuant to *EC* Section 47607(b) was comprehensive, and that LACOE considered increases in pupil academic achievement for all groups of pupils served by LAICHS as the most important factor in determining whether to grant LAICHS’ renewal request.

The CDE reviewed the materials and determined that LAICHS has not met the applicable renewal criteria pursuant to *EC* Section 47607. The CDE selected seven schools where pupils would otherwise be required to attend and are comparable in that they have similar enrollment for similar significant subgroups of Hispanic/Latino, SED, English learners (ELs), and pupils with disabilities. The seven schools serve pupils in grade nine through grade twelve.

The following table shows the percent of pupils that met/exceeded standards on the 2015–16, 2016–17, and 2017–18 CAASPP assessments for ELA and mathematics for LAICHS and the CDE-chosen comparable schools that pupils would otherwise attend.

**CDE-chosen Comparable Schools CAASPP Results for LAICHS (Percent Meets/Exceeds Standards)**

| School | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math |
| --- | --- | --- | --- | --- | --- | --- |
| LAICHS | 52 | 12 | 41.17 | 8.0 | 48.94 | 8.51 |
| Academia Avance Charter | 27 | 12 | 27.96 | 14.76 | 32.40 | 20.18 |
| Benjamin Franklin Senior High | 63 | 39 | 61.74 | 40.52 | 49.69 | 31.45 |
| Los Angeles Leadership Academy | 40 | 13 | 36.91 | 17.51 | 23.47 | 12.86 |
| Los Angeles River at Sonia Sotomayor Learning Academy | 38 | 12 | 37.04 | 5.56 | 55.10 | 0 |
| Alliance Marc & Stern Math and Science | 79 | 34 | 75.61 | 42.28 | 80 | 40.72 |
| PUC Early College Academy for Leaders and Scholars | 70 | 37 | 58.54 | 42.69 | 56.39 | 35.49 |
| Manual Arts Senior High | 28 | 9 | 33.01 | 9.09 | 31.45 | 7.92 |

##### LAICHS’ Review of Renewal Criteria Under *EC* Section 47607

LAICHS compared their own CAASPP data only for 2015–16, 2016–17, and 2017–18. CAASPP data reflected a decline in academic performance in 2016–17 and a small increase in 2017–18. In 2016–17, without including students with disabilities, 45.6 percent of pupils met and exceeded standards in ELA and 8.89 percent in mathematics. In 2017–18, without including students with disabilities, 47.5 percent of pupils met and exceeded standards in ELA and 10 percent in mathematics, which showed an increase. LAICHS acknowledges the challenge the school is experiencing with the academic performance of pupils in mathematics and is committed to continual improvement through comprehensive, ongoing professional development for all LAICHS staff (Attachment 3, pp. 5–6).

The CDE notes that in LAICHS’ response to the LACOE findings the petitioner states that LACOE instructed LAICHS to use the same resident and comparison schools in the charter renewal despite objections that the lists of schools were flawed (Attachment 6, pp. 36). Additionally, the petitioner included a table of resident and comparison schools that the petitioner claims are more accurate and reflect LAICHS’ increases in pupil achievement. The petitioner states that LAICHS did not include these tables in the renewal petition because they were directed by LACOE staff to not use these schools (Attachment 6, pp. 34–45).

##### LACOE’s Review of Renewal Criteria Under *EC* Section 52052–Alternative Measures

Academic Performance Index (API) has not been calculated as of the 2013–14 school year (SY). In such a case, *EC* Section 52052(f), provides for the following in determining whether a charter is meeting legislative and/or programmatic requirements:

* Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups shall be used.

The CDE notes that LACOE did not consider academic performance under *EC* section 52052(f).

##### CDE’s Review of Renewal Criteria Under *EC* Section 52052–Alternative Measures

The CDE also considered *EC* Section 52052 in its review of the LAICHS petition. As referenced above, API has not been calculated as of the 2013–14 SY. In such a case, *EC* Section 52052(f), provides for the following in determining whether a charter is meeting legislative and/or programmatic requirements:

* Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups shall be used.

In the petitioner’s response to LACOE’s findings (Attachment 6, pp. 35–46), LAICHS lists the following alternative measures proposing that LAICHS has made increases in pupil academic achievement and qualifies for renewal under *EC* Section 52052:

* The percentage of pupils schoolwide who met or exceeded standards on CAASPP in ELA increased in 2018.
* The percentage of pupils schoolwide who met or exceeded standards on CAASPP in mathematics increased in 2018.
* The percentage of Hispanic/Latino pupils who met or exceeded standards on CAASPP in ELA increased in 2018.
* The percentage of Hispanic/Latino pupils who met or exceeded standards on CAASPP in mathematics increased slightly in 2018.
* The percentage of SED pupils who met or exceeded standards on CAASPP in ELA increased in 2018.
* The percentage of SED pupils who met or exceeded standards on CAASPP in mathematics increased in 2018.
* The percentage of LAICHS pupils taking and passing Advanced Placement (AP) exams increased in 2018.
* LAICHS’s graduation rate increased in 2018 in which 36 of the 38 qualifying pupils in grade twelve were accepted into a four-year college/university.
* The percentage of graduating pupils in grade twelve who were accepted into a four-year college/university increased in 2018.
* The number of honors and AP courses offered at LAICHS, the number of pupils taking an AP exam, and the percentage of pupils who passed an AP exam increased in 2018.
* The Golden State Seal Merit Diploma has a criteria of three or better on CAASPP or passage of a mathematics class with a B or better. Twenty-four of the thirty- eight pupils in grade twelve passed honors and mathematics classes with a B or better, with no pupils receiving a failing grade.

The CDE reviewed the alternative measures information provided by LAICHS pursuant to *EC* Section 52052(f). The data from the LAICHS alternative measures reflect increases in 2017–18 CAASPP results in ELA and mathematics for all pupils schoolwide, and among the SED and Hispanic/Latino subgroups when compared to LAICHS’ 2016–17 CAASPP results, although the data does not reflect increases when compared to LAICHS’ 2015–16 CAASPP results and ignores the decreases in 2016–17 as compared to 2015–16. However, the data presented by LAICHS for AP passage rates, college acceptance rates, and enrollment in Honors and/or AP courses relies on assessments and/or data for which the CDE lacks independent confirmation of their reliability, validity, fairness, and alignment.

## 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 not able to successfully implement the intended program.**

### Comments

The LAICHS petitioners are not able to successfully implement the intended program. The petitioners are unfamiliar with the content of the petition and the requirements of law that would apply to the LAICHS charter school. The LAICHS petition does not present a reasonably comprehensive description of 8 of the 15 required charter elements, including a description of the educational program and employee qualifications which include teacher credentialing.

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

* 172 grade six through grade twelve in 2019–2020
* 200 grade six through grade twelve in 2020–21
* 240 grade six through grade twelve in 2021–22
* 240 grade six through grade twelve in 2022–23
* 240 grade six through grade twelve in 2023–24

The CDE reviewed audited financial data from the 2017–18 audit report which reflected an unqualified status and unqualified audit opinion with no significant audit findings noted. An unqualified opinion means that the auditor has opined that the charter school’s financial statements are fairly presented, are free of material misstatements, and have been prepared in accordance with generally accepted accounting principles.

The CDE concluded that the LAICHS projected budget is viable due to the positive ending fund balances of $717,012; $947,002; and $1,428,480, with reserves of 32.1, 40.9, and 55.3 percent for fiscal years 2019–2020 through 2021–22, respectively.

## 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 charter renewal.**

### Comments

Signatures are not applicable for a charter renewal.

## 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 LAICHS petition contains all of the required affirmations (Attachment 3, pp. 1–2).

## 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 LAICHS petition contains the necessary declaration (Attachment 3, pp. 1 and 112).

# 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. | No |
| 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. | No |
| 1. Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels. | No |
| 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. | No |
| 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 not overall present a reasonably comprehensive description of the educational program.**

### Comments

The LAICHS petition does not overall present a reasonably comprehensive description of the educational program. The petition does not describe a plan for how LAICHS will identify, respond to, and meet the needs of pupils achieving substantially above or below grade level expectations as well as a plan for meeting the needs of ELs.

Although the petitioner provided course catalogues for middle and high school pupils in the appendices submitted to CDE, the LAICHS petition does not include a description of the curriculum that will enable LAICHS’ 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.

Additionally, LAICHS proposes to add an Independent Study (IS) program; however, the petition does not include the necessary language pursuant to *EC* sections 51745.6 and 51747.

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Element 1–Description of Educational Program by including a description of LAICHS’s plan for low-achieving pupils, high-achieving pupils, and ELs as well as provide a description of the curriculum that will enable LAICHS’ 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.

Additionally, the petitioner will need to include language with regard to the IS program pursuant to *EC* sections 51745.6 and 51747.

#### Educational Program

LAICHS opened in 2005 and currently serves 153 pupils in grade nine through grade twelve. The petition proposes to add grade six to serve 172 pupils in grade six and grade nine through grade twelve in 2019–2020 and increase to serve 240 pupils in grade six through grade twelve in 2023–24. LAICHS’ mission is to improve pupil achievement by providing a high quality, standards based educational opportunity for all pupils that attend. The petition states that LAICHS focuses on a college preparatory program, college readiness for all pupils, and a personalized learning environment. The petition includes sample schedules for grade six through grade eight, grade nine through grade twelve, and IS at LAICHS (Attachment 3, pp. 22–24).

##### Plan for Low-Achieving Pupils

The petition does not include a plan for how LAICHS will identify, respond to, and meet the needs of low-achieving pupils.

##### Plan for High-Achieving Pupils

The petition does not include a plan for how LAICHS will identify, respond to, and meet the needs of high-achieving pupils.

##### Plan for English Learners

The petition does not include a plan for how LAICHS will identify, respond to, and meet the needs of ELs. The CDE notes that the LAICHS petitioners included an EL Master Plan in the appendices of the petition; however, the plan appears to be outdated and does not cite the correct statewide assessments (i.e. California English Language Development Test, California Standards Test, and California High School Exit Exam). The petition does not describe how LAICHS will provide integrated and designated English language development (ELD) for ELs during the instructional day. Additionally, the petition does not state that reclassified fluent English proficient pupils will be monitored for four years after reclassification.

##### Plan for Special Education

The petition states that LAICHS adheres to the provisions of the Individuals with Disabilities Education Act and state special education laws and regulations to assure that all its pupils with disabilities have free, appropriate public education. LAICHS complies with Section 504 of the Federal Rehabilitation Act, the Americans with Disabilities Act, and all Office for Civil Rights mandates. The petition identifies a plan for pupils with disabilities, including referral for assessment; assessment; development, implementation, and review of an individualized education plan; special education supports and services; progress monitoring; and due process and procedural safeguards (Attachment 3, pp. 30–37).

##### Plan for Independent Studies Program

The petition states that LAICHS will implement student-centered instruction for all pupils, including those in the IS program. Each pupil will meet with an assigned credentialed teacher for a minimum of two times per week. The petition states that the pupil, parent/guardian, assigned teacher, counselor, and key stakeholder will develop an individualized learning plan (ILP) that will ensure pupil success. The ILP will address the academic needs of the pupil and detail their participation and responsibilities as well as include strategies and practices to inform and encourage pupils both academically and socially. The petition states that LAICHS will provide non-academic targeted intervention to address any personal or logistical problems that may hinder pupils from completing coursework. Pupils in the IS program will be on the same academic calendar as our traditional pupils, which will also include a transition program in the summer extending the time to complete coursework by two days. The petition includes a sample day schedule for pupils in the IS program (Attachment 3, pp. 22–24).

However, the LAICHS petition does not indicate if the program maintains a ratio of independent study pupils to full-time certificated employees as required by *EC* Section 51745.6. The petition also does not indicate required written policies for independent study apportionment funding as per *EC* Section 51747, which should include maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work, the number of missed assignments that will be allowed before an evaluation is conducted to determine appropriateness of pupil placement, and the manner, time, frequency, and place for submitting a pupil’s assignments as well as reporting pupil progress and evaluation methods utilized.

## 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 LAICHS petition does not present a reasonably comprehensive description of measurable pupil outcomes (MPOs). The petition does not include a description of the LAICHS’ annual goals and actions to be achieved in each of the state priorities, as well as the MPOs for all pupils and for each subgroup of pupils identified in the petition. The petition outlines the baseline performance level, annual goals, actions to achieve annual goals, and annual measurable outcomes; however, the goals are not in alignment with the eight state priorities. Additionally, the tables do not include MPOs for all pupils and for each subgroup of pupils (Attachment 3, pp. 39–48).

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Element 2–Measurable Pupil Outcomes by describing the MPOs for all pupils and for each subgroup identified in the petition as well as ensure that goals are aligned to the eight state priorities.

## 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. | No |
| 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. | No |

**The petition does not present a reasonably comprehensive description of the method for measuring pupil progress.**

### Comments

The LAICHS petition does not present a reasonably comprehensive description of the method for measuring pupil progress. LAICHS teachers analyze benchmark results in grade level data teams in order to identify pupil needs and intervention strategies (Attachment 3, p. 43). The petition states that LAICHS will satisfy state requirements for pupil assessment pertaining to *EC* Section 60605 and that quarterly benchmarks are designed to identify pupil growth and target pupil needs for intervention and goal setting (Attachment 3, p. 39); however, the petition does not describe how LAICHS will utilize a variety of assessment tools appropriate to the skills, knowledge, or attitudes being assessed, including tools that employ objective means of assessment consistent with the MPOs. The LAICHS petition does not outline 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 LAICHS educational program.

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Element 3–Method for Measuring Pupil Progress by describing the assessments LAICHS will utilize consistent with MPOs and the plan for collecting, analyzing, and reporting data on pupil achievement.

## 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 that LAICHS operates as a nonprofit California public benefit corporation and exercises its powers, subject to the limitations of the California Nonprofit Public Benefit Corporation Law, the Articles of Incorporation, and the Bylaws. The LAICHS board will also comply with *Government Code* Section 1090 and the Political Reform Act. The petition describes the roles and responsibilities of members of the Board of Directors and states that all meetings will comply with the Brown Act. The petition also states that LAICHS will have a parent representative on the Board of Directors and parent representation of the school site council (SSC) (Attachment 3, pp. 49–54).

Additionally, the California Attorney General recently issued an opinion addressing a series of questions regarding the applicability of various ethics and transparency laws to charter schools. The attorney general concluded that charter schools are subject to key ethics laws: *Government Code* Section 1090 and the Political Reform Act of 1974. The attorney general also concluded that charter schools are subject to the Ralph M. Brown Act and the California Public Records Act. This opinion affirms prior advice from the Fair Political Practices Commission regarding the Political Reform Act of 1974, and squarely concludes that other laws, namely *Government Code* Section 1090, the Ralph M. Brown Act, and the California Public Records Act, also apply to charter schools.

The SBE expects all SBE-authorized charter schools to follow the recently released Attorney General Opinion, dated December 28, 2018, and any subsequent legislation regarding governance and transparency, including recently passed Senate Bill 126, which will go into effect January 1, 2020.

## 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. | No |
| 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. | No |

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

### Comments

The LAICHS petition does not present a reasonably comprehensive description of employee qualifications. Additionally, the petition does not identify those positions that LAICHS regards as key in each category, specify the additional qualifications expected of individuals assigned to those positions, or indicate that teachers and curriculum specialists/EL coordinators obtain special education certification or EL authorization.

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Element 5–Employee Qualifications by identifying those positions that LAICHS regards as key in each category and state the necessary positions that shall obtain special education certification and EL authorization.

## 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. | No |
| 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. | No |

**The petition does not present a reasonably comprehensive description of health and safety procedures.**

### Comments

The LAICHS petition does not present a reasonably comprehensive description of health and safety procedures. The petition states that all new employees will be required to present evidence verifying the employee is free from tuberculosis (TB) and other communicable diseases (Attachment 3, p. 73); however, the petition does not state the same for volunteers. Additionally, the petition does not state that LAICHS will 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.

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Element 6–Health and Safety Procedures by stating that LAICHS’ staff and any volunteer or vendor/contractor entity who may have frequent or prolonged contact with pupils, will be assessed and examined for TB prior to commencing employment/providing service, and working with pupils, and at least once every four years thereafter as required by *EC* Section 49406. Additionally, the LAICHS petition needs to state that pupils will be screened for vision, hearing, and scoliosis. The petitioner will also need to add language regarding the development, review, and annual update of LAICHS’ school safety plan pursuant to *EC* Section 47605(b)(5)(F)(ii)(iii).

## 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 LAICHS will make diligent efforts to recruit pupils of various racial and ethnic groups so as to achieve a balance that is reflective of the general population residing within the territorial jurisdiction of LAUSD. Additionally, the petition states that while LAICHS’ Latino population is comparable to that of LAUSD, the petitioners acknowledge lower ratios of White, Asian, and African American pupils enrolled. LAICHS will aim to increase enrollment in the key demographic groups of White, African American, and Asian/Pacific Islander pupils by one percent in each group over the next five years (Attachment 3, pp. 86–87).

## 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 not present a reasonably comprehensive description of admission requirements.**

### Comments

The LAICHS petition does not present a reasonably comprehensive description of admission requirements. The petition states that families must attend a mandatory enrollment meeting and complete all documents in the enrollment packet, and that failure to do so will result in the family forfeiting their enrollment at LAICHS for the school year (Attachment 3, pp. 89–90). This provision set forth in the petition makes the admission process selective, and also seems to mandate parental involvement, which violates *EC* Section 47605(n) as it would limit LAICHS from admitting all pupils who wish to attend.

Additionally, the LAICHS petition states that admission preferences will be offered in the following order (Attachment 3, p. 89):

1. Children of current LAICHS employees (exempt from lottery)
2. Siblings of currently enrolled LAICHS pupils (exempt from lottery)
3. Pupils who are currently enrolled in or reside in the attendance area of the public elementary school where LAICHS is located

However, *EC* Section 47605(d)(2)(B) does not permit exemptions, but rather, states that preferences shall be extended to pupils currently attending the charter school and pupils who reside in the district.

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Element 8–Admission Requirements by removing the provision that families must attend a mandatory enrollment meeting and complete all documents in the enrollment packet, and that failure to do so will result in the family forfeiting their enrollment at LAICHS for the school year. Additionally, the LAICHS petitioner will be required to revise the petition by removing the exemption language from admission preferences one and two as noted above.

## 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 LAICHS petition does not present a reasonably comprehensive description of annual independent financial audits. The petition does not specify who is responsible for contracting and overseeing the independent audit. The petition states that LAICHS will retain the services of an independent auditor/certified public accountant with school accounting experience, certified by the State of California, to audit LAICHS’ financial statements in accordance with Generally Accepted Accounting Principles and the audit guide issued by the Controller of the State of California. The petition states that fiscal statements audited will be submitted by December 15 and audit exceptions and deficiencies must be resolved to the satisfaction of its authorizer (Attachment 3, p. 91).

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Element 9–Annual Independent Financial Audits by specifying 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. | No |
| 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. | No |

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

### Comments

The LAICHS petition does not present a reasonably comprehensive description of suspension and expulsion procedures (Attachment 3, pp. 93–105).

The LAICHS petition does not state that no pupil shall be involuntarily removed by LAICHS 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. The petition does not state that LAICHS will provide a hearing adjudicated by a neutral officer within a reasonable number of days for any expulsion or suspension of ten days or more as required by *EC* Section 47605(b)(4)(J)(ii)(II).

Additionally, the 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 LAICHS, the pupil shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law or until the expiration of the 45-day time period provided for in an interim alternative educational setting whichever occurs first, unless the parent and LAICHS agree otherwise. However, the automatic placement of a pupil in an interim alternative educational setting is contrary to the provision of 20 United States Code Section 1415(k) which gives only a hearing officer the authority to order a change in placement.

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer 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 LAICHS petition does present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage. The petition states that all certificated employees will participate in the CalSTRS. Additionally, employees will contribute to social security according to Federal and state laws with LAICHS matching at the rates prescribed by law, unless provisions are made of other retirement options such as CalPERS or other retirement systems. The petition states that the Executive Director will be responsible through their designee, to ensure that all qualified staff members are made aware and are enrolled in the appropriate available benefits (Attachment 3, pp. 106–107).

## 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 LAICHS petition does present a reasonably comprehensive description of public school attendance alternatives (Attachment 3, p. 108).

## 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 LAICHS petition does present a reasonably comprehensive description of post-employment rights of employees (Attachment 3, p. 109).

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

The CDE notes that the LAICHS petition includes a letter, dated January 25, 2019, describing the changes to the LAICHS charter petition necessary to reflect the SBE as the chartering entity. The letter states that LAICHS will recognize the following (Attachment 5, pp. 2–3):

* 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.
* 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.
* The SBE cannot be pre-bound to a contractual obligation to split the costs of mediation or agree to mediation to resolve disputes.

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Element 14–Dispute Resolution Procedures.

## 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 LAICHS petition does include a reasonably comprehensive description of closure procedures. The petition states that official action by the LAICHS governing board must be taken to close the school and the action will identify the reason for closure and shall designate a person who will be responsible throughout the closure process. The petition states that LAICHS shall ensure completion of an independent final audit within six months after the closure of the school. Additionally, the petition states that the closure procedures must ensure appropriate disposal, in accordance with LAICHS bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of LAICHS have been paid or otherwise addressed (Attachment 3, pp. 113–117).

# 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 LAICHS petition does provide evidence addressing the requirements regarding standards, assessments, and parent consultation. The petition states that LAICHS will meet all statewide standards and conduct the pupil assessments required pursuant to *EC* Section 60605, and any other statewide standards authorized in statute, or pupil assessments applicable to pupils in non-charter schools (Attachment 3, pp. 1 and 39). The petition states that LAICHS continually strives to improve communication with parents by conducting annual parent surveys, having a parent representative on the Board of Directors, and parent representation on the SSC (Attachment 3, p. 52).

## 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 LAICHS petition does provide the required information and financial projections (Attachment 3, pp. 118–122 and Attachment 4).

## 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 not meet this requirement.**

### Comments

The LAICHS petition does not meet this requirement. The petition does not indicate that teachers and curriculum specialist/EL coordinator obtain special education certification or EL authorization.

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Teacher Credentialing by stating the necessary positions that shall obtain special education certification and EL authorization.

## 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 LAICHS petition addresses this requirement (Attachment 3, pp. 91–92 and 116).

## 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 LAICHS petition does not address this requirement. The petition does not include a description of the LAICHS’ annual goals and actions to be achieved in each of the state priorities, as well as the MPOs for all pupils and for each subgroup of pupils identified in the petition. The petition outlines the baseline performance level, annual goals, actions to achieve annual goals, and annual measurable outcomes; however, the goals are not in alignment with the eight state priorities. Additionally, the tables do not include MPOs for all pupils and for each subgroup of pupils (Attachment 3, pp. 39–48).

If approved by the SBE, as a condition for approval, the LAICHS petitioner will be required to revise the petition in order to reflect the SBE as authorizer and include the necessary language for Goals to Address the Eight State Priorities by describing the MPOs for all pupils and for each subgroup identified in the petition as well as ensure that goals are aligned to 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.

**The petition does address this requirement.**

### Comments

The petition states that parents are notified by the administration prior to enrolling their child at LAICHS regarding the transferability of high school course credit (Attachment 3, p. 25).