

Compton Unified School District Findings for Denial and Petitioner's Response

COMPTON UNIFIED SCHOOL DISTRICT  
Item No. 11/12-052

**TO:** Honorable Members of the Board of Trustees  
**FROM:** Karen E. Frison, Interim Superintendent  
**DATE:** December 13, 2011  
**RE:** *Staff Analysis and Recommendation: Lifeline Education Charter School*

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**INTRODUCTION**

The following is a Staff Analysis of the proposed renewal Petition ("Petition") of the Lifeline Education Charter School which was submitted to the Compton Unified School District ("District") on or about October 19, 2011. A public hearing on this Petition was held at the November 22, 2011 meeting of the District's Board of Trustees ("Board").

This Staff Analysis sets forth the District's analysis of the Petition and a recommendation regarding its disposition. To assist members of the Board in its decision, this analysis includes a brief overview, history and legislative summary of charter schools. Attached is the Petition that was submitted by Lifeline Education Charter School ("Lifeline"). Background information regarding charter schools generally was obtained in substantial part from [www.uscharterschools.org](http://www.uscharterschools.org) and [www.cde.ca.gov](http://www.cde.ca.gov).

Lifeline was initially chartered by the Gorman Elementary School District in 2002. Because of geographical restrictions imposed by Education Code §47605.1 (pursuant to Assembly Bill 1994, passed in 2002), the school was required to seek a new authorizer for the 2007-08 school year. Lifeline petitioned the Compton Unified School District, and the Petition was denied by the District in March 2007, and was subsequently denied by the Los Angeles County Board of Education ("LACOE") in June 2007.

Lifeline elected to file with the California State Board of Education ("SBE") on September 2007, and the SBE initially granted Lifeline a one-year term. According to Lifeline, because of the late start to the school year, Lifeline lost many of its teachers and had difficulty recruiting replacements. In January 2008, the SBE granted Lifeline a two-year extension, bringing its total term under the SBE to three years to June 2010. In July 2010, the SBE extended Lifeline's charter for an additional two years to complete a full five-year term, ending June 30, 2012.

Lifeline estimates that it currently serves approximately 300 students, and anticipates the same enrollment for the 2012-13 school year. During the 2010-11 school year, Lifeline served 296 students.<sup>1</sup> During the 2008-09 and 2007-08 school years, Lifeline enrolled 274 and 214 students respectively.<sup>2</sup> According to the 2010 Standardized Testing and Reporting (STAR) program data, 57 percent of pupils at Lifeline are Hispanic or Latino; 40 percent of pupils are African American; 24 percent of pupils are English Learners; and 95 percent of pupils are Participants in Free or Reduced-Price Lunch.<sup>3</sup>

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<sup>1</sup> Enrollment data acquired from the California Department of Education ("CDE") website.

<sup>2</sup> Enrollment data acquired from the California Department of Education ("CDE") website. The CDE's website contains no enrollment information regarding Lifeline's 2009-10 school year.

<sup>3</sup> STAR data acquired from the California Department of Education ("CDE") website.

## OVERVIEW

Charter schools are nonsectarian public schools of choice that operate with freedom from many of the regulations that apply to traditional public schools. The “charter” establishing each such school is a performance contract detailing the school’s mission, program, goals, students served, methods of assessment, and ways to measure success. The length of time for which charters are granted varies, but most are granted for 3-5 years. At the end of the term, the entity granting the charter may renew the school’s contract. Charter schools are accountable to their sponsor (usually a state or local school board) to produce positive academic results and adhere to the charter contract. The basic concept of charter schools is that they exercise increased autonomy in return for this accountability. They are accountable for both academic results and fiscal practices to several groups: the sponsor that grants them, the parents who choose them, and the public that funds them.

## BRIEF HISTORY

The charter school movement has roots in a number of other reform ideas, from alternative schools, to site-based management, magnet schools, public school choice, privatization, and community-parental empowerment. The term “charter” may have originated in the 1970s when New England educator Ray Budde suggested that small groups of teachers be given contracts or “charters” by their local school boards to explore new approaches. Albert Shanker, former president of the American Federation of Teachers, then publicized the idea, suggesting that local boards could charter an entire school with union and teacher approval. In the late 1980s, Philadelphia started a number of schools-within-schools and called them “charters.” Some of them were schools of choice. The idea was further refined in Minnesota and based on three basic values: opportunity, choice, and responsibility for results.

In 1991, Minnesota passed the first charter school law, with California following suit in 1992. By 1995, 19 states had signed laws allowing for the creation of charter schools, and by 1999, that number increased to 36 states, Puerto Rico, and the District of Columbia. Charter schools are one of the fastest growing innovations in education policy, enjoying broad bipartisan support from governors, state legislators, and past and present secretaries of education. President Clinton also supported them, calling in his 1997 State of the Union Address for the creation of 3,000 charter schools by the year 2000 and delivering remarks for the 1999 Charter Schools National Conference. Since 1994, the federal Department of Education has provided grants to support states’ charter school efforts, from \$6 million in fiscal year 1995, to \$100 million in fiscal year 1999.

## LEGISLATIVE SUMMARY

Passed in 1992 and amended several times since then, California’s charter school law (Education Code section 47600 et seq., also referred to as the “Charter Schools Act”) allows for an unlimited number of charters to be granted by local school districts and county boards, but sets a statewide cap. Charter terms may be granted for up to 5 years. General purpose and categorical funding for charter schools is comparable with other public schools, and charter schools may receive funds directly from the state. Charter school students are required to take state assessments, including the high school exit exam. The charter school is exempt from state and local education rules and regulations, except as specified in the legislation.

## GENERAL PROVISIONS REGARDING CHARTER PETITIONS

Once a charter school petition is approved, the charter generally becomes a controlling document, constituting the agreement between the district and the charter school. For this reason, each of the major terms controlling the operation of the charter school as well as its relationship with the district should be contained in the proposed charter.

~~In reviewing the charter petition, the District should be aware of certain general provisions of the Charter Schools Act. In section 47605(b), the Legislature made explicit the requirement that school districts reviewing charter petitions bear in mind the Legislature's intent that charter schools become an integral part of the educational program of California and charter schools should be encouraged. Despite this explicit Legislative intent, a charter school petition must meet various threshold requirements as set forth in Education Code section 47605(a). If a charter school petition meets these threshold requirements, a governing board may still deny the petition if the board makes written factual findings specific to the particular charter petition being reviewed, setting forth facts, which support one or more of the following findings:~~

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school;

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in that petition;

(3) The petition does not contain the number of signatures required by section 47605(a);

(4) The petition does not contain an affirmation of various nondiscrimination and admissions requirements; or

(5) The petition does not contain reasonably comprehensive descriptions of sixteen specific items required to be included in a charter petition.

Educ. Code § 47605(b).

Moreover, the State Board of Education has promulgated regulations regarding charter school petitions. See 5 Cal. Code Reg. § 11967.5.1. Although these regulations generally govern appeals on denials of charter petitions at the local level, they shed light on the State Board of Education's understanding of the meaning of the elements specified in Education Code section 47605(b).

Finally, the Model Charter School Application ("Model Application"), approved by the California State Board of Education at its November 2003 meeting, contains criteria and suggestions as to how a petition can comply with section 47605(b). The Model Application is provided for use by charter petitioners and authorizers as a tool in developing and evaluating charter petitions at all levels of the charter petition approval process. Use of the Model Application does not automatically assure compliance with all applicable laws; nor is it mandatory. It is exemplary and offered to strengthen the processes of charter development and ensure rigor and consistency of the petitions statewide.

**SUMMARY OF STATE BOARD OF EDUCATION CHARTER PETITION APPEALS**

Since 1992, 71 charter petition appeals have been submitted to the SBE for consideration. Of these 71, (a) the SBE approved 28 petitions following denial by a local district, (b) 28 petitions were withdrawn by the petitioners prior to formal consideration by the SBE, (c) the SBE denied 8 petitions, (d) the SBE did not take formal action on 3 petitions, and (e) 4 petitions are currently pending before the SBE.

The 28 charter petitions approved by the SBE since 1992 account for 33 charter schools approved to operate under those charter petitions. This is due to multiple charter schools that operate under each of the 3 statewide benefit charters approved by the SBE. Of the 33 charter schools approved by the SBE, 25 charter schools are currently operating under SBE oversight, and 8 charter schools are no longer under SBE oversight due to charter renewal at the local level, abandonment, and 1 revocation. Of the 25 charter schools currently operating under SBE oversight, the SBE approved 13 on appeal of local denial, 9 under 3 statewide benefit charters, and the SBE renewed 3 charter schools on appeal of local denial.

**DATA REVIEW OF LIFELINE EDUCATION CHARTER SCHOOL AND COMPTON UNIFIED SCHOOL DISTRICT**

<b>Academic Data for Lifeline and Surrounding CUSD Schools<sup>4</sup></b>				
<b>API Data</b>				
	<i>Lifeline</i>	<i>Centennial</i>	<i>Compton</i>	<i>Dominguez</i>
2007 Base API/ 2008 Growth API	611/585 (-26)	511/537 (26)	551/561 (10)	557/589 (32)
2008 Base API/ 2009 Growth API	582/572 (-10)	537/532 (-5)	561/558 (-3)	589/563 (-26)
2009 Base API/ 2010 Growth API	571/653 (82)	533/573 (40)	558/567 (9)	564/626 (62)
2010 Base API/ 2011 Growth API	654/655 (1)	572/580 (8)	568/578 (10)	625/622 (-3)
<b>2010-11 Adequate Yearly Progress (AYP) Data</b>				
	<i>Lifeline</i>	<i>Centennial</i>	<i>Compton</i>	<i>Dominguez</i>
Met AYP Criteria (Criteria met/Applicable Criteria)	No (9/17)	No (17/22)	No (16/22)	No (11/22)
2011-12 Program Improvement (PI) Status	Not in PI	Year 5	Year 5	Year 5
<b>2011 California High School Exit Examination</b>				
	<i>Lifeline</i>	<i>Centennial</i>	<i>Compton</i>	<i>Dominguez</i>
% Passed ELA: Grade 10	59	71	65	67
% Passed Mathematics: Grade 10	75	65	63	69

<sup>4</sup> Academic data acquired from the California Department of Education ("CDE") website.

AP Test Scores		
	<i>Lifeline</i>	<i>CUSD High Schools</i>
2009-10	Has AP classes listed in Petition, but no students have taken an AP test.	475 AP Test Takers (162 received score of 3 or higher)
2008-09	Has AP classes listed in Petition, but no students have taken an AP test.	375 AP Test Takers (101 received score of 3 or higher)
2007-08	Has AP classes listed in Petition, but no students have taken an AP test.	421 AP Test Takers (92 received score of 3 or higher)
SAT Test Scores		
	<i>Lifeline</i>	<i>CUSD High Schools</i>
2009-10 - % of Grade 12 pupils who took SAT test	No SAT data	23.28
2008-09 - % of Grade 12 pupils who took SAT test	11.11	23.5
2007-08 - % of Grade 12 pupils who took SAT test	0	24.48

Based on the above academic data review and comparative analysis for Lifeline and Compton Unified School District, it does not appear that Lifeline is meeting its academic goals as set forth in its previous petition submissions. Lifeline’s API scores significantly dropped in the years leading up to 2009-10, at which time the SBE determined Lifeline must increase its scores or it would not be renewed for the full 5-year term. Soon thereafter, Lifeline’s API scores increased by a staggering 82 points. When Lifeline was asked what steps it took to dramatically increase its API score, its Administrators provided little information other than that it focused on standard based instruction.<sup>5</sup> Lifeline did not implement or provide any additional professional development, intervention, data analysis, or other strategy to support its API increase.

Further, as shown in the chart above, Lifeline does not currently meet its AYP. In addition, Lifeline has a significantly lower California High School Exit Examination English Language Arts (“ELA”) percentage passage rate than all of the District’s high schools. On the same note, the percentage of Lifeline’s 2010-11 twelfth grade students who sat for the SAT was less than half of the percentage of the District’s twelfth grade students who sat for the SAT.

Another glaring shortcoming with Lifeline is that it does not offer any Advance Placement (“AP”) classes even though AP classes were listed in the “Scope and Sequence” in Lifeline’s 2009 Petition. Accordingly, Lifeline’s students have not sat for any AP tests since its inception over four years ago. In contrary, the District has increased the number of AP test takers and percentage pass rate in recent years.

<sup>5</sup> The District’s Interim Assistant Superintendent – Accountability, Instruction and EL, Dr. Ramon Zavala, met with Lifeline Administrators on December 5, 2011. An asterisk (\*) next to a sentence reflects that the information was obtained by Dr. Zavala during his this meeting.

<b>Truancy Rate for Lifeline and Surrounding CUSD High Schools<sup>6</sup></b>		
	<i>Lifeline (average of 291 students)</i>	<i>CUSD (average of 6,183 students)</i>
2010-11	57.09	2.92
2009-10	5.61	75.95
2008-09	13.5	30.54
<b>Expulsion Numbers for Lifeline and Surrounding CUSD High Schools<sup>7</sup></b>		
	<i>Lifeline (average of 291 students)</i>	<i>CUSD (average of 6,183 students)</i>
2010-11	3	2
2009-10	9	1
2008-09	0	3
<b>Expulsion Numbers for Lifeline and Surrounding CUSD High Schools<sup>8</sup></b>		
	<i>Lifeline (average of 291 students)</i>	<i>CUSD (average of 6,183 students)</i>
2010-11	112	838
2009-10	35	1004
2008-09	12	654

Lifeline’s number of truancies, expulsions and suspensions has skyrocketed during the 2010-11 school year, and were all significantly higher than the District’s numbers.

**Staff Analysis of Lifeline Education Charter School Renewal Petition**

**A. Lifeline Charter School Presents An Unsound Education Program For The Pupils Enrolled In The Charter School.**

For purposes of Education Code section 47605(b), a charter petition shall be “consistent with sound educational practice” if it is likely to be of educational benefit to pupils who attend.

1. Teacher Qualification

Under California Code of Regulations, Title 5, Section 11967.5.1(c)(4),<sup>9</sup> a charter petition shall be considered to contain an unsound educational program if the petitioners personally lack the necessary background in the 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 these areas. The regulation lists

<sup>6</sup> Data acquired from the California Department of Education (“CDE”) website.

<sup>7</sup> Data acquired from the California Department of Education (“CDE”) website.

<sup>8</sup> Data acquired from the California Department of Education (“CDE”) website.

<sup>9</sup> This provision of the California Code of Regulations relates to appeals to the State Board of Education from denials of charter petitions at the local level. While the criteria prescribed in this section govern appeals, the State Board of Education suggests that petitioners apply the criteria to ensure a comprehensive charter document. Moreover, these criteria may eventually apply since appeals are part of the full charter petition approval process.

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critical areas as curriculum, instruction, assessment, finance, and business management. Moreover, the Model Charter School Application,<sup>10</sup> developed by the State Board of Education, also provides that the petitioners shall present substantial evidence of the founding group demonstrating their “capacity to establish and sustain an excellent school” and their expertise to “manage public funds effectively and responsibly.”

The Petition states that “[a]ll core, college prep teachers will meet the No Child Left Behind qualifications of being ‘highly qualified’ professionals. (See Petition at p. 61). The Petition recognizes that a highly qualified teacher must (1) have a bachelor’s degree; (2) possess necessary teaching credentials; (3) demonstrate subject matter competency; and (4) demonstrate competency for each subject and grade span they teach. (See Educ. Code § 56058; 20 U.S.C. § 1401(10)).

However, upon examination of the Petition, it appears that very few of Lifeline’s teachers are “highly qualified.” To the contrary, it appears that some of the teachers currently employed by Lifeline do not even possess regular teaching credentials. Additionally, it does not appear that Lifeline employs teachers with the proper certification to teach a number of the classes being offered at the school. Specifically, it appears that Lifeline teachers P.N., P.G., E.M., and N.O. do not have teaching credentials.<sup>11</sup> (See Petition Appendix G, Exhibit A). Further, Lifeline teacher J.H. is the only teacher listed with a science teaching credential. J.H. has a Life General Elementary teaching credential, which permits her to teach from Kindergarten through eighth grade. As such, it does not appear that Lifeline has any teacher credentialed to teach science in grades nine through twelve.<sup>12</sup> I.P. is listed as a Special Education teacher, but only possesses a Clear Multiple-Subject credential.<sup>13</sup>

The Petition states that a “28:1 student-to-teacher ratio is targeted to provide students individual attention and help teachers instruct effectively.” (See Petition at p. 15). However, the Petition states that Lifeline currently has six teachers, including two special education teachers, which makes the 2011-12 student-to-teacher ratio at best 49:1.

The Petition states that Lifeline requires its students to complete two years of visual and performing arts, but does not appear to employ any teacher credentialed or competent to teach such classes. (See Petition at pp. 27-28 and Appendix G.) Nor is there any indication that any such classes are being offered at Lifeline.

When combined with the data above, it appears that Lifeline presents an unsound education program for the pupils enrolled in the charter school.

**B. The Petitioners Are Demonstrably Unlikely To Successfully Implement The Program Set Forth In The Petition.**

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<sup>10</sup> Approved by the California State Board of Education at its November 2003 meeting, the Model Charter School Application (“Model Application”) is provided for use by charter petitioners and authorizers as a tool in developing and evaluating charter petitions at all levels of the charter petition approval process. Use of the Model Application does not automatically assure compliance with all applicable laws; nor is it mandatory. It is exemplary and offered to strengthen the processes of charter development and ensure rigor and consistency of the petitions statewide.

<sup>11</sup> The official website of the California Commission on Teaching Credentialing (“CTC”), i.e., [www.ctc.ca.gov](http://www.ctc.ca.gov), contains the credentialing information for the teachers. According to the CTC’s website, P.N., P.G., E.M., and N.O. do not possess any teaching credential.

<sup>12</sup> See California Commission on Teaching Credentialing (“CTC”) website.

<sup>13</sup> See California Commission on Teaching Credentialing (“CTC”) website.

Education Code section 47605(b) states that a petition may be denied if the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. There are several areas in the Petition where there is a disconnect between Petition's goals and the Petition's means to achieve the goals and will unlikely be able to successfully implement the program in the future.

1. Targeted Population

Lifeline indicates that many of its "students come from families that have never even attended high school let alone thought of college. . . . students overcoming adversity (See Petition at p. 6)." After four years in operation, the Petition fails to provide any evidence that Lifeline has met its expectations, or to set forth a plan to recruit "at risk" students.

2. Accreditation from the Western Association of Schools and Colleges.

The Western Association of Schools and Colleges ("WASC") is one of the six regional associations that accredit public and private schools, colleges and universities in the United States. WASC covers institutions in California and its Accrediting Commission for Schools is responsible for the accreditation of school below the college level, which includes Lifeline.

Although not mandated, WASC accreditation (1) certifies to the public that the school is a trustworthy institution of learning and (2) validates the integrity of a school's program and student transcripts. More importantly, credits earned from courses offered by a charter school can be transferred to another school only if the charter school is WASC accredited. (See Educ. Code § 47605(b)(A)(ii).)

Lifeline has not been accredited by the WASC. (See Petition at p. 28). In 2009, Petitioners asserted that they intended to begin the WASC application during the 2009-10 school year. However, now in 2011 Petitioners still contend that they are preparing to apply to WASC. Petitioners have set forth no explanation for the delay, nor even any evidence that they are truly in the process of pursuing the accreditation. (See Petition at p. 28).

3. Special Education

The Petition states that Lifeline "shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Action..." (See Petition at p. 37). While Petitioners have provided a Special Education Local Plan Area Agreement (the "SELPA Agreement) between El Dorado County Charter and petitioners, the Petition fails to provide any evidence that Lifeline has complied with its responsibilities and duties set forth in the SELPA Agreement. (See Petition at Appendix G).

For example, the Petition is deficient in explaining (1) which Lifeline personnel are part of the Section 504 team, (2) which Lifeline personnel are qualified to assess and counsel special education students, (3) what facilities are available for special education purposes, (4) what resources, including that portion of the budget, is devoted to special education, and (5) what transportation services are available for special education programs.

Since these concrete steps are important for a successful implementation of its special education program, the Petition's deficiency in these areas demonstrates that the Petitioners are unlikely to successfully implement the program set forth in the Petition, and have provided no evidence to support otherwise.



**C. The Petition Does Not Contain Reasonably Comprehensive Descriptions As Required.**

Education Code section 47605(b)(5) requires that the charter contain reasonably comprehensive descriptions of the various substantive provisions regarding the proposed program. The Petition fails this requirement in several respects.

1. A Comprehensive Description of the Educational Program

i. *Description of How Learning Best Occurs*

Students' learning abilities vary from one individual to the next. Lifeline states that it believes instruction should be differentiated. (See Petition at p. 12). The Petition sites "Ruby Payne, Douglass Reeves, and Mike Schomoker and . . . Harvard School of Educational Studies, WestEd., and McREL" in support of its methodology. (See Petition at p. 13). Lifeline purports to promote a learning environment that emphasizes academic progress as well as academic success and is "designed to provide an alternative choice to the traditional public school system." (Petition at p. 9).

Lifeline teachers are purportedly instructed to employ the deductive instructional method and the inductive instructional method. The deductive method of teaching is through Direct Instruction. Lessons are designed around small learning increments. Teachers sequence instruction to ensure students understand information. Teachers' inductive strategy instruction is primarily through Project Based Learning, a constructivist approach. Projects help make learning relevant and useful to students by establishing connections to life outside the classroom. The Petition claims that teachers are directly involved in the instructional of each of their students. Teachers are trained to differentiate the curriculum to meet the individuals needs of the students in their classes.

The Petition states that Lifeline tries to balance its instructional methodologies between an inductive learning process and a deductive learning experience. (See Petition at p. 16). While Lifeline professes to present several instructional methodologies, the Administration only set forth that it provides direct instructional strategies to teach the standards and to support student academic needs. In a recent interview, the Administration indicated that its instruction focuses on "simple basic skills in English language arts and math problem solving skills."\*

In September, 2009, the middle school teachers were immersed in training for Language!, which is an instructional program intended to reduce reading barriers. (See Petition at p. 15). It was suspended in 2010 due to financial reasons and reinstated in 2011. Language! is offered to students after school during the tutoring program, ASES. These programs are based on direct instructional methods.

Lifeline Administrators indicated that its students enroll in the school up to three years below grade-level basic English Language skills.\* African-Americans enter Lifeline with lower scores than English Learners in English Language Arts ("ELA") and English proficiency. When Lifeline's Administrators were asked about what specific instructional strategies employed to meet African-American students' academic language needs, none were cited.\*

ii. *Professional Development*

The Petition indicates that “each academic department individually and collectively attends training workshops throughout the year” and that teachers receive training once a month during staff meetings. (See Petition at p. 23). However, when asked to describe its professional development, Lifeline Administrators indicated only that teachers attended Professional Learning Committees, which a collection of teachers working together.\*

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The Petition and the interview with Lifeline Administrators did not provide evidence of a systematic and structured professional development with a consistent monitoring process.

iii. *English Learners*

English Learners (“EL”) constitute a significant number of Lifeline students. According to the California Department of Education Data Quest, in 2008-09, Lifeline served 78 EL students out of a 274 enrollment, i.e. 28%. Given this high number and percentage of EL students, the EL section of Lifeline’s Petition is particularly weak. (See Petition at pp. 32-33).

The Petition provides a description of EL students, information on EL identification, California English Language Development Test (“CELDT”) assessment, and English Language Development (“ELD”) instruction. It does not provide an outline or describe specific strategies for EL instruction or interventions. (See Petition at p. 33). When Lifeline’s Administrators were asked how they were ensuring reclassifications or meeting the needs of EL students classified as CELDT Level 4, Intermediate, they were unable to provide a response.\*

During the 2010-11 school year, Lifeline served 130 EL students and no EL students received Specially Designed Academic Instruction in English (“SDAIE”) services support. Students receiving SDAIE services receive ELD and, at a minimum, two academic subjects required for grade promotion or graduation, taught through SDAIE. ELD combined with SDAIE focuses on increasing the comprehensibility of the academic courses normally provided to English-only students in a district. During the 2009-10 school year, Lifeline served 72 EL students and no students received SDAIE support

In comparison, during 2010-11 school year, the District’s Dominguez High served 765 EL students and 94% received SDAIE; Compton High served 653 EL students and 96% received SDAIE; and Centennial High served 271 students and 92% received SDAIE.

Further, during the 2010-11 school year, the District’s Whaley Middle served 58 EL students and 100% received SDAIE; Bunche Middle served 310 EL students and 95% received SDAIE; David Middle served 465 students and 96% received SDAIE; Enterprise Middle served 132 EL students and 95% received SDAIE; Roosevelt Middle served 357 EL students and 99% received SDAIE; and Willowbrook Middle served 98 EL students and 93% received SDAIE.

The above demonstrates the lack of EL development and support being offered to Lifeline’s EL students, especially in comparison to the services being provided at the District’s EL students.

## 2. The Governance Structure of the School

Education Code section 47605(b)(5)(D) requires that a petition contain reasonably comprehensive descriptions of “[t]he governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.”

~~Here, Petitioners’ descriptions of Lifeline’s governance structure is still vague and amorphous. (See Petition at pp. 51-54.) In September 2007, the CDE reviewed Lifeline’s charter school petition, and determined that it did not present a reasonably comprehensive description of the school’s governance structure.<sup>14</sup> Specifically, the CDE stated that “[t]here is no information regarding the current board of directors, how they were elected or their qualifications or expertise.”<sup>15</sup> The current Petition lists the names of the three persons on the Board of Directors whose terms expired on June 30, 2010, but provides no information regarding how they were elected, their qualifications or expertise, or whether their terms were renewed or whether they were replaced as Board members. (See Petition at p. 27 of Appendix A.)~~

Further, the Petition states that the Chair of the “Site Advisory Council” shall be the Director, and that the “Site Advisory Council” consists of 10 – 15 parents who will be responsible for making collaborative recommendations to the Board of Directors in relation to the school’s total governance. However, the Petition is far from clear how this “Site Advisory Council” functions and how its members are selected. Additionally, the Petition does not provide any information as to whether there are any current or former members of the “Site Advisory Council,” or any decisions or recommendations made by the Council.

The Petition does not appear to comply with the requirements regarding governance.

## 3. Employee Qualifications/Teacher Credentialing

Education Code section 45605(b)(5)(E) requires that a petition contain reasonably comprehensive descriptions of the “qualifications to be met by individuals to be employed by the school.” Teachers in charter schools shall be required to hold a California Commission on Teaching Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Educ. Code § 47605(l).

The Petition states all core, college prep teachers will meet the No Child Left Behind qualifications of being “highly qualified” professionals. However, the Petition does not identify those classes or teachers that are considered “core.” (See Petition at p. 61.) Further, as discussed in detail above, it appears that a number of Lifeline teachers do not possess the required teaching credentials. Additionally, the Petition sets forth a list of “key personnel” positions, but does not identify persons serving in all of these key personnel positions. Petitioners also fail to set forth whether the “key personnel” employees identified meet all of the qualifications, skills/knowledge and experience qualifications. (See Petition at pp. 62-68.)

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<sup>14</sup> See CDE 2007-08 Charter School Petition Review Form for Lifeline Education Charter School at p. 12.

<sup>15</sup> See CDE 2007-08 Charter School Petition Review Form for Lifeline Education Charter School at p. 12.

4. Retirement Systems

Education Code section 45605(b)(5)(K) requires that a charter petition contain reasonably comprehensive descriptions of “the matter by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.” The regulations require, at a minimum, that the Petition “specify] 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.” 5 Cal. Code Reg. § 11967.5.1(f)(11).

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The Petition states that Lifeline’s employees will participate in California State Teachers’ Retirement System (CalSTRS) or in California Public Employees’ Retirement System (CalPERS) and that employee membership in these programs is mandatory for those who qualify. (See Petition at p. 70.) However, the Petition’s limited description lacks specificity with respect to the actual plan being offered to employees, 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. (See Petition at p. 70.)<sup>16</sup>

**Conclusion**

Lifeline is in its fifth year of operations. The renewal petition should have been enveloped with examples of philosophy, methods, and accomplishments. Instead, while the Petition is lengthy, it is written in the future tense. Interventions should be based on student data. The Petition fails to set forth a systemic and structural professional development with monitoring processes, and a program evaluation.

It is recommended that the renewal of Lifeline be denied.

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<sup>16</sup> See also CDE 2007-08 Charter School Petition Review Form at p. 19.

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**Staff Analysis and Recommendation: Lifeline Education Charter School**  
**December 13, 2011**

**LIFELINE'S REBUTTAL**  
**January 24, 2012**

The following information is provided in response to the petition for renewal submitted by Lifeline Education Charter School to the Compton Unified School District (CUSD) on October 19, 2011. The CUSD staff analysis contains numerous factual errors and is not indicative of the academic performance data for Lifeline. Accordingly, the staff analysis does not constitute a permissible basis for denial of the charter renewal petition.

The following response was prepared to follow the Staff Analysis and Recommendation statements beginning on page 4. The **bold underlined** titles correspond to those found in the Staff Analysis and Recommendation.

**Data Review of Lifeline Education Charter School and Compton Unified School District:**

The review and evaluation fails to acknowledge that Lifeline's Academic Performance Index (API) growth scores exceeded those of Centennial, Compton, and Dominguez High Schools since the 2009-10 school year. In the 2008-09 school year, Lifeline's API growth scores exceeded those of Centennial and Compton and were only 4 points behind Dominguez High School. Lifeline has increased 70 points overall since 2008 compared to schools in the Compton Unified School District such as Centennial (43 point increase), Compton High School (17 point increase), and Dominguez (33 point increase).

Although, Lifeline did not meet the Adequate Yearly Progress (AYP) for the 2010-11 fiscal year, no other school in CUSD met its AYP, either. In addition, Lifeline is not a Program Improvement (PI) school for 2011-12, but all schools in Compton are in their 5th year of PI.

Although Lifeline students are not currently offered "AP" courses or tests, the Charter School offers Plato software educational options which consist of an online resource kit used to challenge the "high achievers" in their courses. Additionally, Lifeline also refers students to the community college of their choice to take advantage of a wider range of courses. Currently many of Lifeline's students are concurrently enrolled at Compton Community College. *Please refer to the petition, page 31.*

**Truancy Rate for Lifeline and Surrounding CUSD High Schools (Table 1)**

Lifeline is approximately 21 times smaller than the surrounding CUSD schools combined and therefore a student is 21 times more likely to be noticed when they are absent. Lifeline attempts to prevent any students from being absent-*without a valid excuse*-by having the attendance clerk personally call the parents of those students that were absent. This has afforded us with a historically lower absence rate.

After careful review, the information that was submitted on the June 2011 CONAPP was reported incorrectly. The CONAPP was resubmitted to reflect accurate data for our 2010-2011 school year. The pages that were resubmitted have been attached to this document.

**Expulsions Numbers for Lifeline and Surrounding CUSD High Schools (Table 2)**

The "Expulsion Numbers/Data" are correct on the 2nd table.

**Expulsions Numbers for Lifeline and Surrounding CUSD High Schools (Table 3)**

The 3rd table should have read "suspension" numbers. The "suspension" numbers are being presented as expulsion numbers and therefore providing the wrong student data and information regarding Lifeline's students to the CUSD Board.

After careful review, the information that was submitted on the June 2011 CONAPP was reported incorrectly. The CONAPP was resubmitted to reflect accurate data for our 2010-2011 school year. The pages that were resubmitted have been attached to this document.

**Table 1 and 3/CONAPP Changes Described**

CONSOLIDATED APPLICATION DATA SYSTEM (2011-12) JUNE 2011

The following changes to the June 2011 submission were made on January 3, 2012. According to communication with the CONAPP support team, DataQuest is scheduled to be updated no later than mid-February 2012. A copy of the resubmitted pages and the email has been attached.

Page 8 - 2011-12 Title I, Part A

The numbers previously reported included a total count of students. The numbers on Column B, *Enrollment* includes an accurate account of students enrolled. Column C, # *Low Inc* was adjusted to include all students eligible and participating in Title I Part A services.

Page 14 - 2010-11 School Reporting Form for Title I, Part A-1

The numbers previously reported included a total count of students. The numbers reflected now are for students that received Title I Part A services.

Page 20 - 2010-11 School Reporting Form for UMIRS Data

The information from the June 2011 submission was analyzed and was verified. Please accept our most recent data.

Attendance has historically never been an issue for Lifeline. Although we had a higher amount of absences, mainly due to flu symptoms, they were excused and therefore weren't supposed to be counted towards the truancy number.

Additionally, our suspensions were reported incorrectly.

**Staff Analysis of Lifeline Education Charter School Renewal Petition**

**A. 1. paragraph 3:** Appendix G: Attachment "A" Special Education Local Plan Areas (SELPA Assurances and Services) is the contract and documentation that was submitted to the SELPA in 2007 for consideration (clearly stated by the signature date of 09/28/07). The teachers listed on that sheet are no longer employed by Lifeline Education Charter School. All current 2011-2012 teachers meet the NCLB requirements with the exception of two teachers that are currently in the process of acquiring a preliminary teaching credential; Lifeline is currently awaiting approval from the California Teacher Credentialing Department.

**A. 1. paragraph 4:** At the middle school, there are 5.5 teachers for 140 students which is exactly a 25:1 average teacher to student staffing ratio. At the high school, there are 7 teachers for 200

students which yields a 28:1 average student to teacher ratio. A 49:1 student to teacher ratio as cited by CUSD in the staff analysis component is factually incorrect.

**A. 1. paragraph 5:** Recognizing the importance of bilingual education, Lifeline students are offered the opportunity to substitute their 3rd consecutive year of Spanish for 1 year of Visual and Performing Arts. This is an advantage when students apply to a university.

With the information provided above *correctly presented*, it appears that the Staff Analysts claims are easily refuted and Lifeline *does* present a sound education program for the pupils enrolled in the charter school.

**B. 1. Targeted Population** - Each summer, as a form of student recruitment towards our targeted population, Lifeline walks the surrounding community going door-to-door, at shopping centers, and a different community centers in the area. Those recruited and our current students are considered "at-risk" of dropping out of high school, since many are first generation high school students. Additionally, over 91% of our student population is eligible for the Free and Reduced Lunch Program due to their family's low-income levels (many of which qualify for State and Federal supplemental income programs). *See petition at page 6 and ConApp attached at page 3-4.*

**B.2. Accreditation from the Western Association of Schools and Colleges** - With the major success in student performance during the 2009/10 school year, Lifeline was prepared to move forward with the initial WASC goal and the two-year process of securing an appropriate term commensurate with their current levels of achievement.

The school knew they had a long way to go and could not rely on just one set of high growth scores. The school depended greatly upon the efforts of the newly appointed Principal to carry on this goal by trusting past leadership and continue to improve the instructional practices, learning devices and support systems that had been put in place. However, the new leadership failed to accept the advice and collaborative wisdom of the school staff regarding their past efforts and dedication to improving student learning which quickly led to the loss of faith and trust in their Principal, and the rapid dismantling of an very new and susceptible system structure and eventual collapse of all that had been established.

With this set of events, by May 2011, the Board of Directors had taken action to return the school to it's previous state of success and also understood the very rough year had taken it's toll on any hope of moving forward with WASC involvement. However, the Board of Directors gave the support needed to get the school back to it's former level of improvement and look forward to beginning the WASC initial process in the Spring of 2012.

**B.3. Special Education** - *See petition at page 41.*

Lifeline Education Charter School seeks to provide students with disabilities a quality education in the least restrictive environment. Due to the wide range of disabilities, Lifeline Education Charter School offers the full continuum of services. Lifeline Education Charter school currently has 10% of our student population serviced through an Individualized Education Plan (IEP). Although, we strive to follow a full inclusion model, this is not always the most appropriate placement and/or the least restrictive environment.

We have four students that are provided services in a Special Day Program (SDP). These students receive 50% of education in a self-contained class. SDP students receive Math, English, and Elective Life Skills/Daily Living Skills in a self-contained class taught by a certificated multiple-subject teacher. For the remainder of the day, our SDP students are then mainstreamed into General Education, Physical Education, History, and Elective courses, including but not limited to Health, Computer Technology, and Psychology.

Our students placed in the Resource Specialist Program (RSP) receive support in the general education classroom provided by a certificated para-professional. In addition our RSP student's schedules include an elective learning center class. Lifeline Education Charter School operates a learning center in which students receive specialized and targeted services geared to support their success in the general education curriculum.

Special Education services are provided by a team of teachers under the guidance of Teacher Special Education Teacher and Coordinator. The coordinator works with the general education staff to ensure that a student's Individualized Education Plan (I.E.P) is implemented and the I.E.P. goals are met. The coordinator provides support in the general education classrooms which include but are not limited to, accommodations, modifications, co-planning, co-teaching, and DIS-Services.

Some of our students with disabilities, require DIS-Services which include but not limited to Adapted Physical Education, Counseling, and Speech services. In past years (2007 to 2010), Lifeline Education Charter School contracted with South West SELPA to provide DIS-Services. Currently we contract with Advancement for Higher Education (AHEAD) to provide all services. In order to be compliant with triennial reviews, AHEAD and the Special Education Coordinator, coordinate for School Psychologists and Nurse's to test our students.

In addition to support, our students age 15-22 are provided a comprehensive transition program. During the Learning Center, students receive transition lessons. Lifeline Education Charter School strives to seek appropriate placement for our graduating students.

In previous years we have sent students to the El Camino Transition Program. During the 2010-2011, school year the Special Education Department only had one senior with an IEP. The senior was referred to the UCLA Pathways program and was admitted. Pathways at UCLA Extension is a two-year certificate program for students with intellectual and other developmental disabilities, offering a blend of educational, social, and vocational experiences, taught and supervised by experienced instructors sensitive to the individual needs of our students. On campus, Pathway students attend classes and participate with UCLA students in the many social, recreational, and cultural activities of a major university.

In addition to the above mentioned accomplishments, the Special Education Department also met its target during the 2010-2011 School Year.

***C.1.i. Description of How Learning Best Occurs*** - Lifeline offers a unique learning environment compared to the traditional public school system. Teachers are free to adjust their teaching modality freely to accommodate individual students who demonstrate difficulty with the curriculum. Teachers will begin with a Direct Instruction Model (teacher in front, students sitting in rows, teacher gives information, asks leading questions, checks for understanding).



Because of the size of the school, teachers become aware of student behaviors, talents, likes and dislikes by conversations taking place before and after school, during class breaks, and lunch. Compare this with a school of two to three thousand. Teachers find themselves working with students in making good decisions, helping with an upsetting issue, or just talking about what happened in class or is going to happen in class. This interpersonal relationship helps the student and teacher understand each other which has great power when carried over into the classroom.

Differentiating curriculum is actually the adjustment of the delivery, depth of pedagogy and finding the hook that will help in engaging the student in the mastery of the concept.

All teachers at Lifeline use projects and student driven assessment to define the level in which a student masters the curriculum.

Teachers are so used to incorporating both direct instruction and project based instruction that these two seemingly polar opposites are considered as part of the talent of teaching and not viewed as either one or the other. i.e. "you did not master the content, therefore we are going to teach it another way." Opposed to "there are all types, sizes, skills, and talents in my classroom. Teaching will need to reflect those differences by blending in examples, references to prior knowledge, comparisons to everyday life, having students give their answers to a prompt and share those within their work group. The goal is for each group to figure out their problem using the skills of each member of their group.

When working in such a small school teachers become aware of personal habits, traits, talents, and emotional make up of all of their students and parents. Since most teachers teach all grade levels of student, chances are they have had the student for the past 3 to 4 years and are aware of their needs. Great teachers know their students and move in and out of instructional modalities very skillfully without a formal beginning of one and/or start of another.

**C.1.ii. Professional Development** - Professional development is acknowledged as being offered in the staff analysis (see staff analysis at page 10), but the CUSD review fails to provide the Staff Analyst's standard or criteria used to conclude that Lifeline does not have a "structured or monitoring process."

From August 2011 to May 2012, all staff will be made available approximately 34 various professional development sessions. About 24% will be offered off-site and the rest will be offered on-site with various guest speakers scheduled throughout the year.

***Professional Development Sessions Available, Scheduled, or Completed:***

- *New SES Universal Grantee Orientation, Presented by LACOE*
- *New Teacher Orientation, Mandated Reporters, HR Training, Presented by Human Resources Department*
- *Educational Vision and Expected School Wide Learning Results, Presented by Lifeline Education Charter School Administrative Team*
- *Data Director Training & Curriculum Instruction, Presented by Curriculum Coaches*
- *Special Education Training, Presented by Special Education Coordinator*
- *Jane Schaffer Writing Method, Presented by Middle School Campus Administrator*
- *Bullying Identification and Prevention, LECS Administrative Team*

- *Leadership, Team Building and Handling Conflict: Becoming Effective School Leaders in the 21<sup>st</sup> Century*, Presented by Samuel H. Hancock Ed. D, L.P. C.
- *Conflict Resolution: Tips for Effective Communication and Creative Problem Solving*, Presented by March Purchin, Alternative Dispute Resolution Services
- *SST Refresher Course*, Presented by Special Education Coordinator
- *Working with At-risk students*, Presented by Administrative Team
- *Teacher Evaluation Orientation*, Presented by Administrative Team
- *Refresher Course on Mandated Reporting and You*, Presented by Administrative Team
- *Effective Lesson Planning*, Presented by Curriculum Coaches
- *Discipline without Stress; Punishments or Rewards*, Presented by Administrative Team
- *ELD Instruction and SADIE Self-Study*, Presented by ELD Coordinator
- *Building Effective Small Learning Groups*, Presented by Curriculum Coaches
- ELD Self-Study (Ongoing)
- Using Benchmarks and Data Driven Decision Making for Common Core Standards, Presented by Curriculum Coaches
- Meaningful Learning Math Strategies Series 1 (Three Day Workshop): Presented by LACOE
- Nonviolent Crisis Intervention (NCI) (Security Staff and Special Education Staff), Presented by Mike Scott Southwest SELPA Office - Redondo Beach, California 90277
- *Framework for Understanding Poverty (Book by Ruby Payne) Book Review*, Presented by the Administrative Team
- *Using Technology to Differentiate Instruction*, Presented by LACOE
- *Assessment, Accountability, and Testing*, Presented by Curriculum Coaches
- Leading the Change to Common Core State Standards (WORKSHOP FOR ADMINISTRATORS)
- Museum of Latin American Arts - Long Beach, CA 90802
- *What every Para educator Should Know*
- Southwest SELPA - Redondo Beach, California 90277
- Visual Supports in the Classroom
- Southwest Support Center
- Nonviolent Crisis Intervention (NCI) (Security Staff and Special Education Staff)
- Presented by Mike Scott - Southwest SELPA Office - Redondo Beach, California 90277
- *Aligning Student Learning, Benchmarks, and CST's*, Presented by Curriculum Coaches.
- *Maximizing Student Achievement Through Instructional Coaches (A FOUR DAY CLINIC FOR CURRICULUM COACHES)*. Presented by LACOE
- *ELD Self-Study Presentations and Walk-Around (Teachers will present findings of self-study)*
- Leading the Change to Common Core State Standards (WORKSHOP FOR ADMINISTRATORS) The Huntington Library and Gardens - San Marino, CA 91108
- *CST Training, Teachers and Administrative Team*
- *Teaching Grade Level Content*, Presented by: LACOE ECW - Downey, Ca 90242
- *May 9 & 10, 2012 (8:00 p.m.-2:30p.m.): Maximizing Student Achievement through Instructional Coaches (A FOUR DAY CLINIC FOR CURRICULUM COACHES)*. Presented by LACOE

- Visual Supports in the Classroom, Presented by: Jan Levinrad Southwest Support Center

**C.1.iii. English Learners** - The English Learners section begins on page 32 and continues - *in detail* - to page 37(not to page 33), as the staff analysis fails to recognize.

Compton Unified School District claims that during an interview with Lifeline Administrators, they were unable to provide a response to questions asked in regards to reclassifications. Lifeline Administrators gave specific examples of differentiated and SDAIE instruction and GLAD strategies that were used in the classroom to ensure that ELD learners met their academic achievement targets.

The question Dr. Zavala posed to Lifeline's administrative staff sought to identify how many of our students were reclassified. At the time of interview Lifeline's administrative team were still awaiting CELDT test scores and were unable to give a specific number. In fact, Dr. Zavala was referred to our ELD Coordinator, Ms. Gomez to seek further clarification.

To this date, Lifeline Education Charter School received the CELDT scores. In order to reclassify English Learners, we must:

Lifeline will follow the following steps in reclassifying English Learner students:

- 1) Review the annual CELDT results for English-language proficiency. In order to be reclassified, a student must meet the CELDT definition of proficiency, which is an overall score of early advanced or advanced, and scores are intermediate or above for each of the sub-skill areas: listening, speaking, reading, and writing. If the student meets this criterion, we move on to the next step in the reclassification process otherwise the student will remain as an English learner.
- 2) In addition to meeting CELDT's definition of proficiency students must attain at least basic status in English Language Arts on the California Standardized Tests.
- 3) Students who meet the CST criterion must obtain at least a grade of "C" on the end semester English Language Arts assessment.
- 4) The fourth step in the process is parental opinion and consultation. If the student has satisfied all criteria for reclassification, then notice should be provided to parents and guardians of their rights to participate in the reclassification process. The notice also should encourage their participation in this process.

Finally, the student would be reclassified to fluent English proficient ("RFEP"). As part of this process, parents and guardians are notified, school records are updated, and Lifeline continues to monitor the student's progress for two years. If the student fails to progress, the school will provide the necessary intervention.

Lifeline Education Charter School currently has 119 ELD students. Of those 119 students, 97 are preparing to reclassify to Fluent English Proficient ("FEP"). The end of the first Semester is January 27, 2012 and grades are finalized on February 3, 2012. At this time Lifeline will be able to begin the fourth step of the process and ensure that student have satisfied all criteria for reclassification.

Nineteen of our ELD students are performing in the Intermediate level and only three students are performing at the beginning level. Lifeline Education Charter school has a majority of its students performing in the Early Advanced and Advanced Levels.

CUSD's claim that no EL student received Specially Designed Academic Instruction in English ("SDAIE") services is completely false and incorrect. 97.5% of our ELD student population receives SDAIE strategies. 2.5% of our ELD population is serviced through pull-out model.

In addition, 100% of our credentialed teachers possess an ELD authorization to teach our ELD population. Professional Development that focuses on developing our ELD students is viewed as priority.

**C2. The Governance Structure of the School** - Under the old bylaws, the Board Members terms would have expired. However, the new bylaws allow for 3 consecutive terms that consist of 2-year periods for each participating member. See Appendix E - Bylaws page 3.

**C3. Employee Qualifications/Teacher Credentialing** - California Education Code § 47605 (b)(5) (E) states, in its entirety, "*The qualifications to be met by individuals to be employed by the school.*" This section does not require Lifeline to list the names of the *key personnel* or of the *hired teaching staff*. The requirement under the California Education code was met by listing the available positions in great detail; the staff analysts cannot impose *requirements* unless so stipulated by the California Education Code.

Furthermore, the Staff analysis uses the District's Interim Assistant Superintendent, Dr. Ramon Zavala's visit with Lifeline at least five times throughout the analysis, but failed to ask/mention any concerns during the visit in regards to the teaching /administrative staff.

All current 2011-2012 teachers meet the NCLB requirements with the exception of two teachers. Those teachers are currently in the process of acquiring a preliminary teaching credential; Lifeline is currently awaiting approval from the California Teacher Credentialing Department.

**C4. Retirement Systems** - The retirement systems for employees are consistent with CalPERS and CalSTRS. The Administrative Manager manages the fund, the Los Angeles County Office of Education routes payment, and funds are held by CalPERS/CalSTRS. As required, this is described on page 70.

**Conclusion** - Although the Staff Analysis is lengthy, the evaluation contains numerous factual errors that can be validated by accessing statewide student data regarding the academic performance of the Lifeline Education Charter School. There are additional concerns with the petition as cited by CUSD, however some of those concerns were not brought up during the site visit.

Moreover, the staff analysis by CUSD was made available to Lifeline via U.S. mail delivered on December 14, 2011, the morning **[after]** the summary was presented to the CUSD Board. This type of untimely response by CUSD provided an insufficient time line for Lifeline to adequately respond to the CUSD staff analysis of Lifeline's petition for renewal.