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**TODAY'S FRESH START CHARTER SCHOOL**  
**4514 CRENSHAW BLVD.**  
**LOS ANGELES, CALIFORNIA 90043**

**TODAY'S FRESH START CHARTER SCHOOL-INGLEWOOD**  
**APPEAL OF CHARTER RENEWAL DENIAL**  
**TO THE STATE BOARD OF EDUCATION**

**TAB 6**

**County Board's Findings Evidencing Denial of TFS-Inglewood's**  
**Charter Renewal Petition Appeal, Adopted on 1/7/2020**



**Los Angeles County Board of Education**

**A Communication From:**

**James Cross, Board President**  
**Monte E. Perez, Vice President**  
**Douglas R. Boyd**  
**Betty Forrester**  
**Alex Johnson**  
**Ellen Rosenberg**  
**Thomas A. Saenz**

January 10, 2020

***Via First Class Mail and E-mail:***  
[arutyunyana@todaysfreshstart.org](mailto:arutyunyana@todaysfreshstart.org)

Dr. Jeanette Parker, Lead Petitioner  
Ms. Anna Arutyunyan, Lead Contact  
Today's Fresh Start Charter School  
4514 Crenshaw Blvd.  
Los Angeles, CA 90043

Dear Dr. Parker and Ms. Arutyunyan:

**RE:** Confirmation of County Board Action on Today's Fresh Start Charter School, Grades TK-8 Renewal Petition

This letter serves as confirmation of the action taken by the Los Angeles County Board of Education (County Board) on the renewal petition for the Today's Fresh Start Charter School.

At its regular meeting held Tuesday, **January 7, 2020**, the County Board took action to deny the renewal petition for Today's Fresh Start Charter School received on appeal from Inglewood Unified School District. Attached are copies of the findings of fact and approved action taken by the County Board, which constitutes the final order in this matter.

Should you have any questions, please do not hesitate to contact Mr. Edward Sklar, Attorney At Law, Lozano Smith at (925) 953-1620.

Sincerely,

A handwritten signature in blue ink that reads "Beatrice Robles".

Beatrice Robles, Senior Executive Assistant  
Los Angeles County Board of Education

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**Attachments**

- c: Stephanie Farland, Director, Charter Schools Division, CDE (Email/hard copy)
  - Carrie Lopes, Education Administrator, Charter Schools Division, CDE
  - Sandi Ridge, Education Programs Consultant, Charter Schools Division, CDE
  - Erika Torres, Administrator, Inglewood Unified School District
  - Los Angeles County Board of Education

BOARD FILE

APPROVED  
LOS ANGELES COUNTY  
BOARD OF EDUCATION

JAN 07 2020

Board Meeting – January 7, 2020

BY: DD:AK  
Ex Officio Secretary

Item VII. Recommendations

- A. Adopt the Recommendation to Deny the Renewal Petition for *Today's Fresh Start Charter School, Grades TK-8* – Inglewood. The Renewal Petition comes to the County Board on appeal, following denial by the Inglewood Unified School District

This recommendation comes from legal counsel to the County Board, Edward Sklar of Lozano Smith, and is based on the following two findings:

1. The Renewal Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605(b)(5)(A-O). This includes a failure to provide comprehensive descriptions of the Charter School's educational program, governance structure, employee qualifications, health and safety procedures, means to achieve racial and ethnic balance, and suspension and expulsion procedures.
2. The Petitioner is demonstrably unlikely to successfully implement the program set forth in the Renewal Petition. (Ed. Code, § 47605(b)(2). Specifically:
  - a. The Renewal Petition does not include an adequate financial plan for the operation of the Charter School.
  - b. There are ongoing business entanglements and concerns regarding self-dealing. Further, Petitioner has not shown an ability to resolve these concerns moving forward.
  - c. The Charter School has failed to meet its goals for improving academic performance.

Increases in academic achievement are outweighed by these deficiencies in the Renewal Petition.

Based on a careful review of the Renewal Petition and its appendices, as set forth in the Report and Findings of Fact provided, it is recommended that the County Board deny the Renewal Petition. In order to deny the Renewal Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the County Board to make "written factual findings, specific to the particular petition, setting forth specific facts to support one or more" of the grounds for denying the charter. Therefore, if the County Board determines that it will deny this Renewal Petition, the County Board should adopt the proposed Findings of Fact, that have been provided to it, as its own findings.

## BOARD FILE

Board Meeting – January 7, 2020

Item V. Reports / Study Topics

- A. Report for the Los Angeles County Board of Education and Findings of Fact Regarding Appeal of Denial of Renewal Petition for *Today's Fresh Start Charter School, Grades TK-8 – Inglewood* (Enclosure)

On October 9, 2019, the Board of Education of the Inglewood Unified School District (“Inglewood Board”) denied a renewal petition (“Renewal Petition”) submitted by Dr. Jeanette Parker (“Petitioner” or “Dr. Parker”), seeking to renew the charter of the Today’s Fresh Start Charter School—Inglewood (“TFSCS—Inglewood” or “Charter School”) for a five-year period from July 1, 2020 through June 30, 2025. Petitioner now appeals and asks the Los Angeles County Board of Education (“County Board”) to grant the TFSCS—Inglewood charter.

This Report and the Findings of Fact set forth herein, are based on a careful review and analysis of the Renewal Petition and appendices as denied by the Inglewood Board, as well as an evaluation of the Charter School’s past performance with regard to its academics, finances and operation, in accordance with the criteria and procedures set forth in Education Code sections 47605(c) and 47607(b), and the California Code of Regulations, Title 5 (“5 CCR”) section 11966.5.

This report has been submitted by Edward Sklar (Lozano Smith) and Teresa Ryland (Ryland School Business Consulting).

The complete Report on the written Findings of Fact is attached. Mr. Sklar will present the report to the County Board.

**REPORT FOR THE LOS ANGELES COUNTY BOARD OF EDUCATION AND  
FINDINGS OF FACT REGARDING  
APPEAL OF DENIAL OF RENEWAL PETITION FOR TODAY'S FRESH START  
CHARTER SCHOOL--INGLEWOOD**

**I. Introduction**

On October 9, 2019, the Board of Education of the Inglewood Unified School District (“Inglewood Board”) denied a renewal petition (“Renewal Petition”) submitted by Dr. Jeanette Parker (“Petitioner” or “Dr. Parker”), seeking to renew the charter of the Today’s Fresh Start Charter School—Inglewood (“TFSCS—Inglewood” or “Charter School”) for a five-year period from July 1, 2020 through June 30, 2025. Petitioner now appeals and asks the Los Angeles County Board of Education (“County Board”) to grant the TFSCS—Inglewood charter.

This Report and the Findings of Fact set forth herein, are based on a careful review and analysis of the Renewal Petition and appendices as denied by the Inglewood Board, as well as an evaluation of the Charter School’s past performance with regard to its academics, finances and operation, in accordance with the criteria and procedures set forth in Education Code sections 47605(c) and 47607(b), and the California Code of Regulations, Title 5 (“5 CCR”) section 11966.5.

This report has been submitted by Edward Sklar (Lozano Smith) and Teresa Ryland (Ryland School Business Consulting).

**A. Background—Today’s Fresh Start**

A brief overview of Today’s Fresh Start’s history as a charter school operator in California follows below. For additional information, members of the County Board are directed to Ex. A and to Section V.B. of this Report.

Today’s Fresh Start (“TFS”) currently operates two charter schools in California—a K-8 charter school authorized by the Compton Unified School District and a TK-8 charter school authorized by the Inglewood Unified School District (“District”).

In 2003, TFS was granted a countywide charter by the County Board for the operation of a K-6 charter school. The County Board revoked the charter in 2007. The revocation was ultimately upheld by the Second District Court of Appeals and the California Supreme Court. Prior to the Court of Appeal’s ruling, TFS sought renewal of its charter from the County Board. The County Board denied the renewal, but on appeal, the State Board of Education (“SBE”) granted renewal of the charter for a term that ended on June 30, 2015.

In 2015, the Sacramento County Superior Court ruled that because the County Board’s 2007 revocation had been upheld by the California Supreme Court, the “renewal petition” submitted by TFS was not actually a renewal, and instead, was a new petition for a countywide charter. The County Board denied the petition, and TFS was directed by the CDE to close the countywide charter school.

Shortly thereafter, TFS submitted petitions to Los Angeles Unified School District (“LAUSD”) and Compton Unified School District (“Compton”)—school districts in which the revoked

countywide charter school sites were located. LAUSD denied the charter petition in September 2015; however, in 2015, the Compton Board of Education approved the petition establishing Today's Fresh Start Charter School—Compton (“TFSCS—Compton”) for a five year term.

B. TFSCS—Inglewood

TFSCS—Inglewood was first authorized by the Inglewood Board in 2009. The Charter School is located at 3405 West Imperial Highway, Inglewood, California, and offers a traditional site-based instructional program for students in grades TK through 8 (Renewal Petition, p. 61.) According to the California Department of Education (“CDE”) DataQuest webpage, the Charter School enrolled 431 students in grades K through 8 in 2018-2019. The Charter School's 2018-2019 enrollment included: 47.3% African American students; 49.4% Hispanic or Latino students; and 2.6% American Indian/Alaska Native students. According to the Renewal Petition, the TFSCS—Inglewood student population “includes up to 95% of students who are eligible for free and reduced-price meals.” (Renewal Petition, p. 62)

The budget documents included with the Renewal Petition indicate that the Charter School's enrollment projection for the 2019-2020 school year is 527 students. (Appendix K; See also Section V.B.)

The Charter School's charter was renewed in 2012. In 2015, TFSCS—Inglewood submitted a renewal petition to the Inglewood Board—entitled “Renewal Petition and Material Revision”—seeking renewal of its existing charter and proposing to add a new charter school facility outside the boundaries of the District. The charter was renewed by operation of law when the Inglewood Board failed to take action to approve or deny the charter within sixty (60) days receipt of the renewal petition. (5 CCR, § 11966.4€.) In a resolution acknowledging renewal of the charter, the Inglewood Board denied the requested material revision, finding, among other things, that the proposed location of the second site would violate the geographical restrictions for charter schools as set forth in Education Code section 47605.1(a.)

The Charter School filed a petition for writ of mandate, asking the court to set aside the adopted resolution, and arguing that the entire renewal petition, including the material revision, had been approved by operation of law when the Inglewood Board failed to take timely action to approve or deny the renewal. The trial court rejected the Charter School's argument and denied the requested relief. The trial court's decision was later upheld by the Court of Appeal, finding that the Charter Schools Act explicitly requires a charter petitioner to seek a material revision to a charter petition to add a location, and further concluding that a material revision is not subject to automatic approval by operation of law, as is true for renewal petitions.

C. Timeline for Board Action

Petitioner submitted a copy of its Renewal Petition as denied by the Inglewood Board, to the County Board on or about November 8, 2019. In accordance with Education Code section 47605, subdivision (b), the County Board held a public hearing on December 3, 2019, for the purpose of considering the level of support for the Charter School by parents, teachers and other interested parties.

On December 20, 2019, legal counsel for the County Board, Edward Sklar, and fiscal consultant, Teri Ryland, conducted a “capacity interview” with members of the Charter School's Board of

Directors, as well as its Superintendent and other school leadership. While board governance issues, specified below, were noted in the course of the capacity interview, TFS representatives approached the interview with seriousness and professionalism. Specifically, the performance of TFS' academic "team", comprising the District Principal (Pierre Codio), Support Administrator (Paula Epstein), and the Director of Curriculum and Instruction (Stephanie Moore), were particularly impressive.

The County Board intends to take action regarding the approval or denial of the Renewal Petition on January 7, 2020.

D. Board Action

If the Board determines that it will deny the Renewal Petition, it must adopt written findings of fact to support that determination. If the Board determines it will approve the Renewal Petition, it may take such action without adopting written findings.

II. **Standard of Review for a Charter Renewal Petition**

A. Standard of Review

Education Code section 47607 provides that renewals of charter petitions "are governed by the same standards and criteria set forth in Education Code section 47605" and shall include but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed." (Ed. Code, § 47607(a)(2).) A renewal petition must also describe how the charter school has met all of these requirements of law. (5 CCR, § 11966.5(b)(2).)

The Education Code does not provide explicit guidance in evaluating whether an initial or renewal petition's components are "reasonably comprehensive." Neither does the Code prescribe specific criteria when considering each of a petition's required elements. However, the California Code of Regulations ("Regulations") sets out guidance for use in evaluating a charter school petition submitted to the State Board of Education ("SBE") on appeal. Those Regulations define a "reasonably comprehensive" program and set out specific criteria for consideration of each of the required program elements. (5 CCR, § 11967.5.1) Thus, in order to ensure that it can effectively evaluate the strengths and weaknesses of the Renewal Petition, the County Board has determined that is appropriate to look to the standards set out in the Regulations as exemplars in considering the Renewal Petition. In addition to these applicable regulatory criteria, the County Board also utilizes its own local review criteria to reflect the needs of the County Board as the authorizer and the Los Angeles County Office of Education as the monitoring and oversight agency. (See LACOE Administrative Regulation ("AR") 0420.4: Charter Schools.)

In making the Findings of Fact set out in this Report, each element of the Renewal Petition has been considered in light of the standard for a "reasonably comprehensive" program description and the specific criteria for each required element as set out in 5 CCR, § 11967.5.1. The Regulations provide that: "[a] 'reasonably comprehensive' description, within the meaning of subdivision (f) of this section and Education Code section 47605, subdivision (b)(5) shall include, but not be limited to, information that:

- (1) Is substantive and is not, for example, a listing of topics with little elaboration.
- (2) For elements that have multiple aspects, addresses essentially all aspects the elements, not just selected aspects.
- (3) Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.
- (4) Describes, as applicable among the different elements, how the charter school will:
  - a) Improve pupil learning.
  - b) Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.
  - c) Provide parents, guardians, and pupils with expanded educational opportunities.
  - d) Hold itself accountable for measurable, performance-based pupil outcomes.
  - e) Provide vigorous competition with other public school options available to parents, guardians, and students.”

(5 CCR, § 11967.5.1(g).)

In addition, when considering whether to grant or deny a renewal petition, the County Board “shall consider the past performance of the school’s academics, finances and operation in evaluating the likelihood of future success, along with future plans for improvement, if any.” (5 CCR, § 11966.5€.)

The Education Code further provides that, when considering a petition for renewal, 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.” (Ed. Code § 47607(a)(3)(A).)

#### B. Satisfaction of Academic Performance Criteria

As a prerequisite to the renewal process, a charter school must provide documentation with its renewal petition showing that the charter school has satisfied at least one of the following academic performance criteria (Ed. Code, § 47607(b); 5 CCR, § 11966.5(b)(1).):

1. That the charter school has attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school; or
2. That the charter school ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years; or
3. That the charter school ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years;
4. 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. This determination shall be based upon all of the following: a) documented and clear and convincing data; b) pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools; and c) information submitted by the charter school.

In 2018, Education Code section 52052 was revised to add the following alternative performance criteria for use in lieu of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607: “alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups.” (Ed. Code, § 52052(f).) Thus, a charter school requesting renewal of its charter must, as a prerequisite, provide evidence that it has met the requirements of Education Code sections 47607(b)(4) or 52052(f).

C. Grounds for Denial

The County Board may not deny a petition for renewal unless it makes written factual findings setting forth specific facts to support the charter school’s failure to meet at least one of the academic performance criteria set forth in Education Code sections 47607, subdivision (b) and 52052, subdivision (f), *or*, one or more of the following grounds for denial as set forth in Education Code sections 47605, subdivision (b):

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605, subdivision (d), including that the charter school: (i) be nonsectarian in its programs, admission policies, employment practices, and all other operations; (ii) shall not charge tuition; and (iii) shall not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other legally protected characteristic.
4. The petition does not contain reasonably comprehensive descriptions of certain required elements in its program and operations as set forth in Education Code section 47605, subdivision (b)(5) (A-O), which describes fifteen separate elements that must be addressed in every petition to establish a charter school. These elements include a description of the school’s governance structure, admissions policy, health and safety, and student discipline policies; or
5. The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (“EERA”).

Charter school petitions are also required to include discussion of the impact on the chartering district (or, in this case, the County Board), including, the facilities to be utilized by a proposed charter school, the manner in which administrative services will be provided, potential civil liabilities for the school district (or, in this case, the County Board), and a three year projected operational budget and cash flow. (Ed. Code, § 47605(g).)

### III. Summary and Recommendation of Denial

Based on evaluation of data provided in the Renewal Petition and its appendices, as well as the Charter School's performance on the 2019 California Assessment of Student Performance and Progress ("CAASPP"), it appears that the Charter School has not met at least one of the minimum academic performance criteria set forth in Education Code sections 47607(b)(4) and 52052(f), which by itself, is sufficient basis for denial of the Renewal Petition. However, out of an abundance of caution, a full and complete review of the Renewal Petition and its appendices has been conducted. Pursuant to that review, significant concerns have been identified within the Renewal Petition which warrant denial of the Renewal Petition on the following grounds, pursuant to Education Code section 47605:

1. The Renewal Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-O).
2. Petitioner is demonstrably unlikely to successfully implement the program set forth in the Renewal Petition. (Ed. Code, § 47605(b)(2).)

Accordingly, it is recommended that the County Board deny the Renewal Petition. In order to deny the Renewal Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the County Board to make "written factual findings, specific to the particular petition, setting forth specific facts to support one or more" of the grounds for denying the charter. Therefore, if the County Board determines that it will deny this Renewal Petition, the County Board should adopt the proposed Findings of Fact, set forth below, as its own findings.

### IV. TFSCS—Inglewood Academic Performance

#### A. Satisfaction of Academic Performance Criteria

As noted above, charter schools that have operated for at least four years must first meet one of the minimum academic performance criteria listed in Education Code sections 47607(b) or 52052(f) before the renewal request is analyzed further. (5 CCR, § 11966.4; Ed. Code, § 47607(b).) In other words, if a charter school does not provide documentation in its renewal petition demonstrating that it meets at least one of the academic performance criteria, the chartering authority's governing board may not grant the renewal.

In denying the Renewal Petition, the Inglewood Board concluded that the Charter School did not provide evidence that it had met the academic performance criteria set forth in either Education Code Sections 47607(b)(4) or 52052(f). This Staff Report includes an independent review of the performance data included in the Renewal Petition, considered together with the Charter School's 2019 CAASPP results, finding that the Charter School has not provided sufficient

evidence that it has met one of the prerequisite academic performance criteria. Nonetheless, out of an abundance of caution, the Renewal Petition has been reviewed and evaluated in its entirety.

Results of a review of the Charter School's academic performance criteria are summarized below.

1. Education Code section 52052(f)

According to Petitioner, data included in the Renewal Petition "confirms that TFSCS has met the statutory criteria required for renewal as set forth in Education Code Section 52052(f)," which requires the Charter School to provide evidence of "increases in pupil academic achievement for all groups of pupils schoolwide and among significant student groups." (Renewal Petition, p. 18.)

As shown below, the Charter School's schoolwide academic achievement on the English Language Arts ("ELA") portion of the CAASPP has remained essentially unchanged over the period 2015 to 2019, while schoolwide results on the Math portion of the CAASPP have increased by 9.58%. Among numerically significant pupil subgroups, CAASPP test results for the period from 2015 to 2019 were mixed. Not all numerically significant student subgroups have increased; some have decreased. Specifically, the percentage of Black/African American students meeting/exceeding the CAASPP standard in ELA increased by less than 1% from 2015 to 2019. Math scores for Black/African American students increased by 8.63% during that period. The percentage of Latino/Hispanic students meeting or exceeding the CAASPP ELA standard did not change significantly from 2015 to 2019—increasing by only 0.31%, while the percentage of Latino/Hispanic students meeting or exceeding the CAASPP Math standard fell by 3.18% over the same five-year period. The performance of English Learners from 2015 to 2019 was stagnant in ELA, with the percentage of students meeting/exceeding the CAASPP standard declining by 0.49%; however, the percentage of English Learners meeting or exceeding the CAASPP Math standard grew by 17.07% from 2015 to 2019. For students with disabilities, the results were also mixed. The percentage of disabled students meeting or exceeding the CAASPP standard in ELA fell by 8.99% from 2015 to 2019, while the percentage of disabled students who met or exceeded the CAASPP standard increased by 9.10% during that five-year period.

Based on review of the above data, the Charter School has not provided evidence of "increases in pupil academic achievement for all groups of pupils schoolwide and among significant student groups." (Ed. Code, § 52052(f).)

2. Education Code Section 47607(b)(4)

The Renewal Petition also compares the Charter School's 2018 CAASPP results to those of the Inglewood Unified School District ("District"). Education Code section 47607(b)(4) provides that a charter may be renewed if the charter school demonstrates "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." (Ed. Code, § 47607(b)(4).)

It appears that the Charter School's academic performance is at least equal to the academic performance of the Districts' schools, thus satisfying the second prong of section 47607(b)(4). However, it is not clear that the Charter School's academic performance meets the first prong of section 47607(b)(4), which requires the Charter School's academic performance to be "at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend."

At the October 9, 2019, meeting of the Inglewood Board, a former Board member stated that "less than 10 percent [of the Charter School's] students are from the Inglewood Unified School District population." This assertion was not disputed by the Charter School. (Ex. B, p.3.) Moreover, the Charter School does not identify the residency of its students in the Renewal Petition, merely noting that "[m]ost new enrollees have attended underperforming schools in the geographic area." (Renewal Petition, p. 62.) As noted above, the determination that a renewal petition meets the requirements of Education Code section 47607(b)(4) is based on: "a) documented and clear and convincing data; b) pupil achievement data from assessments . . . for demographically similar pupil populations in the comparison schools; and c) *information submitted by the charter school.*" (Ed. Code, 47607(b)(4))(Emphasis added.) Without information from Petitioner regarding the residency of the Charter School's students, it is impossible to determine the public schools that TFSCS—Inglewood students would otherwise be required to attend school for the purposes of meeting the academic performance criteria set forth in Education Code section 47607(b)(4). Thus, the Renewal Petition does not present sufficient information to support a finding that the Charter School has exhibited academic performance that is "at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend." (Ed. Code, § 47607(b)(4).)

In sum, based on a review of data provided in the Renewal Petition and its appendices, as well as the Charter School's performance on the 2019 California Assessment of Student Performance and Progress ("CAASPP"), it appears that the Charter School has not met at least one of the minimum academic performance criteria, in that the Charter School has not: (1) provided evidence of "increases in pupil academic achievement for all groups of pupils schoolwide and among significant student groups," or (2) evidence 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. (Ed. Code, §§ 47607(b)(4); 52052(f).)

By itself, failure to meet one of the academic performance criteria is grounds for denial of the renewal. However, out of an abundance of caution, a full and complete analysis of the Renewal Petition and its appendices has also been undertaken, finding that the Renewal Petition should be denied on statutory grounds.

#### B. Increases in Pupil Academic Performance

The Education Code provides that, when considering a petition for renewal, 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." (Ed. Code § 47607(a)(3)(A).)(Emphasis added.)

1. Schoolwide Increases in Pupil Academic Achievement

The Renewal Petition includes student performance data from the 2015, 2016, 2017, and 2018 administrations of the CAASPP English Language Arts (“ELA”) and Math assessments. Of note, the Charter School’s 2019 CAASPP data was not included in the Renewal Petition. However, the 2019 CAASPP academic data has been included in this Report so that the County Board may “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.” (Ed. Code, § 47607(a)(3)(A).)<sup>1</sup> The schoolwide data is summarized as follows:

<b>Year</b>	<b>% of Charter School Students that Met/Exceeded CAASPP ELA Standards</b>	<b>% of Charter School Students that Met/Exceeded CAASPP Math Standards</b>
2015	36%	22%
2016	33%	24%
2017	32.95%	21.29%
2018	45.86%	31.83%
2019	36.49%	31.58%

(Renewal Petition, pp. 19-43; (*English Language Arts/Literacy and Mathematics*, California Assessment of Student Performance and Progress <<https://caaspp-elpac.cde.ca.gov/caaspp/DashViewReport?ps=true&lstTestYear=2019&lstTestType=B&lstGroup=1&lstSubGroup=1&lstGrade=13&lstSchoolType=A&lstCounty=19&lstDistrict=64634-0119552&lstSchool=0119552>>.)

In sum, the above results show that from 2015 to 2019, the Charter School’s schoolwide academic achievement on the ELA portion of the CAASPP has remained essentially static (increasing from 36% to 36.49%), while its performance in proficiency on the Math portion of the CAASPP has increased by 9.58%. This data demonstrates mixed results, as both ELA and Math scores trended downward between 2015 and 2017. Scores then spiked in 2018, but then declined in 2019. However, the Charter School’s overall CAASPP 2015 to 2019 scores demonstrate some small gains during this five-year span. The Charter School’s ELA scores improved only minimally, from 36% met/exceeded in 2015 to 36.49% met/exceeded in 2019; however, its Math scores improved from 22% met/exceeded in 2015 to 31.58% met/exceeded in 2019. Thus, it appears that the Charter School has demonstrated some schoolwide increases in pupil academic achievement.

2. Increases in Subgroup Academic Performance

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<sup>1</sup> Pursuant to the statute, the task of considering increases in academic achievement as “the most important factor” must be done by “[t]he authority that granted the charter” when considering renewal. (Education Code section 47607, subd.(a)(3)(A).) However, neither the statute nor its accompanying regulations specify that a county board of education, on the appeal of the denial of a charter renewal, must also consider increases in academic achievement as the most important factor in its decision. In the height of caution, the balance of increases in academic achievement for all groups of pupils served by the charter schools (or lack of said increases) versus other issues / concerns raised in this report, giving greater weight to the increases in academic achievement, is performed.

The Renewal Petition includes the Charter School's CAASPP results, from 2015 to 2018, for numerically significant pupil subgroups, including: Black/African American students, Latino/Hispanic students, disabled students, English Learners, and economically disadvantaged students. These results, along with the 2019 CAASPP scores for these subgroups, are summarized as follows

<b>Year</b>	<b>% of Black/African American Charter School Students that Met/Exceeded CAASPP ELA Standards</b>	<b>% of Black/African American Charter School Students that Met/Exceeded CAASPP Math Standards</b>
2015	33%	16%
2016	30%	14%
2017	28.1%	21.29%
2018	37.41%	23.92%
2019	33.58%	24.63%

<b>Year</b>	<b>% of Latino/Hispanic Charter School Students that Met/Exceeded CAASPP ELA Standards</b>	<b>% of Latino/Hispanic Charter School Students that Met/Exceeded CAASPP Math Standards</b>
2015	39%	30%
2016	39%	34%
2017	37.23%	27.94%
2018	53.43%	40.41%
2019	38.69%	37.23%

<b>Year</b>	<b>% of Charter School Students with Disabilities that Met/Exceeded CAASPP ELA Standards</b>	<b>% of Charter School Students with Disabilities that Met/Exceeded CAASPP Math Standards</b>
2015	18%	0%
2016	13%	7%
2017	10.53%	0%
2018	14.29%	11.43%
2019	9.10%	9.10%

<b>Year</b>	<b>% of Charter School English Learners that Met/Exceeded CAASPP ELA Standards</b>	<b>% of Charter School English Learners that Met/Exceeded CAASPP Math Standards</b>
2015	21%	6%
2016	24%	22%
2017	30.85%	23.65%
2018	35.21%	29.57%
2019	20.51%	23.07%

<b>Year</b>	<b>% of Economically Disadvantaged Charter School Students that Met/Exceeded CAASPP ELA Standards</b>	<b>% of Economically Disadvantaged Charter School Students that Met/Exceeded CAASPP Math Standards</b>
2015	34%	22%
2016	34%	23%
2017	33.33%	21.19%
2018	45.55%	31.97%
2019	37.45%	33.33%

(Renewal Petition, pp. 19-43.)

This subgroup data shows mixed CAASPP results, with academic performance by some numerically significant student subgroups increasing, but others declining. As shown above, the percentage of Black/African American students meeting or exceeding the CAASPP standard in ELA increased by less than 1% from 2015 to 2019; however, Math scores for Black/African American students increased by 8.63% during that period. Notably, the percentage of Latino/Hispanic students meeting or exceeding the CAASPP ELA standard did not change significantly from 2015 to 2019—increasing by only 0.31%, while the percentage of Latino/Hispanic students meeting or exceeding the CAASPP Math standard fell by 3.18% over the same five year period. The performance of English Learners from 2015 to 2019 was stagnant in ELA, decreasing by 0.49%. However, the percentage of English Learners meeting or exceeding the CAASPP Math standard grew by 17.07% from 2015 to 2019. For disabled students, the results were also mixed. The percentage of students with disabilities meeting or exceeding the CAASPP standard in ELA fell by 8.99% from 2015 to 2019, while the percentage of students with disabilities who met or exceeded the CAASPP standard in Math increased by 9.10% during that five-year period. Lastly, results for socioeconomically disadvantaged students showed some gains, with the percentage of students meeting/exceeding the CAASPP standard increasing by 3.45% in ELA and by 11.33% in Math.

C. Comparison of 2018 and 2019 CAASPP Results

1. Schoolwide Comparison of 2018 and 2019 CAASPP Results

Declines in ELA and Math CAASPP scores for the Charter School from 2018 to 2019 are troubling. During that one-year period, the overall percentage of Charter School students meeting or exceeding the CAASPP ELA standards declined from 45.86% in 2018 to 36.49% in 2019—a drop of 9.37%. In Math, the percentage of students who met/exceeded the CAASPP standard remained essentially the same, dropping from 31.83% in 2018 to 31.58% in 2019. However, from 2018 to 2019, scores for Latino students dropped 14.74% in ELA and 3.18% in Math, while scores for English Learners fell 14.7% in ELA and 6.5% in Math. Percentages of disabled students meeting or exceeding CAASPP standards also declined from 2018 to 2019—falling 5.19% in ELA and 2.33% in Math.

2. Comparison of 2018 and 2019 CAASPP Results by Grade Level

Comparison of the 2018 and 2019 Charter School test results by grade level also show mixed results. Most notably, the percentage of Charter School students meeting/exceeding the ELA standards fell by 28.69% for 7th graders and by 22.42% for 8th graders. The percentage of 5th graders meeting/exceeding the ELA standards also fell by 18.53% during that one year period. However, the percentage of 4th grade students who met/exceeded the CAASPP ELA standard increased by 8.07%.

In Math, the percentages of 3rd, 4th, and 6th grade students who met/exceeded the CAASPP standard showed increases of 16.41%, 18.61%, and 15.95%, respectively. However, the percentage of 5th graders who met/exceeded the CAASPP Math standard declined by 21.58% and scores for 8th graders declined by 17.54%.

3. Comparison of 2018 and 2019 CAASPP Results for Cohorts of 3rd to 5th Graders and 6th to 8th Graders

Review of data from the CDE's DataQuest webpage shows a decline in the percentage of students who met/exceeded the CAASPP ELA and Math standards for the cohort of students moving from 3rd grade (2016-2017 SY) to 4th grade (2017-2018 SY) and then to 5th grade (2018-2019) (the "3rd-5th Grade Cohort"). Specifically, the percentage of students who met/exceeded the CAASPP standards declined by 5.93% percent for ELA and declined by 21.75% for Math over that three-year period. Certain numerically significant subgroups within the 3rd-5th Grade Cohort also showed significant declines in percentages of students meeting/exceeding the CAASPP standards. Of particular concern, the percentage of English Learners within the 3rd-5th Grade Cohort who met/exceeded the CAASPP standard declined by 27.58% for ELA and 41.38% in Math over that three year period. Likewise, percentages of Latino/Hispanic students meeting or exceeding the CAASPP standards declined by 4.64% for ELA and by 29.61% for Math. Scores for Black/African American students in the 3rd-5th Grade Cohort also fell by 8.48% for students meeting/exceeding the ELA standard and by 9.31% for students meeting/exceeding the Math standard.

The overall percentages of students in the cohort moving from 6th grade (2016-2017 SY) to 7th grade (2017-2018 SY) and then to 8th grade (2018-2019) (the "6th-8th Grade Cohort") who met/exceeded the CAASPP standards showed increases of 4.83% percent for ELA and 1.9% for Math over that three-year period. Scores for Black/African American students meeting/exceeding the CAASPP standards in the 6th-8th Grade Cohort were mixed—declining by 13.64% for ELA, but increasing by 9.09% in Math.<sup>2</sup>

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<sup>2</sup> No scores were reported by the CDE for disabled students in the 3rd-5th Grade Cohort or the 6th-8th Grade Cohort or for English Learners or Latino/Hispanic students in the 6th-8th Grade Cohort because fewer than ten students in those groups were tested.

4. Charter School 2018-2019 Performance Compared to District Schools

The Charter School's academic performance for 2018 and 2019, as compared to that of the District, was also reviewed.<sup>3</sup> The Renewal Petition states that 45.86% of Charter School students met or exceeded the CAASPP ELA standards in 2018, while 30.01% of District students met or exceeded such standards. (Renewal Petition, p. 44.) Further, the Renewal Petition provides that 31.83% of Charter School students met or exceeded the CAASPP Mathematics standards during this year, while 18.9% of District students did so. (Renewal Petition, p. 47.) Additionally, in 2019, 36.49% of Charter School students scored in the met/exceeded categories in ELA, while 30.01% of District students did so. And 31.58% of Charter School students met/exceeded the Mathematics standards during this year, as compared to 18.54% of District students. (California Assessment of Student Performance and Progress; available at <https://caaspp-elpac.cde.ca.gov/caaspp/>.) These results indicate that schoolwide, Charter School students generally outperformed District students during 2018 and 2019.

The Renewal Petition also includes a comparison between the 2018 CAASPP results of (1) the Charter School's numerically significant pupil subgroups, and (2) those same subgroups within the District. That data shows the following percentages of students who met or exceeded the CAASPP standards:

1. Black or African American Students
  - a. ELA—Charter School: 37.41%; District: 28.55%
  - b. Math—Charter School: 23.92%; District: 8%
2. Latino Students
  - a. ELA—Charter School: 53.43%; District: 30.6%
  - b. Math—Charter School: 40.41%; District: 20.35%
3. English Learners
  - a. ELA—Charter School: 35.21%; District: 14.84%
  - b. Math—Charter School: 29.57%; District: 11.19%

(Renewal Petition, pp. 50-52.)

The following is a comparison of the 2019 CAASPP scores of the same subgroups:

1. Black or African American Students
  - a. ELA—Charter School: 33.58%; District: 27.68%
  - b. Math—Charter School: 24.63%; District: 14.38%
2. Latino Students
  - a. ELA—Charter School: 38.69%; District: 30.96%
  - b. Math—Charter School: 37.23%; District: 20.65%
3. English Learners
  - a. ELA—Charter School: 20.51%; District: 5.03%

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<sup>3</sup> This comparison is made but may have limited value due to the aforementioned statement that no more than 10% of the students at the Charter School are residents of the Inglewood USD.

b. Math—Charter School: 23.07%; District: 4.27%

Thus, Charter School students in numerically significant subgroups generally outperformed District students within those same subgroups for 2018 and 2019.

#### D. Plans for Improving Academic Performance

The Renewal Petition indicates that the Charter School was seeking to “enhance our Met/Exceeds outcomes by 5% schoolwide” in both ELA and Mathematics for the 2018-2019 CAASPP. (Renewal Petition, p. 57.)

To that end, the Renewal Petition described the following strategies for increasing the Charter School’s ELA scores: (1) daily silent reading in the classroom; (2) guided reading time; (3) writing prompts and activities based on the CAASPP; (4) 30 minutes of required daily at-home reading; (5) the provision of an English Language Development companion book for all English learners; and (6) additional support in the areas of phonics, vocabulary, photographic storytelling, and the use of technology in research and writing. (Renewal Petition, p. 57.) The Renewal Petition also describes the following strategies for improving the Charter School’s Math results: (1) daily review of basic math facts; (2) using manipulatives to teach abstract concepts; (3) unit assessment and benchmarking; (4) assigning “problems of the day” to review crucial concepts; (5) using conceptual lesson designs; and (6) using online resources to provide extra practice for students struggling in math. (Renewal Petition, pp. 57-58.)

Additionally, the Renewal Petition sets out specific supports for students who scored in the “Not Met” or “Nearly Met” categories on the CAASPP, including Saturday school, summer enrichment, small group instruction, and after school tutoring. However, the Charter School did not meet its goal of increasing the percentage of students meeting/exceeding the CAASPP ELA and Math standards by 5%. In fact, the percentage of Charter School students meeting or exceeding the CAASPP ELA standards decreased from 45.86% in 2018 to 36.49% in 2019—a drop of 9.37%. In Math, the percentage of students who met/exceeded the CAASPP standard was essentially the same, decreasing from 31.83% in 2018 to 31.58% in 2019.

In sum, pupil academic achievement for all groups of pupils served by the Charter School has been mixed. Schoolwide academic performance on the ELA portion of the CAASPP has remained essentially static (increasing from 36% to 36.49%), while proficiency on the Math portion of the CAASPP has increased by 9.58%. The academic performance of numerically significant subgroups has also been inconsistent—with some subgroups, such as Economically Disadvantaged students showing modest growth in both ELA and Math portions of the CAASPP, while other subgroups, such as English Learners, reported declines in ELA and increases in Math.

#### V. **Findings of Fact**

Please note that while these Findings of Fact have been grouped for convenience, certain Findings may support more than one ground for denial.

- A. Finding 1: The Renewal Petition does not contain reasonably comprehensive descriptions of certain required elements set forth in Education Code section 47605(b)(5)(A-O).

The Renewal Petition does not include reasonably comprehensive descriptions of all of the fifteen required elements set forth in Education Code section 47605(b)(5)(A)-(O). Discussion of those elements in the Renewal Petition that do not meet the “reasonably comprehensive” standard follows.

1. Element A: Educational Program

A charter petition should provide a reasonably comprehensive description of the educational program of the charter school that, at a minimum, includes a description of the instructional approach the charter school utilizes, including, but not limited to, the curriculum and teaching methods that will enable students to master the State’s content standards and achieve the charter school’s stated objectives (Ed. Code, § 47605(b)(5); 5 CCR, § 11967.5.1(f.)). The petition should identify the materials and technology that will be available to students, include an outline of the curriculum for each core academic subject area at each grade, and describe the basic learning environment (e.g. site-based, independent study, etc.). A charter petition should also describe the proposed charter school’s target student population including grade levels, approximate numbers of students, their specific educational backgrounds or challenges, and how the Charter School will identify and respond to needs of pupils who are achieving substantially above or below grade level, English Learners, and students with disabilities.

As discussed in greater detail below, the educational program described in the Renewal Petition is not reasonably comprehensive.

- a. Overview of Instructional Program. The Renewal Petition describes the Charter School’s instructional program as a site-based instructional program based on a traditional school calendar, but offers few concrete details regarding the instructional setting and how instruction is delivered. Further, information provided in the Renewal Petition is sometimes confusing or contradictory. For example, the Renewal Petition states: “While whole group instruction is delivered to the entire class, small group instruction is delivered to smaller groups of students during a session.” (Renewal Petition, p. 66.) It is not clear whether this means that certain students are pulled out of the classroom or segregated for “small group instruction” during the same time when “whole group instruction” is being provided, or whether small group instruction is provided to students in addition to whole group instruction. Also unclear is whether small group instruction is provided to all students, or only to students struggling academically (Renewal Petition, p. 59.)

No narratives describing a “typical day in the life of a TFSCS—Inglewood student” are included, and Petitioner does not clarify whether students at all grade levels are assigned a “homeroom” and receive academic instruction from a single classroom teacher, or whether upper grade students rotate into classrooms throughout the school day as is typical in traditional middle school settings. The Renewal Petition briefly describes a “Power Hour model”, where students are grouped in their grade level clusters three times a week based on their CAASPP results. However, this differentiated instruction is not shown in the Instructional Minutes schedules at Appendix I.

Review of the Instructional Minutes schedules at Appendix I raises questions concerning the Charter School’s instructional program. As one example, the daily

Transitional/Kindergarten Instructional Minutes Schedule, *intended for students ages 4 through 6*, shows an 80-minute English Language Arts period, a 35-minute ELA writing period, a 40-minute English Language Development period, and a 45-minute Mathematics period. No information is included in the Renewal Petition that discusses strategies and instructional methodologies employed by Charter School teachers necessary to keep these very young students engaged and attentive for these lengthy periods. The same schedule shows a Tutoring period from 1:30 to 4:00 pm for TK/Kindergarten students.

- b. Teaching Staff; Class Sizes. The Renewal Petition does not provide any information as to the number of credentialed teachers, paraprofessionals, or instructional assistant currently employed by the Charter School. It is not possible to discern from the Renewal Petition and attached budget documents any information about class sizes or the number of teachers assigned per grade level. The Renewal Petition states that the Charter School currently has in place student to teacher ratios of “up to” 24-to-1 for students in TK through third grade, and “up to” 29-to-1 for students in grades four through eight. (Renewal Petition, p. 64.) However, Petitioner notes that these ratios “are subject to change based on the prevailing State required minimum and maximum teacher to student ratios and as available funding for Class Size Reduction and Local Control Funding Formula (LCFF) funding allowances.” (*Id.*) Thus, it is not possible to know whether the current student to teacher ratios offered by the Charter School will remain as stated or increase from year to year. The Renewal Petition also makes reference to teacher assistants, paraprofessionals and behavior support staff who “are hired to aid the classroom teacher in providing individualized student support”, but goes on to state that this support is only available “as funding allows.” (Renewal Petition, p. 65.)
- c. English Learners. The plan for educating English Learners (“ELs”) described in the Renewal Petition raises some concerns. As an initial matter, Petitioner states that the Charter School uses the “English Learner embedded component” in McGraw Hill curricular materials and other unidentified “English Learner standards based curricula.” (Renewal Petition, 64.) However, the Renewal Petition should identify a specific curriculum for English Learners that addresses the need to support English language development.

In addition, the Renewal Petition does not provide an adequate explanation of core instructional practices for ELs and no targeted supports for ELs are discussed in any depth except for a reference to “sheltered English and SDAIE,” provided without any further detail. (Renewal Petition, p. 74.) Instructional supports and interventions for EL students require a carefully structured and thorough implementation, yet these essential elements of the proposed EL program are not discussed in the Renewal Petition.

Also lacking is a cohesive plan for the delivery of English Language Development (“ELD”) during the school day. The Renewal Petition states that “English learners’ instruction is also mainstreamed throughout the classes for a set aside time.” (Renewal Petition, p. 76.) It is not clear what is meant by this reference. According to Petitioner, EL students receive Designated ELD “for a

period of not less than 120 minutes weekly” and “may be clustered within one or more classrooms at each grade level based on their levels of language development.” (*Id.*) The Instructional Minutes schedules included at Appendix I shows a scheduled block for ELD for all students (not just EL students) in TK/K through 4th grade, but no ELD is listed on the schedules for 5th, 7th, or 8th grades. (Appendix I.) It is possible that the 120-minute English Language Arts period listed for 7th and 8th graders includes designated ELD time, but it is not possible to know from the schedules how much of this block is allocated to designated ELD for EL students. No explanation is provided as to why 5th graders do not receive ELD. The Renewal Petition also does not clarify whether EL students are “clustered” for ELD during the scheduled ELD periods and what non-EL students are doing during the class period designated for ELD. Also unclear is whether the assigned classroom teacher provides all direct ELD during this scheduled period, and if so, who provides instruction to non-EL students while the classroom teacher is providing direct ELD. In sum, the Renewal Petition fails to provide for a coherent and comprehensive ELD program and does not adequately describe how instruction based on ELD standards will be delivered and with what types of curricular materials.

The Renewal Petition states that the progress of English Learner students is “continuously monitored using the English Language Proficiency Assessment for California (“ELPAC”) but does not discuss the ELPAC proficiency levels in any detail, or the specific services and/or supports that are available to EL students at each of the levels. (Renewal Petition, p. 75.) The Renewal Petition simply states that students not making progress are provided “appropriate intervention.” (Renewal Petition, p. 76.) The Renewal Petition is also brief in its discussion of reclassification procedures, and no reclassification policy was included.

- d. *Professional Development.* The Renewal Petition states that intensive professional development is provided prior to the start of the school year, but the length of this pre-school year training apparently varies from one week to two weeks and is dependent on available funding. (Renewal Petition, pp. 64, 73.) A list of professional development topics includes general references to “instructional strategies” for English Learners, African American students and special education students, but does not include any specific trainings for the implementation of state and federal special education laws, Section 504, ELD, or instructional supports and strategies for students struggling academically. No approved professional development calendar for the current or upcoming school year is included and the Renewal Petition does not identify the provider(s) of professional development training for Charter School staff. According to the Renewal Petition, the Charter School collaborates with UC San Diego in order to allow” teachers with Preliminary Multiple Subject Credentials to work on clearing their credentials.” (Renewal Petition, p. 17, 74.) However, no additional details regarding this collaboration are provided.
- e. *Schoolwide Intervention Strategies.* Petitioner lists Saturday School, Summer Enrichment, After-School Tutoring and Expanded Learning Program, and Extended School Day as “schoolwide interventions strategies.” (Renewal Petition, p. 59.) Saturday School is held every Saturday from January to April for students

scoring as “Not Met/Nearly Met” in order to work on skills in preparation for the CAASPP. (*Id.*) “Not Met/Nearly Met” students also participate in Summer Enrichment one month before the school year begins. (*Id.*) No details are provided as to whether instruction during Saturday School and Summer Enrichment is provided by certificated teachers or what qualifications the Charter School requires for non-certificated instructors.

Elsewhere, the Renewal Petition states: “Consultants, in collaboration with other TFSCS education staff, practice intervention reading and math strategies to help enhance individual students in the core curricula.” (Renewal Petition, p. 64.) No information is provided to identify the qualifications of these consultants and whether they work directly with students or under the supervision of a certificated teacher.

The Renewal Petition also states that “other school programs may be held by teachers after school dismissal time” and that “students who have been identified as requiring additional academic support in reading/language arts or math will be expected to attend extended school day tutoring and help with homework.” (Renewal Petition, p. 70.) However, it is not clear whether the tutoring offered during this extended day programming is the same after school tutoring as is referenced earlier in the Renewal Petition and/or is part of the ASES program described in the Renewal Petition. (Renewal Petition, pp. 59, 69.)

As described in the Renewal Petition, an Intervention Team “works with parent involvement to assist in strategies to help the child.” (Renewal Petition, 69.) However, the Renewal Petition does not describe the exact role of the Intervention Team, the identity of its members, or how the Intervention Team develops individualized strategies and interventions to address student behavior. (Renewal Petition, p. 59.) The Renewal Petition also notes that the Intervention Team will remain in place only “as funding allows.” (*Id.*)

- f. *Physical Education; Sports; Arts.* The description physical education and the visual, performing, and musical arts programming offered by the Charter School is extremely brief. The Renewal Petition states that students participate in basketball and cheerleading, but does not specify the grade levels of participants, whether basketball and cheerleading are offered for both boys and girls, or whether these are intramural offerings. (Renewal Petition, p. 56.) It also states that “traditional sports with parent participation, may be offered . . .” but no further information is provided. (Renewal Petition, p. 71.) Physical education is listed as a “core subject” at one place in the Renewal Petition but as a non-core subject at another. (Renewal Petition, pp. 63, 73.) Petitioner states that “[t]here are units on dance, body conditioning, body health, and nutrition” but offers no further detail regarding its physical education program.

With regard to the visual, performing, and musical arts, the Renewal Petition states: “TFSCS is actively pursuing collaborations with . . . outside educators, student teachers, docents, and staff from local businesses and agencies.” (Renewal Petition, pp., 71-72.) It goes on to list a number of art and cultural programs for students offered by museums and musical organizations, but does

not list any collaborations or programs in which Charter School students have actually been participants. (*Id.*)

- g. *Transitional Kindergarten*. The Renewal Petition states that the Charter School offers a transitional kindergarten (“TK”) program, and a schedule of TK instructional minutes is included at Appendix I. (Renewal Petition, p. 61; Appendix I). However, the Renewal Petition does not include the number of TK students served by the school, and the enrollment figures set out in the attached budget documents do not show any TK students enrolled in 2019-2020. (*Id.*)

2. Element D: Governance Structure

A Renewal Petition must provide a reasonably comprehensive description of the Charter School’s governance structure, including the process for parental involvement. (Ed. Code, § 47605(b)(5)(D).) As discussed in greater detail below, the governance structure described in the Renewal Petition is not reasonably comprehensive.

- a. *Compliance with Brown Act*. As an initial matter, the Renewal Petition provides that the Charter School will comply with the Ralph M. Brown Act (“Brown Act”) “and all other requirements for the location of governing board meetings of the Charter School, including Education Code section 47604.1, as added by SB 126 (2019).” (Renewal Petition, pp. 7, 109.) However, the Charter School’s Bylaws (adopted 1996; amended in 2003) do not reference the Brown Act and do not comport with key Brown Act requirements. (Appendix A: Bylaws.) As one example, neither the Renewal Petition nor the Bylaws reference the notice and agenda requirements of the Brown Act, which requires that agendas be posted in a location that is freely accessible to the public and on the Charter School’s website 72 hours in advance of a regular Board meeting and 24 hours in advance of a special meeting. (Gov. Code, §§ 54954, 54954.2(a).) The Renewal Petition and/or the Bylaws should confirm that Charter School parents/guardians and other interested members of the public will receive Brown Act compliant notice of upcoming TFS Board of Directors’ meetings and an opportunity to address any item on the agenda and any other item within the subject matter jurisdiction of the Board of Directors.

As another example, the Bylaws provide: “Members of the Board of Directors may participate in a meeting through the use of conference telephone or similar communications equipment, so long as all members participating in such meeting can hear one another. Such participation shall constitute personal presence at the meeting.” (Appendix A: Bylaws, § 3.07(g).) This language does not comport with the Brown Act, which permits participation by teleconference, but requires posting an agenda at each teleconference location and further requires that members of the public are provided with an opportunity for public comment directly at each teleconference location. (Gov. Code § 54953(b).)<sup>4</sup>

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<sup>4</sup> In fact, on October 31, 2019, meeting minutes reflect that a Board member attended that meeting via teleconference. However, the posted agenda for that meeting did not reflect any notice of the attendance by teleconference. Meeting minutes for December 6, 2018, also indicate that two Directors attended by teleconference; however the posted agenda for the meeting does not reflect any notice of attendance by teleconference.

As a further concern, the Bylaws provide: "Any action required or permitted to be taken by the Board of Directors may be taken without a meeting, if all members of the Board of Directors individually or collectively consent in writing to such action." (Appendix A: Bylaws, § 3.08) Again, this language does not comply with the Brown Act's requirements that governing board action be taken in public, except when a closed session is specifically allowed.

- b. Board of Directors. The Renewal Petition states: "The authorized number of Directors shall have not less than three (3) Directors or more than five (5) Directors unless changed by amendment of the Bylaws." (Renewal Petition, p. 108.) The Bylaws were amended in 2003 to provide for "not less than three (3) Directors nor more than seven (7) Directors." (Appendix A: 2003 Amendment to Bylaws § 3.01.) However, the Renewal Petition has not been updated to reflect this longstanding change.
- c. Board Membership. The Renewal Petition does not include a roster or any information regarding the current composition of the TFS Board of Directors or how long each Director has continuously served on the Board. Further, the number of directors According to the Bylaws, "Each director shall hold office for the term of two (2) years and until a successor Director has been elected and qualified." (Appendix A: Bylaws, § 3.03.) Although Director Clifford Taitt resigned his position more than a year ago, the TFS website continues to list him as a current member of the Board, and no information is provided in the Renewal Petition regarding the TFS Board's plans for filling the vacancy created by his resignation. While the Bylaws do not set a limit on the number of terms directors may serve, the inability to fill a long-standing vacancy, coupled with the re-election of sitting Board members to successive terms, may signal an inability on the part of the TFS Board to attract and recruit persons interested in serving on the Board of Directors.
- d. Meetings. The Bylaws, as amended in 2003, require only two regular meetings of the TFS Board of Directors each calendar year—one meeting in the months January to June and a second meeting in July to December. (Renewal Petition, p. 108; Appendix A: 2003 Amendment to Bylaws §§ 3.01€[sic] and 3.07€.) The Renewal Petition does not discuss how the TFS Board is able to perform all of the duties and functions necessary in order to operate multiple charter schools with such a limited regular meeting schedule. Generally, school district governing boards and county boards of education must schedule monthly or biweekly regular board meetings in order to make sure the governing board can timely complete all of its regular business. It is concerning that the TFS Board of Directors appears to conduct much of its business via special meetings, which may limit the ability of the public to participate in the meetings as allowed under the Brown Act.
- e. Compliance with Other Transparency Laws. The Renewal Petition states that the Charter School will comply with the Political Reform Act and the Public Records Act; however, no mention is made of compliance with Government Code section 1090. While the Charter School argues that compliance with Section 1090 was not required of charter schools at the time the Renewal Petition was submitted to

the Inglewood Board, that argument sidesteps the December 26, 2018, California Attorney General opinion which concluded that charters schools were subject to sunshine and conflict of interest laws, including Government Code section 1090, under the existing statutory scheme.

- f. *Parental Involvement; Committees.* The Renewal Petition includes a brief discussion of the School Site Council (“SSC”) and the English Language Advisory Committee (“ELAC”) but does not include any substantive information regarding committee composition, qualifications for membership, terms of office, meeting schedules, or specific responsibilities of those committees.

3. Element E: Employee Qualifications

Education Code section 47605(b)(5)€ requires a charter petition to include a reasonably comprehensive description of the qualifications to be met by individuals to be employed by the school. The Regulations clarify that a petition should: identify the general qualifications for the various categories of employees that the charter school intends to hire; identify key positions and their specific qualifications; and specify the requirements for employment. (5 CCR, § 11967.5.1(f)(5).)

In this case, the Renewal Petition provides no information regarding the number or category of staff that are actually employed by the Charter School. It is not possible to discern from the Renewal Petition and attached budget documents any information about class sizes, the number of teachers assigned per grade level, or the numbers of instructional assistant or paraprofessionals assigned to each grade level. No starting salary schedules for credentialed, non-credentialed, administrative, or clerical personnel were attached for review. Because no salary schedules are provided, it is not possible to compare a starting or average teacher’s salary at the Charter School with salaries offered by the District and surrounding districts, and to evaluate whether the Charter School can attract and retain qualified personnel. Without a clear idea of the number and category of employees that the Charter School actually employs, the qualifications for all of those positions, as well as salary and benefits information, this element of the Renewal Petition cannot be deemed to be reasonably comprehensive.

4. Element F: Health and Safety Procedures

Pursuant to section 47605(b)(5)(F), the Renewal Petition must include the procedures that the school will follow to ensure the health and safety of students and staff. The Renewal Petition states: “TFSCS shall adopt and implement a comprehensive set of health, safety, and risk management policies.” (Renewal Petition, p. 118.) A brief summary of the health and safety procedures is provided, but no copies of the Charter School’s health and safety policies and procedures are included in the Renewal Petition. This omission is troubling, since TFSCS—Inglewood has been in operation since 2009, and presumably, its Board of Directors has already adopted health and safety policies and procedures. Without a comprehensive set of the Charter School’s health and safety policies for evaluation, the County Board cannot be assured that the Charter School can ensure the health and safety of its students and staff.

5. Element G: Means to Achieve Racial and Ethnic Balance

The Education Code requires the Renewal Petition to include a reasonably comprehensive description of the means by which the Charter School will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the District. (Ed. Code, § 47605(b)(5)(G).) The Renewal Petition should also describe a plan for monitoring and correcting racial and ethnic imbalances in the Charter School, and describe the annual outreach efforts the Charter School will use, including methods the Charter School will use to advertise and recruit students, the geographic areas that will be targeted by outreach efforts, language(s) that will be used in outreach.

In this case, the plan for achieving the required racial and ethnic balance included in the Renewal Petition consists of less than half a page of boilerplate, non-specific information. The Renewal Petition does not provide any data regarding the racial, ethnic, linguistic, or socioeconomic profile of the District or the county. (Renewal Petition, p. 121) It does not identify specific geographic areas to be targeted, specific recruitment materials, outreach efforts, or the languages to be used in the Charter School's recruiting materials.

6. Element J: Suspension and Expulsion Procedures

Charter petitions must include a description of the "procedures by which students can be suspended or expelled." (Ed. Code, § 47605(b)(5)(J).) The Renewal Petition sets forth the grounds upon which students may be suspended or expelled. (Petition, pp. 127-134.) However, the "Discretionary Suspension Offenses" and the Discretionary Expellable Offenses" are identical and there is no standard that provides notice to students as to whether a student who commits such an offense should be expelled, as opposed to being simply suspended. (*Id.*) Although not required to adhere to the Education Code's disciplinary procedures, constitutional due process requires that the Charter School make clear the circumstances under which a student may be eligible for expulsion, as opposed to suspension.

As an additional concern, the Renewal Petition continues to list "willful defiance" as grounds for suspension or expulsion of students. This is inconsistent with the provisions of Senate Bill ("SB") 419, which, effective July 1, 2020, permanently eliminates suspensions for disruption and willful defiance for students in kindergarten to grade 5, and temporarily for grades 6-8. SB 419 also maintains the current restriction on expelling any student if the sole basis for the expulsion was a disruption or willful defiance offense. These restrictions now apply to public and charter schools alike.

B. Finding 2: Petitioner is demonstrably unlikely to successfully implement the program set forth in the Renewal Petition. (Ed. Code, § 47605(b)(2).)

Petitioner is demonstrably unlikely to successfully implement the Charter School's program for the following reasons:

1. The Renewal Petition does not include an adequate financial plan for the operation of the Charter School

A review of the Charter School's financial projections submitted looked to whether the Renewal Petition has presented a **realistic** financial and operational plan, including the areas of administrative services, financial administration, insurance and facilities.

- For any contract services, the regulations require a description of the criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors.
- An unrealistic financial and operational plan for the proposed charter exists when the charter or supporting documents do not adequately include:
  - At a minimum, the first year operational budget, start-up costs, and cash flow, and financial projections for the first three years;
  - Reasonable estimates of all anticipated revenues and expenditures necessary to operate the school including, but not limited to, special education, based, when possible, on historical data from schools or school districts of similar type, size, and location;
  - Budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels; and
  - A budget that in its totality appears viable and over a period of no less than two years of operations provides for the amassing of a reserve equivalent to that required by law for a school district of similar size to the proposed charter school.

This review concludes Petitioner is demonstrably unlikely to successfully implement the program set forth in the Renewal Petition:

a. Financial Statements.

Appendix K was reviewed as the entirety of budget and financial projections submitted with the Renewal Petition. Page 153 of 170 of the Renewal Petition states under "Budget and Financial Reporting" that the financial documents are found in Appendix 9 (labeled Appendix K after submitted documents were analyzed.) In addition, page 167 of 170 of the Renewal Petition references Appendix K titled "Budget 5 year and Financial Projections."

Charter school financial reports are to be submitted in either the state's Standardized Account Code Structure (SACS) report format, or in an approved Alternate Format. Both acceptable formats separate unrestricted and restricted revenues and expenses. The budget projections submitted with the Renewal Petition do not include this separation and cannot be analyzed accordingly. It is important to match restricted revenues, like special education, federal revenue, child nutrition revenue, and state facilities monies, with appropriate and approved restricted expenses as many of these programs have strict spending requirements that must be budgeted and approved. Shortfalls in restricted revenues must be covered by contributions from unrestricted revenues, and any of these revenue shortfalls (like special education) or overspent programs are not identified.

b. Instructional Minutes.

The 2019-20 school calendar was reviewed and contains the indicated 180 days of instruction. The schedules of instructional minutes were sample tested, and the calculation of daily and annual minutes appeared to be correctly calculated and sufficient.

c. Enrollment Projections.

Enrollment projections are a critical factor in calculating revenue and calculating appropriate staffing levels for any local educational agency (LEA.) Knowing when a declining enrollment agency may be turning around that trend, or when a growing agency will stop growing, is vital on both the revenue and expenditure side of the financial position. If enrollment is projected too high, revenue will be overstated and too many teachers could be hired – both creating a fiscal imbalance that could quickly lead to fiscal insolvency. In the case of the Charter School, the enrollment projections submitted are not explained as to methodology of projections and are much higher than actual enrollment of the last few years. Without documentation as to why the enrollment was expected to suddenly grow by 100, or more than 22%, in the current year, revenue appears to be materially misstated. The projected enrollment appears overstated.

Enrollment projections were submitted with the Renewal Petition and were used to calculate ongoing LCFF revenues, as well as other revenues and costs. (See chart below.) The additional budget narrative, supplied as pages 1117-1118 in Section IV.2. of the renewal documents (but not with Appendix K of the original renewal packet submitted to the District), only states, “enrollment and ADA forecast are based on historical data.” The submitted enrollment projections are reflected below:

Enrollment Projections Per Appendix K						
Grade	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
K	90	44	44	44	100	54
1	60	90	90	90	83	200
2	46	56	56	56	90	83
3	70	42	42	42	56	90
4	70	69	69	69	42	56
5	54	69	69	69	69	42
6	64	54	54	54	69	69
7	39	64	64	64	54	69
8	34	39	39	39	64	64
Total	527	527	527	527	627	727

Note in the above TFSCS-Inglewood projections, the random-appearing increases in K and 1st grade in the out years to bring the total enrollment up by 100 students per year. In addition, note the unexplained jumps and drops in the two cohorts highlighted with arrows – 44 2020-21 Kindergartners doubles to 90 1<sup>st</sup> graders, then drops to 56 2<sup>nd</sup> graders. These are not typical patterns for one cohort, or class, of students.

*Weighted Average Cohort Survival Method*

The standard methodology for projecting student enrollment is called the 3-year, weighted average, cohort survival method. This projection methodology weights the most recent enrollment data heavier than older data, creating a cohort or factor that slowly trends the student enrollment numbers in the direction they had been headed. This methodology works as long as the future resembles the past. There are times when new housing development or a local school closure might change the trajectory of the calculated projections, none of which were reflected in the Charter School's projections.

When significant changes are anticipated in a charter school's enrollment, a form indicating the anticipated change is filed with CDE so that the LCFF funding that is "advanced" to the charter school ahead of actual enrollment reporting in December can reflect the changes. Per a review of the CDE web site, no Special Advance Apportionment or PENSEC (Pupil Estimates for New or Significantly Expanding Charters) reflecting anticipated changes are noted. Therefore, without any listed assumptions indicating changes in enrollment patterns, the cohort survival method would be expected to produce reasonable enrollment projections. See CDE website listing charter schools with changes to their Advance Apportionments at <https://www.cde.ca.gov/fg/aa/pa/pa1920.asp>

When using prior years' actual enrollment numbers for the Charter, and projecting future enrollment based on the standard three-year weighted average cohort survival method, enrollment projections are calculated much lower than what was submitted. In fact, the Charter School's actual enrollment reflects three years of decline and without changes to the demographics of the Charter School, a cohort survival method of enrollment projections would project continued decline. Therefore, absent notification of any changes, CDE has calculated the Charter School's current year funding based on prior year data as current law requires. Given the Renewal Petition's submitted enrollment figures, and at approximately \$9,000 per student in LCFF funding, revenue could be overstated \$1.2M to \$4.5M by 2023-24 in the submitted Renewal Petition.

Enrollment Projections Per Standard Cohort Survival Method										
Grade	Actual Enrollment per Dataquest, CDE				cohort	Projected Per Cohort				
	2015-16	2016-17	2017-18	2018-19		2019-20	2020-21	2021-22	2022-23	2023-24
K	85	89	48	47	(0.1561)	40	33	28	24	20
1	66	74	70	42	(0.1552)	40	34	28	24	20
2	66	75	73	68	0.0039	42	40	34	28	24
3	65	80	68	69	(0.0232)	66	41	39	33	28
4	57	83	69	54	(0.1026)	62	60	37	35	29
5	51	69	65	63	(0.0807)	50	57	55	34	32
6	44	32	46	38	(0.3809)	39	31	35	34	21
7	-	26	30	32	(0.2412)	29	30	23	27	26
8			26	18	(0.2400)	24	22	22	18	20
Total	434	528	495	431		392	347	302	256	221
Enrollment Per Submitted Petition						527	527	527	627	727
<b>Difference Between Charter Projections and Cohort Survival Method</b>						<b>135</b>	<b>180</b>	<b>225</b>	<b>371</b>	<b>506</b>

The above chart projects the next five years' enrollment based on the three-year, weighted average cohort survival method. Due to enrollment decline each year for the last three years, and

smaller K-1 classes coming in, enrollment is projected to continue to decline approximately 50 students per year. This projection would continue until action is taken to reverse the decline.

d. Fiscal Operations.

The Renewal Petition falls short of the standard for a realistic financial and operational plan with reasonable estimates and clearly described assumptions. Appendix K, Budget 5 Year and Financial Projections, does not contain any narrative or details of assumptions for either revenue or expense. Appendix K does include two pages of numbers titled “Budget Assumptions” that lists enrollment, ADA, per-student revenue amounts, and the calculation of the district oversight fee. There is no information provided as to the source of these per-student revenues, class sizes, numbers of FTEs, employee benefits provided, or any formulae for calculating any of the expense classifications. **It is impossible to determine if the financial projections submitted with the Renewal Petition are realistic or reasonable without the underlying assumptions being provided.**

*Unsupported Revenue and Assumptions*

1. LCFF funding is calculated on 2019-20 enrollment of 527, or an unsubstantiated increase of 96 over 2018-19, the last year of reported enrollment. Below is a comparison of the budgeted LCFF revenue submitted with the Renewal Petition for the current year (\$4.67M) compared to what CDE has for the current year advance apportionment on their website (\$3.15M):

2019-20 Advance Apportionment per CDE website											
County Code	District Code	School Code	Charter Number	Charter Fund Type	Local Educational Agency	District Type	Charter School LCFE State Aid (0000 8011) A 3	Total Advance Principal Apportionment (Sum of A 1 through A 15) B 1	EPA Entitlement as of 2019-20 Advance (1400-8012)	Total of LCFF State Aid and EPA Entitlement (Line A-1 + Line A-2 + Line A-3 + EPA)	Per Submitted Petition
19	64634	0119552	1075	D	Today's Fresh Start Charter School Inglewood	UNIFIED	3,151,950	3,151,950	677,506	3,829,456	4,666,763
									<b>Overstated Revenue Current Year</b>		<b>837,307</b>
Note, no Special Advance Apportionment, or PENSEC Pupil Estimates for New or Significantly Expanding Charters											

2. There is no backup provided to support the per-student revenue calculations. Federal revenues are listed as flat amounts that remain unchanged over six years. That is not realistic as Federal revenue has been declining, on average, over the last years and is expected to continue to do so. Special education and ASES revenue amounts remain flat, even in 2023-24 and 2024-25 when the number of students jumps by 100 each year. Revenue assumptions must be provided to verify these unusual calculations.

*Understated Expenses and Assumptions*

3. Budgets as submitted are “based on enrollment plus COLA” however, there are no FTEs, class sizes, or salary schedules included. There is no way to determine how many teachers are budgeted per *x* number of students.

4. While there are classified salaries and support services identified as special education, there are no teachers' salaries coded to special education. With approximately 10% of the students identified as special education (per the Capacity Interview), it would seem appropriate that there be specific teachers identified to serve those students.
5. There is zero information provided to describe what the various non-salary expenses are – “Instructional Consultants” at \$200K, \$90K for communications, or \$328K for “Professional/Consulting Services”, all flat amounts increased by an annual COLA.
6. The budget contains a line for Interest on Long Term Debt of \$175K each year. Per the debt service schedule found in the annual audit, the annual payment includes both an interest portion that drops from \$180K in the current year to \$165K in 2022-23 in \$5K increments, and a principal portion that increases from \$249K in the current year and increases in \$5K increments to \$265K in 2022-23. Total debt service each year should be budgeted at \$430K, yet only the Interest portion is reflected in the Other Outgo section of the budget document. It appears that budgeted expenses are short by approximately \$\$250-\$260K per year.
7. Six years of cash flow projections were provided as part of the Renewal Petition, and all years indicated and operating surplus and positive cash balances. However, if LCFE revenue is overstated due to inflated and unsubstantiated enrollment projections as discussed above, cash balances could drop by \$1M to \$4M annually, leaving the Charter School fiscally insolvent.

Based on the review of the documents provided, there are significant concerns related to the future fiscal viability of the Charter School. In sum, concerns exist in the following areas:

- Absence of revenue and expenditure assumptions used for the budget projections, such as number of FTEs, class sizes, statutory benefit rates, professional services contracted out, and source of per-student revenue amounts
- Enrollment projections that are not supported by logical assumptions and project materially more students than the industry-standard cohort survival method of projecting
- Inability to analyze restricted programs separate from unrestricted
- Absence of special education teacher salaries in the budget
- Absence of principal portion of loan repayment in the budget

Given these concerns, Petitioner is demonstrably unlikely to successfully implement the program pursuant to Education Code section 47605(b)(2).

2. 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. Further, they have not shown an ability to resolve these concerns moving forward.

These concerns are reviewed in context: In 2007, the County Board revoked the charter of a TFS countywide charter.<sup>5</sup> In fact, the question was raised at the public hearing: “What has changed” since the 2007 revocation? It should be noted that concerns regarding conflicts of interest and self-dealing were significant bases for revocation twelve years ago. Those concerns regarding conflicts of interest and self-dealing have continued to follow TFS to this day. Petitioners provided correspondence to the County Board’s legal counsel on December 19, 2019 to address these post-revocation concerns. (“Conflict Response, Ex. C.) A review of the Petitioners’ prior conduct, their Capacity Interview, and even their December 19th Conflict Response do not assuage the prior concerns regarding practices criticized by Inglewood USD (in its recent Staff Report), Los Angeles USD (in a 2015 staff Report, attached as Ex. A), and a March 27, 2019 article in the Los Angeles Times (Ex. D).

While some of these concerns are applicable to facilities and business dealings conducted by TFS in regard to operation of its other charter schools, including its Compton school, that is a distinction without a difference. It is conduct by the Charter School’s own Board of Directors and Superintendent. This review may consider past and current operation of the governing board of the charter school. (5 CCR §11967.5.1, subd. (c)(1).)

In its Conflict Response, TFS is without any contrition for prior transactions that have been questioned several times by prior reviewing entities. Further, TFS insists that it has complied with all “applicable” conflicts laws in the past. TFS’ response is a qualified one because it states that Government Code 1090 does not expressly apply to charter schools until January 1, 2020 (with the passage of SB 126). However, this statement completely disregards the California Attorney General’s Opinion from 2018, that charter schools are required by law to comply with the statutory scheme of Government Code section 1090 et seq, in order to prevent self-dealing.

The County Board’s own Administrative Regulation has also required that county authorized charter schools comply with Government Code section 1090 *et seq.*, as well.

Coming out of the 2007 revocation, any reasonable expectation for the TFS governing board would have been hyper-vigilance about any perceived conflicts or self-dealing and fully compliant with the law. However, just the opposite has occurred. Since the 2007 revocation, there have been troubling and self-inflicted concerns that provide the appearance of impropriety. For purposes of this review, we will focus on 2 items of concern. Specifically:

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<sup>5</sup> While TFS describes these revocation proceedings as having been “amicably resolved”, the facts show the closure of the school was only resolved following significant litigation leading to a published decision by the California Supreme Court upholding this County Board’s revocation process.

- a. The contracts with Clark Parker's construction management company
- b. Lease agreements for the TFS – Compton School
  - a. The Contracts with Clark Parker's Construction Management Company.

In 2012, TFS contracted with the construction management company that employed Clark Parker, TFS' Superintendent's spouse. At the time, Clark Parker was also a member of the TFS Board. The construction management contract was for the current TFSCS--Inglewood school site. (Ex. A, p.8. & Ex. C.) In fact, Clark Parker served as the Project Manager for the Inglewood site project, reporting to the TFS Board through the term of the contract. In its Conflict Response, TFS states that, "[i]n September 2013, Today's Fresh Start entered into a five-year contract with California Construction Management Services ('CCMS') for construction management services to assist with the TFS-Inglewood construction project."<sup>6</sup> (Ex. C.)

As recently as September 27, 2018, TFS Board minutes reflect that the contract between Today's Fresh Start and California Construction Management Services was extended. (Ex. E.) (Confusingly, this TFS Board action conflicts with the Conflicts Response, which claims the contract with CCMS expired on September 20, 2018. (Ex. C.))

TFS states that, in compliance with the Political Reform Act, "Dr. Parker and her husband never participated as decision makers on behalf of Today's Fresh Start when it approved the CCMS contract." (Ex. C.)

It is correct that Dr. Parker does not appear to have participated in the Board vote / decision-making to approve these contracts. However, there has been no claim or evidence presented to show that the Clarks did not participate in the consideration or negotiations, or influence the decision of either the initial contract, the 2018 extension, or any other contracts with Clark Parker's construction management company. Under the Political Reform Act, the Parkers' recusal from participation in the deliberation or vote is not enough to avoid the conflict of interest violation. It is also improper to influence or attempt to influence a decision where there is a conflict of interest. (Govt. Code, Sections 87100 and 87103.)

Further, recusal from participation does not cure the conflict of interest pursuant to California Government Code Section 1090. Section 1090 precludes the Parkers from entering into a consulting contract with the TFS Board because of a financial interest, regardless of whether they recused themselves from participation in the contract.

b. Lease Agreements for the Vernon Sites.

The TFS Board leases facilities for its TFS-Compton charter school at seven contiguous lots on Crenshaw Blvd in Los Angeles. (Ex. F., May 31, 2018 Board minutes.) Starting in 2012, TFS leased the facilities from Golden Day Schools, which was owned and operated by Clark Parker,

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<sup>6</sup> In its own Staff Report, Inglewood USD had identified the contract as being ratified on November 8, 2012, the TFS Board approved a consulting contract with Dr. Clark Parker for the term July 1, 2012 through June 30, 2015. The District stated that the 2012 contract paid out a total of \$575,000.00 over its initial three year term.

Dr. Parker's husband, and, at the time, a TFS Board member. (Ex. A. p.8.) The Parkers, owned the actual facilities that were leased and then subleased.<sup>7</sup> (Ex. C.)

According to a Los Angeles Unified School District Staff Report from September 1, 2015:

On August 24, 2012, the TFS board approved a rental agreement between Golden Day Schools and TFS beginning July 1, 2011. This agreement was entered into even after LACOE had based one of the grounds for revocation based on this self-dealing transaction. On November 8, 2012, the TFS board approved an amended rental agreement between Golden Day Schools and TFS for July 1, 2011 through June 30, 2013. This time, Drs. Clark and Jeanette Parker disclosed their ownership of the facilities in the lease and recused themselves from participating and voting on the item. The board was presented with a fair market rental appraisal by real estate appraiser . . . Information that the TFS board concluded that the appraisal presented a "fair market value" is not reflected in the minutes. Further, the minutes do not demonstrate that Drs. Clark and Jeanette Parker left the meeting or did not participate in the appraisal process or any other aspect of the preliminary discussions, negotiations, compromises, or reasoning related to the lease agreements.

(Exhibit A. p. 9.)

In other words, it appears that, in 2011 (and later ratified by the TFS Board in 2012), TFS contracted with a Board member and the TFS Superintendent to lease property owned by the Board member and the Superintendent. With this initial lease, it did not appear that the Parkers either disclosed their interest or recused themselves from participating in negotiations, formation or action on the lease. They do appear to have disclosed their interest and recused themselves from the re-vote the TFS Board took on the lease, 3 months later.

Golden Day Schools no longer operates, so, beginning in 2015, TFS began to sublease the facilities (still owned by the Parkers) from Los Angeles School Services ("LASS"). (Ex. C.) According to TFS, Clark Parker is presently a non-compensated officer and Board member with LASS. (Ex. C.) In fact, he has been the CEO of LASS since at least 2016. (Ex. G.) So to be clear, TFS subleases its Compton facility from its Superintendent's husband's corporation, LASS, in a building owned by TFS's Superintendent and her husband.

On May 31, 2018, these leases were renewed by the TFS Board. The Board minutes from the May meeting reflect only that:

Drs. Clark and Jeanette Park made full disclosure of their interests in the transaction. Drs. Jeanette and Clark Parker recused themselves and left the room.<sup>8</sup>

TFS states that the lease does not violate the Political Reform Act or Government Code 1090 in regard to either the initial 2015 sub-lease with LASS or the 2018 renewal. TFS claims that, "Dr. Parker and her husband never made, influenced, or otherwise participated as decision makers on

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<sup>7</sup> In its Conflict Response, TFS states that the properties are owned by the Parkers' Trust, not the Parkers. For purposes of this analysis, again, a distinction without a difference.

<sup>8</sup> TFS does not describe what was disclosed by the Parkers regarding what their interests were.

behalf of Today's Fresh Start in the decision to enter the lease." (Ex. C.) TFS has provided no information as to the steps taken to remove Dr. Parker from influencing or participating in this process.

Dr. Parker's removal from any major decision by TFS, including whether to lease a particular facility, is hard to fathom. Dr. Parker and her husband, Clark Parker, founded the TFS network of charter schools. She has been the Superintendent of the TFS Charter Schools at least 2005. (Ex. H, p.26.) The Compton facilities has been located in buildings owned by the Parkers since TFS Compton's inception. The TFS Board members came to the Board through Dr. Parker. (Ex. H, p.4.) As has been made obvious throughout its operation, and as made clear at the Capacity Interview, Dr. Jeanette Parker has full and total control of the governance of TFS. .<sup>9</sup>

The same is true in regard to the selection of future TFS Board members. The Board is seeking to add a new, qualified individual to join them. However, the role of searching for potential board members falls specifically with Dr. Parker, not the Board. At the December 20th Capacity Interview, Dr. Parker described her search for a new Board member: "I have been asking around to various people that I know. And I am hopeful that we will find - I have someone in mind." (Transcript of Capacity Interview, Ex. H, p.7.) While she hoped "to discuss it with our Board members and we all agree," the selection of the Board member was clearly in Dr. Parker's hands. (Ex. H, p.7.) Presently, the Board members do not know the status of Dr. Parker's search for another Board member. (Ex. H, p.4.)

Dr. Parker's evaluation is done by the Board. However, there is no specific evaluation process or tool used for this evaluation. When asked if there was an evaluation tool to measure Dr. Parker's job performance, the responding Board member said: "We don't actually have a specific time reserved to just talk about her performance." (Ex. H, p.9.)

The Board has no standing committees, and its Bylaws state the Board will have regular meetings twice a year. The Board members estimate that they Board has met between 4 and 6 times per year over the last two years. However, while she consults with others in regard to preparing the agenda, Dr. Parker appears to determine when special meetings are needed. "She [Dr. Parker] will call a special meeting if she needs something approved." (Ex. H, p.10.) At these meetings, "Dr. Parker always advises us as to what is going on at the school."

The bottom line is that the Board relies on Dr. Parker to make the business decisions at the TFS schools. The Board is loyal to her and defers to her discretion in setting the agenda and picking Board members. Had Dr. Parker removed herself from this process, it would have been unusual.

c. TFS fails to inspire confidence regarding conflicts and self-dealing moving forward.

In its Conflict Response, there is no contrition regarding the concerns raised in prior staff reports by school districts. TFS does promise several steps moving forward. The Response reads:

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<sup>9</sup> TFS did present a July 2, 2018 letter from the Fair Political Practice Commission's Enforcement Division stating there was "insufficient evident to show they use their official positions [at the time, as TFS Board members] to attempt to influence the decisions of the TFS Board regarding the lease agreement [with Golden Day Schools]." However, the FPPC's letter does not address the current leases with Los Angeles School Services. Further, the FPPC does not review concerns regarding Government Code section 1090 *et seq.*

. . . we are proactively bolstering our program and operations. This includes, but is not limited to, crafting new Fiscal Policies and Procedures aligned with FMCAT's Charter Accounting & Best Practices Manual as applicable, updating our bylaws, conducting a comprehensive review of existing policies, and revising a regular Board schedule with increased frequency of regular Board meetings. In addition, we have in the past and have planned to continue to provide Board members training on topics including the Brown Act, conflicts laws, charter school operations, evaluating the Superintendent, fiduciary responsibilities, and more. We also intend to perform a position control and salary audit to further support effective operations. Additionally, the Board seeks to add new, qualified individuals to join the Board.

There is no discussion about any of this in the Renewal Petition or any prior documents submitted by TFS.

Finally, TFS promises:

In order to promote the continued success of our schools of our schools, we are developing a succession plan in collaboration with the Board and the Superintendent.

In regard to a "succession plan", that can only be met with skepticism. First of all, this is the first time it has been raised. It should be noted, that during the Capacity Interview, there was no discussion of a succession plan. There is absolutely no discussion of a "succession plan" in the TFS Board meeting minutes for 2019 or in the Renewal Petition, itself.

The promise of these potential collective remedies fail to inspire confidence that they will be either successfully implemented, or, even implemented at all.

3. The Charter School has failed to meet its goals for improving academic performance.

As discussed above at Section IV. D, the Charter School set out a number of strategies and changes in its instructional methodologies with the goal of increasing its Meets/Exceeds outcomes by 5% schoolwide in both ELA and Mathematics for the 2018-2019 CAASPP.

Specific strategies for increasing the Charter School's ELA scores included the following: (1) daily silent reading in the classroom; (2) guided reading time; (3) writing prompts and activities based on the CAASPP; (4) 30 minutes of required daily at-home reading; (5) the provision of an English Language Development companion book for all English learners; and (6) additional support in the areas of phonics, vocabulary, photographic storytelling, and the use of technology in research and writing. (Renewal Petition, p. 57.)

The Renewal Petition also described the following strategies for improving the Charter School's Math results: (1) daily review of basic math facts; (2) using manipulatives to teach abstract concepts; (3) unit assessment and benchmarking; (4) assigning "problems of the day" to review crucial concepts; (5) using conceptual lesson designs; and (6) using online resources to provide extra practice for students struggling in math. (Renewal Petition, pp. 57-58.)

Additionally, the Renewal Petition listed specific supports for students who scored in the “Not Met” or “Nearly Met” categories on the CAASPP, including Saturday school, summer enrichment, small group instruction, and after school tutoring.

However, the Charter School did not meet its goals of increasing the percentage of students meeting/exceeding the CAASPP ELA and Math standards by 5%. In fact, the percentage of Charter School students meeting or exceeding the CAASPP ELA standards decreased from 45.86% in 2018 to 36.49% in 2019—a drop of 9.37%. In Math, the percentage of students who met/exceeded the CAASPP standard was essentially the same, decreasing from 31.83% in 2018 to 31.58% in 2019. The Charter School’s inability to meet a 5% schoolwide increase in Met/Nearly Met scores for the ELA and Math portions of the 2019 CAASPP utilizing the above strategies, indicate that Petitioner is not likely to successfully implement the instructional program set out in the Renewal Petition.

## **VI. Increases in Academic Achievement are Outweighed by Other Deficiencies in the Renewal Petition**

The Education Code provides that, when considering a petition for renewal, 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.” (Ed. Code § 47607(a)(3)(A).)<sup>10</sup> In arriving at its recommendation, this review considers the prior cited academic increases for the Charter School, giving it the greatest weight of any factor. Over the course of TFSCS-Inglewood’s current charter term,, schoolwide academic performance on the ELA portion of the CAASPP by TFSCS—Inglewood students remained essentially static (increasing from 36% to 36.49%), while proficiency on the Math portion of the CAASPP increased by 9.58%. The academic performance of numerically significant subgroups has also been inconsistent—with some subgroups, such as Economically Disadvantaged students showing modest growth in both ELA and Math portions of the CAASPP, while other subgroups, such as English Learners, reported declines in ELA and increases in Math.

As reviewed in greater detail prior, the ELA scores for Black / African American students was stagnant (less than 1% increase) over the course of the Charter term. Math scores for the same students increased over 8%. In that same period, ELA scores for Latino / Hispanic students were, likewise, stagnant. Unfortunately, the percentage of proficient students in that same group fell by over 3% in Math. Results for EL and students with disabilities were also mixed, falling and rising in respective areas. Socioeconomically disadvantaged students showed certain gains, with increases in ELA (3.45%) and Math (11.33%), over the course of the charter term. As noted in section IV(C), scores fell on a schoolwide basis, and for student subgroups, between 2018 and 2019.

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<sup>10</sup> Pursuant to the statute, the task of considering increases in academic achievement as “the most important factor” must be done by “[t]he authority that granted the charter” when considering renewal. (Education Code section 47607, subd.(a)(3)(A).) However, neither the statute nor its accompanying regulations specify that a county board of education, on the appeal of the denial of a charter renewal, must also consider increases in academic achievement as the most important factor in its decision. In the height of caution, the balance is performed to consider increases in academic achievement for all groups of pupils served by the charter schools (or lack of said increases) versus other issues / concerns raised in this report, giving greater weight to the increases in academic achievement.

In sum, “increases in academic achievement for all groups of pupils served by the charter school” were mixed. When balanced against the prior cited concerns, several issues stand out. In particular, the very public and blatant disregard for the appearance of impropriety, and the self-dealing, that has occurred in regard to TFSCS’ business. The lack of a serious plan to remedy these concerns moving forward is troubling.

The lack of comprehensive descriptions of several essential elements of the Renewal Petition raises great concern. Comprehensive descriptions of these elements lay out the “ground rules” for how the Charter School will operate, therefore, essential in allowing the chartering authority to perform its oversight duties. For example, it would be difficult for the County Board to know what the educational program it is overseeing is supposed to look like based on the description provided in the Renewal Petition.

When added to: a) the fiscal, budgetary and enrollment uncertainties cited in this report, and, b) the failure of the Charter School to meet its own academic goals, the concerns cited in the report outweigh the increases in academic achievement that can be cited.

In sum, increases in academic achievement for the Charter School, as a whole, and for its student subgroups, are outweighed by a finding that the Renewal Petition did not include reasonably comprehensive descriptions of all required elements, and a finding that Petitioner is demonstrably unlikely to successfully implement its program.

## **VII. County Board Action & Recommendation**

Based on a careful review of the Renewal Petition and its appendices, as set forth in this report, it is recommended that the County Board deny the Renewal Petition. In order to deny the Renewal Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the County Board to make “written factual findings, specific to the particular petition, setting forth specific facts to support one or more” of the grounds for denying the charter. Therefore, if the County Board determines that it will deny this Renewal Petition, the County Board should adopt the proposed Findings of Fact, set forth herein, as its own findings.

## **Exhibit A**



## Los Angeles Unified School District

333 South Beaudry Ave,  
Los Angeles, CA 90017  
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### Board of Education Report

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#### Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park [Public Hearing]

##### Action Proposed:

Staff recommends denial of the charter petition for Today's Fresh Start Adams Hyde Park (TFS-Adams Hyde Park), proposed to be located on two sites in Board District 1 with the Adams site in Local District Central (LDC) and the Hyde Park site located in Local District West (LDW). Staff recommends the adoption of the attached *Findings of Fact In Support of Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park*.

##### Background:

On July 6, 2015, TFS-Adams Hyde Park submitted a charter school petition application to the Charter Schools Division (CSD) seeking approval for a TK-6 elementary school charter on two sites serving a combined total of 217 students in year 1 and up to 281 students by the fifth year of the charter term. (The Adams site plans to open with 137 students in TK-6 in year one and grow to 160 students by year five and the Hyde Park site intends to open with 80 students in grades TK-4 and grow to 121 students in grades TK-6 by the fifth year of the charter term). The Adams site is located at 2255-57 West Adams Boulevard in the 90018 ZIP Code and the Hyde Park Campus location is 6422 Crenshaw Boulevard in the 90043 ZIP Code both of which are served by Board District 1 and Local Districts Central and West, respectively. Today's Fresh Start has indicated in the petition that it does not intend to apply for facilities under California Education Code § 47614 (Proposition 39).

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As described further below, TFS' previous charter was revoked by the Los Angeles County Office of Education for several significant findings, and the revocation was upheld by the California Supreme Court. TFS has not complied with the State Board of Education applicable closure procedures for said charter and is seeking to continue operations under new charter petitions including with Compton Unified School District.

Upon submission, the District comprehensively reviews each petition application to determine whether petitioners have met the requirements set forth in California Education Code sections 47605. The 60-day statutory timeline for Board action on this petition runs through September 4, 2015. The school waived the 30 day public hearing; therefore the public hearing included in the Board action on the petition satisfies the statutory public hearing requirement.

##### Statutory Framework

Education Code section 47605(b) sets forth grounds for denying a charter petition. Section 47605(b) states that "[t]he governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

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

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school.

- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision [47605](a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d) [of section 47605].
- (5) The petition does not contain reasonably comprehensive descriptions of all of the [sixteen elements set forth in section 47605 (b)(5)].”

#### Grounds for Denial

Staff of the Charter Schools Division and the Office of the General Counsel reviewed the charter petition application for Today's Fresh Start Adams Hyde Park. Based on the results of the District review process, staff assesses that petitioners have not met the criteria for approval.

Based on the District's comprehensive review, and as fully discussed in the attached *Findings of Fact In Support of Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park*, staff has determined, in accordance with Education Code sections 47605(b), the following:

- Petitioners are demonstrably unlikely to successfully implement the educational program set forth in the petition. (Ed. Code section 47605(b)(2); and
- The petition does not contain reasonably comprehensive descriptions of all of the sixteen elements set forth in section 47605 (b)(5).

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In alignment with the State Board of Education's criteria for its review of charter school petitions (5 CCR § 11967.5.1(c)), staff considers the following set of factors in determining whether petitioners are demonstrably unlikely to successfully implement the educational program:

- The petitioners have a past history of involvement in charter schools or other education agencies (public or private) which the charter authorizing agency 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.
- The petitioners are unfamiliar with the content of the petition or the requirements of law that would apply to the proposed charter school.
- The petitioners have presented an unrealistic financial and operational plan for the proposed charter school.
- The petitioners personally lack the necessary background critical to the charter school's success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.

#### The TFS-Adams Hyde Park Petitioners Are Demonstrably Unlikely to Successfully Implement the Educational

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Program Set Forth in the Petition:

The TFS-Adams Hyde Park petitioners are demonstrably unlikely to successfully implement the program set forth in their petition. First and foremost, the petitioners have operated a charter school that has been revoked. Today's Fresh Start Charter School (TFS), which operated on multiple sites including the two locations proposed in this petition, was revoked by LACOE in December 2007 based on the following:

- Violations of the Brown Act
- Engagement in self-dealing transactions
- Violations in state testing requirements, resulting in the CDE requiring LACOE to proctor the state test for Today's Fresh Start the following year
- Failure to remedy 50 of 54 violations in accordance with the LACOE Corrective Action Plan which included, among other things, issues regarding safety, due process rights of students, parents, and employees, and conflicts of interest
- Failure to address students' outcomes identified in the charter and failed to report progress to its authorizer on stated academic goals
- Repeated failures to respond to reasonable requests from LACOE, its authorizer, as required by statute
- Failure to maintain valid Certificates of Occupancy for two of its five sites
- Failure to train staff to correct attendance-related procedures such as having substitutes sign off on student attendance for classes not taught and showing as present students who were actually out ill

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TFS appealed the revocation to the State Board of Education (SBE) and the SBE upheld the revocation. Through a petition for a writ of mandate filed by TFS, the revocation was stayed by the superior court; however, the charter school continued operating pending the ongoing litigation. The superior court issued a writ in October 2008 setting aside LACOE's decision to revoke the charter. LACOE appealed the ruling. In 2010, during the pendency of the continuing litigation, SBE renewed the TFS petition. In 2011, the court of appeal overturned the 2008 ruling. TFS appealed, and in 2013, the California Supreme Court ultimately upheld the charter revocation. Throughout the duration of the litigation, TFS continued to operate under LACOE's and then the SBE's authorization. Finally, in 2015, following subsequent new litigation over the status of TFS's renewal petition, the superior court in Sacramento ruled that, as a result of the California Supreme Court's decision upholding the 2007 revocation, the petition submitted by TFS to the SBE could not be considered a "renewal," but must be viewed as a new petition for the authorization of a countywide charter school. TFS submitted a countywide charter petition to LACOE, which was denied; Education Code section 47605.6(k) precluded an appeal to the SBE. TFS was directed by CDE to invoke closure procedures. TFS then submitted new charter school petitions, including this petition, to the local jurisdictions in which the sites of its revoked charter school were located (Compton Unified School District and LAUSD).

In addition to this past history of leadership involvement in a revoked charter school, review of the TFS-Adams Hyde Park petition documents and other public records, as well as oversight documents related to the revoked school obtained from the SBE and LACOE, has revealed ongoing and recent concerns with violations of law

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and conflicts of interest issues concerning leasing transactions, facility contracts, and other matters.

For example, due diligence conducted by CSD staff, which included review of Today's Fresh Start Adams Hyde Park Governing Board member résumés and questionnaires as well as other public records, revealed that, in January 2014, the TFS organization received an order to comply for unapproved occupancy of the Adams location for charter school use after years of operating on the site without the appropriate occupancy approval. TFS reportedly appealed the order; available documentation does not indicate the status of this appeal. In addition, in November 2014, the Today's Fresh Start Governing Board approved a resolution purportedly making City of Los Angeles zoning ordinances inapplicable to its school properties. Regarding prior concerns about conflicts of interest, Board minutes for meetings as recent as May and June 2015 show that the TFS Superintendent continues to serve as a member of the Governing Board as well. Further information and detail is provided in the attached Findings of Fact.

The record of academic performance of the revoked Today's Fresh Start Charter School also presents concerns. Although the school's five sites collectively achieved a 2013 schoolwide API of 833, and met 2013 API growth targets, TFS has failed to reclassify any English Learners in the past two years despite the fact that this subgroup comprises 30% of its population.

Moreover, review of the TFS website also found documents that describe school policies and practices which contradict the District's Discipline Foundation Policy, such as disenrollment due to attendance issues and involuntary transfer to the student's district of residence as a behavior consequence.

Petition application documents further demonstrate that petitioners are unlikely to successfully implement the proposed program. For example, the petition:

- Includes a budget that is not fiscally viable and represents an unrealistic financial plan
- Fails to describe a Governing Board that includes educational expertise

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*See the attached Findings of Fact In Support of Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park, for additional information.*

The TFS-Adams Hyde Park Petition Does Not Contain Reasonably Comprehensive Descriptions of the Required Elements

The petition does not contain reasonably comprehensive descriptions of the elements. See the *Findings of Fact In Support of Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park* for additional details. For example, Element 1 of the petition contains insufficient criteria for English Learner reclassification, and insufficiently addresses the needs of Long Term English Learners (LTELs). Description of the instructional program does not consistently reflect current Common Core State Standard instructional practices. The petition fails to include descriptions of important aspects of governance in Element 4, such as procedures for Governing Board decision making and the process and criteria for selection of Board members. Element 10 and the admissions forms submitted with the petition contain several policies and practices that raise serious concerns regarding access and equity, and also contradict the District's Discipline Foundation Policy and the School Climate Bill of Rights. A "Parent Acknowledgement" component of the enrollment packet explicitly states that, in regard to a student's disruptive behavior, "another school environment may prove to have more success for your child."

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In addition, the petition fails to include well-defined, rigorous, and measurable schoolwide and subgroup academic achievement goals that meet the requirements of the Charter Schools Act, including SB 1290. For example, in Elements 2/3, the petition provides only a generic schoolwide and subgroup goal of "increasing the percentage of students scoring proficient and advanced" on CAASPP, Study Island, and NWEA. The petition fails to provide specific quantitative academic performance targets designed to increase annual subgroup academic performance in core subjects.

The Board of Education's public hearing on the petition for Today's Fresh Start Adams Hyde Park is on September 1, 2015 due to the petitioners waiving of a thirty-day public hearing.

The petition is available for perusal in the office of the Charter Schools Division and online at the District's Board of Education website at <http://laschoolboard.org/charterpetitions>.

**Expected Outcomes:**

Adoption of the Findings of Fact to Deny the charter petition will prevent the establishment of Today's Fresh Start Adams Hyde Park as an LAUSD authorized charter school.

**Board Options and Consequences:**

"Yes" - The adoption of the recommendation of denial and the attached *Findings of Fact In Support of Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park* would prevent the establishment of Today's Fresh Start Adams Hyde Park as a charter school, unless petitioners appeal the denial and the charter is granted by the Los Angeles County Board of Education or the California State Board of Education.

"No" - Should the Board not adopt staff recommendation of denial of the charter petition and the attached *Findings of Fact In Support of Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park*, the charter petition for Today's Fresh Start Adams Hyde Park would be approved for a charter term beginning September 1, 2015 and ending June 30, 2020. Any such approval of the charter petition shall be conditioned upon provision by TFS, of evidence that they have completed all SBE closure procedures including submission of a 2014-15 financial audit and within 30 days of Board approval, submission of a revised charter petition that meets all LAUSD requirements, including but not limited to a reasonably comprehensive description of all sixteen required elements and inclusion of all current District Required Language, and a signed Special Education MOU that specifies the LAUSD SELPA option in which the school will participate.

**Policy Implications:**

No policy implications at this time.

**Budget Impact:**

The Local Control Funding Formula (LCFF) and various other income sources of the District are reduced when current District students enroll at a charter school, and corresponding reduction in expenditures may not occur in such cases. If the Board adopts staff recommendation of denial of the petition, the action will not have a budget impact. If the Board does not adopt the staff denial recommendation and the petition is approved, the impact on the budget will be commensurate with the terms of the specific Special Education Local Planning Area (SELPA) MOU (Option 1, 2 or 3) executed by the charter school and the District.

**Issues and Analysis:**

Issues are outlined above and in more detail in the attached *Findings of Fact In Support of Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park*.

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**Attachments:**

Findings of Fact In Support of Denial of the Charter Petition for Today's Fresh Start Adams Hyde Park

**Informatives:**

Not applicable

**TODAY'S FRESH START ADAMS HYDE PARK  
Findings of Fact for Denial of New Petition  
By the Los Angeles Unified School District**

**BOARD OF EDUCATION REPORT 027-15/16  
September 1, 2015**

The charter review process requires the authorizer to evaluate whether the charter petition meets the criteria for approval.  
Education Code Section 47605 (b) states the required petition elements and conditions for denial.  
Education Code Section 47605 outlines additional petition criteria.

**I. INTRODUCTION.**

On July 6, 2015, Today's Fresh Start Adams Hyde Park (hereinafter "TFS-Adams Hyde Park," "TFS" or "Charter School") submitted a charter petition ("Petition") to the Charter Schools Division ("CSD") of the Los Angeles Unified School District (hereinafter "District" or "LAUSD"). The Charter School seeks authorization to serve 217 students in grade TK-6 in year 1, with expansion to 281 students in year 5. The Charter School proposes to operate in Board District 1 with two sites: the Adams site in Local District Central and the Hyde Park site in Local District West.

California Education Code section 47605(b) provides that a school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. Section 47605(b) provides that the governing board shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a) of Education Code 47605.
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d) of Education Code 47605.
- (5) The petition does not contain a reasonably comprehensive description of all required elements.

TFS was authorized as a countywide benefit charter school by the Los Angeles County Board of Education in 2003, renewed in 2005, and then revoked in 2007. The county board presented very serious findings in support of the revocation which was eventually upheld by both the 2<sup>nd</sup> District Court of Appeals and the California Supreme Court. Based on the California Supreme Court ruling and subsequent court ruling from the Sacramento Superior Court, TFS submitted charter petitions in local authorizing school districts, including LAUSD. In making the recommendation to deny the new charter petition for TFS-Adams Hyde Park, the LAUSD Charter Schools Division (CSD) staff reviewed the current state of the organization, the petition submitted for review and accompanying documents, and documents obtained from Los Angeles County Office of Education (LACOE) and the California Department of Education (CDE).

In reviewing the past history of a charter operator, it is appropriate to look to the history of the school itself as well as the record of performance of the petitioners and board members that will operate the charter school. As detailed fully below, the review of various documents demonstrates that the petitioners are unlikely to implement the program because their record of performance demonstrates a lack of adherence to requirements of law and legal aspects of operating a charter school. The petitioners' record of organizational management and performance reflect a problematic history in the area of legal compliance both as charter school operators and operators of a state-funded preschool. This history does not assure the school's success in the areas of curriculum, instruction, assessment, governance or business management. The petitioners' record of performance does not demonstrate willingness to work with the authorizer, or to be responsive to and compliant with requests for information, submission of reports and necessary documents, or in the general operation of the school. Moreover, a review of recent documentation also shows that issues that were raised by LACOE which led to the revocation of TFS were not fully resolved, and are relevant as significant concerns today. For example, some of these issues deal with a pending notice of compliance from the Los Angeles City Department of Building and Safety, TFS board composition and governance, and conflicts of interest. CSD's review of the petition also reveals that the charter petition does not contain reasonably comprehensive descriptions of all the required elements required in a charter petition.

## **II. FINDINGS OF FACT FOR DENIAL**

### **A. The petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition for TFS-Adams Hyde Park. (Ed. Code § 47605(b)(2).)**

The State Board of Education, in reviewing charter petitions, considers the following set of factors in determining whether petitioners are demonstrably unlikely to successfully implement the educational program:

- The petitioners have a past history of involvement in charter schools or other education agencies (public or private) which the charter authorizing agency 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.
- The petitioners are unfamiliar with the content of the petition or the requirements of law that would apply to the proposed charter school.

- The petitioners have presented an unrealistic financial and operational plan for the proposed charter school.
- The petitioners personally lack the necessary background critical to the charter school's success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.

(5 CCR § 11967.5.1(c))<sup>1</sup>

Based on a review of documents obtained through California Public Records Act requests from the Los Angeles County Office of Education (LACOE) and the California Department of Education (CDE) and other publically available information, the Charter Schools Division makes the following findings that petitioners are demonstrably unlikely to successfully implement the program:

***1. Petitioners Have a Past History of Unsuccessfully Operating a Charter School and a State-Funded Preschool***

***a. Petitioners Previous Charter Under LACOE Authorization Was Revoked***

Petitioners operated Today's Fresh Start Charter School which was authorized by LACOE in 2003, renewed in 2005, and revoked in 2007.

TFS appealed the Los Angeles County Board of Education's (LACBOE) revocation to the State Board of Education (SBE) and the SBE upheld the revocation. Through a petition for a writ of mandate filed by TFS, the revocation was stayed by the Superior Court enabling the charter school to continue operating pending the ongoing litigation. The Superior Court issued a writ in October 2008 setting aside LACOE's decision to revoke the charter. LACOE appealed the court's ruling. In 2010, during the pendency of the continuing appeal, TFS submitted a renewal petition to LACOE which LACOE denied. On appeal, SBE then renewed the TFS petition. In 2011, the Court of Appeal overturned the 2008 Superior Court ruling. TFS appealed, and in 2013, the California Supreme Court ultimately upheld the charter revocation. Throughout the duration of the litigation, TFS continued to operate under LACOE's and then the SBE's authorization. Finally, in 2015, following subsequent new litigation over the status of TFS's renewal petition, the Superior Court in Sacramento ruled that, as a result of the California Supreme Court's decision upholding the 2007 revocation, the petition submitted by TFS to the SBE could not be considered a "renewal," but must be viewed as a new petition for the authorization of a countywide charter school. TFS submitted a countywide charter petition to LACOE, which was denied on grounds that they did not operate a countywide

<sup>1</sup> State Board of Education Regulations (CCR, Title 5, Section 11967.5.1 – Criteria for the Review and Approval of Charter School Petitions by the State Board of Education) have been adopted in LAUSD's Charter Authorizing Policies and Procedures as factors for determining whether petitioners are demonstrably unlikely to successfully implement the program. (See <http://achieve.lausd.net/cms/lib08/CA01000043/Centricity/Domain/106/Administrative%20Procedures%20Charter%20Schools-Revised%2009-10-13.pdf>).

school; Education Code section 47605.6(k) precluded an appeal to the SBE. TFS was directed by CDE to invoke closure procedures. TFS then submitted new charter school petitions, including this petition, to the local jurisdictions in which the sites of its revoked charter school were located (Compton Unified School District and LAUSD).

LACOE revoked Today's Fresh Start Charter School on several violations pursuant to Education Code section 47607(c), including but not limited to the following material grounds:<sup>2</sup>

**1) Brown Act Violations:**

In 2007, TFS' Board passed a resolution to seek a material revision to its charter with LACOE without holding a board meeting in violation of the Brown Act. In response to LACOE's inquiry regarding the board action, TFS indicated that the Brown Act did not apply because the action without a meeting was authorized by the California Corporations Code. LACOE continued to request documentation from TFS that it was adhering to the Brown Act and the provisions in its charter that it would comply with the Brown Act. Throughout, TFS continued to deny any violation of the Brown Act and maintained that its action was permissible.

**2) Self-dealing Transactions:**

a) **Lease Transactions:** LACOE provided the following evidence in its revocation documents: TFS leased space for its school from a nonprofit corporation, Golden Day Schools. Golden Day Schools' principals, officers and/or directors are Jeanette and Clark Parker. The evidence showed that TFS was renting space from a corporation controlled by the Parkers and that the Parkers have a direct financial interest in the lease transaction. Revocation documents show that TFS never adequately addressed the self-dealing issue.

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b) **TFS and Pacific National University:** LACOE found that TFS contracted with Pacific National University (PNU) to evaluate the High Priority Schools Grant Program TFS obtained from the State. Under the grant, TFS was required to obtain an independent agency to evaluate the program and make recommendations for improvement. TFS received a start-up grant allocation of \$50,000. TFS contracted with PNU in the amount of \$45,000. Although Dr. Clark Parker denied Jeanette Parker received any financial gain, LACOE found on the PNU website that Jeanette Parker was the University's Chancellor, Founder, Board President and faculty member. Further, the address on PNU's website was the same address as TFS' letterhead.

**3) STAR Testing Irregularities:**

On or about May 2007, LACOE followed up on an allegation from a TFS staff of testing irregularities in the administration of STAR tests. LACOE issued corrective action plans to TFS which included adherence to state laws, notification to LACOE of testing dates and use of outside monitors for

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<sup>2</sup> The revocation documents obtained through a Public Records Act request from LACOE are voluminous. Included in Exhibit 1 are the most relevant documents which reflect the violations which led to the revocation of TFS by LACOE and LACOE's letter to the CDE. (See Exhibit 1, LACOE Revocation Packet).

administration of testing. The State's Educational Testing Service (ETS) also conducted an investigation and in August 2007, the investigation demonstrated that an adult testing irregularity did occur at TFS during the administration of the 2007 STAR program.

**4) Failure to remedy violations in accordance with the LACOE Corrective Action Plan which included, among other things, issues regarding safety, due process rights of students, parents, and employees, and conflicts of interest:**

In a letter dated July 31, 2007, LACOE provided TFS with a chart of corrective actions required to be taken by TFS including due dates. LACOE had provided TFS with details of violations in its report of finding and actions required to cure them in the corrective action plan (CAP), followed by correspondences geared towards making workable arrangements to resolve the violations. TFS failed to meet the recommendations and timelines set in the CAP. TFS' responses challenged LACOE's right to issue the CAP and demand compliance; provided inadequate data and responses to correct the violations; and, initiated a lawsuit against LACOE for breach of charter and sought an injunction to preclude LACOE from conducting its investigation. LACOE's November 29, 2007 report on Follow Up to the Response of TFS detailed inadequacies in TFS' responses and materials submitted.

**5) Repeated failures to respond to reasonable requests from LACOE, its authorizer, as required by statute:**

On or about June 2007, LACOE informed TFS of its intent to conduct an investigation of TFS operations, listing areas of focus. Following LACOE's investigation and the subsequent CAP provided to TFS on July 30, 2007, TFS declined to meet and confer with LACOE. Although TFS issued a "Post-CAP TFSCS Correspondence - Redacted" document, the response did not address all of the issues and contested LACOE's authority to investigate or require compliance.

**6) Failure to train staff to correct attendance-related procedures such as having substitutes sign off on student attendance for classes not taught and showing as present students who were actually out ill:**

As required by the CAP, TFS provided training to teaching staff present at a Summer 2007 Teacher Training Institute on attendance procedures. TFS failed to provide continuous training to its clerical staff who were the subject of the attendance accounting problem and did not provide any evidence of compliance as of the date of revocation proceedings.

**b. LACOE and CDE Documents Show that Petitioners' Operations Had Ongoing Substantial Issues Post-LACOE's Revocation in 2007**

As noted above, TFS continued to operate after LACOE's board revoked the school pending the five-year litigation. LACOE's grounds for revocation involving conflicts of interest, violations of law, school safety concerns, and testing irregularities, constituted significant findings and on its own are sufficient to determine that petitioners are

demonstrably unlikely to successfully implement the program. In order to provide a comprehensive analysis and recommendation, CSD staff also reviewed oversight documents after LACOE's December 2007 revocation to determine if there are ongoing significant concerns. A review of oversight documents from LACOE and CDE reveals the following critical findings which add to the determination that petitioners are demonstrably unlikely to successfully implement the program:

**1) Violations of Conflict of Interest Laws/Self-Dealing Transactions:**

**a) Dr. Jeanette Parker as Superintendent and TFS Board Member**

Although lead petitioner Dr. Jeanette Parker represents to the CSD that she is not a member of the TFS governing board, a review of recent board minutes indicate that Jeanette Parker serves as a TFS board member. No other documentation has been provided or appears in TFS' board minute archives showing that the TFS board accepted any resignation by Jeanette Parker from the board. The Board Bylaws reflect that "resignation of a board member is only effective on giving written notice to the President, the Secretary, or the Board of Directors of the Corporation..." (See Exhibit 12, Bylaws, Section 3.10.) Board minutes from May 12, 2015, indicate that Jeanette Parker was re-elected as a member of the TFS Board and indicated that she recused herself from voting on her re-election. Further, board minutes from June 10, 2015, show Jeanette Parker as a board member. (See Exhibit 2, May 12, 2015 and June 10, 2015, TFS Board Minutes). Furthermore, a review of IRS Form 990 from years 2010-2013 lists Jeanette Parker as an officer with reportable compensation from TFS and individual trustee or director. (Exhibit 3, IRS Form 990s, relevant pages, 2010-2013).

Jeanette Parker's position as a salaried employee/Superintendent of TFS and her membership on the governing board presents a conflict of interest issue.<sup>3</sup>

Board members, including charter school board members,<sup>4</sup> are subject to several statutory and common law conflict of interest provisions: (1) Government Code section 1090 prohibits a governing board member from being financially interested in any contract made by the member in his or her official capacity ("section 1090"); (2) the Political Reform Act of 1974 (Gov. Code, § 87100 et seq., "PRA") prohibits public officials from using their official positions to influence governmental decisions in which they have a financial interest; and (3) the common law conflict of interest doctrine

<sup>3</sup> Dr. Jeanette Parker's role as Superintendent, regardless of her status as a board member, creates a conflict of interest under Government Code section 1090 with regard to the lease transactions discussed in section (c) below relative to any participation in the making of the contracts. Under both the PRA and Section 1090, any involvement in preliminary discussions, negotiations, compromises, or reasoning related to a contract (1090) or decision (PRA) is prohibited. (*Millbrae Assn. for Residential Survival v. City of Millbrae* (1968) 262 Cal.App.2d 222, 237.) Recusal from the vote is not enough, an official with a conflict cannot be involved with the decision in any way.

<sup>4</sup> In *Wilson v. State Board of Education* (1999) 75 Cal. App. 4th 1125, 1141, the Court of Appeal held that charter board members, including those sitting on non-profit public benefit corporation boards, are "officers of public schools to the same extent as members of other boards of education of public school districts." Additionally, because the conflict of interest laws do not apply exclusively to public school districts but instead apply to all public entities, they do not fall within the waiver set forth in Education Code section 47610.

requires public employees and officers to avoid placing personal interests above or in conflict with their duty to the public. These conflict of interest statutes also apply to public employees such as school superintendents.

Section 1090 *et seq.* prohibits governing board members from being financially interested in any contract made by them in their official capacity, or by the board of which they are members. The term "financially interested" has been liberally interpreted and includes both direct and indirect financial interests in a contract. (*Thomson v. Call* (1985) 38 Cal.3d 633, 645.) "It includes any monetary or proprietary benefit, or gain of any sort or the contingent possibility of monetary or proprietary benefits." (*People v. Honig* (1996) 48 Cal.App.4th 289, 332.) "Put in ordinary, but nonetheless precise terms, an official has a financial interest in a contract if he might profit from it." (*Id.*, at p. 333.) "[F]inancial interests may be indirect as well as direct, and may involve financial losses, or the possibility of financial losses, as well as the prospect of pecuniary gain." (86 Ops.Cal.Atty.Gen. 138, 140 (2003).)

The prohibition against self-dealing found in Section 1090 of the Government Code is not satisfied by the interested official's recusal from discussions, meetings, and votes pertaining to the contract. (*Fraser-Yamor Agency, Inc. v. County of Del Norte* (1977) 68 Cal. App. 3d 201, 211-212.) Instead, no matter how carefully or completely a board member attempts to avoid participating in or influencing the execution of a contract, he or she is conclusively presumed to have "made" the contract for purposes of Section 1090, and the contract is void. (*Thomson v. Call* (1985) 38 Cal. 3d 633, 649.) Dr. Jeanette Parker's employment contract as the Superintendent of TFS inherently constitutes a financial interest which cannot be cured by recusal.

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While Section 1090 prohibits the making of a contract, the PRA prohibits public officials or employees from using their official positions to influence governmental decisions in which they have a financial interest. The proscription is broad – it not only prohibits participation in the vote on such matters but precludes making, participating in making, or influencing or attempting to influence a decision where there is a conflict of interest. (Govt. Code, section 87100.) This prohibition extends to providing "information, an opinion, or a recommendation for the purpose of affecting the decision." (FPCC Regs., section 18704.)

Under the PRA, it is not enough that Dr. Jeanette Parker should refrain from voting on her contract, it must be apparent that she had no input whatsoever and did nothing to influence any others in the making of the contract. This is not apparent under the circumstances presented.

Finally, the common law conflict of interest doctrine requires public employees and officers to avoid placing personal interests above or in conflict

with their duty to the public. Here, even with "recusal" from deliberation or voting the appearance of impropriety remains.

b) TFS Contracts with Clark Parker

TFS has entered into several agreements with Dr. Clark Parker while he was a member of the board. For example, on November 8, 2012, the TFS board approved a consulting contract with Dr. Clark Parker for July 1, 2012 through June 30, 2015, for management and supervision of a new construction project at 3405 W. Imperial Highway, Inglewood, CA, which is the site of the TFS Charter School authorized by Inglewood School District. Dr. Clark Parker was approved by the board to serve as Project Manager of the new school construction. According to the board minutes, Drs. Clark and Jeanette Parker recused themselves from participating and voting on the item. (Exhibit 4, November 8, 2012 board minutes).

As noted in the above analysis pertaining to Dr. Jeanette Parker's board membership and concurrent position as Superintendent of TFS, recusal from participation does not cure the conflict of interest pursuant to California Government Code section 1090. Section 1090 precludes Dr. Clark Parker from entering into a consulting contract with the TFS board because of a financial interest regardless of whether he or his wife recused themselves from participation in the contract. Under Section 1090 as well as the PRA, recusal from participation in the deliberation or vote is not enough to avoid the conflict of interest violation. Making, participating in making, or influencing or attempting to influence a decision where there is a conflict of interest. (Govt. Code, section 87100.)

c) Lease Agreements with Golden Day Schools

On August 24, 2012, the TFS board approved a rental agreement between Golden Day Schools and TFS beginning July 1, 2011. This agreement was entered into even after LACOE had based one of the grounds for revocation based on this self-dealing transaction. On November 8, 2012, the TFS board approved an amended rental agreement between Golden Day Schools and TFS for July 1, 2011 through June 30, 2013. This time, Drs. Clark and Jeanette Parker disclosed their ownership of the facilities in the lease and recused themselves from participating and voting on the item. The board was presented with a fair market rental appraisal by a real estate appraiser. (Exhibit 5, August 24, 2012 and November 8, 2012 board minutes). Information that the TFS board concluded that the appraisal presented a "fair market value" is not reflected in the minutes. Further, the minutes do not demonstrate that Drs. Clark and Jeanette Parker left the meeting or did not participate in the appraisal process or any other aspect of the preliminary discussions, negotiations, compromises, or reasoning related to the lease agreements.

TFS' website lists the following charter school locations:

4514 Crenshaw Blvd.  
Los Angeles CA 90043  
Phone: (323) 293-9826

6422 Crenshaw Blvd.  
Los Angeles CA 90043  
Phone: (323) 751-7076

2255 W. Adams Blvd.  
Los Angeles CA 90018  
Phone: (323) 732-6636

3405 Imperial Hwy.  
Inglewood CA 90305  
Phone: (310) 680-7599

2301 E. Rosecrans Ave.  
Compton CA 90221  
(310) 631-1502

A public records search for real property for TFS' charter sites reveals that Clark and Jeanette Parker/Parker Trust are the owners of 4514 Crenshaw Blvd, 6422 Crenshaw Blvd., and 2255 W. Adams Blvd. (Exhibit 6, Public Records: Real Property Search Results, LexisNexis). The lease agreement which includes 4514 Crenshaw Boulevard, 6422 Crenshaw Boulevard, and 2255 W. Adams Boulevard, show the landlord as Golden Day Schools and the tenant as Today's Fresh Start. Dr. Clark Parker signed as landlord on behalf of Golden Day. (Exhibit 7, Real Estate Lease Agreement, July 1, 2013.) As owners of the properties that are leased to TFS, the Parkers have a financial interest in the lease between Golden Day and TFS. Based on the records search request, the Parkers/Parker Trust owns the sites in which the schools are located.<sup>5</sup> Based upon this information, their roles precluded them from contracting with TFS. Under Section 1090, recusal does not cure the violation. Under PRA, it is not enough to refrain from participation in the deliberations/vote, there may be no participation in preliminary discussions, negotiations, compromises, or reasoning or any form of influence or attempt to influence a decision where there is a conflict of interest. (Govt. Code, section 87100.)

**2) Operational and School Safety Concerns:**

**Certificate of Occupancy Issues:**

Certificate of Occupancy for the various TFS sites have been at issue even during the period of LACOE's authorization. The issues remain unresolved. On April 11, 2014, Drs. Clark Parker, Jeanette Parker TRS Parker Trust, were issued an Order to Comply

<sup>5</sup> Even if remote interest exceptions under Government Code 1091 were to be applied to any of the transactions, Dr. Clark Parker's signature on the lease does not satisfy the remote interest because he did not disqualify himself from the participation in the making of the contract since the lease was signed by Dr. Clark Parker. (Exhibit 7).

and Notice of Fee for the 2255 West Adams Boulevard address. This is the address of the proposed TFS-Adams school site. The violations were as follows:

- (1) Unapproved occupancy or use of the first floor of the two story building for charter school uses. The Parkers were ordered to discontinue the occupancy or use of the first floor for charter school uses and directed that permits and approvals are required to clarify the use of the area.
- (2) Unapproved occupancy or use of the one story building as a charter elementary school. The Parkers were ordered to discontinue the unapproved occupancy or use of the one story "day care nursery school" as a charter elementary school or obtain the required permits and approvals.

On November 5, 2014, TFS held a special board meeting and approved a resolution to "render the City of Los Angeles zoning ordinance inapplicable to the use of the following properties as a California Charter School for classroom purposes." (Exhibit 8, November 5, 2014, board minutes). The TFS board cited California Government Code sections 53090-53097.5 which according to the board minutes, "empowers a school district to exercise its authority to exempt its charter schools from having to comply with the zoning ordinances of the city in which the charter school is located and where the school district has taken such exemption action. Today's Fresh Start is a school district and its own Local Educational Agency." (*Id.*)

California Government Code section 53096 allows the governing board of a local agency, by vote of four-fifths of its members, to render a city or county zoning ordinance inapplicable to a proposed use of property if the local agency at a noticed public hearing determines by resolution that there is no feasible alternative to its proposal. Section 53097.3 then provides that "no school district may render a city or county ordinance inapplicable to a charter school facility pursuant to this article, unless the facility is physically located within the geographical jurisdiction of that school district." Section 53097.3 makes it clear that a school district is the only entity which may (although not required) assert the applicability of the zoning exemption to a charter school located within the school district. TFS is without authority to unilaterally exempt themselves from zoning ordinances pursuant to these statutes.

The Order to Comply is still outstanding. CSD staff was informed on August 17, 2015, by the Los Angeles Department of Building and Safety (LADBS) that the order to comply is still in effect but enforcement actions have been held until such time as the Zoning Authority makes a determination regarding an appeal filed.

**3) Due Process Issues:**

A review of documents from CDE and LACOE as well as documents submitted to the CSD for the Adams Hyde Park petition raise the following concerns:

- a) Parent/Guardian Volunteer Requirements  
TFS' Student Matriculation Application includes a Parent/Guardian Authorization Compact which contains a check box for parents/guardians to agree to volunteer at least four times during the next academic year. (Exhibit

9, Student Matriculation Application, p. 8). As recent as January 6, 2015, the CDE directed TFS to take down the parent volunteer requirements from their website. (Exhibit 10, Email to Jeanette Parker from CDE).

Assembly Bill (AB) 1575, which specifically applies to charter schools, clarifies that a student enrolled in a California public school "shall not be required to pay a pupil fee for participation in an educational activity." (Ed. Code § 49011(a).) It defines "educational activity" as an activity that constitutes an "integral fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities." (§ 49010(a).) Section 49011 further prohibits providing privileges relating to educational activities in exchange for services from a pupil's parents or guardians, removing privileges relating to educational activities, or otherwise discriminating against a pupil if the pupil's parents or guardians do not provide services to the school. (Ed. Code, § 49011, subd. (b); see also, CDE Fiscal Management Advisory 12-02, April 24, 2013.<sup>6</sup>) In view of this clarifying statute, taken together with the other relevant California laws, it is clear that charter public schools are prohibited from requiring a parent to perform volunteer service as a condition of his/her child's admission, continued enrollment, and/or participation in the school's educational activities, or otherwise discriminating against a student because his/her parent cannot, did not, or will not provide voluntary service to the school. (CCSA *Frequently Asked Questions* <<http://www.calcharters.org/understanding/faqs>> [as of December 3, 2014].)

b) Involuntary Transfer Policies

TFS' Comprehensive Policies for Students on Discipline and Truancy have numerous references to involuntary transfer policies which impinge upon a student's due process rights. For example, the policies include a "Notice of Involuntary Transfer for Chronic Truancy to School District of Residence." The Notice provides that if the student is a "habitual truant" then the student would be transferred to his or her school district of residence. (Exhibit 11, TFS' Comprehensive Policies for Students on Discipline and Truancy, p. 21).<sup>7</sup> The Notice cites Education Code section 48260.5, et seq., which are statutory provisions for compulsory education. However, TFS' policy on involuntary transfers is not aligned with the Charter Schools Act or constitutional

<sup>6</sup> The Advisory can be found at <http://www.cde.ca.gov/re/fr/fm/fma1202.asp>

<sup>7</sup> The Notice cites Education Code section 48260.5, et seq., which are statutory provisions for compulsory education. Although this provision of the Education Code is generally not applicable to charter schools, charter schools may agree to abide to the terms of specific provisions. Here, TFS has agreed by its charter petition to be bound by section 48260.5 but has misapplied the statute. The Education Code provides that the school district upon initial classification of a student as a truant shall notify the parent or guardian of alternative educational programs *in the district*. (§48260.5, emphasis added). Applying this statute to the charter school's practice, it requires TFS to identify alternative educational programs within its charter school organization—not the school district in which it is located. This statute requires TFS to continue to serve the student and does not support the Involuntary Transfer of students to any school district.

provisions for due process afforded to public school students. Public school students have a fundamental right to education and may not be denied access by a charter school without due process. "Involuntary Transfer" is an expulsion because it requires the student to disenroll from the school against the students' will. Students are entitled both under the Constitution and the TFS charter to due process prior to expulsion. Notably, TFS' charter does not have truancy as a grounds for suspension or expulsion rendering these policies inconsistent with the terms of the charter petition.

Students also have an interest in avoiding unfair or mistaken exclusion from the educational process. Through TFS' involuntary transfer policies, it is not ensuring that students are provided alternative education by merely referring them to their school of residence. TFS has an obligation if they were to assert applicability of the compulsory education provisions to identify alternative educational programs within its own LEA. Furthermore, the Charter Schools Act does require charter schools to provide a reasonably comprehensive description of "procedures by which students can be suspended or expelled." (§ 47605(b)(5)(J)). It is therefore evident that the Charter Schools Act intends and requires that a charter school student may only be exited through suspension or expulsion procedures outlined in its charter. TFS' charter does not have truancy as a grounds for suspension or expulsion. Truancy is not a ground for suspension or expulsion under the charter petition.

c) Failure to Disclose Previous Student School History and Health History

The Student Matriculation Application contains a Failure to Disclose Previous Student School History and Health History section which states that "failure to disclose any and all relevant information regarding your son/daughter's health history or previous school history (e.g., suspensions/expulsions, truancy excessive absences and/or tardies, Individual Education Plan (IEP), disruptive behavior or health problems) may be a result of your child's discontinuance of enrollment." (Exhibit 9, TFS Student Matriculation Application, p.8.) The section requires the parent/guardian to initial and sign.

The Charter Schools Act requires charter schools to admit all pupils who wish to attend the school without regard to school or health history. (§47605(d)(2)(A).) Requiring parents to agree and sign this section contravenes Education Code section 47605(d)(2)(A) which requires a charter school to admit all pupils who wish to attend the school. "Discontinuing enrollment" for any reason other than related to lottery is contrary to state laws. Additionally, Federal law and regulation prohibit any public school, including charter schools, from denying admission to any student on the basis of a disability, or the nature of or extent of a disability. More specifically, a student with disabilities must be afforded the opportunity to participate in a charter school (Code of Federal Regulations [CFR] Section 104.4(b)(1)(i); Section 504, Vocational Rehabilitation Act; Title II, Americans with Disabilities Act of 1990; California Government Code Section 11135; California Education Code (EC) Section 220). Further, EC Section

47605(d)(1) states a charter school "shall not discriminate against any pupil on the basis of...disability." "A charter school shall admit all pupils who wish to attend [charter] school" (EC Section 47605(d)(2)(A)) except as provided by those provisions related to a public random drawing. Despite the existence or lack of a program for a student with disabilities at a charter school, enrollment may not be denied (CFR Section 104.4(b)(3); EC Section 47646(a)). Application to TFS requiring parents or guardians to sign this section are prerequisites to admission which are in violation of the assurance that a charter school shall admit all pupils who wish to attend the school and that students will not be discriminated against based upon disability.<sup>8</sup>

4) **Governance Issues:**

a) **Board Member Composition:** Questions regarding the composition of the TFS governing board persists. TFS' bylaws state that the board will have 3-5 directors. (Exhibit 12, TFS Bylaws). Documentation submitted to the CSD as part of the petition review process and provisions in the charter indicate that the TFS directors shall not be less than three or more than seven. LACOE raised the question of board composition through their oversight and revocation documents. (See Exhibit 13, May 15, 2008 LACOE report). The bylaws submitted to CSD as part of the new petition packet still do not accurately reflect its board composition and governance.

b) **Brown Act:**

The Bylaws do not reflect meetings consistent with the Brown Act. For example, the Bylaws provide for regular meetings to be held "without notice." (Bylaws, Section 3.07(c).) Special meetings may be called without notice to the public and without any notice to those board members that have "waived" notice. (Id. at Section 3.07(d). The Brown Act requires 72 hour notice for regular meetings and 24 hour notice for special meetings. (Gov. Code §§ 54954.1, 54956.) The Brown Act also requires agenda's to be posted with descriptions of each item to be presented, considered, acted upon at the meeting. (§ 54954.2.) It is contrary to the law to hold governing board meetings without compliance with the Brown Act.

The Bylaws further provide for action to be taken by the Board without a meeting upon consent in writing. (Bylaws, Section 3.08.) This fundamentally conflicts with the Brown Act as it is the public's right to access. As the courts have stated, the purpose of the Brown Act is to facilitate public participation in local government decisions and to curb misuse of the democratic process by secret legislation by public bodies. (*Cohan v. City of Thousand Oaks* (1994) 30 Cal.App.4th 547, 555.) To these ends, the Brown Act imposes an "open meeting" requirement on local legislative bodies. (§ 54953 (a); *Boyle v. City of Redondo Beach* (1999) 70 Cal.App.4th 1109, 1116.) Any TFS board action taken outside a meeting that is duly noticed violates the Brown Act and served to invalidate most actions taken.

<sup>8</sup> See CDE Advisory re Enrollment Of Students With Disabilities In Charter Schools at <http://www.cde.ca.gov/sp/se/lt/spedinchrtsch.asp>

The Bylaws also provide for telephonic meetings in contravention of the Brown Act. Additionally, the Bylaws fail to describe the procedures for teleconferencing as required by Government Code sections 54952.2 and 54953 and instead only require that members participating in the meeting can hear one another. (Bylaws, Section 3.07(g).) The Brown Act expressly requires, among other things, that a majority of the members be within the jurisdiction of the board, that agendas list each location, that the agendas be posted at each site, and that each site be fully accessible to the public.

The Brown Act also provides "As used in this chapter, 'meeting' means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body." (Gov. Code § 54952.2(a)) The TFS' members of the legislative body are the "Directors" identified in Section 3.01 of the Bylaws. Review of board minutes from October 2, 2014, show that TFS held a meeting with an "alternate board member." (Exhibit 14, October 2, 2014, TFS Board Minutes). The alternate board member seconded motions to approve the submission of the charter renewal petition and budget of the school. However, nothing in the Brown Act or the Bylaws allow for an "alternate" to participate in the legislative process. The Brown Act requires a majority of the members of the legislative body to create a quorum and a majority of such members to take action. (Gov. Code § 54952.2.) (See Bylaws, Exhibit 12).

**c) Failure to Respond and Delayed Responses to Authorizer's Reasonable Requests:**

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Documents from LACOE and CDE were replete with communications to TFS on recurring issues and repeated requests to respond. The most recent example of TFS' continued practice of failing to respond to the authorizer's reasonable requests and failure to follow procedures is in the implementation of its closure procedures for its revoked charter petition. As noted above, TFS' petition to LACOE on April 6, 2010, was not approved and the SBE has no statutory jurisdiction to hear an appeal on the LACOE denial. Accordingly, on June 2, 2015, CDE issued a letter to Superintendent Jeanette Parker of TFS that the closure procedures have been invoked since the charter term expired on June 30, 2015. Dr. Jeanette Parker was directed to follow the closure procedures in the MOU between TFS and the SBE. On June 22, 2015, CDE issued a second letter to TFS indicating that it was notifying TFS that it must adhere to closure procedures by ceasing operations of the countywide benefit charter and provide CDE's Charter Schools Division with the name and contact information for the person to whom inquiries may be made regarding closure. (Exhibit 15, CDE letters to TFS, June 2, 2015 and June 22, 2015).

TFS was directed to: Notify surrounding school districts and county office of education of the closure by July 15, 2015; provide CDE with a list of pupils in

each grade level and classes they have completed and identify each pupil's district of residence; terminate all present leases, service agreements, and contracts necessary to close out the school; and arrange for a required final audit to be performed addressing the disposition of all assets and liabilities and the transfer of pupil records. On June 29, 2015, TFS' legal counsel replied to the CDE Charter Schools Division indicating that TFS has "no intent to actually close the School. We are hopeful that local authorizations will allow the school and its sites to remain open." (Exhibit 16, Letter to CDE Charter Division from Lisa Corr, of Young Minney & Corr, June 29, 2015). To date, the CSD does not have evidence that TFS has initiated the closure procedures pursuant to CDE's direction. The TFS-Adams Hyde Park school is one of the schools CDE has requested TFS close through the charter's closure requirements as well as the requirements of the closure regulations (See Ed. Code, § 47605, subdiv. (b)(5)(P); see also, California Department of Education Charter School Closure Procedures – Laws, Regulations, & Policies, <http://www.cde.ca.gov/sp/cs/lr/csclosure.rules.asp>.)

**c. Petitioners Operated a State-Funded Preschool, Golden Day Schools, and the CDE Discontinued State Funding Based on Noncompliance.**

Petitioners operated Golden Day Schools, a childcare and development program with CDE from 2001 to 2011.<sup>9</sup> On April 5, 2011, CDE's Child Development Division issued a *Notice of Proposed Action: No Offer of Continued Funding to Golden Day Schools*. The Notice indicated that CDE representatives conducted reviews of Golden Day offices and facilities to determine the school's compliance with applicable laws, regulations and contractual provisions. CDE's review identified:

- "[S]uch serious, chronic, and systematic program violations and issues of noncompliance have persisted without reasonable justification despite (i) repeated notices which warned Golden Day of its infractions and instructed Golden Day to correct its operating practices in order to comply with program requirements; and (ii) years of technical assistance."
- "[T]he recurring issues of noncompliance can be generally categorized by the following characteristics: evidence of inadequate or falsified records; failure to comply with requirements ensuring legitimate reporting of child days of attendance; inappropriate cost allocation between subsidized and non-subsidized child care funding and child development and charter school activities; overcharging for related-party transactions; and charging for idle facilities owned personally by Golden Day's President and/or his family."

<sup>9</sup> According to CDE documents, Golden Day Schools was operated by Clark Parker. Although Clark Parker is not named as a petitioner in the documents submitted to the CSD, a review of the documents from LACOE and CDE indicate that Dr. Parker is an integral part of TFS' operations. For example, from a review of several board minutes, Dr. Parker was a TFS board member until 2014. A board resolution from February 7, 2011 indicates that Dr. Parker's term was renewed for three years (See Exhibit 19, February 7, 2011 board minutes). Dr. Clark Parker was also a signatory to the MOU with CDE/SBE executed on November 16, 2010. (Exhibit 20, November 16, 2010 board minutes, signature page only). This was during the period that CDE conducted its investigation of the childcare program.

- "Golden Day denies and disputes clear, documented evidence of noncompliance and offers unique and distorted legal theories to justify its noncompliance...evidence indicates that Golden Day is either incapable or unwilling to implement the corrective actions they have agreed to. The CCC further noted that Golden Day's chronic noncompliant practices were flagrant and egregious, and accrued to the financial benefit of Golden Day and its owners."

(Exhibit 18, CDE's Child Development Division *Notice of Proposed Action: No Offer of Continued Funding to Golden Day Schools*, April 5, 2011, exhibits excluded).

As a result of the review, the CDE Case Conference Committee (CCC) determined that Golden Day should receive no offer of continued child development funding for FY 2011-2012. The CCC also noted that "Golden Day's chronic noncompliant practices were flagrant and egregious, and accrued to the financial benefit of Golden Day and its owners." (*Id.*)<sup>10</sup>

According to a search of CDE's California School Directory on August 15, 2015, Golden Day Schools' status is closed. A web search of Golden Day Schools seems to indicate that the school may instead be operating as a private preschool or daycare center. (Exhibit 22, CDE California School Directory and website childcare center printouts).

Regardless of Golden Day's operational status, the above findings by the CDE/CCC present very serious concerns regarding the petitioners' operations of a state funded preschool program which was upheld by the Court of Appeal. In reviewing the past history of a charter operator, it is appropriate to look to the history of the school itself as well as the record of performance of the petitioners and board members that will operate the charter school. Review of the operations/operators of Golden Day Schools demonstrates that the petitioners are unlikely to implement the program because their record of performance demonstrates a lack of adherence to requirements of law and a solid background in the educational, financial, organizational, and legal aspects of operating a charter school. The petitioners' record of organizational management and performance reflect a problematic history in the area of legal compliance both as charter school operators and Golden Day School operators. This history does not assure the school's success in the areas of curriculum, instruction, assessment, governance or business management. The petitioners' record of performance does not demonstrate willingness to work with the authorizer, or to be responsive to and compliant with requests for information, submission of reports and necessary documents, or in the general operation of the school.

**2. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school.**

<sup>10</sup> Golden Day appealed CDE/CCC's finding to the Administrative Review Panel (ARP). On September 30, 2011, the ARP found no basis to reverse the CCC's recommendation and thus upheld the CDE's recommendation. Golden Day then filed a petition for a writ of administrative mandamus in the Superior Court alleging that CDE failed to provide it with a fair hearing and committed prejudicial abuse of discretion. On a separate writ, Golden Day also argued that the ARP decision had to be set aside on several grounds including that one of the members of the ARP had a pecuniary bias. The Superior Court granted Golden Day's petition on the sole ground that the ARP member was disqualified from serving on the panel based on pecuniary bias. CDE appealed this finding to the Court of Appeal. On March 13, 2013, the Court of Appeal reversed the Superior Court's ruling and remanded with directions to vacate its judgment and enter a new judgment denying Golden Day's petition for a writ of administrative mandamus in its entirety. ( Exhibit 21, *Golden Day Schools v. California Department of Education*, Cal. Ct. of Appeal. Case No. BS133991, March 13, 2013, unpub. decision).

The budget and cash flow submitted by Petitioners is not viable. Based on the CSD's fiscal team's recent inquiry to the State, the soonest the petition could go before the SBE for CDS numbering would be on the January 13-14, 2016 SBE meeting (in the event that the LAUSD Board does not adopt staff recommendation and the Findings of Fact and approves the charter). The numbering of the charter is required by the State in order for funding allocations to be issued. As a result, the soonest TFS could receive any state funds would be in February 2016. Due to the very tight deadlines, a more reasonable expectation for the first allocation would be June 2016.

The budget and cash flows submitted by Petitioners are based on assumptions that state revenue will be received in October 2015 in the amount of \$526,624, and in January 2016 in the amount of \$256,195. However, according to the California Department of Education, the soonest allocation of revenues to TFS would be February 2016 and more than likely June 2016. CSD was not provided with information that TFS would receive state allocation sooner than these timelines.

As a result of the state's payment schedule, the 2015/2016 cash flow provided by the school goes negative in July 2015. The projections are based on the most likely payment schedule from the state.

*Projected Month Ending Cash Balances for 2015/2016*

	<i>2015</i>		<i>2016</i>
<i>July</i>	<i>(\$ 49,094)</i>		<i>January (\$1,067,273)</i>
<i>August</i>	<i>(\$ 211,573)</i>		<i>February (\$1,264,038)</i>
<i>September</i>	<i>(\$ 395,338)</i>		<i>March (\$1,432,678)</i>
<i>October</i>	<i>(\$ 515,978)</i>		<i>April (\$1,629,443)</i>
<i>November</i>	<i>(\$ 669,743)</i>		<i>May (\$1,826,208)</i>
<i>December</i>	<i>(\$ 883,508)</i>		<i>June (\$1,981,452)</i>

Petitioner's 2015/2016 cash flow in the submitted 2015/2016 budget does show a \$300,000 loan. However, the CSD does not have documentation to verify that the loan has been approved and that the money is available to the school. Even if the loan is available, the cash flow for the school will still be in the negative in October 2015 and remains negative through June 2016.

**3. The Closed TFS Charter's Previous Academic Performance:**

Again, based on the California Supreme Court's ruling upholding the revocation of Today's Fresh Start Charter School and subsequent Superior Court litigation directing that there is no renewal action to be processed by the SBE, the petitions submitted to the local authorizing district are new petitions. Nonetheless, a review of the record of academic performance of the revoked Today's Fresh Start Charter School presents concerns. Although the school's five sites collectively achieved a 2013 schoolwide API of 833, and met 2013 API growth targets, TFS has failed to reclassify any English Learners in the past two years despite the fact that this subgroup comprises 30% of its population.

**B. The Petition does not contain a reasonably comprehensive description of all required elements. (Ed. Code § 47605(b)(5).)**

***Educational Program (Element 1): The petition does not contain a reasonably comprehensive description of the Charter School's educational program.***

1. Descriptions within the petition do not demonstrate that the petitioners are prepared to implement Common Core State Standards in practice.
  - For example, while the petition mentions Common Core State Standards instructional strategy descriptions, the description of a student's "typical day" does not mirror standard common core practices. (See for example, p. 44 of Petition). Furthermore, the petition lacks specific instructional methods and strategies that the school will use to deliver the curriculum. For example, it lacks a reasonably comprehensive description of how students engage in their learning and how tasks develop student reasoning and development of critical thinking skills.
  - The petition references Professional Development but does not describe and specify the professional development or how it will align to CCSS.
  - The petition is not based on current research to align to best practices.
  - For English Learners, the petition states that they will use textbook components aligned with CCSS "among other materials appropriate for English Learners." The section of the petition is vague and demonstrates a lack of understanding of English Learner curriculum and implementation.

Such statements coupled with the vague descriptions of English Language Arts and Math (see for example p. 21 of Petition), call into question the organization's readiness to implement the CCSS at the level of rigor required and contradicts the notion that CCSS is the core of the instructional program.

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2. The petition does not demonstrate that the school has a system to appropriately recruit teachers who are qualified to deliver the educational program, including any innovative components of the program.
3. Regarding support for English Learners (see Petition beginning on p. 40), the petition does not demonstrate that the school has an English Learner Master Plan, does not sufficiently include specific instructional strategies utilized for English Learners and Long Term English Learners, and does not demonstrate that an appropriate assessment is in place for the basic skills component of the reclassification criteria.

***Measurable Pupil Outcomes and Method by Which Pupil Progress Toward Outcomes will be Measured (Element 2/3): The petition does not contain a reasonably comprehensive description of measurable pupil outcomes and methods to assess pupil progress toward outcomes.***

The petition does not adequately address the eight State Priorities and its quantitative accountability measures for Priorities 2 and 4 as the petition fails to include quantitative well-

defined, rigorous, and measurable schoolwide and subgroup academic achievement goals that meet the requirements of the Charter Schools Act, including SB 1290.

The lack of these rigorous quantitative goals further calls into question how the governing board can sufficiently hold the school leadership accountable to the key indicator of student achievement. The accountability becomes increasingly more crucial as many of the school's proposed goals for the 8 State Priorities are vague such as statements that the schools will "propose to pursue" and "as a school we tried to meet the goal and by virtue of trying we have met the priority," without conveying a full commitment and accountability to meeting the goal. A school cannot be accountable to proposals that are not expressed as goals. Absent a clear commitment to a defined goal, accountability—the cornerstone of the Charter Schools Act—is lost and there is no "measurable" goal within the meaning of section 47605(b)(5)(A) and (B). Furthermore, the petition does not indicate the specific action steps component, for each of the identified annual goals for the 8 State Priorities again demonstrating lack of appropriate checks and balances for accountability in the organization.

***Governance (Element 4): The petition does not contain a reasonably comprehensive description of the charter school's governance structure.***

- The governing board includes a structure which inherently leads to a conflict of interest situation in that the Superintendent also serves as a board member. (Although Dr. Jeanette Parker is not listed as a board member in the information submitted to the CSD as part of the petition packet, as noted in the discussion above and a review of documents as recent as May/June 2015, Dr. Parker appears to remain on the board. (See section above discussing Dr. Jeanette Parker's role as board member and Superintendent of TFS). The Superintendent is also an owner of school properties raising Conflict of Interest and reports to and is evaluated by the board.

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- The petition does not describe important aspects of governance such as the criteria and process for selecting governing board members, decision making and abstention, and how the board implements teleconference meetings.
- The number of directors indicated in the corporate board Bylaws, submitted with the petition, is inconsistent with content in the petition. While the Bylaws states that "[t]he Board of Directors shall have not less than three (3) Directors nor more than five (5) Directors" the petition states that "[t]he authorized number of Directors shall be not less than three (3) Directors or more than seven (7) Directors."
- The petition fails to describe the selection and operating procedures for committees identified in the petition for committees (LCAP, WASC, ELOC and DLOC) and does not identify the number of representatives for each committee, or delineate the responsibilities of each committee. Further,
- Bylaws allow the corporate board to operate in a manner inconsistent with the requirements of the Brown Act. For instance, the Bylaws allow the board to hold regular meetings without notice (Article III §3.07(c)) and to take action without the presence of a quorum which is contrary to the requirements of the Brown Act (Article III §3.07(f)).

Furthermore, the corporate Bylaws allow the board to take action without a meeting if all members consent to such action (Article III §3.08).

***Health and Safety Procedures (Element 6): The petition does not contain a reasonably comprehensive description of the charter school's health and safety procedures***

The petition does not describe the school's policies and procedures to support and promote the health and wellness of its students.

***Admission Procedures (Element 8): The petition does not present a reasonably comprehensive description of admission requirements.***

- The petition fails to include a reasonably comprehensive description of the manner in which the Charter School will implement a public random drawing process in the event that applications for enrollment exceed school capacity. For instance, the petition does not describe the method by which parents and students be advised of acceptance after the drawing, or the procedures that the school will follow to notify students who have been promoted from the waiting list following a lottery, or the procedures and timelines under which parents/guardians must respond in order to secure admission, and the method the Charter School will use for documenting the fair execution of lottery and waitlist procedures.
- The petition fails to sufficiently describe how admission preference in the Charter School's lottery will be given to the student categories listed in the petition, and does not list the preferences to conform to Ed. Code § 47605(d)(2)(B). Further, while the petition state that the "[p]ublic random drawing rules, deadlines, dates and times will be communicated in the application form", the Application Form submitted with petition does not communicate these drawing rules, deadlines, dates and times.

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***Suspension and Expulsion Procedures (Element 10)***

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

The petition does not sufficiently distinguish between discretionary and mandatory grounds for suspension and expulsion. The grounds overlap which could lead to inconsistent application of discipline and protection of due process rights of students. Additionally, some mandatory expulsions under Education Code section 48915(c) such as brandishing a knife at another person and unlawfully selling a controlled substance listed in Health and Safety Code Section 11053 et. seq., are not listed as mandatory expellable offenses in the petition. Although charter schools are waived from the Education Code's disciplinary provisions, lack of grounds for these types of serious offenses raise concerns regarding how the school will ensure safety and the comprehensive of the disciplinary provisions in the charter.

The petition and supplemental documents indicate that a student can be suspended or disenrolled due to disruptive behavior. This is inconsistent with the LAUSD's 2013 School Discipline Policy and School Climate Bill of Rights. This is also in violation of AB 420 effective January 2015

which eliminates from the Education Code school district/school authority (including charter schools) to suspend from school a pupil enrolled in K-3, and the authority to recommend for expulsion a pupil enrolled in K-12, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties.

The petition does not sufficiently describe the expulsion appeal's process to ensure a consistent impartial process is in place and does not describe how the school provides post-expulsion support to ensure the student's continued access to education.

Exhibits related to the  
Findings of Fact for  
Today's Fresh Start Adams  
Hyde Park (BR 027 – 15/16)  
can be viewed at:

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[http://laschoolboard.org/sites/default/files/  
BR027Exhibits.pdf](http://laschoolboard.org/sites/default/files/BR027Exhibits.pdf)

## **Exhibit B**

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TRANSCRIPT OF TAPE-RECORDED  
MEETING ITEM OF THE  
INGLEWOOD USD BOARD OF TRUSTEES  
OCTOBER 9, 2019  
  
TODAY'S FRESH START

1 DR. TORRES: Next on the agenda we have a public  
2 hearing regarding the charter petition renewal for  
3 Today's Fresh Start.

4 On September 11, 2019, at a regular meeting of  
5 the Board of Education, the state administrator of the  
6 district formally received a renewal petition from  
7 Today's Fresh Start Charter School.

8 We will now hold a public hearing pursuant to  
9 Education Code Section 47605. This public hearing will  
10 serve to gauge the public response to the charter  
11 school proposal and to consider the level of support  
12 from district teachers, other district employees, and  
13 parents.

14 The public hearing will proceed as follows.  
15 First, a representative of the charter school will be  
16 given 10 minutes for a presentation regarding the  
17 provisions of the petition. Following the  
18 presentation, public comment will be heard for a  
19 period of 10 minutes, pursuant to [inaudible] 9323.

20 Each individual speaker who wishes to be heard  
21 will be given one minute to speak. The public hearing  
22 is open at 6:24 p.m. Petitioners may begin their  
23 presentation.

24 DR. YOUNG: Good evening. I'm Dr. Young. I'm a  
25 former school board member of [inaudible] five

1 [inaudible]. I am the former board member [inaudible]  
2 in the last six years, and this is my 47th year  
3 involved in the school district. I have 72 more years  
4 and I'll retire at 140.

5 I'm here to share with you tonight on Today's  
6 Fresh Start. I was on the board in 2007 when Today's  
7 Fresh Start one of the first schools to be approved in  
8 the charter school, with 250 plus students.

9 Less than 10 percent of those students were from  
10 Inglewood Unified School District. And today you have  
11 about 500 students, and less than 10 percent are from  
12 the Inglewood Unified School District population.

13 The renewal of the existing charter school  
14 petition requires that the authorizing school board  
15 afford the charter school due process of the law  
16 renewing that charter. The Inglewood Unified School  
17 District staff recommendations has ignored this basic  
18 due process requirement.

19 At the minimum, the due process is defined to be  
20 an adequate time to respond to any concern the  
21 district may have. The Inglewood Unified School  
22 District staff has had in their possession the Today's  
23 Fresh Start charter renewal petition for 61 days as of  
24 August the 9th.

25 And they now recommend that the state

1 administrator deny Today's Fresh Start invested [ph]  
2 right to have a charter petition renewed and continue.

3 The Inglewood Unified School District staff has  
4 not offered TFS one minute to discuss or to  
5 communicate with the Inglewood Unified School District  
6 charter school staff regarding the errors filled with  
7 denials recommendation report.

8 The Inglewood Unified School District staff is  
9 recommending denial of Today's Fresh Start renewal  
10 charter petition without even discussing their  
11 erroneous contention, and just plain incorrect  
12 conclusion with the Today's Fresh Start, and allowing  
13 the Today's Fresh Start to respond before they make  
14 their final recommendation to the state administrator.

15 Not at least one minute that they have heard done  
16 [ph] in putting forth the report that is filled with  
17 lots of innuendos, errors, and unsubstantial [sic]  
18 facts, and unsupported conclusion, and the flawed  
19 recommendations.

20 And you'll see in the report that Today's Fresh  
21 Start has been improving and doing a great job. And  
22 you'll see the comparison with Inglewood Unified  
23 School District, K8 schools. You see all of the  
24 information there.

25 And you'll see in the Inglewood Unified School

1 District has a 75 page denial recommendation report of  
2 the state administrator without first discussing the  
3 content of that report with the charter school for  
4 their accuracy.

5 For example, the state denial report state that  
6 no current or no projected financial was submitted to  
7 the -- on Today's Fresh Start charter petition. This  
8 statement is incorrect.

9 TFS submitted current and five years of projected  
10 financial on a flash drive, with 175 pages [inaudible]  
11 charter petition, that no Inglewood Unified School  
12 District staff person, nor did any Inglewood Unified  
13 School District consultant, nor legal counsel from the  
14 Inglewood School District inquire of TFS regarding  
15 this [inaudible] false statement.

16 The Inglewood Unified School District staff  
17 denied the recommendation report, but never discussed  
18 with the Today's Fresh Start school.

19 No one from the Inglewood Unified School District  
20 has ever called or inquired of Today's Fresh Start for  
21 clarity for any error contained in the report. The  
22 Today's Fresh Start charter school was submitted that  
23 report on August the 9th.

24 On September the 10th they did inform a state  
25 administrator, Dr. Menendez, requesting in writing

1 that -- that the Today's Fresh Start agreed to one day  
2 extension to hold a hearing, to make a decision on  
3 Today's Fresh Start renewal request.

4 Today's Fresh Start agreed to the one day  
5 extension requested by executing a copy of the letter  
6 that the state administrator asked of Today's Fresh  
7 Start to execute and return to her.

8 On September the 2nd, 2019, four Inglewood  
9 Unified School District members visited Today's Fresh  
10 Start for a site visit.

11 On that day, at no time during that visit, did  
12 anyone of the four individuals discuss nor any comment  
13 regarding that non-recipient of the required renewal  
14 charter petition document [inaudible].

15 As of this day, today, no one from Inglewood  
16 Unified School District have ever mailed or emailed  
17 the staff concerning their recommendation to Today's  
18 Fresh Start.

19 We learned that Inglewood Unified School District  
20 staff did not [inaudible] recommendation from the TFS  
21 legal counsel on yesterday, August 8, 2019. I'm sorry,  
22 yesterday, October the 8th, 2019. Dr. Parker?

23 MS. PARKER: Okay. Thank you. Good afternoon --

24 ALL: Boo.

25 BOARD MEMBER: Shame on you. Shame on you.

1 BOARD MEMBER: Quiet, quiet, quiet. We're not  
2 going to have it.

3 MS. PARKER: Dr. Torres, and the honorable board  
4 members I'm Jeanette Parker. I'm the lead petitioner,  
5 founder, and superintendent of Today's Fresh Start.

6 As of today repeat, as of today Inglewood has  
7 never mailed or emailed any of the indications that  
8 were made in the staff report. There are a number of  
9 things that most -- the staff report is divided into  
10 two areas.

11 One, there are things recited which have nothing  
12 to do with Inglewood, they are very old resolved  
13 issues from more than 10 years ago, have nothing to do  
14 with Inglewood.

15 Number two, the other part of the staff report is  
16 addressing things that are outright untrue. For  
17 example, I passed out to you when I asked Ms.  
18 Montenegro, this -- these are the budgets which were  
19 submitted on August 9, 2019.

20 The budget is through 2025. The staff report  
21 indicated that this was never submitted. It was  
22 submitted both in hard copy in the charter, and also  
23 on flash drive, when all the elements for the charter  
24 were submitted, and all of the attachments.

25 The staff report among its numerous erroneous

1 blatant statements of untruth, said there was nothing  
2 about governance. It's on page 157 and page 108 in the  
3 charter.

4 And I'm thinking quite honestly, I believe they  
5 lost the charter. I believe, I'm just going on belief,  
6 but I believe somebody picked up somebody's old  
7 charter. Because the last time the charter was lost.

8 I think they've lost the charter because  
9 everything that's in here is nothing like us at all.  
10 Then there's a reference to health and safety, M,  
11 element M, it's on pages 118 and 119.

12 And I have the charter here. I do have it here.  
13 You -- we gave you a copy. I don't [inaudible] but we  
14 submitted it. But I don't know what happened to it.

15 Also on admissions, element H, it's on page 122,  
16 suspension and expulsion, page 125. There was a  
17 mention of erroneous statement, I'm trying to be  
18 polite, the erroneous statement that we require  
19 volunteer hours from the parents.

20 We do not require, we encourage. We want the  
21 parents to be with their children. Then we have other  
22 -- other fake information, the academic scores. I -- I  
23 submitted to you just now a constant increase of  
24 academic scores.

25 And I gave them to you right now and we gave them

1 to you on August 9th in the charter and on the flash  
2 drive. We submitted the flash drive for convenience,  
3 so that you could have electronically easily  
4 available.

5 So I'm really asking [inaudible] there's --  
6 there's so many erroneous statements in here. There's  
7 no way that [bell rings] I can address policies, so --

8 DR. TORRES: Thank you for your presentation. We  
9 will now hear public comment. Ms. Montenegro?

10 MS. MONTENEGRO: Yes. I'm trying to decide which  
11 ones. I just have -- need clarity on three speakers.  
12 [inaudible] Brown, Krishan Day [ph], and Herman  
13 Douglas. Are you speaking in favor or against the  
14 charter? I'm trying to separate the two --

15 MR. DAY: [inaudible] Day is against the charter.

16 MS. MONTENEGRO: Against, okay.

17 MR. BROWN: [inaudible] Brown is against the  
18 charter.

19 MS. MONTENEGRO: And Herman? Do we have Herman  
20 Douglas in the audience? Okay. So I'm going to call  
21 out the names for those that are speaking in favor of  
22 the charter.

23 Dr. Raul Roman? If I don't have that correctly,  
24 please let me know, and we'll call your name  
25 [inaudible] --

1 MR. ROMAN: That's fine. Thank you. Good evening,  
2 everyone. Board members, superintendent, Dr. Torres,  
3 cabinet members.

4 MS. MONTENEGRO: [inaudible] three minutes for  
5 us. Thank you.

6 BOARD MEMBER: Okay.

7 MR. ROMAN: Parents, students, and the Inglewood  
8 community --

9 BOARD MEMBER: Could you hold one second?

10 MR. ROMAN: Absolutely.

11 BOARD MEMBER: Thank you. Go ahead.

12 MR. ROMAN: Thank you. Once again, good evening,  
13 board members, superintendent, Dr. Torres, cabinet  
14 members, parents, students, and the Inglewood  
15 community.

16 My name is Dr. Roman, and I am the site  
17 administrator at Today's Fresh Start Charter School.  
18 We are -- we are present this evening to respectfully  
19 request the approval of our charter's renewal.

20 Our progress and success as a school, including  
21 the commitment of our staff, students, parents, and  
22 the community, are contingent on your decision.  
23 Today's Fresh Start Charter School has accomplished  
24 many milestones, including our WASC six-year  
25 accreditation.

1           The Western Association of Schools and Colleges  
2 recognizes [inaudible] Today's Fresh Start Charter  
3 School, for its accomplishments, and for its  
4 outstanding curriculum, and instructional programs.

5           I respectfully ask that you consider the approval  
6 of our charter, and provide our students the  
7 opportunity to excel and receive a quality education.  
8 Thank you very much for your time and attention.

9 [applause]

10           MS. MONTENEGRO: [inaudible]

11           MR. ANTONIO: Good evening to the esteemed board.  
12 My name is [inaudible] Antonio, and I'm an  
13 administrator with Today's Fresh Start Charter School  
14 system.

15           And I have a very brief comment that I believe is  
16 very poignant [ph] to why as a school system we should  
17 allow the charter to remain in operation.

18           Based on [inaudible] reports done by [inaudible]  
19 public schools, in conjunction with the USC Price  
20 School of Public Policy, and the USC Rossier School of  
21 Education, these are their facts.

22           There are one million low income black and Latino  
23 students in Los Angeles County. Unfortunately only 15  
24 percent of these individuals receive a top quality  
25 education from a top public school.

1 I am happy to say that Today's Fresh Start  
2 Charter School Inglewood is one of them. Out of 2,068  
3 schools, only 31 of them for African American, and a  
4 little over 200 of them for Latino students, are  
5 serving well the children of our county.

6 We are one of them. Because Today's Fresh Start  
7 believes in raising the bar and closing the  
8 achievement gap for every child we service. Thank you  
9 so much. [applause]

10 MS. MONTENEGRO: [inaudible]

11 BOARD MEMBER: The honorable [inaudible], Dr.  
12 Torres, and the honorable members of Inglewood Unified  
13 School District board, good evening. I, [inaudible],  
14 have been working at Today's Fresh Start Charter  
15 School for 15 years, a member of the leadership team,  
16 and designated LEA testing coordinator.

17 My job is to secure, coordinate, and consolidate  
18 all testing data for both local and statewide, and  
19 share it to all our stakeholders. Based on collected  
20 data, Today's Fresh Start Charter has shown  
21 significant increase in test score every year.

22 During the last California state tests, we call  
23 CST, Today's Fresh Start Charter School reached 840  
24 academic performance index, or API.

25 Now with a new format of state tests, of state

1 assessment, the [inaudible], and a smarter balanced  
2 assessment consortium, or SBAC, our school  
3 consistently show growth every year in all categories,  
4 compared to neighboring school, and to Inglewood  
5 Unified School District.

6 We are college bound school, and we believe that  
7 every scholar in our school will go to college. We are  
8 raising the bar and closing the achievement gap. Thank  
9 you. [applause]

10 MS. MONTENEGRO: Mr. Flores? So the next person  
11 I'm going to call after Mr. Torres is Chernalie Dunbar  
12 [ph]. So if you want to come up close to the  
13 microphone.

14 MR. TORRES: Good evening, respected board  
15 members, superintendent. My name's Mr. Flores. I'm a  
16 teacher for Today's Fresh Start. I've been working  
17 with the organization for seven years.

18 And I just want to personally speak about the  
19 commitment of the staff, how hard we work, how we give  
20 everything we have for our students.

21 The motto, raise the bar, close the achievement  
22 gap, it's not just a motto to us, it's a mantra, it's  
23 something we believe in, it's something we strive for.

24 Hundreds of students come to our doors. And we do  
25 everything possible to help them, to make them

1 successful, become productive members of society, and  
2 go to college.

3 And it will be a disservice to close down the  
4 school for the families and the students. Thank you.  
5 [applause]

6 MS. MONTENEGRO: [inaudible]

7 MR. DUNBAR: Good evening, everyone. I am here  
8 today on behalf of Today's Fresh Start Charter School.  
9 I am a parent. My children are here today. I have two  
10 six-year-olds, Zochanel [ph] and Zocargel [ph], and I  
11 also I have an eight-year-old, Winter.

12 Winter been in the school for the last two and a  
13 half, going on three years. And her sisters joined her  
14 last year. I have to say, with God's grace and mercy,  
15 that we are able to do everything because of him.

16 Success is earned. It's not given. So we will not  
17 take it for granted. I'm a good parent. I'm a full  
18 time home parent that takes care of my mom. So I'm  
19 very busy.

20 And also I am thankful that Today's Fresh Start  
21 has many, many different -- I mean, if I go to name  
22 everything, I'll be out of time. All I'm saying is  
23 this. I'm not only there to support the kids, and  
24 teachers, and faculty members.

25 And if everybody could just get [inaudible], get

1 [inaudible] so that we can just come together, be  
2 united, parents, teachers, board members,  
3 commissioners. It don't matter. What matters is  
4 children needs us.

5 They are the future. They are what we wanted to  
6 do when we was a kid. Okay, we didn't make it, fine.  
7 Bless the Lord, but at the end of the day God gives us  
8 different [inaudible] as far as charters, as far as  
9 community, as far as programs.

10 Let's use it. Let's utilize. Let's share the  
11 love. Let's [inaudible]. Let's participate, cooperate.  
12 Let's come together. Let's resolve stuff. Stop  
13 pointing fingers. Stop looking at who's doing what,  
14 who's not doing enough.

15 I am just here to say Today's Fresh Start Charter  
16 School is here to stay. I'm standing [inaudible] for  
17 Today's Fresh Start school [inaudible] the kids needs  
18 us, and [applause] [inaudible] [inaudible shouting;  
19 distorted audio] kids are the future, and they're the  
20 best, they need us, we will not [inaudible] not by a  
21 negative Nancy, and we will thank God that all of you  
22 guys are [inaudible] and his mercy, for the kids  
23 [inaudible] and we thank God that they're able to do  
24 it [inaudible] thank you. [applause]

25 MS. MONTENEGRO: Do we have Maria Jones in the

1 audience?

2 MS. JONES: Hello, good evening [inaudible]. My  
3 name's Maria Jones. I'm a parent of three students  
4 attending Today's Fresh Start. And all I want to say  
5 is thank you to the staff.

6 My -- I have a 12-year-old, 11-year-old, and a 9-  
7 year-old that's been attending Today's Fresh Start for  
8 about approximately nine years. For the 12-year-old in  
9 [inaudible] two other kids been attending for about  
10 four or five years.

11 And I have two students in IEP that are receiving  
12 program. And I just want to say thank you to all the  
13 staff and teachers for taking the time, help my kids  
14 succeed, help them build them in the areas that they  
15 need helped on.

16 In the past few years I have seen my kids improve  
17 in many different areas, from not trusting staff  
18 members from experiences they went through at other  
19 schools, to opening their arms, and just by the the  
20 school opening their arms to me and my kids, allowing  
21 us to express ourselves in the help that we have  
22 received tremendously from every one of the staff, the  
23 teachers, counselors.

24 And I just want to thank them for giving the  
25 opportunity [inaudible] my kids for helping them

1 succeed, helping them grow in the areas that they need  
2 helped on, and for treating us more like a family  
3 instead of just as student and a parent.

4 We grew to love them as our own family members  
5 because of all the love that they've given us and for  
6 all the support that they have given us. And if it  
7 wasn't for the staff, my kids will not have been as  
8 successful as they -- as they are right now.

9 And they have improved tremendously. And I just  
10 want to thank everyone for giving me the time to speak  
11 in behalf of Today's Fresh Start. Thank you.

12 [applause]

13 MS. MONTENEGRO: Ana Vasquez? Okay. Ms. Ana  
14 Vasquez, are you going to come up? [inaudible]  
15 Gonzalez?

16 MR. GONZALEZ: I would like to start by  
17 introducing myself. I'm [inaudible] Gonzalez. I've  
18 been attending Today's Fresh Start starting this  
19 school year. This school year -- well this [inaudible]  
20 that I've been there, it's been awesome because, like,  
21 all the teachers, they look like they enjoy learning,  
22 like making kids learn.

23 Like and starting off by Mr. Flores, he, like,  
24 takes his time by helping kids -- helping kids with  
25 the math problems they need help on. If they don't

1 understand it, he would take his time, explain. If  
2 more than one person doesn't understand it, he would  
3 redo it on the board.

4 Also I want to, like, talk about the staff at  
5 school, the yard aides. They -- they -- they -- they  
6 all like to be around kids. Like they don't like if  
7 they're not that type of person out of school, they're  
8 a full different person in school around kids.

9 They will, like, have a full conversation with  
10 you. They -- they're not just [inaudible] like  
11 disrespect you in any type of way. They are, like very  
12 caring towards others.

13 Also Today's Fresh Start has what I need for my  
14 career. I would like to be a mechanical engineer. And  
15 as [inaudible] there, I see that I will reach the goal  
16 to be a mechanical engineer thanks to them.

17 It is, like, I will be recommended -- I will  
18 recommend it to others just because of how I feel of  
19 the school. Like they're not like -- disrespect no  
20 one.

21 They stop anything that will be, like,  
22 considered, like, bullying or any violence, like they  
23 will stop it right away. That's what I have to say  
24 about Today's Fresh Start. [applause]

25 MS. MONTENEGRO: Mr. Daniel Red [ph].

1 MR. RED: Good evening, board members. Good  
2 evening, everyone. I am a Dillard University graduate.  
3 I studied applied mathematics at Dillard University  
4 and I wanted to teach math.

5 Since leaving Dillard, I've successfully worked  
6 for Inglewood High School, where for three consecutive  
7 years the students who I worked with, they scored the  
8 highest in mathematics in Inglewood High School's  
9 record. I worked with Dr. [inaudible]. Since then I've  
10 transitioned to Today's Fresh Start Charter School.

11 At Today's Fresh Start Charter School, kids are  
12 stepping into literacy -- they're stepping into  
13 literacy and understanding. They're leaving a lot of  
14 rote memory.

15 And I think the school should stay open and  
16 remain open for as long as they could possibly remain  
17 open. Because when you step into understanding, it  
18 gives you a base.

19 It gives you a base to move forward. And at  
20 Today's Fresh Start Charter School, these kids are  
21 moving forward.

22 They're moving forward because they're mastering  
23 grammar, they're mastering math, they have an  
24 understanding. And we want to continue to build  
25 forward and move forward with getting them

1 understanding.

2 I work with a lot of great people at Today's  
3 Fresh Start Charter School. And it's been a first for  
4 me.

5 But I am enjoying it. Every day doesn't feel like  
6 work. It feels successful and addicting.

7 And so moving forward with a staff who presents  
8 that element makes you want to pass what you have  
9 learned on to the next generation.

10 In addition to that, I appreciate this  
11 opportunity to speak in front of you, and I am humbled  
12 by this opportunity.

13 And I hope that you guys do your best to keep  
14 Today's Fresh Start open so that we can move forward  
15 with success.

16 We are also raising the bar and closing the  
17 achievement gap. Thank you. [applause]

18 MS. MONTENEGRO: Mr. [inaudible]. Mr.  
19 [inaudible]. Or Ms. [inaudible]. Okay. Uh-huh. Can you  
20 pronounce your name, please?

21 MALE: [inaudible]

22 MS. MONTENEGRO: Okay. Thank you.

23 MALE: My name is [inaudible]. I want to start  
24 off by saying thank you for [inaudible] all of you. I  
25 want to start off by saying, Today's Fresh Start is a

1 good school. And I would like to [inaudible] Today's  
2 Fresh Start.

3 I -- I like -- I like the school because they  
4 take their time to teach you. They have organized  
5 schedules. They have a good staff. And [inaudible]. I  
6 have a good experience going to Today's Fresh Start.

7 And I hope they keep our school open. And the  
8 school Today's Fresh Start helps you with -- with math  
9 and science. So I achieve my dream to be a medical  
10 doctor. Thank you. [applause]

11 MS. MONTENEGRO: [inaudible] in opposition of the  
12 charter, Ms. [inaudible], please?

13 BOARD MEMBER: Good evening, again. Before I  
14 begin, I just wanted to say, congratulations  
15 [inaudible]. It's been five years, I believe. You  
16 deserve it. Thank you for everything that you have  
17 done. [applause]

18 BOARD MEMBER: [inaudible] for the betterment of  
19 this district. So thank you. And then Christine, I  
20 really enjoyed working with you, and we want to  
21 continue that relationship with you. So thank you.

22 You've been doing an amazing job filling  
23 [inaudible] shoes. Okay. What I want to say first is  
24 that Inglewood Teachers Association. We teach this  
25 neighborhood. We believe in all schools, even charter

1 schools.

2 There's some charter schools that we support 100  
3 percent. But the purpose of a charter school is to  
4 create innovative programs, something extraordinary.

5 That was your original purpose of charter  
6 schools. If this were happening at Fresh Start, we  
7 would not be here asking that you -- I am saying no to  
8 their renewal of their charter school.

9 To the parents of Fresh Start, Inglewood Unified  
10 School District, we hope that you're aware of this, is  
11 making many great changes. And we would like you to be  
12 a part of it.

13 We have aerospace -- we're working with the  
14 aerospace corporation. We have a film and television  
15 program working with Disney, Sony. We have Mandarin.

16 We're working on forensic science, law academy,  
17 international travel, model United Nations, speech and  
18 debate, sports medicine, sports media, TV and radio  
19 shows. The list goes on. Engineering.

20 We just finished a music program with the  
21 musicians' union, where students work with  
22 professional musicians and create a music piece. One  
23 of the professional musicians worked on La La Land,  
24 and they worked with Disney.

25 We just wrapped that up. So I just do want you

1 know -- to know that there are a lot of great things  
2 happening in Inglewood. There's a school right around  
3 the corner from you. It's called Bennett-Kew.

4 And amazing things are happening there. I suggest  
5 that you take the opportunity to see what's going on  
6 over there.

7 Now I do want to say this, because I was really  
8 surprised, very disappointed, but maybe not so  
9 surprised to see John Young come up here and introduce  
10 Fresh Start, somebody who sat right there at the board  
11 meeting, a board member in Inglewood.

12 And we watched you day after day, board meeting,  
13 chase after charter schools, run over there and pass  
14 out your business cards as if it were Tic-Tacs to the  
15 charter school people who would come in.

16 You sold us out. And you continue to do it. You  
17 sold this district out and you continue to do it.

18 Now I just want you to know that in spite of you,  
19 we will rise. In spite of everything you did to tear  
20 down this district, chasing after charter schools,  
21 taking away money from students in this district.

22 And then sitting at the Morningside auditorium  
23 banging on the thing [bell rings], saying yes to  
24 teachers' pay cut. In spite of you, we will rise. Do  
25 what you want to do. But you have betrayed this

1 district. And in spite of you, we will rise.

2 [applause]

3 MS. MONTENEGRO: Fernando Omejo [ph], please.

4 MR. OMEJO: I didn't know my clock started. Good  
5 afternoon good evening, everyone. Once again, I'm  
6 Fernando Omejo representing myself as an individual  
7 and Calpro, and of course [inaudible] which we  
8 represent.

9 It's very hard to say yes and no. Just like  
10 [inaudible] has said, we are all here for education,  
11 we're all here for student achievement and learning.  
12 My my role here at this district is not necessarily in  
13 the classroom, but out the classroom.

14 So I'm here to really just talk a lot about or a  
15 little bit about the -- the progress that we have  
16 slightly talked about.

17 And once again I would like to promote the  
18 presentation of our facilities. So for those -- from  
19 Fresh Start, please stay and stick along to see the  
20 progress that we are talking about.

21 And being involved in a lot of these programs  
22 projects here at the school district we have advanced  
23 very far. We have new classrooms to promote. And that  
24 will all be presented.

25 I wanted to direct attention to myself, and I'm

1 doing this simply because I too was a student. I am a  
2 product of Inglewood Unified School District. And I  
3 can't prove my elementary status from Centinela, but I  
4 am here, from La Tijera.

5 Here's my picture here. And -- and it's  
6 embarrassing to show, but I'll show you [inaudible].  
7 And I am a product -- I already -- I'm repeating  
8 myself, but I'm also a graduate of Inglewood High  
9 School. Here I am looking dapper.

10 Graduating from 1999 to present day, I have  
11 learned a lot. And in 2002 I have decided to work for  
12 the Inglewood Unified School District.

13 Primarily in the beginning, as shameful as it  
14 sounds, I needed an income. Being part of Inglewood  
15 High School's immediate staff, working as a lifeguard,  
16 I've been able to work with students, and have a  
17 different perspective since then.

18 I want to ask those parents from Today's Fresh  
19 Start to give a fresh start to Inglewood today, to  
20 come over and see the improvements and involvement,  
21 not only with the education, but our facilities.

22 It's something to really be proud about. And  
23 there's just eight seconds to talk about it. And it's  
24 not enough time.

25 But definitely have an open house, come see Lily

1 and Grant [ph] to schedule some kind of [bell rings]  
2 walkthrough with a choice like Bennett-Kew or  
3 somewhere near another school. And there's two high  
4 schools to choose from [inaudible] [applause]

5 MS. MONTENEGRO: Is Willie Brown here?

6 MR. BROWN: Yes. Hi there. Hello, board, how are  
7 you? Good evening. I'm Willie Brown. I publish  
8 Inglewood Today newspaper. And for over 25 years we've  
9 been publishing positive stories about the assets in  
10 the city of Inglewood.

11 And a few weeks ago I had an opportunity with  
12 some others to visit the Fresh Start school sort of an  
13 inspection, a viewing of the school, see what they  
14 were doing, and what they bringing to our community.

15 Now I'm here to tell you that I was very  
16 impressed with what they're doing, and have been  
17 doing, and are doing.

18 And I just wanted to say that they are another  
19 positive story that we will be talking about. Because  
20 I believe that they are truly another positive asset  
21 for our community. Thank you. [applause]

22 DR. MURPHY: Good evening, everyone. My name is  
23 Dr. Murphy. I'm the principal of Bennett-Kew  
24 Leadership Academy of Excellence. Yes. Truly the home  
25 of the real college bound [inaudible].

1 Last year was my first year as principal at  
2 Bennett-Kew school. My second month there I met a  
3 mother and father of four children who were scholars  
4 from Today's Fresh Start. The parents of these four  
5 fine children shared with me that their children's  
6 start was not truly fresh.

7 They indicated the school's environment was very  
8 chaotic and there were many behavioral issues that  
9 were swept under the rug.

10 There were no positive behaviors supports in  
11 place, and their son was in fact injured in class, and  
12 there was no contact made to them as parents from  
13 administration.

14 They also shared that the school's curricular  
15 resources were low, and even students' desks and  
16 chairs were limited. I ensured them as the new  
17 principal at Bennett-Kew, that Bennett-Kew was the  
18 school for their children.

19 Fast forward one school year later at the  
20 Inglewood Taste of Soul, August, 2019, this fine  
21 family came to the Inglewood Unified School District's  
22 booth and shared their testimony of how if they knew  
23 then what they knew now regarding Bennett-Kew and the  
24 Inglewood Unified School District, their children  
25 would have never been enrolled in Today's Fresh Start.

1           And their children would have been products of  
2           the Inglewood Unified School District from the start  
3           of their academic journey. They were pleased with our  
4           staff and learning environment, which has helped all  
5           of their children soar to great heights.

6           Another parents actually enrolled her child in  
7           Today's Fresh Start, as she shared with me, she  
8           believed it was to be the best school out of the two.

9           Fast forward one month later; she immediately re-  
10          enrolled her child in Bennett-Kew, as she testified  
11          that her son was not given the academic supports he  
12          needed to be successful in school. Her words were --  
13          her words were, I'm sorry, the grass looked very  
14          green, but it was artificial grass.

15          As I see that Today's Fresh Start is up for  
16          renewal, I encourage this evening that the renewal is  
17          not granted. At Bennett-Kew we educate every child,  
18          the whole child, every single day, in a safe place,  
19          which is the best place.

20          We are and have been raising the bar and closing  
21          the achievement gap. Thank you. [applause]

22          MS. MONTENEGRO: Krishan [ph] Day?

23          MR. DAY: Hello, everybody. My name is Krishan  
24          Day. I'm alumni of Morningside High School, class of  
25          2012. I went on to Chico State where I majored in poli

1 sci, came back to my community.

2 I've been back inside the city of Inglewood for  
3 the past, I want to say four years. I helped organize  
4 with Uplift Inglewood to help get rent control passed  
5 here in the city as well as statewide.

6 I've also been for the past 11 years, or 10 years  
7 giving back to my community, from future distributions  
8 [ph], to 100 Seeds of Change. And I actually helped  
9 create one of the first gardens at Morningside High  
10 School, as well as Warren Lane.

11 I'm here today asking the school board to deny  
12 the charter petition renewal for Today's Fresh Start  
13 school for the term of July 1, 2020 through June 30,  
14 2025. Today's Fresh Start schools have a history of  
15 misconduct with students and their staff.

16 The state Department of Education reported that  
17 they identified serious chronic and systematic program  
18 violations. A teacher came out with a report that  
19 students had to take tests that were that were deemed  
20 unsatisfactory, which led to test scores being an  
21 issue.

22 This is clearly not fair to the students and  
23 staff. We shouldn't reward this type of behavior and  
24 misconduct because it's impacting our students.

25 Another teacher stated that classrooms are under

1 constant video surveillance. There's a lack of such  
2 access to technology and textbooks. This is  
3 unacceptable.

4 We are the city of champions. And our youth  
5 deserves the best we have to offer. Thank you for your  
6 time. [applause]

7 MS. MONTENEGRO: [inaudible]

8 MR. BROWN: Hello, everyone. My name is Zaira  
9 [ph] Brown. I'm an alumni from Morningside High  
10 School, class of 2014. I went on to Chico State to  
11 major in sociology. And I'm also back in my community.

12 I'm asking the board today to deny the charter  
13 petition renewal for Today's Fresh Start Charter  
14 School.

15 Clark and Jeanette Parker, the founders of  
16 Today's Fresh Start schools, have funneled over  
17 \$800,000 in funds in order to make rent payments for a  
18 building that they already owned.

19 They have used their charter to contract services  
20 to their personal nonprofits and companies, and pay  
21 Clark Park- -- Clark Parker generous consultant fees,  
22 all with taxpayer money.

23 The Parkers have cast themselves as selfless  
24 philanthropists while their campus is underfunded and  
25 underserviced.

1 I'll have to ask myself and my community why  
2 would you want to continually enable that type of  
3 business with our education, with our youth, and with  
4 our future. Thank you. [applause]

5 MS. MONTENEGRO: And that concludes our speakers  
6 for the charter petition [inaudible] Today's Fresh  
7 Start.

8 DR. TORRES: Thank you, Ms. Montenegro. And now  
9 it's time for questions from the designated Los  
10 Angeles County Superintendent of Schools and the Board  
11 of Education.

12 I would like to ask Dr. Parker to please go to  
13 the podium as we [inaudible]. Thank you, Dr. Parker.  
14 So during our site visit, we requested that --

15 DR. PARKER: Would you repeat that, please? I  
16 didn't hear you.

17 DR. TORRES: During our site visit, we requested  
18 that 2018-19 data for Today's Fresh Start. School  
19 districts have had access to this data for quite some  
20 time. And so my question for you is, if you can please  
21 let us know why you refused to share this data with  
22 us?

23 DR. PARKER: We could not share it with you  
24 because the test scores for the entire state of  
25 California are embargoed. And they have not been

1 released by the public. We would be disobeying the law  
2 to have given you the test scores.

3 And so that is the reason why. However, we do  
4 have [inaudible] all of the test scores for a long  
5 number of years, which clearly demonstrate that our  
6 scores have been increasing every year.

7 And just to be clear, that we are one of the top  
8 -- a top school in Los Angeles County. And we also  
9 received a -- an award for special education.

10 So our test scores, which is the most -- the most  
11 important criteria for renewal, do exceed the  
12 Inglewood Unified School District, and many other  
13 schools surrounding. Is that fair? Did I answer your  
14 question?

15 DR. TORRES: You did. And what I wanted to just  
16 mention, and to remind you as your authorizing  
17 district you -- you did mention to us that the data is  
18 embargoed. But I reminded that we need data in order  
19 to make a determination.

20 And you refused to provide that to us. So I'm  
21 going to hand it over to our board president, Dr.  
22 Scorza, and he would like to share a memorandum that  
23 you received in May of 2019.

24 DR. SCORZA: So thank you, Ms. Parker, for coming  
25 tonight. I just want to state unequivocally that I am

1 for Inglewood Unified. [inaudible] my kids go to  
2 school here in Inglewood Unified, as does our nieces  
3 and nephews, and [inaudible] kids as well.

4 So I just want to be as -- as abundantly about  
5 that as possible. So I think you stated -- and you  
6 stated in your response letter that the data was  
7 embargoed.

8 I just want to read to you briefly an excerpt  
9 from a memo provided by the California Department of  
10 Education and by the state superintendent of public  
11 instruction, dated May 28, 2019, which details to all  
12 county and district superintendents, as well as  
13 charter school administrators, that the early results  
14 will give -- this is regarding your school results --  
15 the early results will give local educational agencies  
16 timely information about student learning to support  
17 instructional planning for the coming year. Student  
18 achievement and [inaudible] results, may also inform  
19 the development of local controlled accountability  
20 plans and educational programs.

21 Assessment results from the ORS and Toms [ph] are  
22 not embargoed. Districts are encouraged to use the  
23 results for local planning, including public meetings  
24 with your local governing board.

25 So if you like, we can provide a copy of this for

1 you. But this letter was dated prior to you submitting  
2 the charter.

3 So we want to make sure that you know that your  
4 results were not embargoed. And frankly, when we did  
5 an analysis of your results, we found that from 2018  
6 to 2019 your performance went down in nearly every  
7 grade level in both ELA and math.

8 So when we took a look at your results, because  
9 we were finally able to gain access to them, we found,  
10 and at least we assumed, that the primary reason they  
11 were not provided was because performance was actually  
12 on the decline. Can you speak to that, please?

13 DR. PARKER: Yes. I'd be very glad to speak to  
14 that. If you look at the test scores that we gave you,  
15 you will see, and according to legalities, our test  
16 scores must either equal or exceed Inglewood.

17 And they do that. So that is the case. So if  
18 there are 2019, we gave you 2018. So I -- I don't know  
19 what what year you are speaking of.

20 And you can clarify it if you would like, please.  
21 But our clear understanding is that the 2019 scores  
22 have not been released to the public. And we were not  
23 allowed to release them.

24 DR. SCORZA: Well, thank you. And this is from  
25 2018 to 2019. And I would beg to differ that our

1 scores have actually increased and improved over the  
2 past three years. And you can see that by [inaudible]  
3 results as well. So --

4 DR. PARKER: We have looked at -- we gave you the  
5 new policy.

6 DR. SCORZA: That's fine. So with that being said  
7 I just want you to know that while you did not provide  
8 the data to us, we want to be abundantly clear that  
9 your results were not embargoed.

10 And to Dr. Torres' point, as your authorizing  
11 agency, you were required to provide those to us. And  
12 if -- and according to your letter, educational  
13 achievement is the number one reason charter schools  
14 should be opened, what we see now is a decline in  
15 achievement in your schools. So just want to be  
16 abundantly clear.

17 DR. PARKER: Well, there's a difference in saying  
18 there is a decline, and a difference in saying that we  
19 are not achieving at or above Inglewood, which is the  
20 actual true picture, that we are achieving at and  
21 above.

22 DR. SCORZA: Well, let's just say for second  
23 grade ELA, your scores went down from 46 to 17 percent  
24 of students that were meeting or exceeding the  
25 standard by grade. And ours exceeded that number. So

1 just to be really clear if that's the case, if your  
2 standard is that, then you need to exceed [inaudible]

3 DR. PARKER: Our standard is that we are an  
4 elementary school. And we are from TK through 8. So  
5 all our grades are put together. So --

6 DR. SCORZA: Okay. Thank you.

7 DR. PARKER: So they're all conglomerate [sic]  
8 together.

9 DR. SCORZA: Thank you.

10 DR. TORRES: Thank you. And then one final  
11 question from me, and then I'm going to open it up to  
12 our board of education.

13 So during our visit it was very apparent the  
14 staff at Today's Fresh Start do not fully understand  
15 the responsibilities to serve the full spectrum of  
16 students with special needs.

17 And I would like for you to please explain the  
18 data reflecting the decrease in achievement for  
19 students with special needs.

20 DR. PARKER: We were given an award -- we were  
21 awarded a special education school of excellence  
22 award. And we are very --

23 DR. TORRES: So my question again will be -- let  
24 me repeat my question.

25 DR. PARKER: Sure. Of course.

1 DR. TORRES: Because I'd like to -- I'd like for  
2 you to respond to my question. Please explain the data  
3 reflecting the decrease in achievement for students  
4 with special needs. That is the question.

5 DR. PARKER: Well, I think you need to keep in  
6 mind that every year we enroll children who come from  
7 other districts, including Inglewood, and other  
8 districts, who come in at very far below the standard.  
9 So we must bring all those children up. And that's  
10 what we do.

11 DR. TORRES: Thank you. And I'm going to ask our  
12 board of education if you have any questions for Dr.  
13 Parker. We'll begin with Dr. Scorza.

14 DR. SCORZA: Thank you so much, Dr. Torres. Will  
15 there be any -- are there any questions from the  
16 board?

17 BOARD MEMBER: Yes. Hi. Hi, Dr. Parker. How are  
18 you?

19 DR. PARKER: I'm well, thank you.

20 BOARD MEMBER: Good, good. I do have a question  
21 for you. My understanding is that your board of  
22 education is they're communicating and having their  
23 board meetings via teleconferencing. Are these  
24 meetings being noticed to the public at all?

25 DR. PARKER: All our board members -- all our

1 board minutes are published. Are you -- the  
2 teleconferencing --  
3 BOARD MEMBER: I was talking about the --  
4 DR. PARKER: -- for all -- all schools beings in  
5 -- in January.  
6 BOARD MEMBER: I'm asking about your --  
7 specifically your board meetings.  
8 DR. PARKER: Yes.  
9 BOARD MEMBER: How are your -- are you -- are  
10 they meeting in person or via teleconference?  
11 DR. PARKER: They meet in person.  
12 BOARD MEMBER: They meet in person.  
13 DR. PARKER: Yes.  
14 BOARD MEMBER: That's the first we have --  
15 DR. PARKER: I'm sorry?  
16 BOARD MEMBER: And you reported out that they've  
17 been meeting in person?  
18 DR. PARKER: Well, if you look at the board  
19 minutes, we record how just what is the scenario.  
20 BOARD MEMBER: So --  
21 DR. PARKER: If someone is absent, then they have  
22 to know. We have to document that.  
23 We have to document that they are absent, and the  
24 reason, and where they are. And we have to have the  
25 address.

1           So someone is ill and can't get there, then, you  
2           know, that could be a reason as to why. And they must  
3           notify us far in advance so that we have an  
4           opportunity to document the address where they are so  
5           they can post it.

6           BOARD MEMBER: Okay. And how are you providing  
7           public notice of your board meetings?

8           DR. PARKER: We provide it at the schools and on  
9           our website.

10          BOARD MEMBER: Okay. And what kind of notice, how  
11          long is it being displayed?

12          DR. PARKER: Say that again?

13          BOARD MEMBER: How long is your notice being  
14          displayed for the public notice?

15          DR. PARKER: On the website?

16          BOARD MEMBER: When you publish -- when you  
17          publish [inaudible] --

18          DR. PARKER: If it's a regular board meeting,  
19          it's 72 hours in advance.

20          BOARD MEMBER: Okay.

21          DR. PARKER: Mm-hmm.

22          BOARD MEMBER: So you have not had any  
23          teleconference -- you have not had any [inaudible]  
24          teleconference?

25          DR. PARKER: Well, the teleconferencing is not a

1 -- it's not required until January.

2 BOARD MEMBER: Okay. Thank you.

3 DR. PARKER: Maybe we -- maybe you have to define  
4 what you mean by teleconference.

5 DR. SCORZA: Are your board members meeting  
6 virtually? Or are they all meeting in person at every  
7 meeting?

8 DR. PARKER: They all meet in person unless  
9 someone is absent or, you know, cannot attend for some  
10 very extraordinary reason.

11 DR. SCORZA: And in which case they're provided  
12 an option to teleconference, is that correct?

13 DR. PARKER: They are given an opportunity to  
14 call in.

15 DR. SCORZA: Right. And when you do so, are the  
16 locations at which they are teleconferencing publicly  
17 noticed so that --

18 DR. PARKER: Yes.

19 DR. SCORZA: -- members of your community are  
20 able to attend?

21 DR. PARKER: Yes.

22 DR. SCORZA: Both at that location where the  
23 person is teleconferencing from, as well as at your  
24 board meeting?

25 DR. PARKER: Yes.

1 BOARD MEMBER: I have a question about your  
2 parent volunteers. I'm reading in your petition that  
3 they're expected to in their 40 hours [inaudible]

4 DR. PARKER: Would you talk a little maybe a  
5 little closer so I can hear you.

6 BOARD MEMBER: Your parents are expected or  
7 required to render 40 hours of volunteer time per  
8 student as a -- a requirement for admission. So what  
9 do you have those parents doing for 40 hours?

10 DR. PARKER: We do not require any parent to  
11 volunteer for 40 hours. So that's another one of the  
12 blatant contortions that was reported in the staff  
13 report.

14 BOARD MEMBER: I'm looking at your petition that  
15 says, admissions requirements. And it's under  
16 admissions requirements about your parents rendering  
17 40 hours of service.

18 DR. PARKER: We do not require any parent to  
19 volunteer any time. We encourage them to come and  
20 volunteer. But it is not a requirement.

21 BOARD MEMBER: You encourage the parents. And if  
22 the parents don't volunteer, then what? What happens  
23 to the student?

24 DR. PARKER: There is nothing we can do about it.  
25 They just don't volunteer. Only parents volunteer who

1 want to volunteer.

2 There is no requirement. There is no condition as  
3 far as -- I know there was a law passed quite a bit a  
4 while ago that some schools -- but we've never  
5 required any parent to in condition of enrollment, to  
6 have to volunteer.

7 DR. SCORZA: So Ms. Parker, just to reiterate  
8 what's actually in your petition, and in your parent  
9 handbook listed on your website. It says, parent  
10 participation. So parents, this might be a change in  
11 your policy, but you'll get to hear it directly from  
12 us today.

13 Your participation is needed, appreciated, and  
14 required. By enrolling your child in Today's Fresh  
15 Start Charter School, a school of choice, all parents  
16 are expected to participate in your child's school  
17 success.

18 The parent/guardian is the first teacher and  
19 parent participation is a, quote-unquote, "must."  
20 Parent handbook, page 24.

21 DR. PARKER: We do not require any parent to  
22 volunteer. That's all I can say.

23 BOARD MEMBER: I have a question of Dr. Parker.  
24 Thank you. Is the location on Imperial the only  
25 location included in this charter request that you

1 presented to us?  
2 DR. PARKER: Yes.  
3 BOARD MEMBER: So the --  
4 DR. PARKER: The location here in Inglewood.  
5 BOARD MEMBER: So your other locations are not  
6 part of your charter request, renewal request that you  
7 have presented to us today?  
8 DR. PARKER: No. It's only one location.  
9 BOARD MEMBER: Only one location, so --  
10 DR. PARKER: The one that is here.  
11 BOARD MEMBER: So your operations on Crenshaw, on  
12 the -- which charter?  
13 DR. PARKER: It's under the Compton Unified  
14 School District.  
15 BOARD MEMBER: Compton Unified has approved the  
16 ones on Crenshaw.  
17 DR. PARKER: That is correct.  
18 BOARD MEMBER: Thank you.  
19 DR. SCORZA: And those are located within the  
20 boundaries of LAUSD, correct?  
21 DR. PARKER: That is correct.  
22 DR. SCORZA: How are they, given the recent court  
23 ruling, how are they allowed to legally operate being  
24 authorized by another district, but then being in the  
25 competing district's boundaries?

1 DR. PARKER: The Ed Code allows that a district  
2 may have one site outside their district.

3 And the one site outside of the Compton Unified  
4 School District, that is on the rise by them, to  
5 Today's Fresh Start, is on Crenshaw Boulevard.

6 The other site is within Compton Unified  
7 District, in Compton. So the law allows for that. So  
8 it is legal.

9 DR. SCORZA: And are the -- we see that you have  
10 two sites, 4514 Crenshaw and 4476 Crenshaw. Are those  
11 two separate sites or one combined site?

12 DR. PARKER: No. It's one complex.

13 DR. SCORZA: Okay. Thank you. And that has no  
14 connection with Inglewood Unified.

15 BOARD MEMBER: Does that also comply with your  
16 board? It just appeared that your board members have  
17 served on the board for several years.

18 And I'm just curious as to how your board members  
19 are reelected, and how many terms can your board  
20 members serve, and what's the procedure for reelecting  
21 a board member, and how does the board separate its  
22 interests from Inglewood approved charters and  
23 Compton's approved charters?

24 DR. PARKER: Well, you asked multiple questions  
25 in one complex.

1 BOARD MEMBER: Okay --

2 DR. PARKER: So start off at the top, if you  
3 will, please.

4 BOARD MEMBER: How many -- how many years or how  
5 many terms can a board member serve?

6 DR. PARKER: Well, [inaudible] to any [inaudible]  
7 to public schools, that they can be reelected or -- I  
8 don't know if that would be the proper term for us --  
9 but they can be reinstated onto the board. So --

10 BOARD MEMBER: Is there term limits?

11 DR. PARKER: Only to the extent that if they  
12 cannot serve anymore.

13 BOARD MEMBER: So a board member can serve -- is  
14 it four consecutive years, and then another four  
15 consecutive years if they're reelected? Or is it  
16 infinite, they can serve for 30 years?

17 DR. PARKER: Well, we don't have elections. You -  
18 - you -- you're a -- a public entity that does  
19 elections.

20 BOARD MEMBER: No. Private entities elect too.  
21 They are elected by their peers. There is an electoral  
22 procedure. And I'm just trying to understand how are  
23 your board members --

24 DR. PARKER: Well, we have everything in the  
25 charter and in our articles of corporation, which

1 clearly explain -- explains the process. It is all in  
2 the charter and operative.

3 And we have been chartered by you as a partner  
4 for many years, something like 10 by now. And if  
5 there's a procedure that you think, you know, you have  
6 an idea that you would like to have altered, then, you  
7 know, we can alter that.

8 BOARD MEMBER: Okay. I'm going to alter this.  
9 Does your board members serve for both school  
10 districts?

11 DR. PARKER: They do, just as --

12 BOARD MEMBER: Inglewood and Compton?

13 DR. PARKER: That is correct. That's just like LA  
14 Unified, your district, you have multiple school sites  
15 on your district.

16 BOARD MEMBER: No, we --

17 DR. PARKER: And so we have one board. We have  
18 one board.

19 BOARD MEMBER: But you have schools in other  
20 districts.

21 DR. PARKER: Well, we have one board.

22 BOARD MEMBER: Okay. And another thing, do you  
23 guys ever -- I see that while I was looking for Willie  
24 Brown, and seeing him at a board meeting since Hector  
25 was a pup, but that's all good. I'm just wondering, do

1 you guys advertise in his paper?

2 DR. PARKER: We have just begun to do so.

3 BOARD MEMBER: Okay.

4 DR. PARKER: But he has visited the school. And  
5 it was his initiating desire to do so. But he is not  
6 paid to appear on our behalf.

7 BOARD MEMBER: Oh, I wouldn't even suggest that.

8 DR. SCORZA: So Dr. Parker, again, thank you so  
9 much for being patient and, you know, weathering her  
10 questions.

11 You know, I worked really hard on AB420, which  
12 you may have heard some of the young men speaking  
13 earlier, expressly prohibits suspension or expulsion  
14 on the basis of willful defiance.

15 I'm really proud to say that a coalition of  
16 organizations throughout LA County worked really hard  
17 on SB419, which was passed by Senator Nancy Skinner,  
18 which extended the ability or at least prevents a  
19 school from suspending kids on the basis of willful  
20 defiance up to 8th grade, K through 8.

21 In reviewing your petition, we're not able to  
22 understand what basis for expulsion or suspension you  
23 utilize for your students. Can you please articulate  
24 whether or not your petition complies with AB420 and  
25 SB419?

1 DR. PARKER: We do everything possible not to  
2 expel children and not to suspend them. We work with  
3 the parent, and we work with the child, because we  
4 have a belief that expelling children, where you going  
5 to put.

6 And we believe that it's teaching them to go to  
7 prison and to learn how to be exiled. So we have  
8 people, contrary to what may have been said, we have  
9 people on staff who work as behavior coaches, and  
10 counselors, and other professions, to help children  
11 who have difficulties.

12 I might be so polite to remind you that more than  
13 25 million children in the United States are from  
14 homes where there are no fathers in the homes. We have  
15 learned that there are some of those children have  
16 behavior difficulties, but they're not IEP.

17 So what we do is work with them so that they may  
18 learn how to collaborate in an environment that will  
19 help them to grow and to be nurtured.

20 DR. SCORZA: So Dr. Parker, we would have loved  
21 to review your suspension and expulsion data, but we  
22 didn't have access to it. So can you tell us what your  
23 suspension and expulsion rates were?

24 DR. PARKER: We don't expel. We don't expel and  
25 we don't suspend. We work with the parents. We sit

1 with them. We meet with them. We talk to the children.

2 We talk to the parents.

3 We do it constantly. We have been -- we started  
4 conflict resolution so that our children would not be  
5 put out, or rather that we can work with them.

6 DR. SCORZA: I'll tell you, one of the -- one of  
7 the complaints we've heard from community members  
8 about the challenges that they face when attending  
9 Today's Fresh Start, that their children are counseled  
10 out.

11 So they're not suspended or expelled, but they're  
12 counseled out, and no longer able to attend. So I just  
13 want to be just abundantly clear about that.

14 The other question I have for you is related to  
15 your special needs population or your special  
16 education population. What's your current special ed  
17 population rate relative to your overall student  
18 [inaudible] --

19 DR. PARKER: I gave you a sheet in there.

20 DR. SCORZA: Yes.

21 DR. PARKER: There's a sheet in there which  
22 documents how many children that we have in special  
23 ed.

24 DR. TORRES: Could you walk us through that data,  
25 please?

1 DR. PARKER: Sure. I'd be glad to do that. It's  
2 in a red folder.

3 DR. SCORZA: Yeah. So we just received this  
4 shortly. I haven't had a chance to review this yet.  
5 Which page?

6 DR. PARKER: Well, you feeling what I feel, don't  
7 you, that no one as yet, as of this very moment, ever  
8 sent me this staff report. So just think, how would  
9 you feel, that we never ever --

10 DR. TORRES: So Dr. Parker, the question is, can  
11 you please review the data with us. Thank you.

12 DR. PARKER: Yes. But I want to respond, he said  
13 he hadn't had time, that I haven't had time to respond  
14 to a [inaudible] that is reported in 10 minutes.

15 So, yes, so in the red folder you'll find stapled  
16 to the back award from the national -- we are members  
17 of the El Dorado [inaudible].

18 And in the back of the folder it has an award of  
19 excellence from the National Association of Special  
20 Education Teachers, that was awarded to us.

21 And within that area back there, it has the  
22 documentation of the children who are enrolled. So  
23 there is a red --

24 [talking over each other]

25 DR. PARKER: Right. Where they're stapled --

1 where it's stapled. See in the back?

2 DR. TORRES: Yes.

3 DR. PARKER: So we have 51 children who are  
4 special ed. And I don't know if Ms. Mariana [ph] is  
5 here. But she's in charge of the special ed division.

6 DR. SCORZA: So -- so thank you for the counts,  
7 Dr. Parker. And what's the achievement like for this  
8 population?

9 DR. PARKER: Um [inaudible] she has another chart  
10 right back there.

11 DR. SCORZA: It just shows the total population.  
12 It doesn't show --

13 DR. PARKER: No. Right in the back --

14 DR. SCORZA: -- achievement gap for that  
15 population. I think -- I think, yeah. I think the  
16 difference is that we actually requested the data  
17 quite some time ago.

18 So which I'm trying to -- we're trying -- we're  
19 trying to do our due diligence, right?

20 You asked us to review this petition. I think  
21 we're trying to do our due diligence. So can you tell  
22 us the achievement gap?

23 DR. PARKER: I don't have it with me. We can  
24 acquire it. We can get it. But I don't have it with  
25 me.

1 DR. SCORZA: Okay. Thank you.

2 DR. PARKER: So I'd just like to say, I kind of  
3 have to be bold because I'm speaking on behalf of the  
4 -- of the schools, that I think someone needs to look  
5 at the fact that there has been practically no  
6 oversight, which is the district's responsibility.

7 And in addition, for it to be that no one would  
8 send us the such a degrading staff report, except a  
9 few hours ago. That is --

10 DR. SCORZA: I'm sorry, Dr. Parker, we --

11 DR. PARKER: That's not good.

12 DR. SCORZA: We have another question for you,  
13 before [inaudible] next portion.

14 DR. PARKER: Yes, sir.

15 BOARD MEMBER: Just one last question, Dr.  
16 Parker.

17 DR. PARKER: Yes, ma'am.

18 BOARD MEMBER: One of the things that had been  
19 [inaudible] the issue was availability of  
20 instructional materials and [inaudible]. Have you done  
21 a -- did you include in your petition your latest  
22 report in terms of sufficiency of textbooks and  
23 instructional materials?

24 DR. PARKER: Well, for every child there is a  
25 laptop, starting with TK through 8th grade. Every

1 child has a laptop. All the children have textbooks.

2 McGraw Hill is the publisher that we use.

3 But we also use -- there are other, you know, we  
4 have other people who work on this. What's the name of  
5 the program that we have used? Is Dr. [inaudible]  
6 here?

7 BOARD MEMBER: I'm here.

8 DR. PARKER: What is the name of the other --  
9 Illuminate?

10 BOARD MEMBER: Illuminate is our testing service.

11 DR. PARKER: And Study Island?

12 BOARD MEMBER: Study Island is [inaudible]

13 DR. PARKER: And [inaudible].

14 BOARD MEMBER: [inaudible]

15 BOARD MEMBER: Now are al of these online  
16 programs that you are referring to?

17 DR. PARKER: No. McGraw Hill is not online. And  
18 Swat [ph] is not online. And --

19 BOARD MEMBER: So to answer the -- I don't want  
20 to prolong this discussion -- the question I asked  
21 was, in terms of sufficiency, does your report reflect  
22 that you have sufficient instructional materials to  
23 support the needs of your students enrolled in the  
24 charter school on Imperial Highway?

25 DR. PARKER: We have more than sufficient

1 materials. We have books that are hardback. Yes, it  
2 does reflect that. Yes, ma'am.

3 BOARD MEMBER: Thank you.

4 DR. TORRES: Any other questions from the board?  
5 Thank you, Dr. Parker.

6 DR. PARKER: You're welcome.

7 DR. TORRES: So now we're moving on to Item  
8 11.d.1. I would like to ask Sue Ann Evans to come up  
9 and provide us with a staff report regarding the  
10 charter petition renewal for Today's Fresh Start. I am  
11 hereby closing the public hearing.

12 MS. EVANS: So I want to -- I guess this is my  
13 first [inaudible], but this is the Today's Fresh Start  
14 charter petition with the attachments that it came  
15 with.

16 There was no mistake about the charter that we  
17 reviewed. I think there may be some misunderstanding  
18 between deficiency and a wholesale failure to include  
19 certain information. So I will walk through  
20 [inaudible]. Thank you though.

21 I should say good evening. Good evening, Dr.  
22 Torres, and board, and staff. So it is true that  
23 Today's Fresh Start has been a charter in the district  
24 since 2009. It's been quite a while. It's a K8  
25 charter.

1           And the lead petitioner, Dr. Parker, who you have  
2 spoken to she submitted a petition to renew the  
3 charter for another five year term. And that happened,  
4 just to clarify timing on things; it was dropped off  
5 at the district offices on August 9th.

6           The then state administrator received it formally  
7 at the September 11 meeting. And it was scheduled  
8 through agreement, signed agreement with the lead  
9 petitioner, to have it both the public hearing and the  
10 decision tonight, October 9th, which is 61 days, as  
11 you heard before.

12           And there is a 60 day timeline for charters. So  
13 this I notice isn't your first rodeo, but I'm going to  
14 review some of these legal requirements.

15           Under state law, the charter renewals are  
16 evaluated by the same criteria that govern new  
17 charters.

18           So we're looking at is it a sound educational  
19 program, are they demonstrably likely to successfully  
20 implement that program, do they have the assurances,  
21 do they have a reasonably comprehensive description of  
22 all of the required elements of a charter.

23           Now because it's a renewal, there are additional  
24 things to consider. Under 47607 of the Ed Code, the  
25 most important factor, and you heard Dr. Parker speak

1 to this, is the pupil academic achievement for all  
2 groups, all subgroups served by the charter school.  
3 That is the most important factor in considering  
4 whether to renew the charter.

5 Now when we look at the information, and this is  
6 clar- -- just to clarify what's been presented and  
7 what you have in front of you -- through the petition  
8 Today's Fresh Start provided four years.

9 However four years includes one year from their  
10 prior term. It -- what we are evaluating for purposes  
11 of renewal is the current term and the academic  
12 performance of the current term. And there are two  
13 questions to ask.

14 One, have there been increases year after year in  
15 performance. And two, is there have been increases,  
16 how does the school compare to the schools where  
17 students would otherwise attend, as well as the  
18 district where the charter school is located.

19 What we heard during the public hearing  
20 presentation was that 10 percent or less than 10  
21 percent of the Today's Fresh Start students are  
22 actually Inglewood students. So that information was  
23 not provided with the charter.

24 But I -- it is telling because the comparison  
25 that they made in those first three years of their

1 charter term was exclusively with Inglewood schools.  
2 So that isn't what was is requested or required under  
3 the statute.

4 Now where we made the recommended finding that  
5 there was failure to meet the academic eligibility,  
6 was the fact that they were unwilling, to put it  
7 lightly, to provide the 2019 scores. That's the 2018-  
8 19 scores.

9 That data reflects the fourth year of their  
10 charter. It is consistently required on renewals in  
11 this term, meaning this term -- and this is not just  
12 this district, which we have required for most  
13 recently [inaudible] but districts across the state.  
14 It's part of the analysis.

15 So the idea that you can sort of pick and choose  
16 which years you're going to look at, or only take the  
17 first three and have the last two years of the charter  
18 not even evaluated, for one that's not meeting our  
19 obligations under the statute.

20 But two, the California Department of Education  
21 would be all over us, to put it plainly. Whenever we  
22 renew a charter, we have to show to the state the  
23 criteria and how we got there, particularly on the  
24 academic performance piece.

25 And so the idea that we would not ask for it, not

1 review it, rely on something other than the -- the  
2 maximum amount of data for the term, is not what the  
3 law requires, it's not what is contemplated.

4 I also want to point out that we have written --  
5 you know, oh, there's no oversight, that's not  
6 accurate.

7 In November of 2017, the district wrote to the  
8 charter school saying we're concerned about your  
9 academic performance, you have a very low number of  
10 proficient or meeting standards students.

11 Again we wrote in November of 2018, saying we're  
12 concerned -- we continue to be concerned with your low  
13 meets performance numbers. We also said this  
14 information is going to be critical for your renewal.

15 So the idea that they were surprised by the  
16 request for 2019 data is not accurate. And I would say  
17 we went out -- you know, I heard a lot about, well  
18 this -- we were blindsided, and nobody told us  
19 anything about what was going on.

20 Well, that's not true. We went to the school site  
21 and said, we have concerns about your related party  
22 transactions; can you tell us about that?

23 And they had their financial advisor on the  
24 phone. And they, both Dr. Parker and the financial  
25 advisor said, oh, we can't -- you'll have to talk to

1 our lawyer.

2 The next thing we asked for was the student data.  
3 And the 2019 data, they said it was embargoed.

4 And we reiterated that this is typical, and  
5 required, and what we required with other charters we  
6 oversee, and that it -- it was, you know, we would  
7 commit to keeping that strictly for the use of  
8 evaluating their performance for renewal, and not post  
9 it on all the websites, right?

10 But and then the third piece was to ask for  
11 information about their special education program. You  
12 have heard a little bit, there was a dialogue during  
13 that meeting that was concerning.

14 It reflected that, well, we offer push-in  
15 services. Okay, well what about a student that comes  
16 to you, for example, with an IEP for a special day  
17 class?

18 Oh, we refer them back to their home district,  
19 because parents don't like special day classes. Well,  
20 aside from that fact-based scenario, the thinking  
21 behind how you work with and -- and serve special  
22 needs students, this was frankly missing entirely.

23 So we asked for data, more data, specific to the  
24 numbers of students that were severe, moderate, low to  
25 evaluate. What -- what is this population that they're

1 serving? And are they truly serving all students?

2 Because that communication did not reflect that.  
3 And the data that they provided -- well let me back  
4 up. So we asked for those -- those three areas of  
5 concern, we were very worried about, we wanted more  
6 information.

7 We said, you know, why don't we agree to have the  
8 public hearing on October 9th. Let's get 30 more --  
9 let's agree to a 30-day extension, or not quite 30  
10 days, put us to the November 6th meeting for a  
11 determination.

12 And then we can have a dialogue, and review the  
13 data that we requested, and better understand where  
14 you're coming from. And by the way, we can get that  
15 2019 data and evaluate it.

16 And they -- they didn't agree. The -- the  
17 statement was made that, well I can't guarantee a  
18 board meeting, and I can't guarantee that the board  
19 will agree. Well, as a petitioner, Dr. Parker is the  
20 lead petitioner, she has the authority to make that  
21 agreement. It is not a board action.

22 She's the petitioner. That's why a petitioner is  
23 designated so that they can engage and interact with  
24 the district as they go through this process. And then  
25 we just -- we never heard back. They went silent.

1           So as we're waiting to hear back, thinking we're  
2 going to get an extension so we can have through some  
3 of this that silence. And then we posted through the  
4 report.

5           Now there is back to process a lot of complaint  
6 about the fact that that was not hand delivered to  
7 Today's Fresh Start. And you've heard due process  
8 talked about here. A couple of things.

9           This is not a revocation process. We're not  
10 suggesting you stop them mid-term. That's not what's  
11 happening. This is a renewal.

12           And the renewal process and whatever process is  
13 due within the meaning of due process, is laid out in  
14 the statute. And the statute says nothing about making  
15 sure that the charter school is aware of deficiencies  
16 that you're concerned about.

17           Even so, we posted when we knew that there was  
18 going to be the meeting going forward and this  
19 determination being made, and in compliance with the  
20 Brown Act. Because we don't have to post anything like  
21 a document that's the staff report until then it's  
22 delivered to the full board.

23           And so as soon as -- in fact before that was  
24 done, it was posted to the website. You know, I will -  
25 - we got a letter response that I'm sure you've seen

1 from Today's Fresh Start. You heard it here today. One  
2 of the things they talk about is this violation. But  
3 there is no legal citation, there is no authority  
4 cited, it's just this isn't fair.

5 But I'm going to push back on that and say, if  
6 you wanted more time, and you wanted to collaborate  
7 and work with the district and have the kind of  
8 conversations that you're suggesting in your response  
9 letter, then the way to have done that would be to  
10 grant the extension and provide the information that  
11 the authorizer is not only entitled to, but has  
12 requested.

13 So I'm going to push on that point as well.  
14 Because oversight is not easy. It does take a lot of  
15 resources. And in order to make it work, we have to  
16 have cooperation from our charter schools.

17 And under the law, and it's 47604.32, we are  
18 entitled to response to reasonable inquires for  
19 information. What do we need to do a renewal? What do  
20 we need to evaluate this -- this charter school, and  
21 its past conduct, and -- and future potential success?

22 But to get the response, no, is is its own  
23 violation of law. One of the points that is different  
24 on renewal is the fact that the regulations that have  
25 been adopted by the state board of education actually

1 speak to -- you -- you don't just look at the four  
2 corners of the petition that's been provided.

3 You do look back at the past and see what has --  
4 what kind of conduct has gone on? Does it -- have they  
5 -- you look at academics, you look at financials, you  
6 look at operational performance.

7 Now there's definitely reference in this report  
8 revocation in 2007. This is -- this recommendation is  
9 in no way based on the fact that it was revoked, that  
10 their charter with LACO was revoked in 2007.

11 Instead what we're saying is, look at these  
12 deficiencies that led to revocation, self-dealing,  
13 failure to comply with the Brown Act, violations of  
14 governance. And where is the evidence that they are  
15 going to change course and comply.

16 Now in 2016 the-then state administrator actually  
17 called out these self-dealing issues, and found that  
18 the facility that this charter school was trying to  
19 operate in LAUSD's boundaries under your charter.

20 Not only did they find out it was a violation of  
21 law, but also that that facility reflected self-  
22 dealing with the Parkers owning that facility and  
23 receiving rent.

24 So it's not something that the district has never  
25 identified and raised to the charter school. And when

1 we look at their audits, we see that it continues. Now  
2 I also heard tonight that it has nothing to -- that so  
3 many of these things have nothing to do with  
4 Inglewood; it's all Compton.

5 But I think some of the questions we heard  
6 reflect the concern that's identified in the staff  
7 report, when you have a single board that is operating  
8 not two schools, two separate school districts. 47612  
9 of the Education Code says each charter school is its  
10 own school district.

11 And they have their rights and benefits that need  
12 to be protected, and ensure that fidelity is given to  
13 each individual school district. You don't serve any  
14 other school districts, you serve Inglewood. It's the  
15 same for this board, the expectation that they serve  
16 the Inglewood charter.

17 And when you have two boards -- or one board  
18 making decisions, that at the same time serving two  
19 schools, how do you draw that line that you asked  
20 earlier about -- well that -- they made that decision  
21 as the Compton board.

22 And so those sites are operating as the Compton  
23 board. But they didn't have their Inglewood hat on at  
24 the time they made those decisions. Well, even if  
25 that's true, the concern remains that the -- that that

1 board is making decisions contrary to law.

2 Now this notion that it's okay to have one site  
3 outside of your district boundaries, that's not  
4 accurate. You are not allowed to operate one site  
5 outside of your district boundaries. There's a limited  
6 situation when you may do that, and it is only if  
7 there's a finding is made that you cannot locate  
8 within the district boundary.

9 Now I looked through their minutes and things,  
10 there is no suggestion of anything like that. And that  
11 was a site they already had, that the Parkers already  
12 had and operated under their then revoked charter.

13 So it's not as though they went to Compton,  
14 looked around, tried to find a site, and couldn't find  
15 it. and so then, oh, well I guess we'll have to be  
16 over here in LAUSD. That's not what happened.

17 So all of these things are -- some go far back to  
18 show notice of what is appropriate and legal, and what  
19 is not.

20 And some of it goes back to this term of this  
21 charter, to see they are willing and able to -- to  
22 meet the requirements of law and operate in a  
23 compliant manner.

24 And we're not seeing that not only through the  
25 conduct, but also in the terms of the charter that

1 they presented. So when you say, well we did say we  
2 would comply with SB126. Well, SB126 went into effect  
3 last March.

4 It has been on the books and it was very high  
5 profile, as you now know, because the governor was  
6 concerned, as well as the legislature, with charter  
7 schools not operating in a transparent and conflict of  
8 interest free manner.

9 So when we look at the charter petition, they  
10 have the obligation under the law to update it and  
11 ensure that they've got the most recent law. Because  
12 this is a charter that's supposed to go forward in  
13 five years, right?

14 So you've got to incorporate what's new at the  
15 time you're submitting your petition. They reference  
16 that section, but they do not commit to one of the  
17 most critical pieces, which is Government Code 1090.

18 And as public officials, you know it's a  
19 difficult statute to comply with, because it requires  
20 that you not participate, that you have no contact,  
21 that you have no financial interest in any dealings of  
22 the school district.

23 And that is applicable to charter schools. Now  
24 importantly that statute went into effect in 2019. But  
25 earlier the attorney general did point out that all of

1 those statutes were already applicable to charter  
2 schools.

3 Now I have gone off my talking points a bit here.  
4 And I do want you to to ask questions. But I think one  
5 of our key issues here is academic performance.  
6 Because it is the threshold consideration, as well as  
7 the most important factor.

8 So despite what you've heard tonight, 2019  
9 results are public. They were made public today. And  
10 we have a slide showing Today's Fresh Start's English  
11 language arts.

12 And you can see that in all grades except let's  
13 see -- the percentage of -- I'm going to read it  
14 because I want to get it right -- meeting or exceeding  
15 standards dropped from 45.86 percent in 2018, to 36.46  
16 percent in 2019.

17 Third graders declined by 5 percent. Fifth  
18 graders declined by 19 percent. Sixth graders by 5  
19 percent. Seventh graders by 29 percent. And eighth  
20 graders by 22 percent.

21 In mathematics, the percentage of pupils meeting  
22 or exceeding the standards dropped slightly from 1918  
23 to 19 -- [sic] -- '18 to '19 -- 2019. But they are  
24 more pronounced. Those declines are pronounced in  
25 certain grade levels.

1           So third graders declined by 1 percent, whereas  
2 fifth graders declined by 22 percent. And only 12  
3 percent of fifth graders met standards. The eighth  
4 graders declined by 17 percent.

5           Now we also have to look at the subgroups. That  
6 means our students with disabilities,  
7 socioeconomically disadvantaged students, English  
8 learners, African American, and Hispanic students.

9           And each of these subgroups declined. We had  
10 students with disabilities declined 5.1 percent. I  
11 know you -- you asked about a decline. We didn't  
12 receive a response.

13           Socioeconomically disadvantaged students dropped  
14 by 8.1 ELL declined by 14.69 percent. African American  
15 by -- declined by 3.83. And Hispanic declined by  
16 14.74. That's for the English language arts.

17           And I'm sorry; I didn't keep up with my slides.  
18 Math scores, these are the subgroup for English, and  
19 subgroup for mathematics. Students with disabilities  
20 declined 2.43. English learners, 6.50. And Hispanic  
21 students declined 3.18.

22           So I'm going to start -- stop soon, basically  
23 where I started, that the academic performance is the  
24 most important factor. This cannot be and never should  
25 be ignored. This is what the law requires for charter

1 schools.

2 We did not make up these requirements. They're  
3 not some board policy that you all decided on. It is  
4 the law.

5 And when you agree to be a charter school and  
6 operate free from most of the education code, this is  
7 then I would say in this case the consequence.

8 You have -- accountability becomes that much more  
9 important. And the statute states that there are -- if  
10 there are not increases for all students including  
11 subgroup [inaudible], then they're not eligible for  
12 renewal.

13 And I'm not going to hammer on the history. I  
14 think I've covered quite a bit of that. But we use  
15 that history to say you haven't performed, you haven't  
16 demonstrated the ability to comply with the law,  
17 therefore you're not demonstra- -- you're  
18 demonstratively unlikely to successfully [inaudible]  
19 the program.

20 When you take some of the points that were raised  
21 on student discipline, the charter specifically  
22 provides for whether they are providing or going  
23 through suspensions, expulsions, when their documents  
24 show that willful defiance is a grounds for suspension  
25 and expulsion that is out of compliance with law.

1           When their bylaws say we don't have to give  
2           notice for meetings, that's inconsistent with law.  
3           Those are bylaws that were submitted with the  
4           petition.

5           I would say their special education breakdown  
6           that -- that Dr. Parker went over with you also  
7           reflects that they are not serving all students. There  
8           are 13 categories of special education.

9           And then to have so few categories actually  
10          included in their student numbers is troubling. I  
11          would say that when you take this all together, the  
12          student issues together with the performance issues  
13          that we talked about this also amounts to an unsound  
14          educational program.

15          So the recommendation to the county administrator  
16          is to deny the charter on the grounds that they're not  
17          eligible for renewal, that they have not provided a  
18          reasonably comprehensive description of several  
19          essential charter elements, that they're demonstrably  
20          unlikely to successfully implement the program, and  
21          again that they present an educational program that is  
22          unsound.

23          And if the county administrator, Dr. Torres, does  
24          decide to deny the charter petition, the staff report  
25          that you've been provided can serve as the written

1 findings of denial.

2 DR. TORRES: Thank you so much for your  
3 comprehensive report. We're now going to move forward  
4 with asking you some questions. And I have the first  
5 question, then I'll ask for the board to ask any  
6 questions of you.

7 So in your opinion, why do you believe that  
8 Today's Fresh Start refused to provide the 2019 data  
9 as we requested?

10 MS. EVANS: You know, I thought about that quite  
11 a bit and why they wouldn't want to kind of work  
12 through with the extra time.

13 And, you know, the only thing I'm left with is  
14 that they knew that their scores were -- were not  
15 where they needed to be, and had hoped to kind of  
16 process this renewal without consideration of the 2019  
17 data.

18 DR. TORRES: Thank you. Board members [inaudible]  
19 do you have any questions, board members? Thank you so  
20 much for your comments.

21 MS. EVANS: Thank you.

22 DR. TORRES: Appreciate it. So now it's time for  
23 the district to make a decision on whether to grant  
24 the Today's Fresh Start charter renewal petition.

25 And I really understand that the charter school

1 has been in Ing- -- Inglewood for some time. And that  
2 during this time you have families that you're serving  
3 and students who support the program.

4 However, the information presented in the staff  
5 report, the information that I received during my  
6 visit, the unwillingness of the charter school to  
7 provide the information that we requested, is of  
8 concern to me.

9 The Charter Schools Act was enacted to provide  
10 opportunities for teachers, parents, and students, to  
11 improve student learning, especially among those  
12 pupils who are low achieving.

13 As our legal counsel explained, academic  
14 performance must be considered as the most important  
15 factor in evaluating a charter renewal. Unfortunately  
16 the charter school refused to provide the information  
17 that we requested.

18 I was also really concerned by the information  
19 that we received during our site visit.

20 Based upon available data and the comments of the  
21 charter school administrators, it's apparent that the  
22 charter school is not serving the full spectrum of  
23 students.

24 They have in fact turned students away. And they  
25 do not unfortunately understand the rights and

1 responsibilities to serve all students.

2 While those that support the charter school are  
3 likely unaware, there are ongoing violations of law by  
4 this charter school, laws designed to protect our  
5 students, public funds, and to ensure transparency of  
6 the charter school operations.

7 These issues have been repeatedly raised to the  
8 charter school, yet they remained unaddressed. The  
9 renewal petition does not reflect any intention to  
10 change.

11 Instead the renewal documents reflect the  
12 intention to continue this course of conduct. These  
13 reasons, together with the findings in the staff  
14 report, leave me with no choice but to deny the legal  
15 petition.

16 I know that this is a difficult decision and that  
17 this decision will disappoint many families and  
18 students of the charter school. However I have taken  
19 all of the information and have reviewed the petition  
20 thoroughly.

21 And I cannot support a charter school that does  
22 not put students first and ensure compliance with the  
23 law.

24 Accordingly, I hereby deny the renewal petition  
25 for the Today's Fresh Start Charter School, and adopt

1 the district staff report of the -- as the district's  
2 written findings to support the denial of the  
3 petition.

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I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability the above 74 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.

October 17, 2019

Chris Naaden

X 

(Inglewood USD Board of Trustees item re: Today's Fresh Start, 10-9-19)

## **Exhibit C**

**TODAY'S FRESH START CHARTER SCHOOL**  
**4514 CRENSHAW BLVD.**  
**LOS ANGELES, CALIFORNIA 90043**

December 19, 2019

**VIA EMAIL:**

Edward J. Sklar  
Lozano Smith  
esklar@lozanosmith.com

Re: Today's Fresh Start's Additional Information Presented in Response to Your Request  
Regarding IUSD's Staff Report and Other Newspaper Article Concerning the Charter  
School

Dear Mr. Sklar:

We appreciate the opportunity to thoroughly address the false allegations about Today's Fresh Start raised in the Inglewood Unified School District's Staff Report on the charter renewal for Today's Fresh Start Charter School-Inglewood ("TFS-Inglewood") and the steps we are taking to demonstrate to the public there are no impermissible conflict of interest concerns. Today's Fresh Start has been unfairly criticized for unfounded allegations about "conflicts of interest" regarding certain property leases and a construction management contract. Despite allegations from critics of the school, Today's Fresh Start has operated charter schools since 2003 and there have been no actions or findings from the state agencies that enforce Section 1090 or the Political Reform Act ("PRA") regarding any of these contracts. Today's Fresh Start has never concealed beneficial ownership in the school site that allegations have recently been made about—it has been transparent, fully-disclosed, and consistent with applicable conflict of interest laws at the time contracts were entered into. In fact, all of its charter authorizers, including Inglewood Unified School District ("IUSD"), Compton Unified School District ("CUSD"), LACBOE, and the State Board of Education ("SBE"), approved Today's Fresh Start charters and renewals with full knowledge about these contracts, and the FPPC acknowledged that Today's Fresh Start handled contracting correctly.

Unfortunately, this has not prevented a few critics from treating false allegations as fact and then later recklessly repeating the same, even though the allegations have no factual basis. In response to your request, we have provided a point-by-point response to each question raised in the IUSD Staff Report and clarification about our current leases. We are committed to being a transparent partner with LACOE and remain willing to answer questions about our operations and make collaborative changes to strengthen our schools.

The IUSD Staff Report speculates Today's Fresh Start has entered into contracts that violate the PRA or Section 1090. The reality is Today's Fresh Start has complied with applicable conflicts laws. However, harmful and spurious allegations are still leveled about these contracts at Today's Fresh Start, its Superintendent Dr. Jeanette Parker, and her husband Clark

Parker. Understanding that these transactions are lawful, but have resulted in defamatory allegations, we are proactively taking steps to once and for all illuminate and dispel these issues.

Today's Fresh Start operates two charter schools: (1) TFS-Inglewood authorized by IUSD and (2) TFS-Compton authorized by CUSD. TFS-Inglewood has one facility constructed under a State grant with lease payments made directly to the State of California. TFS-Compton operates at two sites with one lease with a completely arm's length, disinterested third-party. Dr. Parker has no financial interests in these transactions.

The false allegations appear to be centered on a third property that Dr. Parker (along with her husband Clark Parker) has an ownership interest in, the Crenshaw/Vernon School site, which is held in a family trust (the "Parker Trust"). The property is leased at or below market (verified by an independent third-party MAI appraiser) to a nonprofit preschool, which in turn subleases a portion for the benefit of TFS-Compton. Dr. Parker (and her husband) acquired this property back in the 1960's to provide free preschool and education services to socioeconomically disadvantaged families and pupils. As of this date they have provided subsidized and free Preschool Child-Care and Education for over 200,000 children and families during the last 55 years. The Parkers acquired the Crenshaw/Vernon School site many decades before the Charter Schools Act was enacted and Today's Fresh Start was even formed. The site is now provided at below market to TFS-Compton. If Today's Fresh Start were to rent another comparable school location, which would be extremely difficult to find in this community, the rental costs would be vastly greater.

The Parker Trust previously leased the Crenshaw/Vernon Schoolsite to a nonprofit called Golden Day Schools, Inc. and Golden Day Schools in turn subleased a portion of that property to Today's Fresh Start. Dr. Parker's husband, Clark Parker, previously served as the President of Golden Day Schools. Just last year, the Fair Political Practices Commission ("FPPC") reviewed the Golden Day Schools lease and concluded the lease complied with the PRA because Dr. Parker and her husband recused themselves from the Board action and never made, influenced, or otherwise participated as decision makers on behalf of Today's Fresh Start.

The Parker Trust now leases the Crenshaw/Vernon Schoolsite to Los Angeles School Services, a nonprofit that operates preschools, and Los Angeles School Services subleases a portion of the site to Today's Fresh Start for TFS-Compton. Clark Parker served as an unpaid board member of Los Angeles School Services. Clark Parker resigned from the Today's Fresh Start Board years before this lease was approved. Dr. Jeanette Parker has never served in any role with Los Angeles School Services. This lease was entered into in 2015, and Dr. Jeanette Parker completely recused herself from the Today's Fresh Start Board decisions like she did with the Golden Day Schools lease in compliance with the PRA. The lease expires on June 30, 2020 and if Today's Fresh Start renews the lease, we will make sure the renewal complies with the PRA and Section 1090. Dr. Jeannette Parker's financial interest in the renewal lease is a remote interest that allows Today's Fresh Start to approve the renewal in compliance with Section 1090. Furthermore, Clark Parker will resign his volunteer board position with Los Angeles School Services in order to prevent any appearance of a conflict.

The remaining two issues raised in the Staff Report include a completely false allegation about a nonexistent contract with Pacific National University, and an otherwise permissible construction management services contract that expired more than two years ago.

Today's Fresh Start always puts schoolchildren first, demonstrated by our proven track record of academic success and fiscal responsibility. We have always been forthright and transparent about our financial operations, contracts, and leases with our authorizers. And yet, the IUSD Staff Report sought to close our school based on false and unfounded assumptions about these contracts even though IUSD was aware of all of them when it approved TFS-Inglewood's charter and renewals. We appreciate the opportunity to set the record straight because news media and the Staff Report have used speculation to wrongfully harm our reputation and schools. We are also taking proactive measures to bolster our operations and resolve any remaining questions about perceived conflicts of interest, including conducting Board training and developing a succession plan for the Superintendent.

**Today's Fresh Start Pays State of California for TFS-Inglewood Facility**

TFS-Inglewood operates at a single location: 3405 W. Imperial Highway Inglewood, CA 90303. This facility was constructed with a \$19 million state-funded grant (Prop 55) and is beneficially owned by the State of California. Today's Fresh Start is responsible for paying 50% local match to the State and makes payments to the State to use the Inglewood facility. The Parkers have no financial interest whatsoever in these payments to the State and the use of this facility presents no conflict concern.

**Crenshaw-Vernon Schoolsite Lease Complies with PRA and Section 1090**

TFS-Compton serves students at its Crenshaw-Vernon Schoolsite located at 4476 Crenshaw Boulevard Los Angeles, CA 90043. TFS-Inglewood does not serve any students at this location. The Parkers acquired this property in the 1960's and it is held in the Parker Trust. Clark and Dr. Jeanette Parker are trustees of the Parker Trust.

The Crenshaw/Vernon Schoolsite has always been leased to Today's Fresh Start at or below fair market rental to support Today's Fresh Start's programs and students. A few critics have recklessly suggested that the Parkers have inappropriately profited from these leases. That is not the case. The Parkers purchased the Crenshaw/Vernon Schoolsite *decades before* the Charter Schools Act even existed. The Crenshaw/Vernon Schoolsite could generate far more revenue if leased to another entity or sold. However, the Parkers wanted to provide Today's Fresh Start a quality school location at rates favorable to the schools. It is unfortunate that charitable acts benefitting the schools have been misinterpreted in a manner to criticize the Parkers.

*FPFC Confirms Previous Golden Day Schools Lease Complies with Political Reform Act*

The Parker Trust previously leased the Crenshaw/Vernon Schoolsite to Golden Day Schools, Inc., a California nonprofit public benefit corporation that provided child care services. Golden Day Schools subleased a portion of the Crenshaw-Vernon Schoolsite to

Today's Fresh Start. The FPPC reviewed the Golden Day Schools lease and confirmed there was no PRA violation.

Under the PRA, public officials cannot make, participate in making, or in any way influence a governmental decision in which he/she knows or has reason to know he/she has a financial interest. (Gov. Code, § 87100.) At the time of the transaction, Clark Parker served as President of Golden Day Schools, and therefore Dr. Jeanette Parker (as Today's Fresh Start Superintendent/CEO) and Clark Parker (as a Today's Fresh Start Board Member at the time) had a financial interest in the lease. The Parkers did not vote or otherwise participate in Today's Fresh Start's Board decision to approve this lease. The FPPC reviewed the Golden Day Schools lease and closed the matter without taking any action against Today's Fresh Start officials. The FPPC found "Dr. Jeanette Parker and Dr. Clark Parker recused themselves from the [Today's Fresh Start] Board decisions regarding the lease agreement" in compliance with the PRA. (Exhibit I, pg. 1.)

The lease did not violate Section 1090 because that provision did not apply to charter schools when Today's Fresh Start made this contract. Even if it did, the interests were "remote" under the Section 1090 exceptions. The lease expired and Today's Fresh Start has no other contracts with Golden Day Schools. Golden Day Schools is no longer operating. Therefore, this expired lease does not pose any conflicts concerns in the future.

*Los Angeles Schools Services Lease Complies with PRA and Section 1090*

The Parker Trust now leases the Crenshaw/Vernon Schoolsite to Los Angeles School Services ("LASS"), a California nonprofit public benefit corporation that operates preschools at this location. LASS subleases a portion of the Crenshaw/Vernon Schoolsite to Today's Fresh Start. Clark Parker is a non-compensated officer and Board member with LASS. While not required by law, he will resign from LASS to help prevent unwarranted criticism against the schools.

When Today's Fresh Start entered into this lease in 2015, it did so in compliance with the PRA. Like with the approval of the Golden Day Schools lease, Dr. Parker and her husband never made, influenced, or otherwise participated as decision makers on behalf of Today's Fresh Start in the decision to enter the lease. Clark Parker resigned from Today's Fresh Start Board years before this lease was approved. When the Today's Fresh Start Board approved the lease, Dr. Jeanette Parker disclosed her interest in the transaction and she recused herself from the Board meeting, which is properly reflected in the minutes. The 2015 LASS lease did not violate Section 1090 because that provision did not apply to charter schools at that time. Even if it did, the interests were "remote" under the Section 1090 exceptions.

The lease expires June 30, 2020. Assuming Today's Fresh Start renews this lease, it will only do so in compliance with the PRA and Section 1090. Dr. Jeanette Parker would not make, influence, or otherwise participate as a decision maker for the lease renewal to ensure compliance with the PRA.

Under Section 1090, decisionmakers "shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are

members." (Gov. Code, § 1090.) Timing is key with Section 1090; Section 1090 violations occur *when contracts are made*. Starting January 1, 2020, Section 1090 will apply to charter schools and to the potential renewal lease.

There is no Section 1090 violation if (1) the public official only has a "remote interest" in the contract, (2) the interest is disclosed to the agency board and noted in its official records, and (3) the official recuses himself/herself from the vote. (Gov. Code, § 1091(a).) Here, Dr. Jeanette Parker would have a financial interest in the renewal lease because she and Clark Parker are landlords of the property and because Clark Parker is an unpaid officer with LASS. These interests are considered remote interests under Section 1090.

First, Dr. Jeanette Parker has a remote interest in the renewal lease as (1) a landlord of a contracting party (LASS); and (2) as the spouse of Clark Parker who is a landlord of the contracting party (LASS) under Gov. Code § 1091(b)(5). It is well established that a remote interest exception applies to officials in the same manner when the financial interest is that of a spouse. The Attorney General has noted that such an interest is "even more remote." (See 81 Ops.Cal.Atty.Gen. 169 (1998) ["an exception for a noninterest or remote interest that would be available to the officer is also applicable to an interest held by the officer's spouse."].)

Second, Dr. Jeanette Parker has a "remote interest" in the renewal lease because Clark Parker is a noncompensated officer and Board Member of LASS under Gov. Code § 1091(a)(1). Here, Clark Parker is an "officer or employee of...a nonprofit corporation" and as such, the financial interest is considered "remote" for purposes of Section 1090. (See *Becnel*, FPPC Advice Letter, No. A-16-097 (2016) and *Gibson-Gray*, FPPC Advice Letter, No. A-14-172 (2014) [both concluding that under Section 1091(b)(1), a city may contract with a nonprofit entity even though a city councilmember is the nonprofit's paid Executive Director]. Furthermore, Clark Parker's resignation from LASS will extinguish this remote financial interest in the lease.

Therefore, Today's Fresh Start can renew its lease with LASS in compliance with the PRA and Section 1090 so long as Dr. Jeanette Parker's interest is disclosed to the Board and noted in its official records and she recuses herself from participating in any such action to renew the lease. Our commitment is to keeping TFS-Inglewood open for our vulnerable student population. We are open to feedback from you on this lease and all other issues. If you or LACBOE has any specific requests concerning this lease, we are happy to discuss these requests to support the charter renewal.

#### **The Parkers Have No Financial Interest in TFS-Compton's Compton Boulevard School Location**

TFS-Compton has a school location at 4513 East Compton Boulevard Compton, CA 90221. Today's Fresh Start rents this property from Steve Wuo, who is a disinterested party. Dr. Parker and her husband have no financial interest in this lease. Mr. Wuo previously leased this property to the Los Angeles County Welfare Department before leasing the property to Today's Fresh Start. There are no risks of conflicts going forward.

#### **Today's Fresh Start Never Contracted with Pacific National University**

Today's Fresh Start never contracted with Pacific National University, nor has it ever paid Pacific National University for any services. The IUSD Staff Report alleges that Today's Fresh Start paid \$45,000 for services from a "High Priority Schools Grant" to "Pacific National University". We have no idea where this fabricated allegation came from, but it is an example of a damaging falsehood that spreads due to media publications and some public agencies sharing a baseless allegation as fact.

Dr. Jeanette Parker did help to form Pacific National University in the early 2000's to provide educational services before Today's Fresh Start operated its first charter school, but these organizations never contracted with each other. Pacific National University is no longer operating. There is no risk of conflicts with regards to this entity going forward.

#### **California Construction Management Services Contract Expired in September 2018**

TFS-Inglewood was beneficially awarded a \$19 million state-funded grant to construct a new school facility. In September 2013, Today's Fresh Start entered into a five-year contract with California Construction Management Services ("CCMS") for construction management services to assist with the TFS-Inglewood construction project. Clark Parker was a compensated employee of CCMS, and therefore Dr. Parker had a financial interest in this contract at that time.

Before Today's Fresh Start's Board approved the contract with CCMS, Today's Fresh Start received guidance from its legal counsel at that time, Atkinson, Andelson, Loya, Ruud & Romo, that Today's Fresh Start could enter the contract in compliance with applicable conflicts laws. In compliance with the PRA, Dr. Parker and her husband never participated as decision makers on behalf of Today's Fresh Start when it approved the CCMS contract.

Today's Fresh Start fully disclosed this contract with the authorizer, including the SBE and IUSD, and the Office of Public School Construction ("OPSC"). OPSC and our authorizers never gave us an indication that they disagreed with the legal counsel's opinion on the conflicts matter.

The construction project for TFS-Inglewood is completed. The contract expired on September 20, 2018. Today's Fresh Start will not enter into a contract with CCMS in the future. There are no existing conflicts issues regarding this expired contract.

We truly appreciate this opportunity to provide this information. Our focus has always been on our children, and this is evidenced by our strong academic performance. Perhaps we should have invested more resources to respond to these false and malicious allegations in the past, but we believed these "concerns" were resolved years ago with numerous charter authorizers, who knew about these contracts, continued to approve our charters and renewals.

In anticipation of hopefully being authorized by LACBOE, we are proactively bolstering our program and operations. This includes, but is not limited, to, crafting new Fiscal Policies and Procedures aligned with FCMAT's Charter School Accounting & Best Practices Manual as applicable, updating our bylaws, conducting a comprehensive review of existing policies, and revising a regular Board schedule with increased frequency of regular Board meetings. In addition, we have in the past and have planned to continue to provide Board members training on topics including the Brown Act, conflicts laws, charter school operations, evaluating the

Superintendent, fiduciary responsibilities, and more. We also intend to perform a position control and salary audit to further support effective operations. Additionally, the Board seeks to add new, qualified individuals to join the Board.

In order to promote the continued success of our schools, we are developing a succession plan in collaboration with the Board and the Superintendent. Dr. Jeanette Parker has worked in education for over 50 years and has served as Superintendent of the Today's Fresh Start charter schools since their inception. The succession plan will ensure there is stability and effective leadership at the Board and administrative level for the benefit of our schoolchildren. Thank you very much for your time and consideration. We look forward to the upcoming capacity interview to continue this important dialogue about TFS-Inglewood's renewal charter.

Sincerely  


# **EXHIBIT 1**



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street • Suite 3000 • Sacramento, CA 95811

July 2, 2018

Rahul E. Reddy  
Procopio, Cory, Hargreaves & Savitch, LLP  
[Rahul.Reddy@procopio.com](mailto:Rahul.Reddy@procopio.com)

Re: Case Closure Letter, FPPC No. 16/19912

Dear Mr. Reddy:

The Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act ("Act").<sup>1</sup> As you are aware, the Enforcement Division opened an investigation into whether your clients, Dr. Clark Parker and Dr. Jeanette Parker, as board members of Today's Fresh Start Charter School (TFS), violated conflicts of interests provisions of the Act regarding a lease agreement between TFS and Golden Day Schools. The Enforcement Division has decided to close this case without further action.

Government Code section 87100 states: "No public official at any level of state or local government shall make, participate in making, or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest."

The Enforcement Division completed its investigation of the facts in this case. Specifically, the Enforcement Division found insufficient evidence to establish that your clients violated conflicts of interests provisions of the Act because Dr. Clark Parker and Dr. Jeanette Parker recused themselves from the TFS Board decisions regarding the lease agreement, and there is insufficient evidence to establish that Dr. Clark Parker and Dr. Jeanette Parker used their official positions to attempt to influence the decisions of the TFS Board regarding the lease agreement. Therefore, we are closing this matter.

If you have any questions, please contact Angela Brereton at [abrereton@fppc.ca.gov](mailto:abrereton@fppc.ca.gov) or 916-322-5771.

Sincerely,

Angela J. Brereton  
Senior Commission Counsel  
Enforcement Division

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<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014.

## **EXHIBIT 2**

**Today's Fresh Start Charter School (TFSCS)  
Minutes of Wednesday, October 7, 2015 Special Board Meeting**

**I. PRELIMINARY ACTIVITIES**

**A. Call To Order**

The Special Board meeting of Today's Fresh Start Charter School was called to order at 2:10 p.m. on Wednesday, October 7, 2015 at the conference room of 4514 Crenshaw Blvd., Los Angeles, CA 90043 by Mr. Errol Malcolm, President.

**B. PLEDGE OF ALLEGIANCE**

Mr. Malcolm led the Pledge of Allegiance

**C. ROLL CALL**

**Members Present:** Mr. Errol Malcolm, Ms. Carol Freis, Pauline Miller, Ms. Asemebo Wariboko

**Members Absent:** Mr. Maury Willis Mr. Clifford Taitt

**Others Present:** Dr. Jeanette Parker, Superintendent, Dr. Clark Parker, Construction Project Manager, Yvette Brown, Fiscal Consultant, Anna Arutyunyan, Secretary.

**D. REVIEW/REORDERING OF MEETING AGENDA, DR. JEANETTE PARKER**

None

**E. APPROVAL OF MINUTES FROM PRIOR BOARD MEETING/S**

Board reviewed August 31, 2015 board meeting minutes. Ms. Freis moved to approve August 31, 2015 board meeting minutes as corrected by the board seconded by Mr. Malcolm, approved unanimously by the board.

**II. Public Comments**

None

**III. Communications: Superintendent/PUBLIC**

*This will provide the opportunity for communications from the Superintendent and the public. On any item on or off the Agenda*

Dr. Jeanette Parker, Superintendent, announced that the SBE-Today's Fresh Start Charter was closed due to the SBE-TFSCS charter term expiration as of June 30, 2015. Dr. Parker discussed 2014-15 student test results. She further discussed the weekly leadership meetings where the team discusses how to reach each student individually so that each student can succeed and become a lifelong learner. Dr. Parker also explained the Special Education Program and SEIS online reporting system .

**IV. Information and Reports**

**A. Submission of final Unaudited Actuals to CDE to close SBE-TFSCS charter.**

Yvette Brown informed the board that the final June 30<sup>th</sup> Unaudited Actuals to close SBE-TFSCS charter had been submitted to CDE.

**B. Update On Construction Project.**

Dr. Clark Parker informed the board that they are finishing Phase Two of the construction project. There were technical engineering changes; the Contractor, ESR, has been delayed due to his Structural Engineer being killed accidentally in a motorcycle accident.

The whole project should be completed before the Christmas school break explained Dr. Clark Parker.

**V. Action Items**

- A. Approve that all public funds received in the Los Angeles County Treasurer in favor of Today's Fresh Start Charter School-Compton be issued using the Electronic Funds Transfer (EFT) payment method into the Today's Fresh Start –Compton charter school Operations Account.
- B. Resolution for approval for Superintendent to handle all day to day operations including financial affairs and approve all contracts for State, Federal and Local agencies.
- C. Review/Approval of Local Educational Plan (LEA Plan) for Today's Fresh Start Charter School-Compton charter.
- D. Approval for development of Local Plan for the Educator Effectiveness Funds-TFSCS-Inglewood charter and Compton Charter.
- E. Approval for TFSCS to request from the Compton Unified School District Board a material revision to TFSCS's Compton charter to become a member of the Compton Unified School District Special Education Local Plan Area.  
Board discussed Action Items A through E. Ms. Freis moved to approve Action Items A through E as outlined in the Agenda seconded by Ms. Asemebo, approved unanimously by the board.
- F. Action from the Board regarding the parents and children crossing Imperial Highway to get across the street to TFSCS Inglewood Site.  
Board discussed Action Item F. Board suggested approving that the parents circulate a petition to request from the city of Inglewood to place a traffic light on Imperial Highway or possibly assign a guard to assist the children and the parents with crossing Imperial Highway safely. Ms. Freis moved to approve to assign a parent liaison who would lead with circulating a petition asking Inglewood City Counsel to assist TFSCS's parents and students with the request of placing a traffic light and or a crossing guard on Imperial Highway. The motion was seconded by Ms. Miller and approved unanimously by the board.
- G. Approval of rental for 4470, 4476, 4480, 4500, 4508 and 4514 Crenshaw Boulevard, Los Angeles, CA 90043 facilities. Appraisal completed by CA licensed certified general MAI appraiser.  
Dr. Clark and Jeanette Parker made full disclosure of their interests in this transaction, they recused themselves and left the Board meeting room. The Board discussed the Lease of 4470, 4476, 4480, 4500, 4508 and 4514 Crenshaw Boulevard, Los Angeles CA 90043 facilities based on the appraisal completed by CA licensed certified general MAI appraiser, Mr. Darryl Washington MAI. Ms. Freis moved to approve the Lease of 4470, 4476, 4480, 4500, 4508 and 4514 Crenshaw Boulevard, Los Angeles CA 90043 for a five (5) year period, and the Board found that the Monthly Lease Amount set forth in the MAI appraisal report is fair and reasonable and it is in the best interest of Today's Fresh Start Charter School to enter into a Lease for the Premises for the amount as set forth in the MAI Fair Market Rent Appraisal for the Premises. The motion was seconded by Ms. Miller and approved unanimously by the Board.

#### **VI. Closed Session**

It is necessary for the Board to recess to closed session pursuant to government Code Section 54956.9 (d) (1) (2) and (4) to consider initiation of litigation and to exposure of or pending litigation.

- Today's Fresh Start, Inc. v. SBE et.al case#34-2015#80002066 .
- Southern Calif. Soils & Testing, Inc. v. Today's Fresh Start, Inc.  
Case#YC070536

**Reconvened from Closed Session and reported the action taken, if any, in closed session.**

#### **Report of Actions taken in Closed Session:**

The Actions taken were to approve the settlement and Dismissal of the following cases as presented to the Board by the school's attorneys AALR&R and Young Minney & Corr:

- Southern Calif. Soils & Testing, Inc. v. Today's Fresh Start, Inc.  
Case#YC070536 - **Settled**
- Today's Fresh Start, Inc. v. SBE et.al case#34-2015#80002066. **Dismissed**

#### **VII. Tentative Date for Next Board Meeting**

Next board meeting will be in November or earlier as needed.

#### **VIII. Adjournment**

Ms. Freis moved to adjourn seconded by Ms. Miller approved unanimously by the board.  
Meeting adjourned at 4:08 p.m.

Submitted by Anna Arutyunyan, Secretary.

## **Exhibit D**

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## How a couple worked charter school regulations to make millions



Do you know what a charter school is? Are you sure?



Los Angeles Times

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STAFF WRITER

MARCH 27, 2019  
5 AM



The warning signs appeared soon after Denise Kawamoto accepted a job at Today's Fresh Start Charter School in South Los Angeles.

Though she was fresh out of college, she was pretty sure it wasn't normal for the school to churn so quickly through teachers or to mount surveillance cameras in each classroom. Old computers were lying around, but the campus had no internet access. Pay was low and supplies scarce — she wasn't given books for her students.

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She struggled to reconcile the school's conditions with what little she knew about its wealthy founders, Clark and Jeanette Parker of Beverly Hills.

When Kawamoto saw their late-model Mercedes-Benz outside the school, she would think: "Look at your school, then look at what you drive."

"That didn't sit well with us teachers," she said.

The Parkers have cast themselves as selfless philanthropists, telling the California Board of Education that they have "devoted all of our lives to the education of other people's children, committed many millions of our own dollars directly to that particular purpose, with no gain directly to us."

But the couple have, in fact, made millions from their charter schools. Financial records show the Parkers' schools have paid more than \$800,000 annually to rent buildings the couple own. The charters have contracted out services to the Parkers' nonprofits and companies and paid Clark Parker generous consulting fees, all with taxpayer money, a Times investigation found.

Presented with The Times' findings, the Parkers did not respond to multiple requests for comment.

How the Parkers have stayed in business, surviving years of allegations of financial and academic wrongdoing, illustrates glaring flaws in the way California oversees its growing number of charter schools.

Many of the people responsible for regulating the couple's schools, including school board members and state elected officials, had accepted thousands of dollars from the Parkers in campaign contributions.

Like other charter operators who have run into trouble, the Parkers were able to appeal to the state Board of Education when they faced the threat of being shut down; the panel is known for overturning local regulators' decisions. A Times analysis of the state board's decisions has found that, over the last five years, it has sided with charters over local school districts or county offices of education in about 70% of appeals.

California law also enables troubled charter operators to escape sanction or scrutiny by moving to school districts more willing to accept them. The Parkers have used this to their advantage, keeping one step ahead of the regulators.

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"They're like cats," said Kawamoto, who began working at one of the couple's charter schools in 2006. "They have so many lives."



Yanin Ardila, left, and Denise Kawamoto are former teachers at Today's Fresh Start in Los Angeles who were dismayed by poor classroom conditions. (Christina House / Los Angeles Times)

California now has more than 1,300 charter schools — more than any other state.

Twenty-seven years ago, when California became just the second state to enact a law establishing charter schools, state leaders framed the experiment as a modest one that would allow only 100 schools at first. Free-market advocates saw charters as a way to empower all students to choose from a variety of schools. Other supporters envisioned them as laboratories for testing new teaching methods and then bringing successes back to traditional public schools.

The new, privately operated schools would be government-funded and tuition-free. They would unleash creativity by liberating schools from many of the state education code's rules. But to ensure that they lived up to their promises and spent public money properly, they would have to be vetted and overseen by governmental bodies, beginning with the school districts in which they were located.

That was sufficient check and balance for the civic-minded individuals who ran many charter schools. But as the number of charters in the state grew, the same

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law that allowed many founders to try new ideas with great success created opportunities for others.

The law allowed for a multitude of different bodies to serve as “authorizers,” watching over the new schools. It gave oversight power not just to the state board, but also to each of the state’s many school districts and county boards of education — regardless of whether they had the ability or inclination to properly police the independently run schools.

About 330 government entities have the authority to authorize and supervise charters in California. By contrast, Texas, the state with the second-largest number of charter schools, has 18, according to its state education agency. New York has two active authorizers.

Los Angeles Unified, the nation’s second-largest school district, has an entire division devoted to overseeing the charters it authorizes and is considered one of the state’s most robust monitors. But the roster of charter authorizers also includes school districts with colorful histories of corruption and financial mismanagement. Some are so small that they have fewer than a dozen employees in all, with insufficient resources to be effective watchdogs.

The system has given rise to many well-respected charter organizations across the state, including KIPP and Green Dot Public Schools, which reach students in neighborhoods desperate for better options. But it also has allowed unscrupulous entrepreneurs to profit from a fragile and fractured regulatory patchwork.

In L.A., the founder of the charter school network Celerity Educational Group recently pleaded guilty to a felony count of conspiracy to misappropriate and embezzle public funds. Federal prosecutors found that Vielka McFarlane had used her charter schools’ credit card to pay for expensive clothing, luxury hotel stays and first-class flights for her and her family. She faces a maximum sentence of five years in prison.

Oxford Preparatory Academy, a Chino charter, was forced to close in 2017 after an audit determined that the school’s founder had been laundering state funds through her private company. Another audit found that a charter network CEO in Livermore had misspent \$67 million in tax-exempt bonds and tried to mislead auditors. When the network filed for bankruptcy and closed its four charter schools, 1,500 students were displaced.

Gov. Gavin Newsom signed legislation earlier this month requiring more transparency and stricter conflict-of-interest rules for charter schools. Those reforms could lead to changes when they take effect next year. But they are unlikely to fix the structural issues that have allowed problem charter school operators to circumvent oversight.

“There are wildly different levels of attention being paid to these schools, and charter schools are finding ways to shop around for the weakest oversight,” said Greg Richmond, president of the National Assn. of Charter School Authorizers. “As long as California’s authorizing structure stays fragmented across more than

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300 different entities, you're going to keep having these problems."

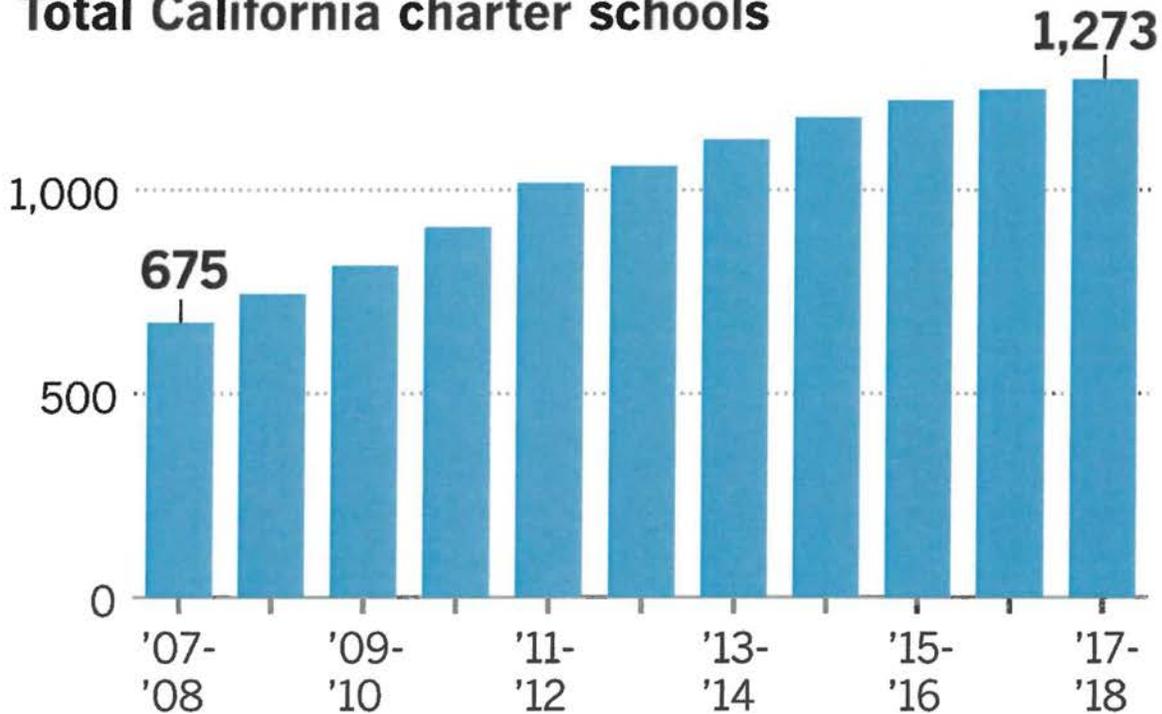
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## More charter schools, more students

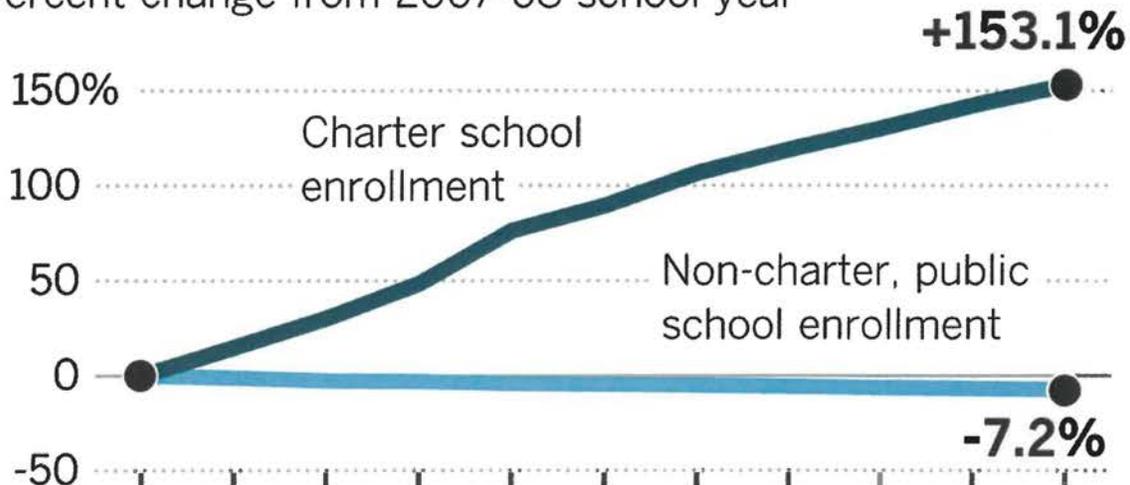
The number of charter schools in California has increased 89% over the last decade.

### Total California charter schools



### Change in charter school enrollment

Percent change from 2007-08 school year



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'07-	'09-	'11-	'13-	'15-	'17-
'08	'10	'12	'14	'16	'18

Source: California Department of Education

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The Parkers live in a 7,700-square-foot home in Beverly Hills with an estimated value of about \$15.3 million.

Jeanette Parker is a past president of the Beverly Hills Republican Club, author of the self-published book "Will You Marry Me? Jesus Christ Proposes to You!" and a regular contributor to L.A.'s largest black newspaper, the Los Angeles Sentinel, which publishes her columns on topics such as single motherhood and why eggs come in many colors. As superintendent of Today's Fresh Start, she is paid an annual salary of about \$285,000.

Her husband, Clark, is a businessman, a vendor of security devices and a real estate developer who, in an online biography, says he has "developed hundreds of commercial and residential properties" in Southern California. He sits on the board of the South Coast Air Quality Management District and lists among his accolades the title of honorary consul general of the Central African Republic.

The Parkers are in their 70s. Between them, they have two PhDs and a doctorate of theology from the University of Central Arizona (a two-man operation forced to stop conferring degrees in 1980, according to contemporaneous reports in the Arizona Republic), St. Charles University, and Pacific International University. Both St. Charles and Pacific International are listed in "Degree Mills: The Billion-Dollar Industry That Has Sold Over a Million Fake Diplomas," a book about unaccredited for-profit colleges accused of selling degrees co-written by Allen Ezell, a former FBI agent who ran a task force on diploma mills.

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Jeanette and Clark Parker, founders of Today's Fresh Start, pictured in 2015. (L.A. School Report)

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The Parkers live in this 7,700 square-foot home in Beverly Hills, with an estimated value of about \$15.3 million. (Mel Melcon / Los Angeles Times)

In examining Today's Fresh Start, The Times interviewed 11 current and former teachers and administrators; reviewed hundreds of pages of financial and legal records; and spoke to those responsible for overseeing the organization's schools. It found that there were plenty of reasons to be wary of the Parkers well before the couple opened their first charter school.

The couple's first foray into education was in 1968, when they opened a collection of day-care centers in South L.A. under the name Golden Day Schools. As director, Clark Parker won lucrative state contracts to enroll children from low-income families — until 2011, when state officials cut him off, citing "serious, chronic, and systemic program violations."

Two state audits of the day-care program accused the nonprofit of falsifying records, padding attendance figures and spending public money to pay above-market rent for properties owned by the Parkers. The organization, which the state said Clark Parker oversaw, had also used public funds to reimburse itself for parking tickets, Clark Parker's personal property taxes and vehicle registration fees for his Rolls-Royce and Mercedes-Benz — costs that state investigators determined had nothing to do with child care.

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In 2003, the Los Angeles County Office of Education approved Jeanette Parker's petition to open a charter school.

Over the next 16 years, Today's Fresh Start expanded from a single campus to the three sites it currently operates in Los Angeles, Compton and Inglewood. Enrollment swelled from 282 students to 1,150 in grades K-8 last school year. The vast majority of its students are African American or Latino children from financially struggling families.

"As soon as we approved them, we started getting signs they weren't really operating in the best interests of students and teachers," said Darline Robles, a USC professor of education who was superintendent of the Los Angeles County Office of Education when it authorized Today's Fresh Start.

In 2007, a Today's Fresh Start teacher tipped off Robles' staff to the possibility that the charter was tampering with the state's standardized tests. An investigation ultimately found that something had gone wrong — students had been asked to revisit portions of the exams they had already completed. No one could say how many children had participated, or at whose direction, but it was serious enough that county officials proposed sending monitors to oversee testing.

Jeanette Parker refused, writing, "There is no state law requiring proctors."

In response, the county widened its inquiry.

Officials learned that Today's Fresh Start was renting buildings owned by the Parkers and paying Golden Day Schools, their state-funded child-care business, to provide food for the charters' students. The charter network had also spent most of a \$50,000 state grant to hire an unaccredited university to recommend ways to improve its charter schools. That university was founded by Jeanette Parker.

Accused by the county of self-dealing, financial conflicts of interest and wrongly administering the state tests, Jeanette Parker rejected the county's findings. She said she already had addressed her financial interest in contracts and leases by recusing herself from voting on them, leaving those decisions to the charter network's governing board.

That was an argument that could stand up only if the network's board was independent. But county officials found that more than half of its members — who included the Parkers — had a financial stake in the schools.

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"Thus, it appears that Jeanette Parker approves her own actions, evaluates her own performance, sets her own salary and single-handedly decides what will occur at TFSCS," county officials wrote in a report laying out the case for revoking the charter.

In late 2007, the L.A. County Board of Education voted to close Today's Fresh Start, citing more than 50 legal and regulatory violations.



One of three Today's Fresh Start charter school campuses, this one located in Inglewood. (Mel Melcon / Los Angeles Times)

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Today's Fresh Start Charter School in Los Angeles, one of three campuses overseen by Jeanette Parker. (Christina House / Los Angeles Times) #

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One of three Today's Fresh Start charter school campuses, this one located in Compton. (Mel Melcon / Los Angeles Times)

In states such as New York or Massachusetts, where the power to authorize and oversee charter schools is concentrated in the hands of a select few regulatory bodies, that might have marked the end of the Parkers' journey. In California, it was only the beginning.

The Parkers sued the county to try to get its decision overturned and keep their schools open. While that case was pending, they appealed to the State Board of Education, an 11-member body appointed by the governor that has the power to overrule decisions by school districts and county boards.

The board often grants appeals to charters that have been rejected elsewhere, sometimes for serious financial and academic failings. Though it is supposed to be a standard-bearer of sorts for other authorizers, the state board has a reputation for leniency.

Charter schools approved by the state board "win by losing," said Thomas Saenz, a civil rights attorney who sits on the L.A. County Board of Education and voted to revoke Today's Fresh Start's charter. "They lose in front of the school district or the county, but they win because they get the state as an overseer, and that means they get less oversight."

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In 2010, the year they made their case to the state board, the Parkers spent \$15,000 on lobbyists. An NAACP representative came out to support them, as did former Lt. Gov. Mervyn Dymally, who in the course of his political career had received tens of thousands of dollars from the Parkers.

"I might have been lobbied for Today's Fresh Start more than any other vote I cast on the state board," said former state board member Ben Austin, who had misgivings about allowing the charter to stay open.

Austin said he was especially troubled by the charter's academic performance. Its test scores swung wildly, from lows that landed it on a state list of "persistently lowest-achieving" schools to large increases in the span of a year. The pressure to approve the charter was intense, he said.

"I'm white. And I was getting lobbied by African American leaders to vote in a way they perceived would serve the African American community," Austin said. "That's a fairly uncomfortable position to be in."

Recordings of state board meetings show there was little discussion of the L.A. County Board of Education's findings of self-dealing, regulatory violations and testing irregularities. Problems at the Golden Day centers didn't come up.

State Supt. of Instruction Jack O'Connell led department staff in recommending that the board keep Today's Fresh Start open, which the board — including Austin — unanimously approved. The new school year was only weeks away and if the vote had been no, hundreds of students would have had to scramble to find a new school.

During O'Connell's two terms in office, campaign finance records show, the Parkers had donated more than \$73,000 to his various political committees. O'Connell said the money played no role in his decision.

"In the case of Fresh Start, it was one of those occasions where I agreed with the state board," he wrote to The Times. "The charter served an overwhelming number of low-income, minority kids that I believed would contribute to my overarching focus on closing the achievement gap."

Austin wasn't as confident. In retrospect, he said, "I'm not sure it was the best outcome for kids."

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**Read the three-part series:**

*Part 1: How a couple worked charter school regulations to make millions.*

*Part 2: Struggling districts profit by approving charter schools with little oversight.*

*Part 3: The politics behind changing the state's charter school law.*

Several months after the state board voted to renew Today's Fresh Start's charter, a teacher contacted county and state education officials.

"I would like to report on a school in Los Angeles that is run poorly and is a danger to their students," wrote Andrew Goudy on the first of nine pages that detailed problems including cracks in classroom walls, broken air-conditioning and heating systems, and cafeteria food served spoiled or undercooked. He had, he wrote, maybe one textbook for every three students.

Goudy wrote that he'd overheard an administrator call several students a "total waste" and speak of the opportunity "to get rid of" those with disabilities.

Years later, in an interview with The Times, he said he had never worked at a school that showed so little regard for students' well-being.

"Every day, it was like, what should I do?" Goudy said. "Should I run in there and call 911? Should I just get out and work at Starbucks?"

The choice, he said, was made for him. Shortly after he sent the emails, he said, he was fired.

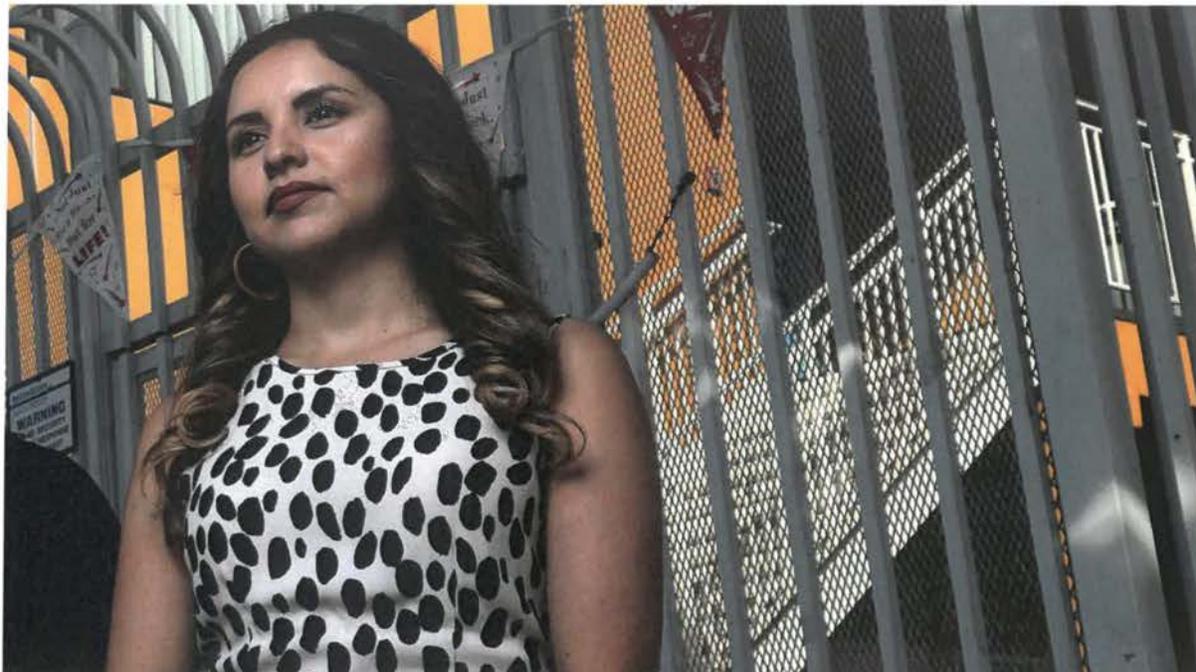
A state employee emailed back, promising to address his concerns. It's unclear if anyone did. As years went by, Goudy lost hope that there would ever be consequences. He died in October 2018 at the age of 48.

In interviews, former and current Today's Fresh Start teachers echoed his concerns. The more experienced among them said they knew the charter was receiving millions of dollars in government funding each year — an amount tied to its enrollment — but they could not see evidence of where the money went.

When Yanin Ardila was hired in 2009, she arrived to find no workbooks, notebooks or crayons for her students, she said. Half a dozen kindergartners had been plopped into her first-grade class because they didn't have a classroom or a teacher of their own. On a few occasions, she said, she had to intervene to stop the staff from serving children bread that was past its expiration date.

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When Yanin Ardila was hired at Today's Fresh Start in 2009, she arrived to find no workbooks, no notebooks or crayons for her students. "They didn't care about students, it was just about the money," she said of the school's leaders. (Christina House / Los Angeles Times)

In a 2014 interview with Beverly Hills Weekly, Jeanette Parker said her motives for opening Today's Fresh Start were charitable.

"I wanted to start the charter school personally because I saw the need to educate the inner-city youth," she told the weekly newspaper. She had grown up in Birmingham, Ala., with little money, she said. She wanted to reach students like herself.

Ardila saw it differently. "They didn't care about students, it was just about money," she said of the school's leaders.

After spending a year in a cockroach-infested classroom, she said, she was moved into a nicer space. But the school remained a chaotic place. She left after three years for a job at another charter school.

Kawamoto, the former Today's Fresh Start teacher who wasn't given books for her students, said she was suspicious of the odd way in which she was paid. She said she was told to fill out two sets of time cards, making it seem as though she divided her time between the charter school where she worked and one of the Parkers' day-care centers, which operated out of the same location. At the end of each month, her salary was split into two paychecks, she said. Goudy and Ardila — who had never worked for Golden Day — said they also were paid in this way.

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While Today's Fresh Start was under the county education board's oversight, officials there tried to interest the L.A. County district attorney's office in investigating the Parkers' financial practices. Prosecutors began an inquiry but closed it after interviewing two teachers, according to a memo the office provided to The Times. "There does not appear to be any fraud involved," they wrote.

In its 2011 audit of the Parkers' day-care operations, the state reached a different conclusion. It found that as Golden Day's director, Clark Parker had been systematically overbilling the state Department of Education and using money meant for his day-care centers to pay the salaries of Today's Fresh Start employees.

In court filings, Parker disputed the state's account. He said that some of his employees had worked for both the day-care centers and the charter schools. The audit "is flawed and it should be dismissed because it is written by Biased Auditors and it is based on speculation," he wrote in a request for an appeal.

State officials were not persuaded; they stopped funding the day-care centers.

The state Department of Education is currently suing Golden Day and Clark Parker to recover more than \$19 million it says the nonprofit misspent.

State officials had decided they could no longer trust Clark Parker to run a day-care business, but they allowed his wife's charter schools to stay open.

Staying in business required Today's Fresh Start to keep moving from one authorizer to another.

In 2009, the Parkers persuaded the Inglewood Unified School District to let them operate a school under its oversight. With the help of a nearly \$20-million facilities grant from the state, the couple built a large, boldly colored school building on a stretch of Imperial Highway known for prostitution.

Inglewood proved to be unequipped to oversee a charter school.

In 2012, with its finances in complete disarray, the district was taken over by the state Department of Education. Overwhelmed and subjected to a rotating cast of state-appointed leaders, it paid little attention to the district's charters. Asked for copies of charter oversight and inspection reports dating back to when it first authorized Today's Fresh Start, the district said it had none.

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Oversight in Inglewood was so lax that in 2015, when the Parkers asked to have their charter renewed, district officials sat on the request, blowing a 60-day deadline. As a result, Today's Fresh Start's Inglewood charter was automatically renewed until 2020.

State Administrator Thelma Meléndez, who was chosen in 2017 to lead the district, said that Inglewood doesn't have the staff to oversee its charters as rigorously as a large district such as L.A. Unified. Like many small districts, it can't afford to devote even one employee to the task full time. There are signs, however, that Meléndez is paying more attention than her predecessors. Earlier this month, she sent Jeanette Parker a letter expressing concern over the charter's test scores and asking for a detailed plan for their improvement.

Inglewood gave the Parkers a secure foothold, but it was only a partial answer to their problems.

Jeanette Parker had never stopped fighting the county's decision to revoke her charter — even though the State Board of Education had taken over the county's supervisory duties. In 2015, when the California Supreme Court upheld the revocation, and other regulatory changes took effect, Today's Fresh Start could no longer operate its schools in South L.A. and Compton under the state board's oversight.

The Parkers, looking for a lifeline, turned to the two districts in which the schools were located: L.A. Unified and Compton Unified.

Officials in L.A. took a hard look at Today's Fresh Start and saw how the Parkers' schools had become more entangled with their financial interests.

After five years under state oversight, they were still using public money to rent buildings they owned.

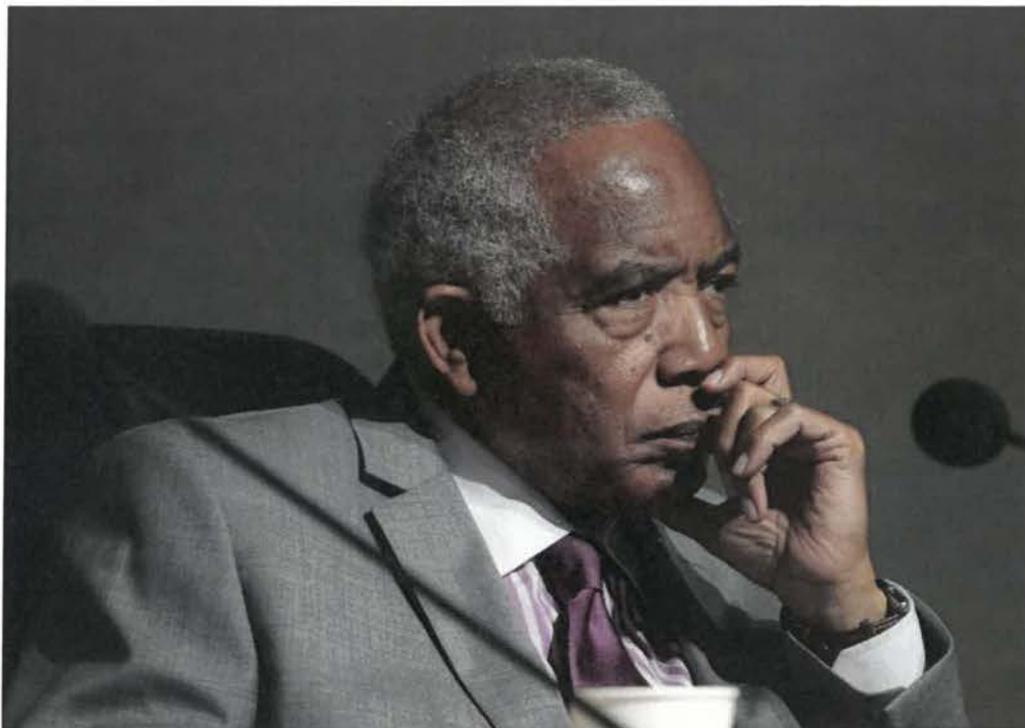
Clark Parker was no longer on the board of Today's Fresh Start — he was on the payroll. Board minutes showed that his wife's schools had hired him to manage construction of the Inglewood school. His initial contract was for \$575,000.

In a strongly worded report to the school board, L.A. Unified officials wrote that the Parkers had potentially broken California's conflict-of-interest laws. They were also concerned about the charter's academics. Although officials found Today's Fresh Start's test scores acceptable, they wrote that the charter was struggling with English learners. These students made up 30% of the charter's population, yet over a two-year period, not a single one had been reclassified as English-proficient.

The Parkers denied any wrongdoing. In a speech to the board, Clark Parker said that Today's Fresh Start should be judged on how much it had raised its students' test scores, not on other issues. The schools were trouble-free, he said, "not one incident of any problem at all."

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Clark Parker's wife's charter schools hired him to manage construction of a new site in Inglewood. (Robert Gauthier / Los Angeles Times)

The couple's lawyer argued that L.A. Unified was unfairly holding them to a stricter conflict-of-interest law that applied to district-run schools. The law that applied to charters was different.

The L.A. school board rejected Today's Fresh Start's petition.

If the charter schools were going to stay open, the Parkers would need to find another authorizing body.

In July 2015, Today's Fresh Start became the first charter approved by Compton Unified, a district that had been struggling under a cloud of mismanagement and corruption for decades. Compton assumed responsibility for overseeing two of the group's sites — one in Compton and one in South L.A.

In response to questions from The Times, district Supt. Darin Brawley said that he had visited the schools twice, most recently in 2017. But when asked for records from these visits, district officials said they had none. Nor did they have any of the financial records, such as bank statements, annual tax filings, contracts or lease agreements, that vigilant authorizers use to monitor charter schools.

The Parkers became major donors to the political campaigns of two Compton Unified board members.

Compton school board races are often small-time affairs. With unions picking up the cost of mailers and phone banking, candidates have raised less than \$10,000 and still won. The Parkers wrote large checks — over the course of the last several

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# How do you start a charter school in California?



You can apply for approval to any of hundreds of local school districts.

↓ REJECTED



If rejected, you can appeal to the county board of education, which can approve your school instead.

ACCEPTED ↓



ACCEPTED →

You'll need to find a school site ... (unless the school you want to open is online.)

REJECTED ↓



You can appeal to the State Board of Education, which can approve your school despite prior rejections.

ACCEPTED ↓



... recruit students ...

↓  
... and renew your charter every five years.

You can try again and

12/10/2019

How a couple worked charter school regulations to make millions - Los Angeles Times

apply in another district.

Source: Times reporting

@latimesgraphics

years, they have given more than \$21,000 to Compton Unified board President Micah Ali and Vice President Satra Zurita.

Neither Ali nor Zurita responded to requests for comment.

In late 2017, as Compton was considering whether to renew Today's Fresh Start, district staff prepared a report listing some of the charter petition's deficiencies. They noted that Jeanette Parker had not disclosed who was on her organization's board or whom her charter was doing business with.

"Please note that the petition is generally vague and inconsistent regarding the details of the programs outlined in the petition," the report said.

Still, district officials recommended renewal. They had been assured, Brawley said, "that the deficiencies identified in the petition would be rectified."

When the charter's renewal came up in December, Compton school board members did not discuss the charter's academic performance. They did not question the Parkers, who sat before them in the audience.

What they did was a foregone conclusion.

The board took less than a minute to vote unanimously to renew Today's Fresh Start until June 2023.

*Zahira Torres, a former Times staff writer, contributed to this report.*

# Los Angeles Times

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CALIFORNIA EDUCATION

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Anna M. Phillips is an environmental policy reporter based in the Los Angeles Times' Washington, D.C., bureau. Send her tips privately on Signal at (202) 660-1124.

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Error: IllegalOperatorSequence  
Operator: LineRelPath  
Position: 23551

## **Exhibit E**

**TODAY'S FRESH START CHARTER SCHOOL  
REGULAR BOARD MEETING MINUTES  
THURSDAY, SEPTEMBER 27, 2018**

LOCATION OF MEETING: 3405 W. IMPERIAL HIGHWAY, INGLEWOOD, CA 90303

**I. PRELIMINARY ACTIVITIES**

**A. Call To Order**

The regular board meeting of Today's Fresh Start charter school was called to order at 2:00 p.m. on Thursday, September 27, 2018 by Mr. Malcolm.

**B. PLEDGE OF ALLEGIANCE**

Mr. Malcolm led the Pledge of Allegiance

**C. ROLL CALL**

**Members Present:** Mr. Errol Malcolm, Ms. Carol Freis, Ms. Pauline Miller, Ms. Wariboko Asemebo

**Members Absent:** Mr. Clifford Taitt

**Others Present:** Dr. Jeanette Parker, Superintendent, Paula Epstein, Dr. Clark Parker, Construction Project Manager, Jessicca De Vicente, Anna Arutyunyan, Secretary

**D. REVIEW/REORDERING OF MEETING AGENDA, DR. JEANETTE PARKER**

Dr. Parker recommended re-ordering the agenda items.

**E. APPROVAL OF MINUTES FROM PRIOR BOARD MEETING/S**

Ms. Freis moved to approve May 31, 2018 board meeting minutes as corrected; seconded by Ms. Asemebo, approved unanimously by the board.

**II. Public Comments**

None

**III. Communications: Superintendent/PUBLIC**

*This will provide the opportunity for communications from the Superintendent and the public. On any item on or off the Agenda*

*Superintendent and the public. On any item on or off the Agenda*

Dr. Jeanette Parker informed the board that TFSCS students are members of National Honor Society.

**IV. INFORMATION AND REPORTS**

**A. Update of TFSCS Inglewood Construction Project**

Dr. Clark Parker updated the board on the Inglewood construction project.

**B. Local Indicator Dashboard 2017-18- Today's Fresh Start Compton Charter**

Ms. Epstein presented Local Indicator Dashboard for Today's Fresh Start –Compton charter. She explained the Local Indicator Priorities in detail. She informed the board that TFSCS-Compton charter **MET all Local Indicator Priorities.**

**C. Local Indicator Dashboard 2017-18- Today's Fresh Start-Inglewood Charter**

Ms. Epstein also explained the Local Indicator Dashboard for Today's Fresh Start-Inglewood charter. She explained all Local Indicator Priorities in detail. She informed the board that TFSCS-Inglewood charter also **MET all Local Indicator Priorities.**

**V. ACTION ITEMS**

**A. Election of Board Members**

Ms. Freis moved to approve the renewal of all current board members term of office for two years; seconded by Ms. Miller, approved unanimously by the board.

**TODAY'S FRESH START CHARTER SCHOOL  
REGULAR BOARD MEETING MINUTES  
THURSDAY, SEPTEMBER 27, 2018**

LOCATION OF MEETING: 3405 W. IMPERIAL HIGHWAY, INGLEWOOD, CA 90303

- B. Update on 403(b) Plan for Employees  
Ms. Freis moved to approve the continuation of 403 (b) retirement plan for employees through Plan Connect; seconded by Ms. Asemebo; approved unanimously by the board.
- C. Consideration of Extension of CA Construction Management Services Contract –TFSCS -Inglewood  
Drs. Clark and Jeanette Parker recused themselves from participating and left the room. Ms. Freis moved to approve the extension of CA Construction Management Services Contract; seconded by Ms. Miller; approved unanimously by the board.
- D. Consideration to Terminate Charter School Management Corporation (CSMC) Back Office Services and Consideration to Approve Delta Management Solutions Back Office Services Contract  
Ms. Asemebo moved to approve the termination of CSMC Back Office services contract and approve Delta Management Solutions Back Office services contract with TFSCS effective October 1, 2018; seconded by Ms. Miller; approved unanimously by the board.
- E. Consideration to Approve Charter Advisors Contract  
Ms. Miller moved to approve Charter Advisors Contract with Today's Fresh Start; seconded by Ms. Asemebo; approved unanimously by the board.
- F. Consideration and Possible Action to Secure the Use of "Today's Fresh Start Academy" to Refer to Today's Fresh Start Organization  
Ms. Freis moved to authorize a possible action to file a DBA as Today's Fresh Start Academy to refer to Today's Fresh Start organization; seconded by Ms. Miller approved unanimously by the board.

**VI. CLOSED SESSION**

I. IT IS NECESSARY FOR THE BOARD TO RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) AND 54956.9(D)(1) (2)(3) & (4) TO CONFER WITH ITS COUNSEL REGARDING PENDING, POTENTIAL AND THREATEN LITIGATION WHICH HAS BEEN INITIATED FORMALLY OR IS A POTENTIAL OR THREATEN LITIGATION BY OR AGAINST THE CHARTER SCHOOL AND TO WHICH THE CHARTER SCHOOL IS OR MAY BECOME A PARTY.

- *Today's Fresh Start, Inc. V. Minco Construction*
- *Today's Fresh Start Charter School v. Inglewood Unified School District*
- *Kia Anderson v. Today's Fresh Start*

II. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

Board reconvened from the Closed Session.

Continue with the settlement process of the above cases.

**VI. TENTATIVE DATE FOR NEXT BOARD MEETING**

The next special board meeting will be scheduled as needed and the regular board meeting will be scheduled in the 1<sup>st</sup> quarter of 2019.

**VII. ADJOURNMENT**

Motion to adjourn

by Ms. Freis; seconded by Ms. Asemebo, approved unanimously by the board. Meeting adjourned at 3:13 p.m.  
Submitted by Anna Arutyunyan, Secretary

## **Exhibit F**

**TODAY'S FRESH START CHARTER SCHOOL**  
**REGULAR BOARD MEETING MINUTES**  
**THURSDAY, MAY 31, 2018**

LOCATION OF MEETING: 4514 CRENSHAW BOULEVARD, LOS ANGELES, CA 90043

**I. PRELIMINARY ACTIVITIES**

**A. Call To Order**

The regular board meeting of Today's Fresh Start charter school was called to order at 1:54 p.m. on Thursday, May 31, 2018 by Mr. Malcolm.

**B. PLEDGE OF ALLEGIANCE**

Mr. Malcolm led the Pledge of Allegiance

**C. ROLL CALL**

**Members Present:** Mr. Errol Malcolm, Ms. Carol Freis, Ms. Pauline Miller

**Members Absent:** Ms. Wariboko Asemebo, Mr. Clifford Taitt

**Others Present:** Dr. Jeanette Parker, Superintendent, Ms. Yvette Brown, Fiscal Coordinator, Dr. Clark Parker, Construction Project Manager, Dr. Burke Adams, Education Consultant, Anna Arutyunyan, Secretary

**D. REVIEW/REORDERING OF MEETING AGENDA, DR. JEANETTE PARKER**

None

**E. APPROVAL OF MINUTES FROM PRIOR BOARD MEETING/S**

Motion made to approve November 9, 2017 board meeting minutes by Mr. Malcolm; seconded by Ms. Miller; approved unanimously by the board.

**II. Public Comments**

**III. Communications: Superintendent/PUBLIC**

*This will provide the opportunity for communications from the Superintendent and the public. On any item on or off the Agenda*

*Superintendent and the public. On any item on or off the Agenda*

Dr. Parker talked about School Messenger system.

**IV. INFORMATION AND REPORTS**

**A. Update on the close out of the Inglewood Construction Project with the State of California- by Construction Manager.**

Dr. Clark Parker gave an update on the Construction Project.

**B. Status of the SB740 funds for the Inglewood Charter and exploring other options that may be available.**

Dr. Jeanette Parker gave a status update on the SB740 Facilities Program for TFSCS-Inglewood charter. Dr. Parker stated that the administration is exploring other available options.

**TODAY'S FRESH START CHARTER SCHOOL**  
**REGULAR BOARD MEETING MINUTES**  
**THURSDAY, MAY 31, 2018**

LOCATION OF MEETING: 4514 CRENSHAW BOULEVARD, LOS ANGELES, CA 90043

**V. ACTION ITEMS**

- A. Approval of rental lease renewal for 4470, 4476, 4480, 4500, 4508, 4514 and 4518 Los Angeles, CA 90043 facilities pursuant to fair market rental appraisal completed by CA licensed certified appraiser Washington Realty Advisors, MAI. Approval of rental lease renewal for 6422 Crenshaw Boulevard, Los Angeles, CA 90043 and 2255 W. Adams Blvd. Los Angeles, CA 90018 facilities to be used as meeting spaces, resource centers and/or storage as needed by the charter school.  
Drs. Clark and Jeanette Parker made full disclosure of their interests in the transaction. Drs. Jeanette and Clark Parker recused themselves and left the room. The board discussed the approval of rental lease renewal of 4470, 4476, 4480, 4500, 4508, 4514, 4518, 6422 Crenshaw Boulevard, Los Angeles, CA 90043 and 2255 W. Adams Blvd. Los Angeles CA 90018 facilities pursuant to fair market rental appraisal completed by CA licensed certified appraiser Washington Realty Advisors, MAI. Ms. Freis moved to approve the rental lease renewal pursuant to fair market rental appraisal; seconded by Ms. Miller; approved unanimously by the board.
- B. Approval: Revised 2017-18 Budget-Today's Fresh Start-Compton charter  
Ms. Brown presented revised 2017-2018 Today's Fresh Start-Compton budget to the board. Ms. Freis moved to approve revised 2017-2018 budget as presented, seconded by Mr. Malcolm approved unanimously by the board.
- C. Approval: Revised 2017-18 Budget-Today's Fresh Start-Inglewood charter  
Ms. Brown presented revised 2017-2018 Today's Fresh Start-Inglewood budget to the board. Ms. Freis moved to approve revised 2017-2018 budget as presented, seconded by Mr. Malcolm approved unanimously by the board.
- D. Approval: 2018-2019 July 1 Preliminary Budget Budget-Today's Fresh Start-Compton charter  
Ms. Brown presented 2018-2019 July 1 Preliminary budget for Today's Fresh Start-Compton charter to the board. Ms. Freis moved to approve 2018-2019 July 1 Preliminary budget as presented; seconded by Mr. Malcolm approved unanimously by the board
- E. Approval: 2018-2019 July 1 Preliminary Budget Budget-Today's Fresh Start-Inglewood charter  
Ms. Brown presented 2018-2019 July 1 Preliminary budget for Today's Fresh Start- Inglewood charter to the board. Ms. Freis moved to approve 2018-2019 July 1 Preliminary budget as presented; seconded by Mr. Malcolm approved unanimously by the board
- F. Approval: 2018-2019 Local Control Accountability Plan (LCAP) -Today's Fresh Start Compton charter  
Dr. Burke Adams presented 2018-2021 Today's Fresh Start Compton charter LCAP to the board. Dr. Burke Adams explained the LACP data in detail. She went through all goals. Ms. Freis moved to approve 2018-2021 LCAP as presented seconded by Mr. Malcolm approved unanimously by the board.
- G. Approval: 2018-2019 Local Control Accountability Plan (LCAP) -Today's Fresh Start Inglewood charter  
Dr. Burke Adams presented 2018-2021 Today's Fresh Start Inglewood charter LCAP to the board. Dr. Burke Adams explained the LACP data in detail. She went through all goals. Ms. Freis moved to approve 2018-2021 LCAP as presented seconded by Mr. Malcolm approved unanimously by the board.

**TODAY'S FRESH START CHARTER SCHOOL**  
**REGULAR BOARD MEETING MINUTES**  
**THURSDAY, MAY 31, 2018**

LOCATION OF MEETING: 4514 CRENSHAW BOULEVARD, LOS ANGELES, CA 90043

- H. Approval to apply for: Consolidated Application (Con App)–Today's Fresh Start Compton charter  
Ms. Freis made a motion to apply for Consolidated Application seconded by Ms. Miller approved unanimously by the board.
- I. Approval to apply for: Consolidated Application (Con App) –Today's Fresh Start-Inglewood charter  
Ms. Freis made a motion to apply for Consolidated Application seconded by Ms. Miller approved unanimously by the board.
- J. Approval: LCAP Federal Addendum – Today's Fresh Start –Compton charter  
Ms. Freis moved to approve the LCAP Federal Addendum for Today's Fresh Start-Compton charter as presented seconded by Mr. Malcolm approved unanimously by the board.
- K. Approval: LCAP Federal Addendum-Today's Fresh Start-Inglewood charter  
Ms. Freis moved to approve the LCAP Federal Addendum for Today's Fresh Start-Inglewood charter as presented seconded by Mr. Malcolm approved unanimously by the board.
- L. Approval to apply: 2018-19 (SB740) Charter School Facility Grant-Today's Fresh Start Compton charter.  
Drs. Clark and Jeanette Parker made full disclosure of their interest in this transaction and recused themselves from participating and discussing the item. Ms. Freis moved to approve the submission of 2018-19 (SB740) application seconded by Mr. Malcolm, approved unanimously by the board.
- M. Approval to apply: 2018-19 (SB740) Charter School Facility Grant-Today's Fresh Start Inglewood Charter.  
Ms. Freis moved to approve the submission of 2018-19 (SB740) application seconded by Mr. Malcolm, approved unanimously by the board.
- N. Review/Approval EPA Plan and Budget-Today's Fresh Start-Compton charter  
Motion made to approve EPA plan and budget for Today's Fresh Start –Compton charter by Mr. Malcolm seconded by Ms. Freis approved unanimously by the board.
- O. Review/Approval EPA Plan and Budget-Today's Fresh Start-Inglewood charter  
Motion made to approve EPA plan and budget for Today's Fresh Start –Inglewood charter by Mr. Malcolm seconded by Ms. Freis approved unanimously by the board.

**VI. TENTATIVE DATE FOR NEXT BOARD MEETING**

The next board meeting will be in December or sooner if needed.

**VII. ADJOURNMENT**

Motion to adjourn –by Mr. Malcolm  
Seconded –by Ms. Freis  
Approved- unanimously the board  
Board adjourned at 3:39 p.m.  
Submitted by Anna Arutyunyan, Secretary

## **Exhibit G**

	<div style="border: 1px solid black; padding: 5px; float: right; font-weight: bold; font-size: 1.2em;">N</div> <h2 style="margin: 0;">State of California Secretary of State</h2> <h3 style="margin: 5px 0 0 0;">Statement of Information</h3> <p style="margin: 0;">(Domestic Nonprofit, Credit Union and General Cooperative Corporations)</p> <p style="margin: 5px 0 0 0;"><b>Filing Fee: \$20.00. If this is an amendment, see instructions.</b>  <b>IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM</b></p>	<p style="font-size: 1.5em; font-weight: bold; margin: 0;">FF66543</p> <p style="font-size: 2em; font-weight: bold; margin: 5px 0 0 0;">FILED</p> <p style="margin: 5px 0 0 0;">In the office of the Secretary of State of the State of California</p> <p style="font-size: 1.2em; font-weight: bold; margin: 20px 0 0 0;">SEP-06 2016</p> <p style="font-size: 0.8em; margin-top: 20px;">This Space for Filing Use Only</p>	
<p><b>1. CORPORATE NAME</b> LOS ANGELES SCHOOL SERVICES</p>			
<p><b>2. CALIFORNIA CORPORATE NUMBER</b> C3718396</p>			
<p><b>Complete Principal Office Address</b> (Do not abbreviate the name of the city. Item 3 cannot be a P.O. Box.)</p>			
<p><b>3. STREET ADDRESS OF PRINCIPAL OFFICE IN CALIFORNIA, IF ANY</b></p> <p>4508 CRENSHAW BLVD., LOS ANGELES, CA 90043</p>	<p>CITY</p>	<p>STATE</p>	<p>ZIP CODE</p>
<p><b>4. MAILING ADDRESS OF THE CORPORATION</b></p> <p>4508 CRENSHAW BLVD., LOS ANGELES, CA 90043</p>	<p>CITY</p>	<p>STATE</p>	<p>ZIP CODE</p>
<p><b>Names and Complete Addresses of the Following Officers</b> (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)</p>			
<p><b>5. CHIEF EXECUTIVE OFFICER/</b></p> <p>CLARK E PARKER</p>	<p><b>ADDRESS</b></p> <p>4508 CRENSHAW BLVD., LOS ANGELES, CA 90043</p>	<p>CITY</p>	<p>STATE    ZIP CODE</p>
<p><b>6. SECRETARY</b></p> <p>ERBIE PHILLIPS</p>	<p><b>ADDRESS</b></p> <p>4508 CRENSHAW BLVD., LOS ANGELES, CA 90043</p>	<p>CITY</p>	<p>STATE    ZIP CODE</p>
<p><b>7. CHIEF FINANCIAL OFFICER/</b></p> <p>CLARK E PARKER</p>	<p><b>ADDRESS</b></p> <p>4508 CRENSHAW BLVD., LOS ANGELES, CA 90043</p>	<p>CITY</p>	<p>STATE    ZIP CODE</p>
<p><b>Agent for Service of Process</b> If the agent is an individual, the agent must reside in California and Item 9 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 9 must be left blank.</p>			
<p><b>8. NAME OF AGENT FOR SERVICE OF PROCESS</b> [Note: The person designated as the corporation's agent MUST have agreed to act in that capacity prior to the designation.]</p> <p>GLEN STERLING</p>			
<p><b>9. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL</b></p> <p>9700 RESEDA BLVD SUITE 203B,, NORTHRIDGE, CA 91324</p>		<p>CITY</p>	<p>STATE    ZIP CODE</p>
<p><b>Common Interest Developments</b></p>			
<p>10. <input type="checkbox"/> Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act, (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act, (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). Please see instructions on the reverse side of this form.</p>			
<p>11. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.</p>			
<p>09/06/2016</p>	<p>NORMA MILLER</p>	<p>CPA</p>	
<p>DATE</p>	<p>TYPE/PRINT NAME OF PERSON COMPLETING FORM</p>	<p>TITLE</p>	<p>SIGNATURE</p>
<p>SI-100 (REV 01/2016)</p>			<p>APPROVED BY SECRETARY OF STATE</p>

## **Exhibit H**

Capacity Interview Meeting

December 20, 2019

**Ed Sklar:** A couple of minutes after 1 o'clock. So my name is Ed Sklar and I'm serving as legal counsel for Los Angeles County board of Education and with me is Terri Ryland who is acts as a fiscal consultant and is allowing me to review the finances and business aspects of your petition for renewal. What I would ask is that when I talk about the purpose of this interview basically go around the room and I kind of know who's who is all here. There's a lot of you and I welcome you all being here and I appreciate it. The purpose of this capacity interview is to help determine whether the governing board of the school and the leadership of the school understands its roles, responsibilities and has the capacity to govern and operate the school based on the petition the county board received. The purpose of this interview is not to necessarily to provide an opportunity to fill in gaps in the charter petition or to supplement the petition for renewal so I am probably going to be asking some very general questions. Some specifics but some very general questions and really just want to get folks' responses and try to gauge knowledge and capacity to operate the school. What I would ask is that I will talk about questions I am going to be asking specific topics. Maybe you can let me know when ask the question who the best person in the group would be to answer the questions. If the person who I ask the question to isn't able to respond and thinks someone else would be better to respond, is better qualified to answer the question, then let us know and that person can move forward and answer the question. We've established that protocol or tried to establish that protocol because we have a lot of people in this room obviously and what I would like to prevent is people talking over one another and just have a clear and concise answers from the group. In regard to consultancy you have Ms. Dougherty and you have your counsel Mr. Lemmo. So I want to recognize as we have this conversation and we are having this interview that our goal is to determine the capacity of the school and not necessarily counsel or outside consultants. So, let me start by asking this question. Well actually let's do this. Can we go around the room and introduce everybody and everybody's role at the school?

**Rachel Viramontes:** Hi, good afternoon my name is Rachel Viramontes and I am a clerk and I do enrollment.

**Mudalige-Meheepeta Jayani:** Good afternnon my name is Mudalige Jayani and I am the Counselor, I provide special education counseling for students with IEP.

**Yadira Funez:** Good afternoon, I am Yadira Funez, I am the English Learner's Coordinator.

**Gerardo Rodriguez:** Afternoon I am Gerardo Rodriguez, I am the After School Program Coordinator for Inglewood site.

**Norma Miller:** I am Norma Miller. I am the CFO of Today's Fresh Start and I am also a CPA. And I provide the back office accounting and payroll needs. And there is another back office provider Yvette Brown, Only By The Numbers. She provides the budget and compliance reporting and fiscal consultations.

E. Sklar: She's not here today?

N. Miller: She couldn't make it today.

E. Sklar: What company is she with?

N. Miller: Only By The Numbers.

**Anna Arutyunyan:** Hi, I am Anna Arutyunyan, I am the Executive Assistant to the Superintendent.

**Erasmus Lascano:** I am Erasmo Lascano and I am one of the site administrators

**John Lemmo:** John Lemmo, legal advisor to the school.

**Jeanette Parker:** Jeanette Parker, Superintendent. Good afternoon.

**Pierre Codio:** Good afternoon, Pierre Codio, Support Administrator for the school.

**Paula Epstein:** Paula Epstein Support Administration for the school.

**Kathleen Daugherty:** Kathleen Daugherty Educational Consultant for leadership program and governance.

**Stephanie Moore:** Stephanie Moore, curriculum instruction for Inglewood School.

**Carol Freis:** Carol Freis, Board Member.

**Pauline Miller:** Pauline Miller, Board Member.

E. Sklar: So, two questions before we start. Your title as the Site Administrator?

P. Codio: My title is Support Administrator, so I support Mr. Loscano and I also work with Ms. Moore for the school.

E. Sklar: You have the same title?

P. Epstein: I support all site administrators for all of our schools but basically if Mr. Lascano if he needs anything, I will help him out and take care of that for him.

E. Sklar: So, is Mr. Lascano basically who would be the Principal of the school?

P. Epstein: Yes

E. Sklar: In general, who is the person most familiar in this group with the specific content of the petition for renewal? Is there one person who served as lead the author?

Unknown: No lead author

**Dr. Parker:** Perhaps I was at the center of it all. (chuckling)

E. Sklar: And, I recognize there may be, this is a petition for renewal so this may be a petition that has been, the original petition that was authorized by Inglewood Unified and it's sort of been updated and it is an iteration of the prior original petition

Dr. Parker: It's been updated, legally and according to the program as we see it \_\_\_\_ and going forward.

E. Sklar: And who prepared the budget for the petition?

Dr. Parker: Only By The Numbers, Yvette Brown, she prepared the budget.

E. Sklar: And what is Ms. Brown's first name again?

Dr. Parker: Yvette, Yvette Brown.

E. Sklar: Who sits on the board? Who do we have here that are board members for Today's Fresh Start?

Unknown: Two

E. Sklar: Two, and how many board members in total are there currently?

C. Freis: Four

E. Sklar: How long have there been four board members?

C. Freis: Probably a year and a half. A year to a year and a half.

E. Sklar: Is there an intent to bring on a fifth board member?

C. Freis: Yes

E. Sklar: There is. Now I am going to get into discussion about that; the two other board members couldn't make it here today?

C. Freis: Correct

E. Sklar: Who are they? What are their names?

C. Freis: Earl Malcom, and Wariboko Asemebo

E. Sklar: How long have you served on Today's Fresh Start Board?

C. Freis: Approximately 10 years.

E. Sklar: How about yourself?

N. Miller: About 5 years.

E. Sklar: And what do you see as the primary role of the board as a whole?

C. Freis: We oversee the general policies to the school. We oversee the finances of the school. We ultimately have responsibility for the goals and objectives. We approve major contracts. We deal with issues that arise that require our attention. We oversee the annual audits. Yes. And we do get financial records and we just oversee the generally oversee the operation of the school.

E. Sklar: You recently had an annual that was completed.

C. Freis: Yes that is correct and that was filed on time.

**Terri Ryland:** By oversee the audit what was your role?

C. Freis: We receive reports from the people that prepare the audit. We receive reports from Ms. Brown from time to time. And if any questions arise, we deal with them and everything is generally in excellent order, properly filed and timely filed. Things move along properly.

E. Sklar: Does the board receive Brown Act Training?

P. Miller: Yes, yes.

E. Sklar: How often?

Pauline Miller: We go over the Brown Act a little bit at each one of our meetings. But when we first got it we went over the whole thing in that one meeting. Then we read portions of it and make sure we are following the Brown Act when we have our meeting. Time periods, how often we meet, where we need to meet and so on.

E. Sklar: You set aside time during your board meeting to discuss the Brown Act?

Pauline Miller: Sometimes, yes.

E. Sklar: How are you, there is a board member search. A member search going on right now, is that correct?

C. Freis: We have been discussing with Ms. Parker, Jeanette Parker, acquiring a board member, and I believe she has talked to some people. And I do not know at this moment what the status is.

E. Sklar: How did you come to be a board member? In 50 words or less.

C. Freis: I've known Jeanette and Clark Parker for probably 25-30 years and discussed the school from time to time. And a good friend Maury Wills, baseball player, was on the board and my husband was involved in baseball as an attorney agent and I decided that it was a worthwhile activity. Jeanette Parker was doing a really serious, making a serious effort at educating children in an underprivileged neighborhood and I thought I might be helpful.

E. Sklar: Did you have, did you bring with you any specific qualifications, or qualifications in public education or in business.

C. Freis: I have no background in education.

E. Sklar: Business or organization?

C. Freis: No, I am an attorney, but I have no specific organizational background. I loved learning, I was a good student, I respect teaching children to be lifelong learners, and I like and respect what is going on in this school.

E. Sklar: What type of law do you practice? Or are you still practicing law?

C. Freis: I stopped practicing at the beginning of the year. And it was plaintiff/personal injury.

E. Sklar: Got it. What about yourself? What brought you to Today's Fresh Start Board?

P. Miller: I am a grandmother. I have, I had three children at the school. I am at the school every single day from 9 or 10 o'clock in the morning til the school closes at 4. School ends at 3:15. I help all the teachers, I do whatever is needed. If Mrs. Parker needs something I do it. Anybody who needs anything, I am there, copy paper, whatever is needed. I take for granted that Dr. Parker could see that, that I was there and I was available and she wanted a parent on the board, another parent on the board and she asked me to be on it.

E. Sklar: How long ago did your last child graduate from Today's Fresh Start?

P. Miller: The first one just graduated in June.

E. Sklar: Congratulations. I'll ask a question and this doesn't have to be specific to the board members and perhaps you can tell me who would be best to answer this question. Charter petitions are required to describe a process by which the school will ensure parental involvement or have parental involvement. How has the school ensured that parental involvement? Or basically effect made sure that there was effective parental participation in the governance of the school? Who would be best to answer that?

Dr. Parker: I got the first part but could you repeat? Then it got quieter.

E. Sklar: Then it got quieter. Sure. How has the school specifically the Inglewood School, made sure that there is effective parent participation in the governance of the school?

P. Codio: We invite our parents to participate in all the different things that we do at the school. We provide our parents with the school calendar, we have a parent compact that we have, that we produce to the parents so that they understand that this is an altogether for an environment where we would love their collaboration to be a part of what it is we are doing. We have monthly meetings where we discuss different things whether it be from school site council to new things that are happening within the school. We invite the parents to the school every month for awards assembly. We also invite parents after every meeting we have to give us evaluations. So they get to critique what it is they are receiving from us and give us their ideas and their thoughts. After we receive their ideas and their thoughts and we take that information and then we produce what our constituents are asking.

E. Sklar: You said after every meeting you get parent feedback? So what type of meetings are you talking about?

P. Codio: I'm talking about ELAC meeting, whether it be a meeting where we are discussing the school budget or a meeting where we are discussing literally anything. Any meeting because we take parent feedback seriously. So literally any meeting that we have we ask for parent feedback.

E. Sklar: And so do you have a document?

P. Codio: Yes, we have a form that we have. We ask what it is in this meeting that you found to be beneficial. And we ask what are the things that you feel we can add to this meeting to make it more beneficial for you? So, from that we gain lots of great information from that.

E. Sklar: Is there parent participation on your ELAC committee?

P. Codio: Absolutely, yes sir.

E. Sklar: And what about how many folks sit on your site council?

P. Codio: I believe we have about 7 I believe people that sit on our site council.

E. Sklar: And are these all parents?

P. Codio: Yes.

E. Sklar: Do you also have, is there a designated parent member of the board of Today's Fresh Start? Is there a designated, I will turn to the board members. Is there a designated parent representative on the Today's Fresh Start board of directors?

C. Freis: I do not know what a designated parent is but we have Ms. Miller and Ms. Asembo are both parents.

E. Sklar: When I say designated, I mean is there a seat reserved for a parent?

P. Freis: It is my understanding that at all times that I can recall we've had at least one parent on the board.

E. Sklar: What role is the school site council play at the school?

P. Codio: What the school site council helps us to do is to help us to inform exactly what we do with our ELPAC, in terms of providing information to our children about the ELPAC, how we get information to the parents about the ELPAC. They also help us with the LCAP. And so with the LCFF and the LCAP they help to form all of that information as well as our SIPSA, so making sure we are looking at student achievement. And so the school site council helps with all those different matters.

E. Sklar: As board members, what do you think is the board's greatest strength?

C. Freis: We all care about the school, we care about educating the children, we care about it running properly, and providing a good learning environment so that they can succeed. I think we all want to see the school succeed in terms of educating each child to the best of their abilities and really well regulated environment and develop social skills that just educate these children so that they have a good chance at life.

E. Sklar: That's the uniform board vision?

C. Freis: I don't know exactly, if you want me to be more specific?

Ed: No, I think. So, how would you like to see the board grow? Or what could the board be doing better?

C. Freis: We are looking at maybe taking a good look at with this new term of maybe looking a little more specifically at how we can oversee things. Although we generally do, but obviously we want to improve the students' abilities. This last term we definitely improved the school environment, we built a new campus, it involves the community, and it has start of the art stuff like smart boards. We want to develop more support for social issues that come up, emotional problems. We want to just provide a really excellent learning environment.

E. Sklar: I'll ask each of you. What has been the board's greatest challenge over the last, during the, over the term of the charter for the last 5 years?

P. Miller: I have to say that I do not think we have had any challenges that we haven't been able to handle. I can't think of anything that we were not able to pass, vote on. We have our audits and our finances and we have been able to conquer all of that. We have never had anything that we have not been able to handle and solve.

E. Sklar: Can you give me an example of an issue over the past two years, two years or three years that the board has basically had to overcome? I am trying to think of challenges where the board has had to come together and make decisions, some hard decisions and moved on and prevailed. Not involving stuff that you may be discussing in closed session, I don't want to know about that. I am saying public discussion that you've had with your community.

Terri Ryland: Budget, educational, safety, just any topic.

P. Miller: We have a very safe, the gates are locked so students can't come and go as they please. Parents can't even come and go as they please. They have to go through an office to get to their student and normally the student is called rather than, the only time a parent, other than volunteering, any parent is allowed on campus is because they are having a meeting, conferences.

E. Sklar: Parent / Teacher conferences.

P. Miller: Yes, conferences. They have to sign to get in, they have to sign to get out. So, we have a very safe environment for the students. We have guards that's there, we have yard people that are working on the yard throughout the day. Those people when they are not working in the yard on the recess and or lunch time, they are in the classroom helping the teachers, doing whatever the teacher needs. If you have a student, a child in the classroom that needs, that can't read very well, that person comes in to that classroom and works with that child. The other programs that we have at the school for special learning so they get more than what they are pulled out for. I can't think of anything that we've just had to really overcome.

C. Freis: It seems like it is a really well run school and everybody is doing a pretty good job and we are kind of proud of it. The children are doing well in terms of their testing. Obviously you always want them to do better but they are doing better than the public school, the Inglewood School District. We are just proud. The financials are all in order, it is a fairly tightly run ship. Frankly, the biggest challenge is being here. (Laughter)

Unknown: Super fair.

E. Sklar: Dr. Parker, are you in charge of, I'm trying to, I am trying to ask the question and it looks like you may be the person to answer it. In regard to a fifth board member, is there currently, my understanding is there is currently a search for a fifth board member?

Dr. Parker: Yes, I have been asking around to various people that I know, I am hopeful that we will find, I have someone in mind. I have a direct link to how to get to the person. The kind of person I am hoping for is someone who has the time to come to the board meeting, a person who is not looking to make it as a stepping stone to something else, just to be interested because they are interested in children and I have someone in mind. I won't give their name but I have someone in mind and I hopeful that once I pass it along to the board that the person, one of the owners of an NBA teams the kind of person that would solely be there, for no other reason, like our other board members just to help the children. Willing to bring in resources. Which could be, whatever that might be. Could be monetary, knowledge, coming and helping the children in the gym because he is NBA, part owner, he's visited the school before and we discussed it a while back. I am just hopeful that once our board members discuss it, if they are all agreed then, I just want someone to help us, help us support these children.

E. Sklar: So, help you, help the school financially and resource wise, like you said.

Dr. Parker: Well, that could be one way. That would be extremely helpful and he has given us some donations. But that would certainly be helpful but there are other resources that people have, contacts with other people as well. I am looking for and I am hopeful.

K. Dougherty: Ed, can I ask something here that I think may be helpful?

E. Sklar: Sure.

K. Dougherty: One of the things Dr. Parker has asked is that once this process is finished is that we assist in the search for a board member. So, in one of the things that we've taken a look at is what are the qualities and skills that she'd like to have in a board member and that the board is looking for. We haven't been able to sit down and make that plan yet but that is in the works. So, we can recruit someone that is going to be a nice match for the skills that are currently on the board and also to fill in a gap of the skills that they are still looking for. Today a couple have been bantered about one being having an educational background, higher educational background in other words university type person and or someone that has finger tips on fund raising and or fiscal resources that can support the school or has ways to do that as well. They already have two people on the board one with fiscal background and one with accounting background, not necessarily looking for that strength but rather the ones they are missing.

E. Sklar: Are those the two people that are not here?

K. Dougherty: Those are the two that are not here. The other piece in general is kind of taking a look at the governance structure and just examining where updates are needed and what things need to be done moving forward now that we are headed into a new term, hopefully. To say what we still need to do, what do we need to do better, what are some things that we'd like to accomplish, so that is the role that I am good with playing. I just wanted to share that with you. They've already kind of identified that.

E. Sklar: Who's responsible for evaluating Mr. Lascano's work?

Dr. Parker: I would be. Yeah, I would be responsible for it. I would be responsible for evaluating it.

E. Sklar: And what does that process look like? For evaluating his job performance.

Dr. Parker: Well, it looks like evaluations for the job for a time frame, at least yearly. Would also be evaluated on the basis of promptness of being at work, commitment to the work, commitment to the school, on the basis of the functionality, the efficiency with which the work is done. So that would be some of the components that would contribute to the evaluation.

E. Sklar: Mr. Lascano, how long have you been the principal at the school?

Mr. Lascano: I have been working for fifteen years for Today's Fresh Start, already. I do not remember how long I have been the person for the school. Probably ten years. Probably.

E. Sklar: The Principal?

Terri Ryland: For ten years?

Mr. Lascano: Not really ten years; I started support staff, support the administration. I started as the Principal for the Inglewood site just about a year ago.

E. Sklar: How is your job performance evaluated, Dr. Parker?

Dr. Parker: It is evaluated by the Board.

E. Sklar: So, I ask the board members... tell me who can best answer this. What does that process look like? Dr. Parker's evaluation by the board? Is there a process you use or an evaluation tool you use?

C. Freis: We just observe on an ongoing basis how she is functioning. How, are reports timely? Is staffing in place? Are the children doing well on their testing? Do they have, are they working with the parents, the community? Are the facilities well maintained? We keep an eye out on an ongoing basis, but we don't actually have a specific time reserved to just talk about her performance.

E. Sklar: Who leads that discussion? Is there a board President?

C. Freis: Yes, Mr. Malcom.

E. Sklar: Ok.

Dr. Parker: May I add, I was thinking that I should add that evaluations for administrative persons are based on the California administrative standards, and also the teachers, the California teaching standards.

E. Sklar: For evaluating the teachers then. Mr. Lascano, do you do the evaluation of the teachers at the Inglewood school?

Mr. Lascano: Yes sir.

E. Sklar: How many teachers are there in total at the Inglewood school?

Mr. Lascano: Classroom teachers right now, we have twenty-one classroom teachers.

E. Sklar: And so you performed the evaluations. Is there anybody with you who you evaluate the teachers with? Or is it just you?

Mr. Lascano: Yes, sometimes I ask assistance from some of our support, site administrator, they have asked to evaluate teachers.

E. Sklar: Who was the Principal before you?

Mr. Lascano: Dr. Roman

E. Sklar: And Dr. Roman left the Principalship a year ago?

Dr. Parker: Approximately.

E. Sklar: Does the board have any standing committees?

C. Freis: No

E. Sklar: No, ok.

C. Freis: Nope, there was one thing that came up when we were planning to revise the governing documents and we are going to eliminate standing committees.

E. Sklar: Ok, so there are none now?

C. Freis: I have never seen a standing committee.

E. Sklar: Ok, and so moving forward there is no plan to have a standing committee?

C. Freis: At this point there is no plan.

E. Sklar: How often does the board meet?

C. Freis: I estimated

E. Sklar: And I want to say not as a gotcha question but my review of the bylaws says two regular meetings per year.

P. Miller: Oh yeah we have more than that.

E. Sklar: Thank you. So, you have special meetings.

P. Miller: We have at least 4 every year. We have a special meeting. She calls a special meeting if she needs to get something approved.

C. Freis: I would say at least 4, maybe 6 meetings a year.

E. Sklar: Ok, so in 2019 do you know how many board meetings you had.

C. Freis: I would estimate 5 to 6 altogether.

E. Sklar: And then do you know in 2018 how many you had?

C. Freis: Roughly the same is my best guesstimate.

P. Miller: Can I say this?

E. Sklar: Yes

P. Miller: When we start our meetings Dr. Parker always advises us on about what's going on at the school. She always tells us, last year we got the big what do you call the big screens, I forget already. She advises us that we got those and how they are being used. Every student has a computer. She advises us at the board meetings about everything that is going on, new and old. If the old stuff is improved we are advised of it, when new things come in she advises us. She lets us know, we are not in the dark about anything. She lets us know in advance what's going on, what's going to come, what has been dropped, what has been moved.

E. Sklar: Does, do Dr. Parker, do you set the board meeting agendas? For their meetings?

Dr. Parker: No, not only I.

E. Sklar: That was what I was getting at.

Dr. Parker: No, not only I.

E. Sklar: Who else?

Dr. Parker: The final agenda, Anna and I we collaborate. We collaborate with the financial persons according to what reports have to be approved.

E. Sklar: The folks from "Only By The Numbers"?

Dr. Parker: I consult with legal counsel as well. I am just very fastidious as to what is on the agenda, that we are doing things properly, decently in order, that everything is agenized, action items are agenized properly. That everything is handled meticulously.

E. Sklar: What about Errol Malcom as the Board President? Does he participate in setting up the, and creating an agenda?

Dr. Parker: Well, I have told him about creating the agenda and talk things over with him. He is now, since he is the long term, longest term Board member; so he knows quite a lot about the agenda and how it is designed and what he wants to put on it.

E. Sklar: How long has Mr. Malcom been, is it Mr. Malcom or Dr. Malcom? I want to treat him with all due respects.

Dr. Parker: Mr. Malcom, he's not, if he has a doctorate degree I don't know about it.

E. Sklar: So, I will call him Mr. Malcom. You said he is the longest serving board member.

Dr. Parker: Yeah, he has been on the board since 2006.

E. Sklar: Ok. How long has he been the board president?

Dr. Parker: Hmm, I am thinking perhaps, maybe approximately 4 or 5 years, something in that vicinity of time.

E. Sklar: What's the process for selecting the Board President?

C. Freis: Since it has only come up once that I can recall, he was already on the board, and he cared about the school, and he was respected by everybody and we thought he would do a good job.

E. Sklar: And so the board elected him as president?

C. Freis: Yes

E. Sklar: Do you know when that took place?

C. Freis: I do not recall, but it could be 4 or 5 years, it could be a little longer. I do not recall.

E. Sklar: I am going to turn to the education people and tell me, I am going to talk a little about the educational philosophy of the school so I do not know who the best person to turn to would be. But basically I just ask as specific or broad as you want, could you describe the education program that the school offers and the educational philosophies and research upon which the program is based. Whoever wants to respond to that just let me know.

P. Codio: Sure, absolutely, well page 60 of our charter kinda goes into our mission statements. But rather than using those which are amazing statements we actually encapsulate all that into our school motto which we state as "raising the bar" and "closing the achievement gap" because that is what we believe is our mission for the children in which we serve. So, based upon that,

when it comes to what educational philosophy we use. First of all we use Explicit Directive Instruction, EDI, for short. That model is a model we use in the classroom structure to effectively provide educational services to our children. Basically, starting off with an objective to make sure we are pointing children in the right direction, providing a hook which is some type of video or some type of activity that is happening in the classroom to engage the children. You know, wake them up, perk them up in terms of what is happening in the classroom setting. Usually there is some opening question that is asked of the children to start writing, or thinking along those lines, from there we use the theory of gradual release. So for gradual release we go with the "I do", "we do", "you do" model. So, within that model we start with the teacher going through her direct lesson, and from there they are transitioning that information to the children where the "we do" that is where the "we do" time comes in, where they are working collaboratively together, where the teacher is asking questions, problems, concerns, checking for understanding, trying to fill in any gaps with in that lesson. Then it is the "you do" time, this is where the children now are left to do it on their own. But while they are doing it on their own, teachers are expect to walk around the classroom, looking over students shoulders, making sure that the information is looking great, and then we exit that by asking a closing question. It is the next ticket. It is usually a one to two question situation or maybe a paragraph in ELA piece or in math, one to two questions. We then get real time data from the session of what has been happening in the classroom setting, and then teachers are expected to then look at that information to then plan for the next day. To see a) whether he or she may need to go back through that a couple of pieces that may not have gotten grasped the day before, or, they were able to grasp that information and you are able to move along the continuum. So, that is the education blocks we use in the classroom and that is monitored by the site administration. So, Mr. Lascano walks around the classroom curriculum instruction, as well as Ms. Moore walks around classrooms asking to see if, myself too, participate in that process, making sure we are observing teachers so that we are making sure that this process is happening in an ongoing basis and then we provide feedback with core teachers so if we see something that can be improved or something we liked, whatever the case may be, we have a collaborative conversation with teachers and then those moments and in those times they share with us some things they may have concerns with that we help support the teachers in any way that we can.

E. Sklar: When you are talking about the "I do", "we do", "you do", and a summary question at the end, is that at the end of every period or is that or block or how does that?

P. Cordio: At the end of every lesson. So, of course that looks different depending upon what class you walk into. So if you will allow me to explain. If you walk into a self-contained classroom where the teacher has the entire course, it is happening at the end of every lesson but of course if you walk into one of our six to eighth grade class it is at the end of every period. So, it looks a little bit different depending upon which class you walk into.

E. Sklar: When you are talking about the end of every lesson for the K-5, so it is a self-contained class and you are saying at the end of every lesson, how often are these lessons occurring. I am just trying to get a sense.

P. Cordio: Well the lessons are happening every day. So, our teachers are planned effectively so when they are working through their lesson plans, every day has a focus. At the end of that focus there is a question that is being asked, it is already planned out. It is not something that is you know willy nilly if that makes sense. It is something that is, that is the reason that our test

scores are moving in that direction because we are so focused in terms of as to how we plan. Based upon that question which is directly tied to that objective which is of course also tied to the common core state standards or the NGSS standards if it is a science lesson. Everything is cyclical if that makes sense. By the end of the lesson we are repeating exactly what we said at the beginning of the lesson and we are looking for the information that is necessary for the children to move forward.

E. Sklar: And so how do you see the interaction between your positions as the curriculum and instruction director and your two positions and the Principal's position? How do they interconnect with one another?

P. Epstein: Well, we all discuss data together. We look at the data every week, if not every day or every other day. We are constantly conferring with one another. Also, within the classroom if I may. There's also differentiation in instruction. So there were small groups going on in like at a kidney table with the teacher, with four students who she realized the day before didn't totally grasp what they needed to grasp. So the teacher then has those four students while the other children are doing their independent work. And so she's making sure that they understand and are able to master the standards that they have not acquired the day before or the week before. But she's making sure because we then do a reteach test before the week is over. Of those students who did not score at the level that we expect them to score, which is above 80 or above, which is "met" or "exceed." And so they are getting a reteach test of a shorter test than what they would get on a Friday because we test every Friday. So.

E. Sklar: What do you mean by we test every Friday? Each. I mean, what's it about less out?

E. Epstein: Well, it's our belief that the children need reinforcement. And so the lesson that is taught during the course of the week, the children are tested on that standard on Friday. So that might look, obviously, it's going to look different in every classroom because the standards are different for every grade level, even though they interconnect as they go up in the grades. But every week, our children in all grades test on Friday, they test in ELA, they test in math, they test in NGSS science or social studies depending on what they're doing. Fifth and seventh grade, get science tests every Friday because they have a state test. So we're very, very careful about the data that we have. We go over it every week with a fine tooth comb and we all confer to discuss how we can better improve and help our children, because that's our main concern.

E. Sklar: In regard to the petition, has the county board been provided all information to provide a full picture of academic increases and decreases?

Several: "Yes"

Terri Ryland: Was there anything different provided other than what was in the petition?

Dr. Parker: Oh, yeah. So one thing that I can immediately think of was not in the petition was those test scores, they had not been released. We provided that information and a completely updated status of all our test scores through the documents we gave to those documents out at the last meeting. So, we couldn't put.

E. Sklar: The Inglewood board meeting? Were they?

Dr. Parker: Yes. Yeah. So we couldn't put the two thousand nineteen (2019) in there because they have not been released. So you said, was there anything else that could be said? I'm I'm not.

E. Sklar: I just want to make sure that everything that we need to evaluate the increases in academic achievement is was contained in what was submitted to the county board.

Dr. Parker: That is correct.

E. Sklar: And all the information for this numerically significant subgroup, student subgroups that the district I mean, that the school serves.

P. Cordio: Yes sir.

E. Sklar: And what's the period of time that that data covers?

P. Cordio: Well, that's, that, I can ask that in a couple of ways because of course, yearly the students are tested, but with charters, typically it is over a five year period. So, it depends on what piece of data you looking for, you looking for. What happens on a yearly basis? Are you looking longitudinally?

E. Sklar: Well, I'm looking at how far, far back, how far back do you go? And it sounds as if there was academic performance data from over the five years.

P. Cordio: Yes, that's why I was asking for clarification.

K. Daugherty: It is provided from 2015 forward.

E. Sklar: And what are the numerically significant student subgroups that for say, this school year that the school serves?

P. Cordio: We have African-American students. We have our EL students. We have our SPED students. We have our socio economic SER, SEL, I mean SED socio economical disadvantaged students. I'm sorry.

Dr. Parker: Latinos

Dr. Parker: Latinos definitely.

E. Sklar: Special education?

P. Cordio: Yes, special education yes.

E. Sklar: I'm sorry. Any others?

P. Cordio: I think that's, that's quite a few. Yes, but yes, that's it.

K. Daugherty: Percentages?

P. Cordio: Oh, sure. I can do that, definitely.

P. Cordio: So I'm currently with the enrollment we are at eighty nine (89) percent socio economic disadvantage, fifteen point five (15.5) percent English learners, also foster youth at little less than 1 percent. And that's according to the dashboard.

E. Sklar: So a little less than 1 percent or so,

P. Cordio: Foster youth

E. Sklar: Foster youth? So how many would that be?

P. Cordio: Oh, I guess based upon that.

K. Daugherty: 431

P. Cordio: Yeah.

E. Sklar: So that would hit the numerically significant, numerically significant subgroup right?

K. Daugherty: Almost.

P. Cordio: Almost.

E. Sklar: Could you summarize what the measurable pupil outcomes are in the, in the charter?

P. Cordio: Sure. I believe that's going to be on page 7. And basically what we do with that is looking at, of course, how they're performing within ELA for goal one, goal two being math, goal 3 being for our EL students, goal four being our core course of study. Goal 5, being making sure that both teachers and administrators are well qualified and competent to do what they are supposed to do. 6, 7, and 8 usually encompasses our school safety, parent involvement and facilities. So within all of those goals we have, if I may say this, I think the school does an amazing job. I've worked at other institutions and tracking data in progress in all of these schools because based upon Alysha from our superintendent and from our board, there's an expectation of all of us to produce reports on everything that I just mentioned, i.e. our parents, are our parents as well as our board, as well as our superintendent. We all, they're all expecting us to show a how well the progress is happening within the classroom setting. IE we then make sure we match that within our LCAP to make sure we're making the appropriate progress every field throughout the course of every year. And that's true from goal 1, all the way to goal 8. And so our facilities, we look at our facilities monthly as well as annually. And if there's something that's, you know, that needs assistance or support, we're very quick to make sure that those things are rectified for the purposes of, you know, providing a safe and quality environment for our children. And that's true for any, any other peace and we can discuss from EL to math to everything.

E. Sklar: Can you tell me what are say two measurable outcomes that you're the proudest of at the school?

P. Cordio: That's a very good question. Let me think about that for a second.

E. Sklar: Sure.

P. Cordio: I believe that one how our EL's are growing. How they've grown throughout the course of time. For us, it's a very, very, very, very big achievement. And I guess personally for me, because I too, I too am an EL learner because of my familial background. So I key in on that as something that's big for me coming from my background and my and my heritage. Another one, of course, is just making sure we're increasing the academic achievement in the area of mathematics for our children. Although there was a small decrease last year, there were significant increases throughout the course of the other years ELA as well. So I think those two pieces as well as what's happened with EL population is amazing stuff.

E. Sklar: And what about the one or two people outcomes that weren't met that you want to focus on?

P. Cordio: Sure.

E. Sklar: Focus on.

P. Cordio: I think the biggest, I haven't answered that already. We've been discussing it at length, our attendance. We'd like to really work in order to improve our attendance. So we have a family mentor-coach that we have within, within the school. And what we have done with that, actually, this is an example of it here. We've highlighted and identified some of the reasons why children aren't coming to school. We've highlighted that the subgroups that are most impacted by this. And we now have a direct attack in approach to solving these issues. So, for instance, when we come back in January on the 7th and on the 8th, I'm sorry on the 8th and on the 9th because on the 7th I will be here. So on the 8th and on the 9th, we actually have meetings that we'll be having with our families to discuss the importance of attendance, why children should be coming to school and how we can partner with them to improve those outcomes. We plan to have, we continue to have meetings with families every month. And if we have to, we'll collaborate with families to find resources to help carpool or whatever the case may be to get our kids to school. Since we recognize that as an area of growth for us, we do have a plan of attack to make sure that we increase those outcomes.

E. Sklar: What's your ADA rate?

P. Cordio: Our ADA rate? Wow, let's see.

Unknown: Your attendance yield rate?

P. Cordio: Look, I know, I know what it is.

N. Miller: I don't know where are we the in the process of completing the P1. So I don't, I, I don't have the exact number.

E. Sklar: But what was it? What was it last, last school year.

Unknown: I mean over the 430.

E. Sklar: What was that? The ADA rate, not the number.

Unknown: Attendance divided by enrolment.

P. Cordio: I know I don't. Yeah I would think so. Because around 94 to 95%. 95, somewhere around 95. Yes.

E. Sklar: So what's your goal?

P. Cordio: Yes. Or 98 percent as that as outlined in our LCAP 98%.

E. Sklar: That your goal is 98%.

E. Sklar: And of course we will show up.

\_\_\_\_\_: We will have all the children.

E. Sklar: You will have 100%.

\_\_\_\_\_: Again

T. Ryland: Tell us how you do that, right?

P. Cordio: That's not a euphemism. 100% is what we believe. That's what we strive for by using realistic numbers, 98 percent, because, of course, things happen with everyone. And so that's our goal and our what we strive to be every day. And we track it every day, by the way, as well.

E. Sklar: Any other outcome? People outcomes that you want to see improve?

P. Cordio: Well, I mean.

E. Sklar: Other than all.

P. Cordio: last year, unfortunately, we did have a dip in our ELA scores and we recognize that. Fortunately, we noticed that we had a large influx of children that came from another school that unfortunately suffered a closure. I said Inglewood Middle and we, that happened towards the middle of the school year and that impacted us significantly. And as a result of that, we, of course, being such an ingratiating environment, we accepted them into the fray because our baby, those babies, like all the babies, need a place to go to school. And based upon that, we believe that now working within our system and that our progress will make significant gains with them.

E. Sklar: What was the name of the charter?

P. Cordio: ISF, Inglewood Middle? And if you look at their scores, unfortunately, they, they, they are not because we don't believe in disparaging scores, but they're significantly lower than what we're used to achieving here at our school as a force. They bring those skills with them. Right? And we look to helping students.

E. Sklar: Approximately how many students came over for ISF?

P. Cordio: Fifty. And starting in the middle of school year round, about January to February

S. Moore: And that was the grade level 7 that suffered the most?

P. Cordio: Correct.

E. Sklar: The seventh grade?

Unknown: (affirmative) Umhum

E. Sklar: Did any eighth graders come along?

P. Cordio: A few, I don't have the exact numbers in front of me. I'm so sorry.

E. Sklar: But most of the students were from 7<sup>th</sup> grade.

P. Cordio: 7<sup>th</sup> grade, that's correct.

Terry: Isn't last year the first year that you also had 7<sup>th</sup> grade?

S. Moore: Yes.

S. Moore: So this new curriculum, it was new teachers on board for that classroom, for those classrooms and those students.

E. Sklar: Because last year you had rolled out a seventh grade. How did that how did that? Why was last year the first year you had a 7<sup>th</sup> grade?

S. Moore: Just moving up. 6<sup>th</sup>, 7<sup>th</sup>.

E. Sklar: Right.

S. Moore: So you were right. Plus one plus one model.

S. Moore: Adding another. Great. Yeah. Right. You can do that with your students in the middle of the year.

E. Sklar: Rolling out a plus model. We're talking about the same.

P. Corio: Yes, we have.

E. Sklar: Tell me a little bit more about the, improving absenteeism from school. What you said you're developing a program in January?

P. Corio: Well, no we have a program developed. And so part of that was looking at our constituency. So let me unpack it a little bit more. Once we began to notice that we had a situation and a problem that needed to be rectified immediately, we decided to then hire an individual to help us with that, our family mentor-coach. With that, we also have work with the enrollment, that's actually the enrollment card for our school. We you actually I need to back a little bit more. First of all, we talked to the teachers because typically teachers are the first ones to receive the children. And so we asked the teachers to have our conversations with our families and with the children about make sure they come to school on time. We put an incentive based program within the school system to help the children to get the class, i.e. if you all come to class and we have an average of 98 percent, of course, we don't break it down that way to the children. What we say is come to school and the school will give you a little pizza party for coming to school on time. There you go. The children love that. And of course, with that, you know, we have a plan started from there. With looking at that piece, we then noticed that there's still some challenges that we were dealing with. So that's the reason why we retained an individual in our family mentor-coach did and helped contact families that literally find out what the situations are. And they're varied. And we're also dealing with a population, you know, that they're underserved, and so a lot of it is educating. Right. Families and friends of the importance of school. And just to be quite honest with you sir, a lot of our families are averse to even understanding legal, you know, pieces of advice and what that looks like for all the reasons I will explain. So, you know, sharing that information with families in a way that's palatable is part of the reason why we have to do this, this type of work. Inviting them into the schoolm share with them the ramification, what's happening, what what unfortunately can happen to families if they're not you know, they don't come to school on time, put together a plan of action, informing them of what rights they have, even as individuals, if they need to leave work to deal with things. And we we have a real encompass process, all of which outlined in this small document to help improve our ADA rates.

E. Sklar: Unfortunately, as you say, the legal ramifications of not sending their kids to school is like number ninety five on the priority list.

P. Corio: Sure, sure.

E. Sklar: OK, so tell me about the Re-Teach lesson plan. Because I saw that in the document that you had submitted. Tell me a little bit more about that. You had submitted that in a copy of that at the public hearing. So what is that document?

P. Corio: That's a really important document because that's where we see what children especially need to move forward, i.e., if there's a child is not met or nearly met using the standard easy academic language from cast. What we do is we try to target those kids that are not meant to move up, at least in nearly limits. We have realistic expectations that we take the students that are nearly met and our goal is to move them to met. And so in order for us to do that, we need the reteach document to accurately identify who those individuals are. So that differentiated structure can happen within the classroom setting so that we can provide them the skills necessary to them to move, you know, move forward in that regard.

E. Sklar: So does each student have a reteach document or is that a classroomwide?

P. Corio: That's a classroom, that's a classroom documents used by the teacher and students are indicated on that reteach document that need assistance by a) if they're not met, if they're not met, or b) if they're nearly met. So those students are identified on that document.

Dr. Parker: You might also want to add that the reteach, another dimension or the importance of the reteach document is that it's also a tracking document, right. So that small group instructors, we have quite a few small group instructors. The children, their performance is tracked so that if they work with them, with the teacher and then in the afternoon, if they're working, if they are asa student, we track those children using that reteach document. So that was placed in there because it's a very valuable tool to see how the children are performing and to keep on top of.

E. Sklar: For Mr. Codio, Dr. Cody or Mr. Cody. And is it Ms. Epstein. Okay, so you work across both schools, both TFS schools.

Mr. Codio: Yes.

Ms. Epstein: Yes.

E. Sklar: OK. So how much time are you spending at Inglewood as opposed to Compton? How does that work? How do you both work together? How do you determine your schedule? How do you determine where you are?

Ms. Epstein: It depends on where we're needed most at the time. And that's where we are. So if we're needed at the Inglewood's site, then that's where we would be.

E. Sklar: So what, what would give me an instance of like where you would why you would be needed or in an episode of where you would be needed at, why you would be needed at the Inglewood site.

Ms. Epstein: OK, so if we're having a meeting with parents who have children who are constantly tardy or absent, one of us or both of us would be present at that meeting with our person that we hired to be the person in charge of this, because they would know us as people from the school as opposed to this gentleman who we just recently hired. And we would discuss with the parents the legal ramifications. We would also discuss with them if their children had absent notes from doctor visits that might have not been sent in to ensure that the child had an excused absence, because maybe some of these absences could have been excused and were not

because we're not there to have punitive damage on their parents. We're there to help them. And so they understand that. And it becomes more of a friendly meeting, a workshop meeting where we can help you as opposed to telling you, "don't you do that again." Because we really care about our families and our children. And so that would be one instance ee might be there. We would also be there for graduations. We would be there for any kind of parent meetings at all, or we would be there for any kind of programs that might be going on at the school. I might be there to print out report cards for the school, things of that nature.

Mr. Codio: I would also add that other reasons as to why we would go to the Inglewood site would be to help facilitate visitation or walkthroughs, academic situation or evaluating teacher performance and progress. Also looking if there is a discipline matter that needs more support and more hands to kind of figure out what happens. We also provide support there as well as for SST's and things of that nature.

E. Sklar: Because I'm trying to, like I said I'm trying to figure out the interplay of the roles between Dr. Parker, yourselves, the site principal, principal at another school, because of what I hear is a very \_\_\_\_\_. So I'm hearing some of the description of how you just described it. Some of the stuff I would be expecting the principal to be doing. Right? Just in regard to meeting with parents and, and, and those types of meetings. But I'm also hearing a very, very well structured in our prior discussion, very well, well structured, like we're grinding through data and working, talking to the principal, the site administrators and the, and, and, and others just in regard to going through the data. So how does that, how does that work in regard to your schedule? How does that work in regard to your schedule? I realize that's easier said than done. Some of it is like you're putting out fires and some of it is I need to get it out this week. Right? Or we need to get to this, this week, as we need to have the schedules going through the data. Tell me how that works and how, how you two work together to make sure that happens.

P. Corio: Well, a) we typically we typically make sure that within ourselves, we're always positioning ourselves within one site to make sure that we have coverage. Everywhere we are, we need to be. So that's one. Two, it's already outlined because we have a professional development schedule that we use to help to give us clarity in terms of where we need to be in and how we need to delineate situations and roles and tasks and things of that nature. And so it is structured. I mean, anything like this of this nature has to be structured. And so with those structures were then able to, you know, facilitate providing assistance when necessary, as well as taking care of \_\_\_\_\_.

E. Sklar: How long have you been with Today's Fresh Start?

P. Corio: Two years.

P. Epstein: Nine years.

E. Sklar: In the same position?

P. Epstein: No, when I first came to this school, I was teaching, so I have a teaching certification, but I've been in my administrative role for the last four years.

P. Corio: And myself, two years. I came in as an administrator because I have my clear administrative credentials. Was my clear multiple subject teaching credential.

E. Sklar: And where were you coming from?

P. Corio: Cash high school. So another school in the area.

E. Sklar: What was your, what was your position there?

P. Corio: Principal.

E. Sklar: What grades did that school serve?

P. Corio: Nine to twelve.

E. Sklar: How many kids?

P. Corio: Approximately two hundred and fifty.

E. Sklar: Ok. There's a statement in the petition specifically on page sixty five where it says second graders to eighth graders have their own laptops. And then and that's stated a couple of times in the petition. And then at page 65, it says this will continue as funding allows. And so that to me was a statement, I just want to get that, I do want to get clarification on. What does that mean, this will continue as funding allows? It is at page sixty five.

Dr. Parker: Well, I am on sixty five. It's like a dangling participle. But it was just put that we just as a condition should anything happen that we, that laptops for each child cannot be provided. It's not to say that they won't be provided. So as of support, a number of years, all the children have had their own laptops. Even little TK, even a transitional kindergarten. They have a laptop. All the students have individual laptops.

E. Sklar: And so they currently have laptops?

Dr. Parker: Oh absolutely.

E. Sklar: And how are the laptops funded?

Dr. Parker: They are funded through our funding source, our record of funding source.

E. Sklar: Who? Your LCFF funding?

Dr. Parker: Yeah.

E. Sklar: I would, I mean, some schools have, you know, grants, some schools have just through fund raising.

Dr. Parker: We did fund them through our regular channels of funding.

E. Sklar: Can the children take the laptops home?

Dr. Parker: No.

E. Sklar: They keep them at school.

Dr. Parker: Yeah.

E. Sklar: And how do you deal with students who, you know, it sounds like there are a lot of students who probably don't may not have internet access at home or have access to the technology at home. So how do you make sure that that happens?

P. Codio: With regard to with regard to classwork?

E. Sklar: Yeah. Yeah.

P. Codio: Well, homework is always given in a way where students can interface with it at home. So it also too, if there's a project or something like that that kids need to finish with in class, the teacher stay, teacher stay longer and we provide access for kids to use laptops, any time they need.

E. Sklar: But homework is not technology based.

P. Codio: No, no, no. Not particularly.

Dr. Parker: That's a funding source we'd love to have. Where all our children have laptops at home. I've been dreaming about that for I don't know how many years. I just haven't figured out how to do it. That's why we need board members, I want this board member to be able to go out there and search things out. We really need that.

P. Codio: I'd like to ask that too. I mean, these are the type of questions we have to ask for a population that's 100% free-reduced lunch. How do you access to internet?

E. Sklar: Right.

P. Codio: Because a lot of times access to the internet is through these devices. These devices are very limiting. So we have to reframe how we even ask that question. How are you even asked if he can access the internet using actual take a laptop or a desktop, so you can interface? So when we asked that question, then, of course the internet access significantly decreases, which is why we have the model which we have.

Dr. Parker: They use their laptops quite for every day, they use them every day, because.

E. Sklar: Where there is internet access.

P. Codio: Absolutely. At the school of the school.

Dr. Parker: But of course, as you know, all the testing has to be electronic. So we have to teach them at school how to work the keyboard, how to access the program. So we have to teach them at school.

E. Sklar: Ok. At page 60 of the petition. There's a discussion that the school will implement the steam program in science, technology, engineering, arts in the fall of 2019. So did that happen?

P. Codio: Absolutely. We have a partnership with the do, the Do More With Less organization. It's a nonprofit organization here in the city that actually helps us to lease equipment. We retain them as a lessor for us. And every week they deliver items to the school for all grade levels in all classrooms and participate in steam with steam equipment itself. Children so far have done robotics this year. They've done ground sourcing with mud and sand and all that good stuff.

S. Moore: They've done.

Unknown: Gravity and rollercoaster.

P. Codio: Roller coasters and gravity. Just a lot of fun stuff. So we're really excited about that organization that we were able to find. Because first of all, because they're nonprofit it was cost

effective for the school sites. And number two is bringing a new life to the school. And that was precipitated upon the information we received from families, from evaluations and all meetings that we have. They share with us that, you know, other schools are doing this. What are we going to do? It's always been a dream of our, of our superintended to infuse these type of things within the classroom environment. So we're excited that we're now providing that this year and we'll be fully.

E. Sklar: So there is the discussion here when we're talking about the program and maybe I didn't hear it. We're talking about 3D printers, laser cutters.

E. Sklar: Those are areas of growth for us. Those are those are things we'd like to have.

S. Moore: So I can answer a little bit about that too. So we're in the beginning and we're growing. So what Dr. Codio described is our beginning processes. We also are going to be looking at working with the JPL program and science, Civil Air Patrol also has free resources for teachers and making those available, making sure that steam is not just on the fan or outside, but maybe there's maker spaces in each classroom. So part of the things we do, we work with teachers to help them. What are your ideas about bringing in steam? Also providing training for teachers. Is that partnering with Lego. There's a training coming up in January for everyone. We just signed up about four or five of our teachers on science where they're actually going out into the field. They're going to be working with one of the museums and with JPL. And so, again, a lot of free resources. We're just at the beginning of that and moving forward. There's even more because science is an ongoing and changing day. We plan to really make it a core part of what he says.

T. Ryland: I'm just catching up. Can you describe JPL?

S. Moore: Jet Propulsion Lab. They do a lot of teacher training for free, on weekends. They even have a fabulous open house, which I return to the organization. Let's say Mr. Lascano and I work together and have another site years ago. And he can tell you I got him and his family to go too. I've been working with JPL for years and going to those trainings, to their open house that they have once a year and bringing families to it, where kids go in and they open everything, their offices, they get to meet scientists. You can actually have some come out and talk to students and also science and social studies and well, literature to kind of thing if you want to call it that way. So I have a lot of resources and that I have brought over, are bringing to the school. And so that's what JPL Jet Propulsion Lab. It's funded by NASA, which our government basically and they have a lot of wonderful teacher resources out there. And so it's connecting teachers to those resources. And those are free resources.

E. Sklar: Is it a nonprofit corporation that's based on propulsion?

S. Moore: Jet Propulsion Lab?

E. Sklar: That's funded by NASA?

S. Moore: It's the arm that builds their shows, built the Mars rover. So that's where the scientists are here in Altadena that build on those things. It's the government actually, the part of the government, extended arm of the government. And so their outreach to the community is to do classes for families, too sometimes. Monthly or so, they've put on classes focused on space

science, but also all of the science that goes around it, that's not necessarily a space environment. And that sort of thing.

E. Sklar: And how many students are attending that?

S. Moore: Not students? These are for teachers to go. So our moving forward is to get more of our teachers to go on those Saturdays. This is going to be something moving forward. But it's a resource we now have available to us.

E. Sklar: Once a month.

S. Moore: For teachers that want to go once a month and do different things.

E. Sklar: But JPL does it.

S. Moore: JPL does it approximately once a month according to their funding.

E. Sklar: Right.

S. Moore: So that's an opportunity for them. All the museums, there's opportunities for them to go to museums and have training. I went to training and made it available to teachers who might want to go a couple weeks ago to the natural history museum. I think we had one or two that showed up to that. Utilizing those, which is also free to teachers, utilizing those materials, how they can use them in their classrooms. So STEAM is not just going to be, it's an integrated thing and not just something we say or that at science time is integrated hopefully through the curriculum. That's our goal.

E. Lascano: I just want to add that STEAM but also the art. We have a wonderful performing arts program in our schools. Basically the music program and we created a mosque. Why? And our music director is teaching second grade all the way to eighth grade students for a music class every day. And he talked about form a mass choir or old student who really needs to join. We conducted the audition and parents are really love about that. In one performance, we did this last yesterday. Since we started last Wednesday, Thursday and today our winter program met all the persons really love the music program that we have now.

E. Sklar: So starting July 1 of next year, of 2020, the new charter school laws are going to require charter school petitions to discuss efforts to recruit students with disabilities. And has Today's Fresh Start contemplated recruitment efforts for students with disabilities?

Dr. Parker: Recruitment for?

E. Sklar: For students with disabilities? Any type of recruitment plan for students with disabilities? Traditionally, the law was the Charter Schools Act said, you're supposed to recruit race and ethnicity to look like the district, right, or to look like that area served by the district and something new. I'm just wondering. I just it's really yes or no. Has, Today's Fresh Start, contemplated a recruitment plan for special education students? Students with disabilities?

Dr. Parker: I would say that's something on the drawing board. And to support what's really important is when any student comes or parent rather who comes to enroll and a child has a disability, we accept them. And that's a part of recruitment in itself because we don't reject them and to go out, we, we are planning to develop a search and serve program for them.

P. Codio: We also currently have little shy of 10% special education population and we are also we're very proud to state that whatever it is, we continue to develop for this situation. They will come into an award winning school because the NASET organization and National Organization of Special Education Teachers awarded Today's Fresh Start, Inglewood with the commendation being an exceptional charter school of choice for individuals with SPED needs. And so we are excited about that.

E. Sklar: Is the school it's own LEA?

P. Codio: Yes, absolutely.

E. Sklar: As a member of what? The SELPA?

P. Codio: Yes, the Eldorado SELPA.

E. Sklar: The Eldorado SELPA?

P. Codio: Yes.

T. Ryland: One of questions we probably, we should go back over. We're talking about governance a little bit more. Was there a time when either Dr. Parker or your husband was on the school board or on the on the charter board?

Dr. Parker: There was a time.

T. Ryland: OK. How long has it been? Oops, ok. let me keep talking with my hands here. How long has it been since either of you was on the board?

Dr. Parker: Since, it's been so long, I don't even remember. But it's been, years.

T. Ryland: Was it just the inaugural petition period or did it continue into subsequent renewals?

Dr. Parker: No.

Unknown: No, not at this school for this school.

Dr. Parker: No, not for this school.

E. Sklar: For this school, we are talking.

J. Lemmo: And that's more than 10 years. The answer is no. It's been over 10 years.

T. Ryland: Yeah, but you were on?

\_\_\_\_\_: Not for this school. Not. Not for this school.

T. Ryland: Only for Compton?

\_\_\_\_\_: No.

T. Ryland: For the prior?

\_\_\_\_\_: For the original.

T. Ryland: Ok, ok, got it.

E. Sklar: Is that the same with Clark Parker? When did Clarke Parker last serve on the board? Estimate.

Dr. Parker: It's just been like, it's been so long, I don't remember. Like eons well, maybe not eons.

T. Ryland: He might take exception to that. Right? (laughter)

T. Ryland: So both of you, it's been. Yeah. Not in the recent governance past. All right. Thanks. That is kind of out of place there.

E. Sklar: How long have you been the superintendent of this school? For all five years?

Dr. Parker: Yeah. The whole five years.

E. Sklar: And are you the superintendent of the Compton school as well?

Dr. Parker: Yeah.

E. Sklar: Ok. So how long have you been the superintendent at Today's Fresh Start?

Dr. Parker: Say, I would say about maybe since two thousand five (2005), something like that. I have to say approximately.

T. Ryland: Were you the initial? The only superintendent?

Dr. Clark: I was.

T. Ryland: OK. So from the beginning. OK. OK.

E. Sklar: How many students were expelled from the charter school last year?

\_\_\_\_\_: Zero. (multiple voices saying zero)

E. Sklar: OK. What about this current year?

\_\_\_\_\_: Zero. (multiple voices saying zero)

E. Sklar: Explain to me you say that, so confidently. Well, that's of course I should know that. But tell me tell me, why I should know that.

P. Codio: It is much like our reteach model. We have an cyclical process where we have conversation with families. I think we believe that talking to families and being honest and direct about the concerns that we have is the best course of action to remedy that, too. We also have behavior coaches that are on site that are at the school sorry. Working with children to coach them through conflict resolution situations. Give them assistance and support with whatever it is they may need. So that if a conflict does arise, we're able to handle that in a way that makes sense for all parties involved. We also encourage families to come in and have meetings together us. We facilitate family meetings where if they're a couple of families there may have to discuss things concerning the needs of the child. We have those discussions with them and because of that we're able to remedy all the situations before they escalate to an explosion or even a suspension.

E. Sklar: Do you have a bullying policy?

P. Codio: Absolutely. We don't, we don't, we don't tolerate it. And of course, if it's, if it's, if it's looked upon or seen, we immediately deal with those things. We first of all, we identify we. So, so it's two things we do. First of all, we talk to the children, or children, the child or children who say they may have been bullied. And then we didn't talk to the individual who may be the bullier or you know, bully if you want to say it that way. See you then help them to recognize some of these, the error of their ways. And then we usually create a situation where they're working together collaboratively. So they're taking they can definitely see that there are commonalities between the two, which then, of course, helps to remedy that situation.

P. Epstein: May I please? That is well, at our school sites, we have a positive behavioral intervention scheduling. And, you know, we go by PDIS, our schools, our schools, we talk with our children. It's always in a positive behavioral manner. Every classroom has a policy with regard to behavior. And we always catch things before they escalate into something that is unmanageable through our behavioral coaches and through our staffing at school, through our administrative people and policies that we have in place at the school. Everything is handled in a positive manner. We, we never say to the children, you haven't done that right. It's how can we help you to do it better?

E. Sklar: And so I would imagine that professional development of the teachers in the classroom is going to be really important on this issue in particular. So what, what is the professional development provided to teachers for the positive, positive behavior intervention process?

Ms. Moore: I'll answer that.

E. Sklar: Sure.

Ms. Moore: In fact, we have a training on that, again, it's ongoing. So first off, it's ongoing. It's not something that's once a year. Teachers are brought in, we go over and we will be going over the procedures who gets sent to the office or to the behavioral team. What's handled inside. How is it handled in which a manner is it handled, who's handling what? What do teachers do? When are parents called in? How do we interact with parents, not by ourselves? We do it as a team. So those are the kinds of things. And then what happens when unfortunately, sometimes it takes more work with parents, not just one time. Students maybe continue the bullying or a student has difficulty in the classroom because of whatever social things are happening in their own home, which we believe in a lot of stuff is where our kids are. So we work with teachers on an ongoing basis. We have professional development on Tuesdays. And we have to develop in on things like this issue as well as our curricular goals, and if we had any other information that needs to be shared. So we do that on Tuesdays. We have a half day, we get out at 1:30, a shorten day on Tuesdays. Teachers come in and we have about three to four hours. We also have people free days throughout the year. Where we look at what we need to. We also our teachers express the kind of training they need and support. And so then we provide that. And training is both in-house and bringing in professionals like PDIS people. People were coming out and talking about that model with teachers for whatever you need them to understand. How they work with bullying. Bringing people and materials, resources that deal with that. So our professional development is ongoing and it really has to do with what we've set forth. We feel this is a standard educational practices, the best educational practices and helping teachers, reinforcing those. And it's ongoing even before school. And then during sometimes Saturdays. As I mentioned with some of the science training, but also plans to look at how we can integrate

more for teachers on the weekends that wish to participate in a more structured professional development.

P. Codio: That I may add before we transition. Another thing, and in conjunction with what Ms. Moore just mentioned is our Scope for Social Skills program, which helps us to identify certain pillars of success and character that we look to instill within the children. And it actually is planned now by our teachers collaboratively. And from 8 o'clock to 8:10, if you were to take a visit to our school, you'd be able to walk in and see a teacher either showing a video or facilitating a conversation with the children, centered around the different tenets that we have throughout the course of every month. So that also helps to reinforce that.

S. Moore: That kind of, you know, reinforce that because, of course, throughout the year, even with our students, it is ongoing.

E. Sklar: Did I hear correctly, that Tuesdays, what, how much professional development do the teachers get?

S. Moore: About two to four.

E. Sklar: Two to four hours? From 2-4?

S. Moore: From 2, from 1:30 to 4pm, around that.

E. Sklar: Ok.

S. Moore: It's a lot of time and I think, I also like Dr. Codio have been several schools. That's a good commitment from a school to actually meet with teachers on professional development. It's also our professional learning, community time. Some of that is teachers looking at student work what needs to improve. Getting back to those small groups that Dr. Parker talked about. For example, if we did a writing assessment, what does it look like on fifth grade and your fifth grade class? In your fifth grade class, what do we need to improve? Who are the students we need a little extra help. So they're having professional conversations as teachers on student work. Their own professional practice, what needs to be improved. How we need to support and administrators are a part of that as well.

Dr. Parker: One other thing I'm not sure it's on the subject you're speaking on. But another aspect, very important aspect of our program is one that Mr. Lascano started when he started the Saturday school and isn't that due to start?

Mr. Lascano: January. January.

Dr. Parker: Starts Saturday school every January.

E. Sklar: I'm sorry, so tell me what the program is again.

Mr. Lascano: We have a Saturday school. We help those students who really need help, those who are not really behind that need to help to enforce more understanding. So we have a Saturday school starting from 8:30 to 11:30, starting January and ends on April so that all our kids are ready and prepared for the CAASP in May.

E. Sklar: And is that voluntary? Is it mandatory? How does that work? Who shows up?

Mr. Lascano: What we look is we're looking for all this student who are third grade is not not nearly met or met still in their area. And we're still giving more enforcement for that.

E. Sklar: But do they are they given the option to show up or are they told to show up?

P. Codio: We strongly, strongly encourage you.

E. Sklar: Strongly encourage.

P. Codio: Clearly, you know, its part of, you know, our reteach model, however, is not compulsory or you're not forced to come and it doesn't prohibit strongly, strongly, strongly encouraged.

T. Ryland: So how does that work with those little kids? Right?

P. Codio: And I think it's the relationship we have with them.

Unknown: Yeah.

Unknown: Yes. Some get it and some don't get it.

P. Codio: Let's talk about that. Using your terminology, the ones that don't get it. We try to share with them using data why it's important for them to come. If I may use a particular example, at a particular Saturday school, there was a parent that was coming to pick up their child and is now is supporting Mr. Lascano in this work. And this particular child was also a child that was unfortunately constantly absent. So I took it upon that time to say, hey, mom, how are you? By the way, you have a couple of minutes. Share the information that was pertinent and the child immediately changed their attendance, which is great. So, again, it's those touch points, right. And that's what makes that's what makes our school. Our school.

T. Ryland: Yeah, and timing is everything.

P. Codio: Yes, absolutely. Yes.

E. Sklar: I asked the question about expulsions. How about the number of suspensions?

P. Codio: Zero. (multiple voices)

\_\_\_\_\_: Zero for the same reasons.

T. Ryland: Both years?

\_\_\_\_\_: Yes, absolutely. We don't believe in exiling in children. So we work hard.

\_\_\_\_\_: It seems like to me children like to be suspended, they want to go home and have a fun day.

\_\_\_\_\_: That's right.

\_\_\_\_\_: I don't know about that.

S. Moore: You know that doesn't help us in the long run, that doesn't help them academically. That doesn't their frame of mind about things. Oh, I just will do this, and I get to go to the office, and then I get to go home. So, that's not something the school wants to forward.

T. Ryland: Interesting. Very cool. Ok. So I want to talk a little bit about finances, of course. So let's start with the board members. Yeah, it's ultimately the board's responsibility. The fiscal oversight, the fiscal viability, the sustainability of the school. So how does the board perform your fiscal oversight to ensure that you know, that the school is fiscally healthy, all the numbers are right, everything's being done on the finance side?

C. Freis: We get reports, regular reports from Ms. Brown. And presentation's. I have never seen any irregularities. They've always managed money well. Everything always seems to be in order.

T. Ryland: So you get reports, do you get board presentations or are there explanations? You know the difference, your taught.

P. Miller: Yeah. OK. And she goes to the whole thing. She's usually on the TV and she goes through the whole thing, she goes through the numbers, what the numbers represent, what it stands for, what the initials stand for and everything. She explains all it takes at least an hour, if not longer, every time.

T. Ryland: Good, I like that.

E. Sklar: Did you say she's on TV?

\_\_\_\_\_: No, no. (everyone talking over each other 1:38:28)

T. Ryland: Oh, I'm so excited.

C. Freis: I mean, we also get the audit, the annual report and we get a report from the state approved auditing organization.

T. Ryland: What is it? What firm is it?

Dr. Parker: Oh, the name of the auditing firm?

T. Ryland: Yeah.

Dr. Parker: I've got the audit right here in my little hot hand.

T. Ryland: I know you just got a new one I didn't look at the name.

Dr. Parker: Right. It's BCA Waxen Rice. Is the name of the auditing firm.

T. Ryland: OK. Thank you. Yeah, they have to be on the on the state list to do any, any educational agency, which is a good thing.

C. Freis: and everything is always in perfect order.

T. Ryland: Ok. Ok, good. So who's responsible? I mean, I hear a lot about the back office folks and Ms. Brown, what's, so what's your role Ms. Miller? OK. Yes. What's, what's your role as far as finance? What do you do on site? What parts of the finances are fall into your desk?

Ms. Miller: Well, we provide the, we do the vendor payments. I can give you the whole process.

T. Ryland: So, accounts payable.

Ms. Miller: Yes.

T. Ryland: OK.

Ms. Miller: So it is separated the duties of purchasing is separated, part of it is with the school and then it comes to us. I also handle the payroll, I make sure that everyone's pay is correct. I make all of the entries, we have an advanced, an advanced HR system and I make all the changes for new hires and changes like W4's, health insurance, 403B changes. I make sure that the sick pay accrual, no one is over paid, that they are only paid what they've been approved.

T. Ryland: Are checks printed on, on the site or they printed?

Ms. Miller: No, we use a service, Telepayroll.

T. Ryland: OK. What about payables?

Ms. Miller: Payables we use a very good program Aptofund which is a specially design for non-profit fund accounting. For schools. And what's great about this, there is also a portal so the whole finance team has access to the data, they can see the data in real time.

T. Ryland: Who does like budget transfers and journal entries?

Ms. Miller; I do the, I do journal entries. Also, Yvette Brown.

T. Ryland: Oh what was that?

Ms. Miller: Yvette Brown.

T. Ryland: Oh, OK. So both of you do.

Ms. Miller: Yeah.

T. Tyland: OK.

Dr. Parker: If I may add also that he recently switched over for back office providers to Miss Brown and Miller Accountancy so that we could have better accounting.

N. Miller: They want better, they are switching because they want be better, regularly informed of any variances between there's any present variance between actual and budgeted and we can correct that and

T. Ryland: Stay on top of it quicker.

N. Miller: So, they. She just shows how she wants to stay on top of it. She wanted more regular information.

T. Ryland: You, get your timely interim report.

N. Miller: We've got a

T. Ryland: Do you get anything besides adopted budget for second interim and closing the books like the major four reports?

Dr. Parker: One area that I like to know about individual budgets. Like what, what's our funding for special ed? How are we basing that, our funding for ACES, how are be budgeting that? I

call them mini-budgets and any other components that we require. I like to see how much we're spending on various categories. You know, how much are we spending on small group instruction? How much are we spending on whatever the categories might be? So what? Another thing that I've been working. Which, to me, it was quite important. I wanted to see, I took the five year budget that I blew it up because the other writing was too small.

T. Ryland: Yes, I noticed that. (Laughs) I had to find some glasses that worked.

Dr. Parker: What I had to do and put all the percentages for all the categories, for everything. And then I wanted to compare from year to year. How much did we spend last year on this, how much do we spend now? So we always kept on top of all of the expenditures. And that's an important aspect of the budgeting. So when you look at those five year budgets, you going to see that it has all the percentages of how much we spend on all the categories

T. Ryland: Sure

Dr. Parker: To me that was like really, really critical.

T. Ryland: Right. Right. How you spend your money shows your priorities, right?

\_\_\_\_\_: Yeah. It doesn't Aptofund to let you go in digitally any time you want to to look.

\_\_\_\_\_: Yes, it does.

\_\_\_\_\_: It has school solutions, Atpofund which Delta Managed Solutions also let you view ranges like real long time.

T. Ryland: Was Delta who you used before?

\_\_\_\_\_: They were using, yeah. Aptofund which allows us to access and to see the budget and see all the financials, the invoices. I can log in through my office. I can see what's happening with the budgets are, the invoices. I approve the invoices that needs to be paid.

T. Ryland: Purchase orders?

\_\_\_\_\_: Yes, purchase order.

T. Ryland: How often do you get, I know you said you'd like to look at all the sub budgets and kind of the specific. How often, do you get a monthly reports that are broken down at that level?

Dr. Parker: Usually that we get a monthly report so we can be very diligent to see how.

T. Ryland: Sure. That's a typical period.

N. Miller: Not at the beginning of every month.

N. Miller: I preform the reconciliations, not just the bank reconciliations but also all of the balance sheet accounts

T. Ryland: Ok

N. Miller: Receivables and payables. And fixed asset. Depreciation schedules.

T. Ryland: Now, do the teachers participate in STRS?

Dr. Parker: No.

T. Ryland: No. OK. Do they have a retirement system?

N. Miller: 403B.

T. Ryland: Just a 403B? Ok.

E. Sklar: Can I ask one question in regard? I heard the name Only By The Numbers before. So what do they do? Supposed to? Are they your back office service provider now?

\_\_\_\_\_: Yes.

E. Sklar: That is Yvette Brown, that is her business. Oh, ok. Thank you.

T. Ryland: So now what version of the budget? The NYP and the cash flow projections were submitted with the petition. Obviously, you know, Inglewood said there was nothing submitted. There's the table of contents. Here's why, one of the reasons that it was kind of confusing. So the table of contents for the petition said there were 14 appendices, number 1 to 14, and there were but there were footers on every page of a whole hundred and seventy five pages. But then there wasn't an appendix for 1 through 14. There were appendix appendices, A through N. So I don't know if appendices A through N were, were submitted with the petition. And is appendix eleven the same as Appendix K, which is your financials. But, but there were no footers on any of the, of the appendices. It didn't have sequential numbering. So I'm just wondering what if I'm looking in the right place? Was the appendix K what was submitted with the petition even though it doesn't refer to the table contents?

Dr. Parker: That's right. K was our budget.

T. Ryland: OK. So it's just it's different than what was on the table of contents is being submitted. It just kind of a totally separate.

J. Lemmo: I mean, you're obviously correct. It was probably indexed incorrectly because probably right in the same petition format, that they've been using for years. And some of the prepared exhibits in there were.

T. Ryland: OK. OK. I just was trying.

E.-Sklar: That is the budget.

Terri: To find 11 and it wasn't there. OK.

E. Sklar: When you say the prepared and probably you're talking LACOE, or are you talking TFS, the school?

J. Lemmo: I, I don't know.

E. Sklar: Right. Yeah.

J. Lemmo: But I believe that whatever form was in the petitions index may have been lettered or numbered differently to the actual contents.

T. Ryland: But I do know that all of those appendices went with the petition.

J. Lemmo: I am certain of that.

T. Ryland: OK.

\_\_\_\_\_: Yes.

E. Sklar: They were submitted to the district?

J. Lemmo: Absolutely.

T. Ryland: Ok.

J. Lemmo: There's no question.

T. Ryland: OK. So the petition states that from time to time that the charter school may contract with outside vendors, of course, to the extent possible to provide necessary non educational and educational related services. So what are some of the big vendors that TFS has current contracts for specific services? I mean, I know in some of the you know, the 5000 accounts, there's 200 thousand on this line and three hundred thousand on certain lines. What are some of the big contracts that the school has that are outside?

(1:49:01) more than one person speaking inaudibly.

Dr. Parker: You know what, you really don't. The only things come into my mind is the food for the children.

Dr. Parker: Food service. Lunch, that is all I can really think of.

T. Ryland: And then your backoffice provider. Right. So you would have those guys. Yeah. But curriculum development is anything like that.

(1:49:32) more than one person speaking inaudibly.

\_\_\_\_\_: That's like a multiple measures and multiple measures.

Dr. Parker: We have multiple measures and we have NWA.

T. Ryland: What's, and what's that?

Dr. Parker: The NWA is the Northwest Evaluation Association that we use for all our grade levels, TK through 8<sup>th</sup> grade to evaluate our children.

\_\_\_\_\_: OASIS is our student information system.

T. Ryland: Ok.

\_\_\_\_\_: School messenger.

T. Ryland: OK.

\_\_\_\_\_: Gayle, is she on an annual contract? Gayle?

(1:50:20) More than one person speaking inaudibly.

K. Daugherty: Oh, no she not on an annual contract, no.

T. Ryland: Thank you.

E. Sklar: Who is Gayle?

Dr. Parker: Dr. Gayle Wyndom. She is a consultant. And she, she also helps. She helps build the program and helps give us guidance.

\_\_\_\_\_: For the curriculum.

Dr. Parker: For the curriculum, yeah, for the curriculum and instruction from each day if we're training for the administration.

E. Sklar: Where is her, where is her contract in the budget? Is there a line item?

T. Ryland: If not a contract? Is she an employee?

Dr. Parker: No, we have a contract, but we don't have a yearly contract to have a year. We don't have a yearly contract.

T. Ryland: Ok.

Dr. Parker: As needed.

T. Ryland: Ok.

N. Miller: The contracts are scanned in and attached.

T. Ryland: Oh, Ok. Good.

(1:51:36) Many people talking inaudibly.

T. Ryland: Good, good. OK.

E. Sklar: Who confirms that compliance?

N. Miller: We all

Dr. Parker: What does I'm sorry.

N. Miller: Who does the contacts and makes sure we are paying according to the contracts.

Dr. Parker: Oh, yeah, you do that. And if so, \_\_\_\_\_ does that. We have the only copy of the copy that Xerox, but we want to change from.

T. Ryland: I have more districts. I get there first thing we want you to look at is the copier contract. That's the most important thing we're doing? I bet 50 percent of the districts. I bet. Yes. As soon as you get out, settle down. We'd like you to look at the copier. I don't care.

K. Daugherty: Suffice it to say, all the contracts are up for review.

Dr. Parker: See, that would be a nice way to save money, but still get the best services.

T. Ryland: Sure.

Dr. Parker: We're looking now at changing from AT&T over to Spectrum.

T. Ryland: Ok.

Dr. Parker: Because AT&T is just out of this world.

K. Daugherty: Who? Who are you? Thanks.

E. Sklar: So the Inglewood, I just want to get clarification. I think I think I know the answer to the Inglewood facility is, has been paid for by or through the charters. The state's charter schools facilities program. Is that correct?

Dr. Parker: The Inglewood, there was a grant. Am I going in the right direction?

E. Sklar: Yes. The state bond funding that they were paying for the grant.

Dr. Parker: Prop. 55.

T. Ryland: Oh, was it Prop 55?

Dr. Parker: We received the grant from \_\_\_\_ Prop 55 funding, which is 50 percent grant or 50 percent. Originally it was 50 percent set to leave, but then they changed it and they called it a loan. So now it's a loan.

E. Sklar: And you're paying that off over a 30 year period?

Dr. Parker: We're paying it off. But yeah, we are.

T. Ryland: Then who owns it at the end?

Dr. Parker: Well, right now, the property is the title of the property. The title is being held by the state.

T. Ryland: Ok. And then once you've finished paying your 50 percent, what happens? Is it really just a lease and it goes away and it's not yours? Or do you have some ownership?

Dr. Parker: No, we don't have any ownership. No.

T. Ryland: Ok.

E. Sklar: So I. And I think correction. I think this. As I'm thinking through this, I'm wondering. I think the district may hold the title on behalf of the state.

J. Lemmo: It used to be you'd have a local district hold title called the Tri-Party Agreement from the state. They have the dual party version. So technically it's the case for Today's Fresh Start that holds the property. The state has a lean on the property, so the property in perpetuity has to be used for public school use. So they stop using it, it will default to some other public school user.

E. Sklar: So, so the building the facility was owned prior by who?

J. Lemmo: Know who we bought it from?

E. Sklar: What happened? And I apologize. There was a facility there that's being rehabbed or is it just knocked down and build a whole new facility that was built there?

Dr. Parker: Well, first of all you asked the question. You're telling yourself you're the lawyer and I recognize that. You gave me a three part question.

E. Sklar: I apologize.

Dr. Parker: The first part of the question was who owned the property?

E. Sklar: Yes.

Dr. Parker: United Health. United Health, originally.

J. Lemmo: To answer your question, it's both. So it's rehab of some existing structures and complete demolition and new construction of a new facility on the site. The entire project is a Prop 55 project.

E. Sklar: And CSFA does a review of the of your finance, your fiscal status, the California School Finance Authority, and they determined if you are fiscally sound and prior.

Dr. Parker: They determined, that's what they need. Over all the time periods and they examined our financial soundness numerous times and we were awarded the grant.

E. Sklar: Do you have documents from CSF? What? First of all, what year was that? What year did the CSFA do that review? Do you know? This isn't a gotcha question, I'm just I'm trying to get time on where you've been.

T. Ryland: In the last five year period, the five year charter period?

J. Lemmo: It is seven or eight years ago. They have all the documentation from CSFA. Yes, they know PSC on all that.

Ed: Ok. So CSFA did that review seven or eight years ago?

Dr. Parker: Yes.

E. Sklar: Ok. So here is the next question is this how many properties in total does today's Fresh Start own? And I that question because I was looking at some prior board minutes that were publicly available posted at your website and there was discussion of a renewal of leases. And I want and I wanted to. There were a number of properties listed, so I want to wrap my head around how many properties in total does Today's Fresh Start own? And let me

J. Lemmo: Actually I think the answer is probably zero. But I guess the Inglewood property for this school is the one that's the Prop 55. They have an ownership interest in that property. Virtually beneficially owned by the state. They have several leases, is that what you mean?

E. Sklar: First I was asking about ownership. And I was going to ask about properties that are being leased. So the property that is owned by a Today's Fresh Start. The properties. How many how many properties does Today's Fresh Start stand on a property?

Dr. Parker: Today's Fresh Start doesn't own any properties.

E. Sklar: Ok. Now, what about how many properties are leased by Today's Fresh Start? And once again, not a gotcha question. I'm looking at a board meeting minutes for Today's Fresh Start from May of May 31 of 2018. And one of the action items is approval of rental lease renewal. And there's 8 properties listed, and I don't know if those if those properties comprise a conglomeration of properties that are leased by the for the school to provide the building in Compton, I don't think so. It says the lease renewal for 4470, 4476, 4480, 4500, 4508, 4514 and 4518, Los Angeles, California 90043 facilities.

Dr. Parker: What's your question again?

E. Sklar: So. So I'm, that's why that's why I'm asking the question. Because I doubt there were, there are actually eight properties that says approval of a rent lease renewal for 6422 Crenshaw Boulevard, Los Angeles, California, and 2255 West Adams Boulevard facilities to be used as meeting spaces, resource centers and or storage as needed by the charter school. So in that action item, there was a renewal of leases and an approval. There was a renewal of leases for nine different properties. And that's how I'm reading this. And I just. That's why I'm asking the question.

P. Epstein: So all those addresses that you mentioned are all part of the Compton charter. It's one school and there's different buildings have different numbers on it.

Dr. Parker: Let us clarify this for him. Those properties, Fresh Start does not own the property.

E. Sklar: Now, the time that you're leasing then, the minutes discussed the renewal of the leases of these properties, and they all seem to be a compound. That's why it would make sense if they were all one compound so to speak.

Dr. Parker: They are all contiguous properties.

E. Sklar: Ok. So. The ones in that 90043 address, that's the Compton School, correct? They are listed as the 90043 zip code. OK. And so I'm presuming so those seven buildings. With his lease renewals are for the Compton school.

Dr. Parker: That's right.

E. Sklar: Ok. Then there is a approval of rental lease renewal for 6244 Crenshaw Boulevard, Los Angeles, California, 90043. What's that?

Dr. Parker: That is no longer leased. They're like out of the picture. When you have to say 6422? Yeah, they're not part of the picture.

T. Ryland: And so was it just a one year lease then? It was just last year, just 2018.

Dr. Parker: That lease no longer exist.

E. Sklar: And what about 2255 West Adams Boulevard in Los Angeles?

Dr. Parker: They no longer exist.

E. Sklar: So what? When you say you no longer exist?

Dr. Parker: The leases, they're not.

E. Sklar: You no longer have a lease on those. Those two properties.

Dr. Parker: No longer.

T. Ryland: So are there other properties then that you're leasing that you're doing? And there's two other places that you're doing, whatever it was that you needed these properties for that have been since renewed or since leased?

J. Lemmo: There is another property in Compton that should be up, should be there.

E. Sklar: I mean, this is just from the board minutes so there could be another property.

J. Lemmo: So, there is other property. We sent you a letter earlier today that described the properties that they have.

E. Sklar: Ok. Does that list all of the properties? I perused it. I have not had a chance.

J. Lemmo: There is additional property. I don't know off the top of my head the address. What is the property?

Dr. Parker: You've property bound school leases in Compton. It's from Steve Wu. It's at 4513 Compton Boulevard in Compton, California.

E. Sklar: So are there any other facilities that are leased by Today's Fresh Start?

Dr. Parker: No.

T. Ryland: So is there only the one building that belongs, if you will, and that's paid for by Inglewood

Dr. Parker: That is correct.

T. Ryland: By the Inglewood Chanter, just the Prop 55 building.

Dr. Parker: Correct.

T. Ryland: All other leases are related to Compton.

Dr. Parker: That's correct.

E. Sklar: Because, we were referring to. We were referring to the audit report that was just done, which we have. We have a copy of the audit report that you had sent on to do to go right and that says the charter school is currently operating. And that's a page 31 of that report maintains that the charter school is currently operating at 4 elementary sites in the Los Angeles County boundary teaching grades, kindergarten through 8.

Dr. Parker: That's not me. No. In fact, I'm on page 31. Am I on the right page?

E. Sklar: 31, correct.

Dr. Parker: Ok. Ok. Say it again, please.

E. Sklar: Sure. The charter school is currently operating 4 elementary sites in the Los Angeles County boundary, teaching grades kindergarten through eighth.

J. Lemmo: Yeah, yeah, schools currently operating four elementary sites in the Los Angeles County boundary teaching grades K-8.

E. Sklar: Okay. Yeah. And I'm going to second your website list 4 sites as well. There's a Vernon School site. Is that this is the Compton site. There's the there's the Compton site. There's the Inglewood site. And then there's two other school sites listed at the website which talks about a Vernon School site and then a administrative and registration office at 4514 Crenshaw. So that may be what I'm presuming, that that's what the four sites are referenced in the audit report.

Dr. Parker: I think that's what he's probably talking about that. 4514 is the main office.

E. Sklar: Ok.

Dr. Parker: That is 4 elementary sites. Well, that wording might be a little confusing because they have 4476, which are the buildings that you just previously spoke about and that's a set of contiguous buildings.

E. Sklar: That makes sense.

Dr. Parker: And they're all together. They're all right there together.

E. Sklar: There's this Vernon site that is on your website.

Dr. Parker: That's that whole complex there.

T. Ryland: So Vernon and Compton are the same?

Dr. Parker: Basically, because they're all under the same charter.

T. Ryland: But are they the same location?

J. Lemmo: No, they're different. They're different.

T. Ryland: They're ok so it is a different site.

J. Lemmo: There is the Compton location and what I call the Compton location is all one. There is a Vernon cluster of parcels which I consider a site. Those are the two school locations that are associated with the Compton charter. And then there is the Inglewood location. I do not know what the reference is to 4 elementary schools.

E. Sklar: Ok, so it is a different there's what I often look like, what I call the company location. So I'm making a presumption here, but I'm presuming the audit report means Compton site, the Vernon site, the Inglewood site, and then the administrative and registration office.

Dr. Parker: I think you are right.

T. Ryland: Are there any students at Crenshaw?

E. Sklar: 4514 Crenshaw.

T. Ryland: Are there students educated there?

J. Lemmo: There is no instruction at that site.

T. Ryland: Ok. Admin only.

J. Lemmo: Just to be perfectly clear, there's three locations where instruction occurs.

T. Ryland: That's what I heard. Yes.

J. Lemmo: The one included location for the one and only location for Inglewood. And then Compton has the two locations. One of them is a multi-parcel location that's referred to sometimes as Vernon.

T. Ryland: Ok. That's the cluster, ok, versus the one on Compton. Thank you. You understand the confusion, especially when, yeah, they're referring to leases that aren't any of those.

E. Sklar: Can Terri and I confer for a few minutes? I'll hit pause and think we're just we're almost done.

\_\_\_\_\_: Ok.

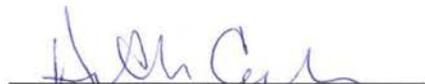
[BREAK]

E. Sklar: And so we don't have any further questions. Thank you for your time today. Really appreciate it. And thank you very much. And have a good, have a great weekend.

\_\_\_\_\_: Multiple voices, thank you and well wishes.

I, Heather Carraher, an employee of Lozano Smith, hereby declare under penalty of perjury that to the best of my ability the above 41 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

January 2, 2020

  
Heather Carraher

**TODAY'S FRESH START CHARTER SCHOOL**  
**4514 CRENSHAW BLVD.**  
**LOS ANGELES, CALIFORNIA 90043**

**RESPONSE TO REPORT AND FINDINGS OF THE LOS ANGELES COUNTY BOARD  
OF EDUCATION TO DENY TODAY'S FRESH START CHARTER SCHOOL-  
INGLEWOOD'S CHARTER RENEWAL PETITION**

This serves as charter petitioner's response to the report and findings ("Staff Report") recommending denial of the charter renewal petition for Today's Fresh Start Charter School–Inglewood ("TFS-Inglewood"), privately prepared for the Los Angeles County Board of Education ("County Board") by Edward Sklar of the Lozano Smith law firm, and Teresa Ryland of Ryland School Business Consulting (the "LACOE Consultants"), in lieu of LACOE staff reviewing the charter renewal and preparing a recommendation to the County Board.

TFS-Inglewood is a rigorous, WASC-accredited program that has always outperformed the surrounding Inglewood Unified School District ("District") schools since the school first opened ten years ago. In some instances, our pupil academic achievement is up to five times higher than District scores. TFS-Inglewood is one of the few African American-founded and operated public charter schools in California serving a predominantly African American and Latino population who are among the most socioeconomically disadvantaged pupils in the region and State. Our children attend school in a first-class facility constructed with State bond funds under the Charter School Facilities Program. TFS-Inglewood was just recently recognized by Innovate Public Schools in collaboration with USC's Rossier School of Education as a "Top Public School" in 2019 for effectively educating traditionally underserved students, received the Award for Excellence from National Special Education Teachers, and received many other awards.

Despite these successes, the County Board denied our renewal based on a Staff Report riddled with factual and legal errors. The Staff Report admits we outperform District schools and our academic team is "impressive", and all data indicate TFS-Inglewood has outstanding fiscal soundness. And yet, the Staff Report recommended denial for small issues that could have been easily resolved with a conversation or if the LACOE Consultants more carefully reviewed the appeal record.

This renewal is about something bigger than politics and news articles. This renewal is about the education of hundreds of young students, black and brown, living in a school district that failed so miserably they had to be rescued by the State of California in 2012. We wonder whether the LACOE Consultants, we understand both of whom are based in Northern California, have ever set foot in Inglewood. We doubt they know our community or our families, and the challenges they face on a daily basis. If the LACOE Consultants had simply walked through our neighborhoods and talked to community members, they would have that discovered families chose TFS-Inglewood because they know we create better opportunities for their children to succeed. Forcing these families back to the underperforming schools is not in the best interest of the students and their families.

Our community is appalled that an irrefutably successful school is threatened with closure and they have galvanized us with their support. The Honorable Dianne E. Watson recently joined our Board to further strengthen our leadership team and to help us protect and serve the community she represented as U.S. Congresswoman, California State Senator, and member of the Los Angeles Unified School District Board of Education, from losing a high-quality educational program.

The County Board's decision to deny our renewal was ill-guided, and adversely impacts hundreds of families. We urge the State Board of Education ("SBE") to approve our renewal petition so that we may continue to serve our community with a quality education program that we have been providing to the students and families over the last ten years in Inglewood, and to prevent irreparable harm to the approximately 500 students who attend TFS-Inglewood, and the hundreds more who will attend in the coming years.

### **STAFF REPORT FAILS TO SUPPORT ANY VALID BASIS FOR DENIAL OF THE CHARTER RENEWAL**

In order to deny our renewal, the County Board was required to set forth specific facts to support the grounds for denial in Education Code section 47605(b) or demonstrate TFS-Inglewood failed to meet one of the academic charter renewal criteria in Education Code section 47607(b). The Staff Report failed to support findings to deny TFS-Inglewood's charter renewal.

**TFS-Inglewood's Academic Performance:** *The LACOE Consultants inappropriately fabricated their own standard in the Staff Report that is different from the applicable statutory standards regarding academic achievement for a charter renewal, and failed to recognize that TFS-Inglewood qualifies for renewal under Education Code sections 52052(f) and 47607(b)(4).*<sup>1</sup>

### ***PETITIONER'S RESPONSE:***

This section of the Staff Report mischaracterizes the success of our students and program. The LACOE Consultants present misleading information about the applicable legal standards for charter renewal in an effort to make it appear as though TFS-Inglewood does not qualify for renewal. The law expressly encourages the renewal of a charter as long as the school meets at least one of the minimum academic achievement renewal criteria. As shown in detail throughout the charter and below, TFS-Inglewood meets *two* renewal criteria.

**Criterion 1:** "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." (Ed. Code § 47607(b)(4).)

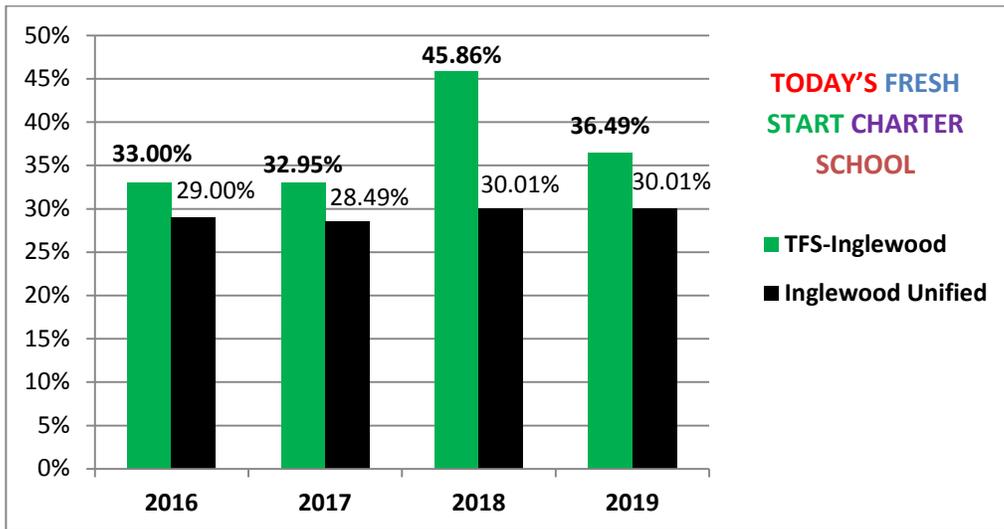
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<sup>1</sup> Any references to Education Code section 47607 herein are to the previous version of the statute that was in effect when the TFS-Inglewood charter renewal petition was submitted, which is also applicable to this appeal of non-renewal to the California State Board of Education.

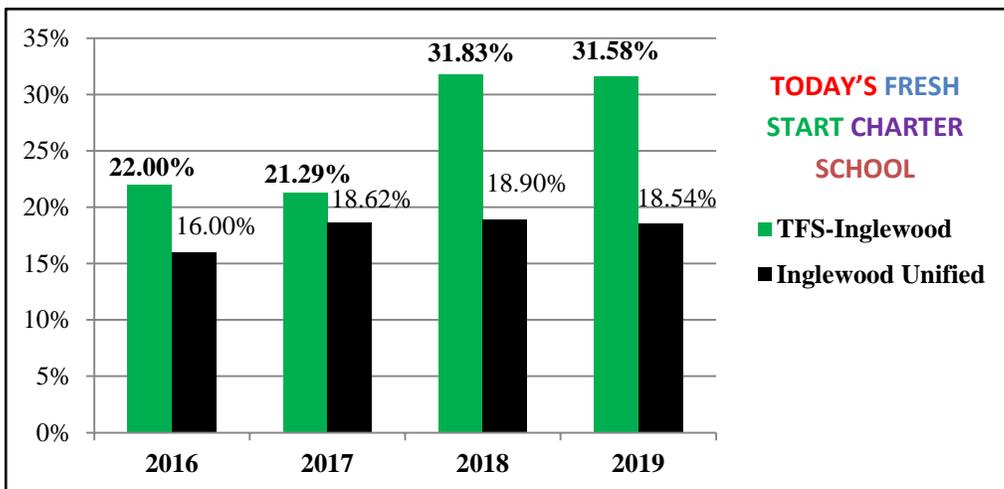
This criterion has two prongs: (1) our academic achievement must be *at least equal* to the Inglewood Unified School District; and (2) our academic achievement must be *at least equal* to the schools our students would otherwise attend. Not only do we meet both prongs, we surpass them by a wide margin.

As shown on pages 44-52 of the charter, and as expressly recognized in the Staff Report, TFS-Inglewood's academic performance is *far better* than the academic performance of the District based on California Assessment of Student Performance and Progress ("CAASPP") scores year-after-year, both schoolwide and by student subgroups.

**Schoolwide CAASPP Results in ELA/Literacy  
 Percentage of Students Who "Met" or "Exceeded" Standards**



**Schoolwide CAASPP Results in Math  
 Percentage of Students Who "Met" or "Exceeded" Standards**



**2018 Subgroup CAASPP Results in ELA/Literacy  
Percentage of Students Who "Met" or "Exceeded" Standards**

Student Subgroup	TFS- Inglewood	District	Difference
African American	37.41%	28.55%	<b>8.86%</b>
Hispanic or Latino	53.43%	30.60%	<b>22.83%</b>
Socioeconomically Disadv.	45.55%	29.41%	<b>16.14%</b>
Students with Disabilities	14.29%	7.83%	<b>6.46%</b>
English Learners	35.21%	14.84%	<b>20.37%</b>

**2018 Subgroup CAASPP Results in Math  
Percentage of Students Who "Met" or "Exceeded" Standards**

Student Subgroup	TFS- Inglewood	District	Difference
African American	23.92%	15.87%	<b>8.05%</b>
Hispanic or Latino	40.41%	20.5%	<b>19.91%</b>
Socioeconomically Disadv.	31.97%	18.77%	<b>13.20%</b>
Students with Disabilities	11.43%	6.39%	<b>5.04%</b>
English Learners	29.57%	11.19%	<b>18.38%</b>

**2019 Subgroup CAASPP Results in ELA/Literacy  
Percentage of Students Who "Met" or "Exceeded" Standards**

Student Subgroup	TFS- Inglewood	District	Difference
African American	38.69%	27.68%	<b>11.01%</b>
Hispanic or Latino	38.69%	30.96%	<b>7.73%</b>
Socioeconomically Disadv.	37.45%	29.59%	<b>7.86%</b>
Students with Disabilities	9.10%	9.35%	<b>-0.25%</b>
English Learners	20.51%	5.03%	<b>15.48%</b>

**2019 Subgroup CAASPP Results in Math  
Percentage of Students Who "Met" or "Exceeded" Standards**

Student Subgroup	TFS- Inglewood	District	Difference
African American	24.63%	14.38%	<b>10.25%</b>
Hispanic or Latino	37.23%	20.65%	<b>16.58%</b>
Socioeconomically Disadv.	33.33%	18.34%	<b>14.99%</b>
Students with Disabilities	9.10%	5.42%	<b>3.68%</b>
English Learners	23.07%	4.27%	<b>18.80%</b>

As for the second prong of section 47607(b)(4), the statement in the Staff Report that only 10% of TFS-Inglewood students reside in the District is demonstrably incorrect, as we explained to the County Board. In fact, approximately 53% of TFS-Inglewood students reside in

the District and would otherwise attend District-run schools. We draw students from more than 70 different schools, but the top two where TFS-Inglewood draws the most students are Woodworth-Monroe K-8 Academy and Worthington Elementary (the “Resident Schools”), which are also the two closest District schools. TFS-Inglewood has outperformed the Resident Schools based on recent CAASPP scores:

**2019 Schoolwide CAASPP Results  
 Percentage of Students Who “Met” or “Exceeded” Standards**

School	ELA/Literacy	School	Math
TFS-Inglewood	36.49%	TFS-Inglewood	31.58%
Woodworth-Monroe K-8 Academy	28.71%	Woodworth-Monroe K-8 Academy	15.26%
Worthington Elementary	28.12%	Worthington Elementary	18.55%

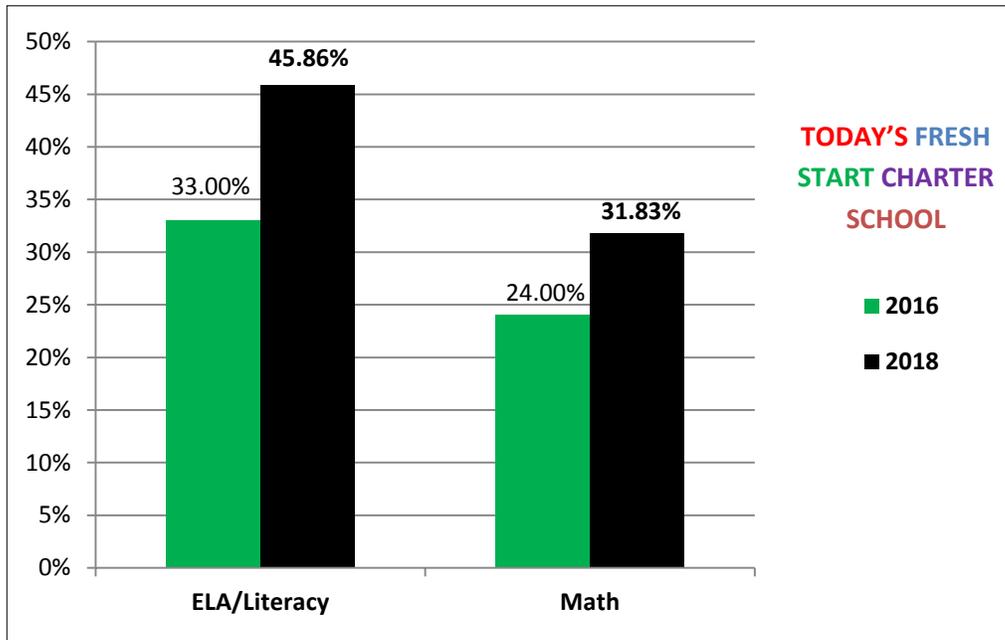
As clearly shown above, TFS-Inglewood qualifies for renewal under Education Code section 47607(b)(4).

As a result of the California Legislature adopting a new multi-measure accountability system, the Legislature provided a new renewal criterion in Education Code section 52052(f):

**Criterion 2:** “For purposes of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607, *alternative measures that show increases in pupil academic achievement* for all groups of pupils schoolwide and among numerically significant pupil subgroups *shall be used.*”

This criterion requires that petitioners show *some* increases in academic achievement during the current charter term in order to qualify for renewal. It does not require that petitioners demonstrate constant increases year-over-year, or between any two particular points in time. It is common knowledge and recognized by the California Legislature that charter school performance can be impacted by circumstances outside of the school’s control. Here, the renewal charter features 25 pages of data demonstrating increases in CAASPP scores (in Math and ELA/Literacy) during the charter term to satisfy the renewal criteria. (Charter, pgs. 18-43):

**Schoolwide CAASPP Results**  
**Percentage of Students Who "Met" or "Exceeded" Standards**



**Subgroup CAASPP Results in Math**  
**Percentage of Students Who "Met" or "Exceeded" Standards**

Student Subgroup	2016	2018	Difference
African American	14.00%	23.92%	9.92%
Hispanic or Latino	34.00%	40.41%	6.41%
Socioeconomically Disadv.	23.00%	31.97%	8.97%
Students with Disabilities	7.00%	11.43%	4.43%
English Learners	22.00%	29.57%	7.57%

**Subgroup CAASPP Results in ELA/Literacy**  
**Percentage of Students Who "Met" or "Exceeded" Standards**

Student Subgroup	2016	2018	Difference
African American	30.00%	37.41%	7.41%
Hispanic or Latino	39.00%	53.43%	14.43%
Socioeconomically Disadv.	34.00%	45.55%	11.55%
Students with Disabilities	13.00%	14.29%	1.29%
English Learners	24.00%	35.21%	11.21%

Instead of applying the correct standard, the LACOE Consultants fabricated and applied an incorrect standard to assess our increases in academic achievement. The Staff Report only compares CAASPP scores from 2015-2019 and 2018-2019, and ignores our students' academic

growth during the charter term itself. TFS-Inglewood is only required to show some increases in academic achievement during the charter term, and the renewal petition features ample data satisfying this requirement. TFS-Inglewood was not required to reach back into the prior charter term for data, as the LACOE Consultants incorrectly did.

Even when comparing 2015 and 2019 scores, TFS-Inglewood demonstrated increases in academic achievement. The percentage of students schoolwide who Met or Exceeded Standards on the CAASPP *increased* between 2015 and 2019 in both ELA/Literacy and Math. For TFS-Inglewood's numerically significant subgroups, only English learners, Hispanic or Latino, and Students with Disabilities had slight decreases on just CAASPP ELA/Literacy between 2015 and 2019. All student groups experienced increases on CAASPP Math for those years. For all other student groups, there were increases between 2015 and 2019 on both CAASPP ELA/Literacy and Math.

**Subgroup CAASPP Results in Math  
 Percentage of Students Who "Met" or "Exceeded" Standards**

<b>Student Subgroup</b>	<b>2015</b>	<b>2019</b>	<b>Difference</b>
Schoolwide	22.00%	31.58%	<b>9.58%</b>
African American	16.00%	24.63%	<b>8.63%</b>
Hispanic or Latino	30.00%	37.23%	<b>7.23%</b>
Socioeconomically Disadv.	22.00%	33.33%	<b>11.33%</b>
Students with Disabilities	0.00%	9.10%	<b>9.10%</b>
English Learners	6.00%	23.07%	<b>17.07%</b>

**Subgroup CAASPP Results in ELA/Literacy  
 Percentage of Students Who "Met" or "Exceeded" Standards**

<b>Student Subgroup</b>	<b>2015</b>	<b>2019</b>	<b>Difference</b>
Schoolwide	36.00%	36.49%	<b>0.49%</b>
African American	33.00%	33.58%	<b>0.58%</b>
Hispanic or Latino	39.00%	38.69%	<b>0.31%</b>
Socioeconomically Disadv.	34.00%	37.45%	<b>3.45%</b>
Students with Disabilities	18.00%	9.10%	<b>8.90%</b>
English Learners	21.00%	20.51%	<b>0.49%</b>

As we explained in the LACOE "capacity interview" with the LACOE Consultants (and was accepted by the LACOE Consultants at that time), these very slight decreases for a few student groups plainly resulted from TFS-Inglewood adding grades seven and eight and enrolling a significant number of students (approximately 60 pupils) mid-year from a failed school during the 2018-2019 school year. The majority of these children were below-grade level when they arrived and only attended our school for a few weeks before taking the 2019 CAASPP. But TFS-Inglewood wasn't worried about how the scores looked on paper. Our focus is always on the children and their needs, so we enrolled these students in our school and accepted them with open arms. We have no doubt that these students will reach grade level standards faster at TFS-Inglewood than if they had enrolled in District schools.

Our charter includes years of CAASPP data demonstrating TFS-Inglewood satisfies *both* of the relevant charter renewal criteria and qualifies for renewal. Not only has TFS-Inglewood experienced increases in student academic achievement schoolwide and among its numerically significant student groups over the current charter term, our students have also consistently outperformed District schools and the Resident Schools.

Education Code section 47607(a)(3) requires that charter authorizers “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.”<sup>2</sup> As courts have held, the requirement that academic achievement shall be “the most important factor” means an authorizer cannot merely conclude that other considerations outweigh acknowledged increases in student academic achievement; there must be discussion of *why* and *how* those factors relate to one another. This is especially important given that a charter school has a fundamental vested right to continue operating after its initial charter is approved. The Staff Report’s findings fail to demonstrate how any other considerations outweigh TFS-Inglewood’s increases in pupil academic achievement.

**Staff Report Finding #1:** *The Staff Report incorrectly concludes that TFS-Inglewood’s renewal charter does not contain a reasonably comprehensive description of all fifteen elements.*

***PETITIONER’S RESPONSE:***

The Staff Report’s finding that the TFS-Inglewood charter is not “reasonably comprehensive” is inaccurate. As cited in the Staff Report, the SBE promulgated regulations with criteria for evaluating charters under California Code of Regulations, title 5, section 11967.5.1. The evaluation criteria define what it means for a charter to be “reasonably comprehensive,” and our 150+ page charter goes above and beyond what is required by law. Our charter is longer and has more detail than many approved charters around the state. A substantially similar version of this renewal petition was approved by the District in 2009, 2012, and 2015. If the County had actual concerns about the perceived brevity of our charter, we would have been more than willing to add more detail in places via technical amendments after our charter was renewed. We were never given that opportunity.

- ***ELEMENT A.*** The Staff Report incorrectly asserts a charter should: (a) include an exhaustive level of “concrete details” about the instructional program, a “typical day in the life” narrative, and strategies for keeping TK/K students engaged and attentive; (b) include precise student-teacher ratios that should not be subject to change; (c) include an exhaustive level of detail about services for English learners; (d) include an approved professional development calendar; (e) describe every detail of the school’s intervention strategies; (f) describe granular details of the sports and arts programs; and (g) include current TK enrollment numbers. These claims are not supported by the facts or law. TFS-Inglewood’s Element A is reasonably comprehensive and satisfies legal requirements.

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<sup>2</sup> See *American Indian Model Schools (AIMS) v. Oakland Unified School District* (2014) 227 Cal.App.4th 258; *Topanga Assn for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 514-17.

What it means to be “reasonably comprehensive” is unfortunately a moving target that is not applied consistently by authorizers and is not tethered to the actual legal requirements. Many of the “findings” in the Staff Report are simply opinions of what the LACOE Consultants would have preferred to have seen as part of a charter, as opposed to what is actually required by law. This section of the Staff Report is a prime example of that.

The law does not require that a charter describe a “typical day in the life of a student,” include salary schedules and specific class sizes, describe every detail of the sports program, identify specific curriculum to be used, or include many of the other specific details described in the Staff Report. None of the “findings” about Element A were raised during the District’s review of our charter, and none of them have been issues in the past either.

We spent a large amount of time during the LACOE Consultants capacity interview discussing the major components of our instructional program, and the LACOE Consultants described our academic team as “impressive.” If the LACOE Consultants simply asked us about these “issues” at the capacity interview, we would have gladly answered their questions. But they didn’t. Regardless, the charter does, in fact, contain a reasonably comprehensive description of how TFS-Inglewood intends to meet the needs of *all* students with our personalized program, including academically low achieving students, EL students, young students, and those requiring special education services.

First, the LACOE Consultants claim Element A is deficient because they cannot determine how TFS-Inglewood delivers whole group and small group instruction. The County Consultant’s confusion is not the renewal charter’s fault; the charter spells out how both forms of instruction are used at TFS-Inglewood. Whole group and small group instruction are two different teaching strategies. We offer a personalized learning approach so the amount of whole vs. small group instruction in any given class depends on the needs of the students. During whole group instruction, teachers engage the entire class in lessons and themes, model appropriate learning strategies, and provide feedback to the group as a whole (Charter, pg. 66). Small group instruction is provided daily in the classroom as a strategy to differentiate instruction so no student falls behind (Charter, pg. 56). When a class breaks out into smaller groups, it gives students achieving above standards time to work independently and accelerate to new material, and gives students achieving below grade level extended time to complete an activity or project (Charter, pg. 66). Small group instructors (i.e., classroom aides) work under the guidance of the teacher and assist students in staying on task.

There is no one-size-fits-all in education, so every student’s day is different than their peers. And the context here is an up-and-running successful program that has operated for more than a decade. We would have welcomed the LACOE Consultants to visit our state-of-the-art campus and actually observe a typical day at TFS-Inglewood firsthand. They never requested a visit.

We utilize a variety of strategies to keep all students, including those in the lower grades, engaged and attentive throughout the school day. For example, as described on page 54-55 of the charter, our primary instructional strategy to develop conceptual learning and student engagement is Explicit Direct Instruction, which is based on the premise that all children can learn and helps teachers deliver effective lessons that can significantly improvement achievement in all students, including EL students and students with disabilities.

As stated during the capacity interview, TFS-Inglewood currently has 21 teachers, and we also have approximately nine paraprofessionals to assist students in the classroom. An attractive part of our program is our small class sizes, so we strive to keep a student-teacher ratio of below 24-1 for grades TK-3 and below 29-1 in grades 4-8. Class sizes can fluctuate however for various reasons, such as last year when we absorbed approximately 60 students from a nearby school that closed.

The reasonably comprehensive description of our EL program is found on pages 74-77 of the charter. We currently use the McGraw Hill Companion books, "Imagine Learning" program, and "Reading A-Z" online software for ELD instruction. EL students receive a combination of integrated and designated ELD instruction at our school. For the integrated approach, teachers use sheltered English and various SDAIE strategies to keep EL students engaged. For example, bridging is a strategy where teachers help students establish connections between current lessons and previous knowledge through the use of images, brainstorming, and activities like quick-writes, think-pair-share, and previewing text. Teachers may also help students learn key vocabulary words by using manipulative materials, hands-on activities, or graphic organizers, or by grouping and posting key words in the classroom and requiring that EL students use them regularly. During designated ELD instruction, teachers use the ELD standards to allow students to develop critical language needed for content learning in English. ELs may be clustered within one or more classrooms at each grade level based on their levels of language development. Each cluster is taught by a teacher with EL authorization for a period of not less than 120 minutes weekly. As indicated on the instructional minutes schedule attached as Exhibit I to the charter, designated ELD instruction takes place during the ELD block in grades TK-4 and during the ELA block for grades 5-8.

TFS-Inglewood affirms in multiple places in the charter that it will administer the ELPAC to EL students as required by law (Charter, pgs. 74-76). The ELPAC proficiency levels are uniform so there's no need to copy and paste that information into the charter simply to fill space. Just like our general instructional program, our EL program is flexible and personalized to meet the needs of individual EL students, so we can tailor ELD instruction accordingly. There is an entire section describing our "Process for Reclassification" that meets the state requirements (Charter, pg. 75). ***But most importantly, verifiable data clearly shows that our EL program works.*** Our EL students consistently outperform the District's by a wide margin on the CAASPP in both subjects, and our reclassification rate last year at 18.8% was more than double the District's rate of 9.3%.

Our plan for professional development ("PD") is described in various places of the charter, but mainly on pages 72-74. PD is focused on instructional strategies and knowledge that are most effective with students who are having difficulty learning mathematical concepts, skills, procedures, and problem solving. In addition to the annual PD event before the beginning of each school year and other PD days integrated throughout the year, teachers and administrators are encouraged to attend training sessions, conferences, webinars, and other events. PD is held at least every Tuesday, which is early release day for students, and provides an opportunity for teachers to share successful strategies and techniques with their peers. We would have been happy to provide the LACOE Consultants with our PD calendar but they never asked. Our partnership with U.C. San Diego has spanned more than five years and allows our teachers to work on clearing their credentials.

The Staff Report claims the renewal petition only briefly referenced intervention strategies, yet fails to mention our substantive discussion during the capacity interview about our various intervention strategies, including Saturday school. Students falling behind grade level standards are encouraged to attend the Saturday school program so they don't fall further behind. The program usually runs from January through April, from 8:30am – 11:30am. During the program, students participate in various educational activities focused on improving academic achievement including practice assessments, working on homework assignments, and tutoring with credentialed teachers. We also offer students an afterschool tutoring and expanded learning program, which is also called the "Afterschool Education and Safety Program" or ASES in the charter. This is an opportunity for credentialed teachers to provide instruction expanding on the lessons taught during the regular school day, among enrichment opportunities like re-teaching strategies, homework help, and group studying. We take pride in offering these expanded learning opportunities for our children.

The Staff Report claims the renewal charter's discussion of the physical education ("PE") program is "extremely brief", yet the PE program is described in various places in the charter. PE is a non-core class with units on dance, basic body conditioning, body health, and nutrition. We also offer traditional sports like basketball in an effort to teach skills, sportsmanship, participation, and team competition (Charter, pg. 71). Students in grades 5 and 7 take the physical fitness test as required by law (Charter, pg. 103) and PE opportunities are provided on the California PE standards and the school's learning outcomes (Charter, pg. 93). Our arts program is similarly described throughout the charter. The arts program is a central component of each student's education at TFS-Inglewood. The charter doesn't simply list local arts programs on pages 71-72 for the sake of listing them—we "take full advantage" of those programs on a regular basis. For example, this year, our students visited the Getty Center, Petersen Museum, and will visit the Grammy Music Museum.

- **ELEMENT D.** The Staff Report incorrectly suggests our renewal charter does not have an adequate description of the school's governance structure.

TFS-Inglewood's Element D is reasonably comprehensive and provides sufficient detail about the governance structure of our existing school. The Staff Report first claims this Element is deficient because Today's Fresh Start's Bylaws do not adequately reference the Brown Act and SB 126 (2019). First, our charter affirms in multiple places that we will comply with the Brown Act (Charter, pgs. 7, 109). More importantly, we do in fact hold meetings in compliance with the Brown Act. Despite this, the Staff Report lists several nit-picky inconsistencies between our Bylaws and the Brown Act as support for denial of our renewal. The law does not require that our Bylaws "reference the Brown Act" or list Brown Act requirements. These issues never came up when our charter was approved and renewed. Our Bylaws are the same Bylaws that were approved by the District as part of our initial petition in 2009 and our renewals in 2012 and 2015.

To the extent there are inconsistencies, the Brown Act requirements control—there is no doubt about that. We are happy to amend our Bylaws to expressly reference the Brown Act and new legislation once our charter is renewed, but we had understood that doing so mid-stream on an appeal may have been problematic for the County, so we didn't. We are also happy to update our Bylaws to clarify the authorized number of Board members is between three and five as

provided in the charter, which has been our practice for years. We are actually interested in ultimately going to up to seven board members, if there is no objection from the SBE. The TFS Board has already reviewed draft Bylaws that sync with new legislation and also resolve the inconsequential issues raised by the Staff Report. (See Exhibit "A".)

The Staff Report also falsely claims the Petition is required to describe plans to fill the Board vacancy and that TFS-Inglewood has been unable to attract and recruit persons interested in serving on the Board. The Board recently appointed The Honorable Diane E. Watson, a former U.S. Congresswoman and U.S. Ambassador, California State Senator, member of the Los Angeles Unified School District Board of Education, and educator, to the Today's Fresh Start's Board. Our Board is confident it will be able to recruit other qualified volunteers to join our Board. Lastly, having outdated information on the website is not valid basis for denying a charter renewal, and we have since updated the website to reflect the current Board members.

The Bylaws provide that the Board will meet *at least* twice per year. Our Board meets often enough to fulfill its fiduciary duties to the organization, approximately every six weeks. In accordance with the Brown Act and just like public agencies and charter schools throughout the state, our Board sets a calendar of regular meetings and holds special meetings throughout the year as necessary. The Staff Report focuses on these trivial governance "issues" because it cannot meaningfully criticize the Board's effective governance of Today's Fresh Start's high-performing schools.

The Charter Schools Act does not require that a charter affirm compliance with every law that's applicable to it. If that were the case, all charter petitions would include hundreds of pages of dry references to statutes. Instead, our charter affirms that TFS-Inglewood will comply with all applicable federal, state, and local laws (Charter, pg. 5). Under Education Code section 47604.1, as added by SB 126 (2019), all charter schools must comply with Government Code section 1090 *et seq.*, including TFS-Inglewood. We understand our obligations under this new law and we will comply.

The School Site Council ("SSC") and English Learner Advisory Council ("ELAC") are described on page 112 of the renewal charter and they were also discussed at the capacity interview. The responsibilities of the SSC and ELAC are statutory, so there's no reason to copy and paste them into the charter. The SSC is composed of the principal, teachers, staff, and parents/guardians or other community members as required by law, and is responsible for developing the content of the School Plan for Student Achievement (see, e.g., Ed. Code, §§ 64001 & 65000). The ELAC is composed of parents/ guardians and others as required by law and is responsible for advising the principal and staff in the development of a detailed master plan for bilingual education and for assisting in the development of the school needs assessment, language census, and ways to make parents aware of the importance of regular school attendance (see Ed. Code, § 52176(b), (c).)

- **ELEMENT E.** The Staff Report claims our renewal charter is required to include the exact number of staff members employed by the school, class sizes, salary schedules, and benefits information. The Charter Schools Act does not require this level of detail, and regardless TFS-Inglewood provided this information to the County.

The law does not require that a charter include specific information about class sizes, an exact number of employees, or salary schedules. If the LACOE Consultants were actually interested in that information, we would have been happy to discuss it during the capacity interview or afterwards; but the LACOE Consultants never asked us.

For the record, we *did* provide detailed information about staffing levels in our budget narrative submitted with the appeal to the County Board. We are projecting to have approximately 25 teachers and 57 staff members total during the first year of the renewal term, both of which will increase as we grow and increase enrollment. We do not use salary schedules but, as stated on the budget narrative, the average teacher salary is approximately \$65,000 with health and retirement benefits provided as well. (TFS-Inglewood County Appeal Binder, pgs. 1117-1118, 1135.) The Staff Report claims our charter is deficient because we did not provide certain information that is not required by law. Yet, we provided this information along with hundreds of pages of financial documents that were apparently ignored. It is unconscionable to allow a successful school to close based on this flawed Staff Report.

The County Board is not responsible for evaluating whether we can attract staff members, and that seems outside the scope of the County Board's responsibilities when reviewing a charter renewal appeal. TFS-Inglewood has been operating for more than a decade. We know what it takes to recruit and retain quality staff members who can implement our proven educational program, as evidenced by our strong performance on standardized assessments.

- **ELEMENT F.** The Staff Report claims our renewal charter is deficient because petitioners did not attach existing copies of all its health and safety policies to the charter for review.

The Act does not require that a charter attach every governing board policy of the school. We have a comprehensive set of health and safety policies but the LACOE Consultants never asked for them. Our charter states on page 4 that our Student/ Parent Handbook, which includes many of our policies, and our School Safety Plan were available upon request. The Student/ Parent Handbook is also publicly available on our website. Many of the school's health and safety policies can also be found throughout the charter itself. For example, our policy and procedures for background checks is on page 118, and our policies for immunizations, medication in school, and vision and hearing screenings are on page 119.

- **ELEMENT G.** The Staff Report wrongfully asserts a charter should include demographic information about the District and County and describe specific geographic areas to be targeted.

Under the SBE's charter review criteria, this element is presumed to be reasonably comprehensive absent specific information to the contrary. (5 C.C.R. § 11967.5.1(f)(7).) Calling our recruitment strategies "boilerplate" and "not specific" enough are not justifiable grounds for denial of a renewal. Many charter schools target certain populations in similar ways, such as by creating promotional materials in different languages and attending meetings of different community groups, which is why our plans for student outreach may look similar to others. The law does not require that we describe a plan for correcting racial and ethnic imbalances, especially considering the fact that *our student population is nearly identical to the*

*District's* according to the CDE's DataQuest website. 96.7% of our students in 2018-19 were either Hispanic/Latino or African American, compared to 96.8% of the District's students.

- **ELEMENT J.** The Staff Report claims our renewal charter does not sufficiently describe the suspension and expulsion procedures because it is inconsistent with SB 419 (2019) – a law that hasn't gone into effect yet.

The Staff Report's "findings" in this section of the Staff Report are irrational. The offenses for which a student may be suspended or expelled in our charter are nearly identical to the list of offenses in the Education Code applicable to school districts (see, e.g., Ed. Code, §§ 48900, 48900.2, 48900.3, 48900.4). There is no meaningful distinction between "discretionary suspension offenses" and "discretionary expellable offenses" under the Education Code, nor in our charter. Just like in a school district, whether a student should be suspended or expelled for a particular offense depends on the facts and circumstances after complying with all due process requirements.

In the capacity interview, we discussed how TFS-Inglewood has not expelled or suspended a student in the past two school years, but the Staff Report failed to highlight this important facet of our program. In fact, we have never expelled a student in our entire ten-year history. We focus on resolving disciplinary issues by serving the whole child academically, socially, and emotionally.

SB 419 (2019) was enacted into law *after* we submitted our renewal charter to the District. We understand that beginning on July 1, 2020, no student in grades TK-8 may be suspended or expelled for willful defiance or disruption of school activities. Our charter affirms that TFS-Inglewood will comply with all applicable federal, state, and local laws (Charter, pg. 5), including SB 419 (2019). We will gladly revise our suspension and expulsion policies to reflect the new requirements but, again, that law didn't exist when we submitted our renewal.

**Staff Report Finding #2:** *Despite over ten years of successfully operating charter schools in the Inglewood and Compton communities, the LACOE Consultants improperly found the petitioners are demonstrably unlikely to successfully implement the program described in the renewal charter.*

### **PETITIONER'S RESPONSE:**

There is no credible basis for the Staff Report's finding that TFS-Inglewood is unlikely to succeed in implementing the charter. TFS-Inglewood is unquestionably successful, offering a WASC-accredited and award-winning program to a vulnerable student population residing in historically underserved neighborhoods in South Los Angeles. Our recognitions include, among many others, receiving the "Exceptional Charter School" recognition from the National Association of Special Education Teachers and a "Top Public School" award by Innovate Public Schools. ***And our educational program undeniably works***, as evidenced by our CAASPP scores and other data. TFS-Inglewood continues to experience increases in student academic achievement schoolwide and among its numerically significant student subgroups, and continues to outperform the District and the Resident Schools. This is why hundreds of families in our community have continued to entrust their children's education with us.

- **FINANCIAL PLAN.** As part of finding #2, the Staff Report raises concerns about TFS-Inglewood's financial statements, budget assumptions, and enrollment projections, yet ignores the documentation we provided that resolves these concerns and demonstrates TFS-Inglewood maintains a strong fiscal condition.

The Staff Report claims we cannot successfully implement our program because we do not have an "adequate financial plan". This is wrong. TFS-Inglewood's fiscal condition has always been strong. In its ten year history, the school has always maintained healthy financial reserves reflective of our sound stewardship, efficient budgeting, and conservative financial planning. We have never received an adverse audit finding. TFS-Inglewood has outstanding fiscal soundness, but the Staff Report ignores this truth and instead makes false assertions about the format and content of the renewal petition.

The LACOE Consultants first claim TFS-Inglewood failed to provide financial documents in the Standardized Account Code Structure ("SACS") format. The law does not require a specific format for the budget and financial projections submitted with a charter. Nonetheless, we did, *in fact*, submit budget documents using the SACS format to the County Board for review. Those documents clearly separate unrestricted and restricted revenues and expenses, and also included a clear budget narrative describing our assumptions. The law similarly does not require that a renewal budget include a narrative describing each and every line item in exhaustive detail. Rather, the SBE's charter review criteria require that petitioners include "budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels." (5 CCR § 11967.5.1(c)(3)(b)(3).) The budget narrative submitted to the County Board with the appeal does all of this and more. Our successful school should not be shuttered because the LACOE Consultants failed to review the documentation we provided to the County.

We appreciate the recognition in the Staff Report that our schedules of instructional minutes were correctly calculated and meet legal requirements.

The concerns in the Staff Report about our plans to increase enrollment are overly dramatic. We understand that enrollment projections are critical for the budgeting and planning process for the school years ahead, and we worked with our financial consultant, Only By the Numbers, to ensure our projections were sound and based on realistic growth. The 3-year, weighted average, cohort survival method that is stressed so heavily in the Staff Report is simply a model to estimate future enrollment based on current and past numbers. The projections in the charter are based on other factors, including the potential expansion of our current state-of-the-art facility to accommodate additional classrooms, the demand in our community for high quality alternatives to District schools, and our history of high academic performance. Our projections are fair and reasonable, and we never have had any concerns about missing enrollment targets in the past ten years.

Our budget and financial projections submitted with the charter are sound and based on more than a decade of operating *this* school in *this* community. As shown in our most recent audit reports submitted with the appeal to the County Board, TFS-Inglewood has nearly doubled our available reserves over the current charter term, growing from \$139,171 in FY 2016 to \$257,062 in FY 2019. Our net assets have also grown steadily over recent years, totaling over

\$18 million at the end of FY 2019. This is evidence that we are *currently* implementing this educational program with an effective financial plan.

The concerns in the Staff Report about our budget assumptions are unsupported by the facts. As explained in the budget notes submitted with the appeal, our assumptions for special education funding were based on forecasts provided by the El Dorado County Charter SELPA, of which we are a member, and our federal funding was forecasted conservatively based on federal guidelines. It's important to keep in mind that these are just projections. We understand that revenues and expenses will fluctuate, and that budgets will need to be adjusted to account for those fluctuations. But we know what it takes to successfully operate this school from a financial perspective—we've been doing it for over a decade.

- ***DISPROVED ALLEGATIONS OF IMPROPER SELF-DEALING.*** As part of finding #2, the Staff Report raises stale allegations about old transactions that we have repeatedly refuted.

This section of the Staff Report has no factual basis and presents *no* evidence of any actual conflict of interest. The Staff Report recklessly regurgitates old, false, and defamatory allegations about the founder of TFS-Inglewood and treats those allegations as fact even though we have explained to the County numerous times why they are false. Today's Fresh Start has operated charter schools since 2003 and there have been no actions or findings from the State agencies that enforce Government Code section 1090 or the Political Reform Act ("PRA") regarding any of its contracts. Nonetheless, the County Board denied our renewal because the LACOE Consultants apparently find our documentation and analysis "hard to fathom" and "unusual." This is an egregious abuse of the County Board's discretion that must be remedied.

First, the Staff Report raises a "concern" about an expired construction management services contract. In September 2013, Today's Fresh Start entered into a five-year contract with California Construction Management Services ("CCMS") to assist with the construction of TFS-Inglewood's facility. Clark Parker, the husband of TFS-Inglewood's Superintendent Dr. Jeanette Parker, was an employee of CCMS at the time. This contract expired in September 2018 by the terms of the contract and as mandated by statute (Ed. Code, § 17596). There was a clerical error with our September 27, 2018 Board meeting agenda that could be interpreted to suggest this contract was extended, but this contract was not extended. There was no contract even presented to the Board at that meeting. Rather, the Board discussed whether Mr. Parker could serve as a ***volunteer without compensation*** to advise the Board in an ongoing litigation related to the TFS-Inglewood construction project because he previously assisted this project. There is no contract with CCMS or Clark Parker. On January 17, 2020, the Board adopted a resolution correcting the September 27, 2018 meeting minutes to ensure the minutes accurately reflect the CCMS contract was not extended. (See Exhibit "B".) Had the LACOE Consultants sought clarification, we would have been happy to provide it.

The second issue the Staff Report references is a lease for a school location used by TFS-Compton, which is a separate charter school authorized by the Compton Unified School District. Dr. Parker and Mr. Parker acquired property back in the 1960's that they used to provide free education to socioeconomically disadvantaged students. The property is held in a family trust and is leased at or below market (verified by an independent third-party MAI appraiser) to a nonprofit preschool, which in turn subleases a portion for the benefit of TFS-Compton. A

Today's Fresh Start-operated school (but never TFS-Inglewood) has rented this property at or below market for close to eighteen years. TFS has never concealed the ownership of this school site—it has been transparent, fully-disclosed, and consistent with applicable conflict of interest laws at the time contracts were entered into. In fact, all of Today's Fresh Start's charter authorizers, including the District, Compton Unified School District, the County Board, and the SBE, approved charters and renewals with full knowledge about the contracts in question, and the FPPC acknowledged that Today's Fresh Start handled contracting correctly.

- **GOALS FOR IMPROVING ACADEMIC ACHIEVEMENT.** As part of finding #2, the Staff Report criticizes TFS-Inglewood for not meeting its aspirational goal of improving schoolwide CAASPP scores by 5% in 2019.

The Staff Report claims that we are unlikely to successfully implement the educational program because we did not improve our already high CAASPP scores by 5% in 2019. This self-imposed goal is not taken from measurable pupil outcomes and goals section, it is merely a reflection of our high expectations for all our students. We know what it takes to be successful and we plan to keep doing it. Despite the Staff Report's strange criticism, the fact remains that TFS-Inglewood widely outperforms the District and the Resident Schools based on CAASPP scores year-after-year, including in 2019, ***and it's not even close.***

The Staff Report does not support the closure of a successful school that has outperformed the District for over ten years, received numerous awards and recognitions, and served as a sanctuary for a vulnerable student population. It is imperative the State Board of Education appropriately weigh a Staff Report featuring factual and legal inaccuracies against the actual success of our school. By not renewing our charter, our students will suffer serious and irreversible harm. We therefore urge the State Board of Education to approve Today's Fresh Start's renewal petition. We are already successfully implementing the educational program detailed in the renewal petition, and we are eager to continue this work in collaboration with the State Board of Education.