California Department of Education

Charter Schools Division

Revised 1/2020

oab-csd-jul20item08

Attachment 1

# CHARTER SCHOOL PETITION REVIEW FORM: Today’s Fresh Start Charter School Inglewood

## Key Information Regarding Today’s Fresh Start Charter School Inglewood

### Proposed Grade Span and Build-Out Plan

#### Table 1: 2020–25 Proposed Enrollment

TK–transitional kindergarten/K–kindergarten

NA–Not Applicable. Grade levels not served.

\*The California Department of Education (CDE) notes the seemingly random increases in enrollment for K and grade one in 2023–24 and 2024–25, respectively.

| **Grade** | **2020–21** | **2021–22** | **2022–23** | **2023–24** | **2024–25** |
| --- | --- | --- | --- | --- | --- |
| K | 44 | 44 | 44 | \*100 | 54 |
| 1 | 90 | 90 | 90 | 83 | \*200 |
| 2 | 56 | 56 | 56 | 90 | 83 |
| 3 | 42 | 42 | 42 | 56 | 90 |
| 4 | 69 | 69 | 69 | 42 | 56 |
| 5 | 69 | 69 | 69 | 69 | 42 |
| 6 | 54 | 54 | 54 | 69 | 69 |
| 7 | 64 | 64 | 64 | 54 | 69 |
| 8 | 39 | 39 | 39 | 64 | 64 |
| 9 | NA | NA | NA | NA | NA |
| 10 | NA | NA | NA | NA | NA |
| 11 | NA | NA | NA | NA | NA |
| 12 | NA | NA | NA | NA | NA |
| Total | 527 | 527 | 527 | 627 | 727 |

### Proposed Location

Today’s Fresh Start Charter School Inglewood (TFSCSI) currently serves 431 pupils in K through grade eight at a facility located at 3405 West Imperial Highway, Inglewood, California.

### Relevant History of Other Today’s Fresh Start Charter Schools

Today’s Fresh Start, Inc. (TFS) has been operating charter schools since 2003. The TFS organization has had a long history of movement between authorizers as well as negative outcomes in terms of non-renewals, revocations, and litigation. Throughout all of the organization’s history, TFS has maintained a single governance structure over TFS schools. This past history was taken under consideration by the CDE in reaching its recommendation.

#### Today’s Fresh Start Charter School Inglewood

TFSCSI, charter number 1075, is currently authorized by the Inglewood Unified School District (IUSD) and serves 430 TK/K through grade eight pupils on a facility located at 3504 West Imperial Highway in Inglewood, California.

TFSCSI was originally authorized by IUSD on May 12, 2009, for a three-year term from 2009–12. In April 2013, IUSD renewed TFSCSI for a five-year term from 2012–17. On November 5, 2015, IUSD received the renewal petition for TFSCSI, which included a material revision to operate two additional sites. The statutory deadline for IUSD to make findings and act on the petition was January 6, 2016. IUSD did not take any action and did not make any findings on the TFSCSI petition that was submitted. Therefore, in the absence of any findings to deny the TFSCSI petition, it was deemed approved by operation of law (*California Code of Regulations*,Title 5[5 *CCR*] Section 11966.4[e]). The material revision to include two additional sites was denied by IUSD.

TFSCSI filed a lawsuit against IUSD stating that the material revision should have been automatically approved by operation of law given that the renewal petition was automatically approved. In 2016, the court ruled that material revisions are not subject to automatic approval by operation of law.

#### Today’s Fresh Start Charter (Countywide Charter)

Today’s Fresh Start Charter Countywide, charter number 0597, was approved by the Los Angeles County Office of Education (LACOE) as a countywide charter on   
September 10, 2003, operating at the following sites:

* Adams, 2255 West Adams Boulevard
* Hyde Park, 6422 Crenshaw Boulevard
* Compton, 2301 East Rosecrans Avenue
* Vernon and Offices of Today's Fresh Start, Inc. (TFS, Inc.), non-profit public benefit corporation, 4466-4514 Crenshaw Boulevard

In 2004, two additional sites in Compton opened under the original 2003 LACOE countywide authorization at the following locations:

* 4513 Compton Boulevard
* 4476 Crenshaw Boulevard

In 2007, the Today’s Fresh Start Charter Countywide charter was revoked by LACOE. Today’s Fresh Start Charter Countywide filed a lawsuit. The case was not settled until 2015 when the revocation was upheld by the California Supreme Court, in a published decision, and remitted to the trial court. On August 25, 2010, while the 2007 litigation was pending, Today’s Fresh Start Charter Countywide was approved by the SBE on appeal from LACOE for renewal as a countywide benefit for a five-year term. In 2015, TFS, Inc. submitted a renewal petition for Today’s Fresh Start Charter Countywide to LACOE. LACBOE took no action on the Today’s Fresh Start Charter Countywide petition, at the request of the charter school and submitted the petition to the SBE.

*EC* Section 47605.6(k) prohibits a new countywide benefit charter school from appealing a denial to the SBE. Additionally, in 2011, the SBE adopted regulations prohibiting a countywide benefit charter from appealing the denial of a renewal to the SBE. Therefore, the SBE declined to hear the 2015 renewal and TFS sued the SBE. The trial court found that the Supreme Court decision upholding the revocation was in effect.

TFS, Inc. dissolved the countywide benefit charter effective June 30, 2015, and filed a petition for a single school with the Compton Unified School District (CUSD). CUSD approved the petition.

#### Today’s Fresh Start-Compton

TFS-Compton (TFS-C) submitted a new charter petition to CUSD for the sites that opened in 2004 under the original 2003 LACOE countywide charter. TFS-C, charter number 1772, was approved for a three-year term from 2015–18 by CUSD on September 8, 2015; was renewed for a five-year term from 2018–23; and is currently operating at the following sites:

* 4513 Compton Boulevard
* 4476 Crenshaw Boulevard

### Relevant History of Related-Party Golden Day Schools, Inc.

The CDE notes a fiscal concern involving a related entity, Golden Day Schools, Inc. (GDSI). GDSI, run by the petitioner’s husband, Clark Parker, used to contract with the CDE for childcare services. However, two separate audits of GDSI revealed more than $20 million in disallowed costs. The audit findings, which have been upheld, included findings of various improper related-party transactions with the petitioners and related entities, including TFS. The CDE is currently engaged in litigation against GDSI and Clark Parker to recover the disallowed costs. The CDE is noting the current claim against this related-party as it is reflective of past organizational practices and the long history of potential conflicts of interests and self-dealings of the operators of TFS.

### Lead Petitioner

Dr. Jeanette Parker, Lead Petitioner

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

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

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

### Sound Educational Practice

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

5 *CCR* sections 11967.5.1(a) and (b)

#### Evaluation Criteria

For purposes of *EC* Section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.

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

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

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

#### Comments

The TFSCSI petition is consistent with sound educational practice. TFSCSI’s pupils perform at least equal to its comparable district schools where the majority of TFSCSI pupils would otherwise attend.

##### Renewal Criteria

*EC* Section 47607 requires the chartering authority to consider the following when reviewing a charter 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 in 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.

TFSCSI does perform, overall, at least equal to its comparable district schools where the majority of TFSCSI pupils would otherwise attend. The CDE notes the data reflect a decrease in English language arts (ELA) from 2017–18 to 2018–19 of 46 percent to 37 percent of pupils who meets/exceeds standards on the California Assessment of Student Performance and Progress (CAASPP) assessment. Despite TFSCSI being comparable in that the school is generally performing at least equal to its comparable schools, TFSCSI is academically low-performing, as a whole.

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

The CDE reviewed the information presented by IUSD and LACOE. The IUSD findings conclude that TFSCSI failed to demonstrate increases in academic performance as required for renewal (Attachment 6, pp. 5–6). The LACOE findings conclude that TFSCSI has not met at least one of the minimum academic performance criteria pursuant to *EC* Section 47607(b) (Attachment 7, pp. 12–15).

The CDE reviewed the materials and determined that TFSCSI has met the applicable academic renewal criteria pursuant to *EC* Section 47607(b). The CDE selected five schools—three elementary schools, one middle school, and one school serving pupils in K through grade eight—where pupils would otherwise attend.

The following table shows the percentage of pupils that met/exceeded standards on the 2014–15, 2015–16, 2016–17, 2017–18, and 2018–19 CAASPP assessment for English language arts (ELA) and mathematics (math) for TFSCSI and the CDE-chosen comparable IUSD schools that pupils would otherwise attend. The 2014–15 through 2018–19 CAASPP data show that TFSCSI does perform, overall, at least equal to comparable IUSD schools.

**CAASPP Results for TFSCSI and CDE-Chosen IUSD Comparable Schools and IUSD (Percent Meets/Exceeds Standards)**

| School | 2014–15 ELA | 2014–15 Math | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math | 2018–19 ELA | 2018–19 Math |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| TFSCSI | 36 | 22 | 33 | 24 | 33 | 21 | 46 | 32 | 37 | 32 |
| Bennett/Kew Elementary | 22 | 21 | 28 | 24 | 28 | 27 | 36 | 35 | 43 | 36 |
| Worthington Elementary | 21 | 17 | 23 | 15 | 21 | 15 | 27 | 17 | 28 | 19 |
| Woodworth-Monroe K-8 Academy | 9 | 6 | 11 | 7 | 12 | 15 | 22 | 20 | 29 | 15 |
| Hudnall (Claude) Elementary | 30 | 17 | 32 | 18 | 41 | 28 | 35 | 28 | 36 | 23 |
| Crozier (George W.) Middle | 26 | 16 | 26 | 13 | 25 | 13 | 24 | 10 | 25 | 9 |
| IUSD | 26 | 14 | 29 | 16 | 30 | 19 | 30 | 19 | 30 | 19 |

CDE’s internal data shows that more than 50 percent of TFSCSI’s enrolled pupils live outside of IUSD and within the Los Angeles Unified School District (LAUSD) boundaries. The following table shows the percentage of pupils that met/exceeded standards on the 2014–15, 2015–16, 2016–17, 2017–18, and 2018–19 CAASPP assessment for ELA and math for TFSCSI and the CDE-chosen comparable LAUSD schools that pupils would otherwise attend. The 2014–15 through 2018–19 CAASPP data show that TFSCSI does perform, overall, at least equal to comparable LAUSD schools.

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

| School | 2014–15 ELA | 2014–15 Math | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math | 2018–19 ELA | 2018–19 Math |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| TFSCSI | 36 | 22 | 33 | 24 | 33 | 21 | 46 | 32 | 36 | 32 |
| Century Park | 8 | 7 | 11 | 15 | 15 | 19 | 22 | 16 | 13 | 12 |
| Manhattan Place Elementary | 12 | 15 | 23 | 18 | 26 | 24 | 18 | 14 | 12 | 6 |
| La Salle Avenue Elementary | 3 | 3 | 2 | 4 | 4 | 4 | 12 | 6 | 18 | 10 |
| Bret Harte Preparatory Middle | 12 | 8 | 6 | 5 | 6 | 2 | 7 | 4 | 14 | 5 |
| Samuel Gompers Middle | 10 | 9 | 12 | 6 | 20 | 4 | 21 | 7 | 25 | 6 |
| Glenn Hammond Curtiss Middle | 29 | 16 | 30 | 18 | 33 | 18 | 39 | 24 | 39 | 23 |

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

The petitioner did not use comparable school data and instead compared TFSCSI to IUSD. The petitioner completed CAASPP data comparison analyses of TFSCSI and IUSD for pupils schoolwide, for pupils in grade three through grade five, for pupils in grade six through grade eight, and by pupil subgroup.

The following tables show the percentage of pupils that met/exceeded standards on the 2017–18 CAASPP assessment for ELA and math for TFSCSI and IUSD (Attachment 3, pp. 44 and 47).

**CAASPP Results by Subgroup for TFSCSI (Percent Meets/Exceeds Standards)**

SED: Socioeconomically disadvantaged; EL: English learner; SPED: Special education

| 2017–18 | All | African-American | Hispanic/ Latino | SED | EL | SPED |
| --- | --- | --- | --- | --- | --- | --- |
| ELA | 45.86 | 37.41 | 53.43 | 45.55 | 35.21 | 14.29 |
| Math | 31.83 | 23.92 | 40.41 | 31.97 | 29.57 | 11.43 |

**CAASPP Results by Subgroup for IUSD (Percent Meets/Exceeds Standards)**

| 2017–18 | All | African-American | Hispanic/ Latino | SED | EL | SPED |
| --- | --- | --- | --- | --- | --- | --- |
| ELA | 30.01 | 28.55 | 30.60 | 29.41 | 14.84 | 7.83 |
| Math | 18.90 | 15.87 | 20.35 | 18.77 | 11.19 | 6.39 |

The CDE notes that 2018–19 CAASPP data were not available at the time TFSCSI submitted the renewal petition.

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

The IUSD findings state that increases in pupil academic achievement for all groups of pupils served by TFSCSI were considered as the most important factor and that based on the analysis, IUSD found that TFSCSI did not meet the statutory eligibility criteria to receive a charter renewal. The IUSD findings did not include an analysis of comparable schools in its review; however, the findings state that IUSD made several attempts to obtain the 2018–19 academic performance data for TFSCSI through multiple requests for information. The IUSD findings conclude that, as a result of not responding to IUSD’s requests, TFSCSI failed to demonstrate increases in academic performance as required for renewal (Attachment 6, pp. 5–6).

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

LACOE reviewed the 2014–15 through 2018–19 CAASPP data for TFSCSI and IUSD for all pupils schoolwide, by pupil subgroups, by grade, and by cohort for grade three through grade five and grade six through grade eight. While LACOE stated that the data reflect that TFSCSI has demonstrated some schoolwide increases in pupil academic achievement for all pupils schoolwide and for some numerically significant pupil subgroups, LACOE also stated that the data demonstrate mixed results, as both ELA and math scores trended downward between 2015 and 2017, increased in 2018, and decreased in 2019. Additionally, subgroup data demonstrate mixed results with academic performance by some numerically significant pupil subgroups showing increases and other numerically significant pupil subgroups showing decreases. Decreases in ELA and math CAASPP scores are also shown from 2017–18 to 2018–19. Ultimately, LACOE concluded that TFSCSI has not met at least one of the minimum academic performance criteria pursuant to *EC* Section 47607(b) (Attachment 7, pp. 12–15).

The following table shows the percentage of all pupils schoolwide and by pupil subgroup that met/exceeded standards on the 2014–15 through 2018–19 CAASPP assessments for ELA and math for TFSCSI.

**CAASPP Results by Pupil Subgroups for TFSCSI (Percent Meets/Exceeds Standards)**

| Pupil Subgroup | 2014–15 ELA | 2014–15 Math | 2015–16 ELA | 2015–16 Math | 2016–17 ELA | 2016–17 Math | 2017–18 ELA | 2017–18 Math | 2018–19 ELA | 2018–19 Math |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| All Pupils | 36 | 22 | 33 | 24 | 33 | 21 | 46 | 32 | 37 | 32 |
| African-American | 33 | 16 | 30 | 14 | 28 | 21 | 37 | 24 | 34 | 25 |
| Hispanic/ Latino | 39 | 30 | 39 | 34 | 37 | 28 | 53 | 40 | 39 | 37 |
| SED | 34 | 22 | 34 | 23 | 33 | 21 | 46 | 32 | 38 | 33 |
| EL | 21 | 6 | 24 | 22 | 31 | 24 | 35 | 30 | 21 | 23 |
| SPED | 18 | 0 | 13 | 7 | 11 | 0 | 14 | 11 | 9 | 9 |

Additionally, LACOE completed a comparison of 2017–18 and 2018–19 CAASPP results for all pupils schoolwide, by grade level, and by cohort for grade three to grade five and grade six through grade eight. LACOE’s comparison reflects the following (Attachment 7, pp. 15–18):

* Schoolwide
  + Results showed a decrease from 45.86 percent to 36.49 percent in ELA and a decrease from 31.83 percent to 31.58 percent in math in 2017–18 to 2018–19, respectively.
* ELA by Grade Level
  + Grade eight – Results showed a decrease of 22.42 percent
  + Grade seven – Results showed a decrease of 28.69 percent
  + Grade five – Results showed a decrease of 18.53 percent
  + Grade four – Results showed an increase of 8.07 percent
* Math by Grade Level
  + Grade eight – Results showed a decrease of 17.54 percent
  + Grade six – Results showed an increase of 15.95 percent
  + Grade five – Results showed a decrease of 21.58 percent
  + Grade four – Results showed an increase of 18.61 percent
  + Grade three – Results showed an increase of 16.41 percent
* Cohort Over a Three-Year Period from 2016–17 through 2018–19
  + Grade three through grade five cohort: Results showed a decrease of 5.93 percent in ELA and a decrease of 21.75 percent in math
  + Grade six through grade eight cohort: Results showed an increase of 4.83 percent in ELA and an increase of 1.9 percent in math

The following tables show a comparison of the percentage of pupils that met/exceeded standards on the 2017–18 and 2018–19 CAASPP assessments for ELA and math for TFSCSI and IUSD, which indicates that TFSCSI generally outperforms IUSD for pupils schoolwide and for pupil subgroups (Attachment 7, pp. 17–18).

**CAASPP Results by Subgroup for TFSCSI (Percent Meets/Exceeds Standards)**

| TFSCSI | All | African-American | Hispanic/ Latino | SED | EL | SPED |
| --- | --- | --- | --- | --- | --- | --- |
| 2017–18 ELA | 45.86 | 37.41 | 53.43 | 45.55 | 35.21 | 14.29 |
| 2017–18 Math | 31.83 | 23.92 | 40.41 | 31.97 | 29.57 | 11.43 |
| 2018–19 ELA | 36.49 | 33.58 | 38.69 | 37.45 | 29.57 | 9.1 |
| 2018–19 Math | 31.58 | 24.63 | 37.23 | 33.33 | 20.51 | 9.1 |

**CAASPP Results by Subgroup for IUSD (Percent Meets/Exceeds Standards)**

| IUSD | All | African-American | Hispanic/ Latino | SED | EL | SPED |
| --- | --- | --- | --- | --- | --- | --- |
| 2017–18 ELA | 30.01 | 28.55 | 30.60 | 29.41 | 14.84 | 7.83 |
| 2017–18 Math | 18.90 | 15.87 | 20.35 | 18.77 | 11.19 | 6.39 |
| 2018–19 ELA | 30.01 | 27.68 | 30.96 | 29.59 | 5.03 | 9.35 |
| 2018–19 Math | 18.54 | 14.38 | 20.65 | 18.34 | 4.27 | 5.4 |

##### IUSD’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 school has met the requirements for the renewal of its charter:

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

IUSD did not consider academic performance under *EC* Section 52052(f).

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

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 school has met the requirements for the renewal of its charter:

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

LACOE reviewed the following as alternative measures under *EC* Section 52052(f) (Attachment 7, p. 11):

* CAASPP results from 2014–15 through 2018–19 for all pupils schoolwide and for pupil subgroups
* CAASPP results from 2014–15 through 2018–19 for pupil subgroups

The LACOE findings state that TFSCSI did not provided evidence of increases in pupil academic achievement for all groups of pupils schoolwide nor among significant pupil subgroups.

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

The CDE also considered *EC* Section 52052(f) in its review of TFSCSI academic renewal 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 school has met the requirements for the renewal of its charter:

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

The CDE reviewed the following alternative measures that the TFSCSI petitioner included as the criteria for charter renewal (Attachment 3, pp. 18–53):

* 2014–15 through 2017–18 CAASPP results for ELA and math by the following:
  + Grade levels
  + Pupil subgroup
* 2017–18 CAASPP results for ELA and math for all pupils schoolwide for TFSCSI and IUSD by the following:
  + District comparison
  + Grade three through grade five
  + Grade six through grade eight
* 2017–18 CAASPP results for ELA and math by pupil subgroups for TFSCSI and IUSD
* 2017–18 and 2018–19 English Language Proficiency Assessments for California (ELPAC) results
* 2014–15 through 2018–19 Reclassified Fluent English Proficient (RFEP) rates

The data from the TFSCSI alternative measures reflect some increases in CAASPP, ELPAC, and RFEP rates.

The CDE notes that the TFSCSI petition includes a description of the success of the educational program, which includes action plans and strategies for intervention and for enhancing pupil outcomes (Attachment 3, pp. 54–60).

### 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 demonstrably unlikely to successfully implement the intended program.**

#### Comments

##### Inability to Implement

###### California State Budget Impact

The COVID-19 pandemic has had a tremendous impact on the state budget and the funding that will be provided to local educational agencies (LEAs) in the 2020–21 school year and future school years. The pandemic has led to a large variation between the Governor’s proposed January budget and the proposed May revision, which was discussed at the ACCS meeting on June 9, 2020. On June 23, the Governor; Senate President pro tempore, Toni Atkins; and Speaker of the Assembly, Anthony Rendon announced an agreement on the budget. This agreement has not yet been finalized at the time of the posting of the July SBE meeting agenda, but it is anticipated it will be finalized by the July SBE meeting.

The proposed agreement includes $11 billion of Local Control Funding Formula (LCFF) apportionment deferrals in 2020–21, which will allow LCFF to remain at the 2019–20 level and does not include the 10 percent cut to LCFF proposed at May revision. With deferrals, charter schools and other LEAs will have the burden of fronting cash, maintaining cash flow in the months where monthly apportionments will be deferred, and potential borrowing costs. Deferrals could be especially problematic for new charter schools or existing charter schools that do not have the ability to draw down reserves to access cash.

###### Fiscal Analysis

The TFSCSI petition does not include the projected enrollment for TK through grade eight; however, the projected enrollment is included within the budget that was submitted to IUSD (Attachment 9, p. 335). Additionally, the CDE is unclear about the seemingly random increases in enrollment for K and grade one in 2023–24 and 2024–25, respectively.

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

* 527 K through grade eight in 2020–21
* 527 K through grade eight in 2021–22
* 527 K through grade eight in 2022–23

The CDE has reviewed the multi-year projected budget and narrative as submitted by TFSCSI. Although the TFSCSI budget reflects a positive reserve, the CDE is concerned that the high reserves are well above what is normally required by the SBE; it appears that TFSCSI may not be spending funds on the pupils being served by the school. Significantly, while the TFSCSI California Assessment of Student Performance and Progress (CAASPP) data reflect results that are higher than its comparable schools, the results are only slightly higher. Given this, if TFSCSI were investing resources on the pupils that generated the funds, TFSCSI would likely yield a more significant gain in academic achievement.

The CDE reviewed the audited financial data from the 2018–19 audit report. TFSCSI has net assets of $18,023,428 as of June 30, 2019. The net assets contain a fund from the Charter School Facilities Grant Program, a restricted fund, in the amount of $11,549,771. In addition, the audit report reflected an unqualified status.

The CDE concludes that the TFSCSI projected budget is viable with the projected enrollment of 527 each year and positive ending fund balances of $19,467,943; $19,893,645; and $19,911,726 with reserves of 300.4, 295.1, and 276.3 percent for fiscal year (FY) 2020–21 through FY 2022–23, respectively. Without the Charter School Facilities Grant of $11,549,771, the TFSCSI projected budget is still viable with positive ending fund balances of $7,918,172; $8,343,874; and $8,361,955 with reserves of 122.2, 123.8, and 116 percent for FY 2020–21 through FY 2022–23, respectively.

Although the TFSCSI budget reflects a positive reserve, the CDE is concerned that the high reserves are well above what is normally required by the SBE; it appears that TFSCSI may not be spending funds on the pupils being served by the school. Significantly, while the TFSCSI California Assessment of Student Performance and Progress (CAASPP) data reflect results that are higher than its comparable schools, the results are only slightly higher. Given this, if TFSCSI were investing resources on pupils, TFSCSI would likely yield a more significant gain in academic achievement.

At the June 9, 2020, ACCS meeting, the petitioner stated TFSCSI’s reserves to be high because its reserves included the value of the TFSCSI building; however, the petitioner also represented that it does not own the building nor the land, and has continued to make this representation in communications leading up to the July SBE meeting.

###### Audit Reports

The CDE reviewed the audited financial data from the 2018–19 audit report. TFSCSI has net assets of $18,023,428 as of June 30, 2019. The net assets contain a fund from the Charter School Facilities Grant Program, a restricted fund, in the amount of $11,549,771. The audit report reflected an unqualified status. An unqualified opinion is an independent auditor’s judgement that a school’s financial statements are fairly and appropriately presented, without any identified exceptions, and in compliance with generally accepted accounting principles.

Additionally, the CDE reviewed the audited financial data from the following TFS, Inc. audit reports:

* 2015–16 audit report: The report reflected an unqualified status.
* 2016–17 audit report: The report reflected an unqualified status.
* 2017–18 audit report: The report reflected an unqualified status.

The CDE notes that the 2015–16, 2016–17, 2017–18, and 2018–19 audit reports reflect concerns regarding conflicts of interest based on related party transactions with respect to the lease of some of its facilities from Los Angeles Schools Services, Inc., which is owned by a related party of TFS, Inc. In addition, the 2015–16 and 2016–17 audit reports reflect concerns regarding conflicts of interest based on related party transactions with respect to a Construction Management Services Agreement with View Park Estate Development, Inc. (doing business as California Construction Management, Inc. [CCMI]), for the construction of its Inglewood Charter School building located at 3405 W Imperial Boulevard, Inglewood, California. Clark Parker is the President for CCMI and Jeanette Parker was an officer until April 2019. Also, during FY 2016–17, TFS, Inc. contracted with CCMI for the renovation and improvements of the classroom at its Vernon site.

##### District and County Findings

After reviewing the district and county’s findings, the CDE has concerns regarding the numerous TFSCSI related-party transactions, noted governance concerns, and violations of conflict of interest. Additionally, the petitioners have been associated with a charter school that has been revoked. Specifically, there are concerns that other businesses associated with or run by the lead petitioner, Jeanette Parker, are operating out of the building constructed with the grant money from the California School Finance Authority. There are also concerns regarding contracts with related entities for the construction of the aforementioned building through, at least, September 2018.

Additionally, the concerns raised in the IUSD and LACOE findings show that the petitioner has a past history of involvement in charter schools that the SBE regards as unsuccessful. The findings of IUSD and LACOE further outline these concerns.

###### Inglewood Unified School District Trustee Findings

On October 11, 2019, the IUSD Trustees took action and denied the charter petition for TFSCSI based on the following findings (Attachment 6):

* The charter school fails to meet the academic renewal eligibility criteria in *EC* Section 47607(b).
* The charter school is demonstrably unlikely to successfully implement the program presented in the petition.
  + Prior history and operations demonstrate unlikelihood of future success:
    - Today’s Fresh Start Charter Countywide revocation: In 2013, the California Supreme Court upheld LACOE’s 2007 revocation of Today’s Fresh Start Charter Countywide. In 2015, the Superior Court in Sacramento ruled that the petition submitted by TFS, Inc. to the SBE could not be considered a renewal but a new petition for authorization of a countywide charter school; therefore, TFS, Inc. was directed by the CDE to invoke closure procedures.
    - TFS, Inc. continued operations: TFS, Inc. submitted new charter school petitions to the local jurisdictions in which the sites of the TFS, Inc.-revoked charter schools were located. The petitions were denied by the LAUSD but approved by CUSD.
    - Related party transaction: TFS, Inc. has a history of self-dealing and related-party transactions, which include transactions with GDSI; Pacific National University; Los Angeles Schools Services, Inc.; and Construction Management Services.
    - The Brown Act: TFS, Inc. has been in violation of the Brown Act.
    - Geographic limitations requirement: TFS, Inc. sought to open a site outside of the district’s boundaries, which is in violation of *EC* sections 47605 and 47605.1.
  + Governance Structure: TFSCSI and TFS-C are operated by a single board, despite being authorized by different districts.
  + Special Education: TFSCSI’s limited special education program is in violation of special education laws.
  + Failure to comply with their obligation to inform the district when pupils leave.
  + Failure to comply with their authorizer’s request for information.
* The petition fails to provide a reasonably comprehensive description of all required elements of a charter petition.
  + Element A–Description of Educational Program: Plan for Special Education: TFSCSI does not provide the full continuum of program options.
  + Element D–Governance Structure
    - The petition does not identify nor provide any information regarding the member of the TFS, Inc. governing board or its composition.
    - The petition does not identify, describe, nor provide for a structure under which a single board operates two separate charter schools authorized by separate school districts.
    - The petition is silent on TFS, Inc.’s compliance with *Government Code* (*GC*) Section 1090.
  + Element F–Health and Safety Procedures: The petition does not include nor describe the requisite comprehensive school safety plan.
  + Element H–Admissions Requirements: The petition states an expectation to volunteer, which amounts to a parent participation requirement and which violates the law.
  + Element J–Suspension and Expulsion Procedures: The petition’s disciplinary policy is contrary to the state’s requirement that pupils not be recommended for or expelled based upon willful defiance.
  + Element N–Dispute Resolution Procedures: The petition requires the district to participate in the dispute resolution procedures, which is inconsistent with the law.
* The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

###### Los Angeles County Board of Education Findings

On January 7, 2020, LACBOE took action and denied the charter petition for TFSCSI based on the following findings (Attachment 7):

* The renewal petition does not contain reasonably comprehensive descriptions of certain required elements set forth in *EC* Section 47605(b)(5)(A–O).
  + Element A–Description of Educational Program
    - Overview of instructional program: The petition offers few concrete details regarding the instructional setting and how instruction is delivered.
    - Teaching staff class size: The petition does not provide any information as to the number of credentialed teachers, paraprofessionals, nor instructional assistants currently employed by TFSCSI.
    - ELs: The petition does not identify a specific curriculum for ELs that address the need to support English language development (ELD).
    - Professional development: The petition does not include a professional development calendar that indicates specific trainings for the implementation of state and federal special education laws, Section 504, ELD, or instructional supports and strategies for pupils struggling academically.
    - Schoolwide intervention strategies: The petition does not describe the qualifications for staff teaching Saturday school nor summer enrichment; the reading consultants TFSCSI collaborates with; the specifics around the tutoring that TFSCSI offers; and the identity of the intervention team members as well as their duties.
    - The petition does not include a comprehensive description of physical education, sports, nor the arts offered at TFSCSI.
    - The petition does not include a comprehensive description of the TK program at TFSCSI.
  + Element D–Governance Structure
    - The TFSCSI bylaws do not reference the Brown Act and do not comport with key Brown Act requirements.
    - The petition has not been updated to reflect the amended bylaws with respect to the number of Board of Directors (Board) members that TFS, Inc. shall have.
    - The petition does not include a roster nor information regarding the current composition of the TFS, Inc. Board nor state how long each director has continuously served on the Board.
    - The petition does not discuss how the TFS, Inc. Board is able to perform all of the duties and functions necessary in order to operate multiple charter schools when only two regular meetings of the TFS, Inc. Board are required each calendar year.
    - The petition does not state that TFS, Inc. will comply with *GC* Section 1090.
    - The petition does not include any information regarding committee composition, qualifications for membership, terms of office, meeting schedules, or specific responsibilities of those committees.
  + Element E–Employee Qualifications: The petition provides no information regarding the number nor category of staff that are employed by TFSCSI.
  + Element F–Health and Safety Procedures: The petition does not contain health and safety policies and procedures.
  + Element G–Means to Achieve Racial and Ethnic Balance: The petition does not identify specific geographic areas to be targeted nor specific recruitment materials, outreach efforts, nor the languages to be used in TFSCSI’s recruiting materials.
  + Element J–Suspension and Expulsion Procedures: The petition lists willful defiance as grounds for suspension and expulsion of pupils, which is inconsistent with Senate Bill 419.
* Petitioner is demonstrably unlikely to successfully implement the program set forth in the renewal petition.
  + The renewal petition does not include an adequate financial plan for the operation of the charter school, including the following:
    - Financial statements: The budget projections submitted with the petition were not formatted correctly and cannot be analyzed.
    - Enrollment projections: The revenue appears to be materially misstated and the projected enrollment appears overstated.
    - Fiscal operations: The LACOE findings state that the TFSCSI petition falls short of the standard for a realistic financial and operational plan with unsupported revenue, and understated expenses and assumptions.
  + Petitioners are not likely to successfully implement the program as described in the renewal petition because of ongoing business entanglements and concerns regarding self-dealing.
    - Contracts with Clark Parker’s construction management company: There is no evidence that shows that Jeanette Parker, the lead petitioner, did not participate in the consideration or negotiations, nor influence the decision of the contracts with Clark Parker’s construction management company.
    - Lease agreements for TFS-C: There are concerns on whether the Parkers disclose their interest and/or recuse themselves from participating in negotiations, formation, or action on the lease.
    - TFS, Inc. fails to inspire confidence regarding conflicts of interest and self-dealings moving forward.

### 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 …

**This requirement is not applicable.**

#### 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 TFSCSI petition contains the required affirmations (Attachment 3, pp. 5–7); however, the Affirmations and Assurances pages of the petition are not signed by the petitioner.

If approved by the SBE, as a condition for approval, the TFSCSI petitioner will be required to submit a signed copy of the Affirmations and Assurances section of the petition.

### 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 TFSCSI petition does include the necessary declaration (Attachment 3, p. 5).

## THE 15 CHARTER ELEMENTS

### 1. Description of Educational Program

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

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

#### Evaluation Criteria

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

| **Criteria** | **Criteria Met** |
| --- | --- |
| 1. Indicates the proposed charter school’s target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges. | Yes |
| 1. Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person” in the twenty-first century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners. | Yes |
| 1. Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population. | Yes |
| 1. Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education). | Yes |
| 1. Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school’s pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to *EC* Section 60605 and to achieve the objectives specified in the charter. | Yes |
| 1. Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels. | Yes |
| 1. Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations. | 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. | No |

**The petition does not, overall, present a reasonably comprehensive description of the educational program.**

#### Comments

The TFSCSI petition does not, overall, present a reasonably comprehensive description of the educational program.

The TFSCSI petition does not present a reasonably descriptive plan for ELs nor does it indicate how TFSCSI will meet the needs of ELs. The petition states that once pupils are reclassified as RFEP, their academic progress is monitored for a minimum of two years; however, the petition does not state that RFEP pupils will be monitored for four years after reclassification.

The TFSCSI petition does not include the projected enrollment for TK through grade eight; however, the projected enrollment is included within the budget that was submitted to IUSD (Attachment 9, p. 335). Additionally, the CDE is unclear about the seemingly random increases in enrollment for K and grade one in 2023–24 and 2024–25, respectively.

The petition states that TFSCSI serves pupils TK through grade eight throughout the petition; however, the projected enrollment plan does not include the number of pupils in TK that TFSCSI plans to enroll. The petition also does not include a reasonably comprehensive description of the TK program.

The TFSCSI petition does not present a reasonably descriptive plan for special education pupils. The petition does not include a statement confirming that parents can verbally request an evaluation of their pupil and that TFSCSI has an obligation to work with the parents to turn that request into writing. Additionally, the petition does not include sufficient information to show that there is a continuum of services to pupils with an Individualized Education Program (IEP). The petition contains inconsistent language regarding the programs and services provided by a Special Education Local Plan Area (SELPA).

If approved by the SBE, as a condition for approval, the TFSCSI petitioner will be required to revise the petition in order to reflect the SBE as the authorizer and include the necessary language for Element 1–Description of Educational Program by indicating how TFSCSI will meet the needs of ELs; stating that RFEP pupils will be monitored for four years after reclassification; including the projected enrollment for grades TK through grade eight and a reasonably comprehensive description of the TK program; and including the necessary language with regard to TFSCSI’s plan for special education.

##### Educational Program

TFSCSI intends to serve 527 pupils in K through grade six in 2020–21. The petition states that TFSCSI’s mission is to educate each scholar individually and personally— academically, emotionally, and socially—to achieve their individual academic potential and personal best. The petition states that TFSCSI is an independent, public, and site-based TK through grade eight charter school that offers a traditional school calendar, and addresses the unique educational needs of an increasingly at-risk school aged population. The petition states that an educated person, to his/her fullest potential, will become a self-motivated, competent, and productive citizen in the global economy of the twenty-first century. The petition lists the integration of several elements for when and how learning best occurs (Attachment 3, pp. 61–63).

##### Plan for Low-Achieving Pupils

The TFSCSI petition states that mandated state tests in ELA and math determine whether a pupil is below grade level. The petition contains a table that outlines the methods and tools for identifying low-achieving pupils, meeting the educational needs of low-achieving pupils, and monitoring pupil progress (Attachment 3, pp. 78–79).

##### Plan for High-Achieving Pupils

The TFSCSI petition states that academically high-achieving pupils will be identified and referred for a Student Success Team (SST) if they meet the following criteria:

1. Performing more than one grade level above his/her actual grade level
2. Earning four on rubrics of content learning standards in core content learning
3. Performing in the Exceeds Standards level in both ELA and math for two or more consecutive years

The petition states that an SST format will be used to document the goals and objectives, and that the strategies will be specific to the needs of academically high-achieving pupils. Pupil supports allow TFSCSI to customize instruction for the needs of individual pupils by placing high-achieving pupils in differentiated instruction or in appropriate flexible ability groups, which will accelerate the pace and amount of instruction the pupil receives. Additionally, TFSCSI will customize a pupil’s individual work folder with assignments, materials, and activities that accelerate their learning and address the goals and objectives in the SST, as appropriate (Attachment 3, p. 78).

##### Plan for English Learners

The TFSCSI petition does not present a reasonably descriptive plan for ELs. The petition states that TFSCSI will administer the home language survey upon pupils’ initial enrollment into TFSCSI. The initial ELPAC is used to identify a pupil as English proficient or as an EL and is administered within 30 days of enrollment. The petition states that once pupils are reclassified as RFEPs, their academic progress is monitored for a minimum of two year as required by state and federal guidelines (Attachment 3, pp. 74–77); however, the petition does not state that RFEP pupils will be monitored for four years after reclassification.

##### Plan for Special Education

The petition states that TFSCSI shall comply with all applicable state and federal laws in serving pupils with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act 1990, and the Individuals with Disabilities in Education Improvement Act of 2004. The petition also states that TFSCSI will maintain membership and is presently a member of the El Dorado SELPA as well as identifies a plan for special education pupils, including search and serve; assessment referrals; development, implementation, and evaluation of the IEP; and procedural safeguards (Attachment 3, pp. 80–86).

However, the TFSCSI petition does not present a reasonably descriptive plan for special education. The petition does not include a statement confirming that parents can verbally request an evaluation of their pupil and that TFSCSI has an obligation to work with the parents to turn that request into writing. Additionally, the petition did not include sufficient information to show there is a continuum of services to pupils with an IEP. The petition contains inconsistent language regarding the programs and services provided by a SELPA.

### 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. | Yes |
| 1. Include the school’s API growth target, if applicable. | Not Applicable |

**The petition does present a reasonably comprehensive description of measurable pupil outcomes.**

#### Comments

The TFSCSI petition does present a reasonably comprehensive description of measurable pupil outcomes. The petition contains a table that outlines the goals, actions, measurable outcomes, methods of measurement, and applicable pupil groups from 2019–21 through 2023–24 that align with the eight state priorities (Attachment 3, pp. 87–102). The petition outlines academic achievement outcomes for each goal that begin with a baseline of past academic performance and increase by a certain percentage yearly from 2019–20 through 2023–24. For example, the following was outlined for increased pupil achievement for ELA and math on the CAASPP (Attachment 3, pp. 89 and 91):

* ELA
  + Propose to pursue 20 percent of pupils advancing one or more performance level(s) as measured by the 2018–19 CAASPP results beginning with TFSCSI’s baseline of 33 percent and increasing by 3 percent from 2019–20 through 2023–24.
  + Propose to pursue 41 percent of pupils performing at the Met or Exceeds achievement levels as measured by the 2018–19 CAASPP results beginning with TFSCSI’s baseline of 33 percent and increasing by 3 percent from 2019–20 through 2023–24.
* Math
  + Propose to pursue that 15 percent of pupils will advance one or more performance level as measured by the 2018–19 CAASPP results beginning with TFSCSI’s baseline of 29 percent and increasing by 3 percent from 2019–20 through 2023–24.
  + Propose to pursue 26 percent of pupils performing at the Met or Exceeds achievement level as measured by the 20198 CAASPP results beginning with TFSCSI’s baseline of 21 percent and increasing by 3 percent from 2019–20 through 2023–24.

The CDE notes that the petition makes references to performance levels measured by the 2018–19 CAASPP, rather than the 2019–20 CAASPP. Additionally, the outcomes are listed from 2019–20 through 2023–24, rather than 2020–21 through 2024–25.

### 3. Method for Measuring Pupil Progress

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

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

#### Evaluation Criteria

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

| Criteria | Criteria Met |
| --- | --- |
| 1. Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes. | Yes |
| 1. Includes the annual assessment results from the Standardized Testing and Reporting (STAR) program. | Not Applicable |
| 1. Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils’ parents and guardians, and for utilizing the data continuously to monitor and improve the charter school’s educational program. | Yes |

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

#### Comments

The TFSCSI petition does present a reasonably comprehensive description of the method for measuring pupil progress. Additionally, the TFSCSI petition does outline a plan for collecting and analyzing pupil achievement. The petitioner includes an assessment schedule that identifies the assessment framework, a description of assessment tools, and dates. The petition states that a series of questions guide the analysis, and the interpretation and understating of how the data is informing administrators and staff. TFSCSI is focused on using data effectively to inform instructional practices. Teachers are continually supported to plan, organize, and deliver instruction focused on each pupil’s needs as identified by assessments (Attachment 3, pp. 103–107).

### 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. | No |

**The petition does not present a reasonably comprehensive description of the school’s governance structure.**

#### Comments

The TFSCSI petition does not present a reasonably comprehensive description of the school’s governance structure. The petition states that TFSCSI shall comply with the Brown Act, and any other requirements for the location of governing board meetings of TFSCSI, including *EC* Section 47604.1, as added by SB 126 (2019). TFSCSI shall also comply with the Political Reform Act and Public Records Act. However, a review of the TFSCSI bylaws reflect that they do not comply with the Brown Act requirement in several significant ways. This includes, but is not limited to, allowing regular meetings to be held without notice and having no requirement for public notice of special meetings, both of which are in violation of *GC* sections 54954(a) and 54956(c).

The CDE notes that the TFSCSI conflict of interest policy was included in the petition appendices (Attachment 3, pp. 108–109 and Attachment 8, pp. 24–27). This conflict of interest policy is not in compliance with *GC* Section 1090 nor the Political Reform Act as required by *EC* Section 47604.1(b).

The petition states that parents are encouraged to participate in the educational process of their child. Parents may participate in school governance, and support pupils’ educational development and other school activities. TFSCSI has convened a school site council, which contains parent representatives. The petition states that TFSCSI may encourage parental involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at TFSCSI (Attachment 3, p. 112). Additionally, the petition states that, if applicable, TFSCSI shall maintain an English Learner Advisory Committee that shall consist of lead faculty and parents of ELs (Attachment 3, pp. 111–112).

If approved by the SBE, as a condition for approval, the TFSCSI petitioner will be required to revise the petition in order to reflect the SBE as the authorizer and include the necessary language for Element 4–Governance Structure by revising and updating the bylaws to comply with the legal obligations of the TFSCSI Board under the Brown Act as well as the conflict of interest policy to comply with the law, including prohibiting any transactions with entities in which a board member has an interest and requiring annual disclosures of relevant economic interests.

### 5. Employee Qualifications

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

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

#### Evaluation Criteria

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

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

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

#### Comments

The TFSCSI petition does present a reasonably comprehensive description of employee qualifications (Attachment 3, pp. 113–117).

### 6. Health and Safety Procedures

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

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

#### Evaluation Criteria

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

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

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

#### Comments

The TFSCSI petition does present a reasonably comprehensive description of health and safety procedures. The petition states that TFSCSI shall adopt and implement a comprehensive set of health, safety, and risk management policies. The petition states that employees and contractors who are in direct contact with pupils and work at TFSCSI will be required to submit to a criminal background check and furnish a criminal record summary as required by *EC* sections 44237 and 45125.1. The superintendent/administrator and Human Resource staff of TFSCSI shall monitor compliance with this policy utilizing the online Federal Bureau of Investigation and Department of Justice fingerprinting background monitoring feedback service.

The petition states that faculty and staff will be tested for tuberculosis (TB) prior to commencing employment and working with pupils as required by *EC* Section 49406; however, the petition does not state that TFSCSI shall require any volunteer or vendor contracting entity who may have frequent or prolonged contact with pupils, to undergo a risk assessment and/or be examined and determined to be free of active TB within the period of 60 days prior to employment/service. The petition states that all enrolled pupils and staff will be required to provide records documenting immunization as is required at public schools pursuant to *Health and Safety Code* sections 120325 through 120375, and *California Code of Regulations*, Title 17 sections 6000 through 6075 (Attachment 3, pp. 118–120).

### 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 TFSCSI petition does present a reasonably comprehensive description of means for achieving racial and ethnic balance. The petition states that TFSCSI will make every effort to recruit pupils of various racial and ethnic groups so as to achieve a balance that is reflective of the general population of Greater Los Angeles (Attachment 3, p. 121).

The CDE notes that after July 1, 2020, TFSCSI should update its policies to also ensure that it attains a balance of special education and EL pupils as required by amended *EC* Section 47605(c)(5)(G).

### 8. Admission Requirements, If Applicable

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

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

#### Evaluation Criteria

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

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

#### Comments

The petition states that TFSCSI shall admit all pupils who wish to attend the school. The TFSCSI petition states admission preferences in the following order (Attachment 3, pp. 122–123):

1. The charter school grants preference to the siblings of pupils currently enrolled.
2. Children of the staff will be granted a preference but is not to exceed 10 percent of available spaces.

The SBE has the discretion to approve the proposed preferences in the TFSCSI petition at a public hearing.

### 9. Annual Independent Financial Audits

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

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

#### Evaluation Criteria

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

| Criteria | Criteria Met |
| --- | --- |
| 1. Specify who is responsible for contracting and overseeing the independent audit. | No |
| 1. Specify that the auditor will have experience in education finance. | Yes |
| 1. Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed. | Yes |
| 1. Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions. | Yes |

**The petition does not present a reasonably comprehensive description of annual independent financial audits.**

#### Comments

The TFSCSI 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 TFSCSI will select an independent auditor approved by the State Controller on its published list as an educational audit provider. The annual audit will be completed and forwarded to the district, the Los Angeles County Superintendent of Schools, the State Controller, and the CDE by December 15 of each year. The superintendent, along with the audit committee, if any, will renew any audit exceptions or deficiencies and report to the TFSCSI Board with recommendations on how to resolve them. The Board will submit a report to the district describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the district along with an anticipated timeline for the same (Attachment 3, p. 124).

The CDE notes that the petitioner submitted a letter on January 27, 2020, which states that any text referring to IUSD or the district as the chartering entity would be revised to read SBE, as appropriate (Attachment 5, p. 2).

### 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). | Yes |
| 1. If not otherwise covered under subparagraphs (A), (B), (C), and (D): 2. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion. 3. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion. | Yes |

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

#### Comments

The TFSCSI petition does not present a reasonably comprehensive description of suspension and expulsion procedures. Addressing evaluation criteria B, the petition lists discretionary and non-discretionary offenses and procedures for suspension and expulsion (Attachment 3, pp. 127–140); however, the petition also lists willful defiance as a discretionary expellable offense (Attachment 3, p. 131).

Addressing evaluation criteria A and D, the petition states that TFSCSI has developed comprehensive policies that assure a safe and study-oriented learning environment. The Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all pupils at TFSCSI. The petition states that TFSCSI is committed to an annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, a modification to the lists of offenses for which pupils are subject to suspension or expulsion. The petition states that a pupil may be expelled either by the TFSCSI Board following a hearing before it or by the TFSCSI Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three neutral members who are certificated and neither a teacher of the pupil nor a member of the TFSCSI Board (Attachment 3, p. 136).

Addressing evaluation criteria C and E, the TFSCSI 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 TFSCSI, the pupil shall remain in the interim alternative educational setting pending the decision of the hearing officer 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 TFSCSI agree otherwise (Attachment 3, p. 142).

If approved by the SBE, as a condition for approval, the TFSCSI petitioner will be required to revise the petition to reflect the SBE as the authorizer, remove willful defiance as an expellable offense, and include the necessary language for Element 10–Suspension and Expulsion as follows:

When an appeal relating to the placement of the pupil or the manifestation determination has been requested by either the parent or TFSCSI, the pupil shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in 20 *United States Code* Section 1415(k)(l)(c), whichever occurs first, unless the parent and TFSCSI agree otherwise.

### 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 petition does present a reasonably comprehensive description of the TFSCSI retirement systems. The TFSCSI petition states that all employee retirement is funded through participation in the Federal Social Security program and that the superintendent is responsible for ensuring that appropriate arrangements for retirement coverage have been made for all employees (Attachment 3, p. 145).

### 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 TFSCSI petition does present a reasonably comprehensive description of public school attendance alternatives (Attachment 3, p. 146).

### 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 TFSCSI petition does present a reasonably comprehensive description of post-employment rights of employees (Attachment 3, p. 147).

### 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 TFSCSI petition does present a reasonably comprehensive description of dispute resolution procedures (Attachment 5, p. 4).

The CDE notes that the TFSCSI petitioner included a letter, dated January 24, 2020, to the CDE describing changes to the TFSCSI renewal charter necessary to reflect the SBE as the chartering entity. The letter states that TFSCSI will revise the petition to meet the requirements under 5 *CCR* Section 11967.5.1(f)(4) and recognizes that 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. 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. Additionally, TFSCSI recognizes that the SBE is not a local educational agency and cannot be pre-bound to an obligation to split the costs of mediation or agree to participate in mediation to resolve disputes.

### 15. Closure Procedures

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

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

#### Evaluation Criteria

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

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

#### Comments

The TFSCSI petition does include a reasonably comprehensive description of closure procedures (Attachment 3, pp. 151–152).

## 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 TFSCSI petition does provide evidence addressing the requirement regarding standards, assessments, and parent consultation (Attachment 3, pp. 5–7, 103, and 110–112).

### 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 TFSCSI petition does provide the required information and financial projections. The petition states that TFSCSI will locate at 3405 West Imperial Highway, Inglewood, California. TFSCSI will provide or procure most of its own administrative services including, but not limited to, financial management, personnel, and instructional program development either through its own staff or through an appropriately qualified third-party contractor. The petition states that pursuant to *EC* Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school nor for claims arising from the performance of acts, errors, or omissions by the charter school if the authority has complied with all oversight responsibilities required by law (Attachment 3, p. 154 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 TFSCSI petition does meet this requirement (Attachment 3, pp. 5–7 and 113).

### 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 TFSCSI petition does address this requirement (Attachment 3, p. 124).

### 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 address this requirement.**

#### Comments

The TFSCSI petition does present a reasonably comprehensive description of measurable pupil outcomes. The petition contains a table that outlines the goals, actions, measurable outcomes, methods of measurement, and applicable pupil groups from 2019–21 through 2023–24 that align with the eight state priorities (Attachment 3, pp. 87–102). The petition outlines academic achievement outcomes for each goal that begin with a baseline of past academic performance and increase by a certain percentage yearly from 2019–20 through 2023–24. For example, the following was outlined for increased pupil achievement for ELA and math on the CAASPP (Attachment 3, pp. 89 and 91):

* ELA
  + Propose to pursue 20 percent of pupils advancing one or more performance level(s) as measured by the 2018–19 CAASPP results beginning with TFSCSI’s baseline of 33 percent and increasing by 3 percent from 2019–20 through 2023–24.
  + Propose to pursue 41 percent of pupils performing at the Met or Exceeds achievement levels as measured by the 2018–19 CAASPP results beginning with TFSCSI’s baseline of 33 percent and increasing by 3 percent from 2019–20 through 2023–24.
* Math
  + Propose to pursue that 15 percent of pupils will advance one or more performance level as measured by the 2018–19 CAASPP results beginning with TFSCSI’s baseline of 29 percent and increasing by 3 percent from 2019–20 through 2023–24.
  + Propose to pursue 26 percent of pupils performing at the Met or Exceeds achievement level as measured by the 20198 CAASPP results beginning with TFSCSI’s baseline of 21 percent and increasing by 3 percent from 2019–20 through 2023–24.

The CDE notes that the petition makes references to performance levels measured by the 2018–19 CAASPP, rather than the 2019–20 CAASPP. Additionally, the outcomes are listed from 2019–20 through 2023–24, rather than 2020–21 through 2024–25.

### Transferability of Secondary Courses

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

#### Evaluation Criteria

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

**This requirement is not applicable.**

#### Comments

TFSCSI does not serve secondary pupils.